



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 29 AUGUST 2013

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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*. 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

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Department of the Premier and Cabinet
Adelaide, 29 August 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Veterinary Surgeons Board of South Australia, pursuant to the provisions of the Veterinary Practice Act 2003:

Member: (from 1 October 2013 until 30 September 2016)
Hayley Joy McPhee

Deputy Member: (from 1 October 2013 until 30 September 2016)

Karen Anne Hunter (Deputy to McPhee)

By command,

JAY WILSON WEATHERILL, Premier

13MAFF33CS

Department of the Premier and Cabinet
Adelaide, 29 August 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Pastoral Board, pursuant to the provisions of the Pastoral Land Management and Conservation Act 1989:

Member: (from 29 August 2013 until 28 August 2016)

Geoffrey Douglas Mills
Vicki Michelle Linton
Andrew William Johnson
Douglas Gordon Lillecrapp
Julie-Ann Mould
Kathryn Jane Bellette

Deputy Member: (from 29 August 2013 until 28 August 2016)

Brenda Joan Anderson (Deputy to Mills)
Stephanie Lynn Williams (Deputy to Linton)
Gregory John Cock (Deputy to Johnson)
Ann Sharon Oldfield (Deputy to Lillecrapp)
Keith Lindsay Slade (Deputy to Mould)
Fraser James Vickery (Deputy to Bellette)

Presiding Member: (from 29 August 2013 until 28 August 2016)

Geoffrey Douglas Mills

By command,

JAY WILSON WEATHERILL, Premier

13MSECCS045

Department of the Premier and Cabinet
Adelaide, 29 August 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Alinytjara Wilurara Natural Resources Management Board, pursuant to the provisions of the Natural Resources Management Act 2004:

Member: (from 29 August 2013 until 13 April 2016)

Gary Lewis

By command,

JAY WILSON WEATHERILL, Premier

13MSECCS051

Department of the Premier and Cabinet
Adelaide, 29 August 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Eyre Peninsula Natural Resources Management Board, pursuant to the provisions of the Natural Resources Management Act 2004:

Member: (from 29 August 2013 until 13 April 2016)

Simon Ross Clark

By command,

JAY WILSON WEATHERILL, Premier

13MSECCS052

Department of the Premier and Cabinet
Adelaide, 29 August 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Health Practitioners Tribunal, pursuant to the provisions of the Health Practitioner Regulation National Law (South Australia) Act 2010:

Panel Member: (from 29 August 2013 until 28 August 2016)

Christine Carolyn Bindon
Genevieve Mary Brideson
Mandy Elizabeth Burnett
Liang Zhong Chen
Li Feng
Colin David Field
Pauline Anne Glover
Frances Margaret Hardy
Wendy Anne Harvey
Ann Theresa Lindschau
Kathryn Hilary McEwen
Cosimo Maiolo
Alison Michelle Milich
Anne Marguerite Milln
Karen Olson Osborne
Aimee Chui-Yee Patten
Christy Joan Pirone
Michael Bruce Porter
Neil Phillip Reynolds
Shelley Diane Rogers
Lynette Rose
Lesley Mary Siegloff
Carole Joy Simpson
Brendon Raymond Supple
Karleen Anne Thornton
Dina Tsiopelas
Susan Mary Waters
David John Welch
Michelle Wharton
Louise Katherine Mary Wiles
Anne Wilson
Philip John Henschke
Louise Elizabeth Denley
Julia Susan Dunstone
Peter Christopher Gaughwin
Dianne Elizabeth Gursansky
Rosemary Frances Hordern
Debra Martin Kay
Tina Namow
Susan Maree Raphael
Judith Ellen Smith
Lynda Whiteway
Christopher Paul Alderman
Katrina Ruth Allen
Lynette Joy Banner
Adrian Booth
Neale Burton
Brenda Margaret Diletoso
Victoria Farmer
Nicholas Constantine Galatis
Naomi Meredith Haensel
Anne Christine Holliday
Margaret Ann Kirkman
Richard John Marotti
Neil Bruce Murray
David Ng
Maree Frances O'Keefe
Mark Philip William Parsons
Angela Mary Pierce
Geoffrey Russell Pitcher
Katrina Louise Plastow
Donna Theresa Riseley
David Andrew Sainsbury
Janet Fiona Scott
Bernhard Bolingbroke Stefan-Rasmus
Ian Philip Todd
Andrew Leonard Van Essen
Susan Elizabeth White
Michael Charles De Rohan
Elaine Golding
Janne Christine McMahon
William Howard Squire

Panel Member: (from 13 January 2014 until 12 January 2017)
 Mark Harris Feldman
 Barry Heinz Steele
 Robson Lindsay Timbs
 Caroline Louise Whiteford

By command,

JAY WILSON WEATHERILL, Premier

HEAC-2013-00052

Resources and Energy and Minister for Housing and Urban Development to be also Acting Attorney-General, Acting Minister for Planning, Acting Minister for Industrial Relations and Acting Minister for Business Services and Consumers for the period from 31 August 2013 to 7 September 2013, inclusive, during the absence of the Honourable John Robert Rau, MP.

By command,

JAY WILSON WEATHERILL, Premier

DPR0003/13CS

Department of the Premier and Cabinet
 Adelaide, 29 August 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Emergency Management Committee, pursuant to the provisions of the Emergency Management Act 2004:

Member: (from 29 August 2013 until 30 June 2016)

Bryan Alexander Fahy
 David William Place
 Allan Norman Holmes
 Richard John Persse
 Robert Morton

Deputy Member: (from 29 August 2013 until 30 June 2014)
 Nicholas William Ashley (Deputy to Rowse)

Deputy Member: (from 29 August 2013 until 30 June 2015)
 Sherree Lee Goldworthy (Deputy to Hook)
 Andrew Baxter Wood (Deputy to Gemmell)

Deputy Member: (from 29 August 2013 until 30 June 2016)
 Grantley John Stevens (Deputy to Burns)
 Bronwyn Anne Killmier (Deputy to Fahy)
 Julie Kristen Frittum (Deputy to Place)
 Dermot Finbar Barry (Deputy to Beattie)
 John Erwin Schutz (Deputy to Holmes)
 Mark Andrew Hanson (Deputy to Persse)
 Karen Michelle Braunack (Deputy to Morton)

By command,

JAY WILSON WEATHERILL, Premier

DPC13/051CS

Department of the Premier and Cabinet
 Adelaide, 29 August 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint Hieu Van Le as Governor's Deputy of South Australia for the period from 12.30 p.m. on Friday, 30 August 2013 until 1 p.m. on Monday, 2 September 2013.

By command,

JAY WILSON WEATHERILL, Premier

Department of the Premier and Cabinet
 Adelaide, 29 August 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Gail Elizabeth Gago, MLC, Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for the Status of Women and Minister for State/Local Government Relations to be also Acting Deputy Premier for the period from 31 August 2013 to 7 September 2013 inclusive, during the absence of the Honourable John Robert Rau, MP.

By command,

JAY WILSON WEATHERILL, Premier

DPR0003/13CS

Department of the Premier and Cabinet
 Adelaide, 29 August 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Tom Koutsantonis, MP, Minister for Transport and Infrastructure, Minister for Mineral

Department of the Premier and Cabinet
 Adelaide, 29 August 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the people listed as Justices of the Peace for South Australia for a period of ten years commencing from 29 August 2013 and expiring on 28 August 2023, it being a condition of appointment that the Justices of the Peace must take the oaths required of a Justice under the Oaths Act 1936 and return the oaths form to the Justice of the Peace Services within 3 months of the date of appointment, pursuant to Section 4 of the Justices of the Peace Act 2005:

Simon Bruce Barlow
 Sandra Barnes
 Jane Bean
 Kay Behsmann
 Julie Ann Binns
 Harold Mark Boyd
 Heidi Boyd
 Denise Caroline Brown
 David Stanley Carver
 Michael David Connell
 Mandy Joy Coote
 Stephen Norman Daly
 Kim Phuong Dinh
 Francesca Jane Dunn
 Joanne Edwards
 Annabelle Yvonne Feldberg
 Ronald Francis Fredericks
 Elizabeth Margaret Giles
 Amy Elizabeth Grantham
 Raymond Grummett
 Kerry James Hammill
 Sally Ann Harry
 Ian Michael Edward Haylock
 Kate Lynne Hook
 Trent Jenkins
 Lucas William Jones
 Martin Bryan Charles Kennison
 Jacqueline Gail Kilby
 Gregory Patrick Marshall
 Julianne Martinella
 Keiran Thomas McPhee
 Shirley Mulhern
 Kevin Francis Nosworthy
 Holly Emma Parker
 Anne Balfour Poel
 Paul Lesley Powell
 Ilia Rostami
 Geoffrey Robert Rowett
 Gordon Peter James Russell
 Nicholas James Michael Ruygrok
 Lynne Marie Savage
 Satish Shah
 Gregory Warren Smith
 Theresa Mary Swiggs
 Santi Ram Upadhaya Dhakal
 Vitalia Magdalena Vega
 Brett Michael Whitford
 Edwin Leslie Wilson
 Joy Woodhouse
 Bonni Yeatman

By command,

JAY WILSON WEATHERILL, Premier

JP13/038CS

Department of the Premier and Cabinet
Adelaide, 29 August 2013

HIS Excellency the Governor in Executive Council has been pleased to confirm the amendment to By-Law 7—Trespass, of the University of Adelaide By-Laws approved by the Council of the Adelaide University on 29 July 2013, pursuant to Section 23 (3a) of the University of Adelaide Act 1971.

