



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 3 JULY 2008

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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@dpc.sa.gov.au](mailto:governmentgazette@dpc.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](http://www.governmentgazette.sa.gov.au)

Department of the Premier and Cabinet  
Adelaide, 3 July 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Adelaide Festival Corporation Board, pursuant to the provisions of the Adelaide Festival Corporation Act 1998:

Member: (from 3 July 2008 until 2 July 2011)  
Caroline Treloar

By command,  
PAUL CAICA, for Premier

ASACAB001/02

Department of the Premier and Cabinet  
Adelaide, 3 July 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Art Gallery Board, pursuant to the provisions of the Art Gallery Act 1939:

Member: (from 3 July 2008 until 2 July 2011)  
Sandra Sdraulig

By command,  
PAUL CAICA, for Premier

ASACAB007/02

Department of the Premier and Cabinet  
Adelaide, 3 July 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Adelaide Dolphin Sanctuary Advisory Board, pursuant to the provisions of the Adelaide Dolphin Sanctuary Act 2005:

Member: (from 3 July 2008 until 2 July 2011)  
John Cugley

By command,  
PAUL CAICA, for Premier

EHCS08/0016

Department of the Premier and Cabinet  
Adelaide, 3 July 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Land Board, pursuant to the provisions of the Crown Lands Act 1929:

Member: (from 3 July 2008 until 2 July 2010)  
Jack Anthony Nicolaou  
Helen Smyth  
Maria Toscano

Chair: (from 3 July 2008 until 2 July 2010)  
Jack Anthony Nicolaou

Deputy Chair: (from 3 July 2008 until 2 July 2010)  
Helen Smyth

By command,  
PAUL CAICA, for Premier

EHCS08/0017

Department of the Premier and Cabinet  
Adelaide, 3 July 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Paul Holloway, MLC, Minister for Police, Minister for Mineral Resources Development and Minister for Urban Development and Planning to be also Acting Deputy Premier, Acting Treasurer, Acting Minister for Industry and Trade and Acting Minister for Federal/State Relations for the period from 5 July 2008 to 13 July 2008 inclusive, during the absence of the Honourable Kevin Owen Foley, MP.

By command,  
PAUL CAICA, for Premier

MIT08/007CS

Department of the Premier and Cabinet  
Adelaide, 3 July 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Jane Diane Lomax-Smith, MP, Minister for Education and Children's Services, Minister for Tourism and Minister for the City of Adelaide to be also Acting Minister for Employment, Training and Further Education, Acting Minister for Science and Information Economy, Acting Minister for Youth and Acting Minister for Gambling for the period from 5 July 2008 to 20 July 2008 inclusive, during the absence of the Honourable Paul Caica, MP.

By command,  
PAUL CAICA, for Premier

METAFE05/08CS

Department of the Premier and Cabinet  
Adelaide, 3 July 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, MP, Minister for Health, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to also be Acting Minister for Environment and Conservation and Acting Minister for Mental Health and Substance Abuse for the period from 4 July 2008 to 18 July 2008 inclusive, during the absence of the Honourable Gail Elizabeth Gago, MLC.

By command,  
PAUL CAICA, for Premier

EHCS08/0020

Department of the Premier and Cabinet  
Adelaide, 3 July 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint Peter Burkhard Severin to the position of Chief Executive, Department for Correctional Services, for a term of three years commencing on 28 July 2008 and expiring on 27 July 2011, pursuant to Part 4 of the Public Sector Management Act 1995.

By command,  
PAUL CAICA, for Premier

DPC018/03CS

Department of the Premier and Cabinet  
Adelaide, 3 July 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint Allan Norman Holmes to the position of Chief Executive, Department for Environment and Heritage, for a term of three years, commencing on 31 July 2008 and expiring on 30 July 2011, pursuant to Part 4 of the Public Sector Management Act 1995.

By command,  
PAUL CAICA, for Premier

DPC022/00PT23CS

Department of the Premier and Cabinet  
Adelaide, 3 July 2008

HIS Excellency the Governor in Executive Council has been pleased to appoint Franklyn King Cawthorne and Leslie Trevor Olsson to the offices of Judge of the Industrial Relations Court of South Australia and Deputy President of the Workers Compensation Tribunal of South Australia both on an auxiliary basis, for a period commencing on 3 July 2008 and expiring on 30 June 2009, it being a condition of appointment that the powers and jurisdictions of the offices should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment, pursuant to the Judicial Administration (Auxiliary Appointments and Powers) Act 1988.

By command,  
PAUL CAICA, for Premier

MIR08/014CS

Department of the Premier and Cabinet  
Adelaide, 3 July 2008

HIS Excellency the Governor in Executive Council has revoked the appointment of David Lloyd Mulcahy as Registrar-General and Registrar-General of Deeds, having noted his resignation, pursuant to the Constitution Act 1934, the Real Property Act 1886, the Registration of Deeds Act 1935 and section 36 of the Acts Interpretation Act 1915.

By command,

PAUL CAICA, for Premier

AGO0018/08CS

#### ADMINISTRATIVE ARRANGEMENTS ACT 1994

##### *Instrument of Delegation*

I, JOHN HILL, Minister for Health, hereby delegate, pursuant to section 9 of the Administrative Arrangements Act 1994 and section 14C of the Acts Interpretation Act 1915, to the Minister for Mental Health and Substance Abuse all the powers and functions of the Minister for Health under the Health Care Act 2008, insofar as those powers and functions relate to or concern matters affecting the provision of mental health services or services relating to substance abuse.

JOHN HILL, Minister for Health

#### 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 a Reserve for Aged Persons Accommodation and Aged Persons Care Purposes and declare that such land shall be under the care, control and management of the Ceduna Koonibba Aboriginal Health Service Incorporated.

##### **The Schedule**

Allotment 2 in Deposited Plan 53108, Town of Thevenard, Hundred of Bonython, County of Way, exclusive of all necessary roads, being the whole of the land comprised in Crown Record Volume 6009, Folio 821.

Dated 3 July 2008.

GAIL GAGO, Minister for Environment  
and Conservation

DENR 08/0855

#### 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:

1. Resume the land defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as Public Road.
3. Dedicate the Crown Land defined in The Third Schedule as Park Lands and declare that such land shall be under the care, control and management of the District Council of the Copper Coast.

##### **The First Schedule**

Portion of Park Lands, Section 1809, adjacent to The Town of Wallaroo, Hundred of Wallaroo, County of Daly, the notice of which, together with other land was published in the *Government Gazette* of 12 September 1985 at page 834, The Second Schedule, being portion of the land comprised in Crown Record Volume 5755, Folio 959.

##### **The Second Schedule**

Allotments 602 and 612 in Deposited Plan 76866, Hundred of Wallaroo, County of Daly, being within the district of the Copper Coast.

#### **The Third Schedule**

Allotments 601 and 613 in Deposited Plan 76866, Hundred of Wallaroo, County of Daly, exclusive of all necessary roads.

Dated 3 July 2008.

GAIL GAGO, Minister for Environment  
and Conservation

DEH 10/1243

#### 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 a Reserve for Fauna Conservation and Aboriginal Heritage Purposes and declare that such land shall be under the care, control and management of the National Trust of South Australia.

##### **The Schedule**

Allotment 51 in Deposited Plan 33248 and Section 66, Hundred of Parcoola, County of Young, exclusive of all necessary roads, being the whole of the land comprised in Crown Record Volume 6007 Folio 879 and Crown Record Volume 5750, Folio 667 (respectively), subject to an existing easement over that portion of Allotment 51 marked A on Deposited Plan 33248 to the South Australian Water Corporation (Land Grant Volume 4402 Folio 536).

Dated 3 July 2008.

GAIL GAGO, Minister for Environment  
and Conservation

DL 3444/1985

#### DEVELOPMENT ACT 1993, SECTION 26 (8) (a) and (d): LAND NOT WITHIN A COUNCIL AREA CONSOLIDATION AND BETTER DEVELOPMENT PLAN (BDP) CONVERSION DEVELOPMENT PLAN AMENDMENT BY THE MINISTER

##### *Preamble*

1. The Development Plan Amendment entitled 'Land Not Within A Council Area Consolidation and Better Development Plan (BDP) Conversion Development 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 divide the Plan Amendment to form:

- Land Not Within A Council Area Consolidation and Better Development Plan (BDP) Conversion Development Plan Amendment.
- Land Not Within A Council Area Consolidation and Better Development Plan (BDP) Conversion Development Plan Amendment (Part 2).

3. The Minister for Urban Development has decided to approve the Land Not Within A Council Area Consolidation and Better Development Plan (BDP) Conversion Development Plan Amendment.

##### NOTICE

PURSUANT to section 26 (8) (a) and (d) of the Development Act 1993, I—

(a) divide the Plan Amendment to form the:

- Land Not Within A Council Area Consolidation and Better Development Plan (BDP) Conversion Development Plan Amendment.
- Land Not Within A Council Area Consolidation and Better Development Plan (BDP) Conversion Development Plan Amendment (Part 2).

(b) approve the Land Not Within A Council Area Consolidation and Better Development Plan (BDP) Conversion Development Plan Amendment

- (c) fix the day on which this notice is published in the *Gazette* as the day on which the Land Not Within A Council Area Consolidation and Better Development Plan (BDP) Conversion Development Plan Amendment will come into operation.

Dated 3 July 2008.

Note: Interim operation pursuant to section 28 of the Development Act 1993 continues to apply to the Land Not Within A Council Area Consolidation and Better Development Plan (BDP) Conversion Development Plan Amendment (DPA) (Part 2). The area affected by the DPA (Part 2) comprises Part CT 5936/550, section 4 in the Hundred of Sturdee, located near Fowlers Bay.

PAUL HOLLOWAY, Minister for Urban Development and Planning

#### FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, the holder of a Prawn Fishery Licence issued pursuant to the Fisheries Management (Prawn Fisheries) Regulations 2006, for the West Coast Prawn Fishery listed in Schedule 1 (the 'exemption holders') or their registered master are exempt from the closure notice made under section 79 of the Fisheries Management Act 2007, published in the *South Australian Government Gazette*, dated 4 March 2008, referring to the West Coast Prawn Fishery. The exemption holder shall not be guilty of an offence when using prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of undertaking a prawn survey (the 'exempted activity') subject to the conditions contained in Schedule 2.

##### SCHEDULE 1

| Licence No. | Licence Holder                     | Vessel Name         | Survey Area |
|-------------|------------------------------------|---------------------|-------------|
| D02         | West Coast Prawn Fisheries Pty Ltd | <i>Lincoln Lady</i> | Ceduna      |

##### SCHEDULE 2

1. This exemption is valid from 1800 hours on 3 July 2008 until 0630 hours on 4 July 2008.
2. The exemption holder must operate within the trawl survey area nominated in Schedule 1.
3. The registered master must keep a 'skippers log' to record catch information during the survey.
4. All fish, other than prawns, southern calamary, arrow squid, scallops, octopus and slipper lobster taken during the exempted activity for survey purposes, are to be returned to the water immediately after capture.
5. While engaged in the exempted activity or unloading the survey catch, the exemption holder must have a copy of this notice on board the vessel or near his person. This notice must be produced to a PIRSA Fisheries Compliance Officer if requested.

6. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any other regulations made under that Act except where specifically exempted by this notice.

Dated 25 June 2008.

S. SLOAN, General Manager, Fisheries Policy

#### FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, published in the *South Australian Government Gazette*, dated 4 March 2008, referring to the West Coast Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a West Coast Prawn Fishery Licence to use prawn trawl nets in the waters specified in Schedule 1, under the conditions specified in Schedule 2, during the period specified in Schedule 3.

##### SCHEDULE 1

The waters of the west coast prawn fishery within Venus Bay and Coffin Bay.

##### SCHEDULE 2

1. Each licence holder must ensure that a representative sample of the catch (a 'bucket count') is taken for each trawl shot carried out during the fishing activity.
2. Each 'bucket count' sample must be accurately weighed to 7 kg where possible and the total number of prawns contained in the bucket must be recorded on the attached data sheet, marked 'West Coast Prawn Fishery Bucket Count Data Sheet'.
3. The information recorded on the 'WCPF Bucket Count Data Sheet' must be returned to SARDI Aquatic Sciences within 15 days of the fishing activity being completed.
4. Fishing must cease if one or both of the following limits are reached:
  - (a) The average catch per vessel, per night (for all three vessels) drops below 300 kg for two consecutive nights.
  - (b) The average prawn 'bucket count' for all three vessels exceeds 240 prawns per bucket on any single fishing night.
5. The fleet must nominate a licence holder to provide a daily update by telephone or SMS message to the PIRSA Fisheries Manager, to report the total prawn catch per night and the average prawn 'bucket count' information.

##### SCHEDULE 3

From 1830 hours on 26 June 2008 to 0700 hours on 10 July 2008.

Dated 24 June 2008.

S. SLOAN, General Manager, Fisheries Policy

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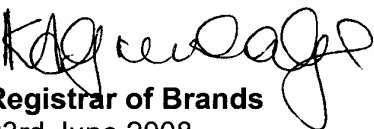
BRANDS ACT, 1933  
4TH QUARTER, 2007

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The following statement of all horse and cattle, sheep and stud stock brands, distinctive brands and marks, sheep earmarks and firebrands registered, transferred and cancelled under the Brands Act, 1933 for the quarter ended 31st December 2007 and the names and addresses of their respective owners, is published in the form of the Twenty-third schedule for general information.

Stockowners whose names, addresses, brands or marks may be incorrectly stated are requested to notify the same to the Registrar and in all such notifications the registered brand of the owner, and the number of the certificate of registration must be given.

Any subsequent change of address must be notified at once to the Registrar.



**Registrar of Brands**  
23rd June 2008

## REGISTRATIONS

### HORSE & CATTLE BRANDS REGISTERED

| Brand | Owner                                | Address               |
|-------|--------------------------------------|-----------------------|
| 7M8   | RA McKenzie                          | HAWKER 5434           |
| 2↵3   | JL Newman                            | GLOBE DERBY PARK 5110 |
| W35   | AP Casanova                          | PORT LINCOLN 5606     |
| Y03   | PH Greenfield<br>(PK & W Greenfield) | PORT AUGUSTA 5700     |
| SK.   | S Kidman & Co Ltd                    | NORTH ADELAIDE 5006   |
| <11   | CM Oldfield                          | MARREE 5733           |
| 11Z   | JL Oldfield                          | MARREE 5733           |

### CATTLE EARMARKS REGISTERED

| Earmark  | Owner                                | Address           |
|----------|--------------------------------------|-------------------|
| XR.1.5   | RA McKenzie                          | HAWKER 5434       |
| A.1.N.5  | JE Nunn                              | LEIGH CREEK 5731  |
| H.6.B.7. | JL Oldfield                          | MARREE 5733       |
| H.2.B.6. | CM Oldfield                          | MARREE 5733       |
| H.2.B.5. | PH Greenfield<br>(PK & W Greenfield) | PORT AUGUSTA 5606 |





### DISTINCTIVE BRANDS FOR HORSES AND CATTLE (TATTOO)

| Brand | Owner | Address |
|-------|-------|---------|
| Nil   |       |         |

**STUD STOCK BRANDS REGISTERED**

| Brand   | Society                                | Owner                                   | Address            |
|---|--|---|--------------------|
|    | Paint Horse Association of Aust        | DC Bell                                 | MARREE 5733        |
| LCS   | Simmental Breeders Association         | TR Cartledge<br>(Menalbyn Pty Ltd)      | MENINGIE 5264      |
| J   | Australian Stock Horse Society         | JJ Beckham                              | TICKERA 5555       |
|    | Australian Warmblood Horse Association | KA Butterworth                          | ECHUNGA 5153       |
| E - W   | Quarter Horse Association              | JL Hazelwood                            | MURRAY BRIDGE 5253 |
|    | Angus Society                          | TW McGregor<br>(Willalooka PastoralCo)  | NARACORTE 5271     |
|    | Murray Grey Society                    | TW McGregor<br>(Willalooka Pastoral Co) | NARACORTE 5271     |
| RM  | Welsh Pony & Cob Society               | RK Marks                                | MANNUM 5238        |
|    | Waler Horse Society of Aust            | CM Oldfield                             | MARREE 5733        |
|    | Australian Pony Stud Book              | SS Tay                                  | STIRLING 5152      |
| K   | Australian Quarter Pony Association    | SS Tay                                  | STIRLING 5152      |
|  | Riding Pony Stud Book Society          | TH Cassells                             | PORT AUGUSTA 5700  |


**SHEEP BRANDS REGISTERED***Central District*

| Brand   | Colour | Position | Owner   | Address            |
|---|--------|----------|---|--------------------|
| O   | Green  | 4        | JB & CG Brennan<br>(Balla-Brooke Proprietors) | KAPUNDA 5373       |
|  | Purple | 4        | MD & KD Jericho                               | MOUNT BARKER 5251  |
| VB  | Blue   | 3        | TV, KM & MT Vandeleur                         | MURRAY BRIDGE 5253 |
| PC  | Green  | 4        | PR & SP Clothier                              | ONE TREE HILL 5114 |
|  | Purple | 4        | DG Gilbert & BJ Ladbrook                      | ORROROO 5431       |
|  | Red    | 1        | KW Purvis<br>(Silverton Park Stud)            | YANKALILLA 5203    |
| S T   | Green  | 1        | KW Purvis<br>(Silverton Park Stud)            | YANKALILLA 5203    |
|  | Green  | 4        | PC Beaton                                     | GOOLWA 5214        |
|  | Green  | 4        | KA Price<br>(Cosy Dell Pty Ltd)               | KADINA 5554        |


*South East District*

| Brand | Colour | Position | Owner           | Address     |
|-------|--------|----------|-----------------|-------------|
| SB    | Purple | 4        | SA & KS Biggins | LOXTON 5333 |

*Western District*

| Brand   | Colour | Position | Owner          | Address        |
|---|--------|----------|----------------|----------------|
| RL  | Blue   | 1        | RM & SS Lawrie | TUMBY BAY 5606 |
|  | Blue   | 4        | AP Wildman     | COWELL 5602    |
| ©   | Green  | 4        | MD & SL Cant   | KIMBA 5641     |

*Northern District*

| Brand   | Colour | Position | Owner                                | Address      |
|---|--------|----------|--------------------------------------|--------------|
|  | Purple | 4        | W Baade<br>(Mount Lyndhurst Station) | KEITH 5267   |
| LC  | Green  | 1        | RJ Coulthard                         | COPLEY 5732  |
| →   | Blue   | 3        | WM & HJ Thomas (Craiglee)            | MANOORA 5414 |

*Kangaroo Island*

| Brand | Colour | Position | Owner | Address |
|-------|--------|----------|-------|---------|
| Nil   |        |          |       |         |

**SHEEP EARMARKS OR FIREBRANDS REGISTERED***Central District*

| Brand or Mark | Owner                                    | Address             |
|---------------|--|---------------------|
| C.3.          | JM & JC Oates<br>(JM & JC Oates Pty Ltd) | BURRA 5417          |
| T.4.          | A Lynch (Terlinga Farm)                  | MOUNT PLEASANT 5235 |

*South East District*

| Brand or Mark | Owner | Address |
|---------------|-------|---------|
| Nil           |       |         |



*Western District*

| Brand or Mark | Owner  | Address    |
|---------------|--|------------|
| W.1.2.        | JH, MA & JK Wandel<br>(JH & MA Wandel & Son) | CLEVE 5640 |



*Northern District*






| Brand or Mark | Owner                                | Address            |
|---------------|--------------------------------------|--------------------|
| XB.1.         | W Baade<br>(Mount Lyndhurst Station) | KEITH 5267         |
| V.1.          | CJ & J Abell (R & A Industries)      | KAPUNDA 5373       |
| A.A.3.        | JW & JM Gregory                      | HAMELY BRIDGE 5401 |

*Kangaroo Island*

| Brand or Mark | Owner | Address |
|---------------|-------|---------|
| Nil           |       |         |

**TRANSFERS****HORSE AND CATTLE BRANDS TRANSFERRED**

| Brand   | Transferred from               | Transferred to: Owner/Address                       |
|---|--------------------------------|---|
| H16   | DH & LD Heysen                 | TM & HM Heysen (Heysen Partners)<br>KALANGADOO 5278 |
| J49   | LL Mengersen                   | GP Mengersen (Depot Springs Station)<br>COPLEY 5732 |
| J86   | CJ Theakstone                  | IJ Stockham PORT LINCOLN 5606                       |
| 07   | RD & MR Biggins                | SA & KS Biggins LOXTON 5333                         |
| 7  7 | AJR Crombie                    | CK Oldfield (CK Oldfield & Co)<br>MARREE 5733       |
|      | Strangways Peake Syndicate     | S Kidman & Co Ltd<br>NORTH ADELAIDE 5006            |
|      | Macumba Pastoral Co Pty Ltd    | S Kidman & Co Ltd<br>NORTH ADELAIDE 5006            |
| X70   | Macumba Pastoral Co Pty Ltd    | S Kidman & Co Ltd<br>NORTH ADELAIDE 5006            |
|      | Innamincka Pastoral Co Pty Ltd | S Kidman & Co Ltd<br>NORTH ADELAIDE 5006            |

|   |                                |  |
|---|--------------------------------|--|
|      | Quinyambie Pastoral Co Pty Ltd | S Kidman & Co Ltd<br>NORTH ADELAIDE 5006   |
|      | JG Florance                    | JE & SA Nunn<br>LEIGH CREEK 5731   |
| 3  5 | CHB Oldfield                   | AS Oldfield (Cowie Pastoral Co)<br>BELLEVUE HEIGHTS 5050                         |
|      | CHB Oldfield                   | AM Oldfield<br>BELLEVUE HEIGHTS 5050   |
| K88   | A Gerard                       | G Garside (Aust Wildlife Conservancy)<br>(Kalamurina Station) WEST PERTH WA 6872 |
|      | A Gerard                       | G Garside (Aust Wildlife Conservancy)<br>(Kalamurina Station) WEST PERTH WA 6872 |

#### DISTINCTIVE BRANDS FOR HORSES AND CATTLE TRANSFERRED

| Brand | Transferred from | Transferred to: Owner/Address |
|-------|------------------|-------------------------------|
| Nil   |                  |                               |

#### CATTLE EARMARKS TRANSFERRED

| Brand    | Transferred from               | Transferred to: Owner/Address  |
|----------|--------------------------------|--|
| E.3.M.3. | DH & LD Heysen                 | TM & HM Heysen (Heysen Partners)<br>KALANGADOO 5278                              |
| U.1.M.2. | LL Mengersen                   | GP Mengerson (Depot Springs Station)<br>COPLEY 5732                              |
| I.2.     | Strangways Peake Syndicate     | S Kidman & Co Ltd<br>NORTH ADELAIDE 5006   |
| A.2.     | Quinyambie Pastoral Co Pty Ltd | S Kidman & Co Ltd<br>NORTH ADELAIDE 5006   |
| I.2.R.7. | Macumba Pastoral Co Pty Ltd    | S Kidman & Co Ltd<br>NORTH ADELAIDE 5006   |
| N.2.6.   | Innamincka Pastoral Co Pty Ltd | S Kidman & Co Ltd<br>NORTH ADELAIDE 5006   |
| H.2.A.7. | CHB Oldfield                   | AS Oldfield (Cowie Pastoral Co)<br>BELLEVUE HEIGHTS 5050                         |
| R.1.H.6. | A Gerard                       | G Garside (Aust Wildlife Conservancy)<br>(Kalamurina Station) WEST PERTH WA 6872 |

**STUD STOCK BRANDS TRANSFERRED**

| Brand | Transferred from | Transferred to: Owner/Address |
|-------|------------------|-------------------------------|
| Nil   |                  |                               |

**SHEEP BRANDS TRANSFERRED***Central District*


| Brand      | Colour | Position | Transferred from | Transferred to: Owner/Address                              |
|------------|--------|----------|------------------|--|
| <b>F</b>   | Green  | 3        | EF Falkenberg    | KR & KE Falkenberg<br>CAMBRAI 5353                         |
| <i>W</i>   | Blue   | 1        | WL Mills         | WR & LE Mills<br>BOOLEROO CENTRE 5482                      |
| <b>(A)</b> | Blue   | 4        | HW & RB Lang     | WR & LE Mills<br>BOOLEROO CENTRE 5482                      |
| <b>◇C</b>  | Purple | 1        | CR & MG Crawford | SA & K Crawford (Crawford Park Pty Ltd)<br>GEORGETOWN 5472 |

*South East District*

| Brand     | Colour | Position | Transferred from | Transferred to: Owner/Address                       |
|-----------|--------|----------|------------------|---|
| <b>E</b>  | Blue   | 1        | MB Fromm         | RM Fromm<br>MANNUM 5238                             |
| <b>HD</b> | Green  | 1        | DH & LD Heysen   | TM & HM Heysen (Heysen Partners)<br>KALANGADOO 5278 |
| <b>ō</b>  | Blue   | 4        | DL Higgins       | MD & LM Higgins<br>LUCINDALE 5272                   |

*Western District*

| Brand     | Colour | Position | Transferred from   | Transferred to: Owner/Address                    |
|-----------|--------|----------|--------------------|--|
| <b>Ĥ</b>  | Red    | 2        | EE Freeman         | J & JF Freeman<br>STREAKY BAY 5680               |
| <b>JD</b> | Purple | 4        | AJ & SD Dannenberg | V Dannenberg (Sylkarrae Pt Ltd)<br>POOCHERA 5655 |

|   |        |   |                |                               |
|---|--------|---|----------------|-------------------------------|
|  | Purple | 4 | GL North       | GG & KM North<br>WUDINNA 5652 |
| <b>MR</b>   | Green  | 4 | MC & CD Riches | CN & KA Riches<br>COWELL 5602 |

*Northern District*

| Brand | Colour | Position | Transferred from | Transferred to: Owner/Address |
|-------|--------|----------|------------------|-------------------------------|
| Nil   |        |          |                  |                               |

*Kangaroo Island*

| Brand | Colour | Position | Transferred from | Transferred to: Owner/Address |
|-------|--------|----------|------------------|-------------------------------|
| Nil   |        |          |                  |                               |

**SHEEP EARMARKS OR FIREBRANDS TRANSFERRED***Central District*

| Brand or Mark    | Transferred from       | Transferred to: Owner/Address |
|------------------|------------------------|-------------------------------|
| <b>XM.1.N.2.</b> | Kappawanta Pastoral Co | TJ & CD Wandel<br>OWEN 5460   |

*South East District*

| Brand or Mark   | Transferred from | Transferred to: Owner/Address                       |
|-----------------|------------------|---|
| <b>E.3.M.3.</b> | DH & LD Heysen   | TM & HM Heysen (Heysen Partners)<br>KALANGADOO 5278 |

*Western District*

| Brand or Mark    | Transferred from   | Transferred to: Owner/Address                     |
|------------------|--------------------|---|
| <b>XS.1.B.2.</b> | DJ Sampson         | JL & LM Sampson<br>KIMBA 5641                     |
| <b>F.1.Y.1.</b>  | EE Freeman         | J & JF Freeman<br>STREAKY BAY 5680                |
| <b>V.1.L.4.</b>  | AJ & SD Dannenberg | V Dannenberg (Sylkarrae Pty Ltd)<br>POOCHERA 5655 |


*Northern District*

| Brand or Mark | Transferred from | Transferred to: Owner/Address |
|---------------|------------------|-------------------------------|
| Nil           |                  |                               |

*Kangaroo Island*

| Brand or Mark | Transferred from | Transferred to: Owner/Address |
|---------------|------------------|-------------------------------|
| Nil           |                  |                               |





**CANCELLATIONS****HORSE AND CATTLE BRANDS CANCELLED**

| Brand   | Owner & Address                               | Applicant for Cancellation |
|---|---|----------------------------|
| O1V   | AEE Van Hout<br>ELIZABETH DOWNS 5113          | S Van Hout                 |
| W35   | LE, NY, PD & WD Widdison<br>GLENCOE WEST 5291 | WD Widdison                |
| C35   | AP Casanova<br>PORT LINCOLN 5606              | L Casanova                 |
| 31F   | RA Fiebig<br>MENINGIE 5264                    | RA Fiebig                  |
|  | Strangways Peake Syndicate                    | P Quigley                  |


**CATTLE EARMARKS CANCELLED**

| Brand    | Owner & Address                               | Applicant for Cancellation |
|----------|---|----------------------------|
| U.U.3.   | AE Van Hout<br>ELIZABETH DOWNS 5113           | S Van Hout                 |
| A.3.1.6. | LE, NJ, PD & WD Widdison<br>GLENCOE WEST 5291 | WD Widdison                |
| O.3.A.3. | AJR Crombie<br>MARREE 5733                    | CK Oldfield                |
| A.1.     | Innamincka Pastoral Co Pty Ltd                | P Quigley                  |



**DISTINCTIVE BRANDS FOR HORSES AND CATTLE CANCELLED**

| Brand   | Owner & Address                | Applicant for Cancellation |
|---|--------------------------------|----------------------------|
|  | Innamincka Pastoral Co Pty Ltd | P Quigley                  |
| X<br>off loin   | Macumba Pastoral Co Pty Ltd    | P Quigley                  |
|  | Quinyambie Pastoral Co Pty Ltd | P Quigley                  |
|  | Strangways Peake Syndicate     | P Quigley                  |
| SK  | Strangways Peake Syndicate     | P Quigley                  |
| X<br>near neck  | Macumba Pastoral Co Pty Ltd    | P Quigley                  |
|  | Macumba Pastoral Co Pty Ltd    | P Quigley                  |

**STUD STOCK BRANDS CANCELLED**

| Brand   | Breeding Society      | Owner & Address | Applicant for Cancellation |
|---|-----------------------|-----------------|----------------------------|
| SK  | Poll Shorthorn        | S Kidman & Co   | P Quigley                  |
|  | Merino Sheep Breeders | S Kidman & Co   | P Quigley                  |

**SHEEP BRANDS CANCELLED***Central District*

| Brand   | Colour | Position | Owner and address              | Applicant for cancellation |
|---|--------|----------|--------------------------------|----------------------------|
| A<br>A  | Red    | 1        | JM & DB Anderson<br>TRURO 5356 | Registrar of Brands        |
|  | Purple | 4        | NC Hayman<br>SNOWTOWN 5520     | NC Hayman                  |
|  | Purple | 2        | S Kidman and Co                | P Quigley                  |
| D   | Purple | 4        | S Kidman and Co                | P Quigley                  |

*South East District*

| Brand | Colour | Position | Owner and address               | Applicant for cancellation |
|-------|--------|----------|---------------------------------|----------------------------|
| Ⓟ     | Purple | 4        | P & G Beaton<br>SANDALWOOD 5309 | P Beaton                   |
| BP    | Red    | 4        | I Bidstrup<br>MINTARO 5415      | I Bidstrup                 |

*Western District*

| Brand | Colour | Position | Owner and address | Applicant for cancellation |
|-------|--------|----------|-------------------|----------------------------|
| Nil   |        |          |                   |                            |

*Northern District*

| Brand | Colour | Position | Owner and address                | Applicant for cancellation |
|-------|--------|----------|----------------------------------|----------------------------|
| Ⓞ     | Purple | 4        | MF Scammell<br>PORT AUGUSTA 5710 | Registrar of Brands        |
| Ⓞ     | Blue   | 4        | MF Scammell<br>PORT AUGUSTA 5710 | Registrar of Brands        |
| Ⓒ     | Red    | 2        | Macumba Pastoral Co Pty Ltd      | P Quigley                  |
| Ⓢ     | Purple | 4        | Innamincka Pastoral Co Pty Ltd   | P Quigley                  |

*Kangaroo Island*

| Brand | Colour | Position | Owner and address | Applicant for cancellation |
|-------|--------|----------|-------------------|----------------------------|
| Nil   |        |          |                   |                            |

**SHEEP EARMARK OR FIREBRANDS CANCELLED***Central District*

| <b>Brand or Mark</b> | <b>Owner and address</b>             | <b>Applicant for Cancellation</b> |
|----------------------|--------------------------------------|-----------------------------------|
| <b>T.T.3.</b>        | AEE Van Hout<br>ELIZABETH DOWNS 5113 | S Van Hout                        |
| <b>C.3.</b>          | JM & DB Anderson<br>TRURO 5356       | Registrar of Brands               |
| <b>T.4.</b>          | NC Hayman<br>SNOWTOWN 5520           | NC Hayman                         |
| <b>E.2.N.3.</b>      | S Kidman & Co                        | P Quigley                         |

*South East District*

| <b>Brand or Mark</b> | <b>Owner and address</b> | <b>Applicant for Cancellation</b> |
|----------------------|--------------------------|-----------------------------------|
| <b>Nil</b>           |                          |                                   |

*Western District*

| <b>Brand or Mark</b> | <b>Owner and address</b> | <b>Applicant for Cancellation</b> |
|----------------------|--------------------------|-----------------------------------|
| <b>Nil</b>           |                          |                                   |

*Northern District*

| <b>Brand or Mark</b> | <b>Owner and address</b>         | <b>Applicant for Cancellation</b> |
|----------------------|----------------------------------|-----------------------------------|
| <b>XB.1.</b>         | MF Scammell<br>PORT AUGUSTA 5710 | Registrar of Brands               |

*Kangaroo Island*

| <b>Brand or Mark</b> | <b>Owner and address</b> | <b>Applicant for Cancellation</b> |
|----------------------|--------------------------|-----------------------------------|
| <b>Nil</b>           |                          |                                   |



**GAS ACT 1997****DEFAULT CONTRACT PRICES FOR SMALL CUSTOMERS**

*Notice under the Gas Act 1997 by AGL South Australia Pty Ltd (AGLSA) ABN 49 091 105 092 of Default Contract Contract Prices for Small Customers*

PURSUANT to section 34B of the Gas Act 1997, notice is hereby given by AGLSA of its default contract prices for customers who are consuming less than one terajoule per annum of gas ('small customers') and who are purchasing gas under AGLSA's default contract terms and conditions. The default contract prices are set out below and will apply from and after the expiry of 14 days from the date of publication of this notice.

*Justification Statement*

The default contract prices set out in this notice are the same as the standing contract prices for small customers as established by the Essential Services Commission of South Australia in accordance with its Gas Standing Contract Price Determination.

For further information please call AGLSA on 131 245.

P. JAMES, Director, AGL South Australia Pty Limited

**AGLSA GAS DEFAULT CONTRACT PRICES FOR SMALL CUSTOMERS  
(all charges are inclusive of GST)**

| <b>REGIONS</b>   | Metropolitan | Mount Gambier      | Port Pirie | Whyalla            | Riverland               |
|--|--------------|--------------------|------------|--------------------|-------------------------|
| <b>RESIDENTIAL</b>   |              |                    |            |                    |                         |
| Supply charge per quarter  | \$48.697     | \$48.697           | \$48.697   | \$48.697           | \$48.697                |
| Consumption charge c/MJ:   |              |                    |            |                    |                         |
| First 4,500 MJ per quarter   | 2.16172      | 2.17756            | 2.17679    | 2.17701            | 2.16579                 |
| Thereafter   | 1.42219      | 1.43110            | 1.42527    | 1.42714            | 1.46135                 |
| <b>SMALL BUSINESS</b>  |              |                    |            |                    |                         |
| Supply charge per quarter  | \$83.259     | \$83.259           | \$83.259   | \$83.259           | \$70.873                |
| Consumption charge c/MJ:   |              |                    |            |                    |                         |
| First 25,000 MJ per quarter  | 1.56827      | 1.54825            | 1.58532    | 1.57817            | 1.61920                 |
| Next 65,000 MJ per quarter   | 1.55056      | 1.49611            | 1.56002    | 1.56717            | 1.47048                 |
| Thereafter   | 1.14994      | 1.16149            | 1.14345    | 1.16787            | 1.01508                 |
| <b>POSTCODES</b>   |              |                    |            |                    |                         |
|  | See below*   | 5277,5280,<br>5290 | 5540       | 5600,5608,<br>5609 | 5253,5342,<br>5343,5344 |
| * The Metropolitan Region comprises the areas of the State of South Australia other than Mount Gambier, Port Pirie, Whyalla, Riverland but including Barossa and Peterborough. |              |                    |            |                    |                         |

## GEOGRAPHICAL NAMES ACT 1991

*Notice to Alter Boundaries of Places*

NOTICE is hereby given pursuant to section 11B (5) of the Geographical Names Act 1991, that I, PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by Patrick Conlon, Minister for Infrastructure, Minister of the Crown to whom the administration of the Geographical Names Act 1991 is committed DO HEREBY alter the following boundaries as listed in the Schedule below:

## THE SCHEDULE

| Description   | File Reference      | Date of Approval |
|---|---------------------|------------------|
| Exclude from Macclesfield and include in Strathalbyn that portion of Lot 51 in Deposited Plan 51557 so that the whole of the Lot is within Strathalbyn.       | DTEI 22-413/08/0012 | 29.5.2008        |
| Exclude from Frewville and include in Glenside that portion of Lot 738 in Deposited Plan 55725 so that the whole of the Lot is within Strathalbyn.            | DTEI 22-413/08/0015 | 23.6.2008        |
| Exclude from Tusmore and include in Heathpool that portion of Lot 10 in Deposited Plan 64739 so that the whole of the Lot is within Heathpool.                | DTEI 22-413/08/0016 | 23.6.2008        |
| Exclude from Beaumont and include in St Georges that portion of Lot 233 in Filed Plan 15770 so that the whole of the Lot is within St Georges.                | DTEI 22-413/08/0017 | 23.6.2008        |
| Exclude from Leawood Gardens and include in Mount Osmond that portion of Lot 100 in Deposited Plan 59909 so that the whole of the Lot is within Mount Osmond. | DTEI 22-413/08/0018 | 23.6.2008        |
| Exclude from Leabrook and include in Marryatville that portion of Lot 1001 in Deposited Plan 63710 so that the whole of the Lot is within Marryatville.       | DTEI 22-413/08/0019 | 23.6.2008        |

The altered boundary can be view on the Land Services Property Location Browser (PLB) website at:

[www.landservices.sa.gov.au/1Online\\_Services/20PLB/0default.asp](http://www.landservices.sa.gov.au/1Online_Services/20PLB/0default.asp) or by contacting the Geographical Name Unit, DTEI on (08) 8204 8539.

