



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 24 AUGUST 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, 24 August 2006

HER Excellency the Governor in Executive Council has been pleased to approve the changes set out below to the list of persons and groups authorised to access confidential information, pursuant to section 64D of the South Australian Health Commission Act 1976.

SOUTH AUSTRALIAN HEALTH COMMISSION ACT 1976

AUTHORISATION OF ACCESS TO CONFIDENTIAL INFORMATION

Authorisation By The Governor

PURSUANT to section 64D of the South Australian Health Commission Act 1976 and with the advice and consent of the Executive Council, I authorise the members from time to time of groups or bodies, and the groups or bodies, listed below to have access to confidential information and authorise the changes listed below, in accordance with that section.

ADDITIONAL AUTHORISATIONS:

Groups that assess and improve the quality of specified health services at the hospitals named:

Central Northern Adelaide Health Service Incorporated: The Queen Elizabeth Hospital

- Cancer Registry.
- Division of Surgery Morbidity and Mortality Review Committee.
- Mortality Review Committee.

Southern Adelaide Health Service Incorporated

- Safety and Quality Sub-Committee.

Southern Adelaide Health Service Incorporated: Flinders Medical Centre

- Division of Medicine Cardiac and Critical Care Services—Intensive and Critical Care Unit Morbidity and Mortality Review Committee.
- SA Audit Committee for the Clinical Management of Advanced Colorectal Cancer.
- SA Clinical Registry for Advanced Colorectal Cancer.

Groups that assess and improve the quality of specified health services at the body named:

Royal District Nursing Service of SA Inc.

- Clinical Advisory Committee.

Groups that assess and improve the quality of health services throughout South Australia:

Department of Health

- Department of Health Adverse Event Review Committee.

Groups that assess and improve the quality of mental health services throughout South Australia:

Department of Health

- Mental Health Adverse Event Committee (a Sub-Committee of the Department of Health Adverse Event Review Committee).

Groups that assess and improve the quality of health services throughout country South Australia:

Country Health SA Incorporated

- Quality Assurance Committee.

DELETION OF AUTHORISATIONS:

Central Northern Adelaide Health Service Incorporated: Royal Adelaide Hospital

- Glenside Campus Clinical Indicators Committee.

Department of Human Services

- Metropolitan Clinical Sub-Committee (a Sub-Committee of South Australian Hospitals Safety and Quality Council).

Department of Human Services: Mental Health Unit

- Critical Incidents in Mental Health (CIMH).

Laura and Districts Hospital Incorporated

- Quality Management Committee.

Royal District Nursing Service of SA Inc.

- Quality Committee.

St Andrew's Hospital Inc.

- Peer Review Committee.
- Medical Records Committee.
- Staff Executive Committee.
- Quality Assurance (Nursing) Committee.
- Quality Assurance (Service Departments) Committee.

Stirling and Districts Hospital

- Obstetric Advisory Committee.

By command,

GAIL GAGO, for Premier

HEACS/06/136

Department of the Premier and Cabinet
Adelaide, 24 August 2006

HER Excellency the Governor in Executive Council has been pleased to accept the 2005 University of Adelaide and Flinders University Annual Reports, pursuant to section 25 (1) of the University of Adelaide Act 1971 and section 27 (1) of the Flinders University of South Australia Act 1966.

By command,

GAIL GAGO, for Premier

METAFE 20/06 CS TEMPI

Department of the Premier and Cabinet
Adelaide, 24 August 2006

HER Excellency the Governor in Executive Council has removed James McCabe from the office of Senior Industrial Consultant in the Office of the Employee Ombudsman, pursuant to section 68 of the Constitution Act 1934 and section 36 of the Acts Interpretation Act 1915.

By command,

GAIL GAGO, for Premier

DPC 06/021 CS

AUTHORISED BETTING OPERATIONS ACT 2000

Section 4 (1) (b)

Notice of Approval of Contingencies

NO. 7 OF 2006

INDEPENDENT GAMBLING AUTHORITY, by this notice, approves contingencies relating to sporting or other events within Australia:

1. *Citation*

This notice may be cited as the Approved Contingencies (Innamincka Picnic Races—Gallopings) Notice 2006.

2. *Approval*

- (1) The contingencies listed in the table are approved in respect of fixed odds betting by licensed bookmakers.
- (2) This approval is subject to the provisions of the Authorised Betting Operations Act 2000 ('Act'), the Bookmakers Licensing Rules 2000, any other rules made under section 62 of the Act, and the conditions to which a licence or permit are subject.
- (3) This approval of contingencies may be amended or revoked by further notice.

3. *Definitions*

In this notice—

'Event'—

- (a) means a race on the flat for horses where each animal is ridden by a person;
- (b) includes, in relation to an event mentioned in paragraph (a) for which there were more accepters than places, a division of that event offering the same prize as the event.

'Place' means the contingency that a specified Entrant will place either first, second or third (or, if applicable, fourth) in a specified Event (including where different odds are offered by a bookmaker for first place *vis-a-vis* any of second, third or, if applicable, fourth place).

'race', with respect to horses, includes—

- (a) a race conducted by a licensed racing club; and
- (b) a race at a picnic race meeting or a gymkhana.

'Win' means the contingency that a specified Entrant will place first in or win a specified Event.

TABLE

Picnic race meeting conducted by or on behalf of the Innamincka Picnic Race Club at Innamincka Station on 26 August 2006 and such later date to which the meeting may be adjourned

No.	Description of Event	Prizes	Approved Contingencies
1.	Open sprint over 800 metres for horses	First—\$800 Second—\$200 Third—\$100	Win, place or derivative
2.	Open sprint over 1 000 metres for horses	First—\$800 Second—\$200 Third—\$100	Win, place or derivative
3.	Registered race over 800 metres for horses	First—\$800 Second—\$200 Third—\$100	Win, place or derivative
4.	Open race over 1 400 metres for horses	First—\$3 000 and Cup Second—\$500 Third—\$300	Win, place or derivative
5.	Open race over 1 000 metres for horses	First—\$1 250 and Bracelet Second—\$300 Third—\$200	Win, place or derivative
6.	Open race over 1 200 metres for horses	First—\$800 Second—\$200 Third—\$100	Win, place or derivative
7.	Consolation race over 800 metres for registered horses—open to horses which have started, but not placed first, on the day	First—\$650 Second—\$200 Third—\$100	Win, place or derivative

Dated 22 August 2006.

R. C. J. CHAPPELL, Secretary to the Independent Gambling Authority

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, GAIL GAGO, 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 785 of Deposited Plan 41068, Town of Andamooka, Out of Hundreds (Andamooka), being the whole of the land comprised in Crown Record Volume 5763, Folio 798 and being within Out of Districts.

Dated 24 August 2006.

GAIL GAGO, Minister for Environment and Conservation

DEH 14/0350

DEVELOPMENT ACT 1993, SECTION 26 (9): SOUTHERN METROPOLITAN GROWTH MANAGEMENT—STAGE II PLAN AMENDMENT

Preamble

1. The Development Plan amendment entitled 'Southern Metropolitan Growth Management—Stage II Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

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

NOTICE

PURSUANT to section 26 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 24 August 2006.

PAUL HOLLOWAY, Minister for Urban Development and Planning

MUDP 05/0137

DEVELOPMENT ACT 1993, SECTION 25 (17): CITY OF CHARLES STURT—FINDON URBAN VILLAGE PLAN AMENDMENT

Preamble

1. The Development Plan amendment entitled 'City of Charles Sturt—Findon Urban Village Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

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

NOTICE

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

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

Dated 24 August 2006.

PAUL HOLLOWAY, Minister for Urban Development and Planning

PLN 05/0248

EMPLOYMENT AGENTS REGISTRATION ACT 1993

Notice of Exemption

NOTICE is hereby given that, pursuant to section 4 (1) of the Employment Agents Registration Act 1993, I, Michael Wright, Minister for Industrial Relations, hereby exempt Roebell Pty Ltd trading as CQ Nurse, P.O. Box 9085, Slade Point, Queensland 4740, from:

- Section 11 (1) of the Employment Agents Registration Act 1993, in relation to the requirement that the holder of an employment agent's licence must be a resident of South Australia; and
- Section 16 (1) of the Employment Agents Registration Act 1993, in relation to the requirement that the holder of a licence must not carry on the business of an employment agent except at premises registered under this section.

Dated 18 August 2006.

M. WRIGHT, Minister for Industrial Relations

HOUSING IMPROVEMENT ACT 1940

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

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
25 Windsor Avenue	Clearview	Allotment 89 in Deposited Plan 3418, Hundred of Yatala	5665	49
1 Talbot Road	Croydon Park	Allotment 906 in Deposited Plan 3505, Hundred of Yatala	5636	735
24 Enterprise Road	Elizabeth East	Allotment 517 in Deposited Plan 6433, Hundred of Munno Para	5263	890
Units 1 and 2, 432 Seaview Road	Henley Beach	Allotment 396 in Deposited Plan 14, Hundred of Yatala	5516	691
Unit 3, 432 Seaview Road	Henley Beach	Allotment 396 in Deposited Plan 14, Hundred of Yatala	5516	691
Unit 4, 432 Seaview Road	Henley Beach	Allotment 396 in Deposited Plan 14, Hundred of Yatala	5516	691
Unit 5, 432 Seaview Road	Henley Beach	Allotment 396 in Deposited Plan 14, Hundred of Yatala	5516	691
Lot 8, Smitham Road (also known as De Mannu Road)	Munno Para Downs	Allotment 8 in Deposited Plan 6153, Hundred of Munno Para	5184	792
3 Wicklow Street	Northfield	Allotment 15 in Deposited Plan 5132, Hundred of Yatala	5190	455
Lot 221, Renmark Avenue	Renmark	Allotment 221 in Filed Plan 13167, Renmark Irrigation District	5241	407
5 Dunne Crescent	Salisbury East	Allotment 52 in Deposited Plan 7325, Hundred of Yatala	5122	555
15 Northbri Avenue	Salisbury East	Allotment 48 in Deposited Plan 7002, Hundred of Yatala	5498	22
60 Hounslow Avenue	Torrensville	Allotment 56 in Filed Plan 143784, Hundred of Adelaide	5769	249
Lot 37, Sowten Street	Waterloo	Allotment 37 in Deposited Plan 153, Hundred of Waterloo	5928	999

Dated at Adelaide, 24 August 2006.

D. HUXLEY, Director, Corporate Services

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
138 Gray Street, Adelaide	Allotment 420 in Filed Plan 181262, Hundred of Adelaide	5874	823	28.8.75, page 1253
140 Gray Street, Adelaide	Allotment 419 in Filed Plan 181261, Hundred of Adelaide	5874	822	28.8.75, page 1253
28 Storr Street, Adelaide	Allotment 4 in Filed Plan 149597, Hundred of Adelaide	5274	930	12.11.87, page 1609
1 Wicks Avenue, Felixstow	Allotment 86 in Filed Plan 128120, Hundred of Adelaide	5545	873	16.10.80, page 1161
34 Princes Road, Greenacres	Allotment 206 in Deposited Plan 3365, Hundred of Yatala	5205	358	27.10.05, page 3813
11 Anthony Street, Henley Beach	Allotment 161 in Filed Plan 13, Hundred of Yatala	5248	73	25.9.69, page 1000
5 Lynton Avenue, Millswood	Allotment 15 in Filed Plan 8987, Hundred of Adelaide	5104	834	25.5.06, page 1384
85 Fletcher Road, Peterhead	Allotment 16 in Deposited Plan 596, Hundred of Port Adelaide	5231	71	23.12.92, page 2295
11 Kurrajong Avenue, Renmark	Allotment 113 in Deposited Plan 18756, Renmark Irrigation District	5570	506	29.6.06, page 2074
267 Payneham Road, Royston Park	Allotment 83 in Filed Plan 135934, Hundred of Adelaide	5676	117	2.3.06, page 766
47 Third Avenue, Sefton Park	Allotment 79 in Filed Plan 111487, Hundred of Yatala	5209	831	28.3.96, page 1794
Lot 47, Port Wakefield Road, Waterloo Corner	Allotment 47 in Filed Plan 114708, Hundred of Port Adelaide	5544	626	30.3.2000, page 1908

Dated at Adelaide, 24 August 2006.

D. HUXLEY, Director, Corporate Services

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
Section 64, English Road, Barmera	Section 64 in the Cobdogla Irrigation Area	5796	386	25.5.06, page 1384	100.00
Lot 14, Bray Road (also known as Section 106, Bray Road) Berri	Allotment 14 in Deposited Plan 51587, Berri Irrigation Area	Crown Lease 1585	13	29.6.06, page 2074	60.00
Section 375, Garrett Road, Berri Irrigation Area, (also known as Section 375, Slaven Road, Glossop)	Section 375 in the Berri Irrigation Area	5944	239	29.6.06, page 2074	80.00
142 Drayton Street, Bowden	Allotment 99 in Filed Plan 122146, Hundred of Yatala	5714	925	29.6.06, page 2074	123.00
437 Port Road, Croydon	Allotment 69 in Filed Plan 115781, Hundred of Yatala	5667	94	29.6.06, page 2074	210.00
Lot 8, Panfry Terrace, Edithburgh	Allotment 8 in Filed Plan 131540, Hundred of Melville	5240	143	26.10.95, page 1185	126.00
10 Green Street, Elizabeth Park	Allotment 14 in Deposited Plan 53572, Hundred of Munno Para	5732	835	25.5.06, page 1384	125.00
45 Gascoyne Avenue, Hillcrest	Allotment 371 in Deposited Plan 4950, Hundred of Yatala	5187	345	29.6.06, page 2074	104.00
Section 2062, Shepherdson Road, Moonta Mines	Section 2062, Hundred of Wallaroo	5374	52	29.7.93, page 715	95.00
2 Springhead Road, Mount Torrens	Allotment 315 in Filed Plan 211911, Hundred of Talunga	5781	414	24.2.05, page 523	172.00
57 Ivey Street, Ottoway	Allotment 20 in Deposited Plan 2154, Hundred of Port Adelaide	5894	400	29.6.06, page 2074	125.00
18 Hill Street, Seacliff Park	Allotment 70 in Filed Plan 146604, Hundred of Noarlunga	5809	724	29.11.01, page 5222	235.00
23 Elizabeth Street, Wallaroo	Allotment 858 in Filed Plan 189800, Hundred of Wallaroo	5557	36	28.1.93, page 485	110.00
112 Musgrave Terrace, Wallaroo Mines (also known as Kadina)	Section 2430, Hundred of Wallaroo	Crown Lease 5749	98	26.7.90, page 426	65.00
3 Station Street, Wasleys	Allotment 394 in Filed Plan 174295, Hundred of Mudla Wirra	5742	10	25.6.92, page 2055	143.00
108 Alma Terrace, Woodville West	Allotment 37 in Filed Plan 119155, Hundred of Yatala	5772	547	16.2.78, page 564	185.00

Dated at Adelaide, 24 August 2006.

D. HUXLEY, Director, Corporate Services

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Emma Cronin, ARUP & HLA, G.P.O. Box 11052, Adelaide S.A. 5001, (the 'exemption holder') or a person acting as her agent, are exempt from the provision of section 41 of the Fisheries Act 1982 and the Fisheries (General) Regulations 2000, insofar as she may engage in the collection of Lake Eyre Hardyhead (*Craterocephalus eyresii*) (the 'exempted activity') from the waters described in Schedule 1, using the gear specified in Schedule 2, subject to the conditions set out in Schedule 3 from 1 September 2006 until 30 September 2006, unless varied or revoked earlier.

SCHEDULE 1

Lake Torrens Basin System.

SCHEDULE 2

- Dip nets
- Fish trap

SCHEDULE 3

1. The specimens collected by the exemption holders are for scientific and research purposes only and must not be sold.

2. All non-target native species must be returned to the water immediately, non-native fish must be destroyed and disposed of appropriately.

3. Before conducting the exempted activity, the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9901914.

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

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

Dated 22 August 2006.

W. ZACHARIN, Director of Fisheries

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Zaguae Tesfaye has applied to the Licensing Authority for the transfer of a Restaurant Licence with Extended Trading Authorisation, Section 34 (1) (c), Entertainment Consent, variation to Licence Conditions and Redefinition in respect of premises situated at 126 Henley Beach Road, Torrensville, S.A. 5031 and known as Abyssinian Restaurant.

The application has been set down for hearing on 22 September 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- To delete the following licence condition:
Hours of Trade:
Monday to Sunday: 10 a.m. to 11.30 p.m.
- Extended Trading Authorisation for the whole of the licensed premises, including the new outdoor area sought and for the following times:
Friday and Saturday: Midnight to 3 a.m. the following day;
Sundays (including Sundays preceding Public Holidays): 8 a.m. to 11 a.m. and 8 p.m. to 3 a.m. the following day;
Maundy Thursday: Midnight to 2 a.m. the following day;
Christmas Eve: Midnight to 2 a.m. the following day;
Sunday Christmas Eve: 8 p.m. to 2 a.m. the following day;

New Year's Eve (automatically extended to 2 a.m. the following day): 2 a.m. the following day to 3 a.m. the following day;

Days preceding other Public Holidays: Midnight to 3 a.m. the following day.

- Approval under Section 34 (1) (c) to sell liquor for consumption on the licensed premises by persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.
- Entertainment Consent is sought for the internal areas of the licensed premises, for the following hours:
 - Friday and Saturday: 6 p.m. to 3 a.m. the following day;
 - Sunday: 2 p.m. to 3 a.m. the following day;
 - Maundy Thursday: 6 p.m. to 2 a.m. the following day;
 - Christmas Eve: 6 p.m. to 2 a.m. the following day;
 - Sunday Christmas Eve: 6 p.m. to 2 a.m. the following day;
 - New Year's Eve (automatically extended to 2 a.m. the following day): 6 p.m. to 3 a.m. the following day;
 - Days preceding other Public Holidays: 6 p.m. to 3 a.m. the following day;
 - Sundays preceding Public Holidays: 6 p.m. to 3 a.m. the following day.
- Application for Redefinition to include an outdoor dining area as per plans lodged.

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 September 2006).

The applicant's address for service is c/o Zag Tesfaye, 126 Henley Beach Road, Torrensville, S.A. 5031.

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 10 August 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 Red Dragon Pty Ltd has applied to the Licensing Authority for a Restaurant Licence with Entertainment Consent in respect of premises situated at Shop 8, Glynburn Plaza, Glynburn Road, Firlie, S.A. 5070 and known as Eastern Kitchen on Glynburn.

The application has been set down for hearing on 22 September 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Entertainment Consent on Fridays and Saturdays from noon to midnight.

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 September 2006).

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

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

Dated 14 August 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 Especial Management Pty Ltd has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 2/20 Capper Street, Camden Park, S.A. 5038 and to be known as Adda Wines.

The application has been set down for hearing on 22 September 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 September 2006).

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

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

Dated 15 August 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 Angaston Football Club Incorporated has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Angaston Oval, Park Street, Angaston, S.A. 5353 and known as Panther Estates.

The application has been set down for hearing on 22 September 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 September 2006).

The applicant's address for service is c/o Teusner & Co., 4 Elizabeth Street, Tanunda, S.A. 5352 (Attention: Sonya Miegel).

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 15 August 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 Sonntag Estate Pty Ltd as trustee for Sonntag Family Trust has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 1, Smyth Road, Tanunda, S.A. 5352 and to be known as Sonntag Estate.

The application has been set down for hearing on 22 September 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 September 2006).

The applicant's address for service is c/o Peter Sonntag, Box 215, Tanunda, S.A. 5352.

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

Dated 16 August 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 Coluccio Enterprises Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 13 Gertrude Street, Magill, S.A. 5072 and to be known as Coluccio Enterprises.

The application has been set down for hearing on 22 September 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 September 2006).

The applicant's address for service is c/o Joe Coluccio, 13 Gertrude Street, Magill, S.A. 5072.

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 17 August 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 L. B. & D. P. Schwarz Pty Ltd has applied to the Licensing Authority for a Special Circumstances Licence with Extended Trading Authorisation in respect of premises situated at 3 Glynn Street, Riverton, S.A. 5412 and to be known as Lower North Coaches.

The application has been set down for hearing on 22 September 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- To sell liquor in accordance with section 40 of the Liquor Licensing Act 1997 and any other conditions of this licence.
- For consumption on or adjacent to the licensed premises (provided that the passengers are always under the supervision and control of the driver of the subject vehicles(s)) on any day at any time (including Extended Trading Authorisation).

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 September 2006).

The applicant's address for service is c/o Leon Schwarz, 3 Glynn Street, Riverton, S.A. 5412.

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 17 August 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 Sarefs Pty Ltd has applied to the Licensing Authority for Alterations, Redefinition, variation to Licence Conditions and variation to Entertainment Consent in respect of premises situated at 193 Reservoir Road, Modbury, S.A. 5092 and known as Sferas On The Park.

The application has been set down for hearing on 22 September 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- The approval of Alterations and Redefinition of the licensed premises as per plans lodged.
- Variation to current licensed condition:

To sell and supply liquor on the licensed premises at any time with or ancillary to a meal provided by the licensee:

For consumption on the licensed premises (to a person attending a pre-booked reception or function):

Monday to Sunday—7 a.m. to 1 a.m. the following day, but not including Good Friday; the day after Good Friday between midnight and 1 a.m. and the day after Christmas Day between midnight and 1 a.m.

To read:

To sell and supply liquor on the licensed premises at any time for consumption on the licensed premises:

To persons seated at a table or to a person attending a pre-booked reception or function:

Monday to Sunday—7 a.m. to 2 a.m. the following day, but not including Good Friday; the day after Good Friday between midnight and 1 a.m. and the day after Christmas Day between midnight and 1 a.m.

- To include the following condition:
To sell liquor at anytime to a lodger for consumption on the licenced premises.
- Variation to the current Entertainment Consent to include the new areas and hours sought in the application.

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 September 2006).

The applicant's address for service is c/o Sferas On The Park, 191 Reservoir Road, Modbury, S.A. 5092 (Attention: Michael Sfera).

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 18 August 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 Lions Club of Mallala & Districts Incorporated has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at Mallala Motor Sports Park, Mallala, S.A. 5502 and known as Mallala Motor Sports Park.

The application has been set down for hearing on 22 September 2006 at 9 a.m.

Condition

The following licence condition is sought:

- Consumption on the licensed premises is authorised at any time there is a motor sport event or motor sport related function held.

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 September 2006).

The applicant's address for service is c/o Brenton Grant, 3rd Floor, 185 Victoria Square, 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 17 August 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 Greens Crossing Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 246-248 Flinders Street, Adelaide, S.A. 5000 and to be known as Greens Crossing.

The application has been set down for hearing on 22 September 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 September 2006).

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

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 18 August 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 Ronald William Cleland has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 66 O'Sullivan Beach Road, Lonsdale, S.A. 5160 and to be known as Ron Cleland Auto Repairs.

The application has been set down for hearing on 22 September 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Trading hours for consumption on the licensed premises restricted to the following:

Monday to Friday: 3 p.m. to midnight.

- Only pre-packaged alcohol be available for sale.
- The sale of liquor will remain as a supplementary and minor use to the existing industrial use of the premises.
- No signage identifying the sale of liquor be displayed unless prescribed under the Liquor Licensing Act 1997.
- The sale of liquor be limited to customers and *bonafide* guests of the auto repairs business.

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 September 2006).

The applicant's address for service is c/o Ron Cleland, P.O. Box 213, Lonsdale, S.A. 5160.

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 18 August 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 EJD Enterprises Pty Ltd has applied to the Licensing Authority for a Restaurant Licence with Section 34 (1) (c), Extended Trading Authorisation and Entertainment Consent in respect of premises situated at Stall 6, Rundle Mall, corner Rundle Mall and King William Street, Adelaide, S.A. 5000.

The application has been set down for hearing on 22 September 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Authorisation is sought to apply to the areas as per plans lodged and for the following hours:
 - Monday to Saturday: Midnight to 5 a.m. the following day;
 - Sunday (including Sundays preceding Public Holidays): 8 a.m. to 11 a.m. and 8 p.m. to 5 a.m. the following day;
 - Christmas Day: Midnight to 2 a.m.;
 - Good Friday: Midnight to 2 a.m.;
 - Sunday Christmas Eve: 8 p.m. to 2 a.m. the following day;
 - New Year's Eve (automatically extended to 2 a.m. the following day): 2 a.m. the following day to 5 a.m. the following day;
 - Days preceding other Public Holidays: Midnight to 5 a.m. the following day.
- Approval under Section 34 (1) (c) to sell liquor for consumption on the licensed premises by persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.
- Entertainment Consent is sought to apply to the areas as per plans lodged and is to the hours sought above.

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 September 2006).

The applicant's address for service is c/o Griffin Hilditch Lawyers, 49 Flinders Street, Adelaide, S.A. 5000 (Attention: Adrian Tisato).

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

Dated 21 August 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 Lawrie Brothers Pty Ltd has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence, Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at 207 Gilbert Street, Adelaide, S.A. 5000 and known as Duke of Brunswick Hotel.

The application has been set down for hearing on 22 September 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Authorisation:

Monday to Saturday: Midnight to 2.30 a.m. the following day;

Sunday: 8 a.m. to 11 a.m. and 8 p.m. to 2.30 a.m. the following day;

Good Friday: Midnight to 2 a.m.;

Christmas Day: Midnight to 2 a.m.;

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

New Year's Eve: 2 a.m. to 3 a.m. the following day.

- Variation to Entertainment Consent to apply to include Area 7, Front Bar, Saloon Bar, Function Room 1, Function Room 2, Function Room 3 and to apply to the above-mentioned hours.

- Variation to Entertainment Consent to remove the following condition:

No live band permitted to play on the premises after 11 p.m. on any night and no amplified music after that hour.

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 September 2006).

The applicant's address for service is c/o Philip Foreman, 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 21 August 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 Craig Michael Martin and Lisa Penny Martin have applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 24 Murray Street, Albert Park, S.A. 5014, known as Woodville Indoor Sports and to be known as Sportswest Indoor Centre.

The application has been set down for hearing on 25 September 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' address given above, at least seven days before the hearing date (viz: 15 September 2006).

The applicants' address for service is c/o Craig Martin, 8 Victoria Street, Albert Park, S.A. 5014.

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 15 August 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 CDP Solutions Pty Ltd as trustee for the Porcaro Family Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 200 Hutt Street, Adelaide, S.A. 5000, known as MC's Espresso and to be known as Il Salimino.

The application has been set down for hearing on 25 September 2006 at 9.30 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: 15 September 2006).

The applicant's address for service is c/o Charles Porcaro, 200 Hutt 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 18 August 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 Gregory Mark Kemp and Palma Kemp have applied to the Licensing Authority for the transfer of a Hotel Licence in respect of premises situated at 165 Tynte Street, North Adelaide, S.A. 5006 and known as The Daniel O'Connell Hotel.

The application has been set down for hearing on 27 September 2006 at 9.30 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: 19 September 2006).

The applicants' address for service is c/o Scales & Partners Lawyers, 48 Carrington 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 21 August 2006.

Applicants

LOCAL GOVERNMENT ACT 1999

SOUTHERN REGION WASTE RESOURCE AUTHORITY REGIONAL SUBSIDIARY

Charter—September 2005

1. INTRODUCTION

1.1 Name

The name of the subsidiary is Southern Region Waste Resource Authority (referred to as ‘the Authority’ in this Charter).

1.2 Definitions

1.2.1 ‘absolute majority’ means a majority of the whole number of the Board members or of the Constituent Councils as the case may be;

1.2.2 ‘Constituent Councils’ means the Councils identified at Clause 1.3 of this Charter;

1.2.3 ‘*Gazette*’ means the *South Australian Government Gazette*;

1.2.4 ‘net assets’ means total assets (current and non-current) less total liabilities (current and non-current) as reported in the annual audited financial statements of the Authority together with the net present value of the projected future cash inflows net of cash outflows of the remaining useable airspace over the SRWRA Landfill Operation as licensed by the Environment Protection Authority;

1.2.5 ‘simple majority’ means a majority of those present and entitled to vote;

1.2.6 ‘SRWRA Landfill Operation’ means that land which is held by the Authority under certificates of title volume 5822, folio 967; volume 5822, folio 966; volume 5299, folio 719; volume 5299, folio 720; volume 5479, folio 871 and volume 5696, folio 771;

1.2.7 ‘waste’ means any or all waste as approved under the Environment Protection Act licence held by the Authority or its contractor.

1.3 Establishment

The Authority is a regional subsidiary established pursuant to section 43 of the Local Government Act 1999 by the:

1.3.1 City of Marion;

1.3.2 City of Onkaparinga; and

1.3.3 City of Holdfast Bay.

1.4 Local Government Act 1999

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

1.5 Objects and Purposes

1.5.1 The Authority is established to:

1.5.1.1 provide and operate services at a place or places for the management of waste by or on behalf of the Constituent Councils and/or any other approved Councils;

1.5.1.2 undertake anything relevant (including educational programmes and processes) to the management of waste;

1.5.1.3 provide a forum for discussion and/or research for the ongoing improvement of management of waste;

1.5.1.4 undertake management of waste on behalf of the Constituent Councils on a competitive basis;

1.5.1.5 fulfil, on behalf of the Constituent Councils, any ongoing obligation in relation to rehabilitation and monitoring of waste management facilities under its control;

- 1.5.1.6 develop or facilitate activities or enterprises that result in a beneficial use of waste; and
- 1.5.1.7 be financially self sufficient.

1.5.2 The Authority must in the performance of its role and functions and in all of its plans, policies, and activities give due weight to economic, social and environmental considerations.

1.6 Powers and Functions of the Authority

The powers, functions and duties of the Authority are to be exercised in the performance of the Authority's Objects and Purposes. The Authority shall have those powers, functions and duties delegated to it by the Constituent Councils from time to time which include but are not limited to:

- 1.6.1 accumulation of surplus funds for investment purposes;
- 1.6.2 investment of any of the funds of the Authority in any investment authorised by the Trustee Act 1936, or with the Local Government Finance Authority provided that:
 - 1.6.2.1 in exercising this power of investment the Authority must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
 - 1.6.2.2 the Authority must avoid investments that are speculative or hazardous in nature;
- 1.6.3 distribution of all or any surplus funds and/or making payment of a dividend to the Constituent Councils provided that such distribution or payment will be made to the Constituent Councils in the proportions of their equitable interest in the Authority in accordance with Clause 5.1 of this Charter;
- 1.6.4 setting aside a reserve fund or funds clearly identified for the upkeep and/or replacement of fixed assets of the Authority or meeting any deferred liability of the Authority;
- 1.6.5 borrowing money and/or to incurring expenditure in accordance with Clause 1.7 of this Charter;
- 1.6.6 opening and operating bank accounts;
- 1.6.7 entering into contracts, purchasing, selling, leasing, hiring, renting or otherwise acquiring or disposing of any personal property or interests therein;
- 1.6.8 purchasing, selling, leasing, hiring, renting or otherwise acquiring or disposing of any real property or interests therein, provided that it shall be a condition precedent, that in any such transaction where the Authority will incur a singular or a total liability of \$500 000 or more that the prior written approval of two-thirds of the Constituent Councils is obtained;
- 1.6.9 employing, engaging or dismissing the Executive Officer of the Authority;
- 1.6.10 employing, engaging or retaining professional advisers to the Authority;
- 1.6.11 charging whatever fees the Authority considers appropriate for services rendered to any person, body or Council (other than a Constituent Council) provided that such fees charged by the Authority shall not be less than the cost to the Authority of providing the service except where the Authority considers the circumstances are extraordinary or special;
- 1.6.12 charging the Constituent Councils fees for services that cover the cost to the Authority of providing the services;
- 1.6.13 determining the types of waste which shall be received and the method of collection treatment, recycling and disposal of that waste;
- 1.6.14 undertaking all manner of things relating and incidental to the collection, treatment, recycling and disposal of waste;
- 1.6.15 pursuing the concept of co-operative regionalism in the collection, treatment, recycling and disposal of waste for which the Constituent Councils are or may become responsible and to cause all waste collected by the Authority to be treated, recycled and disposed of in a sanitary and environmentally acceptable way;
- 1.6.16 providing a forum for the discussion and consideration of topics related to the Constituent Councils' obligations and responsibilities in respect of waste;

- 1.6.17 adopting and using a trading name provided that the Authority shall first register the trading name with the Office of Consumer and Business Affairs in accordance with the requirements of the Business Names Act 1996; and
- 1.6.18 anything else necessary or convenient for or incidental to the exercise, performance or discharge of its powers, functions or duties.

1.7 **Borrowings and Expenditure**

- 1.7.1 The Authority has the power to incur expenditure and/or to borrow money:
- (a) in accordance with the approved budget of the Authority;
 - (b) for the purposes of unbudgeted expenditure in accordance with (c) and (d) below or otherwise in cases of genuine emergency or hardship;
 - (c) pursuant to the provisions of subclauses 1.6.8, 1.7.2 and 1.7.4 of this Charter; and
 - (d) with the prior approval of two-thirds of the Constituent Councils which approval must be evidenced by formal resolution of the Councils.
- 1.7.2 The Authority has the power to borrow money from the Local Government Finance Authority or from a registered bank or financial institution within Australia without the prior approval of the Constituent Councils to a level which does not exceed 25% of the net assets of the Authority.
- 1.7.3 For the purposes of Clause 1.7.2 such borrowings:
- (a) must not be used for the purpose of funding operational costs; and
 - (b) where the borrowings are undertaken with the prior approval of the Constituent Councils, must be drawn down within a period of 24 months from the date of approval.
- 1.7.4 The Authority may operate an overdraft facility or facilities as required provided that the overdrawn balance must not exceed \$100 000 in total without the prior approval of two-thirds of the Constituent Councils.

1.8 **Delegation by the Authority**

The Authority may by resolution delegate to the Executive Officer of the Authority any of its powers or functions under this Charter but may not delegate:

- 1.8.1 the power to impose charges;
- 1.8.2 the power to enter into transactions in excess of \$20 000;
- 1.8.3 the power to borrow money or obtain any other form of financial accommodation;
- 1.8.4 the power to approve expenditure of money on the works, services or operations of the Authority not set out in a budget approved by the Authority or where required by this Charter approved by the Constituent Councils;
- 1.8.5 the power to approve the reimbursement of expenses or payment of allowances to members of the Board of Management;
- 1.8.6 the power to adopt or revise a budget or any financial estimates and reports; and
- 1.8.7 the power to make any application or recommendation to the Minister.

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

1.9 **National Competition Policy**

The Authority does not undertake any commercial activities which constitute a significant business activity of the Authority and to which the principles of competitive neutrality must be applied.

2. **BOARD OF MANAGEMENT**

The Authority is a body corporate and is governed by a Board of Management (referred to as 'the Board' in this Charter) which shall have the responsibility to manage the business and other affairs of the Authority ensuring that the Authority acts in accordance with this Charter.

2.1 **Functions of the Board**

- 2.1.1 The formulation of strategic plans and strategies aimed at improving the business of the Authority.

- 2.1.2 To provide professional input and policy direction to the Authority.
- 2.1.3 Monitoring, overseeing and measuring the performance of the Executive Officer of the Authority.
- 2.1.4 Ensuring that a code of ethical behaviour and integrity is established and implemented in all business dealing of the Authority.
- 2.1.5 Assisting in the development of business plans.
- 2.1.6 Exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

2.2 **Membership of the Board**

2.2.1 The Board shall consist of seven members appointed as follows:

- 2.2.1.1 two persons appointed by each Constituent Council;
- 2.2.1.2 one person appointed jointly by the Constituent Councils who is not a member or officer of a Constituent Council but who, in the opinion of the Constituent Councils, has expertise in waste management and/or business.

This person will be chosen from a list of persons circulated to the Constituent Councils and appointed by a panel comprising the Chief Executive Officer (or nominee) and one other person from each Constituent Council.

2.2.2 A Board Member shall, subject to this Charter, be appointed for a term not exceeding three years specified in the instrument of appointment and at the expiration of the term of office will be eligible for re-appointment.

2.2.3 The Constituent Councils may appoint a Deputy for each Board Member appointed pursuant to subclause 2.2.1.1. In the absence of a Board Member the Deputy will be deemed to be the Board Member for that time and will exercise all rights, privileges and obligations of the Board Member during the absence of that Member.

2.2.4 The office of a Board Member will become vacant upon:

- 2.2.4.1 the death of the Board Member; or
- 2.2.4.2 the Council providing written notice of termination to the Board Member and the Board; or
- 2.2.4.3 if the Board Member is an elected member of a Constituent Council upon ceasing to be an elected member; or
- 2.2.4.4 if the Board Member is an officer of a Constituent Council, upon ceasing to be employed by the Council which appointed him/her; or
- 2.2.4.5 upon the Board Member providing his/her resignation in writing to one or more of the Constituent Councils; or
- 2.2.4.6 upon the happening of any other event through which the Board Member would be ineligible to remain as a member of the Board; or
- 2.2.4.7 upon the Board Member becoming a bankrupt or applying for the benefit of a law for the relief of insolvent debtors; or
- 2.2.4.8 if the Board Member has been appointed pursuant to subclause 2.2.1.1, upon the Constituent Council withdrawing from the Authority.

2.2.5 The Board may by a two-thirds majority vote of the Board Members present (excluding the Board Member subject to this subclause 2.2.5) make a recommendation to the relevant Constituent Council requesting the Constituent Council to terminate the appointment of a Board Member that it has appointed under subclause 2.2.1.1 or to all of the Constituent Councils to terminate the appointment of the Board Member appointed under subclause 2.2.1.2 for:

- 2.2.5.1 any behaviour of the Board Member which in the opinion of the Board amounts to impropriety;
- 2.2.5.2 serious neglect of duty in attending to his/her responsibilities as a Board Member;
- 2.2.5.3 breach of fiduciary duty to the Authority or the Constituent Council(s);

- 2.2.5.4 breach of the duty of confidentiality to the Authority and/or the Constituent Council(s);
 - 2.2.5.5 breach of the conflict of interest provisions; or
 - 2.2.5.6 any other behaviour which may discredit the Authority.
- 2.2.6 A Board Member may be removed from office as a Board Member prior to the expiration of a term of appointment only in accordance with the following:
- 2.2.6.1 a Board Member appointed by a Constituent Council pursuant to subclause 2.2.1.1, by resolution of the Constituent Council which originally appointed the Board Member; and
 - 2.2.6.2 the Board Member appointed jointly by the Constituent Councils pursuant to subclause 2.2.1.2 by a joint resolution being a resolution passed by each of the Constituent Councils.
- 2.2.7 If any casual vacancy occurs in the membership of the Board it will be filled in the same manner as the original appointment. The person appointed to the Board to fill a casual vacancy will be appointed for the balance of the term of the original appointment.
- 2.2.8 The Board Member appointed pursuant to subclause 2.2.1.2 shall be eligible for such allowance from the funds of the Authority as the Board shall determine from time to time.
- 2.3 Propriety of Members of the Board**
- 2.3.1 The principles regarding conflict of interest prescribed in the Act apply to all Board Members in the same manner as if they were elected members of a Council.
- (See Chapter 5, Part 4, Division 3 of the Act for conflict of interest provisions)*
- 2.3.2 The Board Members are not required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.
- 2.3.3 The Board Members will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the performance and discharge of official functions and duties as required by Part 4, Division 1, Chapter 5 of the Act and Clause 23 of Part 2 of Schedule 2 to the Act.
- 2.4 Chair of the Board**
- 2.4.1 The Chair of the Board shall be the person appointed pursuant to subclause 2.2.1.2, who shall hold office for a term of three years, unless he/she resigns or is removed from office pursuant to subclause 2.2.5 or is otherwise no longer eligible to act as a Board Member.
- 2.4.2 The Chair is eligible for re-appointment at the expiration of the term of office.
- 2.4.3 In the event that the appointed Chair either resigns or is no longer eligible to act as a Board Member prior to the expiration of that persons term, the Board shall elect from amongst the other Board Members a new Chair who shall hold office until a further appointment is made pursuant to subclause 2.2.1.2 whereupon the person so appointed will hold office for the duration of the original appointment.
- 2.4.4 The Board may choose a person appointed pursuant to subclause 2.2.1.1 to be the Deputy Chair of the Board for a term determined by the Board.
- 2.4.5 The Chair shall preside at all meetings of the Board and, in the event of the Chair being absent from a meeting, the Deputy Chair shall preside and in the event of both the Chair and the Deputy Chair being absent from a meeting the Board Members present shall appoint a person from amongst them, who shall preside for that meeting or until the Chair or the Deputy Chair is present.
- 2.5 Meetings of the Board**
- 2.5.1 The provisions of Part 2 of the Local Government (Procedures at Meetings) Regulations 2000 shall, insofar as the same may be applicable and not inconsistent with this Charter, apply to the proceedings at and conduct of all meetings of the Board.
- 2.5.2 Ordinary meetings of the Board must take place at such times and places as may be fixed by the Board or the Executive Officer of the Authority from time to time. There shall be at least six ordinary meeting of the Board held in each financial year. Meetings shall not be held before 5 p.m. unless the Board resolves otherwise by resolution supported unanimously by all of the Board Members present at the meeting which determines the issue.

- 2.5.3 An ordinary meeting of the Board will constitute an ordinary meeting of the Authority. The Board shall administer the business of the ordinary meeting.
- 2.5.4 For the purposes of this subclause, the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of a number of the Board Members provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the meeting, must at all times during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audio visual or other communication equipment, unless that Board Member has previously notified the Chair of the meeting.
- 2.5.5 A proposed resolution in writing and given to all Board Members in accordance with proceedings determined by the Board will be a valid decision of the Board where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Executive Officer. The resolution shall thereupon be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held.
- 2.5.6 Notice of ordinary meetings of the Board must be given by the Executive Officer to each Board Member not less than three clear days prior to the holding of the meeting.
- 2.5.7 Notice of any meeting of the Board must:
- (a) be in writing; and
 - (b) set out the date, time and place of the meeting; and
 - (c) be signed by the Executive Officer; and
 - (d) contain, or be accompanied by, the agenda for the meeting; and
 - (e) be accompanied by a copy of any documents or reports that are to be considered at the meeting (so far as this is practicable).
- All documents or reports delivered to Board Members in accordance with this subclause are confidential unless indicated otherwise.
- 2.5.8 The Executive Officer must maintain a record of all notices of meetings given under subclause 2.5.7 to Board Members.
- 2.5.9 Notice under subclause 2.5.7 may be given to a Board Member:
- (a) personally; or
 - (b) by delivering the notice (whether by post or otherwise) to the usual place of residence of the Board Member or to another place authorised in writing by the Board Member; or
 - (c) by leaving the notice for a Board Member appointed under subclause 2.2.1.1 at an appropriate place at the principal office of the Constituent Council which appointed the Board Member; or
 - (d) by a means authorised in writing by the Board Member as being an available means of giving notice.
- 2.5.10 A notice that is not given in accordance with subclause 2.5.9 will be taken to have been validly given if the Executive Officer considers it impracticable to give the notice in accordance with the subclause and takes action that the Executive Officer considers reasonably practicable in the circumstances to bring the notice to the Board Member's attention.
- 2.5.11 Any Constituent Council or Board Member may by delivering a written request to the Executive Officer of the Authority require a special meeting of the Board to be held. The request will only be valid if it is accompanied by the agenda for the special meeting. On receipt of the request the Executive Officer shall send a notice of the special meeting to all Board Members at least 24 hours prior to the commencement of the special meeting. Such notice shall comply with subclauses 2.5.7 and 2.5.9 of this Charter.
- 2.5.12 The quorum for any meeting of the Board is a simple majority of the number of members in office.