By command,

JAY WILSON WEATHERILL, Premier

MEHES13/023CS

BUILDING WORK CONTRACTORS ACT 1995

Exemption

TAKE notice that, pursuant to Section 45 of the Building Work Contractors Act 1995, I, Paul White, Commissioner for Consumer Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

SCHEDULE 1

Maylands Plumbing & Construction Pty Ltd (BLD 50758).

SCHEDULE 2

Extensions to the house that is to be the family residence of Tony Mascolo and Anna Mascolo, on land situated at 307 Esplanade, Aldinga Beach, S.A. 5173 (Allotment 23 in Deposited Plan 6325 in the area named Aldinga Beach, Hundred of Willunga (Certificate of Title Volume 5184, Folio 842)).

SCHEDULE 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to extensions to the house that is to be the family residence of Tony Mascolo (director of Maylands Plumbing & Constructions Pty Ltd) and Anna Mascolo, on land situated at 307 Esplanade, Aldinga Beach, S.A. 5173 (Allotment 23 in Deposited Plan 6325 in the area named Aldinga Beach, Hundred of Willunga (Certificate of Title Volume 5184, Folio 842)).

2. This exemption does not apply to any domestic building work the licensee sub-contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.

3. That Tony Mascolo (as director for the licensee) and Anna Mascolo do not transfer their interests in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of the Commissioner for Consumer Affairs. Before giving such authorisation, the Commissioner for Consumer Affairs may require the licensee to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:

- Providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;
- Providing evidence of an independent expert inspection of the building work the subject of this exemption;
- Making an independent expert report available to prospective purchasers of the property; and
- Giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated 26 August 2013.

P. WHITE, Commissioner for Consumer
Affairs, delegate for the Minister for
Business Services and Consumers

Ref: 610/13-00047

[REPUBLISHED]

IN *Government Gazette* No. 52 dated 22 August 2013, page 3536, due to typographical error appearing on page 3538, under the heading 'Gifts and benefits' 3.7.8 *should* have been 3.7.3, is being replaced by this notice hereunder:

CODE OF CONDUCT FOR COUNCIL MEMBERS

Local Government Act 1999: Section 63 (1)

NOTICE under Clause 3.10 of the Code of Conduct for Council Members published by the Minister for Planning for the purposes of Section 63 (1) of the Local Government Act 1999.

For the purposes of Clause 3.10 of the Code of Conduct for Council Members adopted for the purposes of Section 63 (1) of the Local Government Act 1999 and published in the *Gazette* on the day on which this Notice is made, the value of \$100 is specified.

Dated 18 August 2013.

JOHN RAU, Deputy Premier, Minister for Planning

Code of Conduct for Council Members

*Published by the Minister for Planning for the purposes of Section 63 (1) of the
Local Government Act 1999.*

This Code of Conduct is to be observed by all Council members.

Council members must comply with the provisions of this Code in carrying out their functions as public officials. It is the personal responsibility of Council members to ensure that they are familiar with, and comply with, the standards in the Code at all times.

PART 1—PRINCIPLES

1. Higher principles—Overarching Statement

This part does not constitute separate enforceable standards of conduct.

Council members in South Australia have a commitment to serve the best interests of the people within the community they represent and to discharge their duties conscientiously, to the best of their ability, and for public, not private, benefit at all times.

Council members will work together constructively as a Council and will uphold the values of honesty, integrity, accountability and transparency, and in turn, foster community confidence and trust in Local Government.

As representatives of open, responsive and accountable government, Council members are committed to considering all relevant information and opinions, giving each due weight, in line with the Council's community consultation obligations.

In the performance of their role, Council members will take account of the diverse current and future needs of the local community in decision-making, provide leadership and promote the interests of the Council.

Council members will make every endeavour to ensure that they have current knowledge of both statutory requirements and best practice relevant to their position. All Councils are expected to provide training and education opportunities that will assist members to meet their responsibilities under the Local Government Act 1999.

Council members will comply with all legislative requirements of their role and abide by this Code of Conduct.

PART 2—BEHAVIOURAL CODE

2. Behavioural Code

In line with 'Part 1—Higher Principles' of this Code, the following behaviour is considered essential to upholding the principles of good governance in Councils.

This Part is for the management of the conduct of Council members that does not meet the reasonable community expectations of the conduct of Council members. It deals with conduct that does not, and is not likely to, constitute a breach of Part 3—Misconduct or criminal matters such as those contained in the Appendix to this document.

Robust debate within Councils that is conducted in a respectful manner is not a breach of this Part.

It is intended that each Council will adopt a process for the handling of alleged breaches of this Part. This process will be reviewed within 12 months of a general Local Government election.

Council members must:

General behaviour

- 2.1 Show commitment and discharge duties conscientiously.
- 2.2 Act in a way that generates community trust and confidence in the Council.
- 2.3 Act in a reasonable, just, respectful and non-discriminatory way when dealing with people.
- 2.4 Show respect for others if making comments publicly.
- 2.5 Ensure that personal comments to the media or other public comments, on Council decisions and other matters, clearly indicate that it is a private view, and not that of the Council.

Responsibilities as a member of Council

- 2.6 Comply with all Council policies, codes and resolutions.
- 2.7 Deal with information received in their capacity as Council members in a responsible manner.
- 2.8 Endeavour to provide accurate information to the Council and to the public at all times.

Relationship with fellow Council Members

- 2.9 Endeavour to establish and maintain a respectful relationship with all Council members, regardless of differences of views and opinions.
- 2.10 Not bully or harass other Council members.

Relationship with Council staff

- 2.11 Not bully or harass Council staff.
- 2.12 Direct all requests for information from the Council administration to the Council's Chief Executive Officer or nominated delegate/s.
- 2.13 Direct all requests for work or actions by Council staff to the Council's Chief Executive Officer or nominated delegate/s.
- 2.14 Refrain from directing or influencing Council staff with respect to the way in which these employees perform their duties.

Requirement to report breach of Part 3

- 2.15 A Council member who is of the opinion that a breach of Part 3 of this Code (Misconduct)— has occurred, or is currently occurring, must report the breach to the Principal Member of the Council or Chief Executive Officer, the Ombudsman or the Office for Public Integrity.
- 2.16 A failure to report an alleged or suspected breach of Part 3 of this Code is in itself a breach under this Part (Behavioural Code).

Complaints

- 2.17 Any person may make a complaint about a Council member under the Behavioural Code.
- 2.18 Complaints about behaviour alleged to have breached the Behavioural Code should be brought to the attention of the Principal Member or Chief Executive Officer of the Council, or nominated delegate/s.
- 2.19 A complaint may be investigated and resolved in any manner which that Council deems appropriate in its process for handling alleged breaches of this Part. This can include, but is not limited to: a mediator or conciliator, the Local Government Governance Panel, a regional governance panel or an independent investigator.
- 2.20 A complaint may be considered within this process to be trivial, vexatious or frivolous, and accordingly not investigated.
- 2.21 A failure of a Council member to cooperate with the Council's process for handling alleged breaches of this Part may be referred for investigation under Part 3.
- 2.22 A failure of a Council member to comply with a finding of an investigation under this Part, adopted by the Council, may be referred for investigation under Part 3.
- 2.23 Repeated or sustained breaches of this Part by the same Council member may be referred, by resolution of the Council, to the relevant authority as a breach of Part 3.
- 2.24 A breach of the Behavioural Code must be the subject of a report to a public meeting of the Council.

Findings

- 2.25 If, following investigation under the Council's complaints handling process, a breach of the Behavioural Code by a Council member is found, the Council may, by resolution:
- 2.25.1 Take no action;
 - 2.25.2 Pass a censure motion in respect of the Council member;
 - 2.25.3 Request a public apology, whether written or verbal;
 - 2.25.4 Request the Council member to attend training on the specific topic found to have been breached;
 - 2.25.5 Resolve to remove or suspend the Council member from a position within the Council (not including the member's elected position on Council);
 - 2.25.6 Request the member to repay monies to the Council.

PART 3—MISCONDUCT**3. Misconduct**

Failure by a Council member to comply with this Part constitutes misconduct. The provisions within this Part may refer to statutory matters under the Local Government Act 1999. Any breach of these provisions will be investigated under that legislation.

Any person may report an alleged breach of this Part to the Council, the Ombudsman, the Electoral Commissioner (for alleged breaches of Code 3.8) or the Office for Public Integrity. Alleged breaches of this Part made to a Council or to the Office for Public Integrity may be referred to the Ombudsman for investigation under Section 263 of the Local Government Act 1999, by the Council's Chief Executive Officer or by the Independent Commissioner Against Corruption, where he or she so determines.

A report from the Ombudsman that finds a Council member has breached this Part (Misconduct) of the Code of Conduct must be provided to a public meeting of the Council. The Council must pass resolutions, that give effect to any recommendations received from the Ombudsman, within two ordinary meetings of the Council following the receipt of these recommendations.

An investigation under Part 3 of this Code does not preclude an investigation being launched as a potential breach of the criminal matters listed in the Appendix to this document.