P. M. KENTISH, Surveyor General, Department for Transport, Energy and Infrastructure

## 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 |
| 3 Sherwood Terrace      | Beaumont        | Allotment 6 in Deposited Plan 2908, Hundred of Adelaide     | 5674                 | 868   |
| 16 Ayredale Avenue      | Clearview       | Allotment 155 in Deposited Plan 3418, Hundred of Yatala     | 5677                 | 798   |
| 88 Whittington Road     | Davoren Park    | Allotment 666 in Deposited Plan 7710, Hundred of Munno Para | 5577                 | 927   |
| 24 Pavlich Street       | Port Pirie West | Allotment 202 in Filed Plan 189144, Hundred of Pirie        | 5701                 | 848   |
| 30 Irwin Street         | Walleroo        | Allotment 151 in Deposited Plan 79, Hundred of Wallaroo     | 5222                 | 770   |

Dated at Adelaide, 3 July 2008.

D. HUXLEY, Director, Corporate and Board 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 |  |   |
| 19 (also known as 17A-19)<br>Gladstone Street, Adelaide                            | Portion of Town Acre 435,<br>City of Adelaide                             | 3828                 | 175   | 3.10.68, page 1123   | 85.00<br>(unf)<br>90.00<br>(fur)<br>155.00                  |
| Lot 11, Carpenter Rocks Road<br>(also known as Government<br>Road) Carpenter Rocks | Allotment 11 in Deposited<br>Plan 4246, Hundred of<br>Kongorong           | 5707                 | 281   | 24.4.08, page 1422   | 155.00  |
| 87 Halsey Road, Elizabeth<br>East  | Allotment 269 of Subdivision<br>of Section 3131, Hundred of<br>Munno Para | 5581                 | 341   | 9.1.97, page 92  | 130.00  |
| 8 Kirk Street, Elizabeth Park  | Allotment 627 in Deposited<br>Plan 7004, Hundred of<br>Munno Para         | 5924                 | 222   | 10.4.08, page 1256   | 130.00  |
| 99 Commercial Road, Port<br>Noarlunga South  | Allotment 761 in Filed Plan<br>210737, Hundred of<br>Willunga             | 5776                 | 780   | 20.12.07, page 4895  | 136.00  |
| 137 Three Chain Road, Port<br>Pirie South  | Allotment 36 in Deposited<br>Plan 635, Hundred of Pirie                   | 5655                 | 115   | 27.10.05, page 3813  | 266.00  |
| 29 Salisbury Highway,<br>Salisbury   | Lot 101, Primary CP 23586,<br>Hundred of Munno Para                       | 5970                 | 871   | 17.1.08, page 250  | 220.00  |
| Dated at Adelaide, 3 July 2008.  |   |                      |       | D. HUXLEY, Director, Corporate and Board 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 |  |
| Lot 30, Chellaston Road, Munno<br>Para West                                 | Allotment 30 in Deposited Plan 6437,<br>Hundred of Munno Para                                   | 5644                 | 846   | 24.5.07, page 2143   |
| 28 First Avenue, Payneham South<br>(rear flat)                              | Allotment 400 of portion of Section 264,<br>Hundred of Adelaide                                 | 5447                 | 6     | 28.3.96, page 1794   |
| 60 Margaret Terrace, Rosewater  | Allotment 54 of subdivision of Section 1188,<br>County of Adelaide, Hundred of Port<br>Adelaide | 5517                 | 231   | 3.8.95, page 351   |
| 90C Nelson Road, Valley View<br>(Unit ar rear)                              | Allotment 98 in Deposited Plan 7012,<br>Hundred of Yatala                                       | 5269                 | 840   | 8.5.08, page 1557  |
| 35 Amy Street, West Croydon   | Allotment 91 of Part Section 375, Hundred<br>of Yatala  | 5606                 | 528   | 28.6.73, page 2846   |
| 81 Onkaparinga Valley Road (also<br>known as 81-83 Main Street)<br>Woodside | Allotment 87 of Part Section 5031 in Filed<br>Plan 156722, Hundred of Onkaparinga               | 5826                 | 639   | 7.5.92, page 1353  |
| 83 Onkaparinga Valley Road (also<br>known as 81-83 Main Street)<br>Woodside | Allotment 87 of Part Section 5031 in Filed<br>Plan 156722, Hundred of Onkaparinga               | 5826                 | 639   | 5.3.92, page 632   |
| Dated at Adelaide, 3 July 2008.   |   |                      |       | D. HUXLEY, Director, Corporate and Board Services  |

## GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2008

|  | \$    |  | \$     |
|--|-------|--|--------|
| Agents, Ceasing to Act as.....                     | 41.00 | Firms:   |        |
| Associations:                                      |       | Ceasing to Carry on Business (each insertion).....                 | 27.25  |
| Incorporation .....                                | 20.80 | Discontinuance Place of Business .....                             | 27.25  |
| Intention of Incorporation .....                   | 51.50 | Land—Real Property Act:  |        |
| Transfer of Properties .....                       | 51.50 | Intention to Sell, Notice of.....                                  | 51.50  |
| Attorney, Appointment of.....                      | 41.00 | Lost Certificate of Title Notices .....                            | 51.50  |
| Bailiff's Sale.....                                | 51.50 | Cancellation, Notice of (Strata Plan) .....                        | 51.50  |
| Cemetery Curator Appointed.....                    | 30.50 | Mortgages:   |        |
| Companies:   |       | Caveat Lodgement.....  | 20.80  |
| Alteration to Constitution .....                   | 41.00 | Discharge of.....  | 21.80  |
| Capital, Increase or Decrease of .....             | 51.50 | Foreclosures.....  | 20.80  |
| Ceasing to Carry on Business .....                 | 30.50 | Transfer of.....   | 20.80  |
| Declaration of Dividend.....                       | 30.50 | Sublet.....  | 10.50  |
| Incorporation .....                                | 41.00 | Leases—Application for Transfer (2 insertions) each .....          | 10.50  |
| Lost Share Certificates:                           |       | Lost Treasury Receipts (3 insertions) each .....                   | 30.50  |
| First Name.....                                    | 30.50 | Licensing.....   | 61.00  |
| Each Subsequent Name.....                          | 10.50 | Municipal or District Councils:                                    |        |
| Meeting Final.....                                 | 34.25 | Annual Financial Statement—Forms 1 and 2 .....                     | 574.00 |
| Meeting Final Regarding Liquidator's Report on     |       | Electricity Supply—Forms 19 and 20.....                            | 408.00 |
| Conduct of Winding Up (equivalent to 'Final        |       | Default in Payment of Rates:                                       |        |
| Meeting')  |       | First Name .....   | 81.50  |
| First Name.....                                    | 41.00 | Each Subsequent Name.....  | 10.50  |
| Each Subsequent Name.....                          | 10.50 | Noxious Trade.....   | 30.50  |
| Notices:   |       | Partnership, Dissolution of.....                                   | 30.50  |
| Call.....  | 51.50 | Petitions (small).....   | 20.80  |
| Change of Name .....                               | 20.80 | Registered Building Societies (from Registrar-                     |        |
| Creditors.....                                     | 41.00 | General).....  | 20.80  |
| Creditors Compromise of Arrangement .....          | 41.00 | Register of Unclaimed Moneys—First Name.....                       | 30.50  |
| Creditors (extraordinary resolution that 'the Com- |       | Each Subsequent Name .....   | 10.50  |
| pany be wound up voluntarily and that a liquidator |       | Registers of Members—Three pages and over:                         |        |
| be appointed').....                                | 51.50 | Rate per page (in 8pt) .....                                       | 261.00 |
| Release of Liquidator—Application—Large Ad.....    | 81.50 | Rate per page (in 6pt) .....                                       | 345.00 |
| —Release Granted.....                              | 51.50 | Sale of Land by Public Auction.....                                | 52.00  |
| Receiver and Manager Appointed.....                | 47.50 | Advertisements.....  | 2.90   |
| Receiver and Manager Ceasing to Act.....           | 41.00 | ¼ page advertisement.....  | 122.00 |
| Restored Name.....                                 | 38.50 | ½ page advertisement.....  | 244.00 |
| Petition to Supreme Court for Winding Up.....      | 71.50 | Full page advertisement.....                                       | 478.00 |
| Summons in Action.....                             | 61.00 | Advertisements, other than those listed are charged at \$2.90 per  |        |
| Order of Supreme Court for Winding Up Action.....  | 41.00 | column line, tabular one-third extra.                              |        |
| Register of Interests—Section 84 (1) Exempt.....   | 92.00 | Notices by Colleges, Universities, Corporations and District       |        |
| Removal of Office.....                             | 20.80 | Councils to be charged at \$2.90 per line.                         |        |
| Proof of Debts.....                                | 41.00 | Where the notice inserted varies significantly in length from      |        |
| Sales of Shares and Forfeiture.....                | 41.00 | that which is usually published a charge of \$2.90 per column line |        |
| Estates:   |       | will be applied in lieu of advertisement rates listed.             |        |
| Assigned.....                                      | 30.50 | South Australian Government publications are sold on the           |        |
| Deceased Persons—Notice to Creditors, etc.....     | 51.50 | condition that they will not be reproduced without prior           |        |
| Each Subsequent Name.....                          | 10.50 | permission from the Government Printer.                            |        |
| Deceased Persons—Closed Estates .....              | 30.50 |  |        |
| Each Subsequent Estate .....                       | 1.35  |  |        |
| Probate, Selling of.....                           | 41.00 |  |        |
| Public Trustee, each Estate.....                   | 10.50 |  |        |

All the above prices include GST

## GOVERNMENT GAZETTE NOTICES

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@dpc.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](http://www.governmentgazette.sa.gov.au).**

## MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2008

| Acts, Bills, Rules, Parliamentary Papers and Regulations |       |        |         |       |        |          |
|--|-------|--------|---------|-------|--------|----------|
| Pages  | Main  | Amends | Pages   | Main  | Amends |          |
| 1-16   | 2.50  | 1.15   | 497-512 | 34.75 | 33.75  |          |
| 17-32  | 3.35  | 2.10   | 513-528 | 35.75 | 34.50  |          |
| 33-48  | 4.35  | 3.10   | 529-544 | 37.00 | 35.75  |          |
| 49-64  | 5.50  | 4.20   | 545-560 | 38.00 | 37.00  |          |
| 65-80  | 6.45  | 5.35   | 561-576 | 38.75 | 38.00  |          |
| 81-96  | 7.50  | 6.20   | 577-592 | 40.00 | 38.50  |          |
| 97-112   | 8.55  | 7.30   | 593-608 | 41.25 | 39.75  |          |
| 113-128  | 9.55  | 8.40   | 609-624 | 42.00 | 41.00  |          |
| 129-144  | 10.70 | 9.45   | 625-640 | 43.25 | 41.50  |          |
| 145-160  | 11.70 | 10.50  | 641-656 | 44.25 | 43.25  |          |
| 161-176  | 12.80 | 11.50  | 657-672 | 44.75 | 43.75  |          |
| 177-192  | 13.90 | 12.60  | 673-688 | 46.75 | 44.75  |          |
| 193-208  | 15.00 | 13.80  | 689-704 | 47.50 | 45.70  |          |
| 209-224  | 15.80 | 14.60  | 705-720 | 48.25 | 47.00  |          |
| 225-240  | 16.90 | 15.60  | 721-736 | 50.00 | 48.00  |          |
| 241-257  | 18.10 | 16.50  | 737-752 | 50.50 | 49.00  |          |
| 258-272  | 19.10 | 17.60  | 753-768 | 51.50 | 50.00  |          |
| 273-288  | 20.20 | 18.90  | 769-784 | 52.50 | 51.50  |          |
| 289-304  | 21.00 | 19.80  | 785-800 | 53.50 | 52.50  |          |
| 305-320  | 22.30 | 20.90  | 801-816 | 54.50 | 53.00  |          |
| 321-336  | 23.20 | 21.90  | 817-832 | 55.50 | 54.50  |          |
| 337-352  | 24.40 | 23.10  | 833-848 | 56.50 | 55.50  |          |
| 353-368  | 25.25 | 24.20  | 849-864 | 57.50 | 56.00  |          |
| 369-384  | 26.50 | 25.25  | 865-880 | 59.00 | 57.50  |          |
| 385-400  | 27.50 | 26.25  | 881-896 | 59.50 | 58.00  |          |
| 401-416  | 28.50 | 27.00  | 897-912 | 61.00 | 59.50  |          |
| 417-432  | 29.75 | 28.25  | 913-928 | 61.50 | 61.00  |          |
| 433-448  | 30.75 | 29.50  | 929-944 | 62.50 | 61.50  |          |
| 449-464  | 31.50 | 30.25  | 945-960 | 63.50 | 62.00  |          |
| 465-480  | 32.00 | 31.25  | 961-976 | 65.50 | 63.00  |          |
| 481-496  | 33.75 | 32.00  | 977-992 | 66.50 | 63.50  |          |
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## LAND ACQUISITION ACT 1969

(SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at Lot 71, Taylor Road, Penfield, being portion of Allotment 71 in Deposited Plan 36989 comprised in certificate of title volume 5711, folio 311 and volume 5711, folio 312 and being the whole of the land numbered 30 on the unapproved Plan DP76441 that has been lodged at the Lands Titles Office.

This notice is given under section 16 of the Land Acquisition Act 1969.

*Compensation*

A person who has or had an interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

*Inquiries*

Inquiries should be directed to:

Jim Tuppin,  
P.O. Box 1,  
Walkerville, S.A. 5081  
Phone (08) 8343 2760

Dated 1 July 2008.

The Common Seal of the Commissioner of Highways was hereto affixed by direction of the Commissioner of Highways in the presence of:

A. HARTLEY, Acting Manager, Property Planning and Management Services, Department for Transport, Energy and Infrastructure

DTEI 2007/12371/01

## LAND ACQUISITION ACT 1969

(SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at Lot 80, Penfield Road, Penfield, being the whole of Allotment 80 in Deposited Plan 64417, being the whole of the land comprised in certificate of title volume 5916, folio 593.

This notice is given under section 16 of the Land Acquisition Act 1969.

*Compensation*

A person who has or had an interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

*Inquiries*

Inquiries should be directed to:

Jim Tuppin,  
P.O. Box 1,  
Walkerville, S.A. 5081  
Phone (08) 8343 2760

Dated 1 July 2008.

The Common Seal of the Commissioner of Highways was hereto affixed by direction of the Commissioner of Highways in the presence of:

A. HARTLEY, Acting Manager, Property Planning and Management Services, Department for Transport, Energy and Infrastructure

## LAND ACQUISITION ACT 1969

(SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at Lot 81, Pellew Road, Penfield, being the whole of Allotment 81 in Deposited Plan 64417 comprised in certificate of title volume 6005, folio 843.

This notice is given under section 16 of the Land Acquisition Act 1969.

*Compensation*

A person who has or had an interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

*Inquiries*

Inquiries should be directed to:

Jim Tuppin,  
P.O. Box 1,  
Walkerville, S.A. 5081  
Phone (08) 8343 2760

Dated 1 July 2008.

The Common Seal of the Commissioner of Highways was hereto affixed by direction of the Commissioner of Highways in the presence of:

A. HARTLEY, Acting Manager, Property Planning and Management Services, Department for Transport, Energy and Infrastructure

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

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

## SCHEDULE 1

Martin Leon Stringer, an employee of Wardle Co Pty Ltd.

## SCHEDULE 2

The land described in a whole of certificate of title register book volume 5760, folio 953, situated at 36 Mais Terrace, Crystal Brook, S.A. 5523.

Dated 28 June 2008.

J. RANKINE, Minister for Consumer Affairs

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

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

## SCHEDULE 1

Paul William Carey, an officer of Paul Carey Real Estate Pty Ltd.

## SCHEDULE 2

The land described in a portion of certificate of title register book volume 5779, folio 123, situated at 8/36-40 Childers Street, North Adelaide, S.A. 5006.

Dated 28 June 2008.

J. RANKINE, Minister for Consumer Affairs

LAND AND BUSINESS (SALE AND CONVEYANCING)  
ACT 1994

*Exemption*

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

## SCHEDULE 1

Daven Michael Wagner, an officer of D. & R. Wagner Pty Ltd.

## SCHEDULE 2

The land described in the whole of certificate of title register book volume 5973, folio 371, situated at 'Minbrie Springs', Sections 108, 111, 112, 115, 124, 126 and 130, Hundred of Minbrie and Section 15, Hundred of Glynn, via Cowell, S.A. 5602.

Dated 28 June 2008.

J. RANKINE, Minister for Consumer Affairs

LAND AND BUSINESS (SALE AND CONVEYANCING)  
ACT 1994

*Exemption*

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

## SCHEDULE 1

Richard William Magarey Ray, an officer of Forster Street Pty Ltd.

## SCHEDULE 2

The land described in the whole of certificate of title register book volume 5987, folio 568, situated at Lot 13, Primary Community Plan 23472, Kadina, S.A. 5554.

Dated 30 June 2008.

J. RANKINE, Minister for Consumer Affairs

LAND AND BUSINESS (SALE AND CONVEYANCING)  
ACT 1994

*Exemption*

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

## SCHEDULE 1

Andrew John Parkinson, an employee of Redden Agencies Pty Ltd.

## SCHEDULE 2

The land described in a portion of certificate of title register book volume 5211, folio 674, situated at Lot 800, portion of Section 398, Hundred of Saddleworth, Saddleworth, S.A. 5413.

Dated 26 June 2008.

J. RANKINE, Minister for Consumer Affairs

## LEGAL PRACTITIONERS ACT 1981

*Instrument of Reappointment*

I, MICHAEL JOHN ATKINSON, Attorney-General for the State of South Australia, hereby reappoint John Michael Boag as a lay observer pursuant to section 90 (1) of the Legal Practitioners Act 1981, for a term of one year at a remuneration of \$11 286 per annum, together with an amount of \$2 257.20 per annum travelling and incidental expenses, and subject also to these conditions:

- provision of limited office accommodation facilities and supplies and typing assistance from time to time; and
- access to legal advice and assistance.

This appointment is effective from 19 July 2008.

Dated 16 June 2008.

MICHAEL ATKINSON, Attorney-General

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES  
ACT 1992

*Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Elizabeth Jane Pagan and Trevor John Harvey have applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at Main Street, Charleston, S.A. 5244 and known as Charleston Hotel.

The applications have been set down for hearing on 4 August 2008 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, at least seven days before the hearing date (viz: 28 July 2008).

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

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 30 June 2008.

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 N. & E. Apostolou Pty Ltd as trustee for N. & E. Apostolou Family Trust has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at Shop 3, 188 Henley Beach Road, Torrensville, S.A. 5031 and to be known as Sanco Giftware Hampers.

The application has been set down for callover on 1 August 2008 at 9 a.m.

*Conditions*

The following licence conditions are sought:

All liquor sold pursuant to the licence shall be packaged in a gift basket/hamper style form with gifts, nuts, chocolates, biscuits, honey and other related confectionary products for consumption off the licensed premises.

Trading hours shall be limited to the following:

- Monday to Wednesday: 9 a.m. to 5.30 p.m.;
- Thursday: 9 a.m. to 9 p.m.;
- Friday and Saturday: 9 a.m. to 5.30 p.m.;
- Sunday: 10 a.m. to 5 p.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 25 July 2008).

The applicants' address for service is c/o N. & E. Apostolou Pty Ltd, Shop 3, 188 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 25 June 2008.

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 Glendalough Estate Pty Ltd has applied to the Licensing Authority for the transfer of a Producer's Licence in respect of premises situated at Allotment 101, St Georges Terrace, Clare, S.A. 5453 and known as Valley of Armagh to be known as Glendalough Estate Pty Ltd.

The application has been set down for hearing on 31 July 2008 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, at least seven days before the hearing date (viz: 24 July 2008).

The applicants' address for service is c/o Glendalough Estate Pty Ltd, 28A Oxford Terrace, Unley, S.A. 5061.

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

Dated 23 June 2008.

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 Genesis Wines Pty Ltd as trustee for the Paterson Family Trust and Battye Family Trust has applied to the Licensing Authority for the transfer of a Producer's Licence in respect of premises situated at Research Road, Tanunda, S.A. 5352 and known as Classic Vines Estate to be known as Genesis Wines Pty Ltd.

The application has been set down for hearing on 24 July 2008 at 10.30 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, at least one day before the hearing date (viz: 23 July 2008).

The applicants' address for service is c/o Finlaysons Lawyers, G.P.O. Box 1244, Adelaide, S.A. 5001 (Attention: Andrew Williams).

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

Dated 26 June 2008.

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 Grant Barrett Retallick and Lynette Mary Retallick have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 3 Burke Street, Victor Harbor, S.A. 5211 and to be known as William Barrett Wines.

The application has been set down for callover on 1 August 2008 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, at least seven days before the callover date (viz: 25 July 2008).

The applicants' address for service is c/o Southern Vales Legal, P.O. Box 693, McLaren Vale, S.A. 5171.

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 24 June 2008.

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 Ilbert (S.A.) Pty Ltd as trustee for the Micheal Bavlous Family Trust and John Panagiotakopoulos Family Settlement has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 112-114 Wright Street, Adelaide, S.A. 5000 and to be known as Jam The Bistro.

The application has been set down for callover on 1 August 2008 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, at least seven days before the callover date (viz: 25 July 2008).

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

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

Dated 25 June 2008.

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 Moorooroo Park Vineyards Operations Pty Ltd as trustee for the Jacobs Creek Unit Trust has applied to the Licensing Authority for the transfer of a Producer's Licence, redefinition, alterations and variation to conditions in respect of premises situated at Lot 638, Nitschke Road, Tanunda, S.A. 5352 and to be known as Moorooroo Park Vineyards.

The application has been set down for callover on 1 August 2008 at 9 a.m.



*Conditions*

The following licence conditions are sought:

- Variation to licence condition:

From:

There will be no wine production on the premises, public wine tasting, public sales area or general public access (other than to those persons—12 maximum—being accommodated within the approved bed and breakfast facilities) adjacent to the Producer's Licence premises.

To:

There will be no wine production the premises.

- Alterations and redefinition to include a sampling area and designated dining area as per plans lodged with this office.

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, at least seven days before the callover date (viz: 25 July 2008).

The applicants' address for service is c/o Moorooroo Park Vinyards, P.O. Box 599, 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 26 June 2008.

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 Qwoff Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 71 Opey Avenue, Hyde Park, S.A. 5061 and to be known as Qwoff.

The application has been set down for callover on 1 August 2008 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, at least seven days before the callover date (viz: 25 July 2008).

The applicants' address for service is c/o Qwoff Pty Ltd, P.O. Box 7240, Hutt Street, Adelaide, S.A. 5000 (Attention: Justin Dry).

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

Dated 23 June 2008.

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 Dashwood Cellars Pty Ltd has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 1 Westbury Street, Hackney, S.A. 5069 and to be known as Dashwood Cellars.

The application has been set down for callover on 1 August 2008 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, at least seven days before the callover date (viz: 25 July 2008).

The applicants' address for service is c/o Dashwood Cellars Pty Ltd, 1 Westbury Street, Hackney, S.A. 5069.

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 24 June 2008.

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 Sam Richard Stewart Curnow and Zachary Stewart Curnow have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 37B Goodwood Road, Wayville, S.A. 5034 and to be known as Two Brothers Catering.

The application has been set down for callover on 1 August 2008 at 9 a.m.

*Conditions*

The following licence conditions are sought:

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

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, at least seven days before the callover date (viz: 25 July 2008).

The applicants' address for service is c/o Sam Curnow, 37B Goodwood Road, Wayville, S.A. 5034.

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

Dated 25 June 2008.

Applicants

## MOTOR VEHICLES ACT 1959

*Recognised Historic Motor Vehicle Club*

NOTICE is hereby given that the undermentioned club is recognised as an Historic Motor Vehicle Club in accordance with Schedule 1, Clause 3 (3) (a) of the Motor Vehicles Regulations, for the purposes of section 25 of the Motor Vehicles Act 1959:

Scuderia Italian Car Club Incorporated.

Dated 24 June 2008.

M. SMALL, Registrar of Motor Vehicles

# **LOCAL GOVERNMENT ACT 1999**

EYRE PENINSULA LOCAL GOVERNMENT ASSOCIATION

*Charter*

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## PART 1 – PRELIMINARY

### 1. DICTIONARY

In this Charter:

**Act** means *Local Government Act 1999*.

**Association** means Eyre Peninsula Local Government Association.

**Board** means the board of management of the Association.

**Board Member** means at any time a member of the Board.

**Budget** means a budget that conforms to Part 15 and last adopted by the Board.

**Business Plan** means a business plan that conforms to Part 13 and last adopted by the Board.

**Constituent Council** means at any time a Constituent Council in relation to the Association.

**Deputy Board Member** means at any time a person appointed and holding office as a deputy to a Board Member.

**Executive Officer** means at any time a person appointed and holding office as executive officer of the Association.

Subject to the above, words and expressions in this Charter have the same meaning as in a provision of the Act that deals with the same manner.

### 2. INTERPRETATION

In this Charter: the singular includes the plural and *vice versa* and words importing a gender include other genders; words importing natural persons include corporations; reference to a section (**s.**) is to a section of the Act and includes any section that substantially replaces that section and deals with the same matter; headings are for ease of reference only and do not affect the construction of this Charter; footnotes are not part of this Charter.

### 3. ABOUT THIS CHARTER

3.1 This Charter replaces the original charter of the Association adopted at a 24 June 2002 meeting of the Association, as amended at a 3 December 2004 special meeting of the Association.

3.2 This Charter is the charter of the Association.

3.3 This Charter binds the Association and each Constituent Council.

3.4 Despite any other provision in this Charter:

3.4.1 if the Act prohibits a thing being done, the thing may not be done;

3.4.2 if the Act requires a thing to be done, authority is given for that thing;

3.4.3 if a provision of this Charter is or becomes inconsistent with the Act, that provision must be read down or failing that severed from this Charter to the extent of the inconsistency.

3.5 This Charter may not be amended except as all the Constituent Councils may agree in writing. An amendment is not effective unless and until published in the *Gazette*.<sup>1</sup>

3.6 The Constituent Councils may review this Charter at any time but must in any event review this Charter at least once in every 4 years.<sup>2</sup>

## PART 2 – ASSOCIATION

### 4. ABOUT THE ASSOCIATION

The Association is a regional subsidiary established under the Act.

### 5. NAME OF THE ASSOCIATION<sup>3</sup>

The name of the Association is Eyre Peninsula Local Government Association.

### 6. CORPORATE STATUS<sup>4</sup>

The Association is a body corporate.

## PART 3 – FUNCTIONS AND POWERS

### 7. PROPERTY<sup>5</sup>

The Association holds its property on behalf of the Constituent Councils.

### 8. AREA OF INTEREST

The Association is not to undertake any activities outside the area of the Constituent Councils.<sup>6</sup>

### 9. FUNCTIONS

The Association has these functions:<sup>7</sup>

9.1 to promote sustainable and effective local governance on Eyre Peninsula;

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<sup>1</sup> Schedule 2, Clause 19 (5) of the Act requires a copy of the amended charter be given to the Minister and published in the *Gazette*.

<sup>2</sup> Schedule 2, Clause 19 (4) of the Act requires this.

<sup>3</sup> Schedule 2, Clause 18 (b) of the Act requires the charter to assign the name to the Association.

<sup>4</sup> Schedule 2, Clause 18 (a) of the Act constitutes the Association a body corporate.

<sup>5</sup> Schedule 2, Clause 18 (d) of the Act is in these terms. Accordingly the Association is a trustee for its Constituent Councils.

<sup>6</sup> Schedule 2, Clause 19 (2) (e) of the Act requires the charter address the nature and scope of activities that will be undertaken outside the area of the Constituent Councils.

<sup>7</sup> Schedule 2, Clause 18 (c) of the Act is that the Association has the powers, functions and duties specified in its charter. Schedule 2, Clause 19 (2) of the Act requires the charter to address the purpose for which the Association is established. Schedule 2, Clause 19 (2) (d) of the Act requires the charter to address the powers, functions and duties of the Association. Schedule 2, Clause 19 (2) (e) of the Act requires the charter to address the nature and scope of any activities that will be undertaken outside the area of the Constituent Councils.

- 9.2 to provide a forum for discussion and consideration of topics relating to the Constituent Councils' responsibilities in the area of the Constituent Councils;
- 9.3 on behalf of the Constituent Councils or on its own behalf, to liaise with other Councils, the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for matters within the common interest of the Constituent Councils;
- 9.4 on behalf of the Constituent Councils, provide a representative on the State executive of the Local Government Association of South Australia, South Australian Regional Association of Councils;
- 9.5 on behalf of the Constituent Councils, provide a representative to any statutory board or statutory committee that allows all of the Constituent Councils to collectively nominate a representative;
- 9.6 on behalf of the Constituent Councils or on its own behalf, to make application for grants and other funding from the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for the purposes of the Association;
- 9.7 to provide a forum for discussion and consideration of the sharing of services between Constituent Councils;
- 9.8 to act as representative or lobbyist for a Constituent Council separately and not for all the Constituent Councils, upon such terms and conditions (including remuneration) as the parties concerned may agree in writing;
- 9.9 to encourage the harmonisation of policies and procedures and codes of conduct between the Constituent Councils so far as practicable.

#### 10. POWERS<sup>8</sup>

The Association may do any thing necessary, expedient or incidental to performing or discharging its functions including, without limitation, to:

- 10.1 become a member of and/or cooperate with any organisation with complimentary functions;
- 10.2 receive gifts of money or property from any person;
- 10.3 make payable by the Constituent Councils any annual levy for the purposes of working capital;
- 10.4 carry out its Business Plan;
- 10.5 contract with any person;
- 10.6 acquire or dispose of any real or personal property;
- 10.7 operate an account or accounts with a bank or with Local Government Finance Authority, or both;
- 10.8 borrow or raise money;

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<sup>8</sup> Schedule 2, Clause 18(c) of the Act is that the Association has the powers, functions and duties specified in its charter. The language, "necessary, expedient or incidental" is used in s. 36(1)(c) of the Act in relation to Councils.



- 10.9 lend money to any person;
- 10.10 grant a mortgage, charge, lien or pledge over any present or future asset of the Association;
- 10.11 grant a guarantee and/or indemnity of the obligations of another person;
- 10.12 insure against any risk;
- 10.13 publish information of benefit to the community in the areas of the Constituent Councils;
- 10.14 enter into a partnership or joint venture with any person;
- 10.15 construct, maintain, repair and demolish any infrastructure or other personal or real property;
- 10.16 pay any cost or expense of the establishment, operation, administration or winding up of the Association;
- 10.17 compromise, compound, abandon or settle a debt or claim owed to the Association;
- 10.18 waive a legal or equitable or statutory right;
- 10.19 refer a dispute to arbitration;
- 10.20 make any election for the purpose of any tax;
- 10.21 delegate the exercise of any of its functions or other powers (including the receipt and payment of money) to any person;
- 10.22 appoint an agent or attorney to perform any of the Association's other powers;
- 10.23 those powers given to trustees by law, equity or statute and not necessarily inconsistent with this Charter or the functions of the Association;
- 10.24 pay to the Constituent Councils or accumulate as reserves for up to such period as the law allows any surplus funds;
- 10.25 such other powers as the Act or this Charter may confer upon the Association;
- 10.26 do all things incidental to the exercise of any other power of the Association.

#### 11. POWER OF DELEGATION

As a matter of record, Schedule 2, Clause 36 of the Act vests a power of delegation in the Association.

#### 12. GUIDING PRINCIPLES

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

**PART 4 – CONSTITUENT COUNCILS****13. CONSTITUENT COUNCILS MAY ACT INDEPENDENTLY**

The establishment of the Association does not preclude any Constituent Council from performing for itself the same functions and powers as the Association could on behalf of the Constituent Council.

**14. CURRENT CONSTITUENT COUNCILS**

On the coming into operation of this Charter, the Constituent Councils are:

- 14.1 District Council of Ceduna.
- 14.2 District Council of Cleve.
- 14.3 District Council of Elliston.
- 14.4 District Council of Franklin Harbour.
- 14.5 District Council of Kimba.
- 14.6 District Council of Wudinna.
- 14.7 District Council of Lower Eyre Peninsula.
- 14.8 District Council of Streaky Bay.
- 14.9 District Council of Tumby Bay.
- 14.10 City of Port Lincoln.
- 14.11 Corporation of the City of Whyalla.

**15. INCOMING CONSTITUENT COUNCILS<sup>9</sup>**

Any Council may become a Constituent Council if:

- 15.1 it makes written application (in a form approved by the Board) to become a Constituent Council and agrees to be bound by this Charter;
- 15.2 it pays any joining fee as may be required by the Board;
- 15.3 the Board approves the application; and
- 15.4 the Minister approves.<sup>10</sup>

An incoming Constituent Council:

- (a) is jointly and severally liable with the other Constituent Councils for the debts and liabilities of the Association incurred before or after the date they become a Constituent Council;

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<sup>9</sup> Schedule 2, Clause 19 (2) (o) of the Act requires the charter to address issues surrounding a Council becoming a Constituent Council, or ceasing to be a Constituent Council. The Act makes no provision for "associate" members, only full members.

<sup>10</sup> Schedule 2, Clause 29 (a) of the Act refers.

- (b) is bound by a decision made or step taken by the Association or Board in the affairs of the Association before they became a Constituent Council to the extent such decision or step was recorded in minutes of the Board's meetings or otherwise notified to the incoming Constituent Council before they made application to become a Constituent Council.

## 16. OUTGOING CONSTITUENT COUNCILS<sup>11</sup>

16.1 A Constituent Council may resign if and only if:

16.1.1 the Constituent Council gives at least 90 days written notice of resignation to each Constituent Council, which notice is not effective until the 30 June next following the expiry of that notice period;

16.1.2 the Minister approves.<sup>12</sup>

16.2 The Board may cancel the membership of a Constituent Council if:

16.2.1 this Charter obliges the Constituent Council to make a payment to the Association and such amount is not paid within 90 clear days after a written notice from the Association to that Constituent Council requiring payment;

16.2.2 the Board so resolves; and

16.2.3 the Minister so approves.<sup>13</sup>

16.3 A former Constituent Council:

16.3.1 remains liable to contribute to the debts and liabilities of the Association incurred while that Constituent Council was a member of the Association;

16.3.2 is not entitled to any refund of monies paid by them to the Association; and

16.3.3 relinquishes any beneficial interest in the assets of the Association.

## 17. NO TRANSFER OF CONSTITUENT COUNCIL MEMBERSHIP

Membership of the Association is personal to the Constituent Council and is not transferable.

## 18. CONSTITUENT COUNCILS MAY DIRECT THE ASSOCIATION

The Association is subject to the joint direction and control of the Constituent Councils acting through their respective Board Members and Deputy Board Members at Board meetings and not otherwise.<sup>14</sup>

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<sup>11</sup> Schedule 2, Clause 19 (2) (o) of the Act requires the charter to address issues surrounding a Council becoming a Constituent Council, or ceasing to be a Constituent Council.

<sup>12</sup> Schedule 2, Clause 29 (b) of the Act refers.

<sup>13</sup> Schedule 2, Clause 29 (b) of the Act refers.

<sup>14</sup> Schedule 2, Clause 26 of the Act refers.

**19. CEO OF A CONSTITUENT COUNCIL MAY ACT**

The Chief Executive Officer for the time being of a Constituent Council or his or her delegate may exercise a power of that Constituent Council under this Charter for and on behalf of that Constituent Council including appoint and remove a Board Member or Deputy Board Member for that Constituent Council.

**20. CONSTITUENT COUNCILS ARE GUARANTORS OF THE ASSOCIATION**

20.1 As a matter of record, Schedule 2, Clause 31 (1) of the Act is that liabilities incurred or assumed by the Association are guaranteed by the Constituent Councils.

20.2 As between the Constituent Councils, they share in the liabilities of the Association equally or in such other manner as last unanimously resolved by all Board Members then in office and recorded in minutes of Board meetings.<sup>15</sup>

**PART 5 – BOARD MEMBERS****21. QUALIFICATION OF BOARD MEMBERS<sup>16</sup>**

A Board Member must be an officer, employee or elected member of a Constituent Council.

**22. APPOINTMENT OF BOARD MEMBERS**

22.1 Neither the Association nor the Board may appoint a Board Member.<sup>17</sup>

22.2 Each Constituent Council may appoint one Board Member by giving to the Association both:

22.2.1 a written notice of appointment of the Board Member, signed by the CEO of the Constituent Council; and

22.2.2 a written consent to act as a Board Member, signed by the person.<sup>18</sup>

22.3 A Constituent Council may appoint a substitute person as a Board Member whenever a person previously appointed by that Constituent Council as a Board Member vacates that office.<sup>19</sup>

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<sup>15</sup> Schedule 2, Clause 19 (2) (q) requires the charter address the proportions in which the Constituent Councils are to be responsible for the liabilities of the Association in the event of its insolvency.

<sup>16</sup> Schedule 2, Clause 20 (1) of the Act contemplates that Board Members need not be members of a Constituent Council. Schedule 2, Clause 20 (6) of the Act deals with the possibility of a conflict of interest where a Board Member is a member or employee of a Constituent Council. See also Schedule 2, Clause 20 (7) of the Act.

<sup>17</sup> Schedule 2, Clause 20 (1) of the Act would otherwise entitle the Constituent Councils as a whole to determine the membership of the Board.

<sup>18</sup> Schedule 2, Clause 19 (2) (b) (i) of the Act requires the charter to address the method by which Board Members will be appointed.

<sup>19</sup> Schedule 2, Clause 20 (4) of the Act refers.

**23. REMOVAL OF BOARD MEMBERS<sup>20</sup>**

23.1 Neither the Association nor the Board may remove a Board Member.

23.2 A Constituent Council who appointed a person as a Board Member may remove that person from office by giving to the Association a written notice of removal of the Board Member, signed by the CEO of the Constituent Council.

**24. VACATION OF THE OFFICE OF BOARD MEMBER<sup>21</sup>**

A person vacates office as a Board Member if and when:

24.1 Clause 23.2 requires; or

24.2 Schedule 2, Clause 20 (3) of the Act requires or permits;

24.3 the person ceases to be an officer, employee or elected member of the Constituent Council who appointed them; or

24.4 the Constituent Council who appointed the person as a Board Member ceases to be a Constituent Council.

A Board Member need not retire from office at any time.<sup>22</sup>

**25. REMUNERATION AND EXPENSES OF BOARD MEMBERS<sup>23</sup>**

25.1 The Association is not liable to pay a Board Member (as such) any remuneration except with the prior approval of the Board as recorded in minutes of Board meetings.