- 2.5.13 Every Board Member, including the Chair, shall have a deliberative vote. The Chair shall not in the event of an equality of votes have a casting vote.
- 2.5.14 All matters will be decided by a simple majority of votes of the Board Members present except where this Charter provides otherwise. In the event of an equality of votes the matter will lapse.
- 2.5.15 Subject to subclause 2.3.1, all Board Members present at a meeting shall vote.
- 2.5.16 Any meeting of the Board may be adjourned from time to time and from place to place.
- 2.5.17 Subject to Clause 2.6 and to the absolute discretion of the Board to conduct any meeting or part of any meeting in public, meetings of the Board will not be conducted in a place open to the public.
- 2.5.18 The Executive Officer must cause minutes to be kept of the proceedings at every meeting of the Board.
- 2.5.19 If the Executive Officer is excluded from attendance at a meeting of the Board, the person presiding at the meeting shall cause the minutes to be kept.
- 2.5.20 Each Board Member must, be supplied with a copy of all minutes of the proceedings of a meeting within five days of the meeting.
- 2.5.21 All documents presented to, received at or derived from a Board Meeting, including but not limited to:
- minutes of a Board Meeting;
 - reports to the Board received at a meeting of the Board; and
 - recommendations presented to the Board in writing and adopted by resolution of the Board.
- will remain confidential and not available for public inspection unless the Board otherwise resolves.
- 2.5.22 Prior to the conclusion of each meeting of the Board, the Board must identify which agenda items considered by the Board at that meeting will be the subject of an information report to the Constituent Councils.
- 2.5.23 Subject to this Charter and to any direction of the Constituent Councils the Board may determine its own procedures.

2.6 Annual General Meeting

- 2.6.1 An Annual General Meeting of the Board shall be held prior to November in each year at a place and time determined by a resolution of the Board.
- 2.6.2 In addition to the requirements of subclause 2.5.6 of this Charter, notice of the Annual General Meeting will also be given by:
- (a) placing a copy of the notice and agenda on public display at the principal office of the Authority and of each Constituent Council;
 - (b) by giving notice in newspapers which circulate in the areas of the Constituent Councils;
 - (c) in such other manner as the Executive Officer considers appropriate taking into account:
 - (i) the characteristics of the community and area of the Constituent Councils; and
 - (ii) the best ways to bring notice of the Annual General Meeting to the attention of the public; and
 - (iii) such other matters as the Executive Officer thinks fit.
- 2.6.3 The notice and agenda must be placed on public display at least 14 clear days before the Annual General Meeting and must be available to the public:
- (a) for inspection, without charge;
 - (b) by way of a copy, upon payment of a fee fixed by the Authority,
- and must be kept on public display until the completion of the Annual General Meeting.

- 2.6.4 A reasonable number of copies of the notice and agenda and any document or report supplied to Board Members for the Annual General Meeting must be available for members of the public at the meeting.
- 2.6.5 The Annual General Meeting will be conducted in a place open to the public and will consider and deal with business of a general nature aimed at reviewing the progress and direction of the Authority over the immediately preceding financial year and shall include the following:
- (a) Chair's report;
 - (b) Executive Officer's report;
 - (c) the annual budget for the ensuing financial year;
 - (d) the audited financial statements for the previous financial year;
 - (e) any other general business determined by the Board to be considered at the Annual General Meeting.
- 2.6.6 The minutes of the Annual General Meeting must, in addition to the requirements of subclause 2.5.20 be available to the public within five days of the Meeting for inspection or by provision of a copy upon payment of a fee fixed by the Board.

3. STAFFING ISSUES

- 3.1 The Board must appoint an Executive Officer of the Authority to manage the business of the Board on terms agreed between the Executive Officer and the Board. The Executive Officer may be a natural person or a body corporate.
- 3.2 The Executive Officer shall cause records to be kept of the business and financial affairs of the Authority in accordance with this Charter, in addition to other duties provided for by this Charter and those specified in the terms and conditions of appointment.
- 3.3 In the absence of the Executive Officer for any period exceeding two weeks a suitable person to act in the position of Executive Officer of the Authority must be appointed by the Board.
- 3.4 The Board shall delegate responsibility for the day to day management of the Authority to the Executive Officer, who will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of the Authority.
- 3.5 The functions of the Executive Officer shall be specified in the terms and conditions of appointment and shall include but are not limited to:
- 3.5.1 attending at all meetings of the Board unless excluded by resolution of the Board;
 - 3.5.2 ensuring that the decisions of the Board are implemented in a timely and efficient manner;
 - 3.5.3 providing information to assist the Board to assess the Authority's performance against its Strategic and Business Plans;
 - 3.5.4 appointing, managing, suspending and dismissing other employees of the Authority;
 - 3.5.5 determining the conditions of employment of employees of the Authority, within budgetary constraints set by the Board;
 - 3.5.6 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;
 - 3.5.7 ensuring that the Authority is at all times complying with Schedule 2 to the Act and all other relevant statutory obligations;
 - 3.5.8 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Authority;
 - 3.5.9 ensuring that the assets and resources of the Authority are properly managed and maintained;
 - 3.5.10 ensuring that records required under the Act or any other legislation are properly kept and maintained;
 - 3.5.11 exercising, performing or discharging other powers, functions or duties conferred on the Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board;

- 3.5.12 achieving financial outcomes in accordance with adopted plans and budgets of the Authority;
 - 3.5.13 inviting any person to attend at a meeting of the Board to act in an advisory capacity; and
 - 3.5.14 providing reports to the Constituent Councils in accordance with subclause 2.5.22.
- 3.6 The Executive Officer may delegate or sub-delegate to an employee of the Authority or a committee comprising employees of the Authority, any power or function vested in the Executive Officer. Such delegation or sub-delegation may be subject to any conditions or limitations as determined by the Executive Officer.
- 3.7 Where a power or function is delegated to an employee, the employee is responsible to the Executive Officer for the efficient and effective exercise or performance of that power or function.
- 3.8 A written record of all delegations and sub-delegations must be kept by the Executive Officer at all times.

4. MANAGEMENT

4.1 Financial Management

- 4.1.1 The Authority shall keep proper books of accounts in accordance with the requirements of the Local Government (Financial Management) Regulations 1999.
- 4.1.2 The Authority's books of account must be available for inspection by any Board Member or authorised representative of any Constituent Council at any reasonable time on request.
- 4.1.3 The Authority must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- 4.1.4 All cheques must be signed by two persons authorised by resolution of the Board.
- 4.1.5 Any payments made by Electronic Funds Transfer must be made in accordance with procedures which have received the prior written approval of the Auditor.

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

4.2 Audit

- 4.2.1 The Authority shall appoint an auditor in accordance with the Local Government (Financial Management) Regulations 1999, on terms and conditions set by the Board.
- 4.2.2 The Auditor will have the same powers and responsibilities as set out in the Local Government Act 1999, in relation to a Council.
- 4.2.3 The audit of Financial Statements of the Authority, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Constituent Councils.
- 4.2.4 The books of account and financial statements shall be audited at least once per year.
- 4.2.5 The Authority is not required to establish an audit committee.

4.3 Business Plan

The Authority shall:

- 4.3.1 prepare a three year Business Plan linking the core business activities of the Authority to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period; and
- 4.3.2 review the Business Plan annually; and
- 4.3.3 consult with the Constituent Councils prior to adopting or amending the Business Plan.

(See Clause 24, Part 2, Schedule 2 to the Act for the contents of the Business Plan)

4.4 Annual Budget

- 4.4.1 The Authority shall, after 31 May but before the end of June in each financial year, prepare and adopt an annual budget for the ensuing financial year in accordance with the Local Government Act 1999.

- 4.4.2 The proposed annual budget must be referred to Constituent Councils at the same time as the Executive Officer submits it to the Board Members.
- 4.4.3 A Constituent Council may comment in writing to the Executive Officer on the budget at least three business days before the meeting at which it will be considered by the Board or, alternatively, may comment through its Board Member at the meeting of the Board.
- 4.4.4 The Authority must provide a copy of its annual budget to the Constituent Councils within five business days after adoption by the Board.
- 4.4.5 Reports summarising the financial position and performance of the Authority against the annual budget shall be prepared and presented to the Board every three calendar months and copies provided to the Constituent Councils within five days of the Board meeting to which they have been presented.

(See Clause 25, Part 2, Schedule 2 to the Act for the contents of the budget)

4.5 **Reporting**

- 4.5.1 The Authority must submit to the Constituent Councils by 30 September in each year in respect of the immediately preceding financial year, a report on the work and operations of the Authority detailing achievement of the aims and objectives of its Business Plan and incorporating the audited Financial Statements of the Authority and any other information or reports as required by the Constituent Councils.
- 4.5.2 The Board shall present a balance sheet and full financial report to the Constituent Councils at the end of each financial year.
- 4.5.3 The Board shall present audited financial statements to the Constituent Councils in accordance with the requirements of the Local Government (Financial Management) Regulations 1999.

5. **MISCELLANEOUS**

5.1 **Equitable Interest**

- 5.1.1 Subject to subclause 5.1.2 the equitable interest of the Constituent Councils in the Authority is agreed as follows:
 - (a) City of Holdfast Bay: 15%.
 - (b) City of Marion: 30%.
 - (c) City of Onkaparinga: 55%.
- 5.1.2 The equitable interest of the Constituent Councils in the Authority as set out at subclause 5.1.1 may be varied by agreement of the Constituent Councils and will be varied where a new Constituent Council or Councils is admitted pursuant to Clause 5.3.

5.2 **Withdrawal**

- 5.2.1 A Constituent Council may not withdraw from the Authority except with the approval of the Minister and subject to the Local Government Act and this Charter.
- 5.2.2 A Constituent Council which intends to withdraw from the Authority shall give to the Board and the other Constituent Councils written notice of such intention, specifying the date of intended withdrawal. The notice shall be a minimum of 24 months notice expiring on 30 June of the relevant financial year.
- 5.2.3 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council for the payment of its contribution towards any actual or contingent deficiency in the net assets of the Authority at the end of the financial year in which such withdrawal occurs.
- 5.2.4 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by the Authority at any time before or after such withdrawal in respect of any act or omission by the Authority prior to such withdrawal.
- 5.2.5 Payment by or to the withdrawing Constituent Council must be fully paid by 30 June of the financial year following 30 June of the year in which the withdrawal occurs unless there is common agreement of alternative payment arrangements by the Constituent Councils.

5.3 **New Members**

Subject to the provisions of the Act, this Charter may be amended by the unanimous agreement of the Constituent Councils to provide for the admission of a new Constituent Council or Councils, with or without conditions of membership.

5.4 **Insurance and Superannuation Requirements**

5.4.1 The Authority shall register with the Local Government Mutual Liability Scheme and comply with the Rules of that Scheme.

5.4.2 The Authority shall advise Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of the Authority.

5.4.3 If the Authority employs any person it shall register with the Local Government Superannuation Scheme and the Local Government Workers Compensation Scheme and comply with the Rules of those Schemes.

5.5 **Winding Up and Statutory Guarantee**

5.5.1 The Authority may be wound up by unanimous resolution of the Constituent Councils and with the consent of the Minister.

5.5.2 On winding up of the Authority, the surplus assets or liabilities of the Authority, as the case may be, shall be distributed between or become the responsibility of the Constituent Councils in the proportions of their equitable interest in the Authority in accordance with Clause 5.1.

5.5.3 If there are insufficient funds to pay all expenses due by the Authority on winding up (or at any other time there are unfunded liabilities which the Authority cannot meet), a call shall be made upon all of the Constituent Councils in proportion to their equity share for the purpose of satisfying their statutory guarantee of the liabilities of the Authority.

5.6 **Direction by Constituent Councils**

5.6.1 The establishment of the Authority does not derogate from the power of any of the Constituent Councils to act independently in relation to a matter within the jurisdiction of the Authority.

5.6.2 Provided that all of the Constituent Councils have first agreed as to the action to be taken, the Constituent Councils may direct and control the Authority.

5.6.3 For the purpose of this Clause, any decision of the Constituent Councils under subclause 5.6.1 and/or direction given or control exercised by the Constituent Councils must be given in writing to the Executive Officer of the Authority.

5.7 **Review of Charter**

5.7.1 This Charter will be reviewed by the Constituent Councils acting in concurrence at least once in every three years.

5.7.2 This Charter may be amended by unanimous agreement expressed by resolution of the Constituent Councils.

5.7.3 The Executive Officer must ensure that the amended Charter is published in the *Gazette* and a copy of the amended Charter provided to the Minister.

5.7.4 Before the Constituent Councils vote on a proposal to alter this Charter they must take into account any recommendation of the Board.

5.8 **Disputes Between Constituent Councils**

5.8.1 The Constituent Councils agree to work together in good faith to resolve any matter requiring their direction or resolution.

5.8.2 Where the Constituent Councils are unable to resolve a matter within 28 days of the matter being presented to them, the matter will be referred for arbitration by the President (or his/her nominee) of the Institute of Arbitration.

5.8.3 Notwithstanding subclause 5.8.2 the Constituent Councils agree to be bound by the decision of the Arbitrator (except in relation to any decision relating to the acquisition or disposal of any real property) and will endeavour to work together in good faith in the implementation of that decision.

5.8.4 The costs of arbitration shall be borne equally by the Constituent Councils.

5.9 Committees

- 5.9.1 The Board may establish a committee comprised of any persons for the purpose of enquiring into and reporting to the Board on any matter within the Authority's functions and powers and as detailed in the terms of reference given by the Board to the committee.
- 5.9.2 The Board may establish a committee comprised only of Board Members for the purpose of exercising, performing or discharging delegated powers, functions or duties.
- 5.9.3 A member of a committee established under this Clause holds office at the pleasure of the Board.
- 5.9.4 The Chair of the Board is an *ex-officio* a member of any committee established by the Board.

5.10 Common Seal

- 5.10.1 The Authority will have a common seal, which may be affixed to documents requiring execution under seal and where affixed must be witnessed by two Board Members or where authority has been conferred by instrument executed under the common seal of the Authority, by the Chair of the Board and the Executive Officer.
- 5.10.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board.
- 5.10.3 The Executive Officer must maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with the particulars of persons who witnessed the fixing of the seal and the date that the seal was affixed.
- 5.10.4 The Board may by instrument under seal authorise a person to execute documents on behalf of the Authority.

5.11 Circumstances Not Provided For

If any circumstances arise about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Board has the power to consider the circumstance and determine the action to be taken.

LES PERRY, Executive Officer

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2006

	\$		\$
Agents, Ceasing to Act as.....	38.00	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	25.25
Incorporation	19.30	Discontinuance Place of Business	25.25
Intention of Incorporation	47.75	Land—Real Property Act:	
Transfer of Properties	47.75	Intention to Sell, Notice of.....	47.75
Attorney, Appointment of.....	38.00	Lost Certificate of Title Notices	47.75
Bailiff's Sale.....	47.75	Cancellation, Notice of (Strata Plan)	47.75
Cemetery Curator Appointed.....	28.25	Mortgages:	
Companies:		Caveat Lodgement.....	19.30
Alteration to Constitution	38.00	Discharge of.....	20.20
Capital, Increase or Decrease of	47.75	Foreclosures.....	19.30
Ceasing to Carry on Business	28.25	Transfer of	19.30
Declaration of Dividend.....	28.25	Sublet.....	9.70
Incorporation	38.00	Leases—Application for Transfer (2 insertions) each	9.70
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	28.25
First Name.....	28.25	Licensing	56.50
Each Subsequent Name.....	9.70	Municipal or District Councils:	
Meeting Final.....	31.75	Annual Financial Statement—Forms 1 and 2	532.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	378.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	75.50
First Name.....	38.00	Each Subsequent Name.....	9.70
Each Subsequent Name.....	9.70	Noxious Trade	28.25
Notices:		Partnership, Dissolution of.....	28.25
Call.....	47.75	Petitions (small).....	19.30
Change of Name	19.30	Registered Building Societies (from Registrar-	
Creditors.....	38.00	General).....	19.30
Creditors Compromise of Arrangement.....	38.00	Register of Unclaimed Moneys—First Name.....	28.25
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	9.70
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	47.75	Rate per page (in 8pt)	242.00
Release of Liquidator—Application—Large Ad.....	75.50	Rate per page (in 6pt)	320.00
—Release Granted	47.75	Sale of Land by Public Auction.....	48.25
Receiver and Manager Appointed.....	44.00	Advertisements.....	2.70
Receiver and Manager Ceasing to Act.....	38.00	¼ page advertisement	113.00
Restored Name.....	35.75	½ page advertisement	226.00
Petition to Supreme Court for Winding Up.....	66.50	Full page advertisement.....	443.00
Summons in Action.....	56.50	Advertisements, other than those listed are charged at \$2.70 per	
Order of Supreme Court for Winding Up Action.....	38.00	column line, tabular one-third extra.	
Register of Interests—Section 84 (1) Exempt.....	85.50	Notices by Colleges, Universities, Corporations and District	
Removal of Office.....	19.30	Councils to be charged at \$2.70 per line.	
Proof of Debts	38.00	Where the notice inserted varies significantly in length from	
Sales of Shares and Forfeiture.....	38.00	that which is usually published a charge of \$2.70 per column line	
Estates:		will be applied in lieu of advertisement rates listed.	
Assigned	28.25	South Australian Government publications are sold on the	
Deceased Persons—Notice to Creditors, etc.....	47.75	condition that they will not be reproduced without prior	
Each Subsequent Name.....	9.70	permission from the Government Printer.	
Deceased Persons—Closed Estates.....	28.25		
Each Subsequent Estate.....	1.25		
Probate, Selling of	38.00		
Public Trustee, each Estate	9.70		

All the above prices include GST

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ALL 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. 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. Please include 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.**

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2006

Acts, Bills, Rules, Parliamentary Papers and Regulations

Pages	Main	Amends	Pages	Main	Amends
1-16	2.30	1.05	497-512	32.25	31.25
17-32	3.10	1.95	513-528	33.25	32.00
33-48	4.05	2.90	529-544	34.25	33.25
49-64	5.10	3.90	545-560	35.25	34.25
65-80	6.00	4.95	561-576	36.00	35.25
81-96	6.95	5.75	577-592	37.00	35.75
97-112	7.90	6.75	593-608	38.25	36.75
113-128	8.90	7.75	609-624	39.00	38.00
129-144	9.95	8.80	625-640	40.00	38.50
145-160	10.90	9.70	641-656	41.00	40.00
161-176	11.90	10.70	657-672	41.50	40.50
177-192	12.90	11.70	673-688	43.25	41.50
193-208	13.90	12.80	689-704	44.00	42.50
209-224	14.70	13.60	705-720	44.75	43.50
225-240	15.70	14.50	721-736	46.50	44.50
241-257	16.80	15.30	737-752	47.00	45.50
258-272	17.70	16.30	753-768	48.00	46.25
273-288	18.70	17.50	769-784	48.50	47.75
289-304	19.50	18.40	785-800	49.50	48.75
305-320	20.70	19.40	801-816	50.50	49.25
321-336	21.50	20.30	817-832	51.50	50.50
337-352	22.60	21.40	833-848	52.50	51.50
353-368	23.50	22.40	849-864	53.50	52.00
369-384	24.50	23.40	865-880	54.50	53.50
385-400	25.50	24.30	881-896	55.00	54.00
401-416	26.50	25.00	897-912	56.50	55.00
417-432	27.50	26.25	913-928	57.00	56.50
433-448	28.50	27.25	929-944	58.00	57.00
449-464	29.25	28.00	945-960	59.00	57.50
465-480	29.75	29.00	961-976	60.50	58.50
481-496	31.25	29.75	977-992	61.50	59.00

Legislation—Acts, Regulations, etc:

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LOCAL GOVERNMENT (ELECTIONS) ACT 1999

Local Government Elections—Nominations Open

NOMINATIONS will be received between Tuesday, 5 September 2006 until 12 noon on Tuesday, 19 September 2006, from any person eligible and wishing to be a candidate for election to any of the positions listed below. Candidates must submit a profile of no more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Council nomination information is set out below:

Dated 24 August 2006.

K. MOUSLEY, Returning Officer

ADELAIDE HILLS COUNCIL

Vacancies:

- 1 Vacancy—Mayor
- 2 Vacancies—Councillor for Manoah Ward
- 3 Vacancies—Councillor for Mount Lofty Ward
- 2 Vacancies—Councillor for Marble Hill Ward
- 2 Vacancies—Councillor for Torrens Valley Ward
- 3 Vacancies—Councillor for Onkaparinga Valley Ward

Nomination kits are available from:

Council Offices
28 Onkaparinga Valley Road, Woodside
63 Mount Barker Road, Stirling
Phone: (08) 8408 0400.

A briefing session for intending candidates will be held at 6.30 p.m. on Wednesday, 6 September 2006, at the Council Offices, 36 Nairne Road, Woodside.

ALEXANDRINA COUNCIL

Vacancies:

- 1 Vacancy—Mayor
- 1 Vacancy—Councillor for Nangkita-Kuitpo Ward
- 2 Vacancies—Councillor for Strathalbyn Ward
- 2 Vacancies—Councillor for Angas-Bremer Ward
- 2 Vacancies—Councillor for Pt Elliot-Middleton Ward
- 4 Vacancies—Councillor for Goolwa-Hindmarsh Island Ward

Nomination kits are available from:

Council Offices
Cadell Street, Goolwa
Colman Terrace, Strathalbyn
Phone: (08) 8555 7000.

A briefing session for intending candidates will be held at 7 p.m. on Wednesday, 6 September 2006, at the Council Office, Cadell Street, Goolwa.

THE BAROSSA COUNCIL

Vacancies:

- 1 Vacancy—Mayor
- 13 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
Washington Street, Angaston
Phone: (08) 8563 8444.

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006, at the Council Chambers, 1 Washington Street, Angaston.

THE BERRI BARMERA COUNCIL

Vacancies:

- 1 Vacancy—Mayor
- 10 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
19 Wilson Street, Berri
Phone: (08) 8582 1922.
Barmera Library and Customer Service Centre
Barwell Avenue, Barmera

A briefing session for intending candidates will be held at 6.30 p.m. on Wednesday, 6 September 2006, at the Len Mahoney Room—Berri Town Hall, 19 Wilson Street, Berri.

CITY OF BURNSIDE

Vacancies:

- 1 Vacancy—Mayor
- 2 Vacancies—Councillor for Beaumont Ward
- 2 Vacancies—Councillor for Burnside Ward
- 2 Vacancies—Councillor for Eastwood and Glenunga Ward
- 2 Vacancies—Councillor for Kensington Gardens and Magill Ward
- 2 Vacancies—Councillor for Kensington Park Ward
- 2 Vacancies—Councillor for Rose Park and Toorak Gardens Ward

Nomination kits are available from:

Council Office
401 Greenhill Road, Tasmore
Phone: 8366 4200.

A briefing session for intending candidates will be held at 7 p.m. on Tuesday, 12 September 2006, at the Linden Room—Civic Centre, 401 Greenhill Road, Tasmore.

CITY OF CAMPBELLTOWN

Vacancies:

- 1 Vacancy—Mayor
- 4 Vacancies—Area Councillor
- 2 Vacancies—Councillor for Hectorville Ward
- 2 Vacancies—Councillor for Gorge Ward
- 2 Vacancies—Councillor for Newton Ward
- 2 Vacancies—Councillor for River Ward
- 2 Vacancies—Councillor for Woodforde Ward

Nomination kits are available from:

Council Office
172 Montacute Road, Rostrevor
Phone: 8366 9222.

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006, at the Committee Rooms, 172 Montacute Road, Rostrevor.

CITY OF CHARLES STURT

Vacancies:

- 1 Vacancy—Mayor
- 2 Vacancies—Councillor for Semaphore Park Ward
- 2 Vacancies—Councillor for Grange Ward
- 2 Vacancies—Councillor for Henley Ward
- 2 Vacancies—Councillor for Woodville Ward
- 2 Vacancies—Councillor for West Woodville Ward
- 2 Vacancies—Councillor for Findon Ward
- 2 Vacancies—Councillor for Hindmarsh Ward
- 2 Vacancies—Councillor for Beverley Ward

Nomination kits are available from:

Council Office
72 Woodville Road, Woodville
Phone: 8408 1111.

A briefing session for intending candidates will be held at 7 p.m. on Wednesday, 6 September 2006, at the Civic Centre, 72 Woodville Road, Woodville.

CLARE & GILBERT VALLEYS COUNCIL

Vacancies:

- 1 Vacancy—Mayor
- 9 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
4 Gleeson Street, Clare
Phone: (08) 8842 2700.

A briefing session for intending candidates will be held at 7 p.m. on Monday, 4 September 2006, at the Barbara J. Long Function Room, 229 Main North Road, Clare.

DISTRICT COUNCIL OF CLEVE

Vacancies:

- 8 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
10 Main Street, Cleve
Phone: (08) 8628 2004.

A briefing session for intending candidates will be held at 7 p.m. on Tuesday, 5 September 2006, at the Council Chambers, 10 Main Street, Cleve.

DISTRICT COUNCIL OF COOBER PEDY

Vacancies:

- 1 Vacancy—Mayor
- 8 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
Hutchison Street, Coober Pedy
Phone: (08) 8672 5298.

A briefing session for intending candidates will be held at 7 p.m. on Wednesday, 6 September 2006, at the Council Chambers, Hutchison Street, Coober Pedy.

COORONG DISTRICT COUNCIL

Vacancies:

- 2 Vacancies—Councillor for Parks Ward
- 4 Vacancies—Councillor for Mallee Ward
- 3 Vacancies—Councillor for Lakes Ward

Nomination kits are available from:

Council Offices
49 Princes Highway, Meningie
Phone: (08) 8575 1008.
95 Railway Terrace, Tailem Bend
Phone: (08) 8572 3611.
37 Becker Terrace, Tintinara
Phone: (08) 8757 2100.

A briefing session for intending candidates will be held at 7.30 p.m. on Thursday, 7 September 2006, at the Senior Citizens & Community Function Centre, corner Murray and Willow Streets, Tailem Bend.

DISTRICT COUNCIL OF THE COPPER COAST

Vacancies:

- 1 Vacancy—Mayor
- 3 Vacancies—Councillor for Kadina Ward
- 1 Vacancy—Councillor for Paskeville Ward
- 3 Vacancies—Councillor for Moonta Ward
- 3 Vacancies—Councillor for Wallaroo Ward

Nomination kits are available from:

Council Office
51 Taylor Street, Kadina
Phone: 8821 1600.

A briefing session for intending candidates will be held at 5.30 p.m. on Tuesday, 5 September 2006, at the Council Office Meeting Room, 51 Taylor Street, Kadina.

DISTRICT COUNCIL OF ELLISTON

Vacancies:

- 8 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
Beach Terrace, Elliston
Phone: (08) 8687 9177.

A briefing session for intending candidates will be held at 6 p.m. on Monday, 4 September 2006, at the Council Chambers, Beach Terrace, Elliston.

THE FLINDERS RANGES COUNCIL

Vacancies:

- 1 Vacancy—Mayor
- 8 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
Seventh Street, Quorn
Phone: (08) 8648 6031.

A briefing session for intending candidates will be held at 7.30 p.m. on Tuesday, 29 August 2006, at the Council Chambers, 1 Seventh Street, Quorn.

DISTRICT COUNCIL OF FRANKLIN HARBOUR

Vacancies:

- 6 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
6 Main Street, Cowell
Phone: (08) 8629 2231.

A briefing session for intending candidates will be held at 7.30 p.m. on Thursday, 7 September 2006, at the Council Chambers, 6 Main Street, Cowell.

TOWN OF GAWLER

Vacancies:

- 1 Vacancy—Mayor
- 10 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
89 Murray Street, Gawler
Phone: (08) 8522 9211.

A briefing session for intending candidates will be held at 7 p.m. on Monday, 11 September 2006, at the Council Chambers, 89 Murray Street, Gawler.

REGIONAL COUNCIL OF GOYDER

Vacancies:

- 1 Vacancy—Councillor for Hallett Ward
- 3 Vacancies—Councillor for Burra Ward
- 2 Vacancies—Councillor for Eudunda Ward
- 1 Vacancy—Councillor for Robertstown Ward

Nomination kits are available from:

Council Office
1 Market Square, Burra
Phone: (08) 8892 0100.

A briefing session for intending candidates will be held at 7.30 p.m. on Wednesday, 6 September 2006, at the Council Chambers, 1 Market Square, Burra.

DISTRICT COUNCIL OF GRANT

Vacancies:

- 1 Vacancy—Mayor
- 7 Vacancies—Councillor for Central Ward
- 1 Vacancy—Councillor for Tarpeena Ward
- 1 Vacancy—Councillor for Port MacDonnell Ward

Nomination kits are available from:

AEC Division of Barker Office
4/2 Mitchell Street, Mount Gambier
Phone: (08) 8723 1197.

A briefing session for intending candidates will be held at 5.30 p.m. on Tuesday, 12 September 2006, at the Council Chambers, 324 Commercial Street West, Mount Gambier.

CITY OF HOLDFAST BAY

Vacancies:

1 Vacancy—Mayor
3 Vacancies—Councillor for Glenelg Ward
3 Vacancies—Councillor for Somerton Ward
3 Vacancies—Councillor for Brighton Ward
3 Vacancies—Councillor for Seacliff Ward

Nomination kits are available from:

Council Office
24 Jetty Road, Brighton
Phone: 8229 9999.

A briefing session for intending candidates will be held at 7 p.m. on Tuesday, 5 September 2006, at the Council Chambers, 24 Jetty Road, Brighton.

KANGAROO ISLAND COUNCIL

Vacancies:

1 Vacancy—Mayor
9 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
43 Dauncey Street, Kingscote
Phone: (08) 8553 4500.

A briefing session for intending candidates will be held at 5.30 p.m. on Monday, 4 September 2006, at the Council Chambers, Drew Street, Kingscote.

DISTRICT COUNCIL OF KAROONDA EAST MURRAY

Vacancies:

1 Vacancy—Mayor
2 Vacancies—Councillor for Hooper Ward
2 Vacancies—Councillor for East Murray Ward
2 Vacancies—Councillor for Molineux Ward
2 Vacancies—Councillor for Karoonda Ward

Nomination kits are available from:

Council Office
Railway Terrace, Karoonda
Phone: (08) 8578 1004.

A briefing session for intending candidates will be held at 7.30 p.m. on Monday, 4 September 2006, at the Council Chambers, Railway Terrace, Karoonda.

DISTRICT COUNCIL OF KIMBA

Vacancies:

7 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
Cross Street, Kimba
Phone: (08) 8627 2026.

A briefing session for intending candidates will be held at 7 p.m. on Wednesday, 6 September 2006, at the Council Chamber, Cross Street, Kimba.

LIGHT REGIONAL COUNCIL

Vacancies:

1 Vacancy—Mayor
3 Vacancies—Councillor for Dutton Ward
2 Vacancies—Councillor for Light Ward
2 Vacancies—Councillor for Laucke Ward
3 Vacancies—Councillor for Mudla Wirra Ward

Nomination kits are available from:

Council Office
93 Main Street, Kapunda
Phone: (08) 8525 3200.

A briefing session for intending candidates will be held at 7 p.m. on Wednesday, 6 September 2006, at the Council Chambers, 93 Main Street, Kapunda.

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Vacancies:

7 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
Railway Terrace, Cummins
Phone: (08) 8686 2106.

A briefing session for intending candidates will be held at 6 p.m. on Tuesday, 5 September 2006, at the Council Chambers, 32 Railway Terrace, Cummins.

DISTRICT COUNCIL OF LOXTON WAIKERIE

Vacancies:

1 Vacancy—Mayor
12 Vacancies—Area Councillor

Nomination kits are available from:

Council Offices
East Terrace, Loxton
Phone: (08) 8584 8000.
Strangman Road, Waikerie
Phone: (08) 8541 0700

A briefing session for intending candidates will be held at 7 p.m. on Monday, 4 September 2006, at the Loxton Council Meeting Room, East Terrace, Loxton.

DISTRICT COUNCIL OF MALLALA

Vacancies:

2 Vacancies—Councillor for Dublin Ward
2 Vacancies—Councillor for Mallala Ward
3 Vacancies—Councillor for Two Wells Ward
4 Vacancies—Councillor for Lewiston Ward

Nomination kits are available from:

Council Office
2A Wasleys Road, Mallala
Phone: (08) 8527 2006.

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006, at the Council Chambers, Redbanks Road, Mallala.

CITY OF MARION

Vacancies:

1 Vacancy—Mayor
3 Vacancies—Councillor for East Ward
3 Vacancies—Councillor for West Ward
3 Vacancies—Councillor for Central Ward
3 Vacancies—Councillor for South Ward

Nomination kits are available from:

Council Office
245 Sturt Road, Sturt
Phone: 8375 6600.

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006, at the Council Chambers, 245 Sturt Road, Sturt.

MID MURRAY COUNCIL

Vacancies:

1 Vacancy—Mayor
3 Vacancies—Councillor for Randell Ward
2 Vacancies—Councillor for River South Ward
2 Vacancies—Councillor for Sturt Ward
3 Vacancies—Councillor for River North Ward
1 Vacancy—Councillor for Reedy Creek Ward

Nomination kits are available from:

Council Office
49 Adelaide Road, Mannum
Phone: 8569 0100.

A briefing session for intending candidates will be held at 7.30 p.m. on Monday, 4 September 2006, at the Cambrai Council Chambers, Main Street, Cambrai.

CITY OF MITCHAM

Vacancies:

1 Vacancy—Mayor
2 Vacancies—Councillor for Boorman Ward
2 Vacancies—Councillor for Gault Ward
2 Vacancies—Councillor for Overton Ward
2 Vacancies—Councillor for Babbage Ward
3 Vacancies—Councillor for Craighburn Ward
2 Vacancies—Councillor for The Park Ward

Nomination kits are available from:

Council Office
131 Belair Road, Torrens Park
Phone: 8372 8888.

A briefing session for intending candidates will be held at 7 p.m. on Tuesday, 29 August 2006, at the Council Chambers, 131 Belair Road, Torrens Park.

DISTRICT COUNCIL OF MOUNT BARKER

Vacancies:

1 Vacancy—Mayor
4 Vacancies—Councillor for North Ward
4 Vacancies—Councillor for Central Ward
2 Vacancies—Councillor for South Ward

Nomination kits are available from:

Council Office
23 Mann Street, Mount Barker
Phone: 8391 7200.

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006, at the Council Chambers, 23 Mann Street, Mount Barker.

CITY OF MOUNT GAMBIER

Vacancies:

1 Vacancy—Mayor
5 Vacancies—Councillor for East Ward
5 Vacancies—Councillor for West Ward

Nomination kits are available from:

AEC Division of Barker Office
4/2 Mitchell Street, Mount Gambier
Phone: (08) 8723 1197.

A briefing session for intending candidates will be held at 5.30 p.m. on Monday, 11 September 2006, at the Civic Centre Reception Area, 10 Watson Terrace, Mount Gambier.

THE RURAL CITY OF MURRAY BRIDGE

Vacancies:

1 Vacancy—Mayor
3 Vacancies—Councillor for Mobilong Ward
3 Vacancies—Councillor for Brinkley Ward
3 Vacancies—Councillor for Monarto Ward

Nomination kits are available from:

Council Office
2 Seventh Street, Murray Bridge
Phone: (08) 8539 1100.

A briefing session for intending candidates will be held at 7 p.m. on Monday, 4 September 2006, at the Local Government Centre, 2 Seventh Street, Murray Bridge.

NARACOORTE LUCINDALE COUNCIL

Vacancies:

1 Vacancy—Mayor
10 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
Degaris Place, Naracoorte
Phone: (08) 8762 2133.

A briefing session for intending candidates will be held at 7.30 p.m. on Tuesday, 12 September 2006, at the Council Chambers, Degaris Place, Naracoorte.

NORTHERN AREAS COUNCIL

Vacancies:

4 Vacancies—Councillor for Jamestown Ward
1 Vacancy—Councillor for Spalding Ward
3 Vacancies—Councillor for Rocky River Ward
1 Vacancy—Councillor for Georgetown Ward

Nomination kits are available from:

Council Offices at
94 Ayr Street, Jamestown
Phone: (08) 8664 1139.
14 Fifth Street, Gladstone
11 Main Street, Spalding

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006, at the Council Chamber, 94 Ayr Street, Jamestown.

CITY OF NORWOOD, PAYNEHAM & ST PETERS

Vacancies:

1 Vacancy—Mayor
2 Vacancies—Councillor for East Adelaide/Kent Town Ward
2 Vacancies—Councillor for Stepney/Maylands Ward
3 Vacancies—Councillor for Torrens Ward
2 Vacancies—Councillor for Payneham Ward
2 Vacancies—Councillor for Trinity Ward
2 Vacancies—Councillor for West Norwood Ward
2 Vacancies—Councillor for Kensington Ward

Nomination kits are available from:

Council Office—Norwood Town Hall
175 The Parade, Norwood
Phone: 8366 4555.

A briefing session for intending candidates will be held at 7 p.m. on Wednesday, 6 September 2006, at the Mayors Parlour, 175 The Parade (enter off George Street), Norwood.

CITY OF ONKAPARINGA

Vacancies:

1 Vacancy—Mayor
4 Vacancies—Councillor for Wine Coast Ward
4 Vacancies—Councillor for Mid South Coast Ward
4 Vacancies—Councillor for Knox Ward
4 Vacancies—Councillor for Pimpala Ward
4 Vacancies—Councillor for Thalassa Ward

Nomination kits are available from:

Council Office
Ramsay Place, Noarlunga Centre
Phone: 8384 0666.

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006, at the Civic Centre—Council Offices, Ramsay Place, Noarlunga Centre.

DISTRICT COUNCIL OF ORROROO/CARRIETON

Vacancies:

9 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
17 Second Street, Orroroo
Phone: (08) 8658 1260.

A briefing session for intending candidates will be held at 7 p.m. on Wednesday, 6 September 2006, at the Council Chambers, 17 Second Street, Orroroo.

DISTRICT COUNCIL OF PETERBOROUGH

Vacancies:

1 Vacancy—Mayor
8 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
108 Main Street, Peterborough
Phone: (08) 8651 3566.

A briefing session for intending candidates will be held at 5 p.m. on Thursday, 7 September 2006, at the Council Meeting Room, 108 Main Street, Peterborough.

CITY OF PLAYFORD

Vacancies:

1 Vacancy—Mayor
3 Vacancies—Councillor for Ward 1
3 Vacancies—Councillor for Ward 2
2 Vacancies—Councillor for Ward 3
3 Vacancies—Councillor for Ward 4
2 Vacancies—Councillor for Ward 5
2 Vacancies—Councillor for Ward 6

Nomination kits are available from:

Council Office
Playford Civic Centre
10 Playford Boulevard, Elizabeth
Phone: 8256 0333.

A briefing session for intending candidates will be held at 6 p.m. on Tuesday, 5 September 2006, at the Function Room 1—Playford Civic Centre, Playford Boulevard, Elizabeth.

CITY OF PORT ADELAIDE ENFIELD

Vacancies:

1 Vacancy—Mayor
2 Vacancies—Councillor for Outer Harbour Ward
2 Vacancies—Councillor for Semaphore Ward
2 Vacancies—Councillor for Port Adelaide Ward
3 Vacancies—Councillor for Parks Ward
3 Vacancies—Councillor for Enfield Ward
2 Vacancies—Councillor for Klemzig Ward
3 Vacancies—Councillor for Northfield Ward

Nomination kits are available from:

Council Office
163 St Vincent Street, Port Adelaide
Phone: 8405 6600.

A briefing session for intending candidates will be held at 7 p.m. on Monday, 4 September 2006, at the Town Hall, 34 Nile Street, Port Adelaide.

CITY OF PORT AUGUSTA

Vacancies:

1 Vacancy—Mayor
9 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
Civic Centre, 4 Mackay Street, Port Augusta
Phone: (08) 8641 9100.

A briefing session for intending candidates will be held at 6.30 p.m. on Tuesday, 5 September 2006, at the Council Chambers—Port Augusta Civic Centre, 4 Mackay Street, Port Augusta.

CITY OF PORT LINCOLN

Vacancies:

1 Vacancy—Mayor
10 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
60 Tasman Terrace, Port Lincoln
Phone: (08) 8682 3033.

A briefing session for intending candidates will be held at 7 p.m. on Tuesday, 5 September 2006, at the Council Chambers, Level 1, 60 Tasman Terrace, Port Lincoln.

PORT PIRIE REGIONAL COUNCIL

Vacancies:

1 Vacancy—Mayor
10 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
115 Ellen Street, Port Pirie
Phone: (08) 8633 9777.

A briefing session for intending candidates will be held at 6.30 p.m. on Thursday, 7 September 2006, at the Council Chambers, 115 Ellen Street, Port Pirie.

CITY OF PROSPECT

Vacancies:

1 Vacancy—Mayor
2 Vacancies—Councillor for Nailsworth Ward
2 Vacancies—Councillor for Kingston Ward
2 Vacancies—Councillor for Fitzroy Ward
2 Vacancies—Councillor for St Johns Wood Ward
2 Vacancies—Councillor for Highbury Ward

Nomination kits are available from:

Council Office
128 Prospect Road, Prospect
Phone: 8269 5355.