Member duties

Council members must:

- 3.1 Act honestly at all times in the performance and discharge of their official functions and duties;
- 3.2 Perform and discharge their official functions and duties with reasonable care and diligence at all times;
- 3.3 Not release or divulge information that the Council has ordered be kept confidential, or that the Council member should reasonably know is information that is confidential, including information that is considered by Council in confidence;
- 3.4 Not exercise or perform, or purport to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform;
- 3.5 Not attempt to improperly direct a member of Council staff to act in their capacity as a Local Government employee for an unauthorised purpose;
- 3.6 Ensure that relationships with external parties cannot amount to interference by improper influence, affecting judgement, decisions and/or actions.

Gifts and benefits

3.7 Council members must not:

- 3.7.1 Seek gifts or benefits of any kind;
 - 3.7.2 Accept any gift or benefit that may create a sense of obligation on their part or may be perceived to be intended or likely to influence them in carrying out their public duty;
 - 3.7.3 Accept any gift or benefit from any person who is in, or who seeks to be in, any contractual relationship with the Council.
- 3.8 Notwithstanding Code 3.7, Council members may accept campaign donations as provided for in the Local Government (Elections) Act 1999.
- 3.9 Notwithstanding Code 3.7.3, Council members may accept hospitality provided in the context of performing their duties, including:

- 3.9.1 Free or subsidised meals, beverages or refreshments of reasonable value provided in conjunction with:
 - 3.9.1.2 Council work related events such as training, education sessions workshops and conferences;
 - 3.9.1.3 Council functions or events;
 - 3.9.1.4 Social functions organised by groups such as Council committees and community organisations.
- 3.9.2 Invitations to, and attendance at, local social, cultural or sporting events.
- 3.10 Where Council members receive a gift or benefit of more than a value published in the *Government Gazette* by the Minister from time to time, details of each gift or benefit must be recorded within a gifts and benefits register maintained and updated quarterly by the Council's Chief Executive Officer. This register must be made available for inspection at the principal office of the Council and on the Council website.

Register of Interests

- 3.11 Council members must lodge with the Council a complete and accurate primary return of their interests, and subsequent ordinary returns, as required by legislation.

Campaign donation returns

- 3.12 Council members must ensure that following each election an accurate campaign donation return is provided to the Chief Executive Officer of the Council as required by legislation.

Conflict of interest

- 3.13 Council members must be committed to making decisions without bias and in the best interests of the whole community and comply with the relevant conflict of interest provisions of the Local Government Act 1999.

Misuse of Council resources

- 3.14 Council members using Council resources must do so effectively and prudently.
- 3.15 Council members must not use Council resources, including services of Council staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate.
- 3.16 Council members must not use public funds or resources in a manner that is irregular or unauthorised.

Repeated or sustained breaches of Part 2

- 3.17 At the discretion of the Council to which the member is elected, repeated or sustained inappropriate behaviour, as listed in Part 2, may be escalated to an allegation of misconduct under this Part.
- 3.18 A failure to comply with a finding of inappropriate behaviour (by the Council, independent investigator or Ombudsman) under Part 2 is also grounds for a complaint under this Part.

APPENDIX—CRIMINAL MATTERS

The matters within this Appendix are matters for which a criminal penalty attaches. As separate legislation operates to cover such conduct, this part does not form part of the Code of Conduct for Council Members.

Allegations of conduct breaching these matters will be investigated in accordance with the legislation governing that conduct and they are included within this document only in order to provide a complete overview of the standards of conduct and behaviour expected of Council members.

Alleged breaches of matters outlined in this Appendix should be reported to the Office for Public Integrity in the first instance.

Breaches of the Local Government Act 1999

Member duties

A member of a Council must not, whether within or outside the State, make improper use of information acquired by virtue of his or her position as a member of the Council to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Council (Section 62 (3)).

A member of a Council must not, whether within or outside the State, make improper use of his or her position as a member of the Council to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Council (Section 62 (4)).

Provision of false information

A member of a Council who submits a return under Chapter 5 Part 4 (Register of interest) and Schedule 3 of the Local Government Act 1999, that is to the knowledge of the member, false or misleading in a material particular (whether by reason of information included in or omitted from the return) is guilty of an offence (Section 69).

Restrictions on publication of information from Register of Interests

A Council member must not publish information, or authorise publication of information, derived from a Register unless the information constitutes a fair and accurate summary of the information contained in the Register, and is published in the public interest, or comment on the facts set forth in a Register, unless the comment is fair and published in the public interest and without malice (Section 71).

Breaches of other Acts

Acting in his or her capacity as a public officer, a Council member shall not engage in conduct, whether within or outside the state, that constitutes corruption in public administration as defined by Section 5 of the Independent Commissioner Against Corruption Act 2012, including:

An offence against Part 7 Division 4 (Offences relating to public officers) of the Criminal Law Consolidation Act 1935, which includes the following offences:

- bribery or corruption of public officers;
- threats or reprisals against public officers;
- abuse of public office;
- demanding or requiring benefit on basis of public office;
- offences relating to appointment to public office.

Any other offence, including an offence against Part 5 (Offences of dishonesty) of the Criminal Law Consolidation Act 1935, committed by a public officer while acting in his or her capacity as a public officer, or by a former public officer and related to his or her former capacity as a public officer, or by a person before becoming a public officer and related to his or her capacity as a public officer, or to an attempt to commit such an offence.

Any of the following in relation to an offence referred to in a preceding paragraph:

- aiding, abetting, counselling or procuring the commission of the offence;
 - inducing, whether by threats or promises or otherwise, the commission of the offence;
 - being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence;
 - conspiring with others to effect the commission of the offence.
-
-

CONTROLLED SUBSTANCES ACT 1984

ERRATUM

Prohibition Order

IN *Government Gazette* No. 51, dated Thursday, 15 August 2013, a notice under the Controlled Substances Act 1984, appearing on page 3487 contained some errors. The notice should be replaced with the following:

TAKE notice that on 29 July 2013, I, Dr Stephen Christley, Chief Public Health Officer and Executive Director, Public Health and Clinical Systems, Department for Health and Ageing made an order under Section 57 (1) (c) of the Controlled Substances Act 1984. The order was served on Ms Tracey Whitton on 6 August 2013, and took effect on that date. Pursuant to Section 57 (3) of the Controlled Substances Act 1984, the order is published as follows:

Order

Under Section 57 Controlled Substances Act 1984

I, Dr Stephen Christley, Chief Public Health Officer and Executive Director, Public Health and Clinical Systems, Department for Health and Ageing, having formed the opinion that Ms Tracey Whitton has administered a prescription drug in an irresponsible manner, hereby exercise the power delegated by the Minister for Mental Health and Substance Abuse under Section 62A of the Controlled Substances Act 1984 (SA), and make the following order under Section 57 (1) (c) of the Act.

Ms Tracey Whitton,

Date of birth: 30 April 1976,

is prohibited from supplying, administering, using or having possession of the following substances or class of substances:

- a drug of dependence as declared by Regulation 7 of the Controlled Substances (Poisons) Regulations 2011, pursuant to Section 12 (3) of the Controlled Substances Act 1984, namely any poison listed in Schedule 8 of the Standard for the Uniform Scheduling of Medicines and Poisons as published and amended by the Secretary to the Department of Health and Ageing under the Commonwealth's Therapeutic Goods Act 1989;
- prescription drugs that contain codeine or dextropropoxyphene; and
- benzodiazepines.

This order does not apply to any of the above substances, drugs or class of drugs lawfully supplied or prescribed for the treatment of Tracey Whitton by a registered health practitioner or by a veterinary surgeon for administration to an animal in Ms Whitton's care.

Dated 29 July 2013.

DR STEPHEN CHRISTLEY, Delegate for the
Minister for Mental Health and
Substance Abuse

CONTROLLED SUBSTANCES ACT, 1984

Order

TAKE notice that on 17 August 2013, I, Dr Stephen Christley, Chief Public Health Officer and Executive Director, Public Health and Clinical Systems, Department for Health and Ageing, made an order under Section 57 (1) (c) of the Controlled Substances Act 1984. The order was served on Dr David John Bertram on 20 August 2013, and took effect on that date.

Pursuant to Section 57 (3) of the Controlled Substances Act 1984, the order is published as follows:

Order

Under Section 57 Controlled Substances Act 1984

I, Dr Stephen Christley, Chief Public Health Officer and Executive Director, Public Health and Clinical Systems, Department for Health and Ageing, having formed the opinion that Dr David John Bertram has prescribed prescriptions drug in an irresponsible manner, exercise the authority delegated by the Minister for Mental Health and Substance Abuse under Section 62A of the Controlled Substances Act 1984 (SA), and make the following order under Section 57 (1) (c) of the Act.

Dr David John Bertram,

Date of birth 17 January 1958,

is prohibited from supplying, prescribing, administering or having possession of the following substances or class of substances:

- opioid drugs that are drugs of dependence as declared by Regulation 7 of the Controlled Substances (Poisons) Regulations 2011, pursuant to Section 12 (3) of the Controlled Substances Act 1984, namely any poison that is an opioid and listed in Schedule 8 of the Standard for the Uniform Scheduling of Medicines and Poisons as published and amended by the Secretary to the Department of Health and Ageing under the Commonwealth's Therapeutic Goods Act 1989.

This order does not apply to any of the above substances, drugs or class of drugs lawfully supplied or prescribed for the treatment of Dr David John Bertram by a registered health practitioner or by a veterinary surgeon for administration to an animal in Dr Bertram's care.