25.2 The Association must pay a Board Members' travelling and other expenses that they properly incur in connection with the Association's business and with the prior approval of the Board as recorded in minutes of Board meetings.

**26. DEPUTY BOARD MEMBERS<sup>24</sup>**

26.1 A Constituent Council may appoint a Deputy Board Member to exercise for a specified period some or all of the powers of a Board Member appointed by that Constituent Council.

26.2 When a Deputy Board Member exercises the powers of the Board Member for whom they are deputy, the exercise of the powers is just as effective as if the Board Member exercised the powers.

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<sup>20</sup> Schedule 2, Clause 19 (2) (b) (i) of the Act requires the charter to address the method by which a Board Member's term of office will be determined.

<sup>21</sup> Schedule 2, Clause 19 (2) (b) (i) of the Act requires the charter to address the method by which a Board Member's term of office will be determined.

<sup>22</sup> Schedule 2, Clause 19 (2) (b) (i) of the Act requires the charter to address the method by which a Board Member's term of office will be determined. If a Board Member was obliged to retire after a fixed term, Schedule 2, Clause 20 (2) is that the Board Member is eligible for reappointment.

<sup>23</sup> Schedule 2, Clause 19 (2) (b) (ii) of the Act requires the charter to address the conditions of a Board Member's appointment.

<sup>24</sup> Schedule 2, Clause 19 (2) (b) (iv) of the Act requires the charter to address the appointment of deputies to Board Members.

- 26.3 The appointing Constituent Council may terminate the Deputy Board Member's appointment at any time.
- 26.4 An appointment or its termination must be in writing. A copy must be given to the Association and is effective upon being so given.
- 26.5 A Deputy Board Member has one vote for each Board Member for whom he or she is a Deputy Board Member, if the Board Member is not present at the meeting.
- 26.6 The provisions of this Charter that apply to the Board Members also apply to Deputy Board Members.<sup>25</sup>

27. **REGISTER OF INTERESTS**<sup>26</sup>

A Board Member is not required to submit returns to the Association under Chapter 5, Part 4, Division 2 of the Act as applicable.

28. **PROTECTION FROM LIABILITY**

As a matter of record, Schedule 2, Clause 38 of the Act protects a Board Member from certain civil liabilities.

29. **SAVING PROVISION**

As a matter of record, Schedule 2, Clause 40 of the Act is that no act or proceeding of the Association is invalid by reason of:

- 29.1 a vacancy or vacancies in the membership of the Board; or
- 29.2 a defect in the appointment of a Board Member.

**PART 6 – OTHER OFFICERS**

30. **PRESIDENT**

- 30.1 At all times the Association must have a President, who must be a Board Member.
- 30.2 The Board appoints the President and may at any time remove from office the President and appoint a replacement President.
- 30.3 The President's functions are:
- 30.3.1 to chair meetings of the Constituent Councils;
  - 30.3.2 to chair meetings of the Board;
  - 30.3.3 to serve as an *ex officio* member and chair of all committees;
  - 30.3.4 to represent the Association in relations with the media and the public generally.

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<sup>25</sup> Schedule 2, Clause 20 (5) of the Act creates a presumption that a statutory reference to a Board Member includes a reference to a deputy.

<sup>26</sup> Schedule 2, Clause 19 (2) (c) of the Act requires the charter to address whether the submission of returns is required. See also s. 72 (2) of the Act.

30.4 A person ceases to be President if they cease to be a Board Member.

### 31. SENIOR VICE-PRESIDENT

31.1 At all times the Association must have a Senior Vice-President, who must be a Board Member.

31.2 The Board appoints the Senior Vice-President and may at any time remove from office the Senior Vice-President and appoint a replacement Senior Vice-President.

31.3 The Senior Vice-President's functions are:

31.3.1 to assist the President;

31.3.2 to exercise the President's functions whenever the President is unable to do so.

31.4 A person ceases to be Senior Vice-President if they cease to be a Board Member.

### 32. JUNIOR VICE-PRESIDENT

32.1 At all times the Association must have a Junior Vice-President, who must be a Board Member.

32.2 The Board appoints the Junior Vice-President and may at any time remove from office the Junior Vice-President and appoint a replacement Junior Vice-President.

32.3 The Junior Vice-President's functions are:

32.3.1 to assist the President;

32.3.2 to exercise the President's functions whenever both the President and Senior Vice-President are unable to do so.

32.4 A person ceases to be Junior Vice-President if they cease to be a Board Member.

### 33. EXECUTIVE OFFICER

33.1 The Board may appoint a person to the office of Executive Officer of the Association for the period, and on the terms (including as to remuneration), as the Board sees fit.

33.2 The Board may revoke or vary an appointment of an Executive Officer, subject to any agreement made between the Executive Officer and the Association.

33.3 The Board may confer on the Executive Officer any of the powers that the Board can exercise.

33.4 The Board may revoke or vary a conferral of powers on the Executive Officer, subject to any agreement made between the Executive Officer and the Association.

33.5 The Executive Officer is answerable to the Board.

### 34. SUPPORT OF THE EXECUTIVE OFFICER

The President, Senior Vice-President and Junior Vice-President must:

34.1 supervise the activities of the Association; and

34.2 give advice and direction to the Executive Officer,  
in conformity with any policies or directions of the Board at the time.

**35. SECRETARY**

The Association may, but need not, have a secretary. A secretary holds office on the terms and conditions (including as to remuneration) that the Board determines.

**36. AUDITOR**

The Association must have an auditor.<sup>27</sup> Subject to the Act, an auditor holds office on the terms and conditions (including as to remuneration) that the Board determines.<sup>28</sup>

**PART 7 – AUDIT COMMITTEE**

**37. AUDIT COMMITTEE<sup>29</sup>**

The Association will not have an audit committee.

**PART 8 – STAFF**

**38. STAFF<sup>30</sup>**

38.1 Subject to the current Budget, the Association may employ any staff including, without limitation, the Executive Officer and a secretary.

38.2 The Board and a Constituent Council may arrange for that Constituent Council to make available on secondment to the Association one or more of that Constituent Council's staff in connection with the Association's affairs for such period, and upon such terms and conditions (including as to remuneration) as the Association and that Constituent Council may agree.

38.3 The Board, a Constituent Council that employs staff and the staff member concerned may agree for that staff member to terminate their employment with that Constituent Council and become an employee of the Association. In that case, unless agreed otherwise and in writing:

38.3.1 the Association must credit service with the Constituent Council as service with the Association;

38.3.2 the Association must assume sole liability for accrued employee entitlements of that staff member as at the date of transfer (such as for annual leave or long service leave); and

38.3.3 that Constituent Council must compensate the Association for assuming such accrued liabilities.

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<sup>27</sup> Schedule 2, Clause 30 (1) of the Act requires an auditor. See also *Local Government (Financial Management) Regulations 1999* reg. 15 (1).

<sup>28</sup> *Local Government (Financial Management) Regulations 1999* reg. 16A concerns independence of the auditor.

<sup>29</sup> Schedule 2, Clause 30 (2) of the Act allows the charter to negate the need for an audit committee.

<sup>30</sup> Schedule 2, Clause 19 (2) (f) of the Act requires the charter to address staffing issues.



**PART 9 – BOARD****39. BOARD<sup>31</sup>**

The Association must at all times have a Board comprised of Board Members.

**40. BOARD'S POWERS**

40.1 As a matter of record, Schedule 2, Clause 22 (1) of the Act is that the Board is responsible for the administration of the affairs of the Association.

40.2 As a matter of record, Schedule 2, Clause 22 (3) of the Act is that anything done by the Board in the administration of the Association's affairs is binding on the Association.

40.3 The Board may exercise all the powers of the Association except any powers that the Act may require the Constituent Councils to exercise.

40.4 A delegation of powers by the Board:

40.4.1 may authorise the delegate to sub-delegate all or any of the powers vested in the delegate;

40.4.2 may be concurrent with or to the exclusion of the exercise by the Board of those powers.

**41. BOARD MEETINGS**

41.1 Subject to Schedule 2, Clause 21 of the Act and to the other provisions of this Charter, the Board may determine its own procedures for meetings, which must be fair and contribute to free and open decision-making.<sup>32</sup>

41.2 The President or any two Board Members may call a Board meeting.

41.3 A Board meeting must be held at least four times in every 12 months, on dates determined by the Board.

41.4 A Board meeting must be held at a reasonable time and, if the meeting is to be held in person, at a reasonable place.

41.5 Unless all Board Members entitled to vote at the meeting agree otherwise, a person calling a Board meeting must give to each Board Member individually a notice of meeting that:

41.5.1 sets out the place, date and time for the meeting;

41.5.2 states the general nature of the meeting's business;

41.5.3 is accompanied by relevant information so far as reasonably available (if not already given to the Board Member); and

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<sup>31</sup> Schedule 2, Clause 19 (2) (b) of the Act requires the charter to address the constitution of the Board.

<sup>32</sup> Schedule 2, Clause 21 (12) of the Act refers. The *Local Government (Procedures at Meetings) Regulations 2000* do not apply of their own force, though they could be made to apply if desired.

- 41.5.4 is given at least five clear business days before the meeting (or such other period as all the Board Members in office may as a matter of general policy determine otherwise).<sup>33</sup>
- 41.6 As a matter of record, Schedule 2, Clause 21 (5) of the Act may permit a Board meeting by telephone or videoconference.
- 41.7 Chapter 6, Part 3 of the Act (public access to meetings) applies to Board meetings as if the Association were a Council and the Board Members were members of the Council.<sup>34</sup>
- 41.8 A Deputy Board Member may attend and participate in, but not vote at any Board meeting at which the Board Member for whom they are deputy attends. A Deputy Board Member may attend and participate in and vote at any Board meeting at which the Board Member for whom they are deputy does not attend.
- 41.9 As a matter of record, Schedule 2, Clause 21 (8) of the Act may permit a third party authorised by a Constituent Council to attend (but not participate in) a Board meeting and have access to papers provided for the meeting.<sup>35</sup>
- 41.10 If present and willing to act, the President or, failing him or her, the Senior Vice-President or, failing him or her, the Junior Vice-President must chair a Board meeting. If at a Board meeting neither the President, Senior-President or Junior Vice-President is present and willing to act, those Board Members present must elect a Board Member to chair that Board meeting.<sup>36</sup>
- 41.11 Unless the Board Members determine otherwise, the quorum for a Board meeting is a number ascertained by dividing the total number of Constituent Councils by 2, ignoring any fraction resulting from the division, and adding one. A Deputy Board Member is counted towards a quorum, if their Board Member is not present at the meeting. A quorum must be present at all times during the meeting. A Board Member (or Deputy Board Member) who has a material personal interest in a matter that relates to the affairs of the Association (including a contract, arrangement or transaction with the Association) may be counted towards a quorum of a meeting of Board Members that is to consider that matter.<sup>37</sup>
- 41.12 At any time, the Board may invite a person to attend a Board meeting as an observer or adviser.
- 41.13 As a matter of record, Schedule 2, Clauses 21 (4) (one vote per Board Member, no casting vote) and 21 (3) (majority vote) of the Act govern voting at a Board meeting.
- 41.14 A Board Member may not vote by proxy. A Deputy Board Member is not a proxy.

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<sup>33</sup> Section 4 (1) of the Act defines "business day" as a day that is not a Saturday, Sunday or public holiday.

<sup>34</sup> Schedule 2, Clause 21 (7) of the Act would permit the charter to exclude or modify the application of Chapter 6, Part 3 of the Act.

<sup>35</sup> See also Schedule 2, Clauses 21 (9) and (10) of the Act as to confidential matters disclosed at the meeting.

<sup>36</sup> Schedule 2, Clause 19 (2) (b) (iii) of the Act requires the charter to address the appointment of a chair of Board meetings. See also Schedule 2, Clause 21 (2) of the Act where the previously elected chair is absent.

<sup>37</sup> Schedule 2, Clause 21 (1) of the Act leaves the determination of a quorum of the Board to the charter.

- 41.15 As a matter of record, Schedule 2, Clause 21 (11) of the Act obliges the Board to keep minutes of its proceedings.
- 41.16 As a matter of record, Schedule 2, Clause 21 (6) of the Act may permit a resolution of the Board made in writing and not at a meeting.

#### **PART 10 – COMPETITIVE NEUTRALITY**

##### **42. COMPETITIVE NEUTRALITY**

For the purposes of Schedule 2, Clause 32 of the Act, the Association is not to be involved in a significant business activity.

#### **PART 11 – GOVERNANCE**

##### **43. BOARD MEMBER'S CONFLICT OF INTEREST**

As a matter of record, by s. 75 (2) of the Act, the provisions of Chapter 5, Part 4, Division 3 apply to Board Members.<sup>38</sup>

##### **44. BOARD MEMBER'S DUTIES OF CARE**

As a matter of record, Schedule 2, Clause 23 of the Act (care and diligence) and Schedule 2, Clause 34 of the Act (honesty, use of information, use of position) set out certain statutory duties of a Board Member.<sup>39</sup>

##### **45. BOARD POLICIES**

- 45.1 The Association must, in consultation with the Constituent Councils, prepare and adopt and thereafter keep under review policies on:
- 45.1.1 contracts and tenders, as would conform to s. 49 of the Act;
  - 45.1.2 public consultation, as would conform to s. 50 of the Act;
  - 45.1.3 governance including as concern:
    - (a) the operation of any account with a bank or Local Government Finance Authority;
    - (b) human resource management;
    - (c) improper assistance to a prospective tenderer;
    - (d) improper offering of inducements to Board Members or to staff of the Association;
    - (e) improper lobbying of Board Members or staff of the Association;
  - 45.1.4 occupational health and safety;
  - 45.1.5 protection of the environment.

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<sup>38</sup> Schedule 2, Clause 20 (6) of the Act deals with the possibility of a conflict of interest where a Board Member is a member or employee of a Constituent Council. See also Schedule 2, Clause 20 (7) of the Act.

<sup>39</sup> See also s. 62 (7) (b) of the Act.

- 45.2 The Board must ensure that the first policies are prepared and adopted within 6 months after the date this Charter is adopted.
- 45.3 To the extent it is able, the Board must ensure that such policies as above are complied with in the affairs of the Association.

#### 46. BOARD DUTIES TO CONSTITUENT COUNCILS

As a matter of record, Schedule 2, Clause 22 (2) of the Act is that the Board must ensure as far as practicable:

- 46.1 that the Association observes all plans, targets, structures, systems and practices required or applied to the Association by the Constituent Councils acting through the Board;
- 46.2 that all information furnished to a Constituent Council is accurate; and
- 46.3 that the Constituent Councils are advised, as soon as practicable, of any material development that affects the financial or operating capacity of the Association or gives rise to the expectation that the Association may not be able to meet its debts as and when they fall due.

#### 47. BOARD DUTIES TO THE ASSOCIATION

The Board must ensure:

- 47.1 the Association acts in accordance with applicable laws, mandatory codes of practice and this Charter;
- 47.2 the Association acts ethically and with integrity;
- 47.3 the activities of the Association are conducted efficiently and effectively and that the assets of the Association are properly managed and maintained; and
- 47.4 subject to any overriding duty of confidence, the affairs of the Association are undertaken in an open and transparent manner.

The Board must endeavour to ensure that the Association performs its Business Plan and achieves or betters the financial outcomes projected in its Budget.

### PART 12 – BUSINESS PLANS

#### 48. BUSINESS PLANS

As a matter of record, Schedule 2, Clause 24 of the Act sets out requirements for Business Plans. The following provisions of this Part are in addition to and not in derogation of the requirements of the Act.

#### 49. ABOUT A BUSINESS PLAN

In preparing and when reviewing a Business Plan, the Board must at a minimum have regard to the following so far as has been disclosed to the Association:

- 49.1 any initiatives proposed by the Commonwealth of Australia or the State of South Australia or by a Council not a Constituent Council as may impact upon the area of a Constituent Council;
- 49.2 the strategic management plan of each Constituent Council then in force;

49.3 the annual business plan and budget of each Constituent Council then in force.

**50. BUSINESS PLAN TERM**

A Business Plan must address at least the next 36 months.

**PART 13 – BUDGETS**

**51. BUDGETS<sup>40</sup>**

As a matter of record, Schedule 2, Clause 25 of the Act sets out requirements for Budgets.

**52. ABOUT A BUDGET**

An adopted Budget binds the Association and each Constituent Council and is authority for the Association to perform work and incur debts and obligations according to its own terms without reference back to the Board or the Constituent Councils (except to any extent the Budget otherwise requires).

**53. EXPENDITURE OUTSIDE A BUDGET**

As a matter of record, Schedule 2, Clause 25 (4) is that the Association may incur, for the purpose of genuine emergency or hardship, spending that is not authorised by its Budget. Also, as a matter of record, Schedule 2, Clause 25 (5) is that the Association may, in a financial year, after consultation with the Constituent Councils, incur spending before adoption of its Budget for the year, but the spending must be provided for in the appropriate Budget for the year.

**54. TRADING WITH CONSTITUENT COUNCILS**

The Association may at any time trade goods or services with a Constituent Council (or subsidiary of a Constituent Council) on terms reasonable in the circumstances as if the Association and the Constituent Council (or subsidiary) were dealing at arm's length.

**PART 14 – FUNDING<sup>41</sup>**

**55. FUNDING**

The Association may decline to take any action where funds then available to the Association are in the Board's opinion insufficient to defray the costs of such action and any debt or liability that may result.

**56. CONSTITUENT COUNCIL SUBSCRIPTIONS**

The Board may from time to time prescribe:

56.1 a joining fee payable by any Council applying to become a Constituent Council; and/or

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<sup>40</sup> *Local Government (Financial Management) Regulations 1999*, reg. 6 is that a copy of the budget must be provided to the CEO of each Constituent Council within five business days, and reg. 7 is that the budget must be reconsidered at least 3 times in the financial year.

<sup>41</sup> Schedule 2, Clause 19 (2) (g) of the Act requires the charter to address whether the Association is intended to be partially or fully self-funding, or to have the ability to raise revenue, and other relevant arrangements relating to costs and funding, including financial contributions to be made by the Constituent Councils.

56.2 annual subscription fees payable by each Constituent Council (in such proportions between all the Constituent Councils as the Board resolves) on or about each 1 July sufficient to cover the Association's net expenditure as estimated in the Budget for the financial year concerned.

#### 57. REVENUE

The Association may earn revenue from acting as representative or lobbyist for a Constituent Council separately and not for all the Constituent Councils.

#### 58. DISTRIBUTIONS TO CONSTITUENT COUNCILS<sup>42</sup>

The Association may distribute to the Constituent Councils any surplus revenue or gains to the extent the Board determines the Association can afford to pay having regard to future expenditure the Business Plan anticipates be incurred in the following 90 days.

#### 59. CONTRIBUTIONS ON INSOLVENCY

On the insolvency of the Association, every Constituent Council must contribute in proportion to their last annual subscription to the debts and liabilities of the Association incurred while the Constituent Council is a Constituent Council.<sup>43</sup>

### PART 15 – ASSETS

#### 60. ACQUISITION OF ASSETS<sup>44</sup>

The Association may acquire such assets as its Business Plan provides.

#### 61. DISPOSAL OF ASSETS<sup>45</sup>

The Association may dispose of assets as its Business Plan provides or at the end of the asset's effective life.

#### 62. INVESTMENTS<sup>46</sup>

The Association may invest:

62.1 in plant and equipment as may be contemplated in its Business Plan;

62.2 cash on interest-bearing deposit with any bank or with Local Government Finance Authority.<sup>47</sup>

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<sup>42</sup> Schedule 2, Clause 19 (2) (j) of the Act requires the charter to address the manner in which surplus revenue is to be dealt with by the Association.

<sup>43</sup> Schedule 2, Clause 19 (2) (q) of the Act requires the charter to address the proportions in which the Constituent Councils are to be responsible for the liabilities of the Association in the event of its insolvency.

<sup>44</sup> Schedule 2, Clause 19 (2) (i) of the Act requires the charter to address the acquisition and disposal of assets.

<sup>45</sup> Schedule 2, Clause 19 (2) (i) of the Act requires the charter to address the acquisition and disposal of assets.

<sup>46</sup> Schedule 2, Clause 19 (2) (k) of the Act requires the charter to address the nature and scope of any investment which may be undertaken by the Association.

<sup>47</sup> If any wider power of investment were contemplated, s. 139 of the Act would be relevant.

**63. INTERESTS IN COMPANIES**

As a matter of record, Schedule 2, Clause 39 of the Act prohibits the Association from having an interest in most companies.

**PART 16 – INSURANCE****64. INSURANCE**

64.1 The Association must register with the *Local Government Association Mutual Liability Scheme* and comply with the rules of that Scheme.

64.2 If the Association employs any person, it must register with the *Local Government Superannuation Scheme* and the *Local Government Association Workers Compensation Scheme* and comply with the rules of those Schemes.<sup>48</sup>

64.3 The Association may but is not obliged to pay a premium for a contract insuring a person who is or has been a Board Member against a liability incurred as a Board Member.

**PART 17 – FINANCIAL PRACTICES****65. ACCOUNTING RECORDS<sup>49</sup>**

The Association must comply with s. 124 of the Act as if the Association were a Council.

**66. OTHER FINANCIAL PRACTICES<sup>50</sup>**

Except as may be stated elsewhere in this Charter, there are no special accounting, internal auditing or financial systems or practices to be established or observed by the Association.

**PART 18 – ACCESS TO INFORMATION****67. ACCESS TO RECORDS**

A Constituent Council and a Board Member each has a right to inspect and take copies of the books and records of the Association for any proper purpose.

**68. PROVISION OF INFORMATION**

As a matter of record Schedule 2, Clause 27 of the Act entitles each Constituent Council to be furnished with information or records of the Association.

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<sup>48</sup> Schedule 1, Clause 3 (7) of the Act binds the Association to the superannuation scheme in any event.

<sup>49</sup> *Local Government (Financial Management) Regulations 1999* reg. 8 applies certain accounting standards; reg. 10 requires revaluation of material non-current assets; reg. 10 is that the financial statements must accord with the Model Financial Statements. Regulation 14 (1) applies certain Auditing Standards and Auditing Guidance Statements to the audit of financial statements. An audit of the financial statements is required by reg. 16.

<sup>50</sup> Schedule 2, Clause 19 (2) (h) of the Act requires to charter to address this topic.

**69. MANAGEMENT REPORTS<sup>51</sup>**

The Association must provide management reports to the Board Members at such times, in such format and with such content as the Board may determine.

**70. ANNUAL REPORTS**

As a matter of record, Schedule 2, Clause 28 of the Act requires the Association to furnish an annual report to the Constituent Councils.

**PART 19 – DISPUTE RESOLUTION****71. DISPUTE RESOLUTION<sup>52</sup>****71.1 About this Clause:**

71.1.1 The procedure in this Clause must be applied to any dispute that arises between the Association and a Constituent Council concerning the affairs of the Association, or between Constituent Councils concerning the affairs of the Association, including a dispute as to the meaning or effect of this Charter and whether the dispute concerns a claim in common law, equity or under statute.

71.1.2 The Association and a Constituent Council must continue to observe and perform this Charter despite the application or operation of this Clause.

71.1.3 This Clause does not prejudice the right of a party:

- (a) to require the continuing observance and performance of this Charter by all parties; or
- (b) to institute proceedings to enforce payment due under this Charter or to seek injunctive relief to prevent immediate and irreparable harm.

71.1.4 Pending completion of the procedure set out in this Clause, and subject to this Clause, a dispute must not be the subject of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this provision, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedure set out in this Clause.

**71.2 Step 1: Notice of dispute:** A party to the dispute must promptly notify each other party to the dispute:

71.2.1 the nature of the dispute, giving reasonable details; and

71.2.2 what action (if any) the party giving notice thinks will resolve the dispute,

but a failure to give such notice does not entitle any other party to damages.

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<sup>51</sup> Schedule 2, Clause 19 (2) (l) of the Act requires the charter to address the Association's obligations to report on its operations, financial position and other relevant issues, and processes for other forms of reporting to the Constituent Councils.

<sup>52</sup> Schedule 2, Clause 19 (2) (n) of the Act requires the charter to address the manner in which disputes between the Constituent Councils relating to the Association will be resolved.



- 71.3 **Step 2: Meeting of the parties:** A party to the dispute who complies with the previous step may at the same or a later time notify each other party to the dispute that the first party requires a meeting at the Association's principal office within 14 days after the giving of such notice. In that case, each party to the dispute must send to the meeting a senior manager of that party with authority to resolve the dispute and at the meeting make a good faith attempt to resolve the dispute.
- 71.4 **Step 3: Mediation:** Despite whether any previous step was taken, a dispute not resolved within 30 days must be referred to mediation, as to which:
- 71.4.1 the mediator must be a person agreed by the parties in dispute or, if they cannot agree within 14 days, a mediator nominated by the then President of the of the South Australian Bar Association (or equivalent officer of any successor organisation);
  - 71.4.2 the role of a mediator is to assist in negotiating a resolution of a dispute. A mediator may not make a decision binding on a party unless that party has so agreed in writing;
  - 71.4.3 the mediation must take place at the Association's principal office;
  - 71.4.4 a party in dispute must cooperate in arranging and expediting mediation;
  - 71.4.5 a party in dispute must send to the mediation a senior manager with authority to resolve the dispute;
  - 71.4.6 the mediator may exclude lawyers acting for the parties in dispute and may co-opt expert assistance as the mediator thinks fit;
  - 71.4.7 a party in dispute may withdraw from mediation if there is reason to believe the mediator is not acting in confidence, or with good faith or is acting for a purpose other than resolving the dispute;
  - 71.4.8 unless otherwise agreed in writing:
    - (a) everything that occurs before the mediator is in confidence and in closed session;
    - (b) discussions (including admissions and concessions) are without prejudice and may not be called into evidence in any subsequent legal proceedings by a party;
    - (c) documents brought into existence specifically for the purpose of the mediation may not be admitted in evidence in any subsequent legal proceedings by a party;
    - (d) the parties in dispute must report back to the mediator within 14 days on actions taken, based on the outcome of the mediation;
  - 71.4.9 a party in dispute need not spend more than one day in mediation for a matter under dispute;
  - 71.4.10 a party in dispute must bear an equal share of the costs and expenses of the mediator and otherwise bears their own costs.

**PART 20 – WINDING UP****72. WINDING UP**

The Association may be wound up in circumstances Schedule 2, Clause 33 (1) of the Act allows or requires.

**73. DISTRIBUTION OF ASSETS AND LIABILITIES ON WINDING UP<sup>53</sup>**

In the event the Association commences to wind up and except to any extent the Board unanimously determines otherwise, the Association must otherwise divide among the Constituent Councils in kind all of the Association's assets and liabilities in proportion to their Shares.<sup>54</sup>

**PART 21 – OTHER MATTERS****74. EXECUTION OF DOCUMENTS**

As a matter of record, Schedule 2, Clause 37 of the Act governs the execution of documents by the Association.

**75. PRINCIPAL OFFICE**

The Association's principal office must be c/- 89 Liverpool Street, Port Lincoln, S.A. 5606 or as the Board may determine otherwise.

**76. SERVICE OF DOCUMENTS**

A document to be given by the Association to a Constituent Council, or by a Constituent Council to the Association may be given in a manner s. 280 of the Act permits. A written notice given by the Association to a Constituent Council must be marked, "Attention: Chief Executive Officer".

**77. CIRCUMSTANCES NOT PROVIDED FOR**

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

Dated 3 July 2008.

DIANA LAUBE, Executive Director

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<sup>53</sup> Schedule 2, Clause 19 (2) (p) of the Act requires the charter to address the manner in which the property of the Association is to be distributed in the event of a winding up.

<sup>54</sup> Schedule 2, Clause 33 (3) of the Act is that the assets or liabilities of the Association at the time of winding-up vest in or attach to the Constituent Councils on the winding-up in accordance with the charter.

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## NATIONAL ELECTRICITY LAW

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

Under section 107, the period of time for preparing the draft determination for the proposed *National Electricity Amendment (Cost Allocation Arrangements for Transmission Services) Rule 2008* has been extended to **31 July 2008**.

Further details on the above matter are available on AEMC's website [www.aemc.gov.au](http://www.aemc.gov.au). All documents in relation to the above matter are published on the AEMC's website and are available for inspection at the offices of the AEMC.

John Tamblyn  
Chairman  
Australian Energy Market Commission  
Level 5, 201 Elizabeth Street  
Sydney, N.S.W. 2000  
Telephone: (02) 8296 7800  
Facsimile: (02) 8296 7899

3 July 2008.

## NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS) REGULATIONS 2001

*Closure of Gawler Ranges National Park*

PURSUANT to Regulations 8 (3) (a) and 8 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife, close to the public, part of the Gawler Ranges National Park from 6 p.m. on Friday, 8 August 2008 until 6 a.m. on Saturday, 16 August 2008.

The closure applies to the area encompassing all of the Park to the east of the Minnipa-Yardea Road including Old Paney, Paney Homestead and the Mattera, Kolay Hut, Chillunie and Waganny campgrounds.

The portion of the Park to the west of the Minnipa-Yardea Road including Organ Pipes and the Yandinga, Scrubby Peak and Kododo Hill Campgrounds will remain open to the public during this period.

The purpose of the closure is to ensure the safety of the public during a pest control and monitoring program within the reserve during the period indicated.

*Use of Firearms within the Reserve*

Pursuant to Regulations 8 (4), 20 (1) and 41 of the National Parks and Wildlife (National Parks) Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife, grant permission to members of the Sporting Shooters Association of South Australia (S.A. Branch) in possession of both a current Hunting Permit and a firearm to enter and remain in Gawler Ranges National Park from 6 p.m. on Friday, 8 August 2008 until 6 a.m. on Saturday, 16 August 2008, for the purpose of taking feral animals.

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

Dated 1 July 2008.

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

## PASSENGER TRANSPORT ACT 1994: SECTION 31

*Exemption*

I, PATRICK CONLON, Minister for Transport, pursuant to section 5 (2) of the Passenger Transport Act 1994, confer an exemption on accredited operators and vehicles providing a taxi service outside metropolitan Adelaide, that do not have a licence issued to them by a Council or other authority prescribed by the Passenger Transport (General) Regulations 1994, from Part 6, section 45 (1) (a) of the Act.

To be exempt from Part 6, section 45 (1) (a) of the Passenger Transport Act 1994, operators of services must:

- (1) operate a taxi type service outside metropolitan Adelaide in an area where a Council or other prescribed authority does not issue taxi licences;
- (2) hold current operator accreditation for a passenger vehicle service under Part 2, Division 1 of the Passenger Transport (General) Regulations 1994;
- (3) have all vehicles to be used as a country taxi under this exemption attached, to a current operator accreditation, as Small Passenger Vehicle (Non-Metropolitan) Accreditation and meet all the conditions of this accreditation category; and
- (4) be approved pursuant to Regulation 7 (1) (l) Passenger Transport (General) Regulations 1994, to ply for hire, have a sign fitted to the roof and/or use a taxi meter in vehicles to be used as a country taxi.

This exemption is effective immediately until 1 January 2009.

Dated 30 June 2008.

PATRICK CONLON, Minister for Transport

## PETROLEUM ACT 2000

*Grant of an Associated Facilities Licence—AFL 141  
(Adjunct to Petroleum Exploration Licence—PEL 92)*

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

*Description of Area*

All that part of the State of South Australia, bounded as follows:

A 50 m buffer around line segments defined by the following pairs of co-ordinates (MGA Zone 54, GDA), adjacent to Petroleum Exploration Licence—PEL 92 in the State of South Australia:

| From     |           | To       |           |
|----------|-----------|----------|-----------|
| 335780mE | 6934946mN | 336418mE | 6934738mN |
| 331650mE | 6938719mN | 331722mE | 6939225mN |
| 330039mE | 6938701mN | 330116mE | 6939279mN |

Area: 0.19 km<sup>2</sup> approximately.

Dated 1 July 2008.

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

## PETROLEUM ACT 2000

*Temporary Cessation of Suspension of Petroleum Exploration Licence—PEL 104*

PURSUANT to section 90 of the Petroleum Act 2000, notice is hereby given that the suspension dated 20 May 2008, of the abovementioned Exploration Licence has been temporarily ceased under the provisions of the Petroleum Act 2000, from and including 30 June 2008, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

Expiry date is now 2 October 2008.

Dated 30 June 2008.

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

## PUBLIC SECTOR MANAGEMENT ACT 1995

## Section 69

IN terms of sections (5) (a) and (6) of the Public Sector Management Act 1995 the following details of all appointments to the Minister's personal staff under this section (other than those described in previous reports under this section) is provided:

| APPOINTEE   | POSITION                  | SALARY   |
|---|---------------------------|----------|
| <b>MINISTER: Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Volunteers, Minister for Consumer Affairs, Minister Assisting in Early Childhood Development</b> |                           |          |
| Groote  | Mark Ministerial Adviser  | \$87 889 |
| Pugh  | Kevin Ministerial Adviser | \$87 889 |

IN terms of sections (5) (b) and (c) and (6) of the Public Sector Management Act 1995 the following information relating to the appointment of persons for the time being employed on the Minister's personal staff under this section, their remuneration and other conditions of appointment is provided as at 30 June 2008:

| APPOINTEE   | POSITION  | SALARY       |
|---|---|--------------|
| <b>MINISTER: Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change</b> |   |              |
|   | NUMBER OF MINISTERIAL STAFF:  | <b>33.26</b> |
| <b>Chataway</b>   | Peter Principal Adviser, Government Relations<br><i>[Absent on annual and long service leave until 7 May 2009]</i>  | \$186 393    |
| <b>Alexandrides</b>   | Nick Chief of Staff and Legal Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park, private plated motor vehicle, home delivered newspapers</i> | \$165 148    |
| <b>Bottrall</b>   | Jill Deputy Chief of Staff and Principal Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>   | \$146 797    |
| <b>Worrall</b>  | Lance Senior Adviser - Economic Policy<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>   | \$146 797    |
| <b>Flanagan</b>   | Paul Manager Communications<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  | \$143 544    |
| <b>Morris</b>   | Rik Manager Media Unit<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>   | \$120 000    |
| <b>Parker</b>   | Lachlan Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  | \$103 909    |
| <b>Hockley</b>  | Catherine Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  | \$100 943    |
| <b>Manuel</b>   | Leah Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>   | \$100 943    |
| <b>Ramsey</b>   | Andrew Speech Writer<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service, car park</i>                               | \$100 943    |
| <b>Brown</b>  | Owen Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service, car park</i>                                 | \$93 828     |
| <b>Clemow</b>   | Matthew Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  | \$93 828     |
| <b>Cox</b>  | Emma Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>   | \$93 828     |
| <b>Hurrell</b>  | Bronwyn Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  | \$93 828     |
| <b>Lush</b>   | Deanna Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>   | \$93 828     |

| APPOINTEE                  | POSITION   | SALARY   |
|----------------------------|--|----------|
| <b>Sweeney</b> Loine       | Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>   | \$93 828 |
| <b>Dadzis</b> Astra        | Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>   | \$93 828 |
| <b>Ion</b> Sam             | Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, car park</i>   | \$93 828 |
| <b>Lower</b> Richard       | Media Adviser<br><i>reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  | \$93 828 |
| <b>Stinson</b> Jayne       | Media Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service, car park</i>                         | \$93 828 |
| <b>Lange</b> Ethné         | Adviser<br><i>reasonable personal use of mobile telephone, car park</i>  | \$87 889 |
| <b>Bertossa</b> Michelle   | Policy Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service, car park</i>                        | \$87 889 |
| <b>Grant</b> Julia         | Policy Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  | \$87 889 |
| <b>Nicol</b> Graham        | Policy Adviser<br><i>reasonable personal use of mobile telephone, car park</i>   | \$87 889 |
| <b>Mills</b> Jeffrey       | Community Liaison Officer and Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service, car park</i> | \$87 889 |
| <b>Harter</b> Suzanne      | Policy Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service</i>                                  | \$87 889 |
| <b>Virgo</b> Michele       | Chief Administration Officer<br><i>reasonable personal use of mobile telephone, car park</i>   | \$81 830 |
| <b>Thomas</b> Nicole       | Media Adviser<br><i>0.8 FTE (Salary based on working 4 days per week), home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>                  | \$80 754 |
| <b>Thomas</b> Robyn        | Ministerial Officer  | \$68 852 |
| <b>Nicholson</b> Catherine | Assistant to the Media Unit<br><i>reasonable personal use of mobile telephone</i>  | \$66 672 |
| <b>Harris</b> Olivia       | Personal Assistant to the Premier (Appointments)<br><i>reasonable personal use of mobile telephone, car park</i>   | \$66 672 |
| <b>Duff</b> Elizabeth      | Personal Assistant, Chief of Staff and Legal Adviser   | \$60 030 |
| <b>Hasler</b> Anne         | Personal Assistant - Policy Unit<br><i>0.8 FTE (Salary based on working 4 days per week)</i>   | \$45 901 |
| <b>Kleanthi</b> Effy       | Parliamentary Liaison Officer<br><i>0.5 FTE (Salary based on working 2.5 days per week), reasonable personal use of mobile telephone</i>   | \$36 225 |
| <b>Stewart</b> Amanda      | Personal Assistant - Policy Unit<br><i>0.16 FTE (Salary based on working 6 hours per week)</i>   | \$9 180  |

**MINISTER: Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations**

|                          |  | NUMBER OF MINISTERIAL STAFF: |           |
|--------------------------|--|------------------------------|-----------|
| <b>Mullighan</b> Stephen | Chief of Staff<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, private plated motor vehicle, car park</i>          | <b>5.00</b>                  | \$128 449 |
| <b>McAvaney</b> Patrick  | Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, car park</i>   |                              | \$87 889  |
| <b>Roberts</b> Esther    | Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |                              | \$87 889  |
| <b>Romeo</b> Daniel      | Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service</i> |                              | \$87 889  |
| <b>Sproule</b> Suzanne   | Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, car park</i>   |                              | \$87 889  |