A briefing session for intending candidates will be held at 7 p.m. on Monday, 11 September 2006, at the Civic Centre, 128 Prospect Road, Prospect.

REMARK PARINGA COUNCIL

Vacancies:

1 Vacancy—Mayor
8 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
Ral Ral Avenue, Renmark
Phone: (08) 8586 6609.

A briefing session for intending candidates will be held at 7.30 p.m. on Tuesday, 5 September 2006, at the Council Chambers, 8-10 Ral Ral Avenue, Renmark.

DISTRICT COUNCIL OF ROBE

Vacancies:

1 Vacancy—Mayor
2 Vacancies—Councillor for Rural Ward
4 Vacancies—Councillor for Town Ward

Nomination kits are available from:

Council Office
Royal Circus, Robe
Phone: (08) 8768 2003.

A briefing session for intending candidates will be held at 7 p.m. on Monday, 11 September 2006, at the Council Chambers, Smillie Street, Robe.

CITY OF SALISBURY

Vacancies:

- 1 Vacancy—Mayor
- 2 Vacancies—Councillor for Central Ward
- 2 Vacancies—Councillor for East Ward
- 2 Vacancies—Councillor for South Ward
- 2 Vacancies—Councillor for Hills Ward
- 2 Vacancies—Councillor for Para Ward
- 2 Vacancies—Councillor for North Ward
- 2 Vacancies—Councillor for Levels Ward
- 2 Vacancies—Councillor for West Ward

Nomination kits are available from:

Council Office
12 James Street, Salisbury
Phone: 8406 8222.

A briefing session for intending candidates will be held at 7 p.m. on Wednesday, 6 September 2006, at the Council Committee Rooms, 12 James Street, Salisbury.

SOUTHERN MALLEE DISTRICT COUNCIL

Vacancies:

- 2 Vacancies—Councillor for Price Cotton Ward
- 3 Vacancies—Councillor for Bews Ward
- 1 Vacancy—Councillor for Gray Ward
- 3 Vacancies—Councillor for Kelly/Scales Ward

Nomination kits are available from:

Council Office
Day Street, Pinnaroo
Phone: (08) 8577 8002.

A briefing session for intending candidates will be held at 7.30 p.m. on Tuesday, 5 September 2006, at the Council Offices, Day Street, Pinnaroo.

DISTRICT COUNCIL OF STREAKY BAY

Vacancies:

- 4 Vacancies—Councillor for Flinders Ward
- 4 Vacancies—Councillor for Eyre Ward

Nomination kits are available from:

Council Office
29 Alfred Terrace, Streaky Bay
Phone: (08) 8626 1001.

A briefing session for intending candidates will be held at 7.30 p.m. on Tuesday, 5 September 2006, at the Council Chambers, 29 Alfred Terrace, Streaky Bay.

TATIARA DISTRICT COUNCIL

Vacancies:

- 7 Vacancies—Councillor for East Ward
- 3 Vacancies—Councillor for West Ward

Nomination kits are available from:

Council Office
43 Woolshed Street, Bordertown
Phone: (08) 8752 1044.

A briefing session for intending candidates will be held at 7 p.m. on Tuesday, 5 September 2006, at the Council Chambers, 43 Woolshed Street, Bordertown.

CITY OF TEA TREE GULLY

Vacancies:

- 1 Vacancy—Mayor
- 2 Vacancies—Councillor for Pedare Ward
- 2 Vacancies—Councillor for Drumminor Ward
- 2 Vacancies—Councillor for Hillcott Ward
- 2 Vacancies—Councillor for Balmoral Ward
- 2 Vacancies—Councillor for Steventon Ward
- 2 Vacancies—Councillor for Water Gully Ward

Nomination kits are available from:

Council Office—Civic Centre
571 Montague Road, Modbury
Phone: 8397 7444.

A briefing session for intending candidates will be held at 7 p.m. on Wednesday, 6 September 2006, at the Council Chambers, 571 Montague Road, Modbury.

CITY OF UNLEY

Vacancies:

- 1 Vacancy—Mayor
- 2 Vacancies—Councillor for Unley Ward
- 2 Vacancies—Councillor for Parkside Ward
- 2 Vacancies—Councillor for Fullarton Ward
- 2 Vacancies—Councillor for Goodwood Ward
- 2 Vacancies—Councillor for Goodwood South Ward
- 2 Vacancies—Councillor for Unley Park Ward

Nomination kits are available from:

Council Office
181 Unley Road, Unley
Phone: 8372 5111.

A briefing session for intending candidates will be held at 7 p.m. on Wednesday, 6 September 2006, at the Civic Centre Function Room, 181 Unley Road (access from Oxford Terrace), Unley.

CITY OF VICTOR HARBOR

Vacancies:

- 1 Vacancy—Mayor
- 10 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
2 George Main Road, Victor Harbor
Phone: (08) 8551 0500.

A briefing session for intending candidates will be held at 5.30 p.m. on Wednesday, 6 September 2006, at the Christian Gospel Centre, 2 George Main Road, Victor Harbor.

WAKEFIELD REGIONAL COUNCIL

Vacancies:

- 1 Vacancy—Mayor
- 2 Vacancies—Councillor for Northern Ward
- 2 Vacancies—Councillor for Western Ward
- 3 Vacancies—Councillor for Central Ward
- 2 Vacancies—Councillor for Southern Ward
- 2 Vacancies—Councillor for Eastern Ward

Nomination kits are available from:

Council Office
Scotland Place, Balaklava
Phone: 8862 0800.

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006, at the Civic Centre, Scotland Place, Balaklava.

TOWN OF WALKERVILLE

Vacancies:

- 1 Vacancy—Mayor
- 3 Vacancies—Councillor for Medindie/Gilbert Ward
- 3 Vacancies—Councillor for Walkerville Ward
- 3 Vacancies—Councillor for Vale Park Ward

Nomination kits are available from:

Council Office
66 Walkerville Terrace, Gilberton
Phone: 8344 7711.

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006, at the Town Hall, 66 Walkerville Terrace, Gilberton.

CITY OF WEST TORRENS

Vacancies:

- 1 Vacancy—Mayor
- 2 Vacancies—Councillor for Keswick Ward
- 2 Vacancies—Councillor for Hilton Ward
- 2 Vacancies—Councillor for Plympton Ward
- 2 Vacancies—Councillor for Lockleys Ward
- 2 Vacancies—Councillor for Airport Ward
- 2 Vacancies—Councillor for Morphett Ward
- 2 Vacancies—Councillor for Thebarton Ward

Nomination kits are available from:

Council Office
165 Sir Donald Bradman Drive, Hilton
Phone: 8416 6333.

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006, at the George Robertson Room, 165 Sir Donald Bradman Drive, Hilton.

Applicant: Awmac Pty Ltd

Claim No.: 3642

Location: Section 178, Hundred of Kooringa.

Area: 85.1 hectares.

Purpose: For the recovery of quartzite.

Reference: T02575

A copy of the proposal has been provided to the Regional Council of Goyder.

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 7, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 8 September 2006.

Copies of all submissions will be forwarded to the applicant and may be made available for public inspection unless confidentiality is requested.

H. TYRTEOS, Mining Registrar

CITY OF WHYALLA

Vacancies:

- 1 Vacancy—Mayor
- 10 Vacancies—Area Councillor

Nomination kits are available from:

Council Office
Darling Terrace, Whyalla
Phone: (08) 8640 3444.

A briefing session for intending candidates will be held at 7 p.m. on Monday, 4 September 2006, at the Council Chambers, Darling Terrace, Whyalla.

DISTRICT COUNCIL OF YANKALILLA

Vacancies:

- 2 Vacancies—Councillor for Flinders Ward
- 3 Vacancies—Councillor for Bungala Ward
- 2 Vacancies—Councillor for Hewett Ward
- 2 Vacancies—Councillor for Carrickalinga Ward

Nomination kits are available from:

Council Office
Charles Street, Yankalilla
Phone: (08) 8558 0200.

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006, at the Community Chambers Shop 5, Normanville Plaza, Edwards Avenue, Normanville.

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 7, 101 Grenfell Street, Adelaide, S.A. 5000:

Applicant: Australian Zircon NL

Claim No.: 3649

Location: Section 36, Hundred of Chesson and Section 36, Hundred of Mindarie.

Area: 47.66 hectares.

Purpose: For the recovery of rubble.

Reference: T02601

A copy of the proposal has been provided to the District Council of Karoonda East Murray.

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 7, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 8 September 2006.

Copies of all submissions will be forwarded to the applicant and may be made available for public inspection unless confidentiality is requested.

H. TYRTEOS, Mining Registrar

MINING ACT 1971

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

Applicant: James Fraser Allender

Location: Merna Mora area—Approximately 30 km west of Hawker.

Term: 1 year

Area in km²: 293

Ref.: 2005/00628

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

H. TYRTEOS, Mining Registrar

NOTICE TO MARINERS

NO. 36 OF 2006

Formerly Notice No. 2 of 1998

South Australia—West Coast—Venus Bay—Port Kenny Approach Channel—East-South-East Germein Island—Unlit Port Hand Beacon No. 9—Missing

MARINERS are advised that the Unlit Port Hand Marker Beacon East-South-East of Germein Island No. 9, in the approach Channel in position (WGS 84):

Latitude: 33°13.02'S

Longitude: 134°41.31'E,

is missing.

Mariners are further advised to use caution when using the approach channel.

Navy chart affected: Aus 121.

Publications affected: Australian Pilot, Volume 1 (First Edition, 2005) pages 339-340 South Australian Waters CW map 13A, page 221.

Adelaide, 21 August 2006.

PATRICK CONLON, Minister for Transport

FP 2001/1439

DTEI 2006/00826

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 7, 101 Grenfell Street, Adelaide, S.A. 5000:

NATIONAL PARKS REGULATIONS 2001

Closure of Sleaford Mere to Wanna Lookout Track in Lincoln National Park

PURSUANT to Regulations 8 (3) (a), (c) and (d) of the National Parks Regulations 2001, I, Edward Gregory Leaman, the Director of National Parks and Wildlife SA, close, to public vehicle access, a section of the Sleaford Mere to Wanna Lookout Track in Lincoln National Park, on 2 August 2006. The grid reference co-ordinates for the points of closure are at 53H 0568060 6142930 and 53H 0566690 6142730.

This track closure to public vehicle access is in the interest of public safety. Alternative routes remain open.

Dated 15 August 2006.

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

NATIONAL ELECTRICITY LAW

THE Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law (NEL) of the following matters.

Under Section 99, the making of the draft determination for the proposed National Electricity Amendment (Metrology) Rule 2006. A copy of the draft determination and the draft Rule are published on AEMC's website and are available for inspection at AEMC. Submissions must be received by 5 October 2006.

Under Sections 35 and 95, AEMC has initiated the making of a Rule relating to the pricing of transmission services. A copy of the Rule proposal and the proposed National Electricity Amendment (Pricing of Prescribed Transmission Services) Rule 2006 are published on AEMC's website and are available for inspection at AEMC. Submissions must be received by 25 September 2006.

Submissions in relation to the above matters should be forwarded to submissions@aemc.gov.au. Upon receipt, AEMC publishes all submissions on its website subject to consideration of any claim of confidentiality.

Further details on the above matters are available on AEMC's website www.aemc.gov.au.

John Tamblyn
Chairman
Australian Energy Market Commission

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

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

Dated 24 August 2006.

RADIATION PROTECTION AND CONTROL ACT 1982

SECTION 44

Notice by Delegate of the Minister for Environment and Conservation

PURSUANT to section 44 of the Radiation Protection and Control Act 1982, I, Keith Baldry, Director of the Radiation Protection Division of the Environment Protection Authority, being a person to whom the powers of the Minister under that section have been delegated under the Act, exempt any person undertaking a recognised course of study as listed in Schedule 1 below and is required as part of the course to operate ionising radiation apparatus from the requirements of section 31 of the Radiation Protection and Control Act 1982. The exemption shall take effect commencing on 1 January 2007, following publication of this notice in the *Government Gazette*, subject to the following conditions:

- (1) the person must be enrolled in a recognised course; and
- (2) the person must be directly supervised at all time during the operation of the ionising radiation apparatus by a licensed operator under section 31 of the Radiation Protection and Control Act 1982.

The exemption of 5 June 1986 is hereby revoked as of 31 December 2006.

Dated 17 August 2006.

K. BALDRY, Delegate of the Minister for Environment and Conservation

SCHEDULE 1

Bachelor of Oral Health conducted by the University of Adelaide;

Bachelor of Dentistry conducted by the University of Adelaide;

Bachelor of Medical Radiation in Diagnostic Radiography or Radiation Therapy or a course approved by the Australian Institute of Radiography;

Bachelor of Medical Radiation in Nuclear Medicine or a course approved by the Australian and New Zealand Society of Nuclear Medicine;

Certificate III in Dental Radiography conducted by TAFE SA or a course approved by the Dental Assistants Education Council of Australia; and

Any undergraduate course of study in an Institute of Technical and Further Education or University, where the course of study does not involve irradiation of humans.

PETROLEUM ACT 2000

Statements of Environmental Objectives for New Regulated Activities

PURSUANT to section 104 (1) of the Petroleum Act 2000 (the Act) I, Barry Goldstein, Director Petroleum and Geothermal, Minerals and Energy Resources, Department of Primary Industries and Resources SA, Delegate of the Minister for Mineral Resources Development, pursuant to Delegation dated 28 March 2002, *Gazetted* 11 April 2002, do hereby publish the following documents as having been approved as statements of environmental objectives under the Act.

Documents:

1. Statement of Environmental Objectives: Drilling and Well Operations in Western PEL 182, July 2006.

2. Statement of Environmental Objectives: Extended Production Testing in PEL 182, July 2006.

These documents are available for public inspection on the Environmental Register section of PIRSA's website: (www.pir.sa.gov.au/petrol/envreg) or at the Public Office determined pursuant to section 107 (1) of the Act to be at:

Office of Minerals and Energy Resources
Customer Services
Level 7, 101 Grenfell Street,
Adelaide, S.A. 5000

Dated 22 August 2006.

B. GOLDSTEIN,
Director Petroleum and Geothermal
Delegate of the Minister for
Mineral Resources Development

PETROLEUM (SUBMERGED LANDS) ACT 1967

Grant of Exploration Permits for Petroleum EPP 35 and EPP 36

NOTICE is hereby given that Exploration Permits EPP 35 and EPP 36 have been granted to:

Exoil Limited;
 Gascorp Australia Limited;
 Moby Oil & Gas Limited; and
 National Energy Pty Ltd.

in respect of the blocks described hereunder to have effect for a period of six years from and including 17 August 2006.

Description of Blocks

The reference hereunder is to the name of the map sheets of the 1:1 000 000 series prepared and published for the purposes of the Petroleum (Submerged Lands) Act 1967 and to the numbers of graticular sections shown thereon.

EPP 35

Map Sheet SJ 54 (Hamilton).

879	880	881	882	883 Part	884 Part
885 Part	950	951	952	953	954
955	956 Part	957 Part	1024	1025	1026
1027	1028	1029 Part	1096	1097	1098
1099	1100	1101 Part	1102 Part	1168	1169
1170	1171				

Assessed to contain 32 graticular blocks.

EPP 36

Map Sheet SJ 54 (Hamilton).

1892	1893	1894	1895	1896	1897
1898	1964	1965	1966	1967	1968
1969	1970	1971	1972	2037	2038
2039	2040	2041	2042	2043	2044
2045	2046	2111	2112	2113	2114
2115	2116	2117	2118	2119	2120
2121	2122 Part	2123 Part	2184	2185	2186
2187	2188	2189	2190	2191	2192
2193	2194 Part	2258	2259	2260	2261
2262	2263	2264	2265 Part	2266 Part	2332
2333	2334	2335	2336 Part	2337 Part	2406
2407 Part	2408 Part				

Assessed to contain 68 graticular blocks.

Dated 17 August 2006.

Made under the Petroleum (Submerged Lands) Act 1967 of the Commonwealth of Australia.

B. A. GOLDSTEIN,
 Delegate of the Designated Authority
 Minerals and Energy Division, PIRSA
 for and on behalf of the Commonwealth—South Australia Offshore Petroleum Joint Authority
 Pursuant to the Instrument of Delegation dated 14 July 2002.

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Closure—Nunkeri and Nevin Avenues, Encounter Bay*

BY Road Process Order made on 24 July 2006, the City of Victor Harbor ordered that:

1. Portion of public roads (Nunkeri and Nevin Avenues) adjoining allotment 287 in Deposited Plan 3538, more particularly delineated and lettered 'A' in Preliminary Plan No. 04/0061 be closed.

2. The whole of the land subject to closure be transferred to John Francis Hardwood and Robin Frances Haines in accordance with agreement for transfer dated 15 September 2005 entered into between the City of Victor Harbor and J. F. Hardwood and R. F. Haines.

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

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

On 15 August 2006, that order was confirmed by the Minister for Administrative Services and Government Enterprises conditionally upon the deposit by the Registrar-General of Deposited Plan 69537 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 24 August 2006.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Opening and Closing—Eliza Terrace, Kadina*

BY Road Process Order made on 31 January 2006, the District Council of the Copper Coast ordered that:

1. Portion of allotment 41 in Filed Plan 39995, more particularly delineated and numbered '1' in the Preliminary Plan No. 05/0017 be opened as road.

2. Portion of Eliza Terrace adjoining allotments 41 and 42 in Filed Plan 39995, more particularly delineated and lettered 'A' and 'B' in Preliminary Plan No. 05/0017 be closed.

3. The whole of the land subject to closure lettered 'A' to be transferred to Malcolm John Adams and Dorothy Saxe Adams in accordance with agreement for exchange dated 31 January 2006 entered into between the District Council of the Copper Coast and M. J. and D. S. Adams.

4. The whole of the land subject to closure lettered 'B' to be transferred to Fiona Mary Morris in accordance with agreement for transfer dated 31 January 2006 entered into between the District Council of the Copper Coast and F. M. Morris.

On 11 August 2006, that order was confirmed by the Minister for Administrative Services and Government Enterprises conditionally upon the deposit by the Registrar-General of Deposited Plan 70590 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 24 August 2006.

P. M. KENTISH, Surveyor-General

RULES OF COURT
Amending the Supreme Court Criminal Appeal
Rules 1996
Amendment No. 1 to the Supreme Court
Criminal Appeal Rules 1996

BY virtue and in pursuance of section 72 of the Supreme Court Act 1935 and all other enabling powers, We, the Judges of the Supreme Court of South Australia, make the following Rules to take effect as amendments to the Supreme Court Criminal Appeal Rules 1996, as amended:

1. These Rules may be cited as the ‘Supreme Court Criminal Appeal Rules 1996, Amendment No. 1’.

2. The Supreme Court Criminal Appeal Rules 1996, as amended by these Rules may be cited as the ‘Supreme Court Criminal Appeal Rules 1996’.

3. That Rule 7 be deleted and replaced by the following new Rule 7:

‘7. (1) The Appeal Book for the use of the Full Court on an appeal or on an application for leave to appeal will be prepared in the Registry free of charge.

(2) The Appeal Book will be prepared as directed by the Registrar, subject to any directions from the Chief Justice.

(3) The appellant must file with the Notice of Appeal, or the application to the Full Court for leave to appeal, a list of the material that the appellant wishes to be contained in the Appeal Book. The respondent must, within seven days of receiving the appellant’s proposed contents, provide to the Registrar a list of any further material that the respondent wishes to be included in the Appeal Book, and details of any material that is proposed by the appellant that the respondent says should not be included in the Appeal Book.

(4) The Registrar will determine the contents of the Appeal Book subject to any directions by the Chief Justice or by another Judge of the Supreme Court.’

4. That Rule 15 be amended by deleting each of its subparagraphs (6), (7) and (8).

5. That the forms for the Rules be amended by deleting from Form 7 the words ‘Note: This form’ down to and including ‘subordinate legislation appended’ and replacing them by: ‘The appellant will be informed by the Registrar of the date and time of the hearing of the application by the Full Court. Under Rule 7 of the Supreme Court Criminal Appeal Rules 1996, where you seek leave to appeal you must file with this Form a list of the material which you wish to be contained in the Appeal Book which is to go to the Full Court.’

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 31st day of July 2006.

(L.S.)
J. DOYLE, CJ
J. W. PERRY, J
K. P. DUGGAN, J
B. M. DEBELLE, J
M. J. NYLAND, J
D. J. BLEBY, J
T. A. GRAY, J
J. R. SULAN, J
A. M. VANSTONE, J
J. ANDERSON, J
R. C. WHITE, J
R. A. LAYTON, J

RULES OF COURT

Amending the Supreme Court Criminal Rules 1992 Amendment No. 18 to the Supreme Court Criminal Rules

BY virtue and in pursuant of section 72 of the Supreme Court Act 1935 and all other enabling powers, We, the Judges of the Supreme Court of South Australia, make the following Rules to take effect as amendments to the Supreme Court Criminal Rules 1992, as amended:

1. The Rules may be cited as ‘the Supreme Court Criminal Rules 1992, Amendment No. 18’.

2. The Supreme Court Criminal Rules 1992, as amended by these Rules may be cited as ‘the Supreme Court Criminal Rules 1992’.

3. That Rule 11.01 be deleted and replaced by:

‘11—Subpoenas

The provisions of Chapter 7, Part 10, Division 4 (Subpoenas) of the Supreme Court Civil Rules 2006, apply *mutatis mutandis* in the criminal jurisdiction of the Court’.

4. That Rule 12.01 be deleted and replaced by:

‘12—Contempt of Court

The provisions of Chapter 14 (Contempt of Court) of the Supreme Court Civil Rules 2006, apply *mutatis mutandis* in the criminal jurisdiction of the Court.’

5. That Rule 13.01 be amended by inserting after ‘Rules 1987’ the words ‘(notwithstanding their repeal)’.

6. That the existing Rule 17.05 be renumbered 17.06.

7. That a new Rule 17.05 be added as follows:

‘17.05 The masters of the Court only have the power, authority and jurisdiction in criminal matters to make orders for:

(a) the listing and de-listing of matters for trial;

(b) the taxation of costs; and

(c) any matter referred to them by a Justice of the Court.’

8. This Amendment No. 18 is to take effect on and from 4 September 2006.

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 31st day of July 2006.

(L.S.)

J. DOYLE, CJ
J. W. PERRY, J
K. P. DUGGAN, J
B. M. DEBELLE, J
M. J. NYLAND, J
D. J. BLEBY, J
T. A. GRAY, J
J. R. SULAN, J
A. M. VANSTONE, J
J. ANDERSON, J
R. C. WHITE, J
R. A. LAYTON, J
M. DAVID, J

RULES OF COURT
Amending the Land and Valuation Rules 1970
Amendment No. 1 of 2006 to the Land and
Valuation Rules 1970

BY virtue and in pursuance of section 62h of the Supreme Court Act 1935 and all other enabling powers, We, Bruce Malcolm Debelles and David John Bleby, Judges of the Supreme Court of South Australia, upon whom the jurisdiction of the Land and Valuation Court has been conferred, make the following Rules to take effect as amendments to the Land and Valuation Rules 1970:

1. These Rules may be cited as the 'Land and Valuation Rules 1970, Amendment No. 1 of 2006'.

2. Rule 2 (*b*) is amended by deleting the definition of 'the Supreme Court Rules' and substituting the following 'the Supreme Court Rules' means the Supreme Court Civil Rules 2006.

3. This Amendment No. 1 of 2006 is to take effect on and from 4 September 2006.

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 25th day of July 2006.

(L.S.) B. M. DEBELLES, J

D. J. BLEBY, J

SEWERAGE ACT 1929

Removal of Land from Stirling Country Drainage Area

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

- (a) removes from the Stirling Country Drainage Area all the land contained in allotments 101 and 102 in Deposited Plan 70312 (except the portions of that land already outside the Stirling 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 21 August 2006.

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

A. SHEEDY, Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

SAWATER 06/02388 D1337

WATERWORKS ACT 1932

Addition of Land to Adelaide Water District

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

- (a) adds to the Adelaide Water District all the land contained in allotment 2 in Deposited Plan 68512 (except the portion of that land already in the Adelaide Water District); and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 21 August 2006.

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

A. SHEEDY, Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

SAWATER 06/03736 W1334

WATERWORKS ACT 1932

Removal of Land from Warramboo Water District and Addition to Tod River Country Lands Water District

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

- (a) removes from the Warramboo Water District and adds to the Tod River Country Lands Water District all the land contained in section 76 in the Hundred of Warramboo; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 21 August 2006.

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

A. SHEEDY, Manager Shared Services

In the presence of:

C. J. MCNAMARA, Billing Manager

SAWATER 06/03741 W1335

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 24 August 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

ADELAIDE HILLS COUNCIL

Adelaide-Mannum Road, Paracombe. This main is available on application only. p21 and 22

CAMPBELLTOWN CITY COUNCIL

Acasta Street, Rostrevor. p14
Crozier Avenue, Newton. p58
In and across Julie Court, Newton. p58
Dennis Avenue, Newton. p58

CITY OF CHARLES STURT

Across Bacon Street, Hindmarsh. p40
Susan Street, Hindmarsh. p40
Across Holden Street, Hindmarsh. p40
Easements in lot 4 in LTRO DP 51280, Hindmarsh Place, Hindmarsh. p40
Hindmarsh Place, Hindmarsh. p40
Chapel Street, Hindmarsh. p40
Easement in lot 10 in LTRO DP 53994, Chapel Street, Hindmarsh. p40
Across Richard Street, Hindmarsh. p40

LIGHT REGIONAL COUNCIL

Rosella Circuit, Hewett. p1
Easement in lot 3021 in LTRO DP 71002, Rosella Circuit, Hewett. p1

CITY OF MARION

Tarranna Avenue, Park Holme. p68
Kingston Street, Park Holme. p68
Boucat Street, Park Holme. p68

CITY OF NORWOOD PAYNEHAM & ST PETERS

Fullarton Road, Norwood. p59
Chapel Street, Norwood. p59 and 60
Edmund Street, Norwood. p59
Sydenham Road, Norwood. p60

CITY OF ONKAPARINGA

Konrad Street, Port Noarlunga. p69

CITY OF PORT ADELAIDE ENFIELD

Railway Terrace, Wingfield. p17

CITY OF PROSPECT

Bosanquet Street, Prospect. p70 and 71

CITY OF SALISBURY

Port Wakefield Road, Waterloo Corner. p66

MANNUM WATER DISTRICT**MID MURRAY COUNCIL**

Berryman Avenue, Mannum. p5-7
 Boronia Road, Mannum and Port Mannum. p5 and 7
 In and across Belvedere Road, Mannum. p5, 7 and 8
 Across and in Ramm Road, Mannum. p5, 6 and 9-12
 Anne Street, Mannum. p5 and 9
 Adelaide-Mannum Road, Mannum. p33 and 36

MANNUM-ADELAIDE COUNTRY LANDS WATER DISTRICT**MID MURRAY COUNCIL**

Ramm Road, Mannum. p5, 12 and 13
 Across and in Adelaide-Mannum Road, Mannum. p33-35 and 37-39

MURRAY BRIDGE WATER DISTRICT**THE RURAL CITY OF MURRAY BRIDGE**

Alice Terrace, Murray Bridge. p41 and 42
 Clara Street, Murray Bridge. p42
 Le Messurier Street, Murray Bridge. p41
 Keith Street, Murray Bridge. p42
 Adelaide Road, Murray Bridge. p42

NARACOORTE WATER DISTRICT**NARACOORTE LUCINDALE COUNCIL**

Park Terrace, Naracoorte. p43

PORT ELLIOT WATER DISTRICT**CITY OF VICTOR HARBOR**

Yandra Terrace, Hayborough. p15

PORT VICTOR WATER DISTRICT**CITY OF VICTOR HARBOR**

Riverview Road, Victor Harbor. p20

TOWNSHIP OF WAROOKA WATER DISTRICT**DISTRICT COUNCIL OF YORKE PENINSULA**

Sturt Bay Road, Warooka. p18
 Baker Street, Warooka. p18

WILMINGTON WATER DISTRICT**DISTRICT COUNCIL OF MOUNT REMARKABLE**

Gunyah Road, Wilmington. p16
 Beautiful Valley Road, Wilmington. p16

WATER MAINS ABANDONED

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

ADELAIDE WATER DISTRICT**CAMPBELLTOWN CITY COUNCIL**

Crozier Avenue, Newton. p58
 In and across Julie Court, Newton. p58
 Dennis Avenue, Newton. p58

CITY OF MARION

Tarranna Avenue, Park Holme. p68
 Kingston Street, Park Holme. p68
 Boucat Street, Park Holme. p68

CITY OF NORWOOD PAYNEHAM & ST PETERS

Fullarton Road, Norwood. p59
 Chapel Street, Norwood. p59 and 60
 Edmund Street, Norwood. p59
 Sydenham Road, Norwood. p60

CITY OF ONKAPARINGA

Konrad Street, Port Noarlunga. p69

CITY OF PROSPECT

Bosanquet Street, Prospect. p70 and 71

CITY OF SALISBURY

Port Wakefield Road, Waterloo Corner. p66

BARMERA WATERWORKS**OUTSIDE BARMERA WATER DISTRICT****BERRI BARMERA COUNCIL**

Hague Street, Barmera. p19

MANNUM WATER DISTRICT**MID MURRAY COUNCIL**

Berryman Avenue, Mannum. p6
 Anne Street, Mannum. p9

MURRAY BRIDGE WATER DISTRICT**THE RURAL CITY OF MURRAY BRIDGE**

Alice Terrace, Murray Bridge. p41 and 42
 Clara Street, Murray Bridge. p42
 Le Messurier Street, Murray Bridge. p41
 Keith Street, Murray Bridge. p42

PORT VICTOR WATER DISTRICT**CITY OF VICTOR HARBOR**

Riverview Road, Victor Harbor. p20

TOWNSHIP OF WAROOKA WATER DISTRICT**DISTRICT COUNCIL OF YORKE PENINSULA**

Sturt Bay Road, Warooka. p18

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 PLAYFORD**

Across Port Wakefield Road, Waterloo Corner. p66

CITY OF SALISBURY

Waterworks land (lot 102 in LTRO DP 50689), Port Wakefield Road, Waterloo Corner. p66 and 67
 Easement in lot 101 in LTRO DP 50689, Port Wakefield Road, Waterloo Corner. p66
 Across Port Wakefield Road, Waterloo Corner. p66

CITY OF TEA TREE GULLY

Waterworks land (lot 100 in LTRO DP 35444), Grand Junction Road, Hope Valley. p61-65

OUTSIDE ADELAIDE WATER DISTRICT**ADELAIDE HILLS COUNCIL**

In and across Adelaide-Mannum Road, Paracombe and Inglewood. p21-23

Chapman Road, Inglewood. p21 and 23-26

Easements in lots 252-250 in LTRO DP 21743, Chapman Road, Inglewood. p21, 26 and 27

Across Government road (north-west of lot 250 in LTRO DP 21743), Inglewood. p21 and 27

Easements in lot 33 in LTRO DP 23803, lot 29 in LTRO DP 17025 and lot 38 in LTRO FP 155653, Lower Hermitage Road, Lower Hermitage. p21 and 27-30

Across and in Lower Hermitage Road, Lower Hermitage. p21 and 30-32

BARMERA WATERWORKS**OUTSIDE BARMERA WATER DISTRICT****BERRI BARMERA COUNCIL**

Hague Street, Barmera. p19

Lake Avenue, Barmera. p19

MANNUM-ADELAIDE COUNTRY LANDS WATER DISTRICT**MID MURRAY COUNCIL**

In and across Adelaide-Mannum Road, Apamurra. p55-57

MILLICENT WATER DISTRICT**WATTLE RANGE COUNCIL**

Waterworks land (sections 481 and 599, hundred of Mount Muirhead), Mount Gambier Road, Millicent. p44-50

Across Mount Gambier Road, Millicent. p44, 45 and 47-49

Across and in Salts Street, Millicent. p44 and 46-48

OUTSIDE TUNGKILLO WATER DISTRICT**MID MURRAY COUNCIL**

In and across public road (south-west of lot 116 in LTRO FP 216382), Tungkillo. p52-54

Easements in lot 116 in LTRO FP 216382, Hoopers Street, Tungkillo. p52-54

SEWERS LAID

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

ADELAIDE DRAINAGE AREA**CAMPBELLTOWN CITY COUNCIL**

Easement in lot 91 in LTRO DP 9233, Acasta Street, Rostrevor. FB 1151 p45

CITY OF CHARLES STURT

Easement in lot 4 in LTRO DP 51280, Hindmarsh Place, Hindmarsh. FB 1103 p11

CITY OF ONKAPARINGA

Easements in lot 101 in LTRO DP 59347, Tania Drive, and lot 99 in LTRO FP 2047, Oakridge Road, Aberfoyle Park. FB 1151 p37

Merrivale Drive, Happy Valley. FB 1151 p43

Easements in lot 6 in LTRO DP 65479, Merrivale Drive, and lots 5-3 in LTRO DP 65479, Bishops Hill Road, Happy Valley. FB 1151 p43

CITY OF TEA TREE GULLY

Tullamore Court, Greenwith. FB 1151 p47

Easement in reserve (lot 147 in LTRO DP 34869), Tullamore Court, Greenwith. FB 1151 p47

Across Green Valley Drive, Greenwith. FB 1151 p47

CITY OF WEST TORRENS

Gordon Street, Kurralt Park. FB 1151 p44

ALDINGA DRAINAGE AREA**CITY OF ONKAPARINGA**

Ocean Street, Aldinga Beach. FB 1151 p38

Across and in Storey Avenue, Aldinga Beach. FB 1151 p38

John Street, Aldinga Beach. FB 1151 p38

Blacker Road, Aldinga Beach. FB 1151 p39

Eden Terrace, Port Willunga. FB 1151 p40

Anchor Terrace, Port Willunga. FB 1151 p41

NARACORTE COUNTRY DRAINAGE AREA**NARACORTE LUCINDALE COUNCIL**

Bourne Street, Naracoorte. FB 1019 p9

STIRLING COUNTRY DRAINAGE AREA**ADELAIDE HILLS COUNCIL**

Easement in lot 2 in LTRO FP 2975, Leamington Road, Aldgate. FB 1152 p29, 30 and 33

Easements in lot 1 in LTRO FP 2975, and lots 169-167 in LTRO DP 1379, Strathalbyn Road, Aldgate. FB 1152 p29, 30, 32 and 33

Across and in public road (lot 345 in LTRO DP 1379), Aldgate. FB 1152 p29, 30, 32 and 33

Easements in lot 23 in LTRO FP 158669, lot 1 in LTRO FP 158987, and lot 164 in LTRO DP 1379, Strathalbyn Road, lot 184 in LTRO DP 1379, Leamington Road, lot 30 in LTRO FP 158676, lot 29 in LTRO FP 158675, lot 28 in LTRO FP 158674, and lot 101 in LTRO DP 58249, Wycombe Road, Aldgate. FB 1152 p29-33

Easement in lot 179 in LTRO 1379, Leamington Road, Aldgate. FB 1152 p29, 30 and 33

Across Leamington Road, Aldgate. FB 1152 p29, 30 and 33

Easement in lot 4 in LTRO FP 105639, Leamington Road, Aldgate. FB 1152 p29, 30 and 33

SEWERS ABANDONED

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

ADELAIDE DRAINAGE AREA**CAMPBELLTOWN CITY COUNCIL**

Easement in lot 91 in LTRO DP 9233, Acasta Street, Rostrevor. FB 1151 p45

CITY OF CHARLES STURT

Easements in lot 4 in LTRO DP 51280, Hindmarsh Place, Hindmarsh. FB 1103 p11

CITY OF PROSPECT

Easement in lot 130 in LTRO DP 61602, Main North Road, and lot 50 in LTRO DP 45567, Grassmere Road, Prospect. FB 1135 p49

Grassmere Road, Prospect. FB 1135 p49

ADDENDUM

Addendum to notices in "Government Gazette" of 27 July 2006

“SEWERS LAID”

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

“ADELAIDE DRAINAGE AREA”**“CITY OF SALISBURY”**

Stony Way, Mawson Lakes. FB 1147 p5-7
In and across Yarle Street, Mawson Lakes. FB 1147 p5-7
Dutton Avenue, Mawson Lakes. FB 1147 p5-7
In and across Shoalhaven Circuit, Mawson Lakes. FB 1147 p5-7
Easements in reserves (lot 903 in LTRO DP 66430, Shoalhaven Circuit, and lot 904 in LTRO DP 68206, Yarle Street), Mawson Lakes. FB 1147 p5-7
To these notices add “Easement in reserve (lot 998 in LTRO DP 66259), Stony Way, Mawson Lakes. FB 1147 p5-7”

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

ROAD TRAFFIC ACT 1961**NOTICE OF APPROVAL**

Pursuant to Section 161A of the Road Traffic Act 1961

OPERATION OF 13.7 METRE LONG CONTROLLED ACCESS BUSES**1. APPROVAL**

- 1.1 I hereby approve 13.7 metre long Controlled Access Buses to travel on roads in South Australia subject to the conditions and limitations specified in this Notice.

Note

The *Road Traffic (Vehicle Standards) Rules 1999* and the *Road Traffic (Miscellaneous) Regulations 1999* jointly define a Controlled Access Bus as being a rigid bus, over 12.5 metres long but not over 14.5 metres long.

2. CONDITIONS AND LIMITATIONS APPLYING TO THIS APPROVAL

- 2.1 Duty to adhere to the ‘Code of Practice for 13.7 metre long Controlled Access Buses’.

When you are operating under this Notice:

- 2.1.1 you must operate at all times in accordance with the conditions and limitations specified in the ‘Code of Practice for 13.7 metre long Controlled Access Buses’ dated August 2006 issued by the Department for Transport, Energy and Infrastructure (DTEI).

- 2.2 Duty to carry and produce Documentation.

When you are operating under this Notice:

- 2.2.1 you must carry a legible, current and complete copy of:

- (i) this *Gazette* Notice; and
(ii) the ‘Code of Practice for 13.7 metre long Controlled Access Buses’ dated August 2006 issued by DTEI.

- 2.2.2 you must produce these documents when requested by a Transport Safety Compliance Officer appointed under the Road Traffic Act 1961 and/or the Motor Vehicles Act 1959 or a Police Officer.

3. COMMENCEMENT OF THIS NOTICE

- 3.1 This notice is effective from 12.01 a.m. on 1 September 2006.

4. AUTHORISATION

Executive Director,
Safety and Regulation Division

South Australia

Development (Constitution of Statutory Committees) Variation Regulations 2006

under the *Development Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Development Regulations 1993*

- 4 Variation of regulation 103—Constitution of statutory committees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Development (Constitution of Statutory Committees) 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 *Development Regulations 1993*

4—Variation of regulation 103—Constitution of statutory committees

- (1) Regulation 103(1)—delete "criteria for"
- (2) Regulation 103(2)(b)—delete "criteria for"
- (3) Regulation 103(2a)—after "subregulation" insert:
 - (1) or
- (4) Regulation 103(4)(a)—delete "criteria for"

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 24 August 2006

No 201 of 2006

MUDP06/030CS

South Australia

Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 2006

under the *Fisheries Act 1982*

Contents

1	Short title
2	Commencement
3	Interpretation
4	Constitution of fishery
5	No further licences to be granted
6	Expiry of licence
7	Renewal of licence
8	Refund on surrender of licence
9	Transfer of licence
10	Registration of boats
11	Registration as master
12	Revocation of registration
13	Mesh net and yabbie pot entitlements
14	Use of agents in fishing activities
15	Certain boats need not be registered
16	Returns

Schedule 1—Fish prescribed for Lakes and Coorong Fishery

Schedule 2—Fees

Schedule 3—Revocation of *Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 1991*

1—Short title

These regulations may be cited as the *Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 2006*.

2—Commencement

These regulations will come into operation on 1 September 2006.

3—Interpretation

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

Act means the *Fisheries Act 1982*;

coastal waters means the waters of the ocean and all bays, gulfs, straits, passages, inlets and estuaries of the State that are subject to the tidal influence of the sea;

fishery means the Lakes and Coorong Fishery constituted by these regulations;

Lakes and Coorong means the waters of the Coorong, Lake Alexandrina, Lake Albert and the coastal waters out to 3 nautical miles from the low water mark from the seaward extension of the Goolwa Beach Road to the jetty at Kingston;

mesh net has the same meaning as in the *Fisheries (General) Regulations 2000* and includes a drum net as defined in those regulations;

mesh net entitlement means the maximum number of mesh nets that the holder of a licence in respect of the fishery may lawfully use at any 1 time for the purpose of taking fish pursuant to the licence;

revoked regulations means the regulations revoked by Schedule 3;

SARDI means the South Australian Research and Development Institute;

yabbie pot has the same meaning as in the *Fisheries (General) Regulations 2000* and includes a drop net and hoop net as defined in those regulations;

yabbie pot entitlement means the maximum number of yabbie pots that the holder of a licence in respect of the fishery may lawfully use at any 1 time for the purpose of taking fish pursuant to the licence.

- (2) In these regulations, a reference to the **taking of fish** includes a reference to an act preparatory to, or involved in, the taking of the fish.

4—Constitution of fishery

- (1) The Lakes and Coorong Fishery is constituted.
- (2) The Lakes and Coorong Fishery consists of—
 - (a) the taking of fish specified in Schedule 1 in the Lakes and Coorong; and
 - (b) the taking of razor fish (*Pinna bicolor*) in the Lakes and Coorong for the purpose of bait.

5—No further licences to be granted

The licences in respect of the fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the fishery subject to the provisions of the Act and these regulations, and no other licences may be granted in respect of the fishery.

6—Expiry of licence

A licence in respect of the fishery expires on 30 June following the date of its last renewal.

7—Renewal of licence

- (1) A licence in respect of the fishery may be renewed by the Director on application made before the expiry of the licence or before the end of the licence period following the expiry of the licence.
- (2) An application to renew a licence must be made by the holder of the licence or, if the licence has expired, by the person who last held the licence.
- (3) An application to renew a licence must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant.