Dated 17 August 2013.

DR STEPHEN CHRISTLEY, Delegate for the
Minister for Mental Health and
Substance Abuse

DEVELOPMENT ACT 1993, SECTION 25 (17): DISTRICT COUNCIL OF MALLALA—TWO WELLS RESIDENTIAL DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Two Wells Residential Development Plan Amendment (the Amendment) by the District Council of Mallala has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Planning, Honourable John Rau has decided to approve the Amendment.

NOTICE

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

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

Dated 19 August 2013.

JOHN RAU, Minister for Planning

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Leslie Morrison, current university staff and current post graduate students of the School of Biological Sciences at Flinders University, Sturt Road, Bedford Park (the 'exemption holders') are exempt from Sections 70 and 71 (2) of the Fisheries Management Act 2007 and Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as they may engage in the activities specified in Schedule 1, using the gear specified in Schedule 2, (the 'exempted activity'), subject to the conditions specified in Schedule 3, from 23 August 2013 until 23 August 2014, unless varied or revoked earlier.

SCHEDULE 1

1. The collection of aquatic organisms from all waters of South Australia, including the River Murray Protection Area, but excluding Aquatic Reserves, Marine Parks and the Adelaide Dolphin Sanctuary.

SCHEDULE 2

- 2.1 Two hauling nets with a mesh size not less than 5 mm, or not exceeding 1 m in depth with a rope length not exceeding 50 m.
- 2.2 Five drop nets.
- 2.3 Two plankton nets where each net is a funnel shaped, fine-meshed net that is towed through the water to collect plankton with a diameter not exceeding 1 m, depth not exceeding 1.6 m and mesh size not exceeding 38 mm.

2.4 Two funnel nets—6 m long and 0.5 cm mesh size.

SCHEDULE 2

SCHEDULE 3

3.1 The specimens collected by the exemption holder are for scientific, education and research purposes only and must not be sold. Any unwanted specimens must be returned to the water immediately.

3.2 All protected species incidentally taken while undertaking the exempted activity may be measured and recorded and must be returned to the water as soon as reasonably practicable. Protected Species must not be retained.

3.3 The exemption holder must not collect specimens for aquaculture research purposes pursuant to this notice.

3.4 Organisms collected pursuant to this notice must not be released once they have been kept separate to their natural environment at the University.

3.5 At least one hour before conducting the exempted activity, the exemption holder must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of this notice in their possession at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of permit holders undertaking the exempted activity and other related questions. Exemption No. 9902638.

3.6 The exemption holder must provide a report in writing detailing the activities carried out pursuant to this notice to the Executive Director, Fisheries and Aquaculture, G.P.O. Box 1625, Adelaide, S.A. 5001 by 31 July 2014, with the following details:

- the date and location of sampling;
- the gear used;
- the number and description of all species collected;
- any interaction with protected species and marine mammals; and
- any other information regarding size, breeding or anything deemed relevant or of interest that is able to be volunteered.

3.7 Failure to submit a report as per Condition 3.6 may result in further exemptions not being supported.

3.8 While engaged in the exempted activity, the exemption holder must be in possession of a signed copy of this notice and carry their identification card issued by Flinders University. Such notice and identification must be produced to a PIRSA Fisheries Officer if requested.

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

Dated 22 August 2013.

PROFESSOR M. DOROUDI, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Thierry Laperousaz, Dr Rachael King and Dr Andrea Crowther from the Division of Biological Science, South Australian Museum, North Terrace, Adelaide, S.A. 5000 (the 'exemption holder') or a person, being an employee of the South Australian Museum, acting as their agent, are exempt from the provisions of Section 70 of the Fisheries Management Act 2007 and Regulation 7, Clauses 72 and 118 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as the exemption holders may collect aquatic organisms from the waters described in Schedule 1, using the gear specified in Schedule 2 (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 1 September 2013 until 31 August 2014, unless varied or revoked earlier.

SCHEDULE 1

South Australia coastal waters including intertidal rocky reefs but excluding Aquatic Reserves, Marine Parks and the waters of the Adelaide Dolphin Sanctuary.

- 3 hoop nets.
- 5 shrimp traps.
- 3 octopus pots.
- 2 dab nets.
- 1 mussel dredge.
- 2 plankton nets.
- 1 hand spear per person.
- 1 spear gun per person.

SCHEDULE 3

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

2. The exempted activity may only involve the collection of marine invertebrates.

3. A maximum of three people, including the exemption holder, may undertake the exempted activity at any one time as an agent under this exemption.

4. Before conducting the exempted activity, the exemption holder must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder or agent will need to have a copy of the exemption at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and boats involved, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902637.

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

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

6. While engaged in the exempted activity, the exemption holders and their agents must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer if requested.

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

Dated 22 August 2013.

PROFESSOR M. DOROUDI, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Steve Clarke of the Department of Environment, Water and Natural Resources, 11 Helen Street, Mount Gambier, S.A. 5290, (the 'exemption holder') or a person acting as his agent, is exempt from the provision of Sections 72 (2) (b) of the Fisheries Management Act 2007, but only in so far as the exemption holder may be in possession or control of protected fish species specified in Schedule 1 (the 'exempted activity'), subject to the conditions specified in Schedule 2, from 23 August 2013 until 23 August 2014, unless varied or revoked earlier.

SCHEDULE 1

Scalefish of any species of *Nannoperca*.

SCHEDULE 2

1. The fish species may only be held at the following locations:

Kingston Community College and
Millicent High School.

2. Fish species held pursuant to this exemption must not be sold or traded.

3. Protected native fish species retained in condition 1 must not be relocated without the written approval of the Executive Director Fisheries and Aquaculture.

4. The exemption holder must provide a written report detailing the location and estimated number of all fish held pursuant to this notice, and any mortalities during that period to the Executive Director, Fisheries and Aquaculture, (G.P.O. Box 1625, Adelaide, S.A. 5001) within 14 days of the expiry of this notice.

5. While engaged in the exempted activity, the exemption holder must be in possession of a copy of this exemption notice (9902632) and this exemption must be produced to a Fisheries Officer immediately upon request.

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

Dated 22 August 2013.

PROFESSOR M. DOROUDI, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Andrew N. Wright of Calypso Star Charters Pty Ltd, Unit 3, 10 South Quay Boulevard, Port Lincoln, S.A. 5606 (the 'exemption holder') is exempt from Section 71 (2) of the Fisheries Management Act 2007 and Regulation 23 of the Fisheries Management (General) Regulations 2007, but only insofar as the exemption holder shall not be guilty of an offence when using blood, bone, meat, offal or skin of an animal as berley to attract White Sharks (*Carcharodon carcharias*) for the purpose of authorised cage viewing activities in the waters described in Schedule 1 (the 'exempted activity'), subject to the conditions specified in Schedule 2, from 27 August 2013 until 30 June 2014, or unless this exemption is varied or revoked.

SCHEDULE 1

The waters of the Neptune Islands Group (Ron and Valerie Taylor) Marine Park.

SCHEDULE 2

1. The exemption holder or the nominated agents listed below must be on board the boat from which the exempted activity is undertaken. The nominated agents of the exemption holder are Simon James and Daniel Harvey.

2. All passengers when receiving their instructions at their initial briefing must be provided with a 'Notice to Passengers' letter (attached).

3. All berley used while conducting the exempted activity must consist of fish based products only. All berley (other than fish oil) must be stored below a maximum temperature of 4°C.

4. The exemption holder or his agents must take all measures to avoid any berley or fish oil from being dispersed near or over the submerged viewing cages while divers are in the cage.

5. The exemption holders or their agents must not deliberately goad, provoke or encourage a White Shark in an attempt to change its normal behaviour by undertaking the exempted activity (including deliberately attempting to have the White Shark jump out of the water), and must not permit any person to touch a White Shark, unless this activity is required for research purposes.

6. When using bait as an attractant for the shark, the bait must be attached to a length of rope by natural fibre twine of no less than 30 cm in length.

7. The exemption holder or his agents must not intentionally feed sharks or reward sharks with food.

8. The exemption holder must notify PIRSA Fishwatch on 1800 065 522 at least two hours prior to conducting the exempted activity and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and boats involved, the number of agents undertaking the exempted activity and other related questions. Exemption No. 9902646.

9. The exemption holder or his agents must allow an officer of the Department for Environment, Water and Natural Resources (DEWNR), a Fisheries Officer or another nominated person to be

present on board the boat during the exempted activity if requested by the Executive Director Fisheries and Aquaculture, subject to the availability of space.

10. The exemption holder or his agents must comply with all instructions (including ceasing to berley if so instructed) given by an officer from DEWNR, a Fisheries Officer or another nominated person.

11. While engaged in the exempted activity the exemption holder or his agents must have in their possession a copy of this notice and produce a copy of the notice if required by a Fisheries Officer.

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

Dated 26 August 2013.

PROFESSOR M. DOROUDI, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Garry Warrick of River Fishery Licence R27 (the 'exemption holder') is exempt from Section 70 of the Fisheries Management Act 2007 and Regulation 7, Clauses 6, 72 and 121 of Schedule 6 and Schedule 7 of the Fisheries Management (General) Regulations 2007, but only insofar as the exemption holder shall not be guilty of an offence when emptying the 'Carp separation cage' located at Lock 1, Blanchetown, and Lock 3, Overland Corner on the River Murray (the 'exempted activity'), subject to the conditions specified in Schedule 1, from 27 August 2013 until 27 August 2014, unless varied or revoked earlier.