**MINISTER: Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning**

|                   |   | NUMBER OF MINISTERIAL STAFF: |           |
|-------------------|---|------------------------------|-----------|
| <b>Gent</b> Kevin | Chief of Staff<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i> | <b>7.60</b>                  | \$122 332 |

| APPOINTEE             | POSITION  | SALARY   |
|-----------------------|---|----------|
| <b>Vanco</b> George   | Ministerial Adviser   | \$87 889 |
|                       | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i> |          |
| <b>Makin</b> Jeremy   | Parliamentary Adviser   | \$87 889 |
|                       | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |          |
| <b>Bistrovic</b> John | Ministerial Adviser   | \$87 889 |
|                       | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |          |
| <b>Hubert</b> Paula   | Ministerial Adviser   | \$87 889 |
|                       | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i> |          |
| <b>Paul</b> Noel      | Ministerial Adviser   | \$87 889 |
|                       | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |          |
| <b>Bradley</b> Anna   | Personal Assistant  | \$59 331 |
| <b>Murray</b> Rickee  | Personal Assistant to the Parliamentary Secretary   | \$35 599 |
|                       | <i>0.6 FTE (Salary based on working 3 days per week)</i>  |          |

**MINISTER: Minister for Transport, Minister for Infrastructure, Minister for Energy**

|                         |   | NUMBER OF MINISTERIAL STAFF: | 5.00      |
|-------------------------|---|------------------------------|-----------|
| <b>Pinnegar</b> Matthew | Chief of Staff  |                              | \$122 332 |
|                         | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i> |                              |           |
| <b>Gerace</b> Pasquale  | Ministerial Adviser   |                              | \$87 889  |
|                         | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |                              |           |
| <b>Bowen</b> Jared      | Ministerial Adviser   |                              | \$87 889  |
|                         | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |                              |           |
| <b>Gerace</b> Angela    | Ministerial Adviser   |                              | \$87 889  |
|                         | <i>reasonable personal use of mobile telephone</i>  |                              |           |
| <b>Chrisan</b> Manuel   | Ministerial Adviser   |                              | \$77 539  |
|                         | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>           |                              |           |

**MINISTER: Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs**

|                           |   | NUMBER OF MINISTERIAL STAFF: | 5.00      |
|---------------------------|---|------------------------------|-----------|
| <b>Louca</b> Procopis     | Chief of Staff  |                              | \$122 332 |
|                           | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>                                   |                              |           |
| <b>Denny</b> William      | Ministerial Adviser   |                              | \$87 889  |
|                           | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |                              |           |
| <b>Hollidge</b> Elizabeth | Ministerial Adviser   |                              | \$87 889  |
|                           | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |                              |           |
| <b>Sampson</b> Shannon    | Ministerial Adviser   |                              | \$87 889  |
|                           | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service</i> |                              |           |
| <b>Kosti</b> Maria        | Personal Assistant  |                              | \$59 331  |

**MINISTER: Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts**

|                           |   | NUMBER OF MINISTERIAL STAFF: | 3.80      |
|---------------------------|---|------------------------------|-----------|
| <b>Picton</b> Christopher | Chief of Staff  |                              | \$122 332 |
|                           | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service, car park</i> |                              |           |
| <b>Furby</b> Paula        | Ministerial Adviser   |                              | \$87 889  |
|                           | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |                              |           |
| <b>Stefanson</b> Dominic  | Ministerial Adviser   |                              | \$87 889  |
|                           | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service</i>           |                              |           |
| <b>Rutherford</b> Natalie | Ministerial Adviser   |                              | \$70 311  |
|                           | <i>0.8 FTE (Salary based on working 4 days per week), reasonable personal use of mobile telephone</i>   |                              |           |

**MINISTER: Minister for Industrial Relations, Minister for Finance, Minister for Government Enterprises, Minister for Recreation, Sport and Racing**

|                        |   | NUMBER OF MINISTERIAL STAFF: | 15.00     |
|------------------------|---|------------------------------|-----------|
| <b>Baynes</b> Geoffrey | Chief of Staff  |                              | \$122 332 |
|                        | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i> |                              |           |
| <b>Green</b> Peter     | Media Monitoring Service Manager  |                              | \$107 849 |
|                        | <i>reasonable personal use of mobile telephone, home computer/fax line rental and calls, car park</i>   |                              |           |
| <b>Hoppo</b> Peter     | Ministerial Adviser   |                              | \$87 889  |
|                        | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |                              |           |

| APPOINTEE        |          | POSITION  | SALARY   |
|------------------|----------|---|----------|
| <b>Bourke</b>    | Aemon    | Ministerial Adviser   | \$87 889 |
|                  |          | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service</i> |          |
| <b>Katic</b>     | Adrian   | Ministerial Adviser   | \$87 889 |
|                  |          | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, car park</i>   |          |
| <b>Summerton</b> | Paul     | Ministerial Adviser   | \$87 889 |
|                  |          | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, car park</i>   |          |
| <b>Cooper</b>    | Angelina | Principal Monitor, Media Monitoring Service   | \$70 387 |
| <b>Allen</b>     | Connie   | Media Monitor   | \$58 642 |
| <b>Bukva</b>     | Renata   | Media Monitor   | \$58 642 |
| <b>Buntain</b>   | Nicholle | Media Monitor   | \$58 642 |
| <b>Marsden</b>   | Belinda  | Media Monitor   | \$58 642 |
| <b>Moloney</b>   | Kaye     | Media Monitor   | \$58 642 |
| <b>Smith</b>     | Jenny    | Media Monitor   | \$58 642 |
| <b>Slagter</b>   | Sarah    | Media Monitor   | \$54 116 |
| <b>Fenn</b>      | Shelley  | Media Monitor   | \$29 322 |
|                  |          | <i>0.5 FTE (Salary based on working 2.5 days per week)</i>  |          |
| <b>Church</b>    | Susan    | Media Monitor   | \$29 322 |
|                  |          | <i>0.5 FTE (Salary based on working 2.5 days per week)</i>  |          |

**MINISTER: Minister for Education and Children's Services, Minister for Tourism, Minister for the City of Adelaide**

|                 |       |  | NUMBER OF MINISTERIAL STAFF: |           |
|-----------------|-------|--|------------------------------|-----------|
| <b>Heneker</b>  | Kylie | Chief of Staff   | <b>6.00</b>                  | \$122 332 |
|                 |       | <i>[Absent on leave until 12 January 2009 inclusive], home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i> |                              |           |
| <b>Sumner</b>   | Julia | Chief of Staff   |                              | \$122 332 |
|                 |       | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  |                              |           |
| <b>Gudgeon</b>  | Kelly | Ministerial Adviser  |                              | \$87 889  |
|                 |       | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>  |                              |           |
| <b>Fulbrook</b> | John  | Ministerial Adviser  |                              | \$87 889  |
|                 |       | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service</i>                  |                              |           |
| <b>Temperly</b> | Ben   | Ministerial Adviser  |                              | \$87 889  |
|                 |       | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>  |                              |           |
| <b>Gregory</b>  | Vicky | Ministerial Assistant  |                              | \$66 672  |

**MINISTER: Minister for Families and Communities, Minister for Aboriginal Affairs and Reconciliation, Minister for Housing, Minister for Ageing, Minister for Disability, Minister Assisting the Premier in Cabinet Business and Public Sector Management**

|                 |          |   | NUMBER OF MINISTERIAL STAFF: |           |
|-----------------|----------|---|------------------------------|-----------|
| <b>Blewett</b>  | Simon    | Chief of Staff  | <b>5.40</b>                  | \$122 332 |
|                 |          | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i> |                              |           |
| <b>Purman</b>   | Victoria | Ministerial Adviser   |                              | \$103 923 |
|                 |          | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, car park</i>   |                              |           |
| <b>Harvey</b>   | Jadyne   | Ministerial Adviser   |                              | \$87 889  |
|                 |          | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |                              |           |
| <b>Bertossa</b> | Daniel   | Policy Adviser  |                              | \$87 889  |
|                 |          | <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>           |                              |           |
| <b>Clancy</b>   | Rosemary | Ministerial Adviser   |                              | \$52 733  |
|                 |          | <i>0.6 FTE (Salary based on working 3 days per week) home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   |                              |           |
| <b>Vaughan</b>  | Julienne | Personal Assistant  |                              | \$47 465  |
|                 |          | <i>0.8 FTE (Salary based on working 4 days per week)</i>  |                              |           |

| APPOINTEE   | POSITION  | SALARY                                   |
|---|---|--|
| <b>MINISTER: Minister for Agriculture, Food and Fisheries, Minister for Forests</b>   |   |  |
|   |   | NUMBER OF MINISTERIAL STAFF: <b>4.00</b> |
| <b>Campbell</b>   | Stephen<br>Chief of Staff<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  | \$122 332                                |
| <b>Scotland *</b>   | David<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i><br><i>*(resignation effective 17 July 2008)</i>   | \$87 889                                 |
| <b>Fearn</b>  | Sally<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   | \$87 889                                 |
| <b>Leader</b>   | Andrew<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>  | \$87 889                                 |
| <b>MINISTER: Minister for the River Murray, Minister for Water Security, Minister for Regional Development, Minister for Small Business, Minister Assisting the Minister for Industry and Trade</b>         |   |  |
|   |   | NUMBER OF MINISTERIAL STAFF: <b>5.00</b> |
| <b>Fearn</b>  | Malcolm<br>Chief of Staff<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  | \$122 332                                |
| <b>Rodwell</b>  | Helen<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   | \$87 889                                 |
| <b>Abbott</b>   | Jacky<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   | \$87 889                                 |
| <b>Rossetto</b>   | Mandy<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>   | \$87 889                                 |
| <b>Vowias</b>   | Mary<br>Adviser, Regional Development and Small Business<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   | \$81 413                                 |
| <b>MINISTER: Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs</b>                                   |   |  |
|   |   | NUMBER OF MINISTERIAL STAFF: <b>3.00</b> |
| <b>Bartlett</b>   | Sally<br>Chief of Staff<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for provision of that service, car park</i> | \$122 332                                |
| <b>Hackett</b>  | Meagan<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>  | \$87 889                                 |
| <b>Kitschke</b>   | Bradley<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   | \$87 889                                 |
| <b>MINISTER: Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Volunteers, Minister for Consumer Affairs, Minister Assisting in Early Childhood Development</b> |   |  |
|   |   | NUMBER OF MINISTERIAL STAFF: <b>3.00</b> |
| <b>Duigan</b>   | Angela<br>Chief of Staff and Adviser - Social Inclusion<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>                | \$122 332                                |
| <b>Hendry</b>   | Briana<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service</i>        | \$87 889                                 |
| <b>Pollifrone</b>   | Victoria<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service</i>      | \$87 889                                 |
| <b>MINISTER: Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Youth, Minister for Gambling</b>   |   |  |
|   |   | NUMBER OF MINISTERIAL STAFF: <b>4.00</b> |
| <b>Ryan</b>   | Paul<br>Chief of Staff<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>   | \$122 332                                |
| <b>Welsh</b>  | Jodie<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>   | \$87 889                                 |
| <b>Zubrinich</b>  | Roger<br>Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>   | \$87 889                                 |
| <b>Georganas</b>  | Wendy<br>Personal Assistant   | \$59 331                                 |



| APPOINTEE  | POSITION  | SALARY      |
|--|---|-------------|
| <b>MINISTER: Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health</b> |   |             |
|  | NUMBER OF MINISTERIAL STAFF:  | <b>4.00</b> |
| <b>Boswell</b>   | Lois Chief of Staff<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  | \$122 332   |
| <b>Barclay</b>   | Ann Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>  | \$87 889    |
| <b>Burner</b>  | Rhiannon Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, provision of home broadband connection and \$30 per month for access of that service</i> | \$87 889    |
| <b>Ryan</b>  | Matthew Ministerial Adviser<br><i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>  | \$87 889    |

Dated 30 June 2008.

MICHAEL D. RANN, MA, JP, MP, Premier

**ROAD TRAFFIC ACT 1961****NOTICE OF EXEMPTION**

*Pursuant to Regulation 5 (4) of the Road Traffic (Driving Hours) Regulations 1999*

**DRIVING HOURS EXEMPTION FOR ETSA UTILITIES EMPLOYEES DRIVING HEAVY VEHICLES USED IN CONSTRUCTION SERVICES FOR ELECTRICAL INFRASTRUCTURE****1. REVOCATION OF PREVIOUS NOTICE AND OTHER EXEMPTION INSTRUMENTS**

The Notice titled 'Driving Hours Exemption for ETSA Utilities Employees Driving Heavy Vehicles used in Construction Services for Electrical Infrastructure' published in the *South Australian Government Gazette* dated 29 June 2006 is revoked at midnight on 30 June 2008.

**2. EXEMPTION**

In accordance with the powers delegated to me by the Minister for Transport, under section 163AA of the Road Traffic Act 1961, Regulation 5 (4) of the *Road Traffic (Driving Hours) Regulations 1999*, I hereby exempt a driver of a heavy truck or commercial bus that is owned by, or operating under the direction of ETSA Utilities from the following requirements of the Road Traffic (Driving Hours) Regulations 1999:

- 2.1 Regulation 19 (1) (c) Regulated hours—maximum driving times, only in respect of relevant period 3 as defined in Regulation 18;
- 2.2 Regulation 20 (1) (c) Regulated hours—maximum work times, only in respect of relevant period 3 as defined in Regulation 18;
- 2.3 Regulation 21 (1) (c) Regulated hours—required minimum rest times, only in respect of relevant period 3 as defined in regulation 18,

subject to conditions and limitations in this Notice.

**3. CONDITIONS AND LIMITATIONS APPLYING TO THIS APPROVAL AND EXEMPTION**

This exemption is made subject to the following conditions:

- 3.1 the vehicle must be used in construction services for electrical infrastructure;
- 3.2 the driver of the vehicle being used in construction services for electrical infrastructure must operate at all times in accordance with the conditions and limitations specified in the "*Field Instruction—Working Hours Fatigue Management*" Ref. No. FI: B15 and '*Heavy Truck Driving Hours*' Ref. No. FI: C15" dated June 2008 issued by ETSA Utilities;
- 3.3 must carry a copy of this exemption and the document titled "*Field Instruction—Working Hours Fatigue Management*" Ref. No. FI: B15 and '*Heavy Truck Driving Hours*' Ref. No. FI: C15" dated June 2008 when driving on roads, and must present both on request to a Police Officer or an Authorised Officer appointed under the *Road Traffic Act 1961*;
- 3.4 ETSA Utilities shall make no changes to the document titled "*Field Instruction—Working Hours Fatigue Management*" Ref. No. FI: B15 and '*Heavy Truck Driving Hours*' Ref. No. FI: C15" dated June 2008 without consultation and approval from the Department for Transport, Energy and Infrastructure;
- 3.5 ETSA Utilities and drivers of a vehicle being used in construction services for electrical infrastructure work in accordance with their obligations under the *Occupational Health, Safety and Welfare Act 1986* and associated Regulations.

**4. COMMENCEMENT OF THIS NOTICE**

- 4.1 This Notice is effective from 12.01 a.m. on 1 July 2008.

**5. EXPIRATION OF THIS NOTICE**

- 5.1 This Notice will expire at midnight on 31 December 2008.

Executive Director,  
Safety and Regulation Division

ROADS (OPENING AND CLOSING) ACT 1991:  
SECTION 24**NOTICE OF CONFIRMATION OF ROAD  
PROCESS ORDER***Road Closure—Aroona Place, Glenelg North*

BY Road Process Order made on 17 April 2007, the City of West Torrens ordered that:

1. Portion of Aroona Place situate between Strata Plan 7768 and allotment 289 in Deposited Plan 4664 (Council reserve), more particularly delineated and lettered 'A' on Preliminary Plan No. 07/0004 be closed.
2. The whole of the land subject to closure be transferred to Strata Corporation 7768 Inc. in accordance with agreement for transfer dated 19 March 2007 entered into between the City of West Torrens and Strata Corporation 7768 Inc.
3. The following easement be granted over portion of the land subject to that closure.

Grant to Distribution Lessor Corporation an easement for overhead electricity supply purposes (subject to lease 8890000).

On 25 June 2008, that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 74590 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 3 July 2008.

P. M. KENTISH, Surveyor-General

## SEWERAGE ACT 1929

*Addition of Land to Victor Harbor Country Drainage Area*

## VARIATION OF NOTICE

PURSUANT to section 18 (2) of the Sewerage Act 1929, the South Australian Water Corporation:

- (a) varies the notice dated 12 May 2008 and published in the *Government Gazette* of 5 June 2008 at page 1866, more particularly set forth in the Schedule hereto, by deleting date 1 July 2009 in clause (b) and substituting with date 1 July 2008; and
- (b) declares that this notice will have effect from 1 July 2008.

## SEWERAGE ACT 1929

*Addition of Land to Victor Harbor Country Drainage Area*

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

- (a) Adds to the Victor Harbor Country Drainage Area all the land contained in allotments 1 to 50 inclusive, allotments 300 to 304 inclusive (reserves), allotments 400 to 403 inclusive (roads), allotments 500 to 503 inclusive in Deposited Plan 75057; and
- (b) declares that this notice will have effect from 1 July 2009.

Dated 1 July 2008.

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

P. M. RUCIOCH, Manager Shared Services  
In the presence of:

A. SCHIRIPA, Billing and Collection Manager

SAWATER 08/03814 D1382

## TRADE STANDARDS ACT 1979

*Discretionary Exemption*

TAKE notice that, pursuant to Part 7, sections 36 (1) (b) and (c) of the Trade Standards Act 1979, I, Jennifer Rankin, Minister for Consumer Affairs, do hereby exempt the article named in Schedule 1 from the Declaration of Dangerous Goods.

## SCHEDULE 1

The expanding foam novelty toy, known as 'Dinosaur Egg Growing Pet', is exempt from the requirements of the Declaration of Dangerous Goods, which was signed by the Minister for Consumer Affairs on 9 August 1990 and published in the *Government Gazette* on 30 August 1990. The 'Dinosaur Egg Growing Pet' toy is characterised by its clear egg-shaped packaging containing a dissolvable egg-shape approximately 110 mm in height.

Dated 26 June 2008.

JENNIFER RANKINE, Minister for Consumer Affairs

## NOTICE TO MARINERS

No. 34 OF 2008

*South Australia—Gulf St Vincent—Port Stanvac—Pilot  
Desalination Plant*

THE Department of SA Water have been granted an Aquatic Licence by DTEI under section 26 of the Harbors and Navigation Act 1993 for the installation and maintenance of intake and outfall structures for the new pilot desalination plant at Port Stanvac. The period of the licence is valid from 1 July 2008 to 31 December 2009.

The licence covers an area bounded by the following co-ordinates:

- (a) Latitude 35°06'06.11"S, longitude 138°27'51.06"E.
- (b) Latitude 35°05'44.12"S, longitude 138°28'03.58"E.
- (c) Latitude 35°05'59.29"S, longitude 138°28'41.20"E.
- (d) Latitude 35°06'21.31"S, longitude 138°28'24.90"E.

The 1.1 km outfall pipe will be installed in the exclusion zone at Port Stanvac and the 1.6 km intake will be installed in the above area.

The intake structure is marked with three special yellow marker buoys one at the north end and two mid-way on either side of the intake. Each marker is fitted with a St Andrews Cross topmark and a flashing yellow light.

Mariners are advised that vessels are permitted to navigate in the area but anchoring, fishing with bottom seabed trawls and recreational diving is strictly prohibited.

Prosecution and penalties apply to breach of the above conditions.

Charts affected: Aus 125 and 781.

Adelaide, 20 June 2008.

PATRICK CONLON, Minister for Transport

DTEI 2008/00767

## NOTICE TO MARINERS

No. 35 of 2008

(FORMER NOTICE NO. 24 OF 2008)

*South Australia—River Murray—Goolwa Channel—Rat Island—  
Amendment to Position of New Beacon*

THE amended co-ordinates of the new beacon—No. 70A should read as latitude 35°31.777'S, longitude 138°58.4682'E (0315739 Easting, 6067520 Northing).

Adelaide, 16 June 2008.

PATRICK CONLON, Minister for Transport

DTEI 2008/00767

## NOTICE TO MARINERS

NO. 36 OF 2008

*South Australia—Port Adelaide—Birkenhead Bridge—Delays due to Bridge Maintenance Works*

MARINERS are advised that routine maintenance of the bridge will be carried out on the following dates:

Tuesday, 17 June 2008 to Friday, 20 June 2008;

Monday, 23 June 2008 to Friday, 27 June 2008;

Time: 9 a.m. to 3.30 p.m.

Only emergency bridge openings will be allowed while maintenance works are being undertaken. Should emergency river access be required during maintenance work, a delay will be experienced while the crew vacate the bridge to allow for the bridge to open. At least 30 minutes warning prior to opening will be appreciated.

The restrictions may need to be extended depending on the speed of repairs and inclement weather conditions.

Charts affected: Aus 137.

Adelaide, 16 June 2008.

PATRICK CONLON, Minister for Transport

DTEI 2008/00767

## NOTICE TO MARINERS

NO. 37 OF 2008

*South Australia—River Murray—Goolwa Channel*

MARINERS are advised the channel markers in the main channel at Goolwa from the Barrage to Laffin Point have been either relocated or new beacons have been installed. The positions indicated are a guide only until accurate positions can be established in July. The channel upstream of the entrance to The Marina Hindmarsh Island to the Hindmarsh Island Bridge has been realigned.

| Beacon         | Northing | Easting | Latitude    | Longitude   |
|----------------|----------|---------|-------------|-------------|
| 14A            | 301094   | 6066776 | 35°31.302'  | 138°48.383' |
| 25             | 300729   | 6066914 | 35°31.283'  | 138°48.144' |
| 25A            | 300483   | 6067314 | 35°31.064'  | 138°47.987' |
| 27             | 300341   | 6067438 | 35°30.995'  | 138°47.894' |
| 29A            | 299835   | 6067801 | 35°31.793'  | 138°47.565' |
| 16B            | 299844   | 6067917 | 35°30.730'  | 138°47.573' |
| 16C            | 299473   | 6067948 | 35°30.709'  | 138°47.328' |
| 18             | 299285   | 6068114 | 35° 30.617' | 138°47.206' |
| 18A            | 299247   | 6068114 | 35°30.466'  | 138°47.185' |
| 20             | 299812   | 6069310 | 35°29.976'  | 138°47.572' |
| 22             | 300312   | 6069534 | 35°29.862'  | 139°47.906' |
| 24             | 300807   | 6069696 | 35°29.780'  | 138°48.236' |
| 28             | 301524   | 6069654 | 35°29.811'  | 139°48.709' |
| 30             | 302483   | 6069532 | 35°29.889'  | 138°49.341' |
| North Cardinal | 299259   | 6067954 | 35°30.703'  | 138°47.187' |

Mariners are further advised that they should take care to familiarise themselves with the realigned channel. Further, owing to the reduced levels in the river system, they should continue to maintain a slow speed whilst negotiating the channel.

Adelaide, 30 June 2008.

PATRICK CONLON, Minister for Transport

DTEI 2008/00767

## WORKERS REHABILITATION AND COMPENSATION ACT 1986

*Ministerial Direction that Designated Weekly Earnings of a Worker Section 35A (4) (b) of the Workers Rehabilitation and Compensation Act 1986 should be Exercised as a Last Resort*

RECOMMENDATION 8 of the Review of the South Australian Workers' Compensation System Report states:

That the proposal to amend the WRCA to allow the compensating authority to deem a level of earnings for a partially incapacitated worker in the first two years of a claim be supported, but only on the condition that this is accompanied by a similar safeguard, such as a Ministerial directive, that such a provision is of the nature of a 'reserve power' only to be used in exceptional circumstances.

This recommendation was adopted by the Government and consequently translated into legislation, legislation that comes into force from 1 July 2008.

I therefore issue the following Ministerial directions:

I, Michael Wright, Minister for Industrial Relations, hereby direct the WorkCover Corporation pursuant to section 14A of the WorkCover Corporation Act 1994, that the power conferred upon the Corporation under section 35A (4) (b) of the Workers Rehabilitation and Compensation Act 1986, to determine that the designated weekly earnings of a worker will be taken to be the earnings that the worker could earn from time to time in employment that the Corporation determines the worker is capable of performing may only be exercised by the Corporation as a matter of last resort in circumstances that are considered by the Board of the Corporation to be particularly special and compelling. I further direct that the Board may not delegate the exercise of its powers under section 35A (4) (b). I additionally direct the Corporation to disseminate the detail of this direction to self-insured employers with the express warning that the Corporation will apply sanctions available to it under the Workers Rehabilitation and Compensation Act 1986 where it is established by the Corporation that section 35A (4) (b) has been applied by a self-insured employer in a manner inconsistent with this direction.

Dated 30 June 2008.

MICHAEL WRIGHT, Minister for Industrial Relations

WATERWORKS ACT 1932

Addition of Land to Clayton Water District

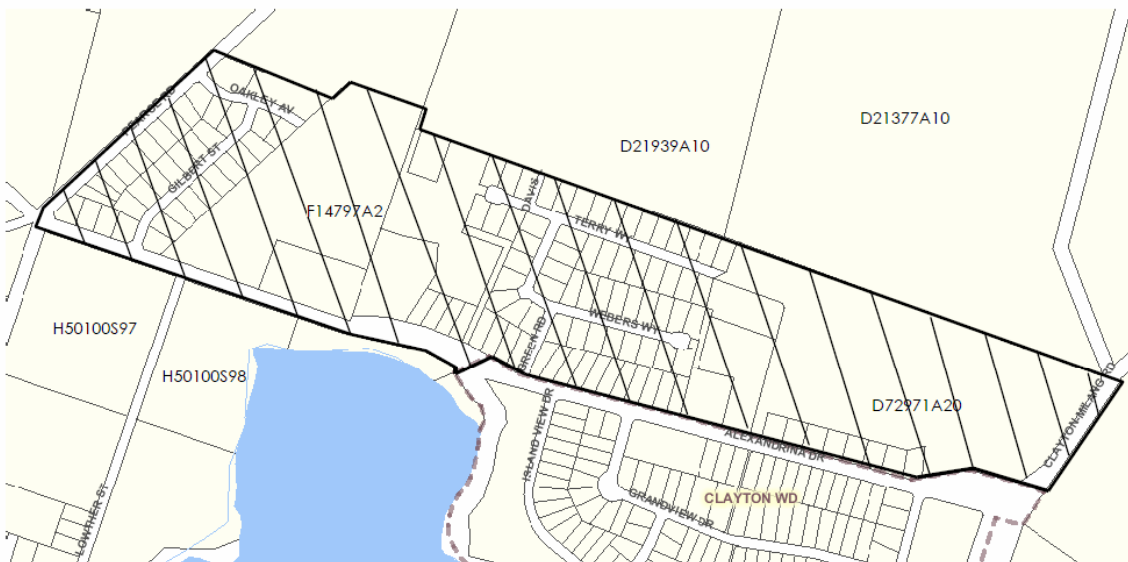
PURSUANT to section 6 of the Waterworks Act 1932, the South Australian Water Corporation:

- (a) adds to the Clayton Water District the land shown on the plan in the Schedule; and
- (b) declares that this notice will have effect from 1 July 2008.

W1384  
 SA Water 08/06981  
 Mapsheets: 662746J, 46Q, 46R

SCHEDULE

**CLAYTON**  
**HUNDRED OF ALEXANDRINA**



NOT TO SCALE

BOUNDARY OF CLAYTON WATER DISTRICT PREVIOUSLY PROCLAIMED  
 SHOWN AS DASHED LINE

LAND TO BE ADDED TO CLAYTON WATER DISTRICT SHOWN



Dated 1 July 2008.

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

P. M. RUCIOCH, Manager Shared Services

In the presence of:

A. SCHIRRIPIA, Billing and Collection Manager

[REPUBLICED]

**WORKCOVER CORPORATION ACT 1994**  
**WORKERS REHABILITATION AND COMPENSATION ACT 1986**

*Determination of Board of WorkCover Corporation of South Australia*

THE Board of the WorkCover Corporation of South Australia determines as follows, pursuant to section 17 of the *WorkCover Corporation Act 1994*, section 72 of the *Workers Rehabilitation and Compensation Act 1986* and all other enabling powers:

**1. Citation and Date of Commencement**

- (1) This determination may be cited as the *WorkCover Levy Review Determination 2002*.
- (2) This determination takes effect on 1 July 2002.

**2. Continuation of WorkCover Levy Review Panel**

The WorkCover Levy Review Panel ('the Panel') established by the Board's determination of 29 June 2000 (see *South Australian Government Gazette*, 29 June 2000, page 3472) is hereby continued.

**3. Function and powers under section 72 of *Workers Rehabilitation and Compensation Act 1986***

The function of the Panel shall be to perform the functions of the Board under section 72 of the *Workers Rehabilitation and Compensation Act 1986* ('the Act') as delegate of the Board under that section in reviewing decisions of the Corporation pursuant to subsections 66 (4), 66 (5), 66 (6), 67 (1), 67 (2), 67 (3), 67 (4), 70 (1), 70 (2), 70 (3), 70 (4), 71 (1), 71 (2) of the Act and (subject to the succeeding clauses of this determination) the powers of the Board under section 72 of the Act (other than the power to review a decision of the Corporation on a matter of law going to the validity of that decision) are delegated to the Panel for that purpose.

**4. Constitution of Panel**

- (1) Subject to Clause 4 (2B), the Panel shall sit comprising four members appointed by the Board consisting of:
  - (a) a President, who shall be a legal practitioner (wherever in Australia admitted), and who shall decide any questions of law;
  - (b) a member with expertise in the interests of registered employers;
  - (c) a member with expertise in the interests of workers; and
  - (d) a member with expertise in the interests of the Corporation.
- (2) Where the anticipated unavailability of appointed members or the anticipated volume of work necessitates, deputy members may be appointed by the Board.
- (2A) A Deputy President or other Deputy Member has the powers and duties of the position held by the person for whom he or she deposes.
- (2B) Where the Panel is reviewing a decision of the Corporation pursuant to section 67 (1) of the Act to impose a Balancing Payment (as defined in the Levy Adjustment Scheme determined by the Corporation or its delegate from time to time) on an employer, the President sitting alone may, after hearing from the parties to the review on the matter, appoint a person with appropriate technical expertise (e.g., an actuary) as a temporary member of the Panel for the purposes of reviewing that decision. Such temporary member would sit on the Panel in substitution for the member ordinarily sitting pursuant to Clause 4 (1) (d) of this Determination.
- (3) The President may sit alone:
  - (a) to give directions;
  - (b) to determine procedural matters;
  - (c) for the promotion of conciliation;
  - (d) to seek evidence; or
  - (e) to dispose of an application on a matter of law involving no disputes of fact and no exercise of discretion, but (subject to this clause) the Panel shall otherwise sit as a Panel of four.
- (4) A decision of a majority of members of the Panel, other than a decision as to a matter of law, shall be the decision of the Panel, but a member not agreeing with a decision of the majority may give reasons for not agreeing.
- (4A) In the event of the Panel being equally divided in opinion as to the decision to be made, the Panel's decision shall be in accordance with the opinion of the President or Deputy President.
- (4B) A quorum of the Panel shall be three members, provided that members representing each interest referred to in subclause (1) or (where applicable) deputies thereof have been offered, in the opinion of the President, a reasonable opportunity to sit.
- (5) If a member of the Panel becomes unavailable after the commencement of a hearing, the application must be heard again by the Panel properly constituted or (with the concurrence of the parties) adjourned until the absent member becomes available again, unless the decision of the remaining members is unanimous.
- (6) However, no hearing may commence or continue without the President or a Deputy President.

**5. Indemnity of Members**

Any liability attaching to a member of the Panel (including a temporary member appointed pursuant to Clause 4 (2B)) for an act or omission by the member, or by the Panel, in good faith and in the exercise or purported exercise of a power or function, or in the discharge or purported exercise of a duty, of the member or the Panel is assumed by the Corporation.

## 6. Tenure of Members

- (1) Members (other than the President) shall be appointed for a term of two years, except in the event of a casual vacancy, where a member may be appointed for two years or for the balance of the term of the former member at the option of the Board.
- (1A) The President of the Panel shall be appointed for a term of five years.
- (2) A deputy of a member shall be appointed for a term specified by the Board in the instrument of appointment, not exceeding the balance of the term of the member for whom the deputy is to depute.
- (3) A member of the Panel whose term has expired may, if a new appointment has not been made, continue to sit as a member of the Panel until a new appointment is made.
- (4) A former member of the Panel may sit as a member of the Panel for the purpose of completing the hearing and determination of part-heard proceedings.

## 7. Conciliation as Condition Precedent to Jurisdiction

- (1) Upon receipt of any application lodged under section 72 (1) of the Act, the registry of the Panel will forward a copy to the operating unit of the Corporation responsible for the disputed decision, which will reconsider the decision (disregarding any question of whether the application is out of time) and must inform the Panel and the applicant within 14 days of the result of the reconsideration (and its attitude to any question of an extension of time).
- (1A) Where the operating unit of the Corporation responsible for the disputed decision considers it impracticable to complete reconsideration within 14 days (and gives the registry of the Panel appropriate reasons for so considering), the registry may grant an extension of time.
- (1B) Before granting an extension of time that exceeds seven days, the registry must invite the employer to indicate whether it has any objections to the proposed extension of time and the reasons for any objection. If there is any such objection, the registry must refer the question to the President of the Panel to determine.
- (2) If—
  - (a) the Corporation, on reconsideration of a disputed decision, confirms the decision; or
  - (b) the Corporation, on reconsideration of a disputed decision, varies the decision and the applicant expresses dissatisfaction with the variation,the registry of the Panel must refer the dispute for conciliation by a conciliator who will use his or her best endeavours to bring the applicant and the operating unit of the Corporation that is responsible for the disputed decision to an agreed resolution of the matters referred to in the application, and the Panel may not hear and determine any application unless it is satisfied that conciliation has been attempted and failed or it is satisfied that such attempts have no realistic prospects of success.
- (3) If, during the hearing of any matter, it appears to the Panel that there is a realistic prospect of a negotiated outcome being achieved, it may refer the matter back for further conciliation or the Panel may make such other attempts to promote conciliation as it thinks appropriate.
- (4) In this clause, 'conciliation' includes:
  - (a) counselling;
  - (b) mediation;
  - (c) neutral evaluation;
  - (d) case appraisal;
  - (e) conciliation; and
  - (f) any combination of the above,

and the format of conciliation in any particular case shall be at the discretion of the conciliator in consultation with the parties, with the proviso that any confidential information provided during conciliation may be withheld from the Panel if the provider of that information requests.

## 8. Principles of Operation of Panel

- (1) The Panel shall be bound by and is hereby directed to follow the principles of natural justice.
- (2) Subject to subclause (1), the Panel:
  - (a) shall act according to equity, good conscience and the substantial merits of the case, without regard to technicalities and legal forms;
  - (b) is not bound by the rules of evidence, but may inform itself by such means and such material as it thinks fit; and
  - (c) shall act as expeditiously as the circumstances of a particular case permit.
- (3) The Panel must ascertain whether the parties to any proceedings desire to be heard by way of oral evidence or submissions and must in that event give at least 14 days notice of the date, time and place of hearing, but if both parties to particular proceedings wish to have the application determined on the documents the Panel need not hold a hearing but must give the parties at least 14 days notice to make final written submissions before proceeding to make a determination.
- (4) If only one party to proceedings desires to present oral evidence or submissions, the Panel must give the other party at least 14 days notice of the hearing and inform that party that there is a danger that at the hearing the Panel may hear things from the first party that the other party will be unable to respond to if it does not attend.
- (5) A party may appear in person or (if a body corporate) by any proper officer or may be represented by counsel or by any duly appointed and authorised agent.
- (6) A party engaging representation must do so at its own cost.

**9. Powers of President of Panel**

The President of the Panel, or a Deputy President acting in that office may, while so acting, exercise the powers of, and is hereby appointed as, an authorised officer under the Act. For the purposes of this clause, operating units of the Corporation and its agents are directed to comply with any requirements of the President or Deputy President as though they were subject to section 110 of the Act.

**10. Reservation of Board's Discretion to Decide**

The Panel is required to determine all applications that fail to resolve through reconsideration or at conciliation, unless the Corporation, within 14 days of receipt of any application, advises the Board that the particular dispute is of unusual significance and the Board or its relevant Board Committee, prior to the hearing of the application by the Panel, serves notice on the Panel and the applicant that the Panel is to make a recommendation only and refer the matter to the relevant Board Committee of the Board for:

- (a) advice;
- (b) exercise by the Board Committee of its delegation by unanimous decision; or
- (c) referral by the Board Committee to the Board for its determination.

**11. Revocation**

The determination of the Board published in the *South Australian Government Gazette* on 29 June 2000 at page 3472, is revoked from the commencement of this determination.

**12. Transitional**

Where an application for review lodged before 1 July 2002 is part-heard at that date, the hearing will be completed by the Panel as constituted before that date. The amendment to this Determination made by the Board on 29 November 2007 will operate immediately.

Dated 29 November 2007.

B. CARTER, Board Chairperson, WorkCover Corporation

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South Australia

## **Environment Protection (Burning) Policy Amendment Notice 2008**

under section 32 of the *Environment Protection Act 1993*

### **Part 1—Preliminary**

#### **1—Short title**

This notice may be cited as the *Environment Protection (Burning) Policy Amendment Notice 2008*.

#### **2—Commencement**

The amendment of the environment protection policy effected by this notice comes into operation on the day on which this notice is made.

#### **3—Amendment provisions**

In this notice, a provision under a heading referring to the amendment of a specified environment protection policy amends the policy so specified.