- (4) If an application to renew a licence is made before the expiry of the licence, the renewal of the licence takes effect from the expiry of the licence.
- (5) If an application to renew a licence is made after the expiry of the licence, the renewal of the licence takes effect from the date on which the application is granted.
- (6) The Director must not renew a licence unless the applicant has paid—
 - (a) —
 - (i) the renewal fee specified in Schedule 2 less \$90; or
 - (ii) the first instalment of the renewal fee specified in Schedule 2, in accordance with subregulation (7); and
 - (b) the amount of any previous renewal fee remaining payable in respect of the licence, together with any additional amount payable for late payment of an instalment of the renewal fee.
- (7) If an application to renew a licence is made before or within 3 months after the expiry of the licence, the renewal fee may be paid by 4 equal instalments payable on or before the date of renewal of the licence and 1 October, 1 January and 1 April following the date of renewal.
- (8) If an instalment of a renewal fee is not paid in full within 21 days after the due date for payment, an additional amount equal to 10 per cent of the amount of the instalment is payable.
- (9) If—
 - (a) an instalment of a renewal fee for a licence is not paid in full on or before the due date; or
 - (b) an additional amount is required to be paid for late payment of an instalment of a renewal fee,

the amount unpaid may be recovered from the holder of the licence or the person who last held the licence as a debt due to the Crown.

8—Refund on surrender of licence

If a licence in respect of the fishery is surrendered, the Director must, on application by the former licensee made in a form approved by the Director, refund an amount that bears to the renewal fee last paid in respect of the licence the same proportion as the number of complete months from the date of surrender to the day on which the following licence period commences bears to the number of months in the licence period during which the licence was surrendered.

9—Transfer of licence

- (1) A licence in respect of the fishery may be transferred with the consent of the Director.
- (2) An application for consent to the transfer of a licence must—
 - (a) be made jointly by the holder of the licence and the transferee in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicants; and
 - (d) be verified by statutory declaration; and
 - (e) be lodged with the Director together with—

- (i) the licence to be transferred; and
 - (ii) a form of return as required by regulation 16 completed by the holder of the licence up to the date of application; and
 - (iii) the application fee specified in Schedule 2.
- (3) Before consenting to the transfer of a licence, the Director must be satisfied—
- (a) that the licence to be transferred has not been suspended; and
 - (b) that no proceedings alleging an offence under the Act are pending or likely to be commenced in the State against the holder of the licence; and
 - (c) that the transfer is to 1 person only; and
 - (d) that the transferee is a natural person who—
 - (i) is at least 15 years of age; and
 - (ii) has not, within the period of 3 years preceding the date of application, been convicted in the State or elsewhere in Australia of an offence involving a breach of legislation relating to fishing; and
 - (e) that no proceedings alleging an offence involving a breach of legislation relating to fishing are pending or likely to be commenced in the State or elsewhere in Australia against the transferee; and
 - (f) if a boat registered by endorsement of the licence is the subject of, is registered by endorsement of, or is otherwise referred to in, a licence, permit, authority or other entitlement to take fish granted under the Commonwealth Act or the law of another State or Territory—
 - (i) that the entitlement is either to be transferred together with the fishery licence to the transferee or to be surrendered on or before the transfer of the fishery licence; or
 - (ii) that—
 - (A) the transfer of the fishery licence separately from entitlement is not likely to result in fishing activities that endanger or overexploit fishery resources; and
 - (B) the person or body that granted the entitlement concurs with the separate transfer of the licence.

10—Registration of boats

- (1) An application to register a boat to be used pursuant to a licence in respect of the fishery must—
- (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant; and
 - (d) be accompanied by the applicant's licence in respect of the fishery.
- (2) Before granting registration of the boat the Director must be satisfied that the applicant is the holder of a licence in respect of the fishery.

11—Registration as master

- (1) An application for registration of a person as the master of a boat used pursuant to a licence in respect of the fishery must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant; and
 - (d) be accompanied by the applicant's licence in respect of the fishery.
- (2) A person other than the holder of the licence cannot be registered as the master of a boat used pursuant to the licence unless the holder of the licence is already registered as the master of a boat used pursuant to a fishery licence.

12—Revocation of registration

- (1) The Director may, on application by the holder of a licence in respect of the fishery, revoke any registration effected by endorsement of the licence.
- (2) An application for revocation of a registration must—
 - (a) be made in a form approved by the Director; and
 - (b) be signed by the applicant; and
 - (c) be accompanied by the applicant's licence in respect of the fishery.

13—Mesh net and yabbie pot entitlements

- (1) The Director may impose or vary conditions on licences in respect of the fishery fixing mesh net entitlements as follows:
 - (a) a mesh net entitlement may be fixed by condition of a licence but must not exceed 100;
 - (b) the mesh net entitlement fixed by any such condition of a licence must, until the licence is transferred, be the number endorsed on the licence as the mesh net entitlement under the revoked regulations immediately before the commencement of these regulations subject to any subsequent variation made in accordance with paragraph (d);
 - (c) if a person becomes the holder of a licence in respect of the fishery as a result of the transfer of the licence, the mesh net entitlement for that licence must be fixed at 25 subject to any subsequent variation made in accordance with paragraph (d);
 - (d) on application made to the Director by the holders of any 2 licences in respect of the fishery, the mesh net entitlement for 1 of the licences may be increased by 25, provided that—
 - (i) the other licence is first surrendered to the Director; and
 - (ii) if the mesh net entitlement as so increased would exceed 100, the entitlement is fixed at 100 only.
- (2) The Director may impose or vary conditions on licences in respect of the fishery fixing yabbie pot entitlements as follows:
 - (a) a yabbie pot entitlement may be fixed by condition of a licence but must not exceed 100;

- (b) the yabbie pot entitlement fixed by any such condition of a licence must, until the licence is transferred, be the number endorsed on the licence as the yabbie pot entitlement under the revoked regulations immediately before the commencement of these regulations subject to any subsequent variation in accordance with paragraph (d);
 - (c) if a person becomes the holder of a licence in respect of the fishery as a result of the transfer of the licence, the yabbie pot entitlement for that licence must be fixed at 50 subject to any subsequent variation in accordance with paragraph (d);
 - (d) on application made to the Director by the holders of any 2 licences in respect of the fishery, the yabbie pot entitlement for 1 of the licences may be increased by the amount of the yabbie pot entitlement for the other licence, provided that—
 - (i) the other licence is first surrendered to the Director; and
 - (ii) if the yabbie pot entitlement as so increased would exceed 100, the entitlement is fixed at 100 only.
- (3) An application under subregulation (1)(d) or (2)(d) must—
- (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant.

14—Use of agents in fishing activities

- (1) The holder of a licence in respect of the fishery or the registered master of a boat registered by endorsement of such a licence must not cause or permit a person to be engaged on the shore as an agent of the holder of the licence in a fishing activity of a class that constitutes the fishery unless—
- (a) the holder of the licence or the registered master is at the same time also engaged on the shore in a fishing activity of a class that constitutes the fishery; and
 - (b) the holder of the licence or the registered master (as the case may be) and the other person remain, while so engaged, within 700 metres of each other.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (2) The holder of a licence in respect of the fishery or the registered master of a boat registered by endorsement of such a licence must not cause or permit a person to be engaged on a boat as an agent of the holder of the licence in a fishing activity of a class that constitutes the fishery unless—
- (a) the holder of the licence or the registered master is at the same time also engaged on a registered boat in a fishing activity of a class that constitutes the fishery; and
 - (b) the holder of the licence or the registered master (as the case may be) and the other person remain, while so engaged, within 500 metres of each other.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (3) The holder of a licence in respect of the fishery or the registered master of a boat registered by endorsement of such a licence must not cause or permit more than 2 persons to be engaged at the same time on the shore as agents of the holder of the licence in a fishing activity of a class that constitutes the fishery.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (4) The holder of a licence in respect of the fishery or the registered master of a boat registered by endorsement of such a licence must not cause or permit more than 2 persons to be engaged at the same time on a boat as agents of the holder of the licence in a fishing activity of a class that constitutes the fishery.

Maximum penalty: \$4 000.

Expiation fee: \$315.

15—Certain boats need not be registered

- (1) A boat used by a person as the agent of the holder of a licence in respect of the fishery in a fishing activity of a class that constitutes the fishery need not be registered if the boat is marked with the same distinguishing mark and in the same way as a boat registered by endorsement of the licence.
- (2) An unregistered boat that is marked as referred to in subregulation (1) need not be in the charge of a registered master.

16—Returns

- (1) The holder of a licence in respect of the fishery must—
- (a) complete a return, in a form determined by the Minister, in respect of each calendar month during the currency of the licence; and
 - (b) include in the return such information as the Executive Director of SARDI, with the approval of the Minister, requires; and
 - (c) date and sign the return and certify that the information contained in the return is complete and accurate, and post and deliver the return to the office of the Executive Director of SARDI within 15 days of the end of the month to which it relates.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (2) If the holder of a licence takes no fish pursuant to the licence during a particular calendar month, he or she is required by subregulation (1) to furnish a return in respect of that period indicating that no fish were taken.
- (3) The holder of a licence must—
- (a) make a copy of each return he or she completes under this regulation before the return is sent or delivered to the Executive Director of SARDI; and
 - (b) retain a copy for the period of 1 year from the last day of the month to which the return relates.

Maximum penalty: \$4 000.

Schedule 1—Fish prescribed for Lakes and Coorong Fishery

Scalefish

- Anchovy (*Engraulis australis*)
Barracouta (*Thyrsites atun*)
Bluethroated wrasse (*Notolabrus tetricus*)
Bony bream (*Nematalosa erebi*)
Bream (*Acanthopagrus butcheri*)
Carp (all species) (Family Cyprinidae)
Catfish (*Tandanus tandanus*)
Cod (marine species) (Family Moridae)
Congolli (*Pseudaphritis urvilli*)
Dory (Family Zeidae)
Flathead (Family Platycephalidae)
Flounder (Family Pleuronectidae)
Garfish (*Hyporhamphus melanochir*)
Mullet (all species) (Family Mugilidae)
Mulloway (*Argyrosomus hololepidotus*)
Murray cod (*Maccullochella peeli*)
Nannygai, Red snapper, Swallowtail (Family Berycidae)
Perch, golden (callop) (*Macquaria ambigua*)
Perch, redfin (*Perca fluviatilis*)
Perch, silver (*Bidyanus bidyanus*)
Pilchard (*Sardinops neopilchardus*)
Salmon (*Arripis truttaceus*)
Snapper (*Chrysophrys auratus*)
Snook (*Sphyraena novaehollandiae*)
Sole (*Aserragodes haackeanus*)
Sweep (*Scorpius aequipinnis*)
Tommy ruff (*Arripis georgianus*)
Trevalla (*Hyperoglyphe antarctica*)
Trevally (*Usacaranx georgianus*)
Trout, brown (*Salmo trutta*)
Trout, rainbow (*Oncorhynchus mykiss*)
Whiting (Family Sillaginidae)

Crustaceans

- Crabs (Family Portunidae)
Freshwater shrimp (*Macrobrachium australiense*)
Yabbies (*Cherax destructor*)

Molluscs

Cockle (Suborder Teledonta)

Squid, arrow (*Nototodarus gouldi*)

Squid, calamary (*Sepioteuthis australis*)

Mussels (Family Hyriidae)

Mussels (*Mytilus* spp.)

Annelids

Bloodworm (Class Polychaeta)

Tubeworm (Class Polychaeta)

Sharks

All species other than white pointer shark (*Carcharodon carcharias*) (Class Elasmobranchii)

Skate (Class Elasmobranchii)

Rays (Class Elasmobranchii)

Schedule 2—Fees

1	On application for the renewal of a licence in respect of the fishery	\$6 591.00
2	On application for consent to the transfer of a licence in respect of the fishery	\$311.00

Schedule 3—Revocation of *Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 1991*

The *Fisheries (Scheme of Management—Lakes and Coorong Fishery) Regulations 1991* are revoked.

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 24 August 2006

No 202 of 2006

MAFF06/006CS

South Australia

Fisheries (Scheme of Management—Abalone Fisheries) Regulations 2006

under the *Fisheries Act 1982*

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12	Registration of masters
13	Revocation of registration
14	Individual catch quota system—Central Zone
15	Individual catch quota system—Southern Zone
16	Individual catch quota system—Western Zone
17	Only 1 registered boat to be used at any 1 time
18	Only 1 registered master to be engaged in fishing activities
19	Registered boat not to be transported or towed to fishing location
20	Catch and disposal records
21	Returns

Schedule 1—Fees

Schedule 2—Revocation of *Fisheries (Scheme of Management—Abalone Fisheries) Regulations 1991*

1—Short title

These regulations may be cited as the *Fisheries (Scheme of Management—Abalone Fisheries) Regulations 2006*.

2—Commencement

These regulations will come into operation on 1 September 2006.

3—Interpretation

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

abalone fishery means—

(a) the Central Zone Abalone Fishery; or

- (b) the Southern Zone Abalone Fishery; or
- (c) the Western Zone Abalone Fishery,

constituted by these regulations;

Act means the *Fisheries Act 1982*;

Central Zone means the coastal waters between the meridians of longitude 136°30'E and 139°E but does not include the waters of the Coorong or any other waters inside the Murray Mouth;

coastal waters means the waters of the ocean and all bays, gulfs, straits, passages, inlets and estuaries of the State that are subject to the tidal influences of the sea;

conversion value means the number determined by the Director to be the conversion value for the purpose of calculating the weight of abalone meat before removal from the shell;

Corporations Act means the *Corporations Act 2001* of the Commonwealth;

current company extract means a document prepared by the Australian Securities and Investment Commission from its national database kept under the Corporations Act that contains current details of the following in relation to a company:

- (a) the company's name;
- (b) the address of the company's registered office;
- (c) the date of registration of the company;
- (d) the State or Territory in which the company is taken to be registered under the Corporations Act;
- (e) the company's Australian Company Number;
- (f) whether the company is a proprietary company or a public company;
- (g) the full name of each director of the company;
- (h) the full name of each secretary (if any) of the company;

Department means the administrative unit of the Public Service responsible, through the Minister, for the administration of the Act;

licence period means the period of 12 months commencing on 1 July in any year;

meat, in relation to an abalone, means all the muscular foot of the abalone from which the viscera have been detached by the usual shucking procedure;

revoked regulations means the regulations revoked by Schedule 2;

SARDI means the South Australian Research and Development Institute;

Southern Zone means the coastal waters east of the meridian of longitude 139°E but does not include the waters of the Coorong or any other waters inside the Murray Mouth;

Western Zone means the coastal waters west of the meridian of longitude 136°30'E;

whole, in relation to an abalone, means the whole of the abalone including the meat, viscera and shell.

- (2) In these regulations, unless the contrary intention appears, **company**, **director**, **proprietary company** and **public company** have the same respective meanings as in the Corporations Act.

- (3) In these regulations, a reference to the *taking of abalone* includes a reference to an act preparatory to, or involved in the taking of abalone.
- (4) In these regulations, a reference to a class of abalone is a reference to a class of abalone determined by the Director by reference to all or any of the following factors:
 - (a) a species of abalone; or
 - (b) a description of abalone by reference to sex, size, weight or any other characteristic.

4—Conversion of whole weight to meat weight

For the purposes of these regulations, the weight of abalone meat before removal from the shell is to be determined by multiplying the number of kilograms in the weight of the whole abalone by the conversion value determined by the Director for the time being.

5—Constitution of fisheries

- (1) The following fisheries are constituted:
 - (a) the Central Zone Abalone Fishery;
 - (b) the Southern Zone Abalone Fishery;
 - (c) the Western Zone Abalone Fishery.
- (2) The Central Zone Abalone Fishery consists of the taking of abalone in the waters of the Central Zone.
- (3) The Southern Zone Abalone Fishery consists of the taking of abalone in the waters of the Southern Zone.
- (4) The Western Zone Abalone Fishery consists of the taking of abalone in the waters of the Western Zone.

6—No further licences to be granted

- (1) The licences in respect of the Central Zone Abalone Fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the Central Zone Abalone Fishery subject to the provisions of the Act and these regulations, and no other licences may be granted in respect of the Fishery.
- (2) The licences in respect of the Southern Zone Abalone Fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the Southern Zone Abalone Fishery subject to the provisions of the Act and these regulations, and no other licences may be granted in respect of the Fishery.
- (3) The licences in respect of the Western Zone Abalone Fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the Western Zone Abalone Fishery subject to the provisions of the Act and these regulations, and no other licences may be granted in respect of the Fishery.

7—Expiry of licence

A licence in respect of an abalone fishery expires on 30 June following the date of its last renewal.

8—Renewal of licence

- (1) A licence in respect of an abalone fishery may be renewed by the Director on application made before the expiry of the licence or before the end of the licence period following the expiry of the licence.

- (2) An application to renew a licence must be made by the holder of the licence or, if the licence has expired, by the person who last held the licence.
- (3) An application to renew a licence must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant.
- (4) If an application to renew a licence is made before the expiry of the licence, the renewal of the licence takes effect from the expiry of the licence.
- (5) If an application to renew a licence is made after the expiry of the licence, the renewal of the licence takes effect from the date on which the application is granted.
- (6) The Director must not renew a licence unless the applicant has paid—
 - (a) —
 - (i) the renewal fee specified in Schedule 1 less \$90; or
 - (ii) the first instalment of the renewal fee specified in Schedule 1, in accordance with subregulation (7); and
 - (b) the amount of any previous renewal fee remaining payable in respect of the licence, together with any additional amount payable for late payment of an instalment of the renewal fee.
- (7) If an application to renew a licence is made before or within 3 months after the expiry of the licence, the renewal fee may be paid by 4 equal instalments payable on or before the date of renewal of the licence and 1 October, 1 January and 1 April following the date of renewal.
- (8) If an instalment of a renewal fee is not paid in full within 21 days after the due date for payment, an additional amount equal to 10 per cent of the amount of the instalment is payable.
- (9) If—
 - (a) an instalment of a renewal fee for a licence is not paid in full on or before the due date; or
 - (b) an additional amount is required to be paid for late payment of an instalment of a renewal fee,

the amount unpaid may be recovered from the holder of the licence or the person who last held the licence as a debt due to the Crown.

9—Refund on surrender of licence

If a licence in respect of an abalone fishery is surrendered, the Director must, on application by the former licensee, refund an amount that bears to the renewal fee last paid in respect of the licence the same proportion as the number of complete months from the date of surrender to the day on which the following licence period commences bears to the number of months in the licence period during which the licence was surrendered.

10—Transfer of licence

- (1) A licence in respect of an abalone fishery may be transferred with the consent of the Director.

- (2) An application for consent to the transfer of a licence must—
- (a) be made jointly by the holder of the licence and the transferee in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicants; and
 - (d) be verified by statutory declaration; and
 - (e) be accompanied by—
 - (i) the licence to be transferred; and
 - (ii) a form of return as required by regulation 21 completed by the holder of the licence up to the date of application; and
 - (iii) if the transferee is a company—a current company extract relating to the transferee issued not more than 1 month immediately preceding the date of application; and
 - (iv) the appropriate fee specified in Schedule 1.
- (3) Before consenting to the transfer of a licence, the Director must be satisfied—
- (a) that the licence to be transferred has not been suspended; and
 - (b) that no proceedings alleging an offence under the Act are pending or likely to be commenced in the State against the holder of the licence; and
 - (c) that the transfer is to 1 person only; and
 - (d) that the transferee is—
 - (i) a natural person of at least 15 years of age; or
 - (ii) a company; and
 - (e) that no conviction for an offence involving a breach of legislation relating to fishing has, within the period of 3 years preceding the date of the application, been recorded in the State or elsewhere in Australia against the transferee or, if the transferee is a company, against a director of the company; and
 - (f) that no proceedings alleging an offence involving a breach of legislation relating to fishing are pending or likely to be commenced in the State or elsewhere in Australia against the transferee or, if the transferee is a company, against a director of the company; and
 - (g) if a boat registered by endorsement of the licence is the subject of, is registered by endorsement of, or is otherwise referred to in, a licence, permit, authority or other entitlement to take fish granted under the Commonwealth Act or the law of another State or Territory—
 - (i) that the entitlement is either to be transferred together with the fishery licence to the transferee or to be surrendered on or before the transfer of the fishery licence; or
 - (ii) that—
 - (A) the transfer of the fishery licence separately from the entitlement is not likely to result in fishing activities that endanger or over exploit fishery resources; and

- (B) the person or body that granted the entitlement concurs with the separate transfer of the licence.

11—Registration of boats

- (1) An application to register a boat to be used pursuant to a licence in respect of an abalone fishery must—
- (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant; and
 - (d) be accompanied by the applicant's licence in respect of the fishery.
- (2) Before granting an application to register a boat, the Director must be satisfied that the applicant holds a licence in respect of the fishery.

12—Registration of masters

An application to register a person as the master of a boat used pursuant to a licence in respect of an abalone fishery must—

- (a) be made in a form approved by the Director; and
- (b) contain the information specified in the form; and
- (c) be signed by the applicant; and
- (d) be accompanied by the applicant's licence in respect of the fishery.

13—Revocation of registration

- (1) The Director may, on application by the holder of a licence in respect of an abalone fishery, revoke a registration effected by endorsement of the licence.
- (2) An application for revocation of a registration must—
- (a) be made in a form approved by the Director; and
 - (b) be signed by the applicant; and
 - (c) be accompanied by the applicant's licence in respect of the fishery.

14—Individual catch quota system—Central Zone

- (1) In this regulation—

abalone quota, in relation to a licence in respect of the fishery and a class of abalone, means the maximum number of kilograms of meat of abalone of that class that may lawfully be taken by the holder of the licence during a prescribed period, being the product of—

- (a) the unit entitlement of the licence in respect of that class of abalone; and
- (b) the unit value for the fishery, that class of abalone and that prescribed period,

subject to any variation of the quota of the licence in respect of that class of abalone applying during that prescribed period;

fishery means the Central Zone Abalone Fishery;

prescribed period means a calendar year;

unit entitlement means the number of abalone units for the time being allocated to a licence in respect of the fishery in respect of a class of abalone;

unit value means the number of kilograms of abalone meat determined by the Director to be the value of an abalone unit for the fishery, a class of abalone and a prescribed period.

- (2) The Director may impose or vary conditions on licences in respect of the fishery fixing abalone quotas as follows:
- (a) all licences in respect of the fishery must be allocated the same number of abalone units in respect of the same class of abalone (but the number of units may vary as between different classes of abalone);
 - (b) the Director must, before the commencement of each prescribed period—
 - (i) determine the number of kilograms of abalone meat that is to be the value of an abalone unit for the fishery, a class of abalone and the prescribed period; and
 - (ii) determine the conversion value for the fishery and a class of abalone;
 - (c) the Director may, from time to time, vary the conversion value for the fishery and a class of abalone;
 - (d) on application made to the Director by the holders of any 2 licences in respect of the fishery, the conditions of the licences may be varied so as to increase the unit entitlement of 1 of the licences in respect of a particular class of abalone and decrease the unit entitlement of the other licence in respect of that class of abalone by a corresponding number of units;
 - (e) the Director may, if the total catch of abalone of a particular class of abalone taken pursuant to a licence during a prescribed period exceeded the abalone quota of the licence in respect of that class of abalone and prescribed period, vary the conditions of the licence so as to decrease the quota in respect of that class of abalone—
 - (i) if the catch exceeded the quota by not more than 10 kilograms of meat of abalone—by 1 kilogram for each kilogram in excess of the quota; or
 - (ii) if the catch exceeded the quota by more than 10 kilograms but not more than 50 kilograms of meat of abalone—by 2 kilograms for each kilogram in excess of the quota;
 - (f) if the total catch of abalone of a particular class taken pursuant to a licence in respect of the fishery during a particular prescribed period was less than the abalone quota of the licence in respect of that class of abalone and prescribed period, the Director may vary the conditions of the licence so as—
 - (i) to increase the quota in respect of that class of abalone by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the quota (but in any case by not more than 20 kilograms); and
 - (ii) to prohibit the transfer of the additional quota to another licence;
 - (g) the Director may, if—
 - (i) the holder of a licence in respect of the fishery has assisted in the carrying out of research work under the Act in relation to the fishery; and
 - (ii) the Director considers that it is appropriate to compensate or reward the holder of the licence for the time spent in providing that assistance,vary the conditions of the licence so as to increase the quota of the licence in respect of a class of abalone;

- (h) a variation of—
 - (i) a unit entitlement made under paragraph (d); or
 - (ii) an abalone quota made under paragraph (e), (f) or (g),
must be expressed to apply only for the prescribed period during which the variation is made;
 - (i) unit entitlements and abalone quotas must not be varied except as provided by this regulation.
- (3) An application under subregulation (2)(d) must—
- (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicants; and
 - (d) be accompanied by the appropriate fee specified in Schedule 1.
- (4) For the purposes of subregulation (2)(f), in determining whether the total catch of abalone during a particular prescribed period was less than the abalone quota of the licence in respect of that period, any increase in the abalone quota of the licence applying during that period as a result of a variation made under that subregulation will be taken not to form part of the abalone quota of the licence.
- (5) If—
- (a) a court convicts the holder of a licence in respect of the fishery of an offence of contravening a condition of the licence imposing an abalone quota on the licence; and
 - (b) the conduct constituting the offence involved the taking of more than 50 kilograms of abalone meat in excess of the quota,

the court must make an order requiring the Director to vary the conditions of the licence so as to reduce the abalone quota of the licence in respect of the class of abalone that was taken in excess of the quota for 3 prescribed periods following the conviction by 1 kilogram for each kilogram in excess of the quota for the prescribed period during which the offence was committed.

15—Individual catch quota system—Southern Zone

- (1) In this regulation—
- abalone quota*, in relation to a licence in respect of the fishery, a class of abalone and a fishing zone, means the maximum number of kilograms of meat of abalone of that class that may be lawfully taken by the holder of the licence in that fishing zone during a prescribed period, being the product of—
- (a) the unit entitlement of the licence in respect of that class of abalone and fishing zone; and
 - (b) the unit value for that class of abalone, fishing zone and prescribed period,
- subject to any variation of the quota of the licence in respect of that class of abalone and fishing zone applying during that prescribed period;

area 1 means those waters adjacent to the coast of Nene Valley which are contained within a line commencing at the high water mark at position latitude 37°59.3'S, 140°30.7'E, then due south for approximately 2.9 nautical miles to position latitude 38°02.4'S, longitude 140°30.7'E, then generally south east for approximately 2.7 nautical miles to position latitude 38°04.4'S, longitude 140°34.2'E, then due north for approximately 2.6 nautical miles to the high water mark at position latitude 38°01.4'S, longitude 140°34.2'E, then generally north westerly following the high water mark back to the point of commencement;

area 2 means those waters adjacent to the coast at Brown and Riddoch Bays which are contained between the meridians of longitude 140°45'E and longitude 140°55'E extending seawards for 3 nautical miles from the high water mark;

area 3 means those waters of Ringwood Reef bounded by a line commencing at latitude 37°31.95'S longitude 140°01.3'E, then in generally easterly direction to a point of latitude 37°31.95'S longitude 140°02.6'E, then in a southerly direction to a point latitude 37°32.5'E longitude 140°02.6'E, then in generally westerly direction to a point latitude 37°32.3'S longitude 140°01.3'E, then in a generally northerly direction to the point of commencement;

area 4 means those waters bounded by a line commencing at the high water mark on Rapid Point latitude 37°55.7'S longitude 140°23.38'E, then in a generally south westerly direction to position latitude 37°56'S longitude 140°21.5'E, then in a generally south easterly direction to position latitude 37°58.5'S longitude 140°26'E, then in north easterly direction to Blackfellows Caves in latitude 37°57'S longitude 140°28.2'E, then north westerly direction back to the point of commencement;

Area S means that part of the Southern Zone comprised of areas 1, 2, 3 and 4;

fishery means the Southern Zone Abalone Fishery;

fishing zone means—

- (a) the Southern Zone; or
- (b) Area S; or
- (c) any 1, 2 or 3 of the areas comprising Area S; or
- (d) the waters of the Southern Zone outside Area S;

prescribed period means the period of 12 months commencing on 1 September in any year;

unit entitlement means the number of abalone units for the time being allocated to a licence in respect of the fishery in respect of a class of abalone and a fishing zone;

unit value means the number of kilograms of abalone meat determined by the Director to be the value of an abalone unit for a fishing zone, a class of abalone and a prescribed period.

- (2) The Director may impose or vary conditions on licences in respect of the fishery fixing abalone quotas as follows:
 - (a) all licences in respect of the fishery must be allocated the same number of abalone units in respect of the same class of abalone and fishing zone (but the number of units may vary as between different classes of abalone and fishing zones);
 - (b) the Director must, before the commencement of each prescribed period—
 - (i) determine the number of kilograms of abalone meat that is to be the value of an abalone unit for a fishing zone, a class of abalone and the prescribed period; and

- (ii) determine the conversion value for a fishing zone and a class of abalone;
 - (c) the Director may, from time to time, vary the conversion value for a fishing zone and a class of abalone;
 - (d) on application made to the Director by the holders of any 2 licences in respect of the fishery, the conditions of those licences may be varied so as to increase the unit entitlement of 1 of the licences in respect of a particular class of abalone and fishing zone and decrease the unit entitlement of the other licence in respect of that class of abalone and fishing zone by a corresponding number of units;
 - (e) the Director may, if the total catch of abalone of a particular class of abalone taken pursuant to a licence in a fishing zone during a prescribed period exceeded the abalone quota of the licence in respect of that class of abalone, fishing zone and prescribed period, vary the conditions of the licence so as to decrease the quota in respect of that class of abalone and fishing zone—
 - (i) if the catch exceeded the quota by not more than 10 kilograms of abalone meat—by 1 kilogram for each kilogram in excess of the quota; or
 - (ii) if the catch exceeded the quota by more than 10 kilograms but not more than 50 kilograms of abalone meat—by 2 kilograms for each kilogram in excess of the quota;
 - (f) if the total catch of abalone of a particular class taken pursuant to a licence in a fishing zone during a particular prescribed period was less than the abalone quota of the licence in respect of that class of abalone, fishing zone and prescribed period, the Director may vary the conditions of the licence so as—
 - (i) to increase the quota in respect of that class of abalone and fishing zone by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the quota (but in any case by not more than 20 kilograms); and
 - (ii) to prohibit the transfer of the additional quota to another licence;
 - (g) the Director may, if—
 - (i) the holder of a licence in respect of the fishery has assisted in the carrying out of research work under the Act in relation to the fishery; and
 - (ii) the Director considers that it is appropriate to compensate or reward the holder of the licence for the time spent in providing that assistance,vary the conditions of the licence so as to increase the quota of the licence in respect of a class of abalone;
 - (h) a variation of—
 - (i) a unit entitlement made under paragraph (d); or
 - (ii) an abalone quota made under paragraph (e), (f) or (g),must be expressed to apply only for the prescribed period during which the variation is made;
 - (i) unit entitlements and abalone quotas must not be varied except as provided by this regulation.
- (3) An application under subregulation (2)(d) must—
- (a) be made in a form approved by the Director; and

- (b) contain the information specified in the form; and
 - (c) be signed by the applicants; and
 - (d) be accompanied by the appropriate fee specified in Schedule 1.
- (4) For the purposes of subregulation (2)(f), in determining whether the total catch of abalone during a particular prescribed period was less than the abalone quota of the licence in respect of that period, any increase in the abalone quota of the licence applying during that period as a result of a variation made under that subregulation will be taken not to form part of the abalone quota of the licence.
- (5) If—
- (a) a court convicts the holder of a licence in respect of the fishery of an offence of contravening a condition of the licence imposing an abalone quota on the licence; and
 - (b) the conduct constituting the offence involved the taking of more than 50 kilograms of abalone meat in excess of the quota,

the court must make an order requiring the Director to vary the conditions of the licence so as to reduce the abalone quota of the licence in respect of the class of abalone that was taken in excess of the quota for 3 prescribed periods following the conviction by 1 kilogram for each kilogram in excess of the quota for the prescribed period during which the offence was committed.

- (6) The holder of a licence in respect of the fishery must not, on any 1 day, take abalone pursuant to the licence, or cause, suffer or permit abalone to be taken pursuant to the licence—
- (a) from more than 1 of the 4 areas that comprise Area S; or
 - (b) from both Area S and the waters of the Southern Zone outside Area S.

Maximum penalty: \$4 000.

16—Individual catch quota system—Western Zone

- (1) In this regulation—

abalone quota—

- (a) in relation to a licence in respect of the fishery, region A and a class of abalone— means the maximum number of kilograms of meat of abalone of that class that may be lawfully taken by the holder of the licence in that region during a prescribed period, being the product of—
 - (i) the unit entitlement of the licence in respect of that region and class of abalone; and
 - (ii) the unit value for that region, class of abalone and prescribed period, subject to any variation of the quota of the licence in respect of that region and class of abalone applying during that prescribed period;
- (b) in relation to a licence in respect of the fishery and region B— means the maximum number of kilograms of meat of abalone that may be lawfully taken by the holder of the licence in that region during a prescribed period, being the product of—
 - (i) the unit entitlement of the licence in respect of that region; and
 - (ii) the unit value for that region and prescribed period,

subject to any variation of the quota of the licence in respect of that region applying during that prescribed period;

fishery means the Western Zone Abalone Fishery;

prescribed period means a calendar year;

prescribed region means region A or region B;

region A means the waters in the Western Zone south and east of a line drawn due south through Point Brown position latitude 32° 32.6'S, longitude 133° 50.8'E;

region B means the waters in the Western Zone north and west of a line drawn due south through Point Brown position latitude 32° 32.6'S, longitude 133° 50.8'E;

unit entitlement—

- (a) in relation to a licence in respect of the fishery, region A and a class of abalone—means the number of abalone units for the time being allocated to the licence in respect of that region and class of abalone;
- (b) in relation to a licence in respect of the fishery and region B—means the number of abalone units for the time being allocated to the licence in respect of that region;

unit value—

- (a) in relation to region A—means the number of kilograms of abalone meat determined by the Director to be the value of an abalone unit for that region, a class of abalone and a prescribed period;
 - (b) in relation to region B—means the number of kilograms of abalone meat determined by the Director to be the value of an abalone unit for that region and a prescribed period.
- (2) The Director may impose or vary conditions on licences in respect of the fishery fixing abalone quotas as follows:
- (a) all licences in respect of the fishery must be allocated—
 - (i) the same number of abalone units in respect of a class of abalone and region A (but the number of units may vary as between different classes of abalone); and
 - (ii) the same number of abalone units in respect of region B;
 - (b) the Director must, before the commencement of each prescribed period—
 - (i) determine the number of kilograms of abalone meat that is to be the value of an abalone unit for region A, a class of abalone and the prescribed period;
 - (ii) determine the number of kilograms of abalone meat that is to be the value of an abalone unit for region B and the prescribed period;
 - (iii) determine the conversion value for a prescribed region and a class of abalone;
 - (c) the Director may, from time to time, vary the conversion value for a prescribed region and a class of abalone;

- (d) on application made to the Director by the holders of any 2 licences in respect of the fishery endorsed with conditions fixing abalone quotas on the licences in respect of region A and the same class of abalone, the conditions of the licences may be varied so as to increase the unit entitlement of 1 of the licences in respect of that region and class of abalone and decrease the unit entitlement of the other licence in respect of that region and class of abalone by a corresponding number of units;
- (e) on application made to the Director by the holders of any 2 licences in respect of the fishery endorsed with conditions fixing abalone quotas on the licences in respect of region B, the conditions of the licences may be varied so as to increase the unit entitlement of 1 of the licences in respect of that region and decrease the unit entitlement of the other licence in respect of that region by a corresponding number of units;
- (f) the Director may, if the total catch of abalone of a particular class taken pursuant to a licence in region A during a prescribed period exceeded the abalone quota of the licence in respect of that region, class of abalone and prescribed period, vary the conditions of the licence so as to decrease the quota in respect of that region and class of abalone—
 - (i) if the catch exceeded the quota by not more than 10 kilograms of abalone meat—by 1 kilogram for each kilogram taken in excess of the quota;
 - (ii) if the catch exceeded the quota by more than 10 kilograms but not more than 50 kilograms of abalone meat—by 2 kilograms for each kilogram taken in excess of the quota;
- (g) the Director may, if the total abalone catch taken pursuant to a licence in region B during a prescribed period exceeded the abalone quota of the licence in respect of that region and prescribed period, vary the conditions of the licence so as to decrease the abalone quota in respect of that region—
 - (i) if the catch exceeded the quota by not more than 10 kilograms of abalone meat—by 1 kilogram for each kilogram taken in excess of the quota;
 - (ii) if the catch exceeded the quota by more than 10 kilograms but not more than 50 kilograms of abalone meat—by 2 kilograms for each kilogram taken in excess of the quota;
- (h) if the total catch of abalone of a particular class taken pursuant to a licence in region A during a particular prescribed period was less than the abalone quota of the licence in respect of that region, class of abalone and prescribed period, the Director may vary the conditions of the licence so as—
 - (i) to increase the quota in respect of that region and class of abalone by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the quota (but in any case by not more than 20 kilograms); and
 - (ii) to prohibit the transfer of the additional quota to another licence;
- (i) if the total catch of abalone taken pursuant to a licence in region B during a particular prescribed period was less than the abalone quota of the licence in respect of that region and prescribed period, the Director may vary the conditions of the licence so as—

- (i) to increase the quota in respect of that region by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the quota (but in any case by not more than 20 kilograms); and
 - (ii) to prohibit the transfer of the additional quota to another licence;
 - (j) the Director may, if—
 - (i) the holder of a licence in respect of the fishery has assisted in the carrying out of research work under the Act in relation to the fishery; and
 - (ii) the Director considers that it is appropriate to compensate or reward the holder of the licence for the time spent in providing that assistance,vary the conditions of the licence so as to increase the quota of the licence in respect of a class of abalone;
 - (k) a variation of—
 - (i) a unit entitlement made under paragraph (d) or (e); or
 - (ii) an abalone quota made under paragraph (f), (g), (h), (i) or (j),must be expressed to apply only for the prescribed period during which the variation is made;
 - (l) unit entitlements and abalone quotas must not be varied except as provided by this regulation.
- (3) An application under subregulation (2)(d) or (e) must—
- (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicants; and
 - (d) be accompanied by the appropriate fee specified in Schedule 1.
- (4) For the purposes of subregulation (2)(h) or (i), in determining whether the total catch of abalone during a particular prescribed period was less than the abalone quota of the licence in respect of that period, any increase in the abalone quota of the licence applying during that period as a result of a variation made under that subregulation will be taken not to form part of the abalone quota of the licence.
- (5) If—
- (a) a court convicts the holder of a licence in respect of the fishery of an offence of contravening a condition of the licence imposing an abalone quota on the licence; and
 - (b) the conduct constituting the offence involved the taking of more than 50 kilograms of abalone meat—
 - (i) in excess of the quota of the licence in respect of region A and a class of abalone; or
 - (ii) in excess of the quota of the licence in respect of region B,

the court must make an order requiring the Director to vary the conditions of the licence so as to reduce the abalone quota of the licence in respect of that region and, if the quota relates to a class of abalone, in respect of that class, for 3 prescribed periods following the conviction by 1 kilogram for each kilogram in excess of the quota for the prescribed period during which the offence was committed.

17—Only 1 registered boat to be used at any 1 time

If 2 boats are registered by endorsement of a licence in respect of an abalone fishery, the holder of the licence must not use both boats, or cause, suffer or permit both boats to be used, at the same time for taking fish pursuant to the licence.

Maximum penalty: \$4 000.

18—Only 1 registered master to be engaged in fishing activities

If—

- (a) 2 boats are registered by endorsement of a licence in respect of an abalone fishery; and
- (b) different persons are registered by endorsement of the licence as the masters of those boats,

the holder of the licence must not cause, suffer or permit both persons to engage in fishing activities pursuant to the licence on the same day.

Maximum penalty: \$4 000.

19—Registered boat not to be transported or towed to fishing location

The holder of a licence in respect of an abalone fishery must not cause, suffer or permit a registered boat to be transported or towed by another boat to a place at which the registered boat is to be used for the purpose of taking fish pursuant to the licence.

Maximum penalty: \$4 000.

20—Catch and disposal records

- (1) In this regulation—

CDR book means the book issued by the Department containing blank CDR1 forms;

CDR1 form means the form produced by the Department entitled *CDR1—Department of Primary Industries (Fisheries) Abalone Catch and Disposal Record*.

- (2) The holder of a licence in respect of an abalone fishery or the registered master of a boat from which abalone is taken pursuant to such a licence must comply with the following provisions:
- (a) he or she must complete Part A of a CDR1 form in respect of abalone taken pursuant to the licence—
 - (i) if the abalone is landed on the day on which it is taken—
 - (A) immediately after the abalone is landed and within 50 metres of the place of landing; or
 - (B) if the abalone is to be delivered to the registered premises of a registered fish processor within 50 metres of the place of landing—before the abalone is delivered to the premises; or
 - (ii) in any other case—before the end of the day on which the abalone is taken;
 - (b) he or she must cause the abalone to which the completed Part A of that form relates to be transported to the registered premises of the registered fish processor specified on the form, together with the 3 copies of the completed form.

- (3) If a provision of subregulation (2) is not complied with, the holder of the licence is guilty of an offence.

Maximum penalty: \$4 000.

21—Returns

- (1) The holder of a licence in respect of an abalone fishery must—
- (a) complete a return, in a form determined by the Minister, in respect of each calendar month during the currency of the licence; and
 - (b) include in the return such information as the Executive Director of SARDI, with the approval of the Minister, requires; and
 - (c) date and sign the return and certify that the information contained in the return is complete and accurate, and post or deliver the return to the office of the Executive Director of SARDI within 15 days of the end of the month to which it relates.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (2) If the holder of a licence takes no abalone pursuant to the licence during a particular calendar month, he or she is required by subregulation (1) to furnish a return in respect of that period indicating that no abalone were taken.
- (3) If an abalone fishery has been closed for a whole calendar month, the holder of a licence need not furnish a return for that month.
- (4) The holder of a licence must—
- (a) make a copy of each return that he or she completes under this regulation before the return is sent or delivered to the Executive Director of SARDI; and
 - (b) retain the copy for a period of 12 months from the last day of the month to which the return relates.

Maximum penalty: \$4 000.

Schedule 1—Fees

1	On application for the renewal of a licence in respect of—	
	(a) the Central Zone Abalone Fishery	\$68 974.00
	(b) the Southern Zone Abalone Fishery	\$68 142.00
	(c) the Western Zone Abalone Fishery	\$68 225.00
2	On application for consent to the transfer of a licence in respect of an abalone fishery	\$311.00
3	On application to vary licence conditions so as to alter unit entitlements in respect of abalone	\$104.00

Schedule 2—Revocation of *Fisheries (Scheme of Management—Abalone Fisheries) Regulations 1991*

The *Fisheries (Scheme of Management—Abalone Fisheries) Regulations 1991* are revoked.