SCHEDULE 1

1. The exemption holder may only take and retain European Carp (Family Cyprinidae) and non-native species when undertaking the exempted activity.

2. Non-native species must not be returned to the water and must be disposed of appropriately.

3. The exemption holder may use Damien Wilksch (River Fishery Licence R03) to assist in the exempted activity.

4. All non-native species captured in Carp separation cages by the exemption holder or Damien Wilksch (River Fishery Licence R03) must be recorded in the catch and return logbook of that licence holder.

5. All native species captured in Carp separation cages by the exemption holder or Damien Wilksch (River Fishery Licence R03) must be recorded in the by-catch logbook of that licence holder.

6. Any native species taken in the course of the exempted activity must be returned to the water immediately.

7. While engaged in the exempted activity the exemption holder must have in his possession a copy of this notice and produce a copy of the notice if required by a Fisheries Officer. Exemption No. 9902644.

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

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

Dated 26 August 2013.

PROFESSOR M. DOROUDI, Director of Fisheries

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, Michael Burdett, Surveyor-General and Delegate appointed by Tom Koutsantonis, Minister for Transport and 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
Move the rural locality boundary of Norton Summit to the centre line of Marble Hill Road so that the whole of Deposited Plan 92050 is within Norton Summit.	DPTI 2013/17406/01	26 August 2013

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

www.sa.gov.au/landservices/namingproposals or by contacting the Geographical Name Unit, DPTI on (08) 8204 8539.

M. BURDETT, Surveyor-General, Department for Planning, Transport and Infrastructure

HEALTH CARE ACT 2008

NOTICE BY THE MINISTER

Declaration of Authorised Quality Improvement Activity and Authorised Person under Section 64

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to Sections 64 (1) (a) (i) and (b) (i) do hereby:

DECLARE the Activities described in the Schedule to this Declaration (the Activities) to be authorised quality improvement activities to which Part 7 of the Act applies.

DECLARE the Person or group of Persons (including a group formed as a Committee) described in the Schedule to this Declaration (the Persons) to be an authorised entity for the purposes of carrying out the authorised quality improvement activities to which Part 7 of the Act applies,

being satisfied that:

- (a) the performance of the activities within the ambit of the Declaration and the functions or activities of the person or group of persons within the ambit of the Declaration, would be facilitated by the making of the Declaration; and
- (b) that the making of the declaration is in the public interest.

Dated 19 August 2013.

JACK SNELLING, Minister for Health and Ageing

SCHEDULE

Declaration of Authorised Quality Improvement Activity and Authorised Person under Section 64

Activity	Person or Group of Persons
Anaesthetic Mortality Quality Improvement	South Australian Anaesthetics Mortality Committee

HEALTH CARE ACT 2008

NOTICE BY THE MINISTER

Declaration of Authorised Research Activity and Authorised Person under Section 64

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to Sections 64 (1) (a) (ii) and (b) (ii) do hereby:

DECLARE the Activities described in the Schedule to this Declaration (the Activities) to be authorised research activities to which Part 7 of the Act applies.

DECLARE the Person or group of Persons (including a group formed as a Committee) described in the Schedule to this Declaration (the Persons) to be an authorised entity for the purposes of carrying out the authorised research activities to which Part 7 of the Act applies,

being satisfied that:

- (a) the performance of the activities within the ambit of the Declaration and the functions or activities of the person or group of persons within the ambit of the Declaration, would be facilitated by the making of the Declaration; and
- (b) that the making of the declaration is in the public interest.

Dated 19 August 2013.

JACK SNELLING, Minister for Health and Ageing

SCHEDULE

Declaration of Authorised Research Activity and Authorised Person under Section 64

Activity	Person or Group of Persons
Birth Defects Register	The South Australian Birth Defects Register

MINING ACT 1971

Invitation to Submit Exploration Licence Applications

NOTICE is hereby given that the notice under the Mining Act 1971 ('the Act') published on 8 August 2013 in the *South Australian Government Gazette* at page 3454 is varied in respect of land identified in Columns 1, 2, 3 and 6 of the Table.

Notice is further hereby given that the Minister for Mineral Resources and Energy will be considering Exploration Licence Applications over the land identified in Columns 1, 2, 3 and 6 of the Table. Applications for exploration licences will be accepted during the application open dates (Application week) listed in Column 5 of the Table below.

THE APPLICATION AREA MUST QUOTE THE ERA NUMBER AND MUST INCORPORATE THE WHOLE OF THE AREA (as specified in Column 3 of the Table).

THE TABLE

Column 1 ERA No.	Column 2 Locality	Column 3 Area (km ²)	Column 4 Moratorium Period	Column 5 Applications Open Dates	Column 6 ERA— Specific Criteria	
178	Chandler Approximately north-west of Marla	Area— 50 km	926	8 August 2013— 6 October 2013	7 October 2013— 11 October 2013	Aboriginal Land
179	Alberga River Approximately north of Marla	Area— 45 km	840	8 August 2013— 6 October 2013	7 October 2013— 11 October 2013	Aboriginal Land

Applications may be submitted through SARIG <http://www.minerals.dmitre.sa.gov.au/sarig>; in person (Level 7, 101 Grenfell Street, Adelaide, S.A. 5000); by facsimile (08) 8463 3101 or email (dmitre.tenements@sa.gov.au) using the application for Mineral Exploration Release Area—Form 29ERA during the Application Week (Column 5). All applications will be considered competing and will be assessed based on merit using the criteria for competing applications under the Exploration Release Area (ERA) process.

Plan and co-ordinates for the land identified in Columns 1, 2, 3 and 6 of the Table can be obtained at the DMITRE Minerals website: http://www.minerals.dmitre.sa.gov.au/public_notices_areas_previously_held_by_DMITRE, DMITRE SARIG website: <http://www.minerals.dmitre.sa.gov.au/sarig>, or by phoning Mineral Tenements on (08) 8463 3103.

This notice becomes effective 29 August 2013.

P. FREEMAN,
Deputy Executive Director,
Mineral Resources
Department for Manufacturing, Innovation, Trade, Resources and Energy
Delegate of the Minister for Mineral Resources and Energy

South Australia

Motor Vehicles (Conditional Registration—Recognition of Motor Vehicle Clubs) Notice 2013

under the *Motor Vehicles Act 1959*

1—Short title

This notice may be cited as the *Motor Vehicles (Conditional Registration—Recognition of Motor Vehicle Clubs) Notice 2013*.

2—Commencement

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

3—Interpretation

In this notice—

Act means the *Motor Vehicles Act 1959*;

Code of Practice means the ‘Code of Practice for Historic Vehicles, Prescribed Left Hand Drive Vehicles and Street Rod Vehicles’ published by the Department of Planning, Transport and Infrastructure;

Conditional Registration Scheme or *Scheme* means the scheme for conditional registration of historic, prescribed left hand drive and street rod motor vehicles under section 25 of the Act and regulations 15 and 16 of the Motor Vehicles Regulations 2010;

Federation means the Federation of Historic Motoring Clubs Inc;

MR334 form means an ‘Approval for Conditional Registration of a Historic, Prescribed Left Hand Drive or Street Rod Vehicle MR334 Form’;

Registrar means the Registrar of Motor Vehicles;

Regulations means the Motor Vehicles Regulations 2010.

4—Recognition of motor vehicles clubs

The motor vehicle clubs specified in Schedule 1 are, subject to the conditions set out in clause 5, recognised for the purposes of regulation 16 of the Regulations.

5—Conditions of recognition

A motor vehicle club specified in Schedule 1 must comply with the following conditions:

- (a) the club must maintain a constitution approved by the Registrar;
- (b) the club must nominate and have members authorised by the Registrar (*authorised persons*) to approve motor vehicles for registration under the Scheme; to inspect members’ vehicles; and to issue prescribed log books to club members for each of their vehicles to record vehicle use;

- (c) the club must obtain from each member before the end of each year a statutory declaration made by the member verifying the eligibility of their motor vehicle to be registered under section 25 of the Act for the Scheme and detailing any modifications made to the vehicle during that year;
- (d) the club's authorised persons must undertake inspections of members' motor vehicles and ensure that the vehicles are eligible, in keeping with the requirements in regulations 15 and 16 of the Regulations and the criteria set out in the Code of Practice, to be registered under section 25 of the Act—
 - (i) on entry to the Conditional Registration Scheme;
 - (ii) when requested to do so by the Registrar;
 - (iii) when members' annual statutory declarations disclose that their vehicles have been modified since the entry inspection and/or previous inspection;
 - (iv) periodically at least once every 3 years;
- (e) the club's authorised persons must validate a member's log book annually and must not do so unless a member's statutory declaration has been received for the purposes of paragraph (c) and the relevant vehicle inspection requirements of paragraph (d) have been met;
- (f) the club must cancel a member's log book when a member resigns, must record all approved variations to a vehicle's condition in a member's log book for that vehicle, must ensure that a statutory declaration is provided when a member's log book is lost or destroyed and must forward copies of log book return sheets to the Federation annually;
- (g) the club must create and maintain records detailing all its financial members, its authorised persons, all members' motor vehicles for which a MR334 form has been issued, all motor vehicle inspections undertaken for the purposes of paragraph (d), all statutory declarations received and log books issued;
- (h) the club must keep records for a period of 5 years from the date of the document and these records include all duplicate MR334 forms, all records of motor vehicle inspections undertaken in accordance with paragraph (d), all statutory declarations provided by members for the purposes of paragraphs (c) and (f), all log books issued by reference to their serial number, the member's name and the vehicle for which it was issued, all copy exemption documents issued to members for their motor vehicles in accordance with section 163AA of the *Road Traffic Act 1961* and to make all such records available for inspection or provide copies of the records at the request of the Registrar for audit purposes;
- (i) the club must ensure, as far as practicable, that all members comply with the Code of Practice and all members' motor vehicles continue to meet the eligibility requirements set out in the Regulations and Code of Practice;
- (j) the club, as far as practicable, must report to the Registrar or the Federation details of members and motor vehicles not complying with the conditions and criteria set out in the Code of Practice for the Scheme;
- (k) the club must provide to the Registrar, within 2 months after the end of the club's financial year, an annual report detailing members from that financial year with vehicles registered under the Scheme who are no longer financial members of the club;

- (l) the club must notify the Registrar within 14 days on official club letterhead of resolution to cease operation as a club and must provide the club records specified in paragraph (h) to the Registrar within 7 days of its dissolution.