### **Part 2—Amendment of *Environment Protection (Burning) Policy 1994***

#### **4—Amendment of Schedule 1—Council areas or portions of council areas in which burning on domestic premises is prohibited**

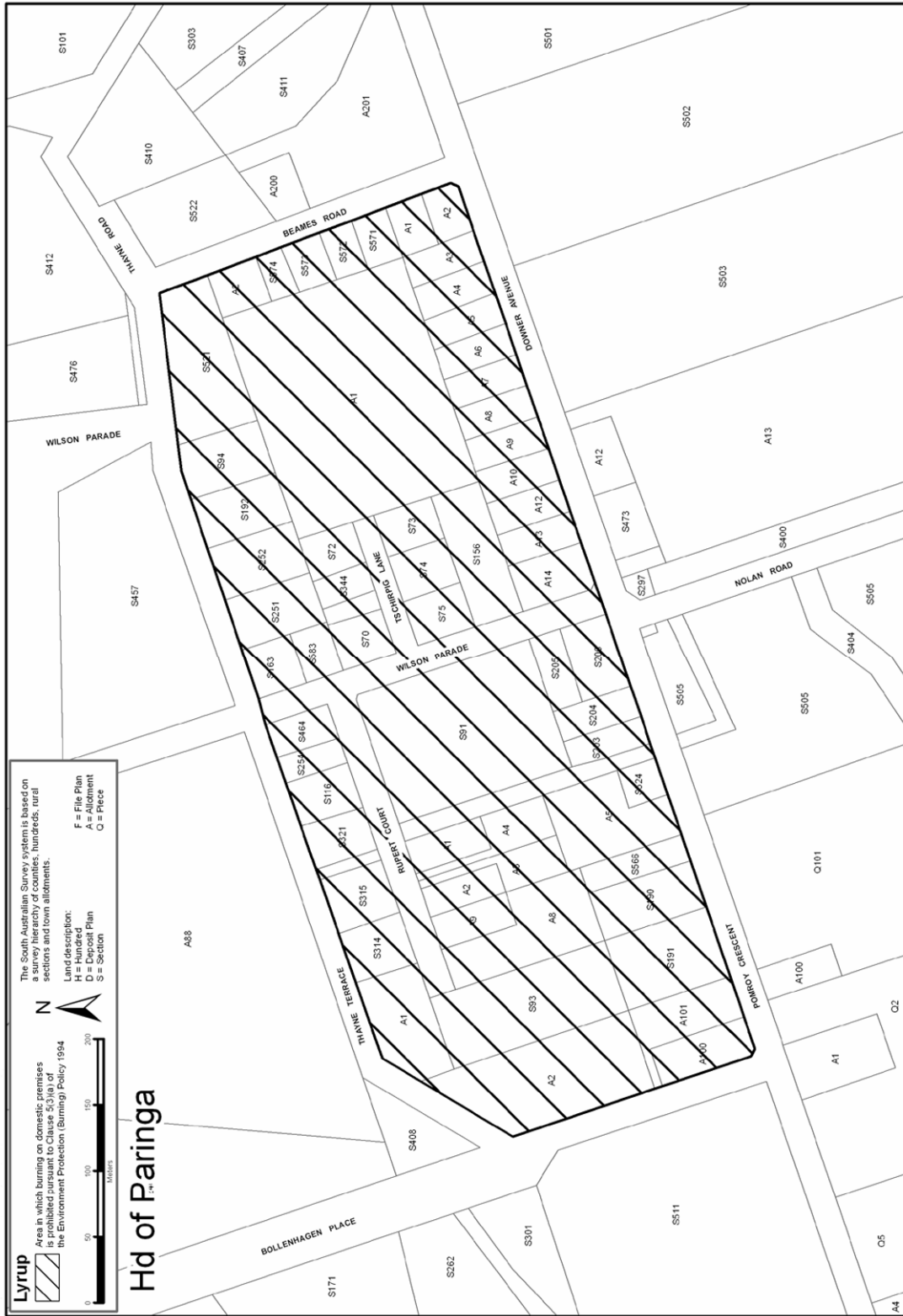
(1) Schedule 1 Part 1—after the entry relating to **Prospect** insert:

**Renmark Paringa**—the following areas of the Renmark Paringa Council:

- (a) the area at Lyrup shown as the hatched area on the map titled "Lyrup" in Part 2;
- (b) the area at Paringa shown as the hatched area on the map titled "Paringa" in Part 2;
- (c) the area at Renmark shown as the hatched area on the map titled "Renmark" in Part 2.

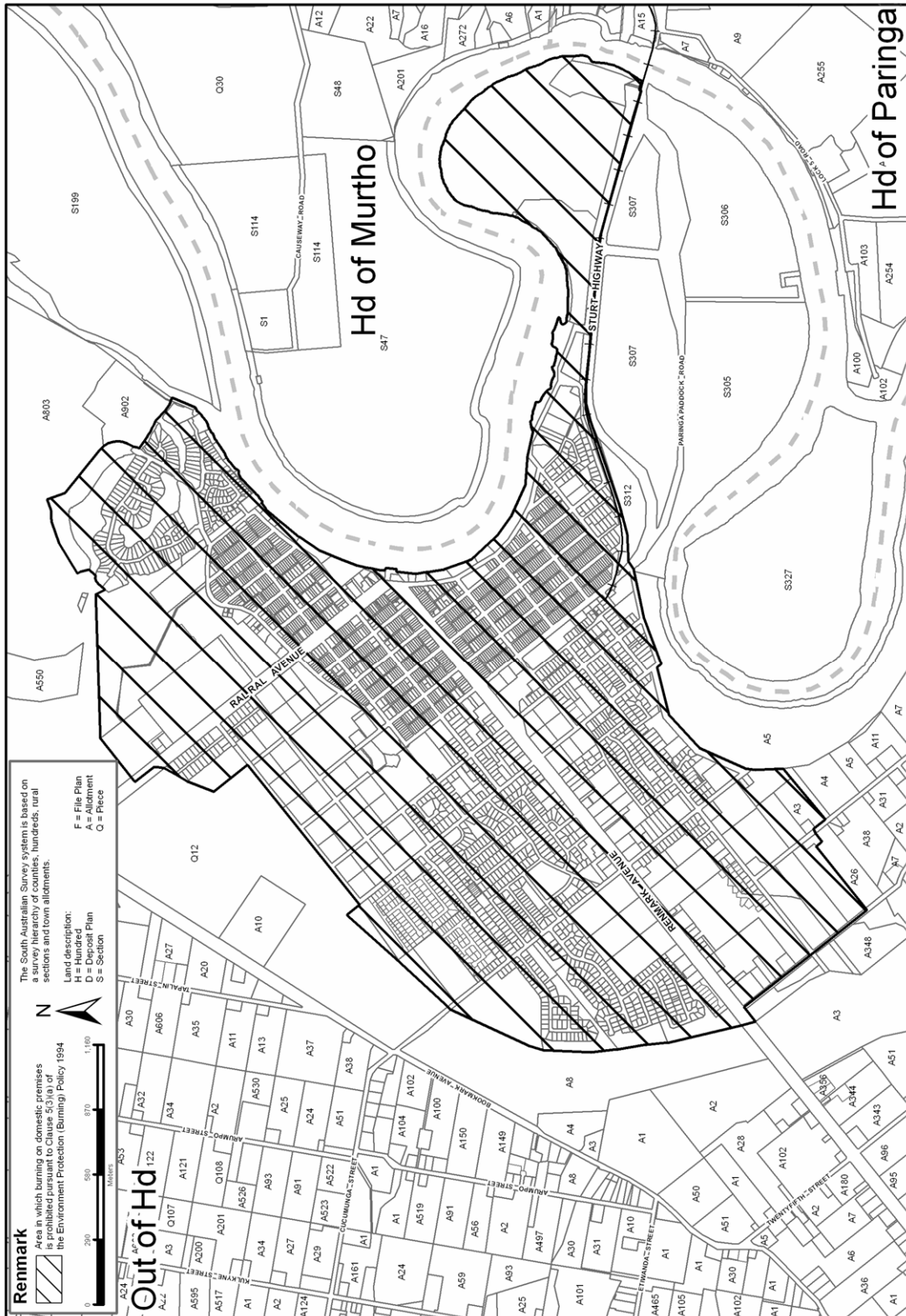
(2) Schedule 1 Part 2—after the map titled "Kulpara" insert:

### Lyrup





Renmark



Made by the Minister for Environment and Conservation on application by the Renmark Paringa Council

on 3 July 2008

South Australia

## **Collections for Charitable Purposes (Miscellaneous) Amendment Act (Commencement) Proclamation 2008**

### **1—Short title**

This proclamation may be cited as the *Collections for Charitable Purposes (Miscellaneous) Amendment Act (Commencement) Proclamation 2008*.

### **2—Commencement of Act**

The *Collections for Charitable Purposes (Miscellaneous) Amendment Act 2007* (No 41 of 2007) will come into operation on 1 September 2008.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 3 July 2008

MGA06/08CS

South Australia

## **Statutes Amendment (Real Estate Industry Reform) Act (Commencement) Proclamation 2008**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (Real Estate Industry Reform) Act (Commencement) Proclamation 2008*.

### **2—Commencement of Act and suspension of certain provisions**

- (1) The *Statutes Amendment (Real Estate Industry Reform) Act 2007* (No 28 of 2007) will come into operation on 28 July 2008.
- (2) The operation of the following provisions of the Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations:
  - (a) section 33(1) and (3);
  - (b) section 35(2) and (3).

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 3 July 2008

MCA08/018CS

South Australia

# **Public Corporations (Fire Equipment Services South Australia) (Dissolution and Revocation) Regulations 2008**

under the *Public Corporations Act 1993*

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## **Contents**

- 1 Short title
- 2 Commencement
- 3 Dissolution of Fire Equipment Services South Australia

Schedule 1—Revocation of *Public Corporations (Fire Equipment Services South Australia) Regulations 1996*

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### **1—Short title**

These regulations may be cited as the *Public Corporations (Fire Equipment Services South Australia) (Dissolution and Revocation) Regulations 2008*.

### **2—Commencement**

These regulations come into operation on the day on which they are made.

### **3—Dissolution of Fire Equipment Services South Australia**

Fire Equipment Services South Australia, established by the *Public Corporations (Fire Equipment Services South Australia) Regulations 1996* as a subsidiary of the Minister for Emergency Services, is dissolved.

## **Schedule 1—Revocation of *Public Corporations (Fire Equipment Services South Australia) Regulations 1996***

The *Public Corporations (Fire Equipment Services South Australia) Regulations 1996* 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 3 July 2008

No 206 of 2008

MES07/013CS

South Australia

## **Conveyancers Variation Regulations 2008**

under the *Conveyancers Act 1994*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Conveyancers Regulations 1995***

- 4 Variation of regulation 3—Interpretation
  - 5 Deletion of regulation 4
  - 6 Insertion of regulation 18A
    - 18A Establishment and determination of claims
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Conveyancers Variation Regulations 2008*.

#### **2—Commencement**

These regulations will come into operation on the day on which the *Statutes Amendment (Real Estate Industry Reform) Act 2007* 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 *Conveyancers Regulations 1995***

#### **4—Variation of regulation 3—Interpretation**

Regulation 3(2)—delete subregulation (2)

#### **5—Deletion of regulation 4**

Regulation 4—delete the regulation

## 6—Insertion of regulation 18A

After regulation 18 insert:

### 18A—Establishment and determination of claims

- (1) For the purposes of section 34(2)(a) of the Act, written notice of the claim (citing a unique reference number by which the claim may be identified) must be given to the claimant and conveyancer or former conveyancer informing them of the Commissioner's receipt of the claim and including—
  - (a) in the case of a notice given to the conveyancer or former conveyancer—details of the claimant's name and any other contact details made available by the claimant for that purpose;
  - (b) in all cases, an explanation of—
    - (i) the parties' rights to make submissions as to the claim under section 34(2)(b) of the Act; and
    - (ii) the parties' rights of appeal under section 37 of the Act against a determination of the claim by the Commissioner.
- (2) For the purposes of section 34(5) of the Act, the Commissioner must—
  - (a) within 6 months after a claim is made, provide the claimant with a report as to the progress of the claim; and
  - (b) provide the claimant with subsequent progress reports, each within 6 months after the previous such report, until such time as the claim is determined.

#### 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 3 July 2008

No 207 of 2008

MCA07/051CS



South Australia

## Land Agents Variation Regulations 2008

under the *Land Agents Act 1994*

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### Part 1—Preliminary

#### 1—Short title

These regulations may be cited as the *Land Agents Variation Regulations 2008*.

#### 2—Commencement

These regulations come into operation on the day on which the *Statutes Amendment (Real Estate Industry Reform) Act 2007* 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 *Land Agents Regulations 1995***

### **4—Variation of regulation 4—Interpretation**

Regulation 4(2)—delete subregulation (2)

### **5—Substitution of regulation 5**

Regulation 5—delete the regulation and substitute:

#### **5—Entitlement to be registered as sales representative subject to conditions relating to training and supervision**

For the purposes of section 8B(4) of the Act, a sales representative will not be taken to be properly supervised unless the supervision is provided by a person who is a registered agent or registered sales representative (other than a sales representative registered under section 8B of the Act) and has carried on or managed the business of an agent, or been a sales representative (other than a sales representative registered under section 8B of the Act) for an agent, for at least 2 years or a total of at least 2 years.

### **6—Variation of regulation 6—Annual fee and return**

- (1) Regulation 6(1)(a)—delete "registered agent" wherever occurring and substitute in each case:

registered person

- (2) Regulation 6(1)(a)(i)—delete "agent" and substitute:

person

- (3) Regulation 6(1)(b)—delete "agent" wherever occurring and substitute in each case:

person

- (4) Regulation 6(1)(b)(ii)—delete "agent's" and substitute:

person's

### **7—Variation of regulation 7—Notification of change in circumstances**

- (1) Regulation 7—after subregulation (1) insert:

- (1a) If there is a change in the residential address of a registered sales representative, the sales representative must, within 14 days after that change, give written notice to the Commissioner of the new address.

Maximum penalty: \$2 500.

Expiation fee: \$160.

- (2) Regulation 7—after subregulation (2) insert:

- (2a) A registered sales representative must, within 14 days after ceasing to be or becoming a sales representative for an agent, give written notice to the Commissioner of that fact and the name and business address of the agent.

Maximum penalty: \$2 500.

Expiation fee: \$160.

**8—Variation of regulation 8—Return or replacement of certificate of registration and card**

- (1) Regulation 8(1)—delete "registration of a person as an agent" and substitute:  
a person's registration
- (2) Regulation 8(1)—after "certificate of registration" insert:  
and any registration card
- (3) Regulation 8(2)—delete "certificate of registration as an agent" and substitute:  
registration certificate or card
- (4) Regulation 8(2)—delete "return the certificate of registration" and substitute:  
return the certificate or card
- (5) Regulation 8(3)—delete "agent a certificate of registration" and substitute:  
person a registration certificate or card
- (6) Regulation 8(3)—delete "current certificate of registration" and substitute:  
current registration certificate or card
- (7) Regulation 8(3)(a) and (b)—delete "current certificate" wherever occurring and substitute in each case:  
current certificate or card
- (8) Regulation 8(4)—delete "agent a replacement certificate of registration" and substitute:  
person a replacement registration certificate or card
- (9) Regulation 8(4)—delete "the agent" and substitute:  
the person
- (10) Regulation 8(4)—delete "certificate of registration to" and substitute:  
registration certificate or card to

**9—Insertion of regulation 8A**

After regulation 8 insert:

**8A—Each of agent's places of business to be properly managed and supervised**

For the purposes of section 11 of the Act, a place of business of an agent will be properly managed and supervised by a natural person nominated to the Commissioner if—

- (a) the person is a registered sales representative; and
- (b) the person has been nominated in a form approved by the Commissioner; and
- (c) the Commissioner has approved the person as a person qualified to be nominated to manage and supervise a place of business of an agent.

## 10—Substitution of regulation 9

Regulation 9—delete the regulation and substitute:

### 9—Regulations relating to proper management and supervision

- (1) For the purposes of section 11A of the Act, a registered agent will not be taken to properly manage and supervise a business or place of business referred to in that section unless—
  - (a) the agent makes written procedures readily available to all employees who handle trust money instructing those employees in the proper handling of such money; and
  - (b) the agent, in respect of each place of business managed and supervised by a person other than a registered agent ensures that—
    - (i) a registered agent who is a natural person is responsible for managing the trust accounts; and
    - (ii) the person nominated to manage and supervise the place of business and all other persons employed at the place of business are instructed as to their obligations under the Act, these regulations and any other relevant laws; and
    - (iii) procedures are in place to enable the agent to ascertain whether the person nominated to manage and supervise the place of business is managing and supervising the place of business properly and with due care and diligence (including inspection by a registered agent who is a natural person, at least once per month, of the place of business and of previously uninspected prescribed business documents of the agent held at the place of business).
- (2) In this regulation—

*prescribed business documents* of an agent means documents or copies of documents relating to the sale or purchase of land or a business in respect of which the agent has been authorised to act and includes—

  - (a) sales agency agreements; and
  - (b) auction records; and
  - (c) trust account records.

### 9AA—Interpretation of Part 3

For the purposes of paragraph (b) of the definition of *auditor* in section 12 of the Act, a person meets the prescribed requirements if the person—

- (a) holds a degree in commerce, accounting, business studies or a related field from an Australian university or from another university approved by the Commissioner; and
- (b) is a member of—
  - (i) The Institute of Chartered Accountants in Australia; or
  - (ii) the Australian Society of Certified Practising Accountants; and

- (c) meets the requirements of a body referred to in paragraph (b) to practise as a public accountant; and
- (d) has been continuously engaged for at least 3 years in practice as a public accountant in this State (whether or not as an employee of a public accountant).

## **11—Insertion of regulation 20A**

After regulation 20 insert:

### **20A—Establishment and determination of claims**

- (1) For the purposes of section 32(2)(a) of the Act, written notice of the claim (citing a unique reference number by which the claim may be identified) must be given to the claimant and agent or former agent informing them of the Commissioner's receipt of the claim and including—
  - (a) in the case of a notice given to the agent or former agent—details of the claimant's name and any other contact details made available by the claimant for that purpose;
  - (b) in all cases, an explanation of—
    - (i) the parties' rights to make submissions as to the claim under section 32(2)(b) of the Act; and
    - (ii) the parties' rights of appeal under section 35 of the Act against a determination of the claim by the Commissioner.
- (2) For the purposes of section 32(5) of the Act, the Commissioner must—
  - (a) within 6 months after a claim is made, provide the claimant with a report as to the progress of the claim; and
  - (b) provide the claimant with subsequent progress reports, each within 6 months after the previous such report, until such time as the claim is determined.

## **12—Insertion of regulation 21**

After regulation 20 insert:

### **21—Temporary exemption from registration requirements—sales representatives and auctioneers**

- (1) A person is exempt from the application of section 6A(1) of the Act if the person—
  - (a) —
    - (i) has the qualifications determined by the Commissioner for the purposes of this subregulation; or
    - (ii) is participating in an on-the-job training component of a course determined by the Commissioner for the purposes of this subregulation; and
  - (b) has not—
    - (i) been convicted of an indictable offence of dishonesty; or

- (ii) during the period of 10 years preceding acting as a sales representative, been convicted of a summary offence of dishonesty; and
  - (c) is not suspended or disqualified from practising or carrying on an occupation, trade or business under a law of this State, the Commonwealth, another State or a Territory of the Commonwealth.
- (2) An agent is exempt from the application of section 6A(3) of the Act if the person engaged by the agent is a sales representative who qualifies for an exemption under subregulation (1).
  - (3) A person is exempt from the application of section 6B(1) of the Act if the person—
    - (a) is registered under the Act as an agent; or
    - (b) is a sales representative who qualifies for an exemption under subregulation (1).
  - (4) An agent is exempt from the application of section 6B(2) of the Act if the person engaged by the agent—
    - (a) is registered under the Act as an agent; or
    - (b) is a sales representative who qualifies for an exemption under subregulation (1).
  - (5) This regulation will expire on 21 January 2009.

### 13—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

#### Schedule 1—Fees

- |   |  |          |
|---|--|----------|
| 1 | Application fee for registration (section 7 of Act)—   |          |
|   | (a) as an agent  | \$220.00 |
|   | (b) as an agent and auctioneer   | \$220.00 |
|   | (c) as a sales representative  | \$220.00 |
|   | (d) as a sales representative and auctioneer   | \$220.00 |
|   | (e) as an auctioneer   | \$92.00  |
| 2 | Registration fee (payable on grant of registration under Part 2 of Act)—   |          |
|   | (a) for an agent who is a natural person   | \$270.00 |
|   | (b) for an agent that is a body corporate  | \$405.00 |
|   | (c) for a sales representative   | \$173.00 |
|   | If the period between the grant of the registration and the next date for payment of a fee under section 9 of the Act is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the additional fee by applying the proportion that the length of that period bears to 12 months. |          |
| 3 | Application for variation or revocation of condition of registration (section 8B of Act)   | \$92.00  |

|   |   |          |
|---|---|----------|
| 4 | Annual fee (section 9 of Act)—  |          |
|   | (a) for an agent who is a natural person  | \$270.00 |
|   | (b) for an agent that is a body corporate   | \$405.00 |
|   | (c) for a sales representative  | \$173.00 |
|   | If the period between a date for payment of a fee under section 9 of the Act and the next date for payment of the fee under that section (as nominated by the Commissioner) is less than or more than 12 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of that period bears to 12 months. |          |
| 5 | Default penalty (section 9(3) of the Act)   | \$134.00 |
| 6 | Civil penalty for default (section 22(4) of the Act)  | \$280.00 |
| 7 | Fee for replacement of certificate of registration  | \$20.70  |

## 14—Revocation of Schedule 2

Schedule 2—delete the Schedule

### 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 3 July 2008

No 208 of 2008

MCA07/051CS

South Australia

## **Land and Business (Sale and Conveyancing) Variation Regulations 2008**

under the *Land and Business (Sale and Conveyancing) Act 1994*

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-



## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Land and Business (Sale and Conveyancing) Variation Regulations 2008*.

### **2—Commencement**

These regulations will come into operation on the day on which the *Statutes Amendment (Real Estate Industry Reform) Act 2007* 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 *Land and Business (Sale and Conveyancing) Regulations 1995***

### **4—Variation of regulation 3—Interpretation**

Regulation 3—after subregulation (2) insert:

- (3) In these regulations, a reference to the type size of printed or typewritten material is to be taken to be a reference to that type size when produced in Times New Roman font.

### **5—Variation of regulation 6A—Sale of land—instalment agreements**

- (1) Regulation 6A—delete "State Development" and substitute:  
Infrastructure
- (2) Regulation 6A—delete "Premises Development" and substitute:  
and Commercial Premises

### **6—Variation of regulation 13—Sale of land—form of agent's certificate**

Regulation 13—delete "or some person acting on the agent's behalf"

### **7—Insertion of regulation 15A**

After regulation 15 insert:

#### **15A—Prescribed notice to be given to purchaser**

For the purposes of section 13A of the Act, the prescribed notice must be printed or typewritten in not smaller than 12-point type and in the form, and contain the information, set out in Schedule 1A.

### **8—Insertion of regulations 16A to 16J**

After regulation 16 insert:

#### **16A—Authority to act as agent**

- (1) For the purposes of section 20(1)(c)(ii) of the Act, the prescribed number of days is 90.

- (2) For the purposes of section 20(1)(e) of the Act, a sales agency agreement must comply with the following:
- (a) the agreement must be printed or typewritten in not smaller than 12-point type, however, variations to the sales agency agreement may be handwritten provided they are legible;
  - (b) the agreement must specify—
    - (i) the land that is the subject of the agreement (whether by street address or description sufficient to identify the land); and
    - (ii) the full names of the vendor and agent; and
    - (iii) the agent's registration number; and
    - (iv) the chattels that are included in or excluded from sale; and
    - (v) details of the circumstances in which the agent will be entitled to receive commission or fees for the sale of the land, including circumstances in which the sale may not be attributable to the agent, or may not be directly or completely attributable to the agent; and
  - (c) the agreement must contain a term by which the agent warrants that the agent will comply with all the agent's obligations under the Act and these regulations and will act in the vendor's best interests.
- (3) Auctioneers are exempt from the requirements of section 20(1) and (3) of the Act insofar as they act on behalf of a vendor or purchaser in the sale of land or a business only by performing the functions of an auctioneer, including having or exercising an auctioneer's authority to sign a contract for the sale of land or a business on behalf of the vendor or purchaser after the fall of the hammer to the highest bidder at an auction.

### **16B—Requirements relating to offers to purchase residential land**

For the purposes of section 21(1)(a) and (2)(a) of the Act, an offer for residential land must contain the following details:

- (a) the offer must, if it is in the form of a contract of sale document, include the following statement at the head of the document printed or typewritten in not smaller than 12-point bold type:

**Notice to purchaser:**

**This is a contract for the sale of residential land. You may be bound by the terms of this contract if it is signed by both you and the vendor. You should seek independent legal advice if you are unsure about the terms contained in this contract. Contracts for the sale of land may be subject to a 2 day cooling-off period (exercisable by the purchaser) under section 5 of the *Land and Business (Sale and Conveyancing) Act 1994*.**

- (b) the offer must, in any other case—
- (i) be headed "NOTICE OF OFFER TO PURCHASE RESIDENTIAL LAND" printed or typewritten in upper case type not smaller than 14-point followed by the following statement printed or typewritten in not smaller than 12-point bold type:

**Note:**

**This is not a contract of sale document. Both the purchaser and vendor must sign a contract of sale document before this offer becomes legally binding. An offer may be withdrawn at any time before signing a contract of sale document. Contracts of sale may also be subject to a 2 day cooling-off period (exercisable by the purchaser) under section 5 of the *Land and Business (Sale and Conveyancing) Act 1994*; and**

- (ii) include the following details, printed or typewritten in not smaller than 12-point type:
  - (A) the full name of the offeror;
  - (B) the land that is the subject of the offer (whether by street address or description sufficient to identify the land);
  - (C) the amount of the offer;
  - (D) any conditions to which the offer is subject (for example, finance, sale of another property or satisfactory building or land inspection report);
  - (E) the proposed date of settlement or length of time between the signing of the contract of sale and settlement.

### **16C—Financial and investment advice**

For the purposes of section 24B of the Act, the specified information or warnings to be given to a person in respect of financial or investment advice must be in the form set out in Schedule 2A printed or typewritten in not smaller than 12-point type.

### **16D—Agent to disclose certain benefits connected with sale or purchase**

For the purposes of section 24C(2) of the Act, the disclosure must be in the form set out in Schedule 2B printed or typewritten in not smaller than 12-point type.

### **16E—Agent to supply valuation in prescribed circumstances**

- (1) For the purposes of section 24E of the Act, the prescribed circumstances in relation to the sale of land or a business by an agent are circumstances in which—
  - (a) the agent or a sales representative or another person employed by the agent has made unsolicited contact (other than by advertisement or mail) with the owner of the land or business; and

- (b) as a result of that contact, the agent has been authorised to sell the land or business on behalf of the owner; and
  - (c) negotiations by the agent or sales representative for the sale of the land or business commence or are to commence with any person without prior advertising of the land or business by the agent for sale to the public.
- (2) An application for the approval of the Commissioner under section 24E(1) of the Act must be made to the Commissioner in the form approved by the Commissioner.

**16F—Agent not to act for both purchaser and vendor of land or business**

Auctioneers are exempt from the application of section 24F of the Act insofar as they act on behalf of both a vendor and purchaser in the sale of land or a business only by performing the functions of an auctioneer, including having or exercising an auctioneer's authority to sign a contract for the sale of land or a business on behalf of the vendor or purchaser after the fall of the hammer to the highest bidder at an auction.

**16G—Restriction on obtaining beneficial interest where agent authorised to sell or appraises property**

- (1) For the purposes of section 24G(5) of the Act—
- (a) the Commissioner may approve the obtaining by the agent or sales representative of a beneficial interest in the land or business on application by the agent or sales representative to the Commissioner in the form approved by the Commissioner; and
  - (b) the Commissioner may require the applicant to provide the Commissioner with specified information to enable the Commissioner to determine the application, verified, if the Commissioner so requires, by statutory declaration; and
  - (c) the Commissioner may refuse the application—
    - (i) if the applicant has not provided the information required by the application or the Commissioner; or
    - (ii) if, in the opinion of the Commissioner—
      - (A) the information provided by the applicant is inaccurate, incomplete or calculated to mislead; or
      - (B) the agent or sales representative is not acting in the best interests of the vendor; or
      - (C) the vendor is likely to suffer detriment as a result of the transaction; or

- (iii) if the agent or sales representative has not—
  - (A) arranged a formal written valuation of the land or business, at the agent's or sales representative's own expense, by a person authorised to carry on business as a land valuer under the *Land Valuers Act 1994* and approved by the Commissioner; and
  - (B) furnished the vendor with a copy of the land valuer's report.
- (2) For the purposes of paragraph (e) of the definition of *associate* in section 24G(11) of the Act, a relationship between the agent or sales representative and a person is prescribed if the agent or sales representative will, to the knowledge of the agent or sales representative, receive a benefit from the other person in connection with a transaction or dealing relating to the land or business subsequent to the agent or sales representative successfully negotiating the sale of the land or business for the vendor.

#### **16H—Prescribed standard conditions for auctions of residential land**

For the purposes of section 24I of the Act, the conditions set out in Schedule 2C are prescribed standard conditions for an auction conducted by an agent for the sale of residential land, binding as between—

- (a) the vendor and the purchaser; and
- (b) the vendor and the auctioneer; and
- (c) the bidders and the auctioneer.

#### **16I—Preliminary actions and records required for auctions of residential land**

- (1) For the purposes of section 24J(1)(b) of the Act, all prescribed standard conditions for an auction conducted by an agent for the sale of residential land must be audibly announced by the auctioneer to the members of the public attending the auction immediately before the commencement of the auction.
- (2) For the purposes of section 24J(1)(c), (e) and (j) of the Act—
  - (a) the following details relating to an auction must be included in the auction record before the commencement of the auction:
    - (i) the street address of the land or a description of the land sufficient to identify it;
    - (ii) the full name of the vendor, the responsible agent and the auctioneer;
    - (iii) the date and time of the auction;
    - (iv) for the bidders register—
      - (A) the full name and address of each person intending to bid at the auction (subject to the requirements of paragraph (c)); and

- (B) a general description of the proof of identity produced by the person in accordance with paragraph (c) and the signature of the agent verifying that the agent has sighted it; and
  - (C) if the intending bidder is proposing to bid on behalf of another person, the full name and address of the other person and a statement that the intending bidder is proposing to bid on behalf of that person;
- (b) the following details relating to bidding or subsequent events must be entered in the auction record:
  - (i) for the bidders register if the auction is interrupted in order to register a further person as an intending bidder in the register—
    - (A) the full name and address of the person (subject to the requirements of paragraph (c)); and
    - (B) a general description of the proof of identity produced by the person in accordance with paragraph (c) and the signature of the agent verifying that the agent has sighted it; and
    - (C) if the intending bidder is proposing to bid on behalf of another person, the full name and address of the other person and a statement that the intending bidder is proposing to bid on behalf of that person; and
  - (ii) if the land is sold at the auction—
    - (A) the full name and address of the purchaser; and
    - (B) the amount for which the land was sold;
  - (iii) if the land is passed in at the auction but the auctioneer, on the same day, conducts further negotiations for the sale of the land with a person by whom, or on whose behalf, a bid for the land was made at the auction (whether or not resulting in a sale)—
    - (A) the full name and address of that person; and
    - (B) the amounts offered by that person for the land during those negotiations; and
    - (C) in the case of a resulting sale of the land on that day to that person—the amount for which the land was sold;
- (c) details of an intending bidder must not be entered in the bidders register unless—
  - (i) the intending bidder has produced to the agent proof of his or her identity in the form of a drivers licence, passport, credit or debit card or gas, electricity or telephone account or similar document or card issued to the person; and

- (ii) if the intending bidder is proposing to bid on behalf of another person, the bidder has—
    - (A) provided to the agent a written authority to so act signed by the other person; and
    - (B) produced to the agent proof of the other person's identity in the form of a drivers licence, passport, credit or debit card or gas, electricity or telephone account or similar document or card issued to the other person, or, in the case of a body corporate, the certificate of the body's incorporation.
- (3) For the purposes of subregulation (2)(c)(ii), an authority or proof of identity may be an original document or a photocopy, facsimile copy or electronically scanned copy of the original document.
- (4) There are exemptions from the application of section 24J(3) of the Act as follows:
  - (a) the responsible agent or, if a different person, the auctioneer is exempt insofar as the agent or auctioneer—
    - (i) discloses or makes use of information in the auction record relating to a person accepted by the auctioneer as having made the highest bid above the reserve price for a purpose connected with the auction or sale of the land on behalf of the vendor; or
    - (ii) discloses to the vendor the name of a person registered in the bidders register (whether as a bidder or a person on whose behalf bids may be made); or
    - (iii) discloses or makes use of information in the auction record as permitted by section 24J(3) of the Act;
  - (b) the vendor is exempt insofar as the vendor discloses or makes use of information in the auction record disclosed to the vendor under this regulation;
  - (c) a person who has the auction record or has had access to it is exempt insofar as the person does anything with respect to the record, or information in it, for the purposes of the administration or enforcement of the Act or as required or authorised by a court or tribunal constituted by law.

### **16J—Collusive practices at auctions of land or businesses**

For the purposes of section 24L(3) of the Act, notice of the material parts of that section —

- (a) must, in the case of the sale of residential land by auction—
  - (i) include the information set out in the form in Schedule 2D printed or typewritten in not smaller than 12-point type; and

- (ii) be supplied to each intending bidder when the person's details are being taken for entry in the bidders register; and
- (b) must, in the case of the sale by auction of any other land or a business—
  - (i) include the information set out in the form in Schedule 2D; and
  - (ii) be audibly announced by the auctioneer to the members of the public attending the auction immediately before the auction commences.

## 9—Insertion of Part 4

After Part 3 insert:

### Part 4—Miscellaneous

#### 20—Keeping of records

For the purposes of section 37A(2) of the Act, if a person who is required to keep a document or record under Part 4 or 4A of the Act uses a computer program for the purpose, the person must ensure that—

- (a) an electronic copy of the document or record is made within 24 hours of the making, receipt or variation of the document or record; and
- (b) an electronic copy of all the documents and records is made at least once in each month and kept so as to be protected against deterioration, loss, theft and unauthorised access, modification or use; and
- (c) before any information is deleted from the computer records, a hard copy of the information is made and kept by the person as part of the person's records; and
- (d) an up-to-date electronic copy of the computer program is made and kept so as to be protected against deterioration, loss, theft and unauthorised access, modification or use.

## 10—Insertion of Schedule 1A

After Schedule 1 insert:

### Schedule 1A—Prescribed notice to be given to purchaser

Land and Business (Sale and Conveyancing) Act 1994 section 13A

Land and Business (Sale and Conveyancing) Regulations 1995 regulation 15A

Before you buy a home there are a number of things that you should investigate and consider. Though it may not be obvious at the time, there could be matters that may affect your enjoyment of the property, the safety of people on the property or the value of the property.



The following questions may help you to identify if a property is appropriate to purchase. In many cases the questions relate to a variety of laws and standards. These laws and standards change over time, so it is important to seek the most up to date information. Various government agencies can provide up to date and relevant information on many of these questions. To find out more, the Office of Consumer and Business Affairs recommends that you check the website:

*[www.ocba.sa.gov.au/consumeradvice/realestate](http://www.ocba.sa.gov.au/consumeradvice/realestate)*

Consider having a professional building inspection done before proceeding with a purchase. A building inspection will help you answer some of the questions below.

The questions have been categorised under the headings **Safety**, **Enjoyment** and **Value**, but all of the issues are relevant to each heading.

### **Safety**

- Is there **asbestos** in any of the buildings or elsewhere on the property e.g. sheds and fences?
- Does the property have any significant **defects** e.g. **cracking** or **salt damp**? Have the wet areas been waterproofed?
- Is the property in a **bushfire** prone area?
- Are the **electrical wiring, gas installation, plumbing and appliances** in good working order and in good condition? Is a **safety switch** (RCD) installed? Is it working?
- Are there any prohibited **gas appliances** in bedrooms or bathrooms?
- Are **smoke alarms** installed in the house? If so, are they hardwired? Are they in good working order and in good condition? Are they compliant?
- Is there a **swimming pool and/or spa pool** installed on the property? Are there any safety barriers or fences in place? Do they conform to current standards?
- Does the property have any **termite** or other pest infestations? Is there a current preventive termite treatment program in place? Was the property treated at some stage with persistent organochlorins (now banned) or other **toxic** termiticides?
- Has fill been used on the site? Is the soil contaminated by **chemical residues** or waste?
- Does the property use **cooling towers** or manufactured warm water systems? If so, what are the maintenance requirements?

### **Enjoyment**

- Does the property have any **stormwater** problems?
- Is the property in a **flood prone** area? Is the property prone to coastal flooding?
- Does the property have an on-site **wastewater treatment facility** such as a septic tank installed? If so, what are the maintenance requirements? Is it compliant?
- Is a **sewer mains connection** available?

- Are all gutters, downpipes and stormwater systems in good working order and in good condition?
- Is the property near **power lines**? Are there any trees on the property near power lines? Are you considering planting any trees? Do all structures and trees maintain the required clearance from any power lines?
- Are there any **significant** trees on the property?
- Is this property a unit on **strata or community title**? What could this mean for you? Is this property on strata or community title? Do you understand the restrictions of use and the financial obligations of ownership? Will you have to pay a previous owner's debt or the cost of planned improvements?
- Is the property close to a hotel, restaurant or other venue with entertainment consent for live music? Is the property close to any industrial or commercial activity, a busy road or airport, etc that may result in the generation of **noise** or the **emission of materials or odours** into the air?
- What appliances, equipment and fittings are included in the sale of the property?
- Is there sufficient car parking space available to the property?

#### Value

- Are there any **illegal or unapproved additions**, extensions or alterations to the buildings on the property?
- How **energy efficient** is the home, including appliances and lighting? What **energy sources** (e.g. electricity, gas) are available?
- Is the property connected to SA Water operated and maintained **mains water**? Is a mains water connection available? Does the property have a **recycled water** connection? What sort of water meter is located on the property (a **direct or indirect meter** – an indirect meter can be located some distance from the property)? Is the property connected to a water meter that is also serving another property?
- Are there water taps outside the building? Is there a watering system installed? Are they in good working order and in good condition?
- Does the property have **alternative sources** of water other than mains water supply (including **bore or rainwater**)? If so, are there any special maintenance requirements?

For more information on these matters visit:

[www.ocba.sa.gov.au/consumeradvice/realestate](http://www.ocba.sa.gov.au/consumeradvice/realestate).

Disclaimer: There may be other issues relevant to the purchase of real estate. If you are unable to ascertain enough information about the questions raised in this form and any other concerns you may have we strongly recommend you obtain independent advice through a building inspection, a lawyer, and a financial adviser.