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 24 August 2006

No 203 of 2006

MAFF06/006CS

South Australia

Fisheries (Fish Processors) Regulations 2006

under the *Fisheries Act 1982*

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Schedule 1—Fees

Schedule 2—Revocation

1—Short title

These regulations may be cited as the *Fisheries (Fish Processors) Regulations 2006*.

2—Commencement

These regulations will come into operation on 1 September 2006.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Fisheries Act 1982*;

aquaculture licence means a licence under the *Aquaculture Act 2001*;

Department means the administrative unit of the Public Service responsible, through the Minister, for the administration of the Act;

eligible applicant, in relation to an application for registration or renewal of registration as a fish processor under section 54 of the Act, means the holder of a fishery licence or an aquaculture licence who applies for registration as a fish processor for the sole purpose of processing fish taken or farmed under the licence for sale to a person who—

- (a) is an unregistered fish processor; and
- (b) carries on a business in the course of which fish is sold, or fish is supplied as a meal or part of a meal, directly to the public;

Marine Scalefish Fishery has the same meaning as in the *Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 2006*;

registration period means the period of 12 months commencing on 1 July in any year;

SARDI means the South Australian Research and Development Institute;

undersize fish has the same meaning as in the *Fisheries (General) Regulations 2000*.

4—Registration as fish processor

- (1) For the purposes of section 54 of the Act, an application for registration or renewal of registration as a fish processor must—
 - (a) be made to the Director in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant.
- (2) The Director must not grant an application for registration or renewal of registration as a fish processor unless the applicant has paid—
 - (a) —
 - (i) the registration fee as specified in Schedule 1; or
 - (ii) the first instalment of the registration fee, in accordance with subregulation (3) or (4); and
 - (b) the amount of any previous registration fee remaining payable by the applicant.
- (3) If—
 - (a) an application for registration is made before the commencement of the registration period in respect of which the application is made; and
 - (b) the applicant is not an eligible applicant,the registration fee may be paid in 4 equal instalments payable on or before that commencement and 1 October, 1 January and 1 April following the date of registration.
- (4) If—
 - (a) an application for renewal of registration is made before the expiry of the registration; and
 - (b) the applicant is not an eligible applicant,the registration fee may be paid in 4 equal instalments payable on or before the date of renewal and 1 October, 1 January and 1 April following the date of renewal.
- (5) If an instalment of a registration fee is not paid in full on or before the due date, the amount unpaid may be recovered from the holder or former holder of the registration as a debt due to the Crown.

5—Persons not required to be registered as fish processors

Pursuant to section 54 of the Act, the following persons are not required to be registered as fish processors:

- (a) a person who only processes fish obtained from a registered fish processor;
- (b) a person—
 - (i) who is the holder of a fishery licence or an aquaculture licence; and
 - (ii) who only processes fish taken or farmed under the licence for sale to a registered fish processor or directly to persons who consume the fish.

6—Registration of additional premises etc

- (1) If a registered fish processor proposes to use for or in connection with processing, storing or dealing with fish any premises, place, boat or vehicle that is not specified in his or her certificate of registration, he or she must lodge with the Director an application to have the additional premises, place, boat or vehicle so specified.
- (2) An application under subregulation (1) must—
 - (a) be made to the Director in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant; and
 - (d) be accompanied by the appropriate fee specified in Schedule 1.

7—Refund on surrender of registration

If the holder of registration as a fish processor surrenders the registration, the Director must, on application by the former holder, refund an amount that bears to the registration fee last paid the same proportion as the number of complete months from the date of surrender to the following 1 July bears to the number of months in the registration period.

8—Written records to be kept

- (1) A fish processor must keep a separate written record for each of the premises, places, boats or vehicles used by the fish processor for, or in connection with, the storage, processing or transport of fish containing the following information in relation to each consignment or batch of fish received for storage, processing or transport at or by the premises, place, boat or vehicle:
 - (a) the name and address of the person from whom the fish were purchased or obtained;
 - (b) if the person from whom the fish were purchased or obtained is the holder of a fishery licence—the number of the fishery licence;
 - (c) the date on which the fish were purchased or obtained;
 - (d) the species of the fish and, for each species, the quantity of and price (if any) paid for the fish;
 - (e) if any of the fish are undersize—the species of the fish and, for each species, the quantity of the fish.

- (2) The information required under subregulation (1) must be entered—
 - (a) immediately after the fish were purchased or obtained in a book or register the pages of which are numbered consecutively; and
 - (b) in the order in which the transactions to which the information relates occurred; and
 - (c) so that each entry is made immediately below the previous entry and each page of the book or register is filled before an entry is made on the next page.
- (3) The records made in accordance with this regulation must be kept—
 - (a) for 12 months after the fish to which they relate were purchased or obtained by the processor; and
 - (b) at or in the premises, place, boat or vehicle to which they relate, or, if the Director specifies some other place for that purpose in the processor's certificate of registration, that place.
- (4) A person who contravenes or fails to comply with this regulation is guilty of an offence.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (5) The holder of a fishery licence or an aquaculture licence is not required to comply with this regulation in relation to fish taken or farmed under the licence.

9—Returns

- (1) A registered fish processor must lodge with the Executive Director of SARDI within 21 days of the end of each month returns in respect of the sale, purchase, processing, storage and movement of fish carried out during the month.
- (2) The returns must—
 - (a) be in a form approved by the Minister and completed in accordance with the instructions contained in the form; and
 - (b) be signed by or on behalf of the registered fish processor; and
 - (c) contain such information relating to the sale, purchase, processing, storage and movement of fish carried out during the month as the Executive Director of SARDI, with the approval of the Minister, requires.
- (3) The holder of a fishery licence or aquaculture licence is only required to comply with this regulation in relation to fish sold or delivered to an unregistered fish processor.
- (4) A person who contravenes or fails to comply with this regulation is guilty of an offence.
Maximum penalty: \$2 500.
Expiation fee: \$210.

10—Duty to check for undersize fish

- (1) A registered fish processor must, as soon as possible after a consignment of fish is delivered to the processor, take all reasonable steps to check for the presence of undersize fish in the consignment.
Maximum penalty: \$2 500.

- (2) If a registered fish processor finds undersize fish in a consignment, he or she must immediately render the undersize fish unsuitable for sale or consumption and dispose of them as waste material.
Maximum penalty: \$2 500.
- (3) If, in proceedings for an offence against subregulation (1), it is proved that undersize fish were found in the possession of a registered fish processor, the registered fish processor will be taken, in the absence of proof to the contrary, to have failed to comply with subregulation (1).

11—Procedure to be followed if fish obtained from unlicensed person

- (1) If a registered fish processor obtains fish that were not taken pursuant to a fishery licence, he or she must—
- (a) place the fish in a container in which no other fish are stored; and
 - (b) immediately after placing the fish in the container—
 - (i) mark on the container, or on a label affixed or attached to the container, the name and address of the person from whom the fish were obtained; and
 - (ii) mark on the container, or on a label affixed or attached to the container—
 - (A) if the fish were taken in the course of recreational fishing—"Rec";
 - (B) if the fish were farmed under an aquaculture licence—"FF"; and
 - (iii) keep a written record of the following information:
 - (A) the species of each fish in the container;
 - (B) the quantity of each such species;
 - (C) the date on which the fish were received;
 - (D) the date on which the fish were placed in the container;
 - (E) the name and address of the person from whom the fish were obtained; and
 - (c) keep the container in which the fish are stored marked in accordance with paragraph (b)(i) throughout the period during which those fish are stored in that container.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) If a registered fish processor ceases to store fish under this regulation, he or she must immediately make a written record of the following information:
- (a) the date on which he or she ceased to store them; and
 - (b) the name and address of the person to whom the fish were delivered.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) A registered fish processor must keep any records made under this regulation for a period of 6 months after he or she has ceased to store the fish to which the records relate.

Maximum penalty: \$2 500.

Expiation fee: \$210.

12—Delivery of tuna

- (1) In this regulation—

AFMA means the Australian Fisheries Management Authority constituted by the *Fisheries Administration Act 1991* of the Commonwealth as in force from time to time;

CR3 form means the yellow copy of a document produced by the Australian Fisheries Management Authority entitled *CR3—Record of Southern Bluefin Tuna (SBT) Taken* properly completed by the person who took the tuna;

tuna means southern bluefin tuna (*Thunnus maccoyii*).

- (2) A registered fish processor must not purchase or obtain tuna for processing from a boat authorised to take tuna unless a CR3 form in respect of all of the tuna from the boat is delivered together with the tuna.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) On receiving a CR3 form under subregulation (2), the registered fish processor must—

- (a) immediately complete the certificate contained in the form; and
- (b) on or before the Monday next following after the day on which delivery of the tuna to which the form relates was taken, deliver, or cause to be delivered, the completed form to the Director or AFMA.

Maximum penalty: \$2 500.

Expiation fee: \$210.

13—Delivery of abalone to registered fish processor

- (1) In this regulation—

CDR1 form means the document produced by the Department entitled *CDR1 Department of Primary Industries (Fisheries) Abalone Catch and Disposal Record* properly completed by the person who took the abalone;

meat, in relation to an abalone, means all the muscular foot from which the viscera have been detached by the usual shucking procedure;

Western Zone Abalone Fishery has the same meaning as in the *Fisheries (Scheme of Management—Abalone Fisheries) Regulations 2006*;

whole, in relation to an abalone, means the whole of the abalone, including the meat, viscera and shell.

- (2) A registered fish processor must not purchase or obtain abalone from—

- (a) the holder of a fishery licence that entitles the holder of the licence to take abalone; or
- (b) the agent of such a licence holder,

unless a CDR1 form in respect of the abalone is delivered with the abalone.

- (3) If a registered fish processor has taken delivery of the abalone and the CDR1 form, he or she must—

- (a) immediately weigh the abalone; and
- (b) immediately complete the certificate contained in Part B of the form; and

- (c) within 7 days of taking delivery of the abalone to which the form relates, deliver, or cause to be delivered, the completed form to the Director.
- (4) If whole abalone purchased or obtained by a registered fish processor from the holder of a licence in respect of the Western Zone Abalone Fishery or the agent of such a licence holder is to be sold without the shell, the registered fish processor must—
 - (a) shuck the abalone within 12 hours of taking delivery of the abalone and the CDR1 form; and
 - (b) within 6 hours of shucking the abalone, weigh the shucked abalone meat and record the weight on the form.
- (5) A person who contravenes or fails to comply with this regulation is guilty of an offence.
Maximum penalty: \$2 500.
Expiation fee: \$210.

14—Delivery, storage and sale of rock lobster

- (1) In this regulation—
 - approved* means approved by the Director;
 - NZRL-CDR form* means the form produced by the Department entitled *Northern Zone Rock Lobster Catch and Disposal Record*;
 - RLSTF book* means the document issued by the Department containing blank RLSTF forms;
 - RLSTF form* means the form produced by the Department entitled *Rock Lobster Sales and Transfer Form*;
 - SZRL2 form* means the form produced by the Department entitled *SZRL2 Primary Industries (S.A.)—Fisheries Rock Lobster Purchase Record*.
- (2) Unless the contrary intention appears, terms used in this regulation that are defined in the *Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 2006* have the same respective meanings as in those regulations.
- (3) A registered fish processor who purchases or obtains rock lobster from—
 - (a) the holder of a licence in respect of the Northern Zone Rock Lobster Fishery; or
 - (b) an agent of the holder of such a licence; or
 - (c) another registered fish processor who purchased or obtained the rock lobster from a person referred to in paragraph (a) or (b),must not accept delivery of the rock lobster unless—
 - (d) the rock lobster is delivered to the registered fish processor in bins of an approved kind each of which is sealed with a tag of an approved kind; and
 - (e) the white, blue and green copies of Parts B and C of the NZRL-CDR form completed in respect of the rock lobster are delivered to the fish processor with the rock lobster.Maximum penalty: \$2 500.
Expiation fee: \$210.

- (4) A registered fish processor who purchases or obtains rock lobster from a person referred to in subregulation (3) must—
- (a) immediately on taking delivery of the rock lobster at premises (or a vehicle) specified on the certificate of registration of the fish processor, weigh the sealed bins containing the rock lobster and complete the certificate in Part C of the NZRL-CDR form relating to the rock lobster; and
 - (b) within 2 hours of the rock lobster being received at premises specified on the certificate of registration of the fish processor, transmit the completed NZRL-CDR form by facsimile transmission to a facsimile number nominated by the Director for the purposes of this paragraph; and
 - (c) within 48 hours of taking delivery of the rock lobster, deliver or cause to be delivered, the green copy of Parts B and C of the NZRL-CDR form completed in respect of the rock lobster to the holder of the licence pursuant to which the rock lobster were taken; and
 - (d) within 48 hours of completing the certificate, deliver or cause to be delivered, the white copy of the completed NZRL-CDR form to the Director at an address nominated by the Director for the purposes of this paragraph.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (5) If a registered fish processor who purchases or obtains rock lobster from a person referred to in subregulation (3)—
- (a) sells the rock lobster to any person; or
 - (b) transfers the rock lobster to a different place, premises, boat or vehicle for storage at that place, premises, boat or vehicle,

the registered fish processor must—

- (c) immediately weigh the rock lobster and complete a RLSTF form in respect of the rock lobster; and
- (d) within 2 hours of completing the form, transmit the completed form by facsimile transmission to a facsimile number nominated by the Director for the purposes of this paragraph; and
- (e) within 48 hours of completing the form, deliver, or cause to be delivered, the completed form to the Director at an address nominated by the Director for the purposes of this paragraph; and
- (f) ensure that the blue copy of the completed form is kept with the rock lobster to which the form relates at all times while the rock lobster is being transported; and
- (g) ensure that the yellow copy of the completed form remains in the RLSTF book.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (6) A registered fish processor who purchases or obtains rock lobster from—
- (a) the holder of a licence in respect of the Southern Zone Rock Lobster Fishery; or
 - (b) the agent of the holder of such a licence; or
 - (c) another registered fish processor who purchased or obtained the rock lobster from a person referred to in paragraph (a) or (b),

must—

- (d) on taking delivery of the rock lobster, immediately weigh the rock lobster and complete a SZRL2 form in respect of the rock lobster; and
- (e) within 24 hours of taking delivery of the rock lobster, deliver, or cause to be delivered, the completed form to the Director.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (7) If a registered fish processor who has purchased or obtained rock lobster from a person referred to in subregulation (6)—
- (a) sells the rock lobster to any person; or
 - (b) transfers the rock lobster to a different place, premises, boat or vehicle for storage at that place, premises, boat or vehicle,

the registered fish processor must—

- (c) immediately weigh the rock lobster and complete a RLSTF form in respect of the rock lobster; and
- (d) within 24 hours of the sale or transfer of the rock lobster, deliver, or cause to be delivered, the completed form to the Director.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (8) If the provisions of this regulation require the completion of Parts A and C, or Parts B and C, of a NZRL-CDR form, the person who completes Part A or Part B (as the case requires) must not be the same person as the person who completes Part C of the form.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (9) A registered fish processor must keep the following documents for a period of 7 years:
- (a) the blue copies of all NZRL-CDR forms completed by the registered fish processor;
 - (b) RLSTF books containing the yellow copies of all RLSTF forms completed by the registered fish processor.

Maximum penalty: \$2 500.

Expiation fee: \$210.

15—Delivery of blue crab

- (1) In this regulation—

blue crab means blue crab (*Portunus pelagicus*);

Blue Crab Fishery has the same meaning as in the *Fisheries (Scheme of Management—Blue Crab Fishery) Regulations 1998*;

blue crab quota has the same meaning as in the *Fisheries (Scheme of Management—Blue Crab Fishery) Regulations 1998*;

BSCF1 form means the document produced by the Department entitled *BSCF1 Primary Industries (S.A.) Fisheries Blue Crab Catch and Disposal Record* properly completed by the person who took the blue crab.

- (2) A registered fish processor who purchases or obtains blue crab from—
- (a) the holder of a licence in respect of the Blue Crab Fishery; or
 - (b) the holder of a licence in respect of the Marine Scalefish Fishery that is endorsed with a condition fixing a blue crab quota on the licence; or
 - (c) an agent of the holder of a licence referred to in paragraph (a) or (b),
- must—
- (d) on taking delivery of the blue crab—
 - (i) immediately weigh the blue crab; and
 - (ii) immediately complete the certificate contained in Part B of a BSCF1 form in respect of the blue crab; and
 - (e) within 24 hours of taking delivery of the blue crab to which the form relates, deliver, or cause to be delivered, the completed form to the Director.

Maximum penalty: \$2 500.

Expiation fee: \$210.

16—Delivery of giant crab

- (1) In this regulation—

GC-CDR form means the form produced by the Department entitled *Giant Crab Catch and Disposal Record* properly completed by the person who took the giant crab;

giant crab means giant crab (*Pseudocarcinus gigas*);

Miscellaneous Fishery has the same meaning as in the *Fisheries (Scheme of Management—Miscellaneous Fishery) Regulations 2000*;

rock lobster fishery has the same meaning as in the *Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 2006*.

- (2) If—

- (a) a registered fish processor purchases or obtains giant crab from—
 - (i) the holder of a licence in respect of the Miscellaneous Fishery or a rock lobster fishery; or
 - (ii) the agent of the holder of a licence referred to in subparagraph (i); and
- (b) a GC-CDR form in respect of the giant crab is produced to the fish processor on delivery of the giant crab,

the fish processor must—

- (c) on taking delivery—
 - (i) immediately weigh the giant crab; and
 - (ii) immediately complete the certificate contained in Part B of that GC-CDR form in respect of the giant crab; and
- (d) within 24 hours of taking delivery of the giant crab to which the form relates, deliver, or cause to be delivered, the completed form to the Director.

Maximum penalty: \$2 500.

Expiation fee: \$210.

17—Delivery of pilchards

(1) In this regulation—

PF-CDR form means the document produced by the Department entitled *PFCDR Primary Industries (S.A.) Fisheries Pilchards Catch and Disposal Record* properly completed by the person who took the pilchards;

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

pilchard means pilchard (*Sardinops neopilchardus*);

pilchard quota has the same meaning as in the *Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 2006*.

(2) If—

(a) a registered fish processor purchases or obtains pilchards from—

(i) the holder of a licence in respect of the Marine Scalefish Fishery endorsed with a condition fixing a pilchard quota on the licence; or

(ii) an agent of the holder of a licence referred to in subparagraph (i); and

(b) the pilchards are consigned to the registered fish processor when the pilchards are unloaded from the registered boat from which they were taken; and

(c) the pilchards are to be transported to the registered premises of the registered fish processor by 2 or more vehicles,

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

Maximum penalty: \$2 500.

Expiation fee: \$210.

(3) A registered fish processor who purchases or obtains pilchards from a person referred to in subregulation (2)(a)(i) or (ii) must—

(a) on delivery of the pilchards to the registered premises of the registered fish processor—

(i) immediately weigh the pilchards; and

(ii) immediately complete the certificate contained in Part B of a PF-CDR form in respect of the pilchards; and

(b) within 7 days of taking delivery of the pilchards to which the PF-CDR form relates, deliver, or cause to be delivered, the completed form to the Director.

Maximum penalty: \$2 500.

Expiation fee: \$210.

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

Maximum penalty: \$2 500.

Expiation fee: \$210.

18—Provision relating to keeping of documents

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

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

Maximum penalty: \$2 500.

Expiation fee: \$210.

Schedule 1—Fees

- | | | |
|---|--|------------|
| 1 | For registration or renewal of registration as a fish processor (regulation 4)— | |
| | (a) in the case of an application by an eligible applicant | \$135.00 |
| | (b) in any other case | \$781.00 |
| 2 | Fee (per species) (in addition to the fee payable under clause 1(b)) where the applicant (not being an eligible applicant) proposes to process any of the following species of fish pursuant to the registration: | \$1 009.00 |
| | abalone (<i>Haliotis</i> spp.) of all species | |
| | southern rock lobster (<i>Jasus edwardsii</i>) | |
| | western king prawn (<i>Penaeus latisulcatus</i>). | |
| | If registration is to be granted or renewed for a term of less than the registration period, the fee is a proportion of the fee set out above, being the proportion that the number of complete months in the term of registration bears to the number of months in the registration period. | |
| 3 | On application to have additional premises, places, boats or vehicles specified in the certificate of registration (regulation 6) | \$23.90 |

Schedule 2—Revocation

The *Fisheries (Fish Processors) Regulations 1991* are revoked.

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 24 August 2006

No 204 of 2006

MAFF06/006CS

South Australia

Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 2006

under the *Fisheries Act 1982*

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Schedule 1—Fish prescribed for marine scalefish fisheries

Schedule 2—Fees

Schedule 3—Revocation of *Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 1991*

1—Short title

These regulations may be cited as the *Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 2006*.

2—Commencement

These regulations will come into operation on 1 September 2006.

3—Interpretation

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

Act means the *Fisheries Act 1982*;

blue crab means blue crab (*Portunus pelagicus*);

Blue Crab Fishery has the same meaning as in the *Fisheries (Scheme of Management—Blue Crab Fishery) Regulations 1998*;

blue crab fishing zone has the same meaning as in the *Fisheries (Scheme of Management—Blue Crab Fishery) Regulations 1998*;

coastal waters means the waters of the ocean and all bays, gulfs, straits, passages, inlets and estuaries of the State that are subject to the tidal influence of the sea, but does not include the waters of the Coorong between the barrages and the Murray Mouth;

crab net has the same meaning as in the *Fisheries (General) Regulations 2000*;

Department means the administrative unit of the Public Service responsible, through the Minister, for the administration of the Act;

Gulf St. Vincent Blue Crab Fishing Zone has the same meaning as in the *Fisheries (Scheme of Management—Blue Crab Fishery) Regulations 1998*;

marine scalefish fishery means—

- (a) the Marine Scalefish Fishery; or
- (b) the Restricted Marine Scalefish Fishery,

constituted by these regulations;

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

PF-CDR form—see regulation 25;

pilchard means pilchard (*Sardinops neopilchardus*);

pilchard net has the same meaning as in the *Fisheries (General) Regulations 2000*;

revoked regulations means the regulations revoked by Schedule 3;

SARDI means the South Australian Research and Development Institute;

Spencer Gulf Blue Crab Fishing Zone has the same meaning as in the *Fisheries (Scheme of Management—Blue Crab Fishery) Regulations 1998*;

spouse includes a person who is a putative spouse despite the fact that a declaration has not been made under the *Family Relationships Act 1975* in relation to that person.

- (2) In these regulations, a reference to the *taking of fish* includes a reference to an act preparatory to, or involved in the taking of the fish.

4—Constitution of fisheries

- (1) The following fisheries are constituted:
- (a) the Marine Scalefish Fishery;

- (b) the Restricted Marine Scalefish Fishery.
- (2) The Marine Scalefish Fishery and the Restricted Marine Scalefish Fishery each consist of—
 - (a) the taking of fish specified in Schedule 1 in coastal waters; and
 - (b) the taking of razor fish (*Pinna bicolor*) in coastal waters for the purpose of bait.
- (3) The holder of a licence in respect of a marine scalefish fishery must not, for the purpose of trade or business, take blue crab in the waters of a blue crab fishing zone unless the licence is endorsed with a condition fixing a blue crab quota on the licence in relation to that zone.
Penalty: \$4 000.

5—No further licences to be granted

- (1) The licences in respect of the Marine Scale Fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the Marine Scalefish Fishery subject to the provisions of the Act and these regulations, and no other licences may be granted in respect of the fishery.
- (2) The licences in respect of the Restricted Marine Scale Fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the Restricted Marine Scalefish Fishery subject to the provisions of the Act and these regulations, and no other licences may be granted in respect of the fishery.

6—Expiry of licences

A licence in respect of a marine scalefish fishery expires on 30 June following the date of its last renewal.

7—Renewal of licence

- (1) A licence in respect of a marine scalefish fishery may be renewed by the Director on application made before the expiry of the licence or before the end of the licence period following the expiry of the licence.
- (2) An application to renew a licence in respect of a marine scalefish fishery must be made by the holder of the licence or, if the licence has expired, by the person who last held the licence.
- (3) An application to renew a licence in respect of a marine scalefish fishery must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant.
- (4) If an application to renew a licence is made before the expiry of the licence, the renewal of the licence takes effect from the expiry of the licence.
- (5) If an application to renew a licence is made after the expiry of the licence, the renewal of the licence takes effect from the date on which the application is granted.
- (6) The Director must not renew a licence unless the applicant has paid—
 - (a) —
 - (i) the renewal fee specified in Schedule 2 less \$90; or
 - (ii) the first instalment of the renewal fee specified in Schedule 2, in accordance with subregulation (7); and

- (b) the amount of any previous renewal fee remaining payable in respect of the licence, together with any additional amount payable for late payment of an instalment of the renewal fee.
- (7) If an application to renew a licence is made before or within 3 months after the expiry of the licence, the renewal fee may be paid by 4 equal instalments payable on or before the date of renewal of the licence and 1 October, 1 January and 1 April following the date of renewal.
- (8) If an instalment of a renewal fee is not paid in full within 21 days after the due date for payment, an additional amount equal to 10 per cent of the amount of the instalment is payable.
- (9) If—
 - (a) an instalment of a renewal fee for a licence is not paid in full on or before the due date; or
 - (b) an additional amount is required to be paid for late payment of an instalment of a renewal fee,

the amount unpaid may be recovered from the holder of the licence or the person who last held the licence as a debt due to the Crown.

8—Refund on surrender of licence

If a licence in respect of a marine scalefish fishery is surrendered, the Director must, on application by the former licensee made in a form approved by the Director, refund an amount that bears to the renewal fee last paid in respect of the licence the same proportion as the number of complete months from the date of surrender to the day on which the following licence period commences bears to the number of months in the licence period during which the licence was surrendered.

9—Transfer of licences

- (1) In this regulation—
 - authorised amalgamation scheme transfer* means a transfer of a licence that is authorised under regulation 11;
 - authorised family transfer* means a transfer of a licence that is authorised under regulation 10.
- (2) Subject to these regulations, a licence in respect of a marine scalefish fishery may be transferred with the consent of the Director.
- (3) A licence in respect of the Restricted Marine Scalefish Fishery cannot be transferred to the holder of another licence in respect of that fishery.
- (4) An application for consent to the transfer of a licence must—
 - (a) be made jointly by the holder of the licence and the transferee in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be verified by statutory declaration; and
 - (d) be accompanied by—
 - (i) the licence to be transferred; and

- (ii) a form of return as required by regulation 27 completed by the holder of the licence up to the date of application; and
 - (iii) the appropriate fee specified in Schedule 2.
- (5) Before consenting to the transfer of a licence, the Director must be satisfied—
- (a) that the transfer is—
 - (i) an authorised family transfer; or
 - (ii) an authorised amalgamation scheme transfer; and
 - (b) that the licence to be transferred has not been suspended; and
 - (c) that the transfer is to 1 person only; and
 - (d) that the transferee is a natural person who—
 - (i) is at least 15 years of age; and
 - (ii) has not, within the period of 3 years preceding the date of the application, been convicted in the State or elsewhere in Australia of an offence involving a breach of legislation relating to fishing; and
 - (e) that no proceedings alleging an offence under the Act are pending or likely to be commenced in the State against the holder of the licence; and
 - (f) that no proceedings alleging an offence involving a breach of legislation relating to fishing are pending or likely to be commenced in the State or elsewhere in Australia against the transferee; and
 - (g) if any boat registered by endorsement of the licence is the subject of, is registered by endorsement of, or is otherwise referred to in, a licence, permit, authority or other entitlement to take fish granted under the Commonwealth Act or the law of another State or Territory—
 - (i) that the entitlement is either to be transferred together with the fishery licence to the transferee or to be surrendered on or before the transfer of the fishery licence; or
 - (ii) that—
 - (A) the transfer of the fishery licence separately from the entitlement is not likely to result in fishing activities that endanger or overexploit fishery resources; and
 - (B) the person or body that granted the entitlement concurs with the separate transfer of the licence.

10—Transfer of licences between family members

Subject to regulation 9, a licence in respect of the Marine Scalefish Fishery may be transferred if the transferee is—

- (a) the spouse of the licensee; or
- (b) a parent or grandparent of the licensee; or
- (c) a brother or sister, or half-brother or half-sister, of the licensee; or
- (d) a child or grandchild of the licensee; or
- (e) a child or grandchild of the spouse of the licensee.

11—Transfer of licences under amalgamation scheme

(1) In this regulation—

aggregate fishing points value, in relation to 2 or more licences, means the sum of the fishing points values endorsed on the licences under this regulation;

aggregate gear entitlement, in relation to 2 or more licences, means the aggregate of the numbers and kinds of devices the use of which is authorised by the gear endorsements of the licences (subject to any applicable limitations on the use of devices imposed by the *Fisheries (General) Regulations 2000*);

gear endorsement of a licence means the conditions and registrations endorsed on the licence under the Act specifying the numbers and kinds of devices that may be used for the purpose of taking fish pursuant to the licence;

licence means a licence in respect of a marine scalefish fishery;

line licence means a licence other than a net licence;

net means a fish net as defined in the *Fisheries (General) Regulations 2000* but does not include a bait net as defined in those regulations;

net licence means a licence with a gear endorsement authorising the use of 1 or more nets (whether or not the endorsement authorises the use of other devices).

(2) For the purposes of this regulation, the Director must adopt and implement a system for ranking net licences in respect of the Marine Scalefish Fishery and a system for ranking line licences in respect of that fishery under which—

(a) points are allotted to every net licence or line licence, as the case may be, based on—

(i) the quantities of each fish species taken pursuant to the licence during a specified period (as recorded on returns lodged in respect of the licence under regulation 27 or the corresponding regulation previously in force); and

(ii) values (reflecting market values) applied in relation to those recorded quantities of each fish species,

so that the greater the resulting total value the greater the points allotted to the licence; and

(b) all net licences are arranged in ascending order of allotted points and then divided into 10 approximately equal groups and all line licences are similarly arranged and divided into groups; and

(c) the licences in each group are each given a value (a **fishing points value**) starting with 11 for the group with the lowest range of allotted points, 12 for the next group and so on through to 18 so that the value 18 is given to the licences in the groups with the 3 highest ranges of allotted points.

(3) The Director must then endorse on each licence in respect of the Marine Scalefish Fishery the fishing points value given to the licence under the system for ranking net licences or the system for ranking line licences (as the case may be) under subregulation (2).

(4) The Director must endorse on each licence in respect of the Restricted Marine Scalefish Fishery a fishing points value of 7.

- (5) The fishing points value endorsed on a licence under this regulation may be varied only—
- (a) to reflect a change of the licence from a net licence to a line licence; or
 - (b) as otherwise required under this regulation; or
 - (c) in order to correct an error.
- (6) Subject to regulation 9, a licence may then be transferred as authorised under the following provisions:
- (a) a net licence in respect of the Marine Scalefish Fishery may be transferred to the holder of another net licence in respect of that fishery;
 - (b) a line licence in respect of the Marine Scalefish Fishery may be transferred to the holder of another line licence in respect of that fishery;
 - (c) 1 or 2 licences in respect of the Restricted Marine Scalefish Fishery may be transferred to the holder of a licence in respect of the Marine Scalefish Fishery;
 - (d) if a transfer of a kind referred to in a preceding paragraph has effect, the transferee must surrender to the Director 1 of the 2 licences, or 2 of the 3 licences, as the case may be, then held by the transferee;
 - (e) if 1 or more of the licences held by the transferee has recorded on it under section 56 of the Act a conviction for an offence committed within the preceding period of 3 years, the licence or licences surrendered must be—
 - (i) the licence or licences without such a conviction, or as the case may require, the licence or licences with the lesser number of such convictions, recorded on the licence or licences; or
 - (ii) if the same number of such convictions is recorded on each licence—the licence or licences other than the licence with a conviction recorded on it for the most recently committed offence;
 - (f) if 1 or more licences are to be surrendered but—
 - (i) the last renewal fee for a licence to be surrendered has not been paid in full; or
 - (ii) an additional amount is required to be paid for late payment of an instalment of the renewal fee,the balance of the renewal fee and any such additional amount must be paid before or when that licence is surrendered;
 - (g) on the surrender of a licence and payment of any amount required to be paid under paragraph (f) in respect of the licence, the Director must—
 - (i) replace the gear endorsement of the remaining licence held by the transferee with a gear endorsement that makes provision for the aggregate gear entitlement in relation to that licence and the surrendered licence or licences; and
 - (ii) vary the fishing points value endorsed on the remaining licence under this regulation so that it equals the aggregate fishing points value in relation to that licence and the surrendered licence or licences;
 - (h) when, as a result of the process referred to in paragraphs (a) to (g), the fishing points value endorsed on a licence under this regulation equals or exceeds 24, the licence may be transferred without complying with those paragraphs;

- (i) paragraph (h) does not prevent the holder of a licence with a fishing points value that equals or exceeds 24 from transferring the licence under the process referred to in paragraphs (a) to (g).

12—Registration of boats

- (1) An application to register a boat to be used pursuant to a licence in respect of a marine scalefish fishery must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant; and
 - (d) be accompanied by the applicant's licence in respect of the fishery.
- (2) Before granting an application to register a boat, the Director must be satisfied that the applicant holds a licence in respect of the fishery.

13—Registration of masters

- (1) An application to register a person as the master of a boat used pursuant to a licence in respect of a marine scalefish fishery must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant; and
 - (d) be accompanied by the applicant's licence in respect of the fishery.
- (2) A person other than the holder of the licence cannot be registered as the master of a boat used pursuant to the licence unless the holder of the licence is already registered as the master of a boat used pursuant to a licence in respect of a marine scalefish fishery.

14—Revocation of registration

- (1) The Director may, on application by the holder of a licence in respect of a marine scalefish fishery, revoke a registration effected by endorsement of the licence.
- (2) An application for revocation of a registration must—
 - (a) be made in a form approved by the Director; and
 - (b) be signed by the applicant; and
 - (c) be accompanied by the applicant's licence in respect of the fishery.

15—Registered master may be assisted by only 1 agent

The registered master of a boat registered by endorsement of a licence in respect of the Restricted Marine Scalefish Fishery must not, when using the boat for the purpose of engaging in a fishing activity of a class that constitutes the fishery, cause or permit more than 1 other person to assist him or her in that activity.

Maximum penalty: \$4 000.

Expiation fee: \$315.

16—Carriage of crab nets on boats

The Director may impose conditions on licences in respect of a marine scalefish fishery limiting the number of crab nets that may be carried on boats and otherwise regulating the carrying of crab nets used for fishing activities pursuant to the licences.

17—Individual blue crab catch quota system

(1) In this regulation—

blue crab quota, in relation to a licence in respect of a marine scalefish fishery or the Blue Crab Fishery and a blue crab fishing zone, means the maximum number of kilograms of blue crab that may lawfully be taken by the holder of the licence in that zone during a licence period, being the product of—

- (a) the unit entitlement of that licence in respect of that zone; and
- (b) the unit value for that zone and that licence period,

subject to any variation of the blue crab quota of the licence applying during that licence period;

licence period means the period of 12 months commencing on 1 July in any year;

unit entitlement, in relation to a licence in respect of a marine scalefish fishery or the Blue Crab Fishery and a blue crab fishing zone, means the number of blue crab units for the time being allocated to the licence in respect of that zone;

unit value means the number of kilograms of blue crab determined by the Director to be the value of a blue crab unit for a blue crab fishing zone and a licence period.

(2) The Director may vary conditions on licences in respect of a marine scalefish fishery varying blue crab quotas (and may vary conditions on licences in respect of the Blue Crab Fishery varying blue crab quotas) as follows:

- (a) on or before the commencement of each licence period, the Director must determine the number of kilograms of blue crab that is to be the value of a blue crab unit for a blue crab fishing zone and the licence period;
- (b) on joint application made to the Director by the holders of any 2 licences in respect of a marine scalefish fishery endorsed with conditions fixing blue crab quotas on the licences in relation to the same blue crab fishing zone, the conditions of the licences may be varied so as to increase the unit entitlement of 1 of the licences in respect of that zone and decrease the unit entitlement of the other licence in respect of that zone by a corresponding number of units;
- (c) on joint application made to the Director by the holder of a licence in respect of a marine scalefish fishery endorsed with a condition fixing a blue crab quota on the licence in relation to a particular blue crab fishing zone (the **first licence**) and the holder of another licence in respect of a marine scalefish fishery, being a licence not endorsed with a condition fixing a blue crab quota on the licence (whether at all or in relation to that zone) (the **second licence**)—
 - (i) the conditions of the first licence may be varied so as to decrease the unit entitlement of that licence in respect of that zone; and
 - (ii) a corresponding number of units may be allocated to the second licence and a condition fixing a blue crab quota on that licence in respect of that zone may be imposed;

- (d) on joint application made to the Director by the holder of a licence in respect of a marine scalefish fishery endorsed with a condition fixing a blue crab quota on the licence in relation to a particular blue crab fishing zone (the *first licence*) and the holder of a licence in respect of the Blue Crab Fishery endorsed with a condition fixing a blue crab quota on the licence in respect of the same zone (the *second licence*)—
 - (i) the conditions of the first licence may be varied so as to decrease the unit entitlement under that licence in respect of that zone and the conditions of the second licence may be varied so as to increase the unit entitlement under that licence in respect of that zone by a corresponding number of units; or
 - (ii) the conditions of the first licence may be varied so as to increase the unit entitlement under that licence in respect of that zone and the conditions of the second licence may be varied so as to decrease the unit entitlement under that licence in respect of that zone by a corresponding number of units;
 - (e) on joint application made to the Director by the holder of a licence in respect of the Blue Crab Fishery endorsed with a condition fixing a blue crab quota in respect of a particular blue crab fishing zone (the *first licence*) and the holder of a licence in respect of a marine scalefish fishery not endorsed with a condition fixing a blue crab quota on the licence (whether at all or in relation to the same zone) (the *second licence*)—
 - (i) the conditions of the first licence may be varied so as to decrease the unit entitlement of that licence in respect of that zone; and
 - (ii) a corresponding number of units may be allocated to the second licence and a condition fixing a blue crab quota on that licence in respect of that zone may be imposed;
 - (f) the Director may, if the total blue crab catch taken pursuant to a licence in respect of a marine scalefish fishery during a licence period exceeded the blue crab quota of the licence for that licence period, vary the conditions of the licence so as to decrease the quota—
 - (i) if the catch exceeded the quota by not more than 20 kilograms of blue crab—by 1 kilogram for each kilogram in excess of the quota; or
 - (ii) if the catch exceeded the quota by more than 20 kilograms but not more than 50 kilograms of blue crab—by 2 kilograms for each kilogram in excess of the quota;
 - (g) a variation of a blue crab quota made under paragraph (f) must be expressed to apply only for the licence period during which the variation is made;
 - (h) unit entitlements and blue crab quotas must not be varied except as provided by this regulation or the *Fisheries (Scheme of Management—Blue Crab Fishery) Regulations 1998*.
- (3) If—
- (a) a court convicts the holder of a licence in respect of a marine scalefish fishery of an offence of contravening a condition of the licence imposing a blue crab quota on the licence; and

- (b) the conduct constituting the offence involved the taking of more than 50 kilograms of blue crab in excess of the quota,

the court must make an order requiring the Director to vary the conditions of the licence so as to reduce the blue crab quota of the licence for 3 licence periods following the conviction by 1 kilogram for each kilogram in excess of the quota for the licence period during which the offence was committed.

- (4) An application under subregulation (2)(b), (c), (d) or (e) must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicants; and
 - (d) be accompanied by—
 - (i) the licences in respect of which the application is made; and
 - (ii) the appropriate fee specified in Schedule 2.
- (5) The holder of a licence in respect of a marine scalefish fishery endorsed with a condition fixing a blue crab quota on the licence must not, while the unit entitlement of the licence is less than—
 - (a) in the case of a licence referred to in Schedule 4 of the revoked regulations as in force immediately before the commencement of these regulations—19 blue crab units; or
 - (b) in any other case—80 blue crab units,

take blue crab pursuant to the licence except in the waters of the State west of longitude 135°E.

Maximum penalty: \$4 000.

18—Individual pilchard catch quota system

- (1) This regulation applies only in relation to licences in respect of the Marine Scalefish Fishery endorsed with a condition permitting the holder of the licence to take pilchards by use of a pilchard net.
- (2) In this regulation—

pilchard quota, in relation to a licence in respect of the Marine Scalefish Fishery, means the maximum number of kilograms of pilchard that may lawfully be taken by the holder of the licence during a prescribed period, being the product of—

- (a) the unit entitlement of that licence; and
- (b) the unit value for that prescribed period,

subject to any variation of the pilchard quota of the licence applying during that prescribed period;

prescribed period means a calendar year;

unit entitlement means the number of pilchard units for the time being allocated to a licence;

unit value means the number of kilograms of pilchard determined by the Director to be the value of a pilchard unit for a prescribed period.

- (3) The Director may impose or vary conditions on licences in respect of the Marine Scalefish Fishery fixing pilchard quotas as follows:
- (a) all licences in respect of the fishery must be allocated the same number of pilchard units;
 - (b) the Director must, on or before the commencement of each prescribed period, determine the number of kilograms of pilchard that is to be the value of a pilchard unit for the prescribed period;
 - (c) the Director may, not more than twice during a prescribed period, vary the conditions of all licences in respect of the fishery so as to increase the pilchard quotas of the licences by the same number of pilchard units;
 - (d) on joint application made to the Director by the holders of any 2 licences in respect of the fishery, the conditions of those licences may be varied so as to increase (by whole units or part units) the unit entitlement under 1 of the licences and decrease the unit entitlement of the other licence by a corresponding number of units;
 - (e) the Director may, if the total pilchard catch taken pursuant to a licence during a prescribed period exceeded the pilchard quota of the licence for that prescribed period, vary the conditions of the licence so as to decrease the quota—
 - (i) if the catch exceeded the quota by not more than 2 000 kilograms of pilchard—by 1 kilogram for each kilogram in excess of the quota; or
 - (ii) if the catch exceeded the quota by more than 2 000 kilograms but not more than 4 000 kilograms of pilchard—by 2 kilograms for each kilogram in excess of the quota;
 - (f) a variation of—
 - (i) a pilchard quota made pursuant to paragraph (c) or (e); or
 - (ii) a unit entitlement made pursuant to paragraph (d),must be expressed to apply only for the remainder of the prescribed period during which the variation is made;
 - (g) unit entitlements and pilchard quotas must not be varied except as provided by this regulation.
- (4) An application under subregulation (3)(d) must—
- (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicants; and
 - (d) be accompanied by—
 - (i) the licences in respect of which the application is made; and
 - (ii) the appropriate fee specified in Schedule 2.
- (5) If—
- (a) a court convicts the holder of a licence in respect of the Marine Scalefish Fishery of an offence of contravening a condition of the licence imposing a pilchard quota on the licence; and
 - (b) the conduct constituting the offence involved the taking of more than 4 tonnes of pilchard in excess of the quota,

the court must make an order requiring the Director to vary the conditions of the licence so as to reduce the pilchard quota of the licence for 3 prescribed periods following the conviction by 1 kilogram for each kilogram in excess of the quota for the prescribed period during which the offence was committed.