Note—

Under regulation 16(3)(c) of the *Motor Vehicles Regulations 2010*, the Registrar may, by notice in the *Gazette*, withdraw the recognition of a motor vehicle club if satisfied that the club has contravened or failed to comply with a condition applying to its recognition by the Registrar, or if there is other good cause to withdraw the recognition.

Schedule 1—Recognised motor vehicle clubs

Historic motor vehicle clubs and Prescribed left-hand drive motor vehicle clubs

All Makes Historic Car Club Inc

Made by the Registrar of Motor Vehicles

On 22 August 2013

South Australia

Motor Vehicles (Conditional Registration—Recognition of Motor Vehicle Clubs) Notice 2013

under the *Motor Vehicles Act 1959*

1—Short title

This notice may be cited as the *Motor Vehicles (Conditional Registration—Recognition of Motor Vehicle Clubs) Notice 2013*.

2—Commencement

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

3—Interpretation

In this notice—

Act means the *Motor Vehicles Act 1959*;

Code of Practice means the ‘Code of Practice for Historic Vehicles, Prescribed Left Hand Drive Vehicles and Street Rod Vehicles’ published by the Department of Planning, Transport and Infrastructure;

Conditional Registration Scheme or *Scheme* means the scheme for conditional registration of historic, prescribed left hand drive and street rod motor vehicles under section 25 of the Act and regulations 15 and 16 of the Motor Vehicles Regulations 2010;

Federation means the Federation of Historic Motoring Clubs Inc;

MR334 form means an ‘Approval for Conditional Registration of a Historic, Prescribed Left Hand Drive or Street Rod Vehicle MR334 Form’;

Registrar means the Registrar of Motor Vehicles;

Regulations means the Motor Vehicles Regulations 2010.

4—Recognition of motor vehicles clubs

The motor vehicle clubs specified in Schedule 1 are, subject to the conditions set out in clause 5, recognised for the purposes of regulation 16 of the Regulations.

5—Conditions of recognition

A motor vehicle club specified in Schedule 1 must comply with the following conditions:

- (a) the club must maintain a constitution approved by the Registrar;
- (b) the club must nominate and have members authorised by the Registrar (*authorised persons*) to approve motor vehicles for registration under the Scheme; to inspect members’ vehicles; and to issue prescribed log books to club members for each of their vehicles to record vehicle use;

- (c) the club must obtain from each member before the end of each year a statutory declaration made by the member verifying the eligibility of their motor vehicle to be registered under section 25 of the Act for the Scheme and detailing any modifications made to the vehicle during that year;
- (d) the club's authorised persons must undertake inspections of members' motor vehicles and ensure that the vehicles are eligible, in keeping with the requirements in regulations 15 and 16 of the Regulations and the criteria set out in the Code of Practice, to be registered under section 25 of the Act—
 - (v) on entry to the Conditional Registration Scheme;
 - (vi) when requested to do so by the Registrar;
 - (vii) when members' annual statutory declarations disclose that their vehicles have been modified since the entry inspection and/or previous inspection;
 - (viii) periodically at least once every 3 years;
- (e) the club's authorised persons must validate a member's log book annually and must not do so unless a member's statutory declaration has been received for the purposes of paragraph (c) and the relevant vehicle inspection requirements of paragraph (d) have been met;
- (f) the club must cancel a member's log book when a member resigns, must record all approved variations to a vehicle's condition in a member's log book for that vehicle, must ensure that a statutory declaration is provided when a member's log book is lost or destroyed and must forward copies of log book return sheets to the Federation annually;
- (g) the club must create and maintain records detailing all its financial members, its authorised persons, all members' motor vehicles for which a MR334 form has been issued, all motor vehicle inspections undertaken for the purposes of paragraph (d), all statutory declarations received and log books issued;
- (h) the club must keep records for a period of 5 years from the date of the document and these records include all duplicate MR334 forms, all records of motor vehicle inspections undertaken in accordance with paragraph (d), all statutory declarations provided by members for the purposes of paragraphs (c) and (f), all log books issued by reference to their serial number, the member's name and the vehicle for which it was issued, all copy exemption documents issued to members for their motor vehicles in accordance with section 163AA of the *Road Traffic Act 1961* and to make all such records available for inspection or provide copies of the records at the request of the Registrar for audit purposes;
- (i) the club must ensure, as far as practicable, that all members comply with the Code of Practice and all members' motor vehicles continue to meet the eligibility requirements set out in the Regulations and Code of Practice;
- (j) the club, as far as practicable, must report to the Registrar or the Federation details of members and motor vehicles not complying with the conditions and criteria set out in the Code of Practice for the Scheme;
- (k) the club must provide to the Registrar, within 2 months after the end of the club's financial year, an annual report detailing members from that financial year with vehicles registered under the Scheme who are no longer financial members of the club;

- (l) the club must notify the Registrar within 14 days on official club letterhead of resolution to cease operation as a club and must provide the club records specified in paragraph (h) to the Registrar within 7 days of its dissolution.

Note—

Under regulation 16(3)(c) of the *Motor Vehicles Regulations 2010*, the Registrar may, by notice in the *Gazette*, withdraw the recognition of a motor vehicle club if satisfied that the club has contravened or failed to comply with a condition applying to its recognition by the Registrar, or if there is other good cause to withdraw the recognition.