## 11—Insertion of Schedules 2A to 2D

After Schedule 2 insert:

### **Schedule 2A—Financial and investment advice— specified information and warnings**

Land and Business (Sale and Conveyancing) Act 1994 section 24B

Land and Business (Sale and Conveyancing) Regulations 1995 regulation 16C

A land agent or sales representative who provides financial or investment advice to you in connection with the sale or purchase of land or a business is obliged to tell you that—

**You should assess the suitability of any purchase of the land or business in light of your own needs and circumstances by seeking independent financial and legal advice.**

An agent must also tell you about any other benefit that any other person (including the agent) will receive in connection with the sale or purchase, unless it is\*:

- a benefit that has been disclosed in a sales agency agreement
- a benefit that you provide the agent
- a benefit received by the vendor or purchaser
- a benefit related to a service for which you have not or will not be charged
- a benefit of which the agent remains unaware.

*\*Refer to section 24C of the Land and Business (Sale and Conveyancing) Act 1994*

### **Schedule 2B—Disclosure of benefits**

Land and Business (Sale and Conveyancing) Act 1994 section 24C

Land and Business (Sale and Conveyancing) Regulations 1995 regulation 16D

If a benefit has already been disclosed in a sales agency agreement then the use of this form is not required to disclose that benefit.

Subject to section 24C of the *Land and Business (Sale and Conveyancing) Act 1994*, a land agent must use this form to disclose to you (the client):

- benefits which the agent will receive or expects to receive from a third person to whom the agent has referred you, or with whom the agent has contracted, when the referral or contract is for the provision of services associated with the sale or purchase of property or a business;
- any other benefit of which the agent is aware that any person (including the agent) receives or expects to receive in connection with the sale or purchase.

The obligation to disclose a benefit to you under section 24C is ongoing and arises when the agent becomes aware of a benefit.

**Note—**

- When this form is used, the land agent **must** disclose the nature, source and amount (or estimated amount or value) of the benefit.

- A benefit includes a rebate, a discount, or a refund, and could include such things as frequent flyer points or gift vouchers.
- Under section 24C(5) of the *Land and Business (Sale and Conveyancing) Act 1994* an agent includes an agent acting for the purchaser or vendor, and a sales representative acting for that agent.

#### Description of property or business

| Nature of the benefit | Source of the benefit | Amount (or estimated amount or value) of the benefit | Name of recipient of the benefit and capacity* of recipient |
|-----------------------|-----------------------|--|---|
|                       |                       |  |   |

\* refers to the capacity in which the person receives the benefit, e.g. as an agent, a financier, mortgage broker, lawyer.

*If insufficient space, add an annexure*

Name of agent/sales representative

Name of client

Signature

Signature

Date

Date

## Schedule 2C—Prescribed standard conditions for auctions of residential land

Land and Business (Sale and Conveyancing) Act 1994 section 24I

Land and Business (Sale and Conveyancing) Regulations 1995 regulation 16H

### 1—Prescribed standard conditions

- (1) The prescribed standard conditions referred to in regulation 16H for an auction conducted by an agent for the sale of residential land (the *property*) are as follows:
  - (a) any person may bid in the auction in person, or by their proxy or representative, subject to the conditions of auction;
  - (b) the vendor's reserve price will be as recorded in the auction record;
  - (c) to make a bid a person must be registered in the bidders register, having satisfied the requirements as to proof of identity and, if applicable, authority to bid as a proxy or representative;
  - (d) the auctioneer will only accept a bid if the person making the bid displays an identifying number allocated to the person by the auctioneer;
  - (e) the auctioneer will, when accepting a bid, audibly announce the number so displayed by the bidder;

- (f) the auctioneer may refuse a bid if of the opinion that it is not in the best interests of the vendor, and will not be obliged to give any reason for refusing a bid;
  - (g) the auctioneer may make bids on behalf of the vendor but not more than 3 such bids and only for amounts below the reserve price; any such bid will be audibly announced by the auctioneer as a "vendor's bid";
  - (h) bidding increments will be accepted at the discretion of the auctioneer;
  - (i) the person accepted by the auctioneer as having made the highest bid above the reserve price will be the purchaser and that bid will be the purchase price;
  - (j) the auctioneer will not accept a bid made after the fall of the auctioneer's hammer;
  - (k) unless otherwise agreed in writing by the purchaser and the vendor before the commencement of the auction—
    - (i) a contract for the sale of the property, in the form displayed by the auctioneer at the auction, will be completed and signed by or on behalf of the purchaser and the vendor immediately after the fall of the hammer; and
    - (ii) the purchaser will pay a deposit immediately after the fall of the hammer, as specified in the conditions of auction;
  - (l) the auctioneer will have irrevocable authority, after the fall of the auctioneer's hammer, to complete and sign the contract on behalf of the purchaser or the vendor, or both; completion and signing under that authority will be at the auctioneer's discretion in the event of breach by the purchaser of any of the conditions of auction;
  - (m) the cooling off rights under section 5 of the *Land and Business (Sale and Conveyancing) Act 1994* do not apply to a sale by auction or a sale on the day of auction to a person who has made a bid in the auction (whether in person or by their proxy or representative).
- (2) In this Schedule—  
**conditions of auction** includes conditions displayed by the auctioneer at the auction as conditions of the auction, together with the standard conditions set out above.

## **Schedule 2D—Collusive practices at auctions of land or businesses**

Land and Business (Sale and Conveyancing) Act 1994 section 24L

Land and Business (Sale and Conveyancing) Regulations 1995 regulation 16J

Section 24L of the *Land and Business (Sale and Conveyancing) Act 1994* makes it unlawful to engage in collusive practices in relation to an auction of land or a business. Under that section a person must not behave in such a way that might tend to prevent **free and open competition** at an auction by, for example—

- abstaining from bidding or limiting his or her bidding; or
- agreeing to abstain from bidding or limit his or her bidding; or
- inducing or attempting to induce another person to abstain from bidding or limit his or her bidding; or
- doing anything else or inducing or attempting to induce another person to do anything else that might tend to prevent free and open competition at the auction.

The maximum penalty for committing such an offence is \$20 000.

### **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 3 July 2008

No 209 of 2008

MCA07/051CS

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## CITY OF HOLDFAST BAY

*Adoption of Valuations and Declaration of Rates*

NOTICE is hereby given that at its meeting held on 26 June 2008 and in relation to the 2008-2009 financial year, the Council, in exercise of the powers contained in Chapter 10 of the Local Government Act 1999:

1. Adopted the most recent valuations of the State Valuation Office of the capital value of land in its area (such valuations of the State Valuation Office being available to the Council as at the date it adopted its budget), and totalling \$9 173 829 980.

2. Declared a differential general rate of 0.21863 cents in the dollar of the capital value of land, on rateable land within its area which is used for Residential and other land uses.

3. Declared a differential general rate of 0.323572 cents in the dollar for the capital value of land on rateable land within its area which is used for Commercial (Shop), Commercial (Office), Commercial (Other), Industrial (Light), Industrial (Other), and Vacant Land uses.

4. Imposed a minimum amount payable by way of the general rate of \$696.

5. Fixed a maximum increase of 11.5% (subject to conditions) in the general rate charged on rateable land used for residential purposes and is the principal place of residence of a ratepayer.

6. Imposed the application of general rates on the owners of marina berths within the Patawalonga and in order to provide relief against this substantial change to the principal ratepayer, granted a transitional rebate for 2008-2009 of 60% of the General Rates payable.

7. In order to support and improve business viability, profitability and trade, commerce and industry in that part of the Council's area comprising the following rateable land:

- (a) with a frontage to Jetty Road, Glenelg or Moseley Square; and
- (b) within the side streets that intersect with Jetty Road, Glenelg between High Street, Glenelg and Augusta Street, Glenelg; and
- (c) the entire site referred to as the Holdfast Shores 2B Entertainment Centre; and
- (d) with a land use of Category 2 (Commercial—Shop), Category 3 (Commercial—Office) and Category 4 (Commercial—Other),

declared a differential separate rate of 0.156023 cents in the dollar of the capital value of land on all rateable land within the above geographical boundary and land use categories set out in Regulation 10 (2) of the Local Government (General) Regulations 1999.

8.—

- (a) In exercise of the powers contained in section 154 of the Local Government Act 1999 and in order to carry out the activity to the maintenance and upkeep of the boat lock in the Patawalonga basin, a separate rate of 0.495 cents in the dollar of the capital value of land, be declared on all rateable land within the Patawalonga basin bounded by the high water mark.
- (b) In exercise of the powers contained in section 158 of the Local Government Act 1999, the amount that would otherwise be payable by way of rates in respect of this separate rate is altered by fixing the amount of rates payable for assessments that are wholly or partly within the part of the area on which this separate rate is imposed and the capital values of which exceed \$90 890 at \$450.

9. In exercise of the powers contained in section 95 of the Natural Resources Management Act 2004 and in order to reimburse the Council for the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board being \$550 625, imposed a levy comprising 0.00625 cents in the dollar of the capital value of land, on rateable land in the Council's area in the catchment area of

the Board, the Capital Value of such land comprising \$9 173 829 980, the basis for the levy having been selected as the capital value of rateable land, by the Minister, after consultation with Constituent Councils in the Management Board Area, and submitted to and approved by the Governor.

R. T. DONALDSON, Chief Executive Officer

## CITY OF MITCHAM

## BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*By-law No. 1—Permits and Penalties*

TO provide for a permit system for Council by-laws, to fix maximum and continuing penalties for breaches of Council By-laws, to clarify the construction of such by-laws and to repeal by-laws.

1. *Repeal of By-laws*

All by-laws previously made or adopted by the Council prior to the date this by-law is made, are hereby repealed from the day on which this by-law comes into operation.

2. *Definition*

In this by-law 'person' includes a natural person, a body corporate, an incorporated association and an unincorporated association.

3. *Permits*

- 3.1 In any by-law of the Council unless the contrary intention is clearly indicated, the word 'permission' means the permission of the Council or such other person as the Council may by resolution authorise for that purpose granted in writing prior to the act, event or activity to which it relates.
- 3.2 Where a by-law requires that permission be obtained any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council.
- 3.3 The Council or such other person as the Council may by resolution authorise for that purpose, may attach such conditions (including time limits, renewal and transfer requirements) as it thinks fit to a grant of permission and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.
- 3.4 Any person granted permission must comply with every such condition.
- 3.5 The Council or such other person as the Council may by resolution authorise for that purpose may suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.

4. *Offences and Penalties*

- 4.1 Any person who commits a breach of any by-law of the Council shall be guilty of an offence and shall be liable to a maximum penalty being the maximum penalty referred to in the Local Government Act 1999 that may be fixed by by-law for any breach of a by-law.
- 4.2 Any person who commits a breach of any by-law of the Council of a continuing nature shall be guilty of an offence and in addition to any other penalty that may be imposed, shall be liable to a further penalty for every day on which the offence or breach of the by-law continues, such penalty being the maximum amount referred to in the Local Government Act 1999 that may be fixed by by-law for a breach of any by-law of a continuing matter.

5. *Construction*

- 5.1 Every by-law of the Council shall be subject to any Act of Parliament and Regulations made thereunder.
- 5.2 In any by-law of the Council, 'the Council' means the City of Mitcham.



This foregoing by-law was duly made and passed at a meeting of the Council of the City of Mitcham held on 24 June 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. MALCOLM, Chief Executive Officer

### CITY OF MITCHAM

#### BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

##### *By-law No. 2—Moveable signs*

TO set standards for moveable signs on streets and roads and to provide conditions for the design, construction and placement of such signs.

#### 1. Definitions

In this by-law:

- 1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999.
- 1.2 'Banner' means a strip of cloth hung up or carried on a pole, fence or other structure.
- 1.3 'Boundary' means that line between private property and the Road or Road Related Area.
- 1.4 'Footpath Area' means that part of a street or road between the Boundary of the street or road and the edge of the carriageway on the same side as that Boundary.
- 1.5 'Local Government Land' means land owned by the Council or under the Council's care, control and management.
- 1.6 'Moveable Sign' has the same meaning as in the Local Government Act 1999.
- 1.7 'Road' has the same meaning as in the Local Government Act 1999.
- 1.8 'Road Related Area' has the same meaning as in the Road Traffic Act 1961 and the Australian Road Rules 1999.
- 1.9 'Vehicle' has the same meaning as in the Road Traffic Act 1961 and the Australian Road Rules 1999.

#### 2. Design and Construction

A Moveable Sign displayed on a Road must:

- 2.1 be a kind known as an 'A' Frame or Sandwich Board sign, an 'inverted "T"' sign, or a flat sign, or with the permission of the Council, a sign of some other kind; and
- 2.2 be constructed of timber and/or metal and/or plastic; and
- 2.3 be designed, constructed and maintained in good quality and condition so as not to present a hazard to any member of the public; and
- 2.4 not exceed 900 mm in height, 600 mm in width or 600 mm in length; and
- 2.5 not contain sharp or jagged edges or corners; and
- 2.6 not be unsightly or offensive in appearance or content; and
- 2.7 be of strong construction so as to be stable when in position and be able to keep its position and not be blown over in adverse weather conditions; and
- 2.8 not have balloons, flags, streamers or other material attached to it; and
- 2.9 in the case of an 'A' Frame or Sandwich Board sign:
  - 2.9.1 be hinged or joined at the top; and
  - 2.9.2 be of such construction that its sides shall be securely fixed or locked in position when erected; and
- 2.10 in the case of an 'inverted "T"' sign, not contain any struts or members that run between the display area and the base of the sign; and

- 2.11 in the case of a banner, shall be securely fixed to a solid structure so that it does not hang loose or flap, and so that a person or vehicle on the Road can not come into contact with it; and
- 2.12 not rotate, contain flashing parts or lights or be illuminated internally.

#### 3. Appearance

A Moveable Sign displayed on a Road must, in the opinion of an Authorised Person:

- 3.1 be painted or otherwise detailed in a competent and professional manner; and
- 3.2 be aesthetically appealing, legible and simply worded to convey a precise message; and
- 3.3 be of such design and contain such colours as are compatible with the architectural design of the premises adjacent to the sign, and which relate well to the townscape and overall amenity of the locality in which it is situated; and
- 3.4 contain combinations of colour and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.

#### 4. Position

A Moveable Sign must:

- 4.1 only be positioned on the Footpath Area of a Road; and
- 4.2 be placed no closer than 500 mm from the edge of the carriageway of a Road; and
- 4.3 not be placed on a Footpath Area that is of less width than 2.5 m; and
- 4.4 be placed no closer than 1.9 m from any other structure, object including another Moveable Sign, tree, bush or plant; and
- 4.5 be placed within 1 m of an entrance or exit to premises adjacent to the Moveable Sign; and
- 4.6 not be placed within 3 m of an intersection(s) or junction(s); and
- 4.7 not be placed on a Footpath Area with a minimum height clearance, of a structure above it of less than 2 m; and
- 4.8 not be placed so as to interfere with the reasonable movement of persons using the Footpath Area in the vicinity of or adjacent to where the Moveable Sign is positioned; and
- 4.9 in the case of a flat sign, the message of which only contains newspaper headlines and the name of the newspaper, be placed resting against the premises of the business to which the Moveable Sign relates; and
- 4.10 not be placed on the sealed part of any Footpath Area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare for pedestrians of a width of at least 1.9 m; and
- 4.11 be adjacent to the persons, premises or business to which it relates; and
- 4.12 not be placed so as to obstruct or impede a vehicle door when opened, provided that the vehicle is parked lawfully on the carriageway.

#### 5. Restrictions

5.1 A Moveable Sign must:

- 5.1.1 only display material which advertises a business being conducted on premises adjacent to the Moveable Sign, or the products available from that business, but no brand names of products shall be displayed unless the name of the business is also displayed on the Moveable Sign; and
- 5.1.2 not be displayed if another Moveable Sign which relates to the same business is already displayed on the Road; and
- 5.1.3 only be displayed when the business to which it relates is open; and

- 5.1.4 not be displayed or placed in a wind or other adverse weather conditions unless it is securely fixed such that it cannot be blown over or swept away; and
  - 5.1.5 not be placed in a position or in such circumstances that the safety of any person or user of the Road is at risk; and
  - 5.1.6 not be displayed during the hours of darkness unless it is clearly visible; and
  - 5.1.7 not be displayed on a median strip, traffic island or on the carriageway of a Road.
- 5.2 If in the opinion of the Council a Footpath Area or other area forming the boundary of any Road is unsafe for any Moveable Sign to be displayed or placed the Council may by resolution prohibit or restrict the display or placement of a Moveable Sign or the times a Moveable Sign may be displayed or placed in that area.

#### 6. Banners

A Banner must:

- 6.1 only be displayed on a Footpath Area or Road Related Area; and
- 6.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap; and
- 6.3 not, without the Council's permission, be attached to any building, structure, fence, vegetation or other item owned by the Council on a Footpath Area or Road Related Area or other improvement owned by the Council on a Footpath Area or Road Related Area; and
- 6.4 only advertise an event to which the public are invited; and
- 6.5 not be displayed more than one month before and two days after the event it advertises; and
- 6.6 not be displayed for a continuous period of more than one month and two days in any twelve month period; and
- 6.7 not exceed 3 m<sup>2</sup> in size.

#### 7. Signs on Council Land

A person must not, without the Council's permission, display a Moveable Sign on any Local Government Land or resting on or attached to a vehicle parked on any Local Government Land except a Moveable Sign:

- 7.1 on or attached to a licensed taxi; or
- 7.2 on or attached to a vehicle belonging to any council and which has been placed on or attached to the vehicle with the consent of the council to which the vehicle belongs; or
- 7.3 on or attached to a bus greater than 6 m in length; or
- 7.4 on or attached to a vehicle which only has a sign or signs painted on or glued to it the main purpose of which is to identify it as belonging to a business; or
- 7.5 comprising a sunscreen on a vehicle, where any message or trade name or mark on the sunscreen does not advertise a business being carried on in the vicinity of the place the vehicle is parked, or the products available from that business.

#### 8. Exemptions

- 8.1 Subparagraphs 5.1.1 and 5.1.2 of this by-law do not apply to a Moveable Sign which is used:
  - 8.1.1 as a directional sign to an event run by an incorporated association or charitable body; or
  - 8.1.2 to advertise a garage sale taking place from residential premises;
 

provided the Moveable Sign is not placed on the carriage-way of a Road.
- 8.2 Subparagraph 5.1.1 of this by-law does not apply to a flat sign the message of which only contains newspaper head-lines and the name of a newspaper.
- 8.3 A requirement of this by-law will not apply where the Council has granted permission for the Moveable Sign to be displayed contrary to the requirement.

8.4 This by-law will not apply to a Moveable Sign which is:

- 8.4.1 placed on a Road pursuant to an authorisation under the Local Government Act 1999 or another Act; or
- 8.4.2 designed to direct people to the open inspection of any land or building that is available for purchase or lease; or
- 8.4.3 related to a State or Commonwealth election and is displayed during the period commencing on the issue of writ or writs for the election and ending at the close of polls on polling day; or
- 8.4.4 related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is displayed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day.

#### 9. Removal of Unauthorised Moveable Signs

9.1 If:

- 9.1.1 the design or construction of a Moveable Sign that has been placed on a Road does not comply with a requirement of this by-law; or
- 9.1.2 the positioning of a Moveable Sign does not comply with a requirement of this by-law; or
- 9.1.3 any other relevant requirement of this by-law is not complied with; or
- 9.1.4 the Moveable Sign unreasonably:
  - 9.1.4.1 restricts the use of the Road; or
  - 9.1.4.2 endangers the safety of members of the public,

an Authorised Person may order the owner of the Moveable Sign to remove the sign from the Road.

9.2 A person must comply with an order of an Authorised Person made pursuant to subparagraph 9.1 of this by-law.

9.3 If the Authorised Person cannot find the owner, or the owner fails to comply immediately with the order, the Authorised Person may remove and dispose of the Moveable Sign.

9.4 The owner or other person entitled to recover a Moveable Sign removed pursuant to paragraph 9.3 of this by-law must pay to the Council any reasonable costs incurred by the Council in removing, storing and attempting to dispose of the Moveable Sign before being entitled to recover the Moveable Sign.

#### 10. Removal of Authorised Moveable Signs

- 10.1 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person if, in the reasonable opinion of that Authorised Person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the placement or display of the Moveable Sign.
- 10.2 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person for the purpose of special events, parades, Road works or in any other circumstances which, in the reasonable opinion of the Authorised Person, requires relocation or removal of the Moveable Sign to protect public safety or to protect or enhance the amenity of a particular locality.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Mitcham held on 24 June 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. MALCOLM, Chief Executive Officer

## CITY OF MITCHAM

## BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*By-law No. 3—Local Government Land*

FOR the management and regulation of the use of and access to local government land (other than streets and roads) vested in or under the care, control and management of the Council, including the prohibition and regulation of particular activities on local government land.

1. *Definitions*

In this by-law:

- 1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999.
  - 1.2 'Children's Playground' means any enclosed area in a recreation area in which there is equipment or other installed devices for the purpose of children's play (or any area in a recreation area within 3 m of such devices if there is no enclosed area).
  - 1.3 'Liquor' has the same meaning as in the Liquor Licensing Act 1997.
  - 1.4 'Local Government Land' means land owned by the Council or under the Council's care, control and management (except Roads).
  - 1.5 'Park' has the same meaning as in the Local Government Act 1999.
  - 1.6 'Public Place' means a place (including a place on private land) to which the public has access but does not include any part of a community parcel divided by a plan of community division under the Community Titles Act 1996.
  - 1.7 'Recreation Ground' means any area of land commonly used for playing sports or games, or accommodating the spectators at any sport or game, and any area of land contiguous thereto and used in connection therewith.
  - 1.8 'Reserve' has the same meaning as in the Local Government Act 1999.
  - 1.9 'Road' has the same meaning as in the Local Government Act 1999.
  - 1.10 'Vehicle' has the same meaning as in the Road Traffic Act 1961 and the Australian Road Rules 1999.
  - 1.11 'Waters' includes any body of water including a pond, lake, river, creek or wetlands under the care, control or management of the Council.
2. *Activities Requiring Permission*
- A person must not without the permission of the Council undertake any of the following activities on any Local Government Land:
- 2.1 *Access to Water*
    - 2.1.1 Subject to the provisions of the Harbors and Navigation Act 1993, enter any Waters, swim, use a boat, other object or device in or on any Waters, except:
      - 2.1.1.1 in an area which the Council has by resolution determined may be used for such purpose; and
      - 2.1.1.2 in accordance with any conditions that the Council may have determined by resolution apply to such use.
  - 2.2 *Advertising*
    - 2.2.1 Display or erect any sign or hoarding for the purpose of commercial advertising or any other purpose.
  - 2.3 *Amplification*
    - 2.3.1 Use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound.
  - 2.4 *Animals*
    - 2.4.1 Cause or allow any animal to stray onto, move over, graze or be left unattended on any Local Government Land.
    - 2.4.2 Cause or allow any animal to enter, swim, bathe or remain in any Waters located on Local Government Land to which this subparagraph applies.
  - 2.5 *Attachments to Trees*

Attach, hang or fix any rug, blanket, sheet, rope or other material to any tree, shrub, plant, tree guard, tree stake, notice board, seat, fence, post or other item or structure which is the property of the Council.
  - 2.6 *Attachments*

Attach anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government Land except for any electoral matter attached to a tree, plant, structure or fixture by or with the authority of a candidate which is related to a Commonwealth or State election and is attached during the period commencing on the issue of the writ or writs for the election and ending at close of polls on polling day or is related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is attached during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or is posted during the course of and for the purposes of a Referendum.
  - 2.7 *Aquatic Life*

Take, interfere with, introduce or disturb any aquatic life in any Waters located on Local Government Land, to which this subparagraph applies.
  - 2.8 *Bees*

Place any hive of bees on such land, or allow it to remain thereon.
  - 2.9 *Bridge Jumping*

Jump or drive from any bridge on Local Government Land.
  - 2.10 *Buoys, etc.*

Place a buoy, cable, chain, hawser, rope or net in or across any Waters on Local Government Land.
  - 2.11 *Busking*
    - 2.11.1 Sing, busk or play a musical instrument for the purpose of or so as to appear to be for the purpose of entertaining others or receiving money.
    - 2.11.2 Conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or similar activity.
  - 2.12 *Camping and Tents*
    - 2.12.1 Erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation.
    - 2.12.2 Camp or sleep overnight except where a person is in a caravan park on Local Government Land, the proprietor of which has been given permission to operate the caravan park on that land.
  - 2.13 *Canvassing*

Convey any advertising, religious or other message to any bystander, passer-by or other person except for any message or material that is related to a Commonwealth or State election and is conveyed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day or is related to an election under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is conveyed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or that is related to and conveyed during the course of and for the purpose of a Referendum.

2.14 *Closed Lands*

2.14.1 Enter or remain on any part of Local Government Land:

2.14.1.1 at any time during which the Council has declared that the part be closed to the public, and which is indicated by a sign to that effect on or adjacent to the land;

2.14.1.2 where the land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked;

2.14.1.3 where admission charges are payable to enter that part, to enter without paying those charges.

2.15 *Defacing Property*

Deface, paint, write, cut names, letters or make marks on any tree, rock, gate, fence, building, sign or property of the Council on Local Government Land.

2.16 *Depasturing*

Cause, suffer or allow any horse, cattle, sheep, goat or other animal under his or her control to depasture thereon.

2.17 *Distribution*

Place on any vehicle (without the consent of the owner of the vehicle), or give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person except any hand bill, book, notice, leaflet or other printed matter that is related to a Commonwealth or State election and is placed, given out or distributed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day or is related to an election under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is placed, given out or distributed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or that is related to and placed, given out or distributed during the course of and for the purpose of a Referendum.

2.18 *Donations*

Ask for or receive or indicate that he or she desires a donation of money or any other thing or solicit for charitable purposes.

2.19 *Fires and Gas Barbeques*

2.19.1 Being Park or Reserves to which this subparagraph applies, light or maintain a gas stove, gas barbeque, gas light or other gas appliance.

2.19.2 Subject to the Fire and Emergency Services Act 2005 light any fire unless:

2.19.2.1 in a place provided by the Council for that purpose;

2.19.2.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least 4 m.

2.20 *Flora and Fauna*

2.20.1 Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:

2.20.1.1 damage, pick, disturb, interfere with or remove any plant, tree or flower thereon;

2.20.1.2 lead or drive any animal or stand or walk on any flower bed or garden plot;

2.20.1.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;

2.20.1.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature or the eggs or young of any animal, bird or marine creature;

2.20.1.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;

2.20.1.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;

2.20.1.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature.

2.21 *Games*

2.21.1 Participate in, promote or organise any game, recreation or amusement which involves the use of a ball, missile or other object on Local Government Land to which this subparagraph applies.

2.21.2 Play or practice golf on Local Government Land to which this subparagraph applies.

2.22 *Liquor*

Consume, carry or be in possession or charge of any Liquor on any Local Government Land to which this subparagraph applies (provided the land constitutes Parks or Reserves).

2.23 *Model Aircraft and Cars*

2.23.1 Fly or operate a model aircraft on any Local Government Land to which this subparagraph applies.

2.23.2 Operate a model car on any Local Government Land to which this subparagraph applies.

2.24 *Overhanging Articles or Displaying Personal Items*

Suspend or hang any article or object from any building, verandah, pergola, post or other structure on Local Government Land where it might present a nuisance or danger to any person using the land or be of an unsightly nature.

2.25 *Playing Area*

2.25.1 Use or occupy any Recreation Ground:

2.25.1.1 in such a manner as to damage or be likely to damage the surface of the Recreation Ground;

2.25.1.2 in any manner contrary to the purpose for which the Recreation Ground was intended to be used or occupied;

2.25.1.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the Recreation Ground.

2.26 *Preaching*

Preach, harangue or solicit for religious purposes.

2.27 *Rubbish and Rubbish Dumps*

2.27.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government Land.

2.27.2 Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a Council rubbish bin on Local Government Land.

2.28 *Skateboards, Small Wheeled Vehicles*

Subject to the Road Traffic Act 1961, ride on a skateboard or use roller skates or blades or similar devices on Local Government Land to which this subparagraph applies.

### 2.29 Toilets

- 2.29.1 In any toilet on Local Government Land:
- 2.29.1.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 2.29.1.2 smoke tobacco or any other substance;
- 2.29.1.3 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 2.29.1.4 use it for a purpose for which it was not designed or constructed;
- 2.29.1.5 enter any toilet that is set aside for use of the opposite sex except where :
- (a) a child under the age of 5 years accompanied by an adult person of that other sex; and/or
- (b) to provide assistance to a disabled person.

### 2.30 Trading

- 2.30.1 Carry on the business of selling offering or exposing for sale any goods, merchandise, commodity, article or thing.
- 2.30.2 Set up a van or other vehicle or stall or other structure, tray, carpet or device for the purpose of buying or selling any goods, merchandise, commodity, article or thing.

### 2.31 Weddings, Funerals and Special Events

Conduct or participate in a marriage ceremony, funeral or special event.

### 2.32 Working on Vehicles

Perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

## 3. Posting of Bills etc.

A person must not without the Council's permission post any bills, advertisements or other papers or items on a building, or structure on Local Government Land or other Public Place except for any electoral matter posted on a building or structure by or with the authority of a candidate which is related to a Commonwealth or State election and is posted during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day or is related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is posted during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or is posted during the course of and for the purpose of a Referendum.

## 4. Prohibited Activities

A person must not undertake any of the following activities on any Local Government Land:

### 4.1 Animals

- 4.1.1 Cause or allow any animal to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming.
- 4.1.2 Cause or allow any animal to damage any flower bed, garden, pot, tree, lawn or other item located thereon.

### 4.2 Annoyances

Annoy or unreasonably interfere with any other person's use of Local Government Land by making a noise or by creating a disturbance that has not been authorised by the Council.

### 4.3 Damaging Property

Damage or remove a building, structure or fixture located on Local Government Land.

### 4.4 Interference with Permitted Use

Interrupt, disrupt or interfere with any other person's use of Local Government Land which is permitted or for which permission has been granted.

### 4.5 Obstruction

#### 4.5.1 Obstruct:

- 4.5.1.1 any path in or on any Local Government Land;
- 4.5.1.2 any door, entrance, stairway or aisle in any building in or on any Local Government Land;
- 4.5.1.3 any gate or entrance to, in or on Local Government Land.

### 4.6 Playing games

- 4.6.1 Play or practice a game, recreation or amusement:
- 4.6.1.1 which is likely to cause damage to the land or anything in it;
- 4.6.1.2 which endangers the safety or interferes with the comfort of any person;
- 4.6.1.3 in any area where a sign indicates that the game is prohibited.

### 4.7 Smoking

- 4.7.1 Smoke tobacco or any other substance on or within 3 m of any Children's Playground on Local Government Land.
- 4.7.2 Smoke tobacco or any other substance in any building or part thereof on Local Government Land to which this subparagraph applies.
- 4.7.3 Smoke tobacco or any other substance on Local Government Land or part thereof to which this subparagraph applies.

### 4.8 Throwing Objects

Throw or project a stone or other missile.

### 4.9 Use of Equipment

Use any item of equipment, facilities or other Council property other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it.

### 4.10 Waste

- 4.10.1 Deposit or leave thereon:
- 4.10.1.1 anything obnoxious or offensive;
- 4.10.1.2 any offal, dead animal, dung or filth;
- 4.10.1.3 any mineral, mineral waste, industrial waste or by-products.
- 4.10.2 Foul or pollute any waters situated thereon.
- 4.10.3 Deposit any rubbish other than in receptacles provided by the Council for that purpose.
- 4.10.4 Deposit in any receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

## 5. Directions

- 5.1 A person must comply with any reasonable direction or request from an Authorised Person relating to:
- 5.1.1 that person's use of the land;
- 5.1.2 that person's conduct and behaviour on the land;
- 5.1.3 that person's safety on the land;
- 5.1.4 the safety and enjoyment of the land by other persons.

## 6. Removal of Encroachments or Interference

Any person who encroaches onto or interferes with Local Government Land contrary to this by-law must at the request in writing of an Authorised Person, cease the encroachment or interference and remove the source of the encroachment or interference and reinstate the land to the same standard as the state of the land prior to the encroachment or interference.

### 7. Removal of Animals, Persons and Objects

- 7.1 If any animal, person or object is found on any part of Local Government Land in breach of a by-law:
- 7.1.1 any person in charge of the animal, person or object must immediately remove it from that part of the land on the direction of an Authorised Person; and
- 7.1.2 an Authorised Person may remove the animal or object from the land if the person in charge of it fails to comply with the direction, or if no person is in charge of it.
- 7.2 A person who is committing or has committed a breach of this by-law must immediately comply with a direction of an Authorised Person to leave that part of the Local Government Land.

### 8. Exemptions

The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to the driver of an emergency vehicle when driving an emergency vehicle as defined in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provision) Regulations 1999 and the Australian Road Rules 1999.

### 9. Application of Paragraphs

Any of subparagraphs 2.1.1.1, 2.4.2, 2.7, 2.14.1.1, 2.19.1, 2.21.1, 2.21.2, 2.22.1, 2.23, 2.28, 4.7.2 and 4.7.3 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct (in accordance with section 246 (3) (e) of the Local Government Act 1999).

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Mitcham held on 24 June 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. MALCOLM, Chief Executive Officer

## CITY OF MITCHAM

### BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

#### By-law No. 4—Roads

FOR the management, control and regulation of activities on roads in the Council's area.

### 1. Definitions

In this by-law:

- 1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999;
- 1.2 'Road' has the same meaning as in the Local Government Act 1999.

### 2. Activities Requiring Permission

A person must not, without the permission of the Council, undertake any of the following activities on any Road:

#### 2.1 Advertising

Display any sign other than a moveable sign which is displayed on a Road in accordance with the Council's Moveable Signs By-law.

#### 2.2 Amplification

Use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound to broadcasting announcements or advertisements.

#### 2.3 Animals

- 2.3.1 Cause or allow any animal to stray onto, move over, graze or be left unattended on any Road;
- 2.3.2 lead, drive or exercise any horse or other animal in such a manner as to endanger the safety of any person.

#### 2.4 Donations

Ask for or receive or indicate that he or she desires a donation of money or any other thing, or otherwise solicit for charitable purposes.

#### 2.5 Preaching

Preach or harangue or otherwise solicit for religious purposes.

#### 2.6 Public Exhibitions and Displays

- 2.6.1 Sing, busk or play any recording or use any musical instrument;
- 2.6.2 conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;
- 2.6.3 cause any public exhibitions or displays.

#### 2.7 Obstruction of a Road

Erect, install or place or cause to be erected, installed or placed any structure, item or material of any kind so as to obstruct the Road or any footway, water channel, or water course in a Road.

#### 2.8 Posting of Bills

Post or allow or cause to be posted any bills, advertisements or other papers or items on a building or structure on a Road except for any electoral matter posted on a building or structure by or with the authority of a candidate which is related to a Commonwealth or State election and is posted during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day or is related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is posted during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day or is posted during the course of and for the purpose of a Referendum.

#### 2.9 Tents and Camping

- 2.9.1 Erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
- 2.9.2 camp or sleep overnight.

#### 2.10 Working on Vehicles

Perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

### 3. Directions

A person must comply with any reasonable direction or request from an Authorised Person of the Council relating to:

- 3.1 that person's use of the Road;
- 3.2 that person's conduct and behaviour on the Road;
- 3.3 that person's safety on the Road; or
- 3.4 the safety and enjoyment of the Road by other persons.

### 4. Removal of Animals, Persons and Objects

- 4.1 If any animal, person or object is found on any part of a Road in breach of a by-law:
- 4.1.1 any person in charge of the animal, person or object must immediately remove it from that part of the Road on the direction of an Authorised Person;
- 4.1.2 an Authorised Person may remove the animal or object from the Road if the person in charge of it fails to comply with the direction, or if no person is in charge of it.
- 4.2 A person who is committing or has committed a breach of this by-law must immediately comply with a direction of an Authorised Person to leave that part of the Road.

### 5. Exemptions

The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to the driver of an emergency vehicle when driving an emergency vehicle as defined in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999 and the Australian Road Rules 1999.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Mitcham held on 24 June 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. MALCOLM, Chief Executive Officer

## CITY OF MITCHAM

### BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

#### *By-law No. 7—Waste Management*

TO regulate and control the removal of domestic, recyclable and green organic waste from premises, for the prevention and suppression of nuisances, and for regulating the management of Council property.

### 1. Definitions

In this by-law:

- 1.1 'Household Waste' means any kind of domestic and kitchen waste generated from residences, but excludes liquids, metals (other than food containers), building materials, stones, bricks, soil, lead acid batteries and any dangerous or toxic waste.
- 1.2 'Household Waste Container' means a container for the reception of Household Waste.
- 1.3 'Recyclables' means newspapers, magazines, clean paper and cardboard, clean plastic containers of a type specified by the Council, clean tins and cans, clean glass and clean milk and juice containers and other materials for which permission has been given by the Council.
- 1.4 'Recyclables Container' means a container for the reception of Recyclables.
- 1.5 'Green Organics' means any clean organic matter consisting of lawn clippings, plants, vegetables, leaves, prunings, horse manure or other materials for which permission has been given by the Council.
- 1.6 'Green Organics Container' means a container for the reception of Green Organics.
- 1.7 'Hard Wastes' means any internal and external household items such as fridges, television sets, mattresses, but excludes any household wastes.

### 2. Containers

- 2.1 Every occupier of domestic premises must keep on his or her premises a Household Waste Container and a Recyclables Container as approved by the Council.
- 2.2 An occupier of domestic premises may keep on his or her premises a Green Organics Container as approved by the Council.

### 3. Management of Waste Collection Service

An occupier of premises must:

- 3.1 *Household Waste*
  - 3.1.1 Ensure that the Household Waste Container be as approved by the Council; and
  - 3.1.2 Ensure that the Household Waste Container only contains Household Waste.
- 3.2 *Recyclables*
  - 3.2.1 Ensure that the Recyclables Container be as approved by the Council; and

- 3.2.2 ensure that the Recyclables Container only contains Recyclables.

### 3.3 *Green Organics*

- 3.3.1 Ensure the Green Organics Container be as approved by the Council; and
- 3.3.2 ensure that the Green Organics Container only contains Green Organics.

### 3.4 *Keep Container Clean*

Cause each container to be kept in a clean and sanitary condition, maintained in good order and repair, and kept watertight at all times.

### 3.5 *Sealing of Container*

Cause each container to be continuously and securely covered or sealed except when waste is being deposited in or removed from the container.