19—Restriction on use of certain registered boats to take pilchards

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

Maximum penalty: \$4 000.

Expiation fee: \$315.

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

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

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

Maximum penalty: \$4 000.

Expiation fee: \$315.

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

21—Use of agents in fishing activities

- (1) The holder of a licence in respect of a marine scalefish fishery or the registered master of a boat registered by endorsement of such a licence must not cause or permit a person to be engaged on the shore as an agent of the holder of the licence in a fishing activity of a class that constitutes the fishery unless—
 - (a) the holder of the licence or the registered master is at the same time also engaged on the shore in a fishing activity of a class that constitutes the fishery; and
 - (b) the holder of the licence or the registered master (as the case may be) and the other person remain, while so engaged, within 700 metres of each other.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (2) The holder of a licence in respect of the Marine Scalefish Fishery or the registered master of a boat registered by endorsement of such a licence must not cause or permit more than 2 persons to be engaged at the same time on the shore as agents of the holder of the licence in a fishing activity of a class that constitutes the fishery.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (3) The holder of a licence in respect of the Restricted Marine Scalefish Fishery or the registered master of a boat registered by endorsement of such a licence must not cause or permit more than 1 person to be engaged at the same time on the shore as an agent of the holder of the licence in a fishing activity of a class that constitutes the fishery.

Maximum penalty: \$4 000.

Expiation fee: \$315.

22—Catch and disposal records—blue crab

- (1) In this regulation—

CDR book means a book issued by the Department containing blank BSCF1 forms;

BSCF1 form means the document produced by the Department entitled *BSCF1 Primary Industries (S.A.) Fisheries Blue Crab Catch and Disposal Record*.

- (2) The holder of a licence in respect of a marine scalefish fishery endorsed with a condition fixing a blue crab quota on the licence or the registered master of a boat from which blue crab is taken pursuant to such a licence must comply with the following provisions:
- (a) immediately on landing blue crab taken pursuant to the licence, he or she must weigh the crabs on accurate scales and complete Part A of a BSCF1 form;
 - (b) he or she must cause the crabs to which the completed Part A of that form relates to be transported to the registered premises of the registered fish processor specified on the form, together with the white, blue and green copies of the completed form;
 - (c) he or she must complete BSCF1 forms in consecutive ascending order and complete all forms in a CDR book before commencing to use a new CDR book;
 - (d) he or she must ensure that the yellow copies of BSCF1 forms and the CDR book are kept on board the registered boat until the CDR book is completed;
 - (e) he or she must deliver a completed CDR book to the Director of Fisheries within 14 days of its completion.
- (3) If a provision of subregulation (2) is not complied with, the holder of the licence is guilty of an offence.

Maximum penalty: \$4 000.

23—Disposal of pilchards

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

Maximum penalty: \$4 000.

Expiation fee: \$315.

24—Restriction on unloading of pilchards onto other boats

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

Maximum penalty: \$4 000.

Expiation fee: \$315.

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

- (1) If pilchards are taken from a registered boat pursuant to a MSFP licence, the holder of the licence must ensure that the information specified in subregulation (2) is reported to the Director within the time specified in subregulation (3).
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (2) The information that must be reported is—
 - (a) the name of the person making the telephone call; and
 - (b) the number of the licence pursuant to which the pilchards were taken; and
 - (c) the name of the registered boat from which the pilchards were taken; and
 - (d) the name of the registered master of the registered boat; and
 - (e) the location at which the pilchards are to be unloaded from the registered boat; and
 - (f) the estimated time of arrival of the registered boat at that location; and
 - (g) the estimated total weight in tonnes of the pilchards taken; and
 - (h) the name of the registered fish processor to whom the pilchards are to be consigned; and
 - (i) whether the pilchards are to be delivered to the registered premises of the registered fish processor or to be loaded onto a boat specified in the certificate of registration of the registered fish processor; and
 - (j) the estimated time at which the pilchards are to be unloaded from the registered boat; and
 - (k) the number of the PF-CDR form that is to be completed in respect of the pilchards.
- (3) The time within which the information must be reported to the Director is—
 - (a) if the pilchards are to be delivered to the registered premises of a registered fish processor—at least 1 hour before the pilchards are unloaded from the registered boat; or
 - (b) if the pilchards are to be loaded onto a boat specified in the certificate of registration of a registered fish processor—at least 2 hours before the pilchards are unloaded from the registered boat.
- (4) If, after the name of a registered fish processor is reported to the Director under subregulation (1), the holder of the licence decides to consign the pilchards to a different fish processor from that named in the report, the holder of the licence must ensure that the name of the other registered fish processor is reported to the Director before the pilchards are unloaded from the registered boat.
Maximum penalty: \$4 000.
Expiation fee: \$315.
- (5) A report required by subregulation (1) or (4) must be made by telephone to a telephone number provided by the Director for the purposes of this regulation.

26—Catch and disposal records—pilchards

(1) In this regulation—

PF-CDR book means the book issued by the Department containing blank PF-CDR forms;

PF-CDR form means the form produced by the Department entitled *PFCDR Primary Industries (SA) Fisheries Pilchards Catch and Disposal Record*;

PFTF form means the form produced by the Department entitled *Pilchard Fishery Transit Form*;

PFTF book means the book issued by the Department containing blank PFTF forms.

(2) If pilchards are taken from a registered boat pursuant to a MSFP licence, the holder of the licence or the registered master of the registered boat must comply with the following provisions:

- (a) immediately after the pilchards are unloaded from the registered boat, he or she must complete Part A of a PF-CDR form in respect of the pilchards;
- (b) if the pilchards are to be loaded onto a boat specified in the certificate of registration of a registered fish processor, he or she must ensure that the blue and green copies of the PF-CDR form completed in respect of the pilchards are given to the registered fish processor or an agent of the registered fish processor when the pilchards are loaded onto that boat;
- (c) if the pilchards are to be transported to the registered premises of a registered fish processor, he or she must ensure that the blue and green copies of the PF-CDR form completed in respect of the pilchards are transported to the registered premises together with the pilchards;
- (d) if the pilchards are to be transported to the registered premises of a registered fish processor by 2 or more vehicles, he or she must ensure that—
 - (i) the blue and green copies of the PF-CDR form completed in respect of the pilchards are transported in 1 of the vehicles together with the pilchards; and
 - (ii) Part A of a PFTF form is completed in respect of each other vehicle that is to be used to transport the pilchards; and
 - (iii) the blue copy of a PFTF form completed in respect of a vehicle is transported to the registered premises together with the pilchards carried in that vehicle;
- (e) he or she must cause the white copy of a PFTF form completed in respect of a vehicle to be posted to the Director within 48 hours of the pilchards having being loaded onto the vehicle for transportation to the registered premises of the registered fish processor;
- (f) he or she must cause the white copy of the PF-CDR form completed in respect of the pilchards to be posted to the Director—
 - (i) within 24 hours of the pilchards having being unloaded from the registered boat; or
 - (ii) if a copy of the form has been sent to the Director by facsimile transmission—within 48 hours of the pilchards having been unloaded from the registered boat;

- (g) he or she must ensure that the CDR book is kept on the registered boat until all the PF-CDR forms in the book are completed.
- (3) If a provision of subregulation (2) is not complied with, the holder of the licence is guilty of an offence.
Maximum penalty: \$4 000.
Expiation fee: \$315.
- (4) The holder of a MSFP licence must ensure that if a PF-CDR form completed in respect of pilchards taken pursuant to the licence is cancelled, all copies of the form are marked with the word "cancelled" and the white, blue and green copies of the form are delivered to the Director within 24 hours of the cancellation.
Maximum penalty: \$4 000.
Expiation fee: \$315.
- (5) The holder of a MSFP licence must keep the following documents for a period of 7 years:
 - (a) CDR books containing the yellow copies of completed PF-CDR forms;
 - (b) PFTF books containing the yellow copies of completed PFTF forms.Maximum penalty: \$4 000.
Expiation fee: \$315.

27—Returns

- (1) The holder of a licence in respect of a marine scalefish fishery must—
 - (a) complete a return, in a form determined by the Minister, in respect of each calendar month during the currency of the licence; and
 - (b) include in the return such information as the Executive Director of SARDI, with the approval of the Minister, requires; and
 - (c) date and sign the return and certify that the information contained in the return is complete and accurate, and post or deliver the return to the office of the Executive Director of SARDI within 15 days of the end of the month to which it relates.Maximum penalty: \$4 000.
Expiation fee: \$315.
- (2) If the holder of a licence takes no fish pursuant to the licence during a particular calendar month, he or she is required by subregulation (1) to furnish a return in respect of that period indicating that no fish were taken.
- (3) If a marine scalefish fishery has been closed for a whole calendar month, the holder of a licence need not furnish a return for that month.
- (4) The holder of a licence must—
 - (a) make a copy of each return that he or she completes under this regulation before the return is sent or delivered to the Executive Director of SARDI; and
 - (b) retain the copy for a period of 12 months from the last day of the month to which the return relates.Maximum penalty: \$4 000.

28—Provision relating to keeping of documents

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

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

Maximum penalty: \$2 500.

Expiation fee: \$210.

Schedule 1—Fish prescribed for marine scalefish fisheries

Scalefish

Anchovy (*Engraulis australis*)

Barracouta (*Thyrsites atun*)

Bluethroated wrasse (*Notolabrus tetricus*)

Bream (*Acanthopagrus butcheri*)

Cod (marine species) (Family Moridae)

Dory (Family Zeidae)

Flathead (Family Platycephalidae)

Flounder (Family Pleuronectidae) (Family Bothidae)

Garfish (*Hyporhamphus melanochir*)

Horse Mackerel (*Trachurus declivis*)

Leather jacket (Family Aluteridae)

Ling (*Genypterus blacodes*)

Mackerel (*Scomber australasicus*)

Morwong (Family Cheilodactylidae)

Mullet (all species) (Family Mugilidae)

Mulloway (*Argyrosomus hololepidotus*)

Nannygai, Red snapper, Swallowtail (Family Berycidae)

Pilchard (*Sardinops neopilchardus*)

Red mullet (*Upeneichthys porosus*)

Salmon (*Arripis truttaceus*)

Snapper (*Chrysophrys auratus*)

Snook (*Sphyraena novaehollandiae*)

Sole (*Aserragodes haackeanus*)

Sweep (*Scorpius aequipinnis*)

Tommy ruff (*Arripis georgianus*)

Trevalla (*Hyperoglyphe antarctica*)

Trevally (*Usacaranx georgianus*)

Whiting (Family Sillaginidae)

Yellowtail kingfish (*Seriola grandis*)

Crustaceans

Crab, blue (*Portunus pelagicus*)

Crab, sand (*Ovalipes australiensis*)

Crab, rock (*Nectocarcinus integrifrons*)

Crab, velvet (*Nectocarcinus tuberculatus*)

Molluscs

Cockle (Suborder Teledonta)

Cuttlefish (*Sepia* spp.)

Mussels (*Mytilus* spp.)

Octopus (*Octopus* spp.)

Oyster (Family Ostridae)

Scallop (Family Pectinidae)

Squid, calamary (*Sepioteuthis australis*)

Squid, arrow (*Notodarus gouldii*)

Annelids

Beachworm (Class Polychaeta)

Bloodworm (Class Polychaeta)

Tubeworm (Class Polychaeta)

Sharks

All species of shark (Class Elasmobranchii) other than white pointer shark (*Carcharodon carcharias*)

Rays (Class Elasmobranchii)

Skate (Class Elasmobranchii)

Schedule 2—Fees

1	On application for the renewal of a licence in respect of a marine scalefish fishery	\$3 669.00
2	On application for the renewal of a licence endorsed with a condition fixing a blue crab quota on the licence (in addition to the fee payable under clause 1)—for each blue crab unit allocated to the licence	\$50.10
3	On application for consent to the transfer of a licence in respect of a marine scalefish fishery	\$311.00
4	On application to vary licence conditions so as to alter unit entitlements in respect of blue crab or pilchards	\$104.00

Schedule 3—Revocation of *Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 1991*

The *Fisheries (Scheme of Management—Marine Scalefish Fisheries) Regulations 1991* are revoked.

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 24 August 2006

No 205 of 2006

MAFF06/006CS

South Australia

Fisheries (Scheme of Management—Prawn Fisheries) Regulations 2006

under the *Fisheries Act 1982*

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Schedule 1—Fish prescribed for prawn fisheries

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Schedule 3—Revocation of *Fisheries (Scheme of Management—Prawn Fisheries) Regulations 1991*

1—Short title

These regulations may be cited as the *Fisheries (Scheme of Management—Prawn Fisheries) Regulations 2006*.

2—Commencement

These regulations will come into operation on 1 September 2006.

3—Interpretation

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

Act means the *Fisheries Act 1982*;

continuous brake power rating has the same meaning as in the *Fisheries (General) Regulations 2000*;

Corporations Act means the *Corporations Act 2001* of the Commonwealth;

current company extract means a document prepared by the Australian Securities and Investment Commission from its national database kept under the Corporations Act that contains current details of the following in relation to a company:

- (a) the company's name;
- (b) the address of the company's registered office;
- (c) the date of registration of the company;
- (d) the State or Territory in which the company is taken to be registered under the Corporations Act;
- (e) the company's Australian Company Number;
- (f) whether the company is a proprietary company or a public company;
- (g) the full name of each director of the company;
- (h) the full name of each secretary (if any) of the company;

fishing period, in relation to a prawn fishery, means a period during which it is not unlawful to engage in a fishing activity of a class that constitutes the fishery by virtue of a declaration under section 43 of the Act;

Gulf St. Vincent means the waters within the area bounded by a line commencing at the intersection of the southern shore of Yorke Peninsula at high water mark with the meridian of longitude 137° E, then proceeding due south along that meridian to its intersection with the northern shore of Kangaroo Island at the high water mark, then easterly along that shore at the high water mark to Cape St. Alban (position latitude 35°48.7'S, longitude 138°07.4'E), then in a direction of 030°T to Porpoise Head on the southern shore of Fleurieu Peninsula (position latitude 35°39.6'S, longitude 138°13.6'E), then along the high water mark of the eastern and western shoreline of Gulf St. Vincent back to the point of commencement;

licence period means the period of 12 months commencing on 1 July in any year;

overall length, in relation to a boat, means the horizontal distance between—

- (a) a perpendicular dropped from the extremity of the bow of the boat or, if a fixture or structure attached to the bow projects beyond the bow, from the extremity of that fixture or structure; and
- (b) a perpendicular dropped from the extremity of the stern of the boat or, if a fixture or structure attached to the stern projects beyond the stern, from the extremity of that fixture or structure;

prawn means western king prawn (*Penaeus latisulcatus*);

prawn fishery means—

- (a) the Gulf St. Vincent Prawn Fishery; or
- (b) the Spencer Gulf Prawn Fishery; or
- (c) the West Coast Prawn Fishery,

constituted by these regulations;

revoked regulations means the regulations revoked by Schedule 3;

SARDI means the South Australian Research and Development Institute;

Spencer Gulf means the waters of Spencer Gulf that are north of the geodesic joining Cape Catastrophe, Eyre Peninsula and Cape Spencer, Yorke Peninsula;

surveyed length, in relation to a registered boat, means the length as shown on the certificate of survey issued under the *Harbors and Navigation Act 1993*;

West Coast waters means the waters east of the meridian of longitude 131°E to the meridian of longitude 137°E, but excluding the waters of Spencer Gulf that are north of the geodesic joining Cape Catastrophe, Eyre Peninsula and Cape Spencer, Yorke Peninsula.

- (2) In these regulations, unless the contrary intention appears, **company**, **director**, **proprietary company** and **public company** have the same respective meanings as in the Corporations Act.
- (3) In these regulations, a reference to the **taking of fish** includes a reference to an act preparatory to, or involved in the taking of the fish.

4—Constitution of fisheries

- (1) The following fisheries are constituted:
 - (a) the Gulf St. Vincent Prawn Fishery;
 - (b) the Spencer Gulf Prawn Fishery;
 - (c) the West Coast Prawn Fishery.
- (2) The Gulf St. Vincent Prawn Fishery consists of—
 - (a) the taking of prawns in Gulf St. Vincent; and
 - (b) the taking of fish specified in Schedule 1 Part 1 in Gulf St. Vincent where the fish are taken at the same time in the same net incidentally to the taking of prawns.
- (3) The Spencer Gulf Prawn Fishery consists of—
 - (a) the taking of prawns in Spencer Gulf; and
 - (b) the taking of fish specified in Schedule 1 Part 1 in Spencer Gulf where the fish are taken at the same time in the same net incidentally to the taking of prawns.
- (4) The West Coast Waters Prawn Fishery consists of—
 - (a) the taking of prawns in the West Coast waters; and
 - (b) the taking of fish specified in Schedule 1 Part 2 in the West Coast waters where the fish are taken at the same time in the same net incidentally to the taking of prawns.

5—No further licences to be granted

- (1) The licences in respect of the Gulf St. Vincent Prawn Fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the Gulf St. Vincent Prawn Fishery subject to the provisions of the Act, the *Fisheries (Gulf St. Vincent Prawn Fishery Rationalisation) Act 1987* and these regulations, and no other licences may be granted in respect of the Fishery.
- (2) The licences in respect of the Spencer Gulf Prawn Fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the Spencer Gulf Prawn Fishery subject to the Act and these regulations, and no other licences may be granted in respect of the Fishery.

- (3) The licences in respect of the West Coast Prawn Fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the West Coast Prawn Fishery subject to the Act and these regulations, and no other licences may be granted in respect of the Fishery.

6—Expiry of licence

A licence in respect of a prawn fishery expires on 30 June following the date of its last renewal.

7—Renewal of licence

- (1) A licence in respect of a prawn fishery may be renewed by the Director on application made before the expiry of the licence or before the end of the licence period following the expiry of the licence.
- (2) An application to renew a licence must be made by the holder of the licence or, if the licence has expired, by the person who last held the licence.
- (3) An application to renew a licence must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant.
- (4) If an application to renew a licence is made before the expiry of the licence, the renewal of the licence takes effect from the expiry of the licence.
- (5) If an application to renew a licence is made after the expiry of the licence, the renewal of the licence takes effect from the date on which the application is granted.
- (6) The Director must not renew a licence unless the applicant has paid—
 - (a) —
 - (i) the renewal fee specified in Schedule 2 less \$90; or
 - (ii) the first instalment of the renewal fee specified in Schedule 2, in accordance with subregulation (7); and
 - (b) the amount of any previous renewal fee remaining payable in respect of the licence, together with any additional amount payable for late payment of an instalment of the renewal fee.
- (7) If an application to renew a licence is made before or within 3 months after the expiry of the licence, the renewal fee may be paid by 4 equal instalments payable on or before the date of renewal of the licence and 1 October, 1 January and 1 April following the date of renewal.
- (8) If an instalment of a renewal fee is not paid in full within 21 days after the due date for payment, an additional amount equal to 10 per cent of the amount of the instalment is payable.
- (9) If—
 - (a) an instalment of a renewal fee for a licence is not paid in full on or before the due date; or
 - (b) an additional amount is required to be paid for late payment of an instalment of a renewal fee,

the amount unpaid may be recovered from the holder of the licence or the person who last held the licence as a debt due to the Crown.

8—Refund on surrender of licence

If a licence in respect of a prawn fishery is surrendered, the Director must, on application by the former licensee made in a form approved by the Director, refund an amount that bears to the renewal fee last paid in respect of the licence the same proportion as the number of complete months from the date of surrender to the day on which the following licence period commences bears to the number of months in the licence period during which the licence was surrendered.

9—Transfer of licence

- (1) A licence in respect of a prawn fishery may be transferred with the consent of the Director.
- (2) An application for consent to the transfer of a licence must—
 - (a) be made jointly by the holder of the licence and the transferee in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicants; and
 - (d) be verified by statutory declaration; and
 - (e) be accompanied by—
 - (i) the licence to be transferred; and
 - (ii) a form of return as required by regulation 13 completed by the holder of the licence up to the date of application; and
 - (iii) if the transferee is a company—a current company extract relating to the transferee issued not more than 1 month immediately preceding the date of application; and
 - (iv) the application fee specified in Schedule 2.
- (3) Before consenting to the transfer of a licence, the Director must be satisfied—
 - (a) that the licence to be transferred has not been suspended; and
 - (b) that no proceedings alleging an offence under the Act are pending or likely to be commenced in the State against the holder of the licence; and
 - (c) that the transfer is to 1 person only; and
 - (d) that the transferee is—
 - (i) a natural person of at least 15 years of age; or
 - (ii) a company; and
 - (e) that no conviction for an offence involving a breach of legislation relating to fishing has, within the period of 3 years preceding the date of the application, been recorded in the State or elsewhere in Australia against the transferee or, if the transferee is a company, against a director of the company; and
 - (f) that no proceedings alleging an offence involving a breach of legislation relating to fishing are pending or likely to be commenced in the State or elsewhere in Australia against the transferee or, if the transferee is a company, against a director of the company; and

- (g) if a boat registered by endorsement of the licence is the subject of, is registered by endorsement of, or is otherwise referred to in, a licence, permit, authority or other entitlement to take fish granted under the Commonwealth Act or the law of another State or Territory—
 - (i) that the entitlement is either to be transferred together with the fishery licence to the transferee or to be surrendered on or before the transfer of the fishery licence; or
 - (ii) that—
 - (A) the transfer of the fishery licence separately from the entitlement is not likely to result in fishing activities that endanger or over exploit fishery resources; and
 - (B) the person or body that granted the entitlement concurs with the separate transfer of the licence.

10—Registration of boats

- (1) An application to register a boat to be used pursuant to a licence in respect of a prawn fishery must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant; and
 - (d) be accompanied by the applicant's licence in respect of the fishery.
- (2) Before granting an application to register a boat, the Director must be satisfied that—
 - (a) the applicant holds a licence in respect of the fishery; and
 - (b) no other boat is registered by the endorsement of the applicant's licence in respect of the fishery; and
 - (c) the boat has—
 - (i) an overall length not exceeding 22 metres; and
 - (ii) a main engine the continuous brake power rating of which does not exceed 272 kW.

11—Registration of masters

An application to register a person as the master of a boat used pursuant to a licence in respect of a prawn fishery must—

- (a) be made in a form approved by the Director; and
- (b) contain the information specified in the form; and
- (c) be signed by the applicant; and
- (d) be accompanied by the applicant's licence in respect of the fishery.

12—Revocation of registration

- (1) The Director may, on application by the holder of a licence in respect of a prawn fishery, revoke a registration effected by endorsement of the licence.

- (2) An application for revocation of a registration must—
 - (a) be made in a form approved by the Director; and
 - (b) be signed by the applicant; and
 - (c) be accompanied by the applicant's licence in respect of the fishery.

13—Returns

- (1) The holder of a licence in respect of a prawn fishery must—
 - (a) complete a return, in a form determined by the Minister, in respect of each calendar month during the currency of the licence; and
 - (b) include in the return such information as the Executive Director of SARDI, with the approval of the Minister, requires; and
 - (c) date and sign the return and certify that the information contained in the return is complete and accurate, and post or deliver the return to the office of the Executive Director of SARDI within 15 days of the end of the month to which it relates.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (2) If the holder of a licence takes no fish pursuant to the licence during a particular calendar month, he or she is required by subregulation (1) to furnish a return in respect of that period indicating that no fish were taken.
- (3) The holder of a licence must—
 - (a) make a copy of each return he or she completes under this regulation before the return is sent or delivered to the Executive Director of SARDI; and
 - (b) retain a copy for the period of 1 year from the last day of the month to which the return relates.

Maximum penalty: \$4 000.

Schedule 1—Fish prescribed for prawn fisheries

Part 1—Fish prescribed for Spencer Gulf & Gulf St Vincent Prawn Fisheries

Crustaceans

Lobster, slipper (*Ibacus* spp.)

Molluscs

Squid, calamary (*Sepioteuthis australis*)

Part 2—Fish prescribed for West Coast Prawn Fishery

Crustaceans

Lobster, slipper (*Ibacus* spp.)

Molluscs

Octopus (*Octopus* spp.)

Scallop (Family Pectinidae)

Squid, arrow (*Nototodarus gouldii*)

Squid, calamary (*Sepioteuthis australis*)

Schedule 2—Fees

1	On application for the renewal of a licence in respect of—	
	(a) the Gulf St. Vincent Prawn Fishery	\$25 715.00
	(b) the Spencer Gulf Prawn Fishery	\$23 053.00
	(c) the West Coast Prawn Fishery	\$4 969.00
2	On application for consent to the transfer of a licence in respect of a prawn fishery	\$311.00

Schedule 3—Revocation of *Fisheries (Scheme of Management—Prawn Fisheries) Regulations 1991*

The *Fisheries (Scheme of Management—Prawn Fisheries) Regulations 1991* are revoked.

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 24 August 2006

No 206 of 2006

MAFF06/006CS

South Australia

Fisheries (Scheme of Management—River Fishery) Regulations 2006

under the *Fisheries Act 1982*

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Schedule 1—Fish prescribed for River Fishery

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Regulations 1991*

1—Short title

These regulations may be cited as the *Fisheries (Scheme of Management—River Fishery)
Regulations 2006*.

2—Commencement

These regulations will come into operation on 1 September 2006.

3—Interpretation

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

Act means the *Fisheries Act 1982*;

fishery means the River Fishery constituted by these regulations;

licence period means the period of 12 months commencing on 1 July in any year;

revoked regulations means the regulations revoked by Schedule 3;

River Murray means all waters of the River Murray, including its anabranches, tributaries and lagoons, situated upstream of the punt that services the main road joining the township of Wellington to the township of Wellington East;

SARDI means the South Australian Research and Development Institute.

- (2) In these regulations, a reference to the **taking of fish** includes a reference to an act preparatory to, or involved in the taking of the fish.

4—Constitution of River Fishery

- (1) The River Fishery is constituted.
- (2) The River Fishery consists of the taking of fish specified in Schedule 1 in the River Murray.

5—Conditions limiting certain fishing activities to specified areas

The Director may impose a condition of a licence in respect of the fishery limiting to specified areas of the River Murray the fishing activities that may be engaged in pursuant to the licence.

6—No further licences to be granted

The licences in respect of the fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the fishery subject to the provisions of the Act and these regulations, and no other licences may be granted in respect of the fishery.

7—Expiry of licence

A licence in respect of the fishery expires on 30 June following the date of its last renewal.

8—Renewal of licence

- (1) A licence in respect of the fishery may be renewed by the Director on application made before the expiry of the licence or before the end of the licence period following the expiry of the licence.
- (2) An application to renew a licence must be made by the holder of the licence or, if the licence has expired, by the person who last held the licence.
- (3) An application to renew a licence must—
- (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant.
- (4) If an application to renew a licence is made before the expiry of the licence, the renewal of the licence takes effect from the expiry of the licence.
- (5) If an application to renew a licence is made after the expiry of the licence, the renewal of the licence takes effect from the date on which the application is granted.
- (6) The Director must not renew a licence unless the applicant has paid—
- (a) —
 - (i) the renewal fee specified in Schedule 2 less \$90; or
 - (ii) the first instalment of the renewal fee specified in Schedule 2, in accordance with subregulation (7); and

- (b) the amount of any previous renewal fee remaining payable in respect of the licence, together with any additional amount payable for late payment of an instalment of the renewal fee.
- (7) If an application to renew a licence is made before or within 3 months after the expiry of the licence, the renewal fee may be paid by 4 equal instalments payable on or before the date of renewal of the licence and 1 October, 1 January and 1 April following the date of renewal.
- (8) If an instalment of a renewal fee is not paid in full within 21 days after the due date for payment, an additional amount equal to 10 per cent of the amount of the instalment is payable.
- (9) If—
 - (a) an instalment of a renewal fee for a licence is not paid in full on or before the due date; or
 - (b) an additional amount is required to be paid for late payment of an instalment of a renewal fee,

the amount unpaid may be recovered from the holder of the licence or the person who last held the licence as a debt due to the Crown.

9—Refund on surrender of licence

If a licence in respect of the fishery is surrendered, the Director must, on application by the former licensee, refund an amount that bears to the renewal fee last paid in respect of the licence the same proportion as the number of complete months from the date of surrender to the day on which the following licence period commences bears to the number of months in the licence period during which the licence was surrendered.

10—Registration of boats

- (1) An application to register a boat to be used pursuant to a licence in respect of the fishery must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant; and
 - (d) be accompanied by the applicant's licence in respect of the fishery.
- (2) Before granting an application to register a boat, the Director must be satisfied that the applicant holds a licence in respect of the fishery.

11—Registration of masters

An application to register a person as the master of a boat used pursuant to a licence in respect of the fishery must—

- (a) be made in a form approved by the Director; and
- (b) contain the information specified in the form; and
- (c) be signed by the applicant; and
- (d) be accompanied by the applicant's licence in respect of the fishery.

12—Revocation of registration

- (1) The Director may, on application by the holder of a licence in respect of the fishery, revoke a registration effected by endorsement of the licence.
- (2) An application for revocation of a registration must—
 - (a) be made in a form approved by the Director; and
 - (b) be signed by the applicant; and
 - (c) be accompanied by the applicant's licence in respect of the fishery.

13—Use of agents in fishing activities

The holder of a licence in respect of the fishery must not cause or permit—

- (a) a person to be engaged on the shore as his or her agent in a fishing activity of a class that constitutes the fishery unless—
 - (i) the holder of the licence is at the same time also engaged on the shore in a fishing activity of a class that constitutes the fishery; and
 - (ii) the holder of the licence and the other person remain, while so engaged, within 500 metres of each other; or
- (b) more than 2 other persons to be engaged at the same time on the shore as his or her agents in a fishing activity of a class that constitutes the fishery.

Maximum penalty: \$4 000.

Expiation fee: \$315.

14—Returns

- (1) The holder of a licence in respect of the fishery must—
 - (a) complete a return, in a form determined by the Minister, in respect of each calendar month during the currency of the licence; and
 - (b) include in the return such information as the Executive Director of SARDI, with the approval of the Minister, requires; and
 - (c) date and sign the return and certify that the information contained in the return is complete and accurate, and post or deliver the return to the office of the Executive Director of SARDI within 15 days of the end of the month to which it relates.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (2) If the holder of a licence takes no fish pursuant to the licence during a particular calendar month, he or she is required by subregulation (1) to furnish a return in respect of that period indicating that no fish were taken.
- (3) If the fishery has been closed for a whole calendar month, the holder of a licence need not furnish a return for that month.
- (4) The holder of a licence must—
 - (a) make a copy of each return that he or she completes under this regulation before the return is sent or delivered to the Executive Director of SARDI; and

- (b) retain the copy for a period of 12 months from the last day of the month to which the return relates.

Maximum penalty: \$4 000.

Schedule 1—Fish prescribed for River Fishery

Scalefish

Bony bream (*Nematalosa erebi*)

Carp (All species) (Family Cyprinidae)

Perch, redfin (*Perca fluviatilis*)

Trout, brown (*Salmo trutta*)

Trout, rainbow (*Oncorhynchus mykiss*)

All other non-native fish

Crustaceans

Yabbie (*Cherax destructor*)

Schedule 2—Fees

- | | | |
|---|---|-------|
| 1 | On application for the renewal of a licence in respect of the fishery | \$200 |
|---|---|-------|

Schedule 3—Revocation of *Fisheries (Scheme of Management—River Fishery) Regulations 1991*

The *Fisheries (Scheme of Management—River Fishery) Regulations 1991* are revoked.

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 24 August 2006

No 207 of 2006

MAFF06/006CS

South Australia

Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 2006

under the *Fisheries Act 1982*

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Schedule 1—Fish prescribed for rock lobster fisheries

Schedule 2—Fees

Schedule 3—Revocation of *Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 1991*

1—Short title

These regulations may be cited as the *Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 2006*.

2—Commencement

These regulations will come into operation on 1 September 2006.

3—Interpretation

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

Act means the *Fisheries Act 1982*;

bait net has the same meaning as in the *Fisheries (General) Regulations 2000*;

coastal waters means the waters of the ocean and all bays, gulfs, straits, passages, inlets and estuaries of the State that are subject to the tidal influence of the sea, but does not include the waters of the Coorong between the barrages and the Murray Mouth;

closed season, in relation to a rock lobster fishery, means a period, as specified in the *Fisheries (General) Regulations 2000* during which the taking of rock lobster in the Zone for that fishery is unlawful by virtue of section 41 of the Act and those regulations;

Corporations Act means the *Corporations Act 2001* of the Commonwealth;

current company extract means a document prepared by the Australian Securities and Investment Commission from its national database kept under the Corporations Act that contains current details of the following in relation to a company:

- (a) the company's name;
- (b) the address of the company's registered office;
- (c) the date of registration of the company;
- (d) the State or Territory in which the company is taken to be registered under the Corporations Act;
- (e) the company's Australian Company Number;
- (f) whether the company is a proprietary company or a public company;
- (g) the full name of each director of the company;
- (h) the full name of each secretary (if any) of the company;

Department means the administrative unit of the Public Service responsible, through the Minister, for the administration of the Act;

GC-CDR book means the document issued by the Department containing GC-CDR forms;

GC-CDR form means the form produced by the Department entitled *Giant Crab Catch and Disposal Record*;

giant crab means giant crab (*Pseudocarcinus gigas*);

licence period means the period of 12 months commencing on 1 July in any year;

mesh net has the same meaning as in the *Fisheries (General) Regulations 2000*;

non-commercial purpose means a purpose other than trade or business;

Northern Zone means the coastal waters westerly of a line commencing at the point where the meridian of longitude 139°E intersects the shore of South Australia, then due south to position latitude 36°20.0'S and longitude 139°E, then due west to position latitude 36°20.0'S and longitude 138°40.0'E, then due south to position latitude 36°40.0'S and longitude 138°40.0'E, then due west to position latitude 36°40.0'S and longitude 138°20.0'E, then due south to position latitude 37°S and longitude 138°20.0'E, then due west to position latitude 37°S and longitude 138°E, then continuing due south along the meridian of longitude 138°E;

NZRL-CDR book means the document issued by the Department containing NZRL-CDR forms;

NZRL-CDR form means the form produced by the Department entitled *Northern Zone Rock Lobster Catch and Disposal Record*;

prescribed Victorian licence means a Victorian licence that is held by the holder of a licence in respect of the Southern Zone Rock Lobster Fishery as a result of a transfer made before 28 June 1990;

the revoked regulations means the regulations revoked by Schedule 3;

rock lobster means southern rock lobster (*Jasus edwardsii*);

rock lobster fishery means—

- (a) the Northern Zone Rock Lobster Fishery; or
- (b) the Southern Zone Rock Lobster Fishery,

constituted by these regulations;

rock lobster pot means a fish trap designed and constructed for the purpose of taking rock lobster;

rock lobster pot entitlement means the maximum number of rock lobster pots that the holder of a licence in respect of a rock lobster fishery may lawfully use at any 1 time for the purpose of taking rock lobster pursuant to the licence;

SARDI means the South Australian Research and Development Institute;

South Australian licence means a licence in respect of the Southern Zone Rock Lobster Fishery;

Southern Zone means the coastal waters easterly of a line commencing at the point where the meridian of longitude 139°E intersects the shore of South Australia, then due south to position latitude 36°20.0'S and longitude 139°E, then due west to position latitude 36°20.0'S and longitude 138°40.0'E, then due south to position latitude 36°40.0'S and longitude 138°40.0'E, then due west to position latitude 36°40.0'S and longitude 138°20.0'E, then due south to position latitude 37°S and longitude 138°20.0'E, then due west to position latitude 37°S and longitude 138°E, then continuing due south along the meridian of longitude 138°E;

SZRL1-CDR book means the document issued by the Department containing SZRL1-CDR forms;

SZRL1-CDR form means the form produced by the Department entitled *Southern Zone Rock Lobster Catch and Disposal Record*;

Victorian licence means a licence, permit, authority or other entitlement that authorises the holder to take fish for sale from waters of the State of Victoria that are adjacent to or adjoin the Southern Zone.

- (2) In these regulations, unless the contrary intention appears, *company*, *director*, *proprietary company* and *public company* have the same respective meanings as in the Corporations Act.
- (3) In these regulations, a reference to the *taking of fish* includes a reference to an act preparatory to, or involved in the taking of the fish.

4—Constitution of fisheries

- (1) The following fisheries are constituted:
 - (a) the Northern Zone Rock Lobster Fishery;
 - (b) the Southern Zone Rock Lobster Fishery.
- (2) The Northern Zone Rock Lobster Fishery consists of—
 - (a) the taking of rock lobster in the waters of the Northern Zone; and
 - (b) the taking of fish specified in Schedule 1 in the waters of the Northern Zone; and
 - (c) the taking of razor fish (*Pinna bicolor*) in the waters of the Northern Zone for the purpose of bait.
- (3) The Southern Zone Rock Lobster Fishery consists of—
 - (a) the taking of rock lobster in the waters of the Southern Zone; and
 - (b) the taking of fish specified in Schedule 1 in the waters of the Southern Zone; and
 - (c) the taking of razor fish (*Pinna bicolor*) in the waters of the Southern Zone for the purpose of bait.

5—No further licences to be granted

- (1) The licences in respect of the Northern Zone Rock Lobster Fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the Northern Zone Rock Lobster Fishery subject to the provisions of the Act and these regulations, and no other licences may be granted in respect of the fishery.
- (2) The licences in respect of the Southern Zone Rock Lobster Fishery in force under the revoked regulations immediately before the commencement of these regulations continue in force as licences in respect of the Southern Zone Rock Lobster Fishery subject to the provisions of the Act and these regulations, and no other licences may be granted in respect of the fishery.

6—Expiry of licence

A licence in respect of a rock lobster fishery expires on 30 June following the date of its last renewal.

7—Renewal of licence

- (1) A licence in respect of a rock lobster fishery may be renewed by the Director on application made before the expiry of the licence or before the end of the licence period following the expiry of the licence.
- (2) An application to renew a licence must be made by the holder of the licence or, if the licence has expired, by the person who last held the licence.

- (3) An application to renew a licence must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant.
- (4) If an application to renew a licence is made before the expiry of the licence, the renewal of the licence takes effect from the expiry of the licence.
- (5) If an application to renew a licence is made after the expiry of the licence, the renewal of the licence takes effect from the date on which the application is granted.
- (6) The Director must not renew a licence unless the applicant has paid—
 - (a) —
 - (i) the renewal fee specified in Schedule 2 less \$90; or
 - (ii) the first instalment of the renewal fee specified in Schedule 2, in accordance with subregulation (7); and
 - (b) the amount of any previous renewal fee remaining payable in respect of the licence, together with any additional amount payable for late payment of an instalment of the renewal fee.
- (7) If an application to renew a licence is made before or within 3 months after the expiry of the licence, the renewal fee may be paid by 4 equal instalments payable on or before the date of renewal of the licence and 1 October, 1 January and 1 April following the date of renewal.
- (8) If an instalment of a renewal fee is not paid in full within 21 days after the due date for payment, an additional amount equal to 10 per cent of the amount of the instalment is payable.
- (9) If—
 - (a) an instalment of a renewal fee for a licence is not paid in full on or before the due date; or
 - (b) an additional amount is required to be paid for late payment of an instalment of a renewal fee,

the amount unpaid may be recovered from the holder of the licence or the person who last held the licence as a debt due to the Crown.

8—Refund on surrender of licence

If a licence in respect of a rock lobster fishery is surrendered, the Director must, on application made by the former licensee in a form approved by the Director, refund an amount that bears to the renewal fee last paid in respect of the licence the same proportion as the number of complete months from the date of surrender to the day on which the following licence period commences bears to the number of months in the licence period during which the licence was surrendered.

9—Transfer of licence

- (1) A licence in respect of a rock lobster fishery may be transferred with the consent of the Director.

- (2) An application for consent to the transfer of a licence must—
- (a) be made jointly by the holder of the licence and the transferee in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicants; and
 - (d) be verified by statutory declaration; and
 - (e) be accompanied by—
 - (i) the licence to be transferred; and
 - (ii) a form of return as required by regulation 24 completed by the holder of the licence up to the date of application; and
 - (iii) if the transferee is a company—a current company extract relating to the transferee issued not more than 1 month immediately preceding the date of application; and
 - (iv) the appropriate fee specified in Schedule 2.
- (3) Before consenting to the transfer of a licence, the Director must be satisfied—
- (a) that the licence to be transferred has not been suspended; and
 - (b) that no proceedings alleging an offence under the Act are pending or likely to be commenced in the State against the holder of the licence; and
 - (c) that the transfer is to 1 person only; and
 - (d) that the transferee is—
 - (i) a natural person of at least 15 years of age; or
 - (ii) a company; and
 - (e) that no conviction for an offence involving a breach of legislation relating to fishing has, within the period of 3 years preceding the date of the application, been recorded in the State or elsewhere in Australia against the transferee or, if the transferee is a company, against a director of the company; and
 - (f) that no proceedings alleging an offence involving a breach of legislation relating to fishing are pending or likely to be commenced in the State or elsewhere in Australia against the transferee or, if the transferee is a company, against a director of the company; and
 - (g) if a boat registered by endorsement of the licence is the subject of, is registered by endorsement of, or is otherwise referred to in, a licence, permit, authority or other entitlement to take fish granted under the Commonwealth Act or the law of another State or Territory (other than a prescribed Victorian licence)—
 - (i) that the entitlement is either to be transferred together with the fishery licence to the transferee or to be surrendered on or before the transfer of the fishery licence; or
 - (ii) that—
 - (A) the transfer of the fishery licence separately from the entitlement is not likely to result in fishing activities that endanger or over exploit fishery resources; and

- (B) the person or body that granted the entitlement concurs with the separate transfer of the licence.