Schedule 1—Recognised motor vehicle clubs

Historic motor vehicle clubs and Prescribed left-hand drive motor vehicle clubs

Torana Motorsport Club Inc

Made by the Registrar of Motor Vehicles

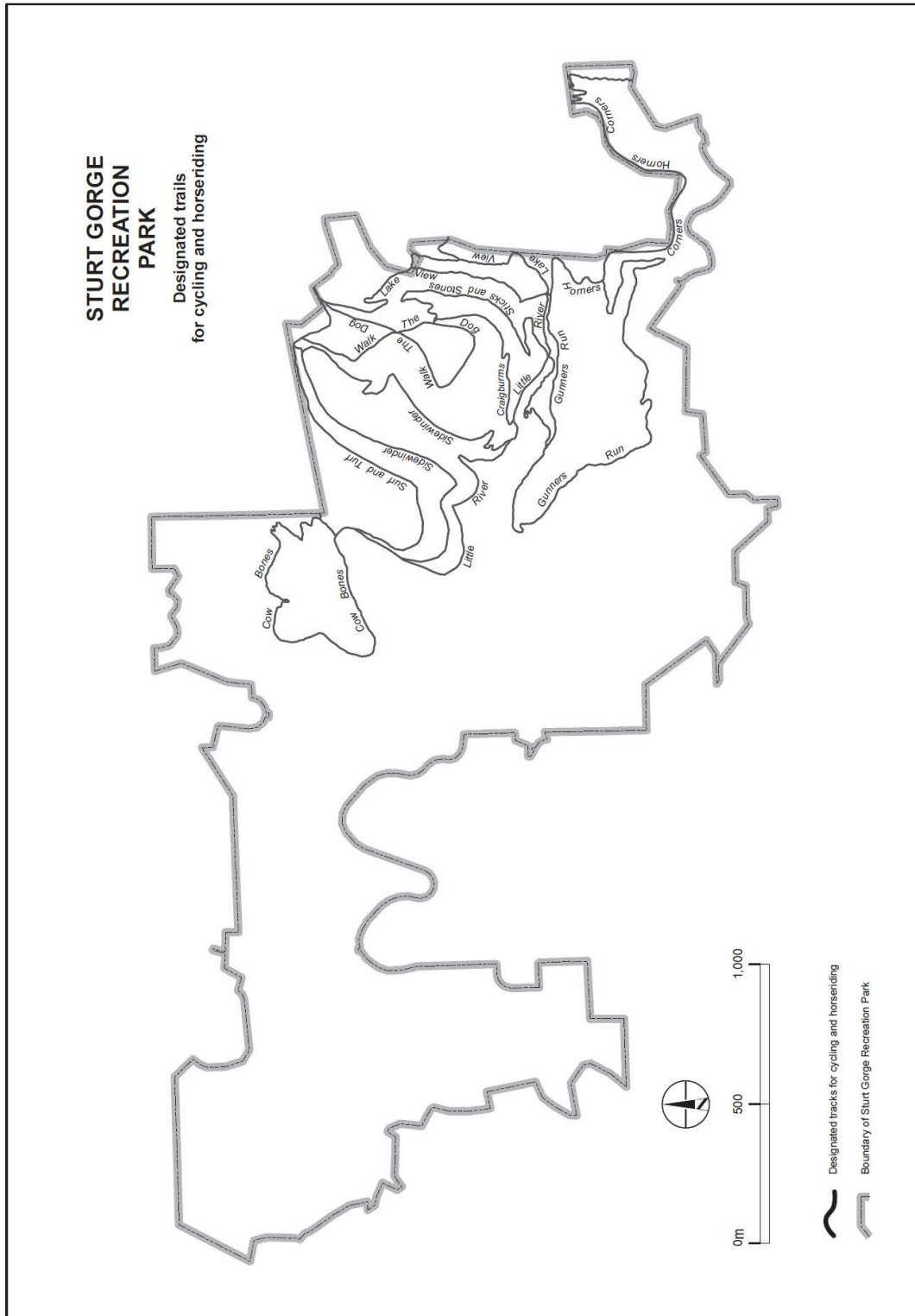
On 16 August 2013

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS) REGULATIONS 2001

Cycling and Horse Riding within Reserves

PURSUANT of Regulations 10, 11 (1) and 27 (3) of the National Parks and Wildlife (National Parks) Regulations 2001, I, John Erwin Schutz, Director of National Parks and Wildlife, hereby grant permission for the riding of bicycles and horses on designated trails within Sturt Gorge Recreation Park proclaimed under the National Parks and Wildlife Act 1972:

Designated trails are shown in the map below.



Dated 29 August 2013.

J. E. SCHUTZ, Director of National Parks and Wildlife

NATIONAL ELECTRICITY LAW

THE Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law as follows:

Under s 107, the time for making the draft determination on the *Annual Network Pricing Arrangements* proposal has been extended to **31 May 2014**.

Documents referred to above are available on the AEMC's website and are available for inspection at the AEMC's office.

Australian Energy Market Commission
Level 5, 201 Elizabeth Street
Sydney, N.S.W. 2000
Telephone: (02) 8296 7800
www.aemc.gov.au

29 August 2013.

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS)
REGULATIONS 2001*Closure of Shannon Conservation Park*

PURSUANT to Regulations 8 (3) (a) and 8 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Grant Anthony Pelton, as Director, Regional Co-ordination, Partnerships and Stewardship, formerly entitled Director, Public Land Management and Operational Support, Regional Services, authorised delegate of the Director of National Parks and Wildlife, close to the public, the whole of Shannon Conservation Park from 6 a.m. on Tuesday, 27 August 2013 until 6 p.m. on Tuesday, 27 August 2013.

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.

Dated 26 August 2013.

G. A. PELTON, Director, Regional Co-ordination,
Partnerships and Stewardship, Department of
Environment, Water and Natural Resources

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Petroleum Exploration Licences—
PELs 138, 147 and 148**Gas Storage Exploration Licences—
GSELS 576, 577, 578, 579, 580, 581, 582 and 583*

PURSUANT to Section 90 of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that the abovementioned Exploration Licences have been suspended under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 21 March 2012.

Petroleum Exploration Licence PEL 138 has been suspended for the period from and including 24 August 2013 to 23 August 2014.

The expiry date of PEL 138 is now determined to be 15 April 2018.

Petroleum Exploration Licences PELs 147 and 148 and Gas Storage Exploration Licences GSELS 576, 577, 578, 579, 580, 581, 582 and 583 have been suspended for the period from and including 22 August 2013 to 21 August 2014.

The expiry date of PELs 147 and 148 and GSELS 576, 577, 578, 579, 580, 581, 582 and 583 is now determined to be 28 July 2019.

Dated 21 August 2013.

B. A. GOLDSTEIN,
Executive Director,
Energy Resources Division
Department for Manufacturing,
Innovation, Trade, Resources and Energy
Delegate of the Minister for Mineral
Resources and Energy

PROOF OF SUNRISE AND SUNSET ACT 1923—ALMANAC FOR OCTOBER, NOVEMBER AND DECEMBER 2013

PURSUANT to the requirements of the Proof of Sunrise and Sunset Act 1923, I, Rodney George Hook, Chief Executive, Department of Planning, Transport and Infrastructure, at the direction of the Honourable the Minister for Transport, publish in the Schedule hereto an almanac setting out the times of sunrise and sunset on every day for the three calendar months of October, November and December 2013.

Dated at Adelaide, 26 August 2013.

R. G. HOOK, Chief Executive, Department of Planning,
Transport and Infrastructure

2011/19413

THE SCHEDULE

Times of sunrise and sunset during the months of October, November and December 2013 for Adelaide: latitude 34°56'S, longitude 138°36'E, GMT + 9.50 hours (Daylight saving GMT + 10.50).

Month	October		November		December	
Date	Sunrise hr min	Sunset hr min	Sunrise hr min	Sunset hr min	Sunrise hr min	Sunset hr min
1	05 53	18 19	06 14	19 45	05 55	20 14
2	05.51	18 19	06 13	19 46	05 55	20 15
3	05.50	18 20	06 12	19 47	05 55	20 16
4	05.48	18 21	06 11	19 48	05 55	20 17
5	05.47	18 22	06 10	19 49	05 55	20 18
*6	06 46	19 22	06 09	19 50	05 55	20 19
7	06 44	19 23	06 08	19 51	05 55	20 19
8	06 43	19 24	06 07	19 52	05 55	20 20
9	06 42	19 25	06 06	19 53	05 55	20 21
10	06 40	19 26	06 06	19 54	05 55	20 22
11	06 39	19 27	06 05	19 55	05 55	20 23
12	06 38	19 27	06 04	19 56	05 55	20 23
13	06 36	19 28	06 03	19 57	05 55	20 24
14	06 35	19 29	06 03	19 58	05 56	20 25
15	06 34	19 30	06 02	19 59	05 56	20 25
16	06 32	19 31	06 01	20 00	05 56	20 26
17	06 31	19 32	06 01	20 01	05 57	20 27
18	06 30	19 32	06 00	20 02	05 57	20 27
19	06 29	19 33	05 59	20 03	05 57	20 28
20	06 27	19 34	05 59	20 04	05 58	20 28
21	06 26	19 35	05 58	20 05	05 58	20 29
22	06 25	19 36	05 58	20 06	05 59	20 29
23	06 24	19 37	05 58	20 07	05 59	20 30
24	06 22	19 38	05 57	20 08	06 00	20 30
25	06 21	19 39	05 57	20 09	06 00	20 31
26	06 20	19 40	05 56	20 10	06 01	20 31
27	06 19	19 40	05 56	20 11	06 02	20 31
28	06 18	19 41	05 56	20 12	06 02	20 32
29	06 18	19 42	05 56	20 12	06 03	20 32
30	06 16	19 43	05 55	20 13	06 04	20 32
31	06 15	19 44			06 04	20 33

*Note: Daylight saving time is subject to change.

Sunrise and Sunset times calculated on 21 November 2012.

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1 from subsection (6) (a) of Section 22 of the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Estate Land Holdings Pty Ltd (Receivers and Managers Appointed).

SCHEDULE 3

This exemption only applies in respect of financial statements and information for the financial years up to and including the financial year ended 30 June 2013.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1 from subsection (6) (a) of Section 22 of the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Fernleigh Gardens Estate Pty Ltd (Receivers and Managers Appointed) (in liquidation).

SCHEDULE 3

This exemption only applies in respect of financial statements and information for the financial years up to and including the financial year ended 30 June 2013.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1, subsection (4) of Section 17 of the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Fernleigh Gardens Estate Pty Ltd (Receivers and Managers Appointed) (in liquidation).

SCHEDULE 3

This exemption only applies in respect of a warranty for information contained in documents presented at the annual general meeting of residents prior to the date of this exemption.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1, subsection (4) of Section 17 of the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Estate Land Holdings Pty Ltd (Receivers and Managers Appointed).

SCHEDULE 3

This exemption only applies in respect of a warranty for information contained in documents presented at the annual general meeting of residents prior to the date of this exemption.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1, subsections (3) and (4) of Section 19 of the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Fernleigh Gardens Estate Pty Ltd (Receivers and Managers Appointed) (in liquidation) (F.G.E.).

SCHEDULE 3

This exemption is subject to the following conditions:

1. That each prospective resident be advised in writing by the Administering Authority of the statutory right which would otherwise exist except for this exemption and which exists at other retirement villages before entering into any agreement with the Administering Authority.

2. That Angas Securities Limited (Angas Securities) indemnify the obligations of the Administering Authority to make payments due to a prospective resident in the form of the draft Deed of Indemnity provided to the Minister on the *//insert date//* (the Draft Deed).

3. That a Deed of Indemnity in the form of the Draft Deed be entered into between the prospective resident and Angas Securities and that Deed of Indemnity include a copy of the last audited balance sheet of Angas Securities.

4. That it is to be an express condition in any contract for the sale of F.G.E.'s interest in the village that the Administering Authority and prospective purchaser jointly write to each resident whose agreement is subject to this exemption that the statutory charge under Section 19 of the Act will revive and be available to them subsequent to settlement of the said sale.