### 3.6 *Damage*

- 3.6.1 Ensure that each container is maintained so that it is not damaged or worn to the extent that:
  - 3.6.1.1 it is not robust or water tight;
  - 3.6.1.2 it is unable to be moved on its wheels (if any) efficiently;
  - 3.6.1.3 the lid does not seal on the container when closed;
  - 3.6.1.4 its efficiency or use is otherwise impaired.

### 3.7 *Collection Services*

- 3.7.1 Facilitate the collection and removal of Household Waste, Recyclables and Green Organics from his or her premises on the day before collection and removal of the Household Waste, Recyclables and Green Organics (and not before this day);
- 3.7.2 ensure that on the day before the day appointed by the Council for the collection of the Household Waste, Recyclables and Green Organics from the premises, the container containing that kind of waste is placed out for collection in a position:
  - 3.7.2.1 on the road in front of and on the same side as the premises, abutting the edge of (but not on) the carriageway and positioned so that the side of the container on which the hinges of the lid are situated faces the premises; or
  - 3.7.2.2 as approved or directed by the Council or its contractor; and
  - 3.7.2.3 not under the overhanging branches of street trees; and
- 3.7.3 remove the container from that position on the same day after the collection has taken place.

### 4. *Interference with Recyclables/Hard Rubbish*

- 4.1 A person must not remove, without the Council's permission, disburse or interfere with any Recyclables or Hard Rubbish (including bottles, newspapers, cans, containers or packaging) that has been placed:
  - 4.1.1 for disposal in or near a container; or
  - 4.1.2 on a road for collection by the Council, its agents or contractors, except with the permission of the Council or the owner.

This foregoing by-law was duly made and passed at a meeting of the Council of the City of Mitcham held on 24 June 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. MALCOLM, Chief Executive Officer

## THE RURAL CITY OF MURRAY BRIDGE

*Adoption of Annual Business Plan, Budget, Annual Valuations and Declaration of Rates, 2008-2009*

NOTICE is hereby given that at its meeting held on 23 June 2008, the Rural City of Murray Bridge resolved that in exercise of the powers contained in Chapters 8 and 10 of the Local Government Act 1999 (the Act), and in respect of the financial year ending 30 June 2009:

*Adoption of Annual Business Plan 2008-2009*

1. Council adopt the 2008-2009 Annual Business Plan as attached to Council minutes of 23 June 2008.

*Adoption of Budget 2008-2009*

2. That the budget for the year as detailed on the Council minutes of 23 June 2008 and consisting of the statutory budget statements being:

- statement of financial performance;
- statement of financial position;
- statement of cash flows;
- statement of changes in equity;
- reconciliation of cash to operational summary; and
- budget operational,

all other statements and information in accordance with Regulation 5B of the Local Government (Financial Management) Regulations 1999, which provide for:

- (a) total estimated expenditure of \$25 606 569 (including depreciation);
- (b) total estimated income from sources other than rates and loans of \$11 221 789;
- (c) total new loans of \$2 000 000; and
- (d) total amount required to be raised from rates \$12 183 700.

*Adoption of Valuation*

3. The most recent valuations of the Valuer-General available to the Council of the Capital Value of land within the Council's area, being \$2 273 983 240 be adopted for rating purposes for the 2008-2009 financial year.

*Attribution of Land Uses*

4.—

- (a) The numbers indicated against the various categories of land use prescribed by Local Government (General) Regulations 1999, be used to designate land uses in the Assessment Record;
- (b) the use indicated by those numbers in respect of each separate assessment of land described in the Assessment record on this date (as laid before Council) be attributed to each such assessment respectively; and
- (c) reference in this resolution to land being of certain category use means the use indicated by that category number in the Regulations.

*Declaration of General Rates*

5. In order to raise the amount required for general rate revenue:

- (a) differential general rates be declared on all rateable land as follows:
  - (i) 0.5185 cents in the dollar of the Capital Value of rateable land of Categories 1 and 9 use (Residential and 'Other' Categories);
  - (ii) 0.8305 cents in the dollar of the Capital Value of rateable land of Categories 2, 3 and 4 use (Commercial Categories);
  - (iii) 0.7265 cents in the dollar of the Capital Value of rateable land of Categories 5 and 6 use (Industrial Categories);
  - (iv) 0.4335 cents in the dollar of the Capital Value of rateable land of Category 7 use (Primary Production); and

- (v) 0.6745 cents in the dollar of the Capital Value of rateable land of Category 8 use (Vacant Land); and

- (b) a minimum amount payable by way of the general rate of \$633 in respect of each assessment in accordance with section 158 of the Act.

*Declaration of Separate Rates*

6. In exercise of the powers contained in section 154 of the Act in order to upgrade and improve the Town Centre Zone (as defined in the Development Plan under the Development Act 1993, applicable to the Council area), a separate rate of 0.00 cents in the dollar of the Capital Value of rateable land for land use Categories 2, 3 and 4 in the Town Centre Zone is declared on that land.

*Declaration of Natural Resources Management Levy*

7. In accordance with section 154 of the Local Government Act 1999 and section 95 of the Natural Resources Management Act 2004, a separate rate of 0.005255 cents in the dollar of capital value of all rateable land within the area of the Rural City of Murray Bridge for the purpose of reimbursing to Council the amount that Council contributes to the South Australian Murray-Darling Basin Natural Resources Management Board for the 2008-2009 financial year.

*Declaration of Annual Service Charges and Service Rates*

8. *Community Waste Water Management and Water Supply Schemes*

8.1.1 *Riverglen*

In accordance with section 155 of the Local Government Act 1999, a total of \$61 000 is to be levied against the properties within the area defined as 'Riverglen' to which Council provides a prescribed service, namely the provision of septic tank effluent disposal and water supply. A service charge of \$450 per assessment is imposed on rateable and non-rateable land and a service rate of 0.15571 cents in the dollar of the capital value of rateable land is declared on Allotments 1 to 30, 125 and 126 in Deposited Plan 30450, Allotment 50 in Deposited Plan 42391 and Units 1 to 73 in Strata Plan No 11238, being land to which the septic tank effluent disposal scheme and the water supply scheme are provided.

8.1.2 *Woodlane*

In accordance with section 155 of the Local Government Act 1999, a total of \$41 000 is to be levied against the properties within the area defined as 'Woodlane' to which Council provides prescribed services, namely the provision of septic tank effluent disposal and water supply. A service charge of \$425 per assessment is imposed on rateable and non-rateable land and a service rate of 0.19039 cents in the dollar of the capital value of rateable land is declared on Allotments 1 to 18 in Deposited Plans 44292 and 48073, Allotments 191 and 192 in Deposited Plan 75292, Allotments 1 to 4, 7 to 37 and 40 in Deposited Plan 51229, Allotment 50 in Deposited Plan 53034 and Allotment 200 in Deposited Plan 62423, being land to which the septic tank effluent disposal scheme and the water supply scheme are provided.

8.2 *Waste Collection Services*

Variable annual service charges are imposed according to the nature of the service as follows:

8.2.1 *New Garbage Collection Services*

For the supply of a mobile garbage bin to land to which the service is provided, a service charge of \$60 per bin.

8.2.2 *Additional Garbage Collection Services*

For the supply of additional mobile garbage bin/s to land to which the service is provided, an annual service charge of \$100 per bin.

8.2.3 *Kerbside Recycling Services*

In accordance with the Annual Business Plan, Council is likely to commence this service during 2008-2009 and will declare the annual service charge at a later date.



#### 8.2.4 Green Waste Services

In accordance with the Annual Business Plan, Council is likely to commence this service during 2008-2009 and will declare the annual service charge at a later date.

#### Payment

9. Pursuant to section 181 (1) of the Act, all rates are payable in four equal or approximately equal instalments on or before the following dates:

- by 22 September 2008;
- by 12 December 2008;
- by 13 March 2009; and
- by 12 June 2009.

#### Early Payment Incentive Scheme

10. In exercise of the powers contained in section 181 (11) of the Act, and being of the opinion that it is desirable to encourage ratepayers to pay their general rates and/or separate rates, and/or service rates, and/or service charges early, the Council offers to give a discount of 1% of the amount payable of general rates, and/or service rates and/or service charges if paid in full by 22 September 2008.

#### Adoption of Rating Policy

11. Council adopts the 2008-2009 Rating Policy as attached to council minutes of 23 June 2008.

D. J. ALTMANN, Chief Executive Officer

### CITY OF ONKAPARINGA

#### Adoption of Valuation

NOTICE is hereby given that at its meeting held on 24 June 2008, the Council in accordance with section 167 (2) (a) of the Local Government Act 1999, adopted the Valuer-General's valuation of capital value being \$21 311 528 840 for the financial year ending 30 June 2009, and hereby specifies that 1 July 2008, shall be the day as and from which such valuation shall become the valuation of the Council.

#### Declaration of General Rates

In exercise of the powers contained in section 153 (1) (b) of the Act, and appropriate pursuant to section 156 (1) (a) of the Act, declared differential general rates for the financial year ending 30 June 2009, in the area of Council according to land use, in accordance with Regulation 10 of the Local Government (General) Regulations 1999, as follows:

- (1) Pursuant to section 152 (1) (c) of the Act, a general rate that consists of two components:
  - (i) being based on the value of the land subject to the rate; and
  - (ii) a fixed charge to apply equally to each separate piece of rateable land in the area.
- (2) Pursuant to section 152 (1) (c) (ii) of the Local Government Act 1999, the Council imposes a fixed charge of \$232.
- (3) Pursuant to sections 152 (1) (c) (i), 153 (1) (b) and 156 (1) (a) of the Local Government Act 1999, differential general rates be declared as follows:
  - (i) 0.27560 cents in the dollar on rateable land of Category 1 (Residential) use;
  - (ii) 0.351758 cents in the dollar on rateable land of Categories 2, 3, 4 (Commercial—Shop, Office and Other), and 5 and 6 (Industrial—Light and Other) uses;
  - (iii) 0.280885 cents in the dollar on rateable land of Category 7 (Primary Production) use;
  - (iv) 0.450814 cents in the dollar on rateable land of Category 8 (Vacant Land) use; and
  - (v) 0.338645 cents in the dollar on rateable land of Category 9 (Other) use.

- (4) Pursuant to section 166 (1) (l) (i) and (ii) of the Act and to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to a change to the structure of the Council's rates or rapid changes in valuations, Council will grant a rebate of general rates to the Principal Ratepayer of Category 1 (Residential) land use, to provide that the maximum general rates payable for 2008-2009 will be the amount payable for 2007-2008 plus 10%, of that amount (noting that the amount payable includes this capping rebate but excludes any other concession or relief) and where the increase in valuation is not as a result of:
  - (i) improvements made to the property worth more than \$20 000;
  - (ii) a change to the land use of the property; or
  - (iii) a change in ownership of the rateable property since 1 July 2007,

the amount of the rebate being the difference between the amount of general rates in monetary terms imposed for the 2008-2009 financial year and the amount of rates in monetary terms payable (after any rebate was applied but prior to deducting any pensioner concessions) for the 2007-2008 financial year plus 10% of those rates.

#### Declaration of Separate Rates—Natural Resources Management Levies

In exercise of the powers contained in section 95 of the Natural Resources Management Act 2004 and section 154 (1) of the Local Government Act 1999, in order to reimburse to the Council the amount contributed to Natural Resources Management Boards, the Council declared a separate rate upon the Capital Value of rateable land, for the financial year ending 30 June 2009, as follows:

- 0.009705 cents in the dollar on all rateable land in the Council's area in the region of the Adelaide Mount Lofty Ranges Natural Resources Management Board; and
- 0.004715 cents in the dollar on all rateable land in the Council's area in the region of the SA Murray-Darling Natural Resources Management Board.

#### Service Charges

Pursuant to section 155 of the Act, for the financial year ending 30 June 2009, Council imposed the method of recovery of community wastewater management costs for the disposal and treatment of residential waste and minor trade waste is by an annual service charge of:

- \$445 per unit on each occupied allotment; and
- \$445 per unit on each vacant allotment.

Pursuant to Regulation 9A of the Local Government (General) Regulations 1999, a unit is as defined in section 2 of the Community Waste Management Systems (CWMS) Property Units Code. In the case of higher use properties (such as schools, hospitals and other multiple tenancy properties, etc.) a unit charge is calculated as determined under the CWMS Property Units Code.

Pursuant to section 155 of the Act, Council imposed a service charge to recover the costs incurred by Council (based on the nature and the level of usage of the service) for the disposal and treatment of major trade waste being a service charge per kilolitre calculated using the criteria specified in the City of Onkaparinga STEDS Trade Waste Guidelines. The formula to calculate the rate being:  $(\text{Cost/kilolitre} + \text{Capital charge}) / \text{Number of kilolitres treated} = \text{rate per kilolitre}$ .

#### Payment of Rates

Pursuant to the provisions of section 181 of the Local Government Act 1999, the Council resolved that the abovementioned rates including charges imposed for the financial year ending 30 June 2009, will fall due in four equal or approximately equal instalments on the following days:

- 1 September 2008
- 1 December 2008
- 1 March 2009
- 1 June 2009

J. TATE, Chief Executive Officer

## CITY OF ONKAPARINGA

## ROADS (OPENING AND CLOSING) ACT 1991

*Road Opening and Closure—Main Road, Coromandel Valley*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the City of Onkaparinga proposes to make a Road Process Order to:

- (i) open as road portion of allotment 9 in Filed Plan 149094 more particularly delineated and numbered '1' on Preliminary Plan No. 08/0052;
- (ii) close and merge portion of the public road adjoining allotment 9 in Filed Plan 149094 more particularly delineated and lettered 'A' on Preliminary Plan No. 08/0052 in exchange for land taken for new road.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, City of Onkaparinga, Ramsay Place, Noarlunga Centre and the Adelaide office of the Surveyor-General during normal office hours.

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

The application for easement or objection must be made in writing to the Council, City of Onkaparinga, P.O. Box 1, Noarlunga Centre, S.A. 5168 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 2 July 2008.

J. TATE, Chief Executive Officer

## CITY OF PORT LINCOLN

*Declaration of Rates 2008-2009*

NOTICE is hereby given that at a special meeting of Council held on Monday, 23 June 2008, it was resolved that:

*Adoption of Budget*

1. That pursuant to section 123 of the Local Government Act 1999 and Regulation 5B of the Local Government (Financial Management) Regulations 1999, having considered the Budget in conjunction with, and determined the Budget to be consistent with, the City of Port Lincoln's Annual Business Plan, the Budget for the financial year ending 30 June 2009, as tabled, and as laid before the Council at this meeting, compliant with the Model Financial Statements, comprising:

- the budgeted income statement;
- the budgeted balance sheet;
- the budgeted cash flow statement;
- the budgeted statement of changes in equity;
- the budgeted summary of operating and capital investment activities; and
- the budgeted statement of financial indicators,

be adopted.

*Adoption of Valuations*

2. That the City of Port Lincoln, pursuant to section 167 (2) (a) of the Local Government Act 1999, hereby adopts the valuations made by the Valuer-General of Site Values of all land within the area of the City of Port Lincoln valued at \$895 117 100 that are to apply to land within its area for rating purposes for the year ending 30 June 2009. The date upon which the valuations shall become and be the valuation of the Council is 1 July 2008.

*Declaration of Rates*

3.—

*Basis of Rating*

3.1 That having taken into account the general principles of rating contained in section 150 of the Local Government Act 1999 and the requirements of section 153 (2) of the Local Government Act

1999, pursuant to section 152 (1) (c) of the Local Government Act 1999, Council declares the basis of general rates for the year ending 30 June 2009 to be that consisting of two components;

- (i) one being based on the value of land subject to the rate; and
- (ii) the other being a fixed charge.

*Differential General Rating*

3.2 Pursuant to sections 153 (1) (b) and 156 (1) (b) of the Local Government Act 1999, the City of Port Lincoln declares the following differential rates for the year ending 30 June 2009 varying on the basis of the locality of the land according to the zone in which the land is situated in the City of Port Lincoln Development Plan:

- a differential General Rate of 0.5197 cents in the dollar on the site valuation of land within the Lincoln Fringe Zone as delineated in the City of Port Lincoln Development Plan; and
- a differential General Rate of 0.5775 cents in the dollar on the site valuation of all other land within the area of the City of Port Lincoln excluding the Lincoln Fringe Zone as delineated in the City of Port Lincoln Development Plan.

*Fixed Charge*

3.3 That pursuant to section 152 (1) (c) (ii) of the Local Government Act 1999 and in accordance with the provisions of section 152 of the Local Government Act 1999, the City of Port Lincoln declares a fixed charge of \$290 in respect of all rateable land within the area of the City of Port Lincoln for the year ending 30 June 2009.

*Annual Service Charge—Recycling*

3.4 That pursuant to section 155 of the Local Government Act 1999, the City of Port Lincoln declares a Recycling Annual Service Charge of \$35 based on the nature of the service in respect of all land within the area of the City of Port Lincoln to which it provides the Recycling Service for the year ending 30 June 2009.

*Separate Rate—Parking*

3.5 That pursuant to section 154 (1) and (7) of the Local Government Act 1999, the City of Port Lincoln declare a differential separate rate varying according to the use of the land in respect of all rateable land within the Port Lincoln Centre Retail Core (Area 1), Lincoln Place (Area 2) and Boston (Area 3), as delineated in the Port Lincoln Development Plan, except land that has been attributed a land use of residential, for the purpose of making available additional off-street parking spaces in the Port Lincoln City Centre Area as delineated in the City of Port Lincoln Development Plan and that a rate of 0.0300 cents in the dollar be based on the site value of the land subject to the rate for the year ending 30 June 2009.

*Separate Rate—Eyre Peninsula Natural Resources Management Board*

3.6 That in accordance with section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, a separate rate based on a fixed charge of \$42 be declared on all rateable land within the area of the City of Port Lincoln and the area of the Eyre Peninsula Natural Resources Management Board in order to reimburse the Council the amount contributed to the Eyre Peninsula Natural Resources Management Board for the year ending 30 June 2009.

*Payment by Instalments*

3.7 That pursuant to section 181 of the Local Government Act 1999, rates for the year ending 30 June 2009 shall be payable in four equal or approximately

equal instalments, and that the due date for payment of rate instalments be the first Friday of each quarter being 5 September 2008, 5 December 2008, 6 March 2009 and 5 June 2009.

G. DODD, Chief Executive Officer

#### CITY OF PROSPECT

##### *Adoption of Valuations and Declaration of Rates 2008-2009*

NOTICE is hereby given that the Council of The City of Prospect, at a meeting of the Council held on 24 June 2008 at which ten of the eleven Members of the Council were present resolved that consideration of the 2008-2009 Annual Business Plan has taken into account:

- The capital valuation of the City as set by the Valuer-General of South Australia.
- The relationship of the amount of rates needed to meet the Objectives of The City of Prospect's Draft Strategic Plan for 2008-2011 and the Annual Business Plan 2008-2009 (Budget, Long Term Financial Plan, Infrastructure and Asset Management Plan, Rating Strategies).
- The City of Prospect's Rating Strategy (per annual Business Plan 2008-2009) as adopted by Council on 24 June 2008.
- The relationship and impact of the rates and rate differential between residential and non-residential assessments.
- The equity of the rate structure.
- Rate concessions and rebates that will apply.

A full copy of the Annual Business Plan is available for inspection at the Council's Principal Office, 128 Prospect Road, Prospect or on Council's website [www.prospect.sa.gov.au](http://www.prospect.sa.gov.au).

##### *Adoption of Valuations*

That the Council of The City of Prospect, pursuant to Section 167 (2) (a) of the Local Government Act 1999, adopts valuations of capital value made by the Valuer-General in relation to the area of the Council on 24 June 2008 and specifies that the total of the values that are to apply within the area for rating purposes for the year ending 30 June 2009 is \$4 139 710 600.

##### *Declaration of Differential General Rates*

That the Council of The City of Prospect, pursuant to sections 153 (1) (b) and 156 (1) (a) of the Local Government Act 1999, hereby declares differential general rates on rateable land within the area, which rates vary by reference to the uses of land designated by Regulation 10 (2) of the Local Government (General) Regulations 1999.

- (a) Residential: A rate of 0.27116 cents in the dollar on the capital value of such rateable land.
- (b) Commercial—Shop: A rate of 0.4501 cents in the dollar on the capital value of such rateable land.
- (c) Commercial—Office: A rate of 0.4501 cents in the dollar on the capital value of such rateable land.
- (d) Commercial—Other: A rate of 0.4501 cents in the dollar on the capital value of such rateable land.
- (e) Industry—Light: A rate of 0.4501 cents in the dollar on the capital value of such rateable land.
- (f) Industry—Other: A rate of 0.4501 cents in the dollar on the capital value of such rateable land.
- (g) Primary Production: A rate of 0.4501 cents in the dollar on the capital value of such rateable land.
- (h) Vacant Land: A rate of 0.3390 cents in the dollar on the capital value of such rateable land.
- (i) Other: A rate of 0.4501 cents in the dollar on the capital value of such rateable land.

##### *Declaration of a Minimum Amount*

That the Council of The City of Prospect, pursuant to section 158 (1) (a) of the Local Government Act 1999, hereby fixes, in respect of the year ending 30 June 2009 a minimum amount of \$700 that shall be payable by way of general rates on rateable land within the Council's area.

##### *Declaration of a Separate Rate (Natural Resources Management Levy)*

That pursuant to section 95 of the Natural Water Resources Management Act 2004 and section 154 of the Local Government Act 1999, Council, in order to reimburse to the Council the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board Levy of \$280 645 declares for the year ending 30 June 2009 a separate rate of 0.006957 cents in the dollar on the capital valuation of all rateable properties within the area of the City of Prospect.

##### *Payment of Rates*

Notice is hereby given that pursuant to section 181 of the Local Government Act 1999, that the rates shall be payable in four equal or approximately equal instalments due and payable on 3 September 2008, 3 December 2008, 3 March 2009 and 3 June 2009.

M. GOLDSTONE, Chief Executive Officer

#### CITY OF SALISBURY

##### *Adoption of Valuations and Declaration of Rates*

NOTICE is hereby given that the City of Salisbury at a meeting held on Monday, 23 June 2008:

1. Adopted the Valuer-General's valuation of rateable capital values, being \$14 691 927 660, for the year ending 30 June 2009. The valuation shall, from 23 June 2008, become and be the valuation of the Council for rating purposes.

2. Declared differential general rates on property within its area for the financial year ending on 30 June 2009, which rates shall vary by reference to the use of the rateable property in accordance with Regulation 10 of the Local Government Act (General) Regulation 1999, as follows:

- (a) in respect of rateable property which is used for Commercial—Shop, Commercial—Office, Commercial—Other, Industrial—Light, Industrial—Other land uses, a differential general rate of 0.5310 cents in the dollar for the assessed capital value of such property;
- (b) in respect of rateable property which is used for Vacant Land use, a differential general rate of 0.3765 cents in the dollar for the assessed capital value of such property; and
- (c) in respect of all other rateable property in the area used for purposes other than as stated in paragraphs (a) and (b) hereof, a differential general rate of 0.3586 cents in the dollar on the assessed capital value of such property.

3. Fixed a minimum amount of \$698 which shall be payable by way of rates on any one assessment within the municipality in respect of the year ending 30 June 2009.

4. Declared the following differential separate rates in accordance with section 154 of the Local Government Act 1999, for the year ending 30 June 2009:

##### *Salisbury Town Centre Separate Rate*

A separate rate of 0.07440 cents in the dollar on the capital value of rateable land used for commercial purposes within that part of its area comprising the Salisbury Town Centre District Centre Zone which is delineated on Maps Sal/61 and Sal/62 of the Development Plan under the Development Act 1993, applicable to the Council's area.

The purpose of this separate rate is to provide a fund to promote and enhance business viability, profitability, trade and commerce in that part of the Council's area, which is the subject of the separate rate.

##### *Globe Derby Separate Rate*

A separate rate of \$70 per each allotment numbered 1-32 in Deposited Plan No. 9830 and allotments numbered 33, 34 and 36-64 in Deposited Plan No. 9831 of portion of section 3070, Hundred of Port Adelaide (laid out as Bolivar).

The purpose of this separate rate is to provide a fund to the Globe Derby Community Club for the purpose of maintaining the common land, being Lot 65 in Deposited Plan No. 9832.

*Adelaide and Mount Lofty Ranges Natural Resources  
Management Board Separate Rate*

A separate rate of 0.007189 cents in the dollar on the capital valuation of all rateable properties within the area of the City of Salisbury.

The purpose of this separate rate is to reimburse to Council the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board as required under section 95 of the Natural Water Resources Management Act 2004.

*Mawson Central Carparking Separate Rate*

A separate rate of 0.025 cents in the dollar on the capital value of rateable land in the Council area known as Mawson Central in respect of land use Category 2 (Commercial—Shop), Category 3 (Commercial—Office), Category 4 (Commercial—Other), Category 5 (Industry—Light) and Category 6 (Industry—Other).

The purpose of this separate rate is to maintain, renew and develop carparking facilities within the Mawson Central area of Mawson Lakes.

S. HAINS, City Manager

CITY OF SALISBURY

*Contribution Rate for Car Parking Funds*

NOTICE is hereby given, pursuant to section 50A (6) of the Development Act 1993, as amended, the council of the City of Salisbury at its meeting held on 16 June 2008, have determined that the contribution rate for all three car parking funds be set at \$10 250 per car parking space.

S. HAINS, City Manager

CITY OF TEA TREE GULLY

*Adoption of Valuations and Declaration of Rates*

NOTICE is hereby given that on 24 June 2008 the City of Tea Tree Gully, pursuant to Chapter 10 of the Local Government Act 1999, adopted the following resolutions for the year ending 30 June 2009:

1. Capital valuations to apply in its area for rating purposes for the 2008-2009 financial year as supplied by the Valuer-General as at 23 June 2008, totalling \$13 637 736 420 (\$13 108 464 500 rateable).
2. Declared a General Rate of 0.3472 cents in the dollar on the capital-value of all rateable land within the area and pursuant to Section 158 (1) (a) fixed a minimum amount of \$845 payable by way of rates on rateable land within the City of Tea Tree Gully.
3. Declared an annual service charge of \$271 for all properties serviced by Council's Community Wastewater Management System (CWMS) where the occupied property is charged a SA Water Sewer Service Charge or the land is vacant and an annual service charge of \$389 for all other properties serviced by the Council's Community Wastewater Management System (CWMS).
4. Declared a separate rate of 0.00767 cents in the dollar on the capital-value of all rateable land within the area of City of Tea Tree Gully to reimburse Council for the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resource Management Board.
5. In order to reimburse the cost of the conversion from Community Wastewater Management System (CWMS) to SA Water sewer the Council declared a separate rate of a fixed amount of \$271 on specified assessments.
6. Rates will fall due in four approximately equal instalments per year; the due dates being the third day of September 2008, December 2008, March 2009 and June 2009.

G. J. PERKIN, Chief Executive Officer

CITY OF TEA TREE GULLY

*Resignation of Councillor*

NOTICE is hereby given in accordance with section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Councillor for Steventon Ward, due to the resignation of Councillor Brian Lees, to take effect from 1 July 2008.

G. J. PERKIN, Chief Executive Officer

CITY OF UNLEY

*Adoption of Valuations*

NOTICE is hereby given that the Corporation of the City Unley in accordance with section 167 (2) (a) of the Local Government Act 1999 at a meeting held on 23 June 2008, adopted for the year ending 30 June 2009, the Government assessment of capital-value being \$10 024 729 760 as detailed in the valuation roll prepared by the Valuer-General in relation to the areas of the Corporation of the City of Unley and hereby specifies 1 July 2008 as the day as and from which such valuation shall become and be the valuations of the Council.

*Declaration of Rates*

Notice is hereby given that at a meeting held on Monday, 23 June 2008, the Corporation of the City of Unley in accordance with section 156 (1) (a) of the Local Government Act 1999 declared differential general rates, based upon the capital-value of the land subject to the rate, for the year ending 30 June 2009 as follows:

- (a) In respect to rateable land which is categorised by land use Category 1—Residential in Regulation 10 of the Local Government (General) Regulations 1999 as a prescribed permissible differentiating factor, a differential general rate of 0.2334 cents in the dollar.
- (b) In respect to rateable land which is categorised by land use Category 2—Commercial-Shop, Category 5—Industry Light, Category 6—Industry Other, Category 7—Primary Production, Category 8—Vacant Land and Category 9—Other in Regulation 10 of the Local Government (General) Regulations 1999 as prescribed permissible differentiating factors, a differential general rate of 0.4225 cents in the dollar.
- (c) In respect to rateable land which is categorised by land use Category 3—Commercial-Office and Category 4—Commercial—Other in Regulation 10 of the Local Government (General) Regulations 1999 as prescribed permissible differentiating factors, a differential general rate of 0.5790 cents in the dollar.

Pursuant to section 158 of the Local Government Act 1999 the council fixed a minimum amount that shall be payable by way of rates on all rateable land within the whole of the Municipality for the year ending 30 June 2009 at \$538.

Pursuant to section 154 to the Local Government Act 1999 and in respect to all rateable land within the City of Unley, a separate rate of 0.00586 cents in the dollar was declared as the Natural Resource Management Levy in accordance with the requirements of the Natural Resources Management Act 2004.

Pursuant to section 154 of the Local Government Act 1999, for the year ending 30 June 2009 the following differential Separate Rates are declared on all rateable land based upon capital-value of the land, subject to the rate as follows:

- In order to raise the amount of \$56 000 to carry out the project of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area comprising rateable land with an Unley Road address, a differential separate rate of 0.0242 cents in the dollar in respect of land uses—Category 2 (Commercial Shop), Category 3 (Commercial Office) and Category 4 (Commercial Other).
- In order to raise the amount of \$40 000 to carry out the project of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area comprising rateable land with a Goodwood

Road address and situated between Mitchell Street/Arundel Avenue to the south and Leader Street/Parsons Street to the North, a differential separate rate of 0.1215 cents in the dollar in respect of land uses—Category 2 (Commercial Shop), Category 3 (Commercial Office) and Category 4 (Commercial Other).

- In order to raise the amount of \$80 000 to carry out the project of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area comprising rateable land with a King William Road address and situated between Greenhill Road and Commercial Road (eastern side), a differential separate rate of 0.1390 cents in the dollar in respect of land uses—Category 2 (Commercial Shop).
- In order to raise the amount of \$14 500 to carry out the project of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area comprising rateable land along the western side of Glen Osmond Road and situated between Greenhill Road and Katherine Street, a differential separate rate of 0.0690 cents in the dollar in respect of land uses—Category 2 (Commercial Shop).

RAY PINCOMBE, Chief Executive Officer

[RE-ADVERTISED]

CITY OF WHYALLA

*Revoking Community Land*

NOTICE is hereby given, pursuant to section 194 of the Local Government Act 1999, that at its meeting held on 16 June 2008, Council resolved to undertake further public notification for the revocation of the following parcel of land from the classification of Community Land:

- (a) Lot 6550 Norrie Avenue, Whyalla Playford, CR5754/346 (known as Magill Park)

Council's reason for revoking the community land status of the land is that the site is under-utilised and appropriately located for residential development, particularly housing for the over 55's, aged or elderly.

The owner of the land (Minister for Environment and Heritage) has not applied any conditions to the proposed revocation of community land.

The section 194 report is available at the Offices of the Council, Civic Building, Darling Terrace, Whyalla, during normal business hours or on Council's website [www.whyalla.sa.gov.au](http://www.whyalla.sa.gov.au) and any person may make relevant representation in writing concerning the proposed revocation to reach the Chief Executive Officer, P.O. Box 126, Whyalla, S.A. 5600, no later than Friday, 25 July 2008 at 4 p.m.

Each person making a submission should indicate the reasons why Council should consider retaining the land as Community Land or for Community purposes and whether that person wishes to appear personally or be represented by another party before the Council in support of that submission.

Please contact Tuihana Kingi on 8640 3444 for further details.

P. CAMERON, Chief Executive Officer

CITY OF WHYALLA

*Revoking Community Land—Finalisation*

NOTICE is hereby given, pursuant to section 194 of the Local Government Act 1999, that at its meeting held on 16 June 2008 upon approval from the Minister for Local Government Relations, Council resolved to finalise the revocation of the following parcels of land from the classification of Community Land:

- (a) Lot 389 Abraham Drive, Whyalla Stuart, CT5544/81  
 (b) Lot 36 Abraham Drive, Whyalla Stuart, CT5176/208  
 (c) Part Lot 361 Abraham Drive, Whyalla Stuart, CT5556/534

- (d) Part Lot 6602 Michelmore Street, Whyalla Stuart, CT4063/593  
 (e) Lot 114 Parfitt Street, Whyalla Jenkins, CT5552/944  
 (f) Lot 108 Nicolson Avenue, Whyalla Jenkins, CT5552/939  
 (g) Lot 4519 Keith Street, Whyalla Playford, CR5754/315  
 (h) Section 128 Bean Street, Whyalla, CR5752/634  
 (i) Part Lot 2123 Wilsdon Street, Whyalla Playford, CT5752/659 (Jenkins Park)  
 (j) Lot 2678 Norrie Avenue, Whyalla Norrie, CR5752/664  
 (k) Lot 6528 Broadbent Terrace, Whyalla Norrie, CR5958/669  
 (l) Section 212 Cook Street, Whyalla Norrie, CR5752/635  
 (m) Lot 4111 Travers Street, Whyalla Norrie, CR5754/312  
 (n) Lot 3164 Elliott Street, Whyalla Playford CR5752/667

For further information contact Stewart Payne on 8640 3444.

P. CAMERON, Chief Executive Officer

CITY OF WHYALLA

*Revoking Community Land*

NOTICE is hereby given pursuant to section 194 of the Local Government Act 1999, that at its meeting held on 16 June 2008, Council resolved to undertake public notification for the revocation of the following parcel of land from the Classification of Community Land:

- (a) Section 211, Cook Street, Whyalla Norrie, CR5752/635 (former Boral site).

Council's reason for revoking the community land status of the land is that the site is not required for 'Town Commission Purposes' as dedicated.

The owner of the land (Minister for Environment and Heritage) has not applied any conditions to the proposed Revocation of Community Land.

The section 194 report is available at the Offices of the Council located at the Civic Building, Darling Terrace, Whyalla, during normal business hours or on Council's website [www.whyalla.sa.gov.au](http://www.whyalla.sa.gov.au) and any person may make relevant representation in writing concerning the proposed revocation to reach the Chief Executive Officer, P.O. Box 126, Whyalla, S.A. 5600, no later than Friday, 25 July 2008 at 4 p.m.

Each person making a submission should indicate the reasons why Council should consider retaining the land as Community Land or for Community purposes and whether that person wishes to appear personally or be represented by another party before the Council in support of that submission.

Please contact Tuihana Kingi on 8640 3444 for further details.

P. CAMERON, Chief Executive Officer

DISTRICT COUNCIL OF CEDUNA

*Annual Business Plan 2008-2009*

NOTICE is hereby given that the Council, pursuant to section 123 of the Local Government Act 1999, adopts the 2008-2009 Annual Business Plan.

*Adoption of Valuations 2008-2009*

That Council, for the year ending 30 June 2009, adopts on 25 June 2008, the site valuations in relation to the area of Council of the Valuer-General, made pursuant to the Valuation of Land Act 1971, as amended and as per section 167 (2) of the Local Government Act 1999, to a total rateable value of \$107 145 130 for rating purposes.

*Ceduna/Thevenard Common Effluent Scheme*

That Council:

1. Adopts the Estimates of Expenditure totalling \$274 272 (excluding depreciation), relating to the operation and maintenance to the Ceduna Thevenard Common Effluent Scheme for the financial year 2008-2009.

2. Pursuant to section 155 of the Local Government Act 1999, imposes annual service charges on rateable and non-rateable land within the District to which the following service is provided as specified:

- Septic Effluent Disposal and Desludging (Common Effluent Drainage):
  - (a) in respect of each effluent unit applying to occupied allotments a charge of \$198; and
  - (b) in respect of each vacant allotment, a charge of \$158.

*Smoky Bay Common Effluent Scheme*

That Council:

1. Adopts the Estimates of Expenditure totalling \$84 691 (excluding depreciation), relating to the operation, maintenance, replacement and improvements to the Smoky Bay Common Effluent Scheme for the financial year 2008-2009.

2. Pursuant to section 155 of the Local Government Act 1999, imposes annual service charges on rateable and non-rateable land within the District to which the following service is provided as specified:

- Septic Effluent Disposal and Desludging (Common Effluent Drainage):
  - (a) in respect of each effluent unit applying to occupied allotments a charge of \$352;
  - (b) in respect of each vacant allotment, a charge of \$293; and
  - (c) in respect of land known as the Smoky Bay Aquaculture Park allotments, a charge of \$87 per allotment.

*Ceduna/Koonibba Water Scheme*

That Council:

1. Adopts the Estimates of Expenditure totalling \$263 157 (excluding depreciation), relating to the operation and maintenance, to the Ceduna/Koonibba Water Scheme for the financial year 2008-2009.

2. Pursuant to section 154 of the Local Government Act 1999, adopts the method of a differential separate rate for land within the designated area as delineated in the Ceduna/Koonibba Water Scheme rating area policy.

3. Declares a differential separate rate for that part of its designated area delineated and described in the Ceduna/Koonibba Water Scheme rating area policy, using the differentiating factors of residential, primary production and vacant land as defined in the Local Government (General) Regulations 1999, and further the declared rate of cents in the dollar for the site valuation of the said land as determined by the Valuer-General be:

- Residential Land: 0.52319 cents;
- Primary Production Land: 0.26983 cents; and
- Vacant Land: 0.52319 cents.

4. Pursuant to section 155 of the Local Government Act 1999, hereby imposes an annual service charge on rateable and non-rateable land within the District to which the following service is provided, which annual service charges shall be in the amount specified:

- Payment of costs associated with constructing the infrastructure to provide a reticulated water supply to the township of Denial Bay:
  - (i) In respect of each allotment in the township of Denial Bay a charge of \$167.25 per annum per allotment.
- Payment of costs associated with the operation and maintenance to the Ceduna/Koonibba Water Scheme in the community of Koonibba Aboriginal Community including meter installation, reading of private meters, and provision of water use information:
  - (i) In respect of each assessment in the Koonibba Aboriginal Community a charge of \$8 000 per annum per assessment.

*Waste Management*

That Council:

1. Adopts the Estimates of Expenditure totalling \$236 546 (excluding depreciation), relating to the operation, maintenance, replacement and improvements to the Ceduna Refuse Site, including the collection, treatment or disposal (including by recycling) of waste for the financial year 2008-2009.