10—Registration of boats

- (1) An application to register a boat to be used pursuant to a licence in respect of a rock lobster fishery must—
- (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicant; and
 - (d) be accompanied by the applicant's licence in respect of the fishery.
- (2) Before granting registration of the boat, the Director must be satisfied that—
- (a) the applicant holds a licence in respect of the fishery; and
 - (b) the boat in respect of which the application is made is not already registered by endorsement of any licence in respect of a rock lobster fishery; and
 - (c) no more than 1 other boat is registered by endorsement of the applicant's licence in respect of the fishery.

11—Use of second registered boat

- (1) If 2 boats are registered by endorsement of a licence in respect of a rock lobster fishery, the holder of the licence must not use both boats, or cause, suffer or permit both boats to be used, at the same time for taking fish pursuant to the licence unless the use made of one of the boats is limited to the setting and retrieval of bait nets and mesh nets.
Maximum penalty: \$4 000.
- (2) A second registered boat that is being used for the setting and retrieval of nets as referred to in subregulation (1) need not be in the charge of a registered master.

12—Obligation of registered master to notify Director of use of bait nets

Before a bait net registered for use pursuant to a licence in respect of a rock lobster fishery is set in waters from a registered boat used pursuant to the licence, the registered master of the registered boat must ensure that the Director is notified by telephone of—

- (a) his or her name; and
- (b) the number of the licence pursuant to which the bait net is to be used; and
- (c) the location at which the bait net is to be set; and
- (d) the time at which the bait net is to be set; and
- (e) the period of time for which the bait net is to be left in waters; and
- (f) the species of fish that are to be targeted using the bait net.

Maximum penalty: \$125.

Expiation fee: \$55.

13—Registration of masters

An application to register a person as the master of a boat used pursuant to a licence in respect of a rock lobster fishery must—

- (a) be made in a form approved by the Director; and

- (b) be signed by the applicant; and
- (c) be accompanied by the applicant's licence in respect of the fishery.

14—Revocation of registration

- (1) The Director may, on application by the holder of a licence in respect of a rock lobster fishery, revoke a registration effected by endorsement of the licence.
- (2) An application for revocation of a registration must—
 - (a) be made in a form approved by the Director; and
 - (b) be signed by the applicant; and
 - (c) be accompanied by the applicant's licence in respect of the fishery.

15—Rock lobster pot entitlement

- (1) The Director may impose or vary conditions on licences in respect of a rock lobster fishery fixing rock lobster pot entitlements as follows:
 - (a) a rock lobster pot entitlement may be fixed by condition of a licence but must—
 - (i) in the case of a licence in respect of the Northern Zone Rock Lobster Fishery—be not more than 100 and not less than 20;
 - (ii) in the case of a licence in respect of the Southern Zone Rock Lobster Fishery—be not more than 100 and not less than 40;
 - (b) the rock lobster pot entitlement fixed by any such condition of a licence must be the number endorsed on the licence as the rock lobster pot entitlement under the revoked regulations immediately before the commencement of these regulations subject to any subsequent variation made in accordance with this regulation;
 - (c) the rock lobster pot entitlements fixed by licence conditions as referred to in this regulation may be increased or decreased on the same proportionate basis for all licences (provided that where in relation to any licence the result of such proportionate variation would be a fractional entitlement, that fractional entitlement is increased to the next highest whole number) if the Director is satisfied that it is appropriate to do so for the proper management of a rock lobster fishery;
 - (d) subject to paragraph (e), on joint application made to the Director by the holders of any 2 licences in respect of the same fishery, the rock lobster pot entitlements under the licences may be varied so as to increase the entitlement under 1 of the licences and decrease the entitlement under the other by a corresponding number;
 - (e) a variation must not be made as referred to in paragraph (d) if it would result in the entitlement under one of the licences exceeding the upper limit referred to in paragraph (a);
 - (f) a variation must not be made as referred to in paragraph (d) if it would result in the entitlement under one of the licences falling below the lower limit referred to in paragraph (a) unless—
 - (i) the variation is expressed to apply only until the expiry of the licence; or
 - (ii) —
 - (A) the licence is surrendered to the Director; and

- (B) if any boat registered by endorsement on that licence is the subject of, is registered by endorsement on, or is otherwise referred to in, a licence, permit, authority or other entitlement to take fish granted under the Commonwealth Act or the laws of another State or Territory (other than a prescribed Victorian licence)—that other licence, permit, authority or entitlement is also surrendered;
 - (g) despite any other provisions of this regulation, if the rock lobster pot entitlement under a licence in respect of the Southern Zone Rock Lobster Fishery was, immediately before the commencement of these regulations, less than 40, the entitlement under that licence may, until the licence is transferred, continue to be fixed at a number less than 40;
 - (h) despite any other provisions of this regulation, a variation may be made in accordance with paragraph (c) in respect of the Northern Zone Rock Lobster Fishery despite the fact that it would result in the rock lobster pot entitlement under a licence falling below 20 and, in that event, the entitlement under that licence may, until the licence is transferred, continue to be fixed at a number less than 20 but may not be decreased subsequently.
- (2) An application under subregulation (1)(d) must—
 - (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicants; and
 - (d) be accompanied by—
 - (i) the licences in respect of which the application is made; and
 - (ii) the appropriate fee specified in Schedule 2.
- (3) The holder of a licence in respect of the Northern Zone Rock Lobster Fishery must not, for the purpose of trade or business, engage in a fishing activity of a class that constitutes the Fishery while the rock lobster pot entitlement endorsed on the licence is less than 20.
Maximum penalty: \$4 000.
Expiation fee: \$315.
- (4) The holder of a licence in respect of the Southern Zone Rock Lobster Fishery must not, for the purpose of trade or business, engage in a fishing activity of a class that constitutes the Fishery while the rock lobster pot entitlement endorsed on the licence is less than 40.
Maximum penalty: \$4 000.
Expiation fee: \$315.
- (5) The Director may impose conditions on licences in respect of a rock lobster fishery limiting the number of rock lobster pots that may be carried on boats and otherwise regulating the carrying of rock lobster pots on boats used for fishing activities pursuant to the licences.
- (6) If a court convicts the holder of a licence in respect of a rock lobster fishery of an offence of contravening a condition of the licence fixing a rock lobster pot entitlement, the court must make an order requiring the Director to vary the conditions of the licence so as to reduce the rock lobster pot entitlement under the licence by 1 rock lobster pot for each rock lobster pot used in excess of the entitlement.

16—Individual rock lobster catch quota system—Northern Zone

(1) In this regulation—

fishery means the Northern Zone Rock Lobster Fishery;

prescribed period means the period of 12 months commencing on 1 July in any year;

relevant period means a period determined by the Director to be a relevant period for the purposes of this regulation;

rock lobster quota, in relation to a licence in respect of the fishery, means the maximum number of kilograms of rock lobster that may lawfully be taken by the holder of the licence during a prescribed period, being the product of—

- (a) the unit entitlement of that licence; and
- (b) the unit value for the fishery and that prescribed period,

subject to any variation of the rock lobster quota of the licence applying during that prescribed period;

unit entitlement means the number of rock lobster units for the time being allocated to a licence;

unit value means the number of kilograms of rock lobster determined by the Director to be the value of a rock lobster unit for the fishery and a prescribed period.

(2) The Director may impose or vary conditions on licences in respect of the fishery fixing rock lobster quotas as follows:

- (a) on or before 1 July 2007 and on or before 1 July of each subsequent year, each licence in respect of the fishery must be allocated a number of rock lobster units for the prescribed period commencing on that date equal to the number endorsed on the licence on the last day of the preceding prescribed period;
- (b) the Director must, on or before the commencement of each prescribed period, determine the number of kilograms of rock lobster that is to be the value of a rock lobster unit for the fishery and the prescribed period;
- (c) on joint application made to the Director by the holders of any 2 licences in respect of the fishery, the conditions of the licences may be varied so as to increase the unit entitlement under 1 of the licences and decrease the unit entitlement under the other licence by a corresponding number of units;
- (d) if—
 - (i) a variation of rock lobster pot entitlements is made as referred to in regulation 15(1)(d) in relation to licences in respect of the fishery; and
 - (ii) the variation is not expressed to apply only for a specified period,

the Director must vary the number of rock lobster units endorsed on the licences so that for every additional rock lobster pot endorsed on 1 of the licences, the unit entitlement of that licence is increased by 16 rock lobster units and the unit entitlement under the other licence is decreased by 16 rock lobster units for every rock lobster pot in the decrease in the rock lobster pot entitlement under that licence;

- (e) the Director may, if the total rock lobster catch taken pursuant to a licence during a prescribed period exceeded the rock lobster quota of the licence for that prescribed period, vary the conditions of the licence so as to decrease the quota—

- (i) if the catch exceeded the quota by not more than 20 kilograms of rock lobster—by 1 kilogram for each kilogram in excess of the quota; or
 - (ii) if the catch exceeded the quota by more than 20 kilograms but not more than 50 kilograms of rock lobster—by 2 kilograms for each kilogram in excess of the quota;
 - (f) a variation of a rock lobster quota made under paragraph (e) must be expressed to apply only for the prescribed period during which the variation is made;
 - (g) unit entitlements and rock lobster quotas must not be varied except as provided by this regulation.
- (3) An application under subregulation (2)(c) must—
- (a) be made in a form approved by the Director; and
 - (b) contain the information specified in the form; and
 - (c) be signed by the applicants; and
 - (d) be accompanied by—
 - (i) the licences in respect of which the application is made; and
 - (ii) the appropriate fee specified in Schedule 2.
- (4) The holder of a licence in respect of the fishery must not, for the purpose of trade or business, engage in a fishing activity of a class that constitutes the fishery while the number of rock lobster units endorsed on the licence is less than 320.
- Maximum penalty: \$4 000.
Expiation fee: \$315.
- (5) If—
- (a) a court convicts the holder of a licence in respect of the fishery of an offence of contravening a condition of the licence imposing a rock lobster quota on the licence; and
 - (b) the conduct constituting the offence involved the taking of more than 50 kilograms of rock lobster in excess of the quota,

the court must make an order requiring the Director to vary the conditions of the licence so as to reduce the rock lobster quota of the licence for 3 prescribed periods following the conviction by 1 kilogram for each kilogram in excess of the quota for the prescribed period during which the offence was committed.

17—Individual rock lobster catch quota system—Southern Zone

- (1) In this regulation—

the fishery means the Southern Zone Rock Lobster Fishery;

prescribed period means the period of 12 months commencing on 1 October in any year;

rock lobster quota, in relation to a licence in respect of the fishery, means the maximum number of kilograms of rock lobster that may lawfully be taken by the holder of the licence during a prescribed period, being the product of—

- (a) the unit entitlement of that licence; and
- (b) the unit value for the fishery and that prescribed period,

subject to any variation of the rock lobster quota of the licence applying during that prescribed period;

unit entitlement means the number of rock lobster units for the time being allocated to a licence;

unit value means the number of kilograms of rock lobster determined by the Director to be the value of a rock lobster unit for the fishery and a prescribed period.

- (2) The Director may vary conditions on licences in respect of the fishery fixing rock lobster quotas as follows:
- (a) the Director must, on or before the commencement of each prescribed period, determine the number of kilograms of rock lobster that is to be the value of a rock lobster unit for the fishery and the prescribed period;
 - (b) on joint application made to the Director by the holders of any 2 licences in respect of the fishery, the conditions of those licences may be varied so as to increase the unit entitlement under 1 of the licences and decrease the unit entitlement under the other licence by a corresponding number of units;
 - (c) the Director may, if the total rock lobster catch taken pursuant to a licence during a prescribed period exceeded the rock lobster quota of the licence for that prescribed period, vary the conditions of the licence so as to decrease the quota—
 - (i) if the catch exceeded the quota by not more than 20 kilograms of rock lobster—by 1 kilogram for each kilogram in excess of the quota; or
 - (ii) if the catch exceeded the quota by more than 20 kilograms but not more than 50 kilograms of rock lobster—by 2 kilograms for each kilogram in excess of the quota;
 - (d) any variation of—
 - (i) a unit entitlement made pursuant to paragraph (b); or
 - (ii) a rock lobster quota made pursuant to paragraph (c),must be expressed to apply only for the prescribed period during which the variation is made;
 - (e) unit entitlements and rock lobster quotas must not be varied except as provided by this regulation.
- (3) An application under subregulation (2)(b) must—
- (a) be made in a form approved by the Director; and
 - (b) be signed by the applicants; and
 - (c) be accompanied by—
 - (i) the licences in respect of which the application is made; and
 - (ii) the appropriate fee specified in Schedule 2.
- (4) If—
- (a) a court convicts the holder of a licence in respect of the fishery of an offence of contravening a condition of the licence imposing a rock lobster quota on the licence; and

- (b) the conduct constituting the offence involved the taking of more than 50 kilograms of rock lobster in excess of the quota,

the court must make an order requiring the Director to vary the conditions of the licence so as to reduce the rock lobster quota of the licence for 3 prescribed periods following the conviction by 1 kilogram for each kilogram in excess of the quota for the prescribed period during which the offence was committed.

18—Individual giant crab catch quota system

- (1) In this regulation—

giant crab quota—

- (a) in relation to a licence in respect of a rock lobster fishery—means the maximum number of kilograms of giant crab that may lawfully be taken by the holder of the licence during a licence period, being the product of—
- (i) the unit entitlement of that licence; and
 - (ii) the unit value for the fishery and that licence period,
- subject to any variation of the giant crab quota of the licence applying during that licence period;
- (b) in relation to a licence in respect of the Miscellaneous Fishery—has the same meaning as in regulation 11 of the *Fisheries (Scheme of Management—Miscellaneous Fishery) Regulations 2000*;

Miscellaneous Fishery means the fishery of that name constituted by the *Fisheries (Scheme of Management—Miscellaneous Fishery) Regulations 2000*;

prescribed period—

- (a) in relation to the Northern Zone Rock Lobster Fishery—means the period of 12 months commencing on 1 November in any year;
- (b) in relation to the Southern Zone Rock Lobster Fishery—means the period of 12 months commencing on 1 October in any year;

unit entitlement—

- (a) in relation to a licence in respect of a rock lobster fishery—means the number of giant crab units for the time being allocated to the licence;
- (b) in relation to a licence in respect of the Miscellaneous Fishery—has the same meaning as in regulation 11 of the *Fisheries (Scheme of Management—Miscellaneous Fishery) Regulations 2000*;

unit value means the number of kilograms of giant crab determined by the Director to be the value of a giant crab unit for a rock lobster fishery and a licence period.

- (2) The Director may impose or vary conditions on licences in respect of a rock lobster fishery imposing or varying giant crab quotas (and may vary conditions on licences in respect of the Miscellaneous Fishery varying giant crab quotas) as follows:
- (a) the Director must, on or before the commencement of each prescribed period, determine the number of kilograms of giant crab that is to be the value of a giant crab unit for a rock lobster fishery and the prescribed period;

- (b) on joint application made to the Director by the holders of any 2 licences in respect of the same rock lobster fishery endorsed with conditions fixing giant crab quotas on the licences, the conditions of the licences may be varied so as to increase the unit entitlement under 1 of the licences and decrease the unit entitlement under the other licence by a corresponding number of units;
- (c) on joint application made to the Director by the holder of a licence in respect of the Northern Zone Rock Lobster Fishery endorsed with a condition fixing a giant crab quota on the licence (the *first licence*) and the holder of a licence in respect of the Miscellaneous Fishery endorsed with a condition fixing a giant crab quota on the licence in relation to the Northern Zone (the *second licence*)—
 - (i) the conditions of the first licence may be varied so as to decrease the unit entitlement of that licence and the conditions of the second licence may be varied so as to increase the unit entitlement of that licence in respect of the Northern Zone by a corresponding number of units; or
 - (ii) the conditions of the first licence may be varied so as to increase the unit entitlement of that licence and the conditions of the second licence may be varied so as to decrease the unit entitlement of that licence in respect of the Northern Zone by a corresponding number of units;
- (d) on joint application made to the Director by the holder of a licence in respect of the Southern Zone Rock Lobster Fishery endorsed with a condition fixing a giant crab quota on the licence (the *first licence*) and the holder of a licence in respect of the Miscellaneous Fishery endorsed with a condition fixing a giant crab quota on the licence in relation to the Southern Zone (the *second licence*)—
 - (i) the conditions of the first licence may be varied so as to decrease the unit entitlement of that licence and the conditions of the second licence may be varied so as to increase the unit entitlement of that licence in respect of the Southern Zone by a corresponding number of units; or
 - (ii) the conditions of the first licence may be varied so as to increase the unit entitlement of that licence and the conditions of the second licence may be varied so as to decrease the unit entitlement of that licence in respect of the Southern Zone by a corresponding number of units;
- (e) the Director may, if the total giant crab catch taken pursuant to a licence in respect of a rock lobster fishery during a prescribed period exceeded the giant crab quota of the licence for that prescribed period, vary the conditions of the licence so as to decrease the quota—
 - (i) if the catch exceeded the quota by not more than 20 kilograms of giant crab—by 1 kilogram for each kilogram in excess of the quota; or
 - (ii) if the catch exceeded the quota by more than 20 kilograms but not more than 50 kilograms—by 2 kilograms for each kilogram in excess of the quota;
- (f) a variation of a giant crab quota made under paragraph (e) must be expressed to apply only for the prescribed period during which the variation is made;
- (g) unit entitlements and giant crab quotas must not be varied except as provided by this regulation or the *Fisheries (Scheme of Management—Miscellaneous Fishery) Regulations 2000*.

- (3) If—
- (a) a court convicts the holder of a licence in respect of a rock lobster fishery of an offence of contravening a condition of the licence imposing a giant crab quota on the licence; and
 - (b) the conduct constituting the offence involved the taking of more than 50 kilograms of giant crab in excess of the quota,

the court must make an order requiring the Director to vary the conditions of the licence so as to reduce the giant crab quota of the licence for 3 prescribed periods following the conviction by 1 kilogram for each kilogram in excess of the quota for the prescribed period during which the offence was committed.

- (4) An application under subregulation (2)(b), (c) or (d) must—
- (a) be made in a form approved by the Director; and
 - (b) be signed by the applicants; and
 - (c) be accompanied by—
 - (i) the licences in respect of which the application is made; and
 - (ii) the appropriate fee specified in Schedule 2.

19—Rock lobster taken in Northern Zone to be landed whole within the State

The holder of a licence in respect of the Northern Zone Rock Lobster Fishery must ensure that rock lobster taken pursuant to the licence—

- (a) is landed whole; and
- (b) is landed within the State.

Maximum penalty: \$4 000.

Expiation fee: \$315.

20—Disposal of rock lobster and giant crab

- (1) Subject to subregulation (2), the holder of a licence in respect of a rock lobster fishery must ensure that all rock lobster and giant crab taken pursuant to the licence are consigned or delivered to a registered fish processor.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (2) If a rock lobster is found to be dead when it is landed, the holder of the licence may retain the dead landed rock lobster for a non-commercial purpose, provided that—
- (a) there are no more than 2 such rock lobster at any time on the boat on which they are landed; and
 - (b) the total number of such rock lobster retained by the holder of a licence in a licence period does not exceed 30.

21—Catch and disposal records (rock lobster)—Northern Zone

- (1) The holder of a licence in respect of the Northern Zone Rock Lobster Fishery or the registered master of a registered boat from which rock lobster is taken pursuant to such a licence must ensure that—
 - (a) at least 1 hour before the rock lobster is removed from the boat, the Director is notified by telephone of—
 - (i) the name of the registered fish processor to whom the rock lobster is to be consigned or delivered; and
 - (ii) the location and time at which the rock lobster is to be removed from the boat; and
 - (iii) the number (if any) of rock lobster that are to be retained by the holder of the licence for a non-commercial purpose; and
 - (b) if, after the Director is notified under paragraph (a), a decision is made to consign or deliver the rock lobster to a different registered fish processor, the Director is immediately notified by telephone of the name of that registered fish processor.
- (2) The holder of a licence in respect of the Northern Zone Rock Lobster Fishery or the registered master of a boat from which rock lobster is taken pursuant to such a licence must comply with the following provisions:
 - (a) before the end of the day on which the rock lobster is taken, he or she must complete Part A of a NZRL-CDR form;
 - (b) before the rock lobster is removed from the boat, he or she must complete Part B of the NZRL-CDR form;
 - (c) he or she must ensure—
 - (i) that the rock lobster to which a completed NZRL-CDR form relates that is to be consigned or delivered to the registered premises of the fish processor specified on the form is transported in bins of a kind approved by the Director; and
 - (ii) that before a bin containing rock lobster is removed from the boat, the bin is sealed with a tag of a kind approved by the Director; and
 - (iii) that if a tag is broken while a bin is being sealed—
 - (A) the bin is sealed with a replacement tag; and
 - (B) the broken tag is attached to the bin by threading it through the replacement tag; and
 - (C) the number of the replacement tag is recorded on the NZRL-CDR form; and
 - (iv) if a tag is lost—that the Director is immediately notified of the loss;
 - (d) he or she must ensure that the white, blue and green copies of Parts B and C of a completed NZRL-CDR form that relates to rock lobster that is to be consigned or delivered to a registered fish processor are transported to the registered premises of the fish processor together with the rock lobster;

- (e) he or she must ensure that the white and blue copies of a completed NZRL-CDR form that relates only to rock lobster that is to be retained by the holder of the licence for a non-commercial purpose are delivered to the Director within 7 days of the removal of the rock lobster from the boat;
 - (f) he or she must ensure that the yellow copies of a completed NZRL-CDR form and the NZRL-CDR book are kept on board the boat until all the NZRL-CDR forms in the NZRL-CDR book are completed;
 - (g) he or she must deliver a completed CDR book to the Director within 14 days of its completion.
- (3) If a provision of subregulation (1) or (2) is not complied with, the holder of the licence is guilty of an offence.
Maximum penalty: \$4 000.
Expiation fee: \$315.
- (4) The holder of a licence in respect of the Northern Zone Rock Lobster Fishery must keep green copies of Parts B and C of completed NZRL-CDR forms relating to rock lobster taken pursuant to the licence for a period of 5 years.
Maximum penalty: \$4 000.
Expiation fee: \$315.

22—Catch and disposal records (rock lobster)—Southern Zone

- (1) Subject to subregulation (2), if rock lobster is taken pursuant to a South Australian licence, the holder of the licence or the registered master of the registered boat from which the rock lobster was taken must ensure that—
- (a) at least 1 hour before the rock lobster is removed from the registered boat from which it was taken, the Director is notified by telephone of—
 - (i) the name of the person making the telephone call; and
 - (ii) the number of the licence pursuant to which the rock lobster was taken; and
 - (iii) the certification station at which the rock lobster is to be weighed; and
 - (iv) the estimated time of arrival of the rock lobster at that certification station; and
 - (v) whether any rock lobster is to be stored on board a registered boat used pursuant to the licence after the boat is landed; and
 - (b) the Director is notified of any change in the estimated time of arrival of the rock lobster at the certification station if it appears likely to the holder of the licence or the registered master that the rock lobster will arrive at the certification station earlier than the estimated time previously notified to the Director or more than 30 minutes after that time.
- (2) Subregulation (1) does not apply if the rock lobster is to be weighed at a certification station nominated by the Director by notice in the Gazette between the hours specified in the notice.

- (3) The holder of a South Australian licence or the registered master of a registered boat used pursuant to a South Australian licence must comply with the following provisions:
- (a) if rock lobster taken pursuant to a Victorian licence is on board a registered boat used pursuant to the South Australian licence when the boat enters the Southern Zone, he or she must immediately complete Part C of a SZRL1-CDR form in respect of the rock lobster;
 - (b) before rock lobster taken pursuant to the South Australian licence is removed from the registered boat from which it was taken, he or she must complete Part A of a SZRL1-CDR form in respect of the rock lobster;
 - (c) immediately after a registered boat used pursuant to the South Australian licence is landed, he or she must remove from the boat any rock lobster that is not to be stored on the boat;
 - (d) he or she must ensure that rock lobster removed from a registered boat is delivered to the nearest certification station within 10 minutes of being removed from the boat;
 - (e) immediately after rock lobster taken pursuant to the South Australian licence is delivered to the certification station, he or she must weigh the rock lobster and complete Part B of the SZRL1-CDR form in respect of the rock lobster;
 - (f) immediately after rock lobster taken pursuant to a Victorian licence is delivered to the certification station, he or she must weigh the rock lobster and complete Part D of the SZRL1-CDR form in respect of the rock lobster;
 - (g) before the rock lobster is removed from the certification station, he or she must deposit the white copy of the SZRL1-CDR form completed in respect of the rock lobster in the locked container provided for that purpose;
 - (h) subject to paragraph (j), he or she must ensure that the SZRL1-CDR book is kept on board the registered boat from which the rock lobster was taken until all the SZRL1-CDR forms in the book are completed;
 - (i) he or she must deliver a completed SZRL1-CDR book to the Director within 14 days of its completion;
 - (j) if, at the end of a fishing season, a SZRL1-CDR book kept on board a registered boat has not been completed, he or she must return the book to the Director within 14 days after the end of the fishing season.

- (4) If subregulation (1) or (3) is not complied with, the holder of the licence is guilty of an offence.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (5) In this regulation—

fishing season means a period commencing on 1 October in any year and ending on 30 April in the following year.

23—Catch and disposal records (giant crab)—Southern Zone

- (1) Subject to subregulation (2), if giant crab is taken pursuant to a licence in respect of the Southern Zone Rock Lobster Fishery endorsed with a condition fixing a giant crab quota on the licence, the holder of the licence or the registered master of the registered boat from which the giant crab is taken must ensure that—
 - (a) at least 1 hour before the giant crab is removed from the registered boat from which it was taken, the Director is notified by telephone of—
 - (i) the name of the person making the telephone call; and
 - (ii) the number of the licence pursuant to which the giant crab was taken; and
 - (iii) the certification station at which the giant crab is to be weighed; and
 - (iv) the estimated time of arrival of the giant crab at that certification station; and
 - (v) whether any giant crab is to be stored on a registered boat used pursuant to the licence after the boat is landed; and
 - (b) the Director is notified of any change in the estimated time of arrival of the giant crab at the certification station if it appears likely to the holder of the licence or the registered master that the giant crab will arrive at the certification station earlier than the estimated time previously notified to the Director or more than 30 minutes after that time.
- (2) Subregulation (1) does not apply if the giant crab is to be weighed at a certification station nominated by the Director by notice in the Gazette between the hours specified in the notice.
- (3) The holder of a licence in respect of the Southern Zone Rock Lobster Fishery endorsed with a condition fixing a giant crab quota on the licence or the registered master of a registered boat used to take giant crab pursuant to such a licence must comply with the following provisions:
 - (a) before giant crab taken pursuant to the licence is removed from the registered boat from which it was taken, he or she must complete Part A of a GC-CDR form in respect of the giant crab;
 - (b) immediately after a registered boat used pursuant to the licence is landed, he or she must remove from the boat any giant crab that is not to be stored on the boat;
 - (c) he or she must ensure that the GC-CDR book is kept on board the registered boat from which the giant crab was taken until all the GC-CDR forms in the book are completed;
 - (d) he or she must deliver a completed GC-CDR book to the Director within 14 days of its completion.
- (4) If subregulation (1) or (3) is not complied with, the holder of the licence is guilty of an offence.

Maximum penalty: \$4 000.

Expiation fee: \$315.

24—Returns

- (1) The holder of a licence in respect of a rock lobster fishery must—
 - (a) complete a return, in a form determined by the Minister, in respect of each calendar month during the currency of the licence; and
 - (b) include in the return such information as the Executive Director of SARDI, with the approval of the Minister, requires; and
 - (c) date and sign the return and certify that the information contained in the return is complete and accurate, and post or deliver the return to the office of the Executive Director of SARDI within 15 days of the end of the month to which it relates.

Maximum penalty: \$4 000.

Expiation fee: \$315.

- (2) If the holder of a licence takes no fish pursuant to the licence during a particular calendar month, he or she is required by subregulation (1) to furnish a return in respect of that period indicating that no fish were taken.
- (3) If a rock lobster fishery has been closed for a whole calendar month, the holder of a licence need not furnish a return for that month.
- (4) The holder of a licence must—
 - (a) make a copy of each return that he or she completes under this regulation before the return is sent or delivered to the Executive Director of SARDI; and
 - (b) retain the copy for a period of 12 months from the last day of the month to which the return relates.

Maximum penalty: \$4 000.

25—Victorian licences

A person who is the holder of a licence in respect of the Southern Zone Rock Lobster Fishery must—

- (a) if he or she becomes the holder of a Victorian licence, give written notice within 14 days informing the Director of that fact; or
- (b) where he or she ceases to hold a Victorian licence, give written notice within 14 days informing the Director of that fact.

Maximum penalty: \$4 000.

Expiation fee: \$315.

26—Sale of rock lobster during closed season

- (1) A holder of a licence in respect of a rock lobster fishery must not sell live rock lobster during a closed season for that fishery.

Maximum penalty: \$4 000.

Expiation fee: \$315.
- (2) It is a defence to a charge of an offence against subregulation (1) if the defendant proves that he or she did not take the rock lobster to which the charge relates in the zone for the rock lobster fishery in respect of which he or she holds a licence.

Schedule 1—Fish prescribed for rock lobster fisheries

Scalefish

- Anchovy (*Engraulis australis*)
- Barracouta (*Thyrsites atun*)
- Bluethroated wrasse (*Notolabrus tetricus*)
- Bream (*Acanthopagrus butcheri*)
- Cod (marine species) (Family Moridae)
- Dory (Family Zeidae)
- Flathead (Family Platycephalidae)
- Flounder (Family Pleuronectidae) (Family Bothidae)
- Garfish (*Hyporhamphus melanochir*)
- Horse mackerel (*Trachurus declivis*)
- Leather jacket (Family Aluteridae)
- Ling (*Genypterus blacodes*)
- Mackerel (*Scomber australasicus*)
- Morwong (Family Cheilodactylidae)
- Mullet (Family Mugilidae)
- Mulloway (*Argyrosomus hololepidotus*)
- Nannygai, Red snapper, Swallowtail (Family Berycidae)
- Pilchard (*Sardinops neopilchardus*)
- Red mullet (*Upeneichthys porosus*)
- Salmon (*Arripis truttaceus*)
- Snapper (*Chrysophrys auratus*)
- Snook (*Sphyraena novaehollandiae*)
- Sole (*Aserragodes haackeanus*)
- Sweep (*Scorpius aequipinnis*)
- Tommy ruff (*Arripis georgianus*)
- Trevalla (*Hyperoglyphe antarctica*)
- Trevally (*Usacaranx georgianus*)
- Whiting (Family Sillaginidae)

Crustaceans

- Crab, giant (*Pseudocarcinus gigas*)
- Crab, velvet (*Nectocarcinus tuberculatus*)

Molluscs

- Cockle (Suborder Teledonta)
- Cuttlefish (*Sepia* spp.)
- Mussels (*Mytilus* spp.)
- Octopus (*Octopus* spp.)
- Oyster (Family Ostridae)

Scallop (Family Pectinidae)

Squid, arrow (*Nototodarus gouldii*)

Squid, calamary (*Sepioteuthis australis*)

Annelids

Beachworm (Class Polychaeta)

Bloodworm (Class Polychaeta)

Tubeworm (Class Polychaeta)

Sharks

All species of shark other than white pointer shark (*Carcharodon carcharias*) (Class Elasmobranchii)

Rays (Class Elasmobranchii)

Skate (Class Elasmobranchii)

Schedule 2—Fees

1	On application for the renewal of a licence in respect of the Northern Zone Rock Lobster Fishery—	
	(a) in the case of a licence that will, on its renewal, be subject to a condition limiting the holder of the licence to the taking of rock lobster, octopus and giant crab	\$12 001.00
	(b) in the case of a licence that will, on its renewal, be subject to a condition limiting the holder of the licence to the taking of—	
	(i) rock lobster, octopus and giant crab; and	
	(ii) fish of a species (other than octopus or giant crab) prescribed by Schedule 1 for the purpose of bait only	\$ 12 501.00
	(c) in any other case	\$13 835.00
2	On application for the renewal of a licence in respect of the Northern Zone Rock Lobster Fishery (in addition to the fee payable under clause 1)—for each rock lobster pot endorsed on the licence	\$88.00
3	On application for the renewal of a licence endorsed with a condition fixing a giant crab quota on the licence (in addition to the fees payable under clauses 1 and 2)—for each giant crab unit allocated to the licence	\$29.30
4	On application for the renewal of a licence endorsed with a condition limiting the number of giant crab that may be taken on each boat trip (in addition to the fees payable under clauses 1, 2 and 3)	\$32.60
5	On application for the renewal of a licence in respect of the Southern Zone Rock Lobster Fishery—	
	(a) in the case of a licence that will, on its renewal, be subject to a condition limiting the holder of the licence to the taking of rock lobster, octopus and giant crab	\$10 118.00
	(b) in the case of a licence that will, on its renewal, be subject to a condition limiting the holder of the licence to the taking of—	
	(i) rock lobster, octopus and giant crab; and	
	(ii) fish of a species (other than octopus or giant crab) prescribed by Schedule 1 for the purpose of bait only	\$10 618.00
	(c) in any other case	\$11 952.00

6	On application for the renewal of a licence in respect of the Southern Zone Rock Lobster Fishery (in addition to the fee payable under clause 5)—for each rock lobster pot endorsed on the licence	\$96.00
7	On application for the renewal of a licence in respect of the Southern Zone Rock Lobster Fishery endorsed with a condition fixing a giant crab quota on the licence (in addition to the fees payable under clauses 5 and 6)—for each giant crab unit allocated to the licence	\$29.30
8	On application for the renewal of a licence endorsed with a condition limiting the number of giant crab that may be taken on each boat trip (in addition to the fees payable under clauses 5, 6 and 7)	\$32.60
9	On application for consent to the transfer of a licence in respect of a rock lobster fishery	\$311.00
10	On application under regulation 15 to vary licence conditions so as to alter a rock lobster pot entitlement	\$104.00
11	On application under regulation 16 to vary licence conditions so as to alter unit entitlements in respect of rock lobster	\$104.00
12	On application under regulation 17 to vary licence conditions so as to alter unit entitlements in respect of giant crab	\$104.00

The fee prescribed in relation to an application under regulation 15 is not payable if, at the same time, an application under regulation 16 or 17 is made in respect of the same licence and the fee prescribed in relation to that application is paid.

Schedule 3—Revocation of *Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 1991*

The *Fisheries (Scheme of Management—Rock Lobster Fisheries) Regulations 1991* are revoked.

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 24 August 2006

No 208 of 2006

MAFF06/006CS

South Australia

Liquor Licensing (General) Variation Regulations 2006

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (General) Regulations 1997*

- 4 Insertion of regulation 7
 - 7 Definition of regulated premises
 - 5 Insertion of Schedule A1
 - Schedule A1—Areas surrounding AAMI Stadium declared not to be regulated premises
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (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 *Liquor Licensing (General) Regulations 1997*

4—Insertion of regulation 7

After regulation 6 insert:

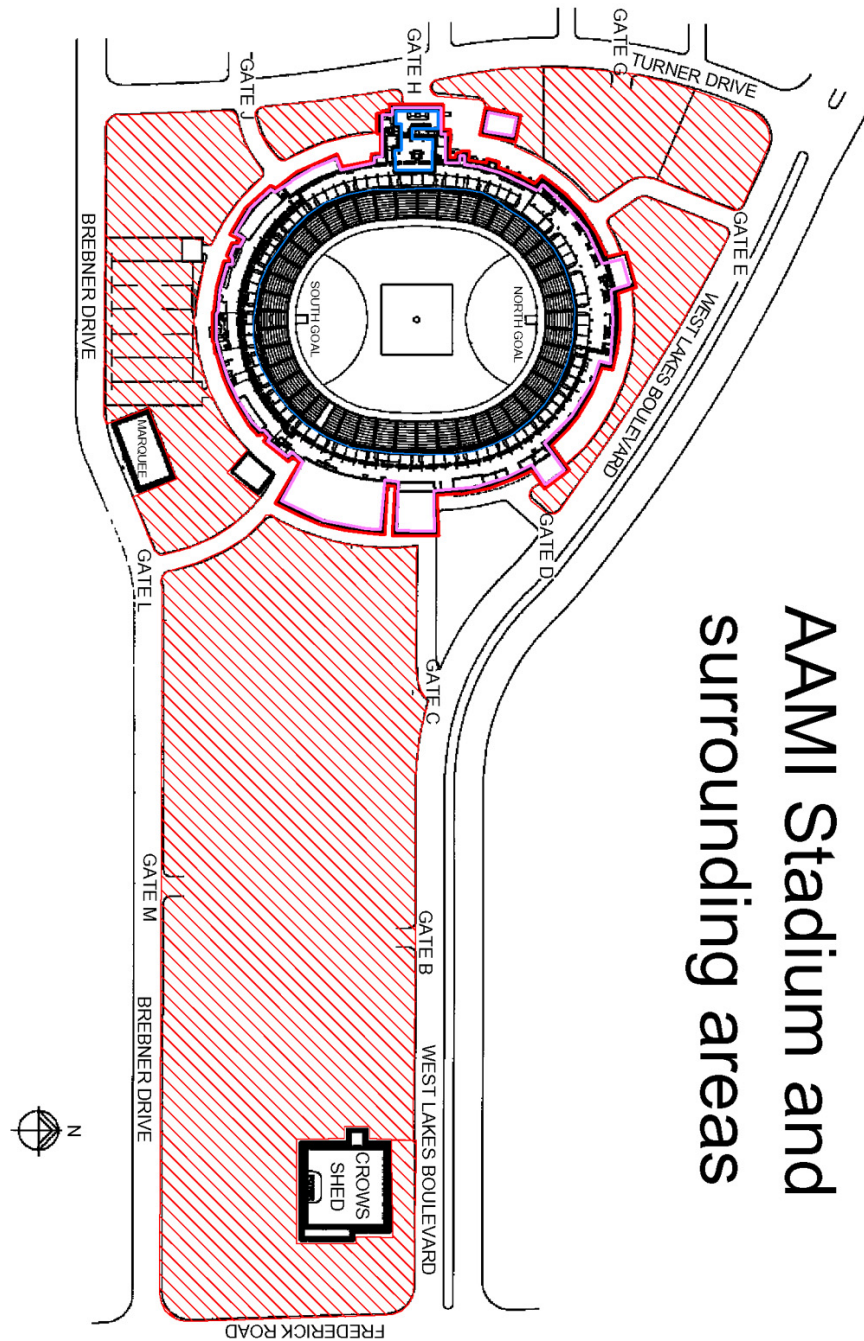
7—Definition of regulated premises

For the purposes of the definition of *regulated premises* in section 4 of the Act, the areas surrounding AAMI Stadium in West Lakes shown as the hatched areas on the plan in Schedule A1 are declared not to be regulated premises.

5—Insertion of Schedule A1

Before Schedule 1 insert:

Schedule A1—Areas surrounding AAMI Stadium declared not to be regulated premises



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 24 August 2006

No 209 of 2006

CSMCA06/015

South Australia

Electronic Transactions Variation Regulations 2006

under the *Electronic Transactions Act 2000*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Electronic Transactions Regulations 2002*

- 4 Variation of regulation 4—Certain transactions excluded from section 7(1) of Act
 - 5 Variation of regulation 5—Certain requirements and permissions excluded from Part 2 Division 2 of Act
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Electronic Transactions Variation Regulations 2006*.

2—Commencement

These regulations will come into operation on the day on which Part 2 of the *Consumer Credit and Trade Measurement Amendment Act 2006* of Queensland comes into operation.

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 *Electronic Transactions Regulations 2002*

4—Variation of regulation 4—Certain transactions excluded from section 7(1) of Act

Regulation 4(1)(d) and (e)—delete paragraphs (d) and (e)

5—Variation of regulation 5—Certain requirements and permissions excluded from Part 2 Division 2 of Act

- (1) Regulation 5(1)(d) and (e)—delete paragraphs (d) and (e)
- (2) Regulation 5(2)(c) and (d)—delete paragraphs (c) and (d)

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 24 August 2006

No 210 of 2006

OCBA602/06-00002

South Australia

Subordinate Legislation (Postponement of Expiry) Regulations 2006

under the *Subordinate Legislation Act 1978*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Postponement of expiry for 1 year—Regulations made before 1 January 1996
- 5 Expiry of obsolete regulations

Schedule 1—Postponement of expiry

Schedule 2—Expiry of obsolete regulations

Schedule 3—Revocation of *Subordinate Legislation (Postponement of Expiry) Regulations 2005*

1—Short title

These regulations may be cited as the *Subordinate Legislation (Postponement of Expiry) Regulations 2006*.

2—Commencement

These regulations will come into operation on 1 September 2006.

3—Interpretation

In these regulations, unless the contrary intention appears—
Act means the *Subordinate Legislation Act 1978*.

4—Postponement of expiry for 1 year—Regulations made before 1 January 1996

The expiry under Part 3A of the Act of the regulations listed in Schedule 1 is postponed for a period of 1 year commencing on 1 September 2006.

5—Expiry of obsolete regulations

The regulations listed in Schedule 2 will expire under the Act on 1 September 2006.