5. This exemption ceases the moment F.G.E. is no longer owner of any land at the village or is no longer in liquidation.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1, subsection (3) (b) of Section 17 of the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Fernleigh Gardens Estate Pty Ltd (Receivers and Managers Appointed) (in liquidation).

SCHEDULE 3

This exemption only applies in respect of financial statements presented to residents for the financial years up to and including the financial year ended 30 June 2013.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1, subsection (3) (b) of Section 17 of the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Estate Land Holdings Pty Ltd (Receivers and Managers Appointed).

SCHEDULE 3

This exemption only applies in respect of financial statements presented to residents for the financial years up to and including the financial year ended 30 June 2013.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1, subsection (2) of Section 21 of the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Fernleigh Gardens Estate Pty Ltd (Receivers and Managers Appointed) (in liquidation).

SCHEDULE 3

This exemption is subject to the condition that at the time of payment to the outgoing resident, the Administering Authority not only pays any amounts due under the residence agreement and/or the Act but pays an amount equal to the amount of interest or other charges (if any) the outgoing resident has had to pay to enter and remain in the aged care facility without payment of any bond or charge.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1, subsection (2) of Section 21 of the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Estate Land Holdings Pty Ltd (Receivers and Managers Appointed).

SCHEDULE 3

This exemption is subject to the condition that at the time of payment to the outgoing resident, the Administering Authority not only pays any amounts due under the residence agreement and/or the Act but pays an amount equal to the amount of interest or other charges (if any) the outgoing resident has had to pay to enter and remain in the aged care facility without payment of any bond or charge.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1, subsection (1) (a) of Section 28 of the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Fernleigh Gardens Estate Pty Ltd (Receivers and Managers Appointed) (in liquidation).

SCHEDULE 3

This exemption only applies in respect of residence contracts that the Administering Authority or Fernleigh Gardens Estate Pty Ltd does not have in their possession and have made a reasonable search to locate such contract.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1, subsection (1) (a) of Section 28 of the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Estate Land Holdings Pty Ltd (Receivers and Managers Appointed).

SCHEDULE 3

This exemption only applies in respect of residence contracts that the Administering Authority or Estate Land Holdings Pty Ltd does not have in their possession and have made a reasonable search to locate such contract.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1 from Regulation 7 (1) under the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Fernleigh Gardens Estate Pty Ltd (Receivers and Managers Appointed) (in liquidation).

SCHEDULE 3

This exemption only applies in respect of statements for the financial years up to and including the financial year ended 30 June 2013.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to subsection (2) of Section 4 of the Retirement Villages Act 1987 (the Act), hereby exempt the organisation specified in Schedule 1 from Regulation 7 (1) under the Act in relation to the retirement village administered by the Authority listed in Schedule 2 and subject to the conditions set out in Schedule 3.

SCHEDULE 1

FGE Administrative Authority Pty Ltd (ACN 160 561 482).

SCHEDULE 2

That portion of the retirement village known as Fernleigh Gardens Retirement Estate, 177 Pimpala Road, Woodcroft, S.A. 5162, operated on land owned by Estate Land Holdings Pty Ltd (Receivers and Managers Appointed).

SCHEDULE 3

This exemption only applies in respect of statements for the financial years up to and including the financial year ended 30 June 2013.

Dated 21 August 2013.

JACK SNELLING, Minister for Health and Ageing

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Closure—Coglin Street, Brompton*

BY Road Process Order made on 3 July 2013 the City of Charles Sturt ordered that:

1. Portion of Coglin Street (being Allotments 12 and 13 in Filed Plan 8849) situate north-east of Second Street and adjoining Allotments 10 and 11 in Filed Plan 8849, more particularly delineated and lettered 'A' and 'B' respectively on Preliminary Plan No. 12/0045 be closed.

2. Transfer the whole of land subject to closure to David Thomas Terrell and Julie Cherise Cahill in accordance with the agreement for transfer dated 3 July 2013 entered into between the City of Charles Sturt and D. T. Terrell and J. C. Cahill.

On 19 August 2013 that order was confirmed by the Minister for Transport and Infrastructure, conditionally upon the deposit by the Registrar-General of Deposited Plan 92149 being the authority for the new boundaries.

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

Dated 29 August 2013.

M. P. BURDETT, Surveyor-General

ROAD TRAFFIC ACT 1961

Authorised Officers to Operate Breath Analysing Instruments

I, GARY T. BURNS, Commissioner of Police, do hereby certify that on 21 August 2013, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

Road Traffic Act 1961;
Harbors and Navigation Act 1993;
Security and Investigation Agents Act 1995; and
Rail Safety National Law (South Australia) Act 2012.

PD Number	Officer Name
72152	Davey, Jarrod Peter
74755	Green, Michael James
74464	Kennedy, Philip John
74815	Patton, Jonathon Sean
74351	Rasche, Tate Max
74417	Roberts, Mark Graeme John
74652	Sandona, Nicolas Anthony
74415	Van Dongen, Shane

GARY T. BURNS, Commissioner of Police

ROAD TRAFFIC ACT 1961

Authorised Officers to Operate Breath Analysing Instruments

I, GARY T. BURNS, Commissioner of Police, do hereby certify that on 15 August 2013, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

Road Traffic Act 1961;
Harbors and Navigation Act 1993;
Security and Investigation Agents Act 1995; and
Rail Safety National Law (South Australia) Act 2012.

PD Number	Officer Name
74513	Conroy, Abbey Kate
76241	Dunn, Christine Leslie
72791	Hatwell, Gabrielle Helen
74574	Hirlam, Matthew John
75020	Johnson, Gary Paul
72591	Nielsen, Victoria Lynn
72775	O'Connor, Anthony John
74544	Pollard, Ryan Dennis
74816	Stevens, Nathan John
74581	Walker, Sandra Frances
72893	Wiggett, Ian Anthony

GARY T. BURNS, Commissioner of Police

SOUTH AUSTRALIA

Supreme Court Criminal Rules 2013 (Amendment No. 2)

BY virtue and in pursuance of Section 72 of the Supreme Court Act 1935, and all other enabling powers, We, Judges of the Supreme Court of South Australia, make the following Supreme Court Criminal Rules 2013 (Amendment No. 2).

1. These Rules may be cited as the ‘Supreme Court Criminal Rules 2013 (Amendment No. 2)’.

2. The Supreme Court Criminal Rules 2013 are amended as set out below.

3. This amendment will commence on 1 October 2013 or upon its gazettal, whichever is the later.

4. New Rules 37 and 38 are inserted as follows:

37—Recording Events in Court

1. Subject to this rule and to any contrary direction of the Court, the making of a record of persons, things, or events in court is not permitted.
2. Subrule (1) does not apply to Courts Administration Authority staff acting in the course of their office or employment.
3. Despite subrule (1):
 - (a) a party to a proceeding which is being heard by the Court, a legal practitioner, law clerk, student or a *bona fide* member of the media may make a handwritten or electronic note of persons, things or events in court; and
 - (b) a *bona fide* member of the media may make an audio recording of proceedings for the sole purpose of verifying notes and for no other purpose.
4. Any record made in court permitted by this Rule must:
 - (a) be made in a manner which does not interfere with court decorum, not be inconsistent with court functions, not impede the administration of justice, and not interfere with the proceedings;
 - (b) not interfere with the Court’s sound system or other technology; and
 - (c) not generate sound or require speaking into a device.
5. Any audio recording made by a member of the media under subrule (3) (b):
 - (a) must not record any private conversation occurring in court;
 - (b) must not be made available to any other person or used for any other purpose; and
 - (c) must be erased entirely within 48 hours of the recording.
6. For the purpose of this Rule, ‘record’ means a record by any means whatsoever, including by handwriting, other physical means, audio and/or visual recording or electronic record.

38—Electronic Communications to and from Court Rooms

1. Subject to this rule and to any contrary direction of the Court, communication by means of an electronic device to and from a court room during the conduct of proceedings is not permitted.
2. Subrule (1) does not apply to Courts Administration Authority staff acting in the course of their office or employment.

3. Despite subrule (1) and subject to subrules (4) and (5), a party to a proceeding which is being heard by the Court, a legal practitioner or a *bona fide* member of the media may communicate by means of an electronic device to and from a court room during the conduct of proceedings.
4. Any electronic communication permitted by this Rule must:
 - (a) be made in a manner which does not interfere with court decorum, not be inconsistent with court functions, not impede the administration of justice, and not interfere with the proceedings;
 - (b) not interfere with the Court's sound system or other technology; and
 - (c) not generate sound or require speaking into a device.
5. A communication of evidence adduced or a submission made in proceedings, whether in full or in part, must not be made until at least 15 minutes have elapsed since the evidence or submission in question, or until the Court has ruled on any application for suppression or objection made in relation to the evidence or submission within that period of 15 minutes, whichever occurs last.
6. For the purpose of this rule, 'electronic device' means any device capable of transmitting and/or receiving information, audio, video or other matter (including, cellular phones, computers, personal digital assistants, digital or analogue audio and/or visual cameras or similar devices).

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 29th day of July 2013.

(L.S.)

C. KOURAKIS, CJ
T. A. GRAY, J
J. R. SULAN, J
A. M. VANSTONE, J
T. R. ANDERSON, J
R. C. WHITE