2. Pursuant to section 155 of the Local Government Act 1999, imposes annual service charges on rateable and non-rateable land within the District to which the following service is provided as specified:

- The collection, treatment or disposal (including by recycling) of waste:
  - (a) In respect of each occupied allotment within the township areas of Ceduna, Thevenard, Smoky Bay and Denial Bay, a charge of \$136 per annum.
- The treatment or disposal (including by re-cycling) of waste:
  - (a) In respect of each vacant allotment within the township areas of Ceduna, Thevenard, Smoky Bay and Denial Bay, a charge of \$101 per annum.
  - (b) In respect of each assessment in the remainder of the Council area, a charge of \$101 per annum. Where an assessment or assessments are subject to the provisions of contiguous land or single farm enterprise then one charge per annum will apply to those assessment collectively (as already identified through application of the fixed charge component of Councils General Rates).

*Fees and Charges*

That Council, pursuant to section 188 of the Local Government Act 1999, imposes fees and charges for the financial year ending 30 June 2009 as specified.

*Community Safety and Security*

That Council:

1. Adopts the Estimates of Expenditure totalling \$256 880 (excluding depreciation), relating to the operation of Community Safety and Security services for the financial year 2008-2009.

2. Pursuant to section 154 of the Local Government Act 1999, adopts the method of a fixed charge separate rate in respect of each separate piece of rateable land in the area of the District Council of Ceduna.

3. Pursuant to section 154 of the Local Government Act 1999, declares a fixed charge separate rate of \$100 in respect of each separate piece of rateable land in the area of the District Council of Ceduna subject to where an assessment or assessments are subject to the provisions of contiguous land or single farm enterprise then one charge per annum will apply to those assessments collectively (as already identified through application of the fixed charge component of Councils General Rates) for the purposes of community safety and security services.

*Adoption of Annual Budget and Declaration of Rates*

That Council:

1. Adopts the Annual Budget as prepared pursuant to section 123 of the Local Government Act 1999, and section 5B of the Local Government (Financial Management) Regulations Act 1999, including Estimates of Income (excluding general rate income) totalling \$7 022 755 as amended, and the Estimates of Cash Expenditure of \$9 460 938 (excluding non-cash items) as amended for the financial year ending 30 June 2009 which includes:

- (a) A budgeted income statement, balance sheet, statement of changes in equity and statement of cash flows.
- (b) A statement of projected operating income.
- (c) A summary of operating and capital investment activities.
- (d) Estimates with respect to Councils operating surplus ratio, asset sustainability ratio and net financial liabilities ratio.

- (e) A statement reconciling expected cash and non-cash revenues and expenses in order to provide a basis for determining the rates to be imposed by the Council for the relevant financial year.

2. Pursuant to sections 151, 152, 153 and 156 of the Local Government Act 1999, for the financial year ending 30 June 2009 hereby declares differential general rates on rateable land within the District as follows:

Differential general rate:

- (a) Differential general rate of 44.72668 cents in the dollar on rateable land within Policy Area No. 10 zoned Industry under the Council's Development Plan within the township of Ceduna.
- (b) Differential general rate of 1.92899 cents in the dollar on all other rateable land within the township of Ceduna.
- (c) Differential general rate of 1.68325 cents in the dollar on rateable land within the township of Thevenard.
- (d) Differential general rate of 0.77131 cents in the dollar on rateable land within the township of Smoky Bay.
- (e) Differential general rate of 0.67439 cents in the dollar on rateable land within the township of Denial Bay.
- (f) Differential general rate of 1.22844 cents in the dollar on rateable land in the remainder of the area of the District Council of Ceduna.

3. Pursuant to sections 151, 152, 153 and 156 of the Local Government Act 1999, all rates declared or payable in respect of or during the financial year ending 30 June 2009 hereby declares a fixed charge of \$445 in respect of each separate piece of rateable land in the area of the District Council of Ceduna.

*Payment of Rates*

That Council pursuant to section 181 of the Local Government Act 1999, all rates declared or payable in respect of or during the financial year ending 30 June 2009 will fall due in four equal or approximately equal instalments, and that these instalments will fall due on:

- First Instalment: 1 September 2008;  
 Second Instalment: 1 December 2008;  
 Third Instalment: 2 March 2009;  
 Fourth Instalment: 1 June 2009.

*Eyre Peninsula Natural Resources Management Board Levy*

That pursuant to section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, the following separate rate be declared on all rateable land in the Council area in order to reimburse the Council the amount contributed to the Eyre Peninsula Natural Resources Management Board for the year ending 30 June 2009:

\$60 per assessment.

*Long Term Financial Plan*

That Council pursuant to section 122 (1a) (a) of the Act, adopt the long term financial plan up to and including the financial year 2017-2018.

T. IRVINE, Chief Executive Officer

DISTRICT COUNCIL OF CEDUNA

AERODROME FEES ACT 1998

*Aerodrome Fees*

NOTICE is hereby given that, pursuant to the Aerodrome Fees Act 1998, the District Council of Ceduna hereby advises that Arrival and Departure Fees at the Ceduna Airport are fixed as follows and are effective from 1 August 2008:

*Landing Fees*

General Aviation Landing Fee—\$12.65/tonne for all aircraft (including helicopters) except Regular Passenger Transport.

*Passenger Fees*

Regular Passenger Transport operations:

Arrival Fees—\$12.65 per person;  
 Departure Fees—\$12.65 per person.

Charter Fees:

Arrival Fees—\$12.65 per person;  
 Departure Fees—\$12.65 per person.

Note—All above fees are GST inclusive.

T. IRVINE, Chief Executive Officer

KANGAROO ISLAND COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

*Road Opening and Closure—Public Road, Western River*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Kangaroo Island Council proposes to make a Road Process Order to close portion of the Public Road north of Western River Road adjoining Section 16, Hundred of Gosse and allotment 23 in Deposited Plan 50567, more particularly delineated and lettered 'A' on Preliminary Plan No. 08/0051. Closed road 'A' to be retained by the Council for public purposes.

The closure of this portion of the road will not see the management of the site change and it will remain as a camping and day visitor site. The area will become Community Land under the Local Government Act 1999, which will ensure that the current use can remain.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Kangaroo Island Council, Dauncey Street, Kingscote and the Adelaide office of the Surveyor-General during normal office hours.

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

The application for easement or objection must be made in writing to the Kangaroo Island Council, P.O. Box 121, Kingscote, S.A. 5223 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Prior to making comment on the proposed closure please contact Daniel Rowley on 8553 4534 to discuss the situation.

Dated 3 July 2008.

C. NOON, Chief Executive Officer

KANGAROO ISLAND COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

*Road Opening and Closure—North Coast Road, Stokes Bay*

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Kangaroo Island Council proposes to make a Road Process Order to close portion of North Coast Road adjoining section 93, Hundred of Duncan more particularly delineated and lettered 'A' on Preliminary Plan No. 08/0050. Closed road 'A' to be retained by the Council for public purposes.

Council determined that the existing camping area at Stokes Bay is actually located on the road reserve, this closure will only be around the existing camping area. The alignment of the North Coast Road will not be modified as a result.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Kangaroo Island Council, Dauncey Street, Kingscote and the Adelaide office of the Surveyor-General during normal office hours.

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



The application for easement or objection must be made in writing to the Kangaroo Island Council, P.O. Box 121, Kingscote, S.A. 5223 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Prior to making comment on the proposed closure please contact Daniel Rowley on 8553 4534 to discuss the situation.

Dated 3 July 2008.

C. NOON, Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

*Declaration of Township within District Council*

NOTICE is hereby given that the District Council of Lower Eyre Peninsula at a meeting held on 18 May 2007, resolved to declare the township of Tulka within the District Council of Lower Eyre Peninsula in accordance with section 4 of the Local Government Act 1999, as defined in the Schedule:

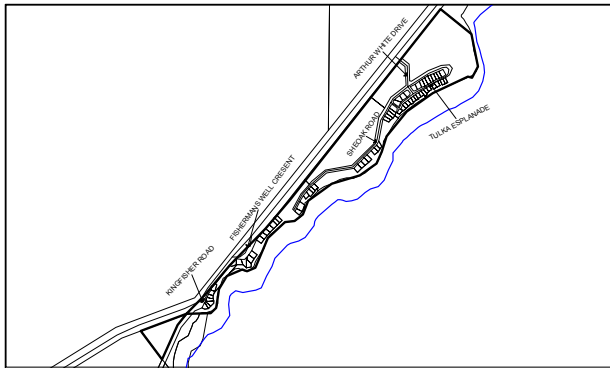
THE SCHEDULE

The area of the township of Tulka shall be the land contained in the Coastal Settlement and Coastal Planning Zones in the locality of Tulka, between Proper Bay Road and the sea, more particularly delineated on the plan published herewith.

TOWNSHIP OF TULKA

Hundred of Lincoln

Pursuant to the Local Government Act 1999, township boundary shown thus:



R. PEARSON, Acting Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

*Declaration of Township within District Council*

NOTICE is hereby given that the District Council of Lower Eyre Peninsula at a meeting held on 18 May 2007, resolved to declare the township of Mount Dutton Bay within the District Council of Lower Eyre Peninsula in accordance with section 4 of the Local Government Act 1999, as defined in the Schedule:

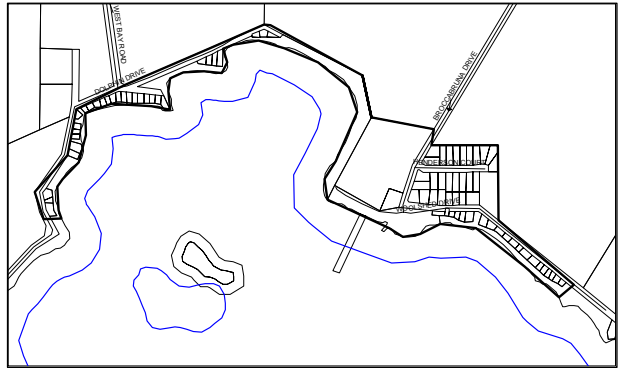
THE SCHEDULE

The area of the township of Mount Dutton Bay shall be the land aligned with the boundary of the Coastal Settlement Planning Zone and the Crown Land within the Coastal Planning Zone connecting the localities of Mount Dutton Bay East and West, more particularly delineated on the plan published herewith.

TOWNSHIP OF MOUNT DUTTON BAY

Hundred of Lake Wangary

Pursuant to the Local Government Act 1999, township boundary shown thus:



R. PEARSON, Acting Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

*Declaration of Township within District Council*

NOTICE is hereby given that the District Council of Lower Eyre Peninsula at a meeting held on 17 August 2007, resolved to declare the township of Tiatukia within the District Council of Lower Eyre Peninsula in accordance with section 4 of the Local Government Act 1999, as defined in the Schedule:

THE SCHEDULE

The area of the township of Tiatukia shall include the land contained between Haigh Drive and north of Penmarric Lane (other than land north of Penmarric Lane where direct access to the property is via Penmarric Lane) in the Rural Living Zone in the locality of Boston, more particularly delineated on the plan published herewith.

TOWNSHIP OF TIATUKIA

Hundred of Lincoln

Pursuant to the Local Government Act 1999, township boundary shown thus:



R. PEARSON, Acting Chief Executive Officer



## DISTRICT COUNCIL OF LOWER EYRE PENINSULA

*Declaration of Township within District Council*

NOTICE is hereby given that the District Council of Lower Eyre Peninsula at a meeting held on 17 August 2007, resolved to amend the boundary of the township of Boston within the District Council of Lower Eyre Peninsula in accordance with section 4 of the Local Government Act 1999, as defined in the Schedule:

## THE SCHEDULE

The area of the township of Boston shall be the land contained in the Residential and Rural Living Planning Zones in the locality of Boston:

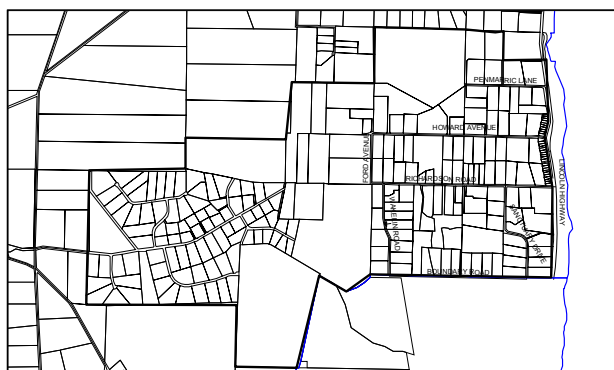
- Land west of the Lincoln Highway and south of an extension to the west of Penmarric Lane;
- Land north of Penmarric Lane where the access to the property is via Penmarric Lane;

and more particularly delineated on the plan published herewith.

## TOWNSHIP OF BOSTON

## Hundred of Lincoln

Pursuant to the Local Government Act 1999, township boundary shown thus:



R. PEARSON, Acting Chief Executive Officer

## DISTRICT COUNCIL OF LOWER EYRE PENINSULA

*Declaration of Township within District Council*

NOTICE is hereby given that the District Council of Lower Eyre Peninsula at a meeting held on 18 May 2007, resolved to amend the boundary of the township of Coffin Bay within the District Council of Lower Eyre Peninsula in accordance with section 4 of the Local Government Act 1999, as defined in the Schedule:

## THE SCHEDULE

The area of the township of Coffin Bay shall be the land contained in the following Planning Zones in the locality of Coffin Bay:

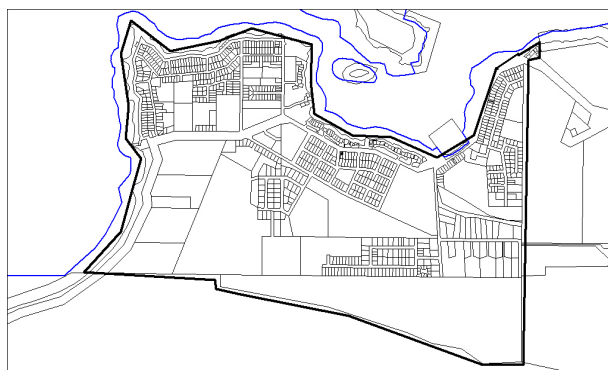
- Residential;
- Town Centre;
- Coastal (Coffin Bay);
- Tourist Accommodation;
- Rural Living;
- Industrial;
- Deferred Urban; and
- Special Uses,

excluding the Special Uses Zone situated adjacent the Coffin Bay Cemetery, more particularly delineated on the plan published herewith.

## TOWNSHIP OF COFFIN BAY

## Hundred of Lake Wangary

Pursuant to the Local Government Act 1999, township boundary shown thus:



R. PEARSON, Acting Chief Executive Officer

## DISTRICT COUNCIL OF LOWER EYRE PENINSULA

*Declaration of Township within District Council*

NOTICE is hereby given that the District Council of Lower Eyre Peninsula at a meeting held on 18 May 2007, resolved to declare the township of Louth Bay within the District Council of Lower Eyre Peninsula in accordance with section 4 of the Local Government Act 1999, as defined in the Schedule:

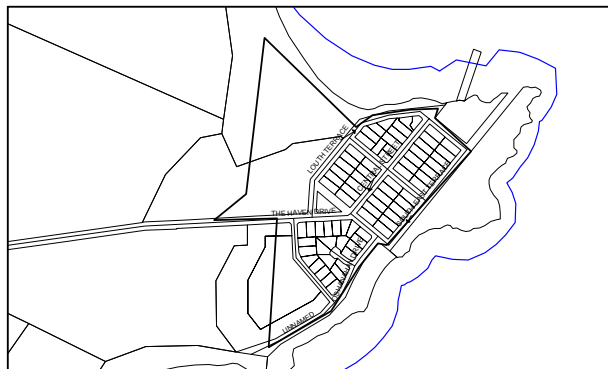
## THE SCHEDULE

The area of the township of Louth Bay shall be the land aligned with the boundary of the Settlement Planning Zone in the locality of Louth Bay, more particularly delineated on the plan published herewith.

## TOWNSHIP OF LOUTH BAY

## Hundred of Louth

Pursuant to the Local Government Act 1999, township boundary shown thus:



R. PEARSON, Acting Chief Executive Officer

## DISTRICT COUNCIL OF LOWER EYRE PENINSULA

*Declaration of Township within District Council*

NOTICE is hereby given that the District Council of Lower Eyre Peninsula at a meeting held on 18 May 2007, resolved to declare the township of Edillilie within the District Council of Lower Eyre Peninsula in accordance with section 4 of the Local Government Act 1999, as defined in the Schedule:

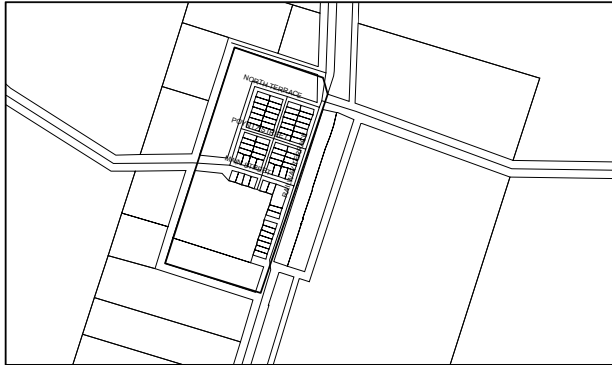
## THE SCHEDULE

The area of the township of Edillilie shall be the land aligned with the boundary of the Settlement Planning Zone in the locality of Edillilie, more particularly delineated on the plan published herewith.

TOWNSHIP OF EDILLILIE

Hundred of Mortlock

Pursuant to the Local Government Act 1999, township boundary shown thus:



R. PEARSON, Acting Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Declaration of Township within District Council

NOTICE is hereby given that the District Council of Lower Eyre Peninsula at a meeting held on 18 May 2007, resolved to declare the township of Yeelanna within the District Council of Lower Eyre Peninsula in accordance with section 4 of the Local Government Act 1999, as defined in the Schedule:

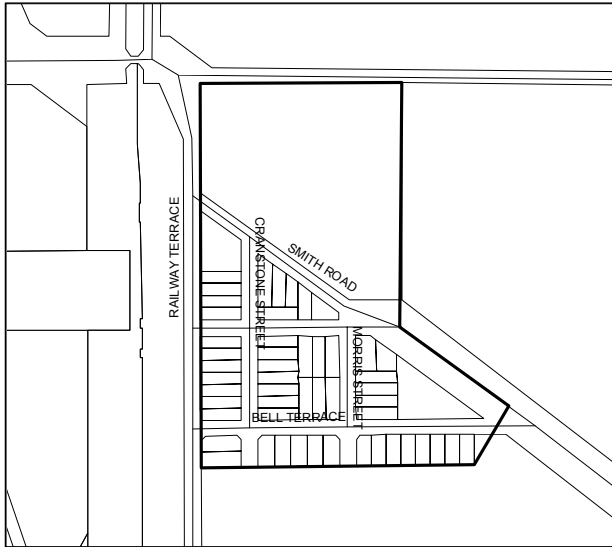
THE SCHEDULE

The area of the township of Yeelanna shall be the land aligned with the boundary of the Settlement Planning Zone in the locality of Yeelanna, more particularly delineated on the plan published herewith.

TOWNSHIP OF YEELANNA

Hundred of Shannon

Pursuant to the Local Government Act 1999, township boundary shown thus:



R. PEARSON, Acting Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Declaration of Township within District Council

NOTICE is hereby given that the District Council of Lower Eyre Peninsula at a meeting held on 18 May 2007, resolved to declare the township of Wanilla within the District Council of Lower Eyre Peninsula in accordance with section 4 of the Local Government Act 1999, as defined in the Schedule:

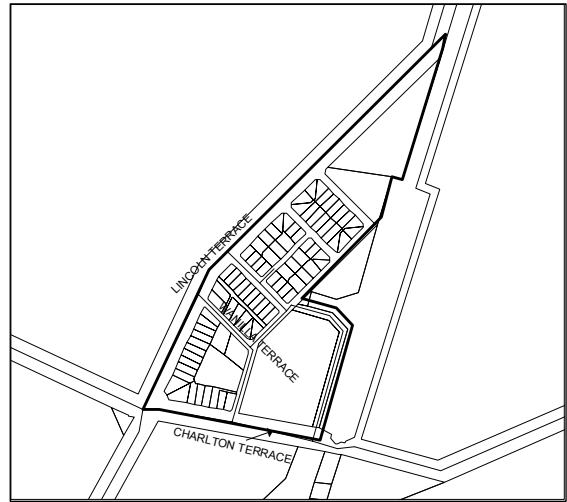
THE SCHEDULE

The area of the township of Wanilla shall be the land aligned with the boundary of the Settlement Planning Zone in the locality of Wanilla, more particularly delineated on the plan published herewith.

TOWNSHIP OF WANILLA

Hundred of Wanilla

Pursuant to the Local Government Act 1999, township boundary shown thus:



R. PEARSON, Acting Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Declaration of Township within District Council

NOTICE is hereby given that the District Council of Lower Eyre Peninsula at a meeting held on 18 May 2007, resolved to declare the township of Mount Hope within the District Council of Lower Eyre Peninsula in accordance with section 4 of the Local Government Act 1999, as defined in the Schedule:

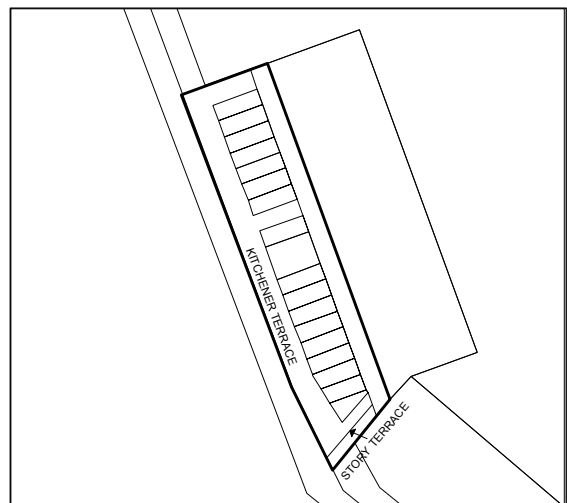
THE SCHEDULE

The area of the township of Mount Hope shall be the land aligned with the boundary of the Settlement Planning Zone in the locality of Mount Hope, more particularly delineated on the plan published herewith.

TOWNSHIP OF MOUNT HOPE

Hundred of Kiana

Pursuant to the Local Government Act 1999, township boundary shown thus:



R. PEARSON, Acting Chief Executive Officer

## DISTRICT COUNCIL OF LOWER EYRE PENINSULA

*Abolition of Township within District Council*

NOTICE is hereby given that the District Council of Lower Eyre Peninsula at a meeting held on 18 May 2007, resolved to abolish the township of Stamford, Hundred of Lincoln within the District Council of Lower Eyre Peninsula in accordance with section 4 of the Local Government Act 1999.

R. PEARSON, Acting Chief Executive Officer

## NARACORTE LUCINDALE COUNCIL

*Change of Council/Key Committee Meeting Date*

NOTICE is hereby given that at a meeting held on 24 June 2008, it was resolved that the Council/Key Committee meetings for July 2008 be held on Tuesday, 15 July 2008, commencing at 4.30 p.m. (changed from 22 July 2008).

A. EVANS, Chief Executive Officer

## DISTRICT COUNCIL OF STREAKY BAY

*Appointment*

NOTICE is hereby given that Francois d'Hotman de Villiers was appointed as Acting Chief Executive Officer for the period 1 July 2008 to 6 July 2008 (both dates inclusive) at the council meeting held on 26 June 2008.

J. RUMBELOW, Chief Executive Officer

## DISTRICT COUNCIL OF STREAKY BAY

*Adoption of Budget, Adoption of Valuations, Declaration of Rates*

NOTICE is hereby given that at its meeting held on 26 June 2008 the Council:

*Adoption of Budget*

In accordance with Section 123 of the Local Government Act 1999 and Regulation 5B of the Local Government (Financial Management) Regulations 1999, Council adopts the Budget for the 2008-2009 year as laid before the Council at this meeting, which consists of:

- A Budgeted Income Statement; Balance Sheet, Statement of Changes in Equity and Cash Flow Statement;
- A summary of operating and capital investment activities; and
- An estimate of the operating surplus ratio, the asset sustainability ratio and the net financial liabilities ratio.

*Adoption of Valuation*

The most recent valuations of the Valuer-General available to the Council of the Site Value of land within the Council's area be adopted for rating purposes, totalling \$184 398 080 for rateable land, and \$10 317 520 for non-rateable land.

*Attribution of Land Uses*

1. The numbers indicated against the various categories of land use prescribed by the Local Government (General) Regulations, 1999 (the 'regulations'), be used to designate land uses in the Assessment Book.

2. The use indicated by those numbers in respect of each separate assessment of land described in the Assessment Book on this date be attributed to each such assessment respectively.

3. Reference in this resolution to land being of a certain category use means the use indicated by that category number in the Regulations.

*Declaration of Rates*

In order to raise the amount of \$1 884 941 as indicated above that is required to be raised from rates the Council declares differential rates on the basis of locality and land use as follows:

## 1. In the Residential zone:

- 1.1 0.7268 cents in the dollar of the Site Value of rateable land of Categories 1, 8 and 9 use;

- 1.2 1.5532 cents in the dollar of the Site Value of rateable land of Categories 2, 3, 4, 5 and 6 use;

- 1.3 0.6815 cents in the dollar of the Site Value of rateable land of Category 7 use.

## 2. In the Town Centre zone:

- 2.1 0.7268 cents in the dollar of the Site Value of rateable land of Category 1 use;

- 2.2 1.5532 cents in the dollar of the Site Value of rateable land of Categories 2, 3, 4, 5, 6, 8 and 9 use;

- 2.3 0.6815 cents in the dollar of the Site Value of rateable land of Category 7 use.

## 3. In the Industry zone:

- 3.1 0.7268 cents in the dollar of the Site Value of rateable land of Category 1 use;

- 3.2 1.4865 cents in the dollar of the Site Value of rateable land of Categories 2, 3, 4, 5, 6, 8 and 9 use;

- 3.3 0.6815 cents in the dollar of the Site Value of rateable land of Category 7 use.

## 4. In the Light Industry (Aquaculture) zone:

- 4.1 0.6815 cents in the dollar of the Site Value of rateable land of Category 7 use.

## 5. In the Primary Industry zone:

- 5.1 0.5814 cents in the dollar of the Site Value of rateable land of Categories 1, 2, 3, 5, 6 and 9 use;

- 5.2 28.0000 cents in the dollar of the Site Value of rateable land of Category 4 use;

- 5.3 0.6815 cents in the dollar of the Site Value of rateable land of Categories 7 and 8 use.

## 6. In the Commercial (Bulk Handling) zone:

- 6.1 28.0000 cents in the dollar of the Site Value of rateable land of all Category uses.

## In all other zones:

- 7.1 0.5814 cents in the dollar of the Site Value of rateable land of Categories 1, 2, 3, 5, 6, 8 and 9 use;

- 7.2 0.6850 cents in the dollar of the Site Value of rateable land of Category 7 use.

*Fixed Charge*

The Council has decided to impose a fixed charge of \$370. The fixed charge is levied against the whole of an allotment (including land under a separate lease or licence) and only one fixed charge is levied against two or more pieces of adjoining land (whether intercepted by a road or not) if they are owned by the same owner and occupied by the same occupier. The reasons for imposing a fixed charge are:

- the Council considers it appropriate that all rateable properties make a contribution to the cost of administering the Council's activities;
- the Council considers it appropriate that all rateable properties make a contribution to the cost of creating and maintaining the physical infrastructure that supports each property.

*Service Charges*

Pursuant to section 155 of the Local Government Act 1999 and in accordance with Regulation 9a(3)(b) of the Local Government (General) Regulations 1999, the Council imposes an annual service charge as set out below based on the nature and level of usage of the service for the 2008-2009 financial year comprised of:

- (1) \$151 on all applicable land;
- (2) \$134 per property unit on all vacant land; and
- (3) \$154 per property unit on all occupied land,

to which it provides or makes available the Community Wastewater Management Systems, being services for the collection and disposal of waste.

*Payment of Rates*

Pursuant to section 181 of the Local Government Act 1999 rates will be payable in four equal or approximately equal instalments and that the due date for those instalments will be 10 September 2008, 9 December 2008, 10 March 2009 and 9 June 2009.

*Eyre Peninsula Natural Resources Management Levy  
(NRM Levy)*

Notice is hereby given that pursuant to section 95 of the Natural Resources Management Act 2005 and sections 152 and 154 of the Local Government Act 1999 the District Council of Streaky Bay declares a separate rate of \$52 per separate assessment of rateable land in the Council area in order to recoup the amount of \$79 192 being Council's contribution to the Eyre Peninsula Natural Resources Management Board for the period ending 30 June 2009.

J. RUMBELOW, Chief Executive Officer

DISTRICT COUNCIL OF TUMBY BAY

ROADS (OPENING AND CLOSING) ACT 1991

*Nelcebee Terrace, Tumby Bay*

NOTICE is hereby given that, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, the District Council of Tumby Bay intend to make a Road Process Order to close portion of Nelcebee Terrace, adjacent to Allotment 100 in Deposited Plan 76203 more particularly delineated and lettered 'A' in Preliminary Plan No. 08/0054. The closed road is to be transferred to R. M. and N. L. Jackson and merged with Allotment 100 in Deposited Plan 76203.

A copy of the Preliminary Plan and Statement of persons affected are available for public inspection at the Council Office, Mortlock Street, Tumby Bay or the Adelaide office of the Surveyor-General during normal office hours.

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

The application for easement or objection must be made in writing to the Council, P.O. Box 61, Tumby Bay, S.A. 5605 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

E. A. ROBERTS, District Clerk

WATTLE RANGE COUNCIL

*Adoption of Valuations and Declaration of Rates*

NOTICE is hereby given that at a meeting of Wattle Range Council held on 24 June 2008, the Council in exercise of the powers contained in Part 1 of Chapter 10 of the Local Government Act, 1999:

*Valuations*

1. Adopted the valuations that are to apply in its area for rating purposes for the 2008-2009 financial year, being the capital valuations of the Valuer-General, totalling \$3 240 348 840 comprising \$3 166 051 500 in respect of rateable land and \$74 297 340 in respect of non-rateable land before alteration.

*Differential Rates*

2. Declared differential general rates on rateable land within its area for the year ending 30 June 2008 as follows:

(a) *Millicent:*

In respect of land within the township of Millicent:

- (i) for land assigned land use Category 7 (Primary Production)—0.4180 cents in the dollar;
- (ii) for all other land—0.5680 cents in the dollar.

*Rural Living:*

For land outside the township of Millicent and within the Rural Living (Millicent) Zone as described in that part of the Development Plan consolidated 22 March 2007 (refer to Maps WatR/19, WatR/42, WatR/43, WatR/44, WatR/47, WatR/48, WatR/49, WatR/52, WatR/53 and WatR/56) under the Development Act 1993, applicable to the Council:

- (i) for land assigned land use Category 7 (Primary Production)—0.4180 cents in the dollar;
- (ii) for all other land—0.5070 cents in the dollar.

*Light Industry:*

For land outside the township of Millicent and within the Light Industry Zone as described in that part of the Development Plan consolidated 22 March 2007 (refer to Maps WatR/43 and WatR/44) under the Development Act 1993, applicable to the Council—0.5680 cents in the dollar.

*General Industrial:*

For land outside the township of Millicent and within the General Industrial Zone as described in that part of the Development Plan consolidated 22 March 2007 (refer to Maps WatR/43 and WatR/44) under the Development Act 1993, applicable to the Council:

- (i) for land assigned land use Category 7 (Primary Production)—0.4180 cents in the dollar;
- (ii) for all other land—0.5680 cents in the dollar.

(b) *Penola:*

In respect of land within the township of Penola:

- (i) for land assigned land use Category 7 (Primary Production)—0.4180 cents in the dollar;
- (ii) for all other land—0.5680 cents in the dollar.

(c) *Beachport:*

In respect of land within the township of Beachport—0.5680 cents in the dollar.

*Rural Living Zone and Light Industry Zone:*

For land outside the township of Beachport and within the Rural Living Zone and Light Industry Zone as described in that part of the Development Plan consolidated 22 March 2007 (refer to Map WatR/34) under the Development Act 1993, applicable to the Council—0.5070 cents in the dollar.

(d) *Coonawarra:*

In respect of land within the township of Coonawarra—0.5680 cents in the dollar.

(e) *Kalangadoo:*

In respect of land within the township of Kalangadoo—0.5680 cents in the dollar.

*General Industry Zone:*

For land outside the township of Kalangadoo and within the General Industry (Kalangadoo) Zone as described in that part of the Development Plan consolidated 22 March 2007 (refer to Map WatR/61) under the Development Act 1993, applicable to the Council:

- (i) for land assigned land use Category 6 (Industrial—Other)—0.5680 cents in the dollar;
- (ii) for all other land—0.4180 cents in the dollar.

(f) *Nangwarry:*

In respect of land within the township of Nangwarry—0.5680 cents in the dollar.

(g) *Southend:*

In respect of land within the township of Southend—0.5680 cents in the dollar.

- (h) *Rendelsham:*  
In respect of land within the township of Rendelsham—0.5680 cents in the dollar.
- (i) *Tantanoola:*  
In respect of land within the township of Tantanoola—0.5680 cents in the dollar.
- (j) *Mount Burr:*  
In respect of land within the township of Mount Burr—0.5680 cents in the dollar.
- (k) *All Other Land:*  
In respect of all other land not hereinbefore referred to in the Council area—0.4180 cents in the dollar.

*Minimum Rate*

3. Declared a minimum amount payable by way of general rates on rateable land in its area of \$440.

*Service Charges*

4. Declared the following service charges:

(a) *Garbage Collection Service:*

On all occupied land within the Council area to which it provides or makes available a service for the collection, treatment and disposal of waste:

- (i) normal waste, recycling and green organics collection and disposal service of \$220; and
- (ii) normal waste and recycling collection and disposal service of \$164.

(b) *Community Wastewater Management Systems:*

On all properties serviced by community wastewater management systems within its area as follows:

|  |     |
|--|-----|
| <i>Southend Township:</i>                | \$  |
| (i) Occupied Unit.....                   | 417 |
| (ii) Occupied Unit—Yates Court Only..... | 395 |
| (iii) Vacant Unit.....                   | 316 |
| (iv) Vacant Unit—Yates Court Only.....   | 296 |

*Penola Township:*

|  |     |
|--|-----|
| (i) Occupied Unit.....                 | 378 |
| (ii) Occupied Unit in extension 1..... | 370 |
| (iii) Vacant Unit.....                 | 284 |

*Kalangadoo Township:*

|                        |     |
|------------------------|-----|
| (i) Occupied Unit..... | 374 |
| (ii) Vacant Unit.....  | 275 |

*Separate Rates*

5. Declared the following separate rates:

(a) *Mount Burr Recreation Area Facilities:*

Separate rate of \$10 on all properties within the Mount Burr Township for the purpose of funding the provisions of recreational facilities in Mount Burr.

(b) *South East Natural Resources Management Board Levy:*

Separate rate of \$36.30 on all rateable land in the area of the Council.

*Discretionary Rebates of Rates*

6. Declared that Discretionary Rebates of Rates be granted for the purposes of providing relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to rapid changes in valuations where:

- (a) the general rates increase by more than 4% from the previous year;
- (b) the Valuer-General has not increased the capital value on the assessment due to improvements valued at more than \$15 000 or an amount equal to 4% of last years capital valuation (whichever is the greater);

- (c) this is not a new assessment;
- (d) the general rates raised this, and last financial year are not less than or equal to the minimum general rate raised for that financial year; and
- (e) ownership of the property has not changed since July 2007.

*Additional Remission of Rates*

7. Declared that an additional remission of General Rates of \$50 be granted to all eligible pensioners and self funded retirees for the purpose of providing relief in recognition of increased costs in living.

*Payment of Rates*

8. Declared that all rates are payable in four equal or approximately equal instalments with the first instalment payable on or before 1 September 2008, second instalment on or before 1 December 2008, third instalment on or before 2 March 2009 and the fourth instalment on or before 1 June 2009.

F. N. BRENNAN, Chief Executive Officer

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

*Berry, Fanny Olive*, late of Eleventh Street, Port Pirie West, widow, who died on 10 May 2008.

*Chaplin, Laura Alice*, late of 50 Gulfview Road, Christies Beach, of no occupation, who died on 11 May 2008.

*Chappell, Patricia Dawn*, late of 6 Booth Avenue, Linden Park, of no occupation, who died on 7 October 2007.

*Cowles, Myrtle Mabel*, late of 5 Bradford Court, Enfield, of no occupation, who died on 15 May 2008.

*Foreman, Lynda Stanley*, late of 39 Fisher Street, Myrtle Bank, of no occupation, who died on 12 April 2008.

*Hutchinson, Pearl Ashby*, late of 5 Bradford Court, Enfield, of no occupation, who died on 6 April 2008.

*Iasiello, Franca*, late of 200 Fosters Road, Oakden, of no occupation, who died on 8 January 2008.

*Jenkins, Valda Maud*, late of 160 Walkerville Terrace, Walkerville, widow, who died on 5 April 2008.

*Johns, Robert Darwin*, late of 3 Walkley Avenue, Somerton Park, retired bank manager, who died on 21 March 2008.

*Kennedy, Jean Niven*, late of 21 Fourth Street, Wool Bay, home duties, who died on 11 May 2008.

*Knofel, Marcus Reuben*, late of 200-208 Adams Road, Craigmore, retired bus operator, who died on 29 April 2008.

*Lambert, Alfred Brian*, late of 25 Roopena Street, Ingle Farm, retired truck driver, who died on 23 November 2007.

*Matejcic, Edith*, late of 24 Derrilin Road, Ingle Farm, widow, who died on 17 April 2008.

*Pierce, George Houghton*, late of 56 High Street, Grange, of no occupation, who died on 9 March 2008.

*Rhodes, George Robert*, late of 2 Watson Street, Beverley, retired machinist, who died on 4 May 2008.

*Trimmer, Jessie Mary Winifred*, late of 62 Wembley Avenue, Hectorville, home duties, who died on 19 July 2007.

*Turner, William David*, late of 119 Nookamka Terrace, Baramera, retired carpenter, who died on 9 December 2007.

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 1 August 2008, 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 3 July 2008.

M. I. BODYCOAT, Public Trustee

# ATTENTION

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