Schedule 1—Postponement of expiry

Adelaide Festival Centre Trust Regulations 1992 made under the *Adelaide Festival Centre Trust Act 1971* (see *Gazette* 27.8.1992 p950)

Administration and Probate (Interest on Pecuniary Legacies) Regulations 1994 made under the *Administration and Probate Act 1919* (see *Gazette* 2.6.1994 p1590)

Ambulance Services Regulations 1993 made under the *Ambulance Services Act 1992* (see *Gazette* 25.2.1993 p727)

Associations Incorporation Regulations 1993 made under the *Associations Incorporation Act 1985* (see *Gazette* 20.5.1993 p1709)

Bills of Sale (Fees) Regulations 1995 made under the *Bills of Sale Act 1886* (see *Gazette* 10.5.1995 p2080)

Bills of Sale (Requirements as to Instruments) Regulations 1995 made under the *Bills of Sale Act 1886* (see *Gazette* 31.8.1995 p615)

Botanic Gardens and State Herbarium Regulations 1993 made under the *Botanic Gardens and State Herbarium Act 1978* (see *Gazette* 15.7.1993 p569)

Children's Services (Appeals) Regulations 1993 made under the *Children's Services Act 1985* (see *Gazette* 14.1.1993 p191)

Classification of Theatrical Performances Regulations 1993 made under the *Classification of Theatrical Performances Act 1978* (see *Gazette* 19.8.1993 p888)

Construction Industry Training Fund Regulations 1993 made under the *Construction Industry Training Fund Act 1993* (see *Gazette* 5.8.1993 p753)

Conveyancers Regulations 1995 made under the *Conveyancers Act 1994* (see *Gazette* 25.5.1995 p2479)

Courts Administration Regulations 1993 made under the *Courts Administration Act 1993* (see *Gazette* 1.7.1993 p358)

Crown Proceedings Regulations 1993 made under the *Crown Proceedings Act 1992* (see *Gazette* 4.11.1993 p2205)

Development Regulations 1993 made under the *Development Act 1993* (see *Gazette* 27.10.1993 p1954)

Dog and Cat Management Regulations 1995 made under the *Dog and Cat Management Act 1995* (see *Gazette* 15.6.1995 p2861)

Employment Agents Registration Regulations 1995 made under the *Employment Agents Registration Act 1993* (see *Gazette* 14.12.1995 p1678)

Environment Protection (Beverage Container) Regulations 1995 made under the *Environment Protection Act 1993* (see *Gazette* 27.4.1995 p1658)

Environment Protection (Fees and Levy) Regulations 1994 made under the *Environment Protection Act 1993* (see *Gazette* 15.12.1994 p2202)

Environment Protection (General) Regulations 1994 made under the *Environment Protection Act 1993* (see *Gazette* 27.10.1994 p1346)

Evidence (Reproduction of Documents) Regulations 1993 made under the *Evidence Act 1929* (see *Gazette* 8.4.1993 p1273)

Fair Trading (Health and Fitness Industry Code of Practice) Regulations 1992 made under the *Fair Trading Act 1987* (see *Gazette* 27.2.1992 p578)

Firearms Regulations 1993 made under the *Firearms Act 1977* (see *Gazette* 29.4.1993 p1482)

Fisheries (Management Committees) Regulations 1995 made under the *Fisheries Act 1982* (see *Gazette* 12.10.1995 p1100)

Freedom of Information (Exempt Agency) Regulations 1993 made under the *Freedom of Information Act 1991* (see *Gazette 21.1.1993 p409*)

Guardianship and Administration Regulations 1995 made under the *Guardianship and Administration Act 1993* (see *Gazette 2.3.1995 p797*)

Harbors and Navigation Regulations 1994 made under the *Harbors and Navigation Act 1993* (see *Gazette 20.10.1994 p988*)

History Trust of South Australia Regulations 1995 made under the *History Trust of South Australia Act 1981* (see *Gazette 1.6.1995 p2578*)

Housing and Urban Development (Administrative Arrangements) (HomeStart Finance) Regulations 1995 made under the *Housing and Urban Development (Administrative Arrangements) Act 1995* (see *Gazette 15.6.1995 p2869*)

Housing Improvement (Standards) Regulations 1992 made under the *Housing Improvement Act 1940* (see *Gazette 27.8.1992 p966*)

Industrial and Employee Relations (General) Regulations 1994 made under the *Fair Work Act 1994* (see *Gazette 4.8.1994 p380*)

Industrial and Employee Relations (Representation) Regulations 1994 made under the *Fair Work Act 1994* (see *Gazette 4.8.1994 p366*)

Land Agents Regulations 1995 made under the *Land Agents Act 1994* (see *Gazette 25.5.1995 p2464*)

Land and Business (Sale and Conveyancing) Regulations 1995 made under the *Land and Business (Sale and Conveyancing) Act 1994* (see *Gazette 27.4.1995 p1577*)

Land Valuers Regulations 1995 made under the *Land Valuers Act 1994* (see *Gazette 25.5.1995 p2477*)

Legal Practitioners Regulations 1994 made under the *Legal Practitioners Act 1981* (see *Gazette 1.9.1994 p636*)

Local Government (Cemetery) Regulations 1995 made under the *Local Government Act 1934* (see *Gazette 25.5.1995 p2503*)

Lottery and Gaming Regulations 1993 made under the *Lottery and Gaming Act 1936* (see *Gazette 27.10.1993 p1901*)

Members of Parliament (Register of Interests) Regulations 1993 made under the *Members of Parliament (Register of Interests) Act 1983* (see *Gazette 1.7.1993 p409*)

Mental Health Regulations 1995 made under the *Mental Health Act 1993* (see *Gazette 2.3.1995 p763*)

Natural Gas Authority Regulations 1995 made under the *Natural Gas Authority Act 1967* (see *Gazette 1.6.1995 p2570*)

Occupational Health, Safety and Welfare Regulations 1995 made under the *Occupational Health, Safety and Welfare Act 1986* (see *Gazette 23.2.1995 p423*)

Passenger Transport (General) Regulations 1994 made under the *Passenger Transport Act 1994* (see *Gazette 28.7.1994 p254*)

Passenger Transport (Regular Passenger Services; Conduct of Passengers) Regulations 1994 made under the *Passenger Transport Act 1994* (see *Gazette 30.6.1994 p1930*)

Passenger Transport (Regular Passenger Services; Fares and Charges) Regulations 1994 made under the *Passenger Transport Act 1994* (see *Gazette 30.6.1994 p1928*)

Petroleum Products Regulations 1995 made under the *Petroleum Products Regulation Act 1995* (see *Gazette 1.6.1995 p2574*)

Plumbers, Gas Fitters and Electricians Regulations 1995 made under the *Plumbers, Gas Fitters and Electricians Act 1995* (see *Gazette 29.6.1995 p3085*)

Public and Environmental Health (Waste Control) Regulations 1995 made under the *Public and Environmental Health Act 1987* (see *Gazette 10.5.1995 p1802*)

Public Corporations (Minister for Industry, Manufacturing, Small Business and Regional Development) Regulations 1995 made under the *Public Corporations Act 1993* (see *Gazette 16.3.1995 p885*)

Public Corporations (Transmission Lessor Corporation) Regulations 1995 made under the *Public Corporations Act 1993* (see *Gazette 29.6.1995 p3122*)

Public Sector Management Regulations 1995 made under the *Public Sector Management Act 1995* (see *Gazette 13.7.1995 p85*)

Public Trustee Regulations 1995 made under the *Public Trustee Act 1995* (see *Gazette 3.8.1995 p368*)

Real Property (Certification of Instruments) Regulations 1995 made under the *Real Property Act 1886* (see *Gazette 31.8.1995 p613*)

Real Property (Land Division) Regulations 1995 made under the *Real Property Act 1886* (see *Gazette 31.8.1995 p616*)

Reproductive Technology (Code of Ethical Clinical Practice) Regulations 1995 made under the *Reproductive Technology (Clinical Practices) Act 1988* (see *Gazette 5.10.1995 p922*)

Residential Tenancies (General) Regulations 1995 made under the *Residential Tenancies Act 1995* (see *Gazette 23.11.1995 p1427*)

Residential Tenancies (Water Rates) Regulations 1995 made under the *Residential Tenancies Act 1995* (see *Gazette 24.8.1995 p527*)

Retail and Commercial Leases Regulations 1995 made under the *Retail and Commercial Leases Act 1995* (see *Gazette 29.6.1995 p3101*)

Second-hand Vehicle Dealers Regulations 1995 made under the *Second-hand Vehicle Dealers Act 1995* (see *Gazette 2.11.1995 p1258*)

South Australian Co-operative and Community Housing (Electoral Procedures) Regulations 1992 made under the *South Australian Co-operative and Community Housing Act 1991* (see *Gazette 3.12.1992 p1709*)

South Australian Co-operative and Community Housing (General) Regulations 1992 made under the *South Australian Co-operative and Community Housing Act 1991* (see *Gazette 9.1.1992 p33*)

South Australian Co-operative and Community Housing (Housing Co-operatives—Investment Shares) Regulations 1994 made under the *South Australian Co-operative and Community Housing Act 1991* (see *Gazette 11.8.1994 p451*)

South Australian Housing Trust (Abandoned Goods) Regulations 1995 made under the *South Australian Housing Trust Act 1995* (see *Gazette 21.12.1995 p1806*)

South Australian Housing Trust (General) Regulations 1995 made under the *South Australian Housing Trust Act 1995* (see *Gazette 21.12.1995 p1808*)

South Australian Housing Trust (Water Rates) Regulations 1995 made under the *South Australian Housing Trust Act 1936* (see *Gazette 4.5.1995 p1726*)

Southern State Superannuation Regulations 1995 made under the *Southern State Superannuation Act 1994* (see *Gazette* 29.6.1995 p3070)

State Opera of South Australia Regulations 1994 made under the *State Opera of South Australia Act 1976* (see *Gazette* 25.8.1994 p593)

State Theatre Company of South Australia Regulations 1994 made under the *State Theatre Company of South Australia Act 1972* (see *Gazette* 1.9.1994 p668)

Summary Procedure (Industrial Offences) Regulations 1992 made under the *Summary Procedure Act 1921* (see *Gazette* 2.7.1992 p224)

Summary Procedure (Witness Fees) Regulations 1992 made under the *Summary Procedure Act 1921* (see *Gazette* 2.7.1992 p222)

Superannuation Funds Management Corporation of South Australia Regulations 1995 made under the *Superannuation Funds Management Corporation of South Australia Act 1995* (see *Gazette* 25.5.1995 p2459)

Supported Residential Facilities Regulations 1994 made under the *Supported Residential Facilities Act 1992* (see *Gazette* 8.12.1994 p1969)

Survey Regulations 1992 made under the *Survey Act 1992* (see *Gazette* 1.10.1992 p1250)

Trade Measurement (Measuring Instruments) Regulations 1993 made under the *Trade Measurement Act 1993* (see *Gazette* 30.9.1993 p1411)

Trade Measurement (Miscellaneous) Regulations 1993 made under the *Trade Measurement Act 1993* (see *Gazette* 30.9.1993 p1387)

Trade Measurement (Pre-Packed Articles) Regulations 1993 made under the *Trade Measurement Act 1993* (see *Gazette* 30.9.1993 p1422)

Trade Measurement (Weighbridges) Regulations 1993 made under the *Trade Measurement Act 1993* (see *Gazette* 30.9.1993 p1390)

Trade Measurement Administration Regulations 1993 made under the *Trade Measurement Administration Act 1993* (see *Gazette* 30.9.1993 p1445)

Workers Rehabilitation and Compensation (Scales of Medical and Other Charges) Regulations 1995 made under the *Workers Rehabilitation and Compensation Act 1986* (see *Gazette* 16.11.1995 p1370)

Young Offenders Regulations 1993 made under the *Young Offenders Act 1993* (see *Gazette* 9.12.1993 p2897)

Schedule 2—Expiry of obsolete regulations

Collections for Charitable Purposes (Collection Bins) Regulations 1995 made under the *Collections for Charitable Purposes Act 1939* (see *Gazette* 23.11.1995 p1425)

Superannuation (Kingston Soldiers' Memorial Hospital Employees) Regulations 1993 made under the *Superannuation Act 1988* (see *Gazette* 1.7.1993 p397)

WorkCover Corporation (Claims Management—Contractual Arrangements) Regulations 1995 made under the *WorkCover Corporation Act 1994* (see *Gazette* 9.2.1995 p274)

Schedule 3—Revocation of *Subordinate Legislation (Postponement of Expiry) Regulations 2005*

The *Subordinate Legislation (Postponement of Expiry) Regulations 2005* are revoked.

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 24 August 2006

No 211 of 2006

DPC023/97PT2CS

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ADELAIDE CITY COUNCIL

Confirmation of Road Spelling

PURSUANT to section 219 of the Local Government Act 1999, it is necessary to confirm the spelling of the road situated off 23 Buxton Street to be Glandfield Court.

Notice given concurs with The Corporation of the City of Adelaide resolution of 29 April 1985 and the *Government Gazette* entry of 30 May 1985.

M. HEMMERLING, Chief Executive Officer

CITY OF VICTOR HARBOR

Casual Vacancy

NOTICE is hereby given that Scott Schubert has tendered his resignation from the position of Mayor pursuant to section 54 (1) (b) of the Local Government Act 1999, effective 20 August 2006. At a meeting of Council held on 14 August 2006, Council elected Councillor Deane Michelmore to act in the office of Mayor until the conclusion of the next general election pursuant to section 54 (8) of the Local Government Act 1999.

G. K. MAXWELL, City Manager

DISTRICT COUNCIL OF BARUNGA WEST

Council Election

NOTICE is hereby given that nominations will be received between Tuesday, 5 September 2006 until 12 noon on Tuesday, 19 September 2006 from any person eligible and wishing to be a candidate for election to the positions listed below. Candidates must submit a profile of no more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Council nomination information is set out below:

10 Councillors—District Council of Barunga West

Nomination kits are available from:

Council Offices at:

Bay Street Port Broughton (8635 2107) or

Railway Terrace, Bute (8826 2011).

A briefing session for intending candidates will be held at 7 p.m. on Thursday, 7 September 2006 at the Port Broughton Council Board Room, Bay Street, Port Broughton.

N. HAND, District Manager

DISTRICT COUNCIL OF CEDUNA

Council Election

NOMINATIONS will be received between Tuesday, 5 September 2006 until 12 noon on Tuesday, 19 September 2006, from any person eligible and wishing to be a candidate for election to any of the positions listed below. Candidates must submit a profile of no more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Council nomination information is set out below:

1 Vacancy—Mayor

8 Vacancies—Councillor

Nomination kits are available from:

Council Administration Centre

44 O'Loughlin Terrace, Ceduna

Phone: (08) 8625 3407.

A briefing session for intending candidates will be held at 6 p.m. on Tuesday, 5 September 2006, at the Council Chambers, 44 O'Loughlin Terrace, Ceduna.

K. MOUSLEY, Returning Officer

THE COORONG DISTRICT COUNCIL

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that The Coorong District Council at its meeting held on 8 August 2006, resolved as follows:

Adoption of Valuation

That the most recent valuations of the Valuer-General available to the Council, of the capital value of land within the Council's area, be adopted, totalling \$1 140 090 440, comprising \$1 111 662 722 rateable and \$28 427 718 non-rateable.

Declaration of Differential General Rates

To declare the following general rates:

1. Fixed charge of \$295.

2. Differential general rates of:

(1) 0.2897 cents in the dollar of the capital value of the land within the townships of Coonalpyn and Tintinara; the Residential, Commercial, Industry, Community, Tourist Accommodation, Town Centre and River Murray and Lakes Zones of the township of Tailem Bend; the Residential, Commercial Industry, Community, Tourist Accommodation, Town Centre and River Murray and Lakes Zones of the township of Meningie; the Residential, Marina and Tourist Accommodation Zones of East Wellington.

(2) 0.2563 cents in the dollar of the capital value of all other rateable land.

*Declaration of Separate Rate—Natural Resources Management Levy**South Australian Murray-Darling Basin Natural Resources Management Levy*

Notice is hereby given that pursuant to section 95 of the Natural Resources Management Act 2004 and sections 152 and 154 of the Local Government Act 1999, the Coorong District Council declares a separate rate of 0.006266 cents in the dollar of the capital value of rateable land in the area of the Council and of the SA Murray-Darling Basin Natural Resources Management Board in order to recoup the amount of \$38 293 being Council's contribution to the South Australian Murray-Darling Basin Natural Resources Management Board for the period ending 30 June 2007.

South East Natural Resources Management Levy

Notice is hereby given that pursuant to section 95 of the Natural Resources Management Act 2004 and sections 152 and 154 of the Local Government Act 1999, the Coorong District Council declares a separate rate of \$30.62 per separate assessment of rateable land in the area of the Council and of the South East Natural Resources Management Board in order to recoup the amount of \$25 719 being Council's contribution to the South East Natural Resources Management Board for the period ending 30 June 2007.

Service Charges

1. To declare the following service charges for the recovery of Common Wastewater Management Scheme and Disposal costs:

(a) \$150 per unit for occupied land in the Meningie, Tailem Bend, Tintinara and East Wellington Schemes;

(b) \$30 per unit for vacant land in the Meningie, Tailem Bend, Tintinara and East Wellington Schemes.

2. To declare the following service charges for the supply of water:

(a) in the area of the Narrung Water Scheme:

\$165—Vacant Land

\$430—Occupied Land

(b) in the area of the East Wellington Water Scheme:

a service charge comprised of \$165 plus 90c per kL for water usage in excess of 125 kL per annum;

(c) in the area of the Peake Water Scheme:

a service charge comprised of \$120 plus 90c per kL for water usage in excess of 125 kL per annum.

T. F. DREW, Chief Executive Officer

THE COORONG DISTRICT COUNCIL

DEVELOPMENT ACT 1993

The Coorong District Council Development Plan General Plan Amendment Report— Draft for Public Consultation

NOTICE is hereby given that The Coorong District Council has, pursuant to sections 24 and 25 of the Development Act 1993, prepared a draft Plan Amendment Report (PAR) to amend The Coorong District Council Development Plan. The proposed amendments affect the entire district of The Coorong District Council.

The draft PAR proposes to amend policies and zoning within The Coorong (DC) Development Plan to provide a modified Development Plan format, that includes housing for farm workers, the aged, aged care, youth and persons with disabilities.

Amended provisions for land division, dwellings, off street car parking, waste management and trade waste, water run-off, contaminated site management, public safety and crime prevention, renewable energy, farm forestry, Ramsar Wetlands, soil degradation, dry land salinity, infrastructure, heritage conservation, outdoor advertising and telecommunications.

The draft PAR proposes changes to the Settlement Zones reflecting the differences between Inland, River, Lake and the Coorong settlements. New zones are also introduced to better reflect the existing and proposed use such as the creation of a new Mixed Use (Tailem Bend River Cliffs and Waterfront) Zone, Old Tailem Town Zone, Tourism Accommodation Zone and Special Uses (Motor Vehicle Development Track) Zone at Tailem Bend.

The draft PAR will rectify anomalies between Zone and Policy Area Maps, it will adjust and expand Commercial Industrial Zones in Tintinara and Meningie, new Home Industry Zone (Meningie and Deferred Residential Zone Tintinara and Meningie). The draft PAR will also amend policies in the Special Purpose (Airfield) Zone of Meningie and Tintinara and provide additional area for the Commercial (Bulk Handling) Zone at Coonalpyn and will include all existing Conservation Parks into Conservation Zones with all minor adjustments.

Additional Overlay Maps will be included for greater clarity and other minor amendments to improve the general appearance of the plan.

The draft PAR will commence public consultation on Thursday, 24 August 2006.

Copies of the draft PAR are available during normal office hours at the offices of The Coorong District Council at:

49 Princes Highway, Meningie;
95 Railway Terrace, Tailem Bend; and
37 Becker Terrace, Tintinara.

Alternatively the PAR can be viewed on the Internet at: www.coorong.sa.gov.au.

Written submissions regarding the draft PAR should be submitted no later than 5 p.m. on Friday, 27 October 2006.

All submissions should be addressed to The Chairman, Plan Amendment Committee, c/o Clarry Fisher, Manager Development and Environmental Services, Coorong District Council, P.O. Box 28, Meningie, S.A. 5264 and should clearly indicate whether you wish to be heard in support of your submission at the public hearing. If you wish to lodge your submission electronically, please email it to the The Chairman, Plan Amendment Committee at: cfisher@coorong.sa.gov.au.

Copies of public submissions will be available for inspection at the offices of The Coorong District Council at:

49 Princes Highway, Meningie;
95 Railway Terrace, Tailem Bend; and
37 Becker Terrace, Tintinara,

from Friday, 3 November 2006 until the conclusion of the public hearing. Submissions will also be made available on The Coorong District Council website www.coorong.sa.gov.au from Monday, 6 November 2006, until the conclusion of the public hearing.

Public hearings will be held during November 2006 at the following locations:

Tailem Bend Senior Citizens and Community Function Centre, Murray Street, Tailem Bend at 7:30 p.m. on Wednesday, 8 November 2006;

Meningie Bowling Club, Princes Highway, Meningie at 7:30 p.m. on Wednesday, 15 November 2006; and

The Tintinara Council Chambers, Becker Terrace, Tintinara at 7:30 p.m. on Wednesday, 22 November 2006,

at which interested persons may appear to be heard in relation to the draft PAR and the submissions. The public hearings will not be held if no submissions are received or if those making submissions request not to be heard.

If you would like further information about the draft PAR, please contact Clarry Fisher, Manager Development and Environmental Services, The Coorong District Council, telephone (08) 8572 3611 or via email at cfisher@coorong.sa.gov.au.

Dated 24 August 2006.

T. DREW, Chief Executive Officer

KANGAROO ISLAND COUNCIL

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at a special meeting held on 11 August 2006, the Kangaroo Island Council, in exercise of the powers contained in Chapter 10 of the Local Government Act 1999, passed the following resolutions for the financial year ending 30 June 2007:

Adoption of Valuation

1. Pursuant to section 167 (2) (a) of the Local Government Act 1999, adopted for rating purposes, the Valuer-General's valuation of capital values for all property within the area of the Council totalling \$1 087 540 740.

Fixed Charge

2. Pursuant to section 152 (1) (c) of the Local Government Act 1999, imposed a fixed charge of \$270 in respect of each separate piece of rateable land in its area.

Differential General Rates

3. Pursuant to sections 153 (1) (c), 152 (1) (b) and 156 (1) (a) of the Local Government Act 1999, declared Differential General Rates in the area, in accordance with the use of the land as follows:

Residential—0.18 of a cent in the dollar;
Commercial—Shop—0.30 of a cent in the dollar;
Commercial—Office—0.30 of a cent in the dollar;
Commercial—Other—0.30 of a cent in the dollar;
Industry—Light—0.30 of a cent in the dollar;
Industry—Other—0.30 of a cent in the dollar;
Primary Production—0.23 of a cent in the dollar;
Vacant Land—0.29 of a cent in the dollar; and
Other Rateable Land—0.30 of a cent in the dollar.

Service Charges

4. Waste Management Service Charge:

Pursuant to sections 155 (1) (b) and 155 (2) of the Local Government Act 1999, Council imposed an annual service charge in respect of the collection, treatment or disposal (including recycling) of waste (where the Council provides or makes available the service) as follows:

- 4.1 Waste Management Service Charge of \$285 per occupied rateable property;
- 4.2 Waste Management Service Charge of \$185 per vacant rateable property; and
- 4.3 Waste Management Service Charge of \$185 per non-rateable property.

5. Community Waste Management Scheme Service Charge (formerly STEDS):

Pursuant to sections 155 (1) (b) and 155 (2) (b) of the Local Government Act 1999, Council imposed an annual service charge in respect of effluent disposal within the townships of Kingscote and Parndana and within the extent of the Community Waste Management Schemes within these and adjacent areas, and that such charge be as follows:

(1) within the townships of Kingscote and Brownlow:

	\$
Vacant Land	405
Occupied Land.....	405

(2) within the township of Parndana:

Vacant Land	405
Occupied Land.....	405

Payment of Rates

6. That pursuant to section 181 (1) (a) of the Local Government Act 1999, Council determined that rates for the year ending 30 June 2007, are payable in four equal quarterly instalments due on 20 September 2006, 20 December 2006, 20 March 2007 and 20 June 2007, respectively.

Rebates (Capping)

7. That pursuant to section 166 (1) (l) of the Local Government Act 1999, Council will offer ratepayers a rebate of rates to provide relief against what would otherwise amount to a substantial charge in rates payable by a ratepayer due to rapid changes in valuations or anomalies in valuations.

Council has therefore introduced an automatic rate cap during the 2006-2007 financial year to be applied to all properties where the increase in general rates imposed for the 2006-2007 financial year is greater than 5 per cent of the rates imposed in the 2005-2006 financial year.

Rebates will not apply where:

- Ownership of the property has changed in the previous financial year.
- Where the increase in general rates imposed is due in whole or in part to an increase in valuation attributable to improvements made to the property which are valued in excess of \$10 000.
- Where the increase in rates imposed is due in whole or in part to an increase in the valuation of the property attributable to a change in the zoning or use of the property.

Natural Resources Management Levy

8. That pursuant to section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999 declared a separate rate of \$10.25 on each separate assessment of rateable land for the purpose of recovering the Natural Resources Management Levy payable to the Kangaroo Island Natural Resources Management Board.

N. BROWN, Chief Executive Officer

KINGSTON DISTRICT COUNCIL

Council Election

NOMINATIONS for Council elections will be received between 9 a.m. on Tuesday, 5 September 2006 until 12 noon on Tuesday, 19 September 2006, from any person eligible and wishing to be a candidate for election to any of the positions listed below. Candidates must submit a profile of no more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Council nomination information is set out below:

- 4 Vacancies—Councillor for Kingston Ward
- 2 Vacancies—Councillor for Watervalley Ward
- 2 Vacancies—Councillor for Blackford Ward
- 3 Vacancies—Councillor for Woolmit Ward

Nomination kits are available from:

Kingston District Council Office
29 Holland Street, Kingston SE
Phone: 8767 2033.

A briefing session for intending candidates will be held at 5 p.m. on Wednesday, 13 September 2006, at the Council Chambers, 29 Holland Street, Kingston SE.

M. MCCARTHY, Deputy Returning Officer

DISTRICT COUNCIL OF LE HUNTE

Council Election

NOMINATIONS will be received between Tuesday, 5 September 2006 until 12 noon Tuesday, 19 September 2006, from any person eligible and wishing to be a candidate for election to any of the positions listed below. Candidates must submit a profile of no more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Council nomination information is set out below:

7 Vacancies—Councillor for Area

Nomination kits are available from:

Council Office
Burton Terrace
P.O. Box 6, Wudinna, S.A. 5652
Telephone Number: (08) 8680 2002.

A briefing session for intending candidates will be held at 8 p.m. on Tuesday, 5 September 2006 at the Council Chambers, Burton Terrace, Wudinna, S.A. 5652.

K. MOUSLEY, Returning Officer

LIGHT REGIONAL COUNCIL

Road Closure

NOTICE is hereby given that pursuant to the provisions of section 359 of the Local Government Act 1934, as amended, Light Regional Council has resolved, at its meeting held on 15 August 2006, to exclude all vehicles except bicycles from Schmidt Road, situated in the localities of Hewett and Kingsford, (being the public road dividing sections 11 and 916 from sections 16 and 343 in the Hundred of Nuriootpa), until further notice.

P. J. BEARE, Chief Executive Officer

MID MURRAY COUNCIL

DEVELOPMENT ACT 1993

Mannum Neighbourhood Centre Plan Amendment Report (PAR)—

Draft for Public Consultation

NOTICE is hereby given that the Mid Murray Council has prepared a draft Plan Amendment Report to amend the Mid Murray Council Development Plan.

The Plan Amendment Report will amend the Mid Murray Council Development Plan by making amendments to existing policies and introducing a new Mannum Neighbourhood Centre Zone. The main aim of the amendment is to rezone land in the vicinity of the Mid Murray Council community complex (including the 'Sawmill' property) at Mannum to accommodate a range of facilities commensurate with a neighbourhood centre, including a supermarket.

The draft Plan Amendment Report will be available for public inspection between 9 a.m. and 5 p.m. at the three offices of the Mid Murray Council i.e. Mannum, Cambrai and Morgan and on Council's website at www.mid-murray.sa.gov.au from Wednesday, 23 August 2006 to Tuesday, 24 October 2006. A copy of the Plan Amendment Report can be purchased from the Council for \$10 and can also be downloaded from the Council's website at www.mid-murray.sa.gov.au.

Written submissions regarding the draft amendment will be accepted by the Mid Murray Council until 5 p.m. on Tuesday, 24 October 2006. The written submission should clearly indicate whether you wish to speak at the public hearing on your submission. All submissions should be addressed to the Chief Executive Officer, Mid Murray Council, P.O. Box 28, Mannum, S.A. 5238.

Copies of all written submissions received will be available for inspection by interested persons at the Mid Murray Council offices from 9 a.m. on Wednesday, 25 October 2006 to 5 p.m. on Wednesday, 8 November 2006.

A public hearing will be held at 7 p.m. on Wednesday, 8 November 2006 at The Barn, Mannum Motel, Purnong Road, Mannum, to enable persons to speak to Council in relation to the Plan Amendment Report and submissions. Persons wishing to speak at the hearing should clearly indicate this on their written submission. The public hearing may not be held if no submission indicates an interest in speaking at the public hearing.

For further information, contact the Manager, Environmental Services at Mid Murray Council on (08) 8564 6020.

Dated 23 August 2006.

D. H. GOLLAN, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT REMARKABLE

Council Election

NOMINATIONS will be received from Tuesday, 5 September 2006 until 12 noon Tuesday, 19 September 2006 from any person eligible and wishing to be a candidate for election to any of the positions listed below. Candidates must submit a profile of no more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Council nomination information is set out below:

- 2 Vacancies—Councillor for Coastal Ward
- 2 Vacancies—Councillor for Plains Ward
- 2 Vacancies—Councillor for Ranges Ward
- 1 Vacancy—Councillor for Forest Ward

Nomination kits are available from:

District Council of Mount Remarkable Council Office
Stuart Street, Melrose or
by telephoning (08) 8666 2014 during business hours.

A briefing session for prospective candidates will be held at 7.30 p.m. on Tuesday, 5 September 2006 in the Council Chambers, Stuart Street, Melrose.

K. MOUSLEY, Returning Officer

DISTRICT COUNCIL OF ROBE

Appointment of Authorised Officer—General Inspector

Dog and Cat Management Act 1995

NOTICE is hereby given that the District Council of Robe hereby appoints Dennis Crafter, 10 Peter McQueen Avenue, Robe as an Authorised Officer under the provisions of section 27 of the Dog and Cat Management Act 1995 as from 8 August 2006 until revoked.

Local Government Act 1999

District Council of Robe hereby appoints Dennis Crafter, 10 Peter McQueen Avenue, Robe as an Authorised Officer under the provisions of section 260 of the Local Government Act 1999 as from 8 August 2006 until revoked.

Parking

District Council of Robe hereby appoints Dennis Crafter, 10 Peter McQueen Avenue, Robe as an Authorised Officer pursuant to section 174 (c) of the Road Traffic Act 1961, to exempt any person or any persons of a specified class of any specified vehicle or any vehicles or a specified class from compliance within its area with any provision of the Local Government (Parking) Regulations 1991.

Vehicle and Farm Implements

Pursuant to section 236 of the Local Government Act 1999, the power to remove any apparent abandoned vehicle or farm implement, from a public place and if no claim is made for the return of the vehicle or farm implement within seven days of such removal, to proceed to sell or dispose of the vehicle or farm implement and to pay the proceeds into the general funds of the Council.

Pursuant to section 234 of the Local Government Act 1999, as a result of any accidents involving the vehicle or vehicles, to remove any litter, refuse or waste matter, goods, materials, earth, stone, gravel or other substances or parts of the vehicle or vehicles left on any part of any street, road or public place of on any land owned by, or under the care, control and management of the Council, the power to clear the area by removing it and recovering the cost of so doing from the driver of the vehicle, or the driver of any one of the vehicles.

Pursuant to section 237 of the Local Government Act 1999:

- (a) the power if a vehicle of any kind is left on any part of any street, road or public place, or on any land or building owned by, or under the care, control and management of the Council for periods of not less than 24 hours, to cause the vehicle to be moved to such place as the officer determines;
- (b) the duty to give the owner of the vehicle written notice of the removal and the place to which the vehicle was removed, after any such removal and to serve such notice on the owner personally or where the owner is unknown or cannot be found, by placing advertisements in two newspapers circulating generally in South Australia;
- (c) where the owner of the vehicle does not, within 14 days after the service of the notice of the placing of the advertisements, pay all expenses in connection with the removal, custody and maintenance of the vehicle, and of serving notice of advertising, take possession of the vehicle, the duty to sell the vehicle and apply the proceeds in accordance with the provisions of subsection (4) of that section.

Environment Protection Act 1993

Pursuant to section 4 of the Environment Protection (Burning) Policy 1994, the power to give written consent for the burning of matter by a fire in the opinion of non-domestic premises for such periods and subject to such conditions as are necessary or desirable to control or minimise air pollution from the land or premises concerned.

Pursuant to section 5 (5) of the Environment Protection (Burning) Policy 1994 the power to provide permission in writing or by notice published in a newspaper or other publication relating to burning off for the purpose of reducing the hazard of bushfires subject to:

- (a) such permission not exceeding two months; and
- (b) the imposition of such conditions as the Chief Executive Officer thinks fit.

Dog and Cat Management Act 1995

Pursuant to sections 50 and 51 of the Dog and Cat Management Act 1995, the power upon the Chief Executive Officer's own initiative or on application to:

- (a) make a destruction order where a dog is unduly dangerous and has attacked, harassed or chased a person or an animal or bird owned by or in the charge of a person in circumstances that would constitute an offence against the Act;
- (b) make a Control (Dangerous Dog) Order or a Control (Nuisance Dog) Order if satisfied that a dog is dangerous or a nuisance and has attacked, harassed or chased a person or an animal or bird owned by or in the charge of a person in circumstances that would constitute an offence against this Act.

Pursuant to section 52 of the Dog and Cat Management Act 1995, the duty, before making an order under section 51 of the Dog and Cat Management Act 1995, to take all reasonable steps to ascertain all persons who own or are responsible for the control of the dog and to give each of the person so ascertained at least seven days written notice identifying the dog in relation to which it is proposed to make the order, setting out the terms of the proposed order and inviting the owner or other person to make submissions within seven days (or longer) with respect to the matter.

Pursuant to section 53 of the Dog and Cat Management Act 1995, the power to issue written directions from time to time to a person who owns or is responsible for the control of a dog subject to an order under section 50 of the Dog and Cat Management Act 1995, about how the order may be complied with.

R. J. KAY, Chief Executive Officer

SOUTHERN MALLEE DISTRICT COUNCIL

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the Southern Mallee District Council at the meeting held on 31 July 2006, resolved as follows:

Adoption of Valuation

In accordance with section 167 (2) (a) of the Local Government Act 1999, adopts the Government assessment capital rateable value in relation to the area of the Council and totalling \$339 936 860 and hereby specifies 1 July 2006, as the day as and from which such valuation shall become and be the valuation of the Council for the year ending 30 June 2007 (Total Valuation \$353 291 880).

Declaration of Rates—Differential General Rates

Pursuant to section 153 (1) (b) and section 156 (1) (b) of the Local Government Act 1999, declares a differential general rate on property within its area for the financial year ending on 30 June 2007:

- 0.73 of a cent in the dollar—Township of Geranium, Parilla, PARRAKIE, Pinnaroo and Lameroo.
- 0.565 of a cent in the dollar—all the rural land outside the abovementioned townships.

Minimum Amount Payable by Way of Rates.

Pursuant to section 158 of the Local Government Act 1999, declares a minimum amount payable by way of rates in respect of rateable land within the whole of the area of \$290.

Rate Rebates

Pursuant to Division 5 of the Local Government Act 1999, Council granted rebates on rates to achieve the following effect:

	\$
• Maximum residential only rate payable in towns	1 000
• Parilla and Geranium vacant unused land	140
• Lameroo and Pinnaroo vacant unused land	187
• Rest of area unused vacant land	70

Service Charges

Pursuant to section 155 (2) (a) of the Local Government Act 1999, declares a service charge payable on the land benefited:

- Eastern Mallee Highway—Pinnaroo:
 - \$335 per unit vacant land;
 - \$478 per unit occupied land.
- Remainder of Lameroo and Pinnaroo Township:
 - \$41 per unit vacant land;
 - \$184 per unit occupied land.

Natural Resources Management Levy

Pursuant to section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, in order to reimburse to the Council the amount contributed to the South East Natural Resources Management Board for the year ending 30 June 2007, the Council declares a separate rate based on a fixed charge of the same amount on all rateable land in the Council area within the Board area of \$33.40.

Pursuant to section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, in order to reimburse to the Council the amount contributed to the SA Murray-Darling Basin Natural Resources Management Board for the year ending 30 June 2007, a separate rate of 0.0076 of a cent in the dollar be declared on all rateable land in the Council's area within the Board.

Method of Payment

Pursuant to section 181 of the Local Government Act 1999, declares the above rates to be paid by four equal or approximately equal instalments on 25 September 2006, 15 December 2006, 5 March 2007 and 4 June 2007.

P. WOOD, Chief Executive Officer

DISTRICT COUNCIL OF TUMBY BAY

Declaration of Differential General Rates—Correction

NOTICE is hereby given that the Council for the District Council of Tumby Bay, exercising the powers under sections 153 and 156 (1) (b) of the Local Government Act 1999, hereby declares a Differential General Rate according to the locality of the land as follows:

0.359417 cents in the dollar for land within the defined townships of Tumby Bay, Port Neill, Lipson and Ungarra, except for the Commercial Bulk Handling Zone, within the Ungarra Township.

7.203175 cents in the dollar for land within the Commercial Bulk Handling Zone as defined in the Council's Development Plan, in the Ungarra Township and the Hundreds of Hutchison and Dixon.

0.341513 cents in the dollar for all other land within the Council's area.

E. A. ROBERTS, District Clerk

DISTRICT COUNCIL OF TUMBY BAY

Council Election

NOMINATIONS will be received between Tuesday, 5 September 2006, until 12 noon on Tuesday, 19 September 2006, from any person eligible and wishing to be a candidate for election to any of the positions listed below. Candidates must submit a profile of no more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Council nomination information is set out below:

9 Vacancies—Councillor for Area

Nomination kits are available from:

Council Office
Mortlock Street, Tumby Bay
Phone: (08) 8688 2101.

A briefing session for intending candidates will be held at 7 p.m. on Tuesday, 5 September 2006, in the Council Chambers, Mortlock Street, Tumby Bay.

E. A. ROBERTS, Deputy Returning Officer

DISTRICT COUNCIL OF YANKALILLA

Temporary Road Closure

NOTICE is hereby given that the District Council of Yankalilla at its meeting held on 17 August 2006, resolved that pursuant to section 359 (1) of the Local Government Act 1934, as amended, that all vehicles other than those vehicles identified in Column 3 below, shall be excluded from the road so named in Column 1 and as described in Column 2.

Column 1 Street	Column 2 Location	Column 3 Class of Vehicles Exempt
Bower Road, Yankalilla (northern boundaries of allotments 476 and 482)	10 m south of the northern boundaries of allotments 476 and 482	Any vehicle owned or operated by or on behalf of the District Council of Yankalilla for the purpose of road maintenance. Non-motor powered cycles.

The closure commenced from 17 August 2006, for an indefinite period.

R. D. SWEETMAN, Chief Executive

DISTRICT COUNCIL OF YORKE PENINSULA

Council Election

NOMINATIONS will be received between Tuesday, 5 September 2006, until 12 noon on Tuesday, 19 September 2006, from any person eligible and wishing to be a candidate for election to any of the positions listed below. Candidates must submit a profile of no more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Council nomination information is set out below:

- 1 Vacancy—Mayor
- 4 Vacancies—Councillor for Kalkabury Ward
- 3 Vacancies—Councillor for Gum Flat Ward
- 4 Vacancies—Councillor for Innes/Penton Vale Ward

Nomination kits are now available from any of Council's Branch Offices located at:

- 8 Elizabeth Street, Maitland;
- 18 Main Street, Minlaton;
- 15 Edithburgh Road, Yorketown; and
- 3 Player Street, Warooka

A briefing session for intending candidates will be conducted at 7.30 p.m. on Wednesday, 6 September 2006, in the Council Chambers, Minlaton Town Hall, Main Street, Minlaton.

If you require further information please contact Deputy Returning Officers, Michael Catford or Kerry Hage at Council's Minlaton Branch Office on (08) 8853 3800.

K. MOUSLEY, Returning Officer

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

- Burgin, Peter John*, late of 12 Hambridge Road, Davoren Park, retired electrical technician, who died on 11 June 2006.
- Kempster, Winston Gunson*, late of 11 Wharf Crescent, Port Wakefield, retired sales representative, who died on 2 November 2005.
- Donald, Neil Frederick*, late of 67 Porter Street, Salisbury, retired telecommunications technician, who died on 26 April 2006.
- Douglas, Donald*, late of 5 Morea Street, Taperoo, of no occupation, who died on 3 July 2006.
- Drever, Dorothy Mary*, late of 7-12 Majors Road, North Moonta, widow, who died on 18 April 2006.

- Glassenbury, Tottie Ethel*, late of 80 Moseley Street, Glenelg South, of no occupation, who died on 30 May 2006.
- Gooley, Milton James*, late of 21 Foster Street, Parkside, retired telecommunications engineer, who died on 24 April 2006.
- Hayes, Marie Jean*, late of 86 Oaklands Road, Glengowrie, of no occupation, who died on 17 May 2006.
- Kay, Eileen Margaret May*, late of 333 Marion Road, North Plympton, retired manageress, who died on 29 June 2006.
- Paget, Lillian Gertrude*, late of 15 Rosemary Street, Woodville West, of no occupation, who died on 17 May 2006.
- Patterson, Ronald Albert*, late of 1 Jenkins Avenue, Victor Harbor, retired motor mechanic, who died on 31 May 2006.
- Penney, Lorna Peace*, late of 171 Anzac Highway, Kurralta Park, home duties, who died on 25 June 2006.
- Roberts, Gwyn Lancelot*, late of 39 Finnis Street, Marion, retired clerk, who died on 16 May 2006.
- Robjohns, Stephen Leonard*, late of 12-16 Moore Street, Somerton Park, of no occupation, who died on 8 February 2006.
- Skulte, Ilmars*, late of 278 Cross Road, Clarence Park, retired postal worker, who died on 17 March 2006.
- Tepper, Luis Alfred*, late of 14 Frew Street, Fullarton, retired school teacher, who died on 2 May 2006.
- Twartz, Arnold Frederick*, late of 32 Cross Road, Myrtle Bank, retired teacher, who died on 31 March 2006.
- Wakefield, Colin Bruce*, late of Newton Street, Whyalla, retired maintenance planner, who died on 16 June 2006.
- Watts, Queenie Ida Amerlia*, late of 1A Mount Barker Road, Hahndorf, of no occupation, who died on 1 July 2006.
- Wilcox, Arthur William*, late of 34 Molesworth Street, North Adelaide, retired wool skin buyer, who died on 1 June 2006.

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 22 September 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 24 August 2006.

C. J. O'LOUGHLIN, Public Trustee

ATTENTION

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

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

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

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

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

Email: governmentgazette@saugov.sa.gov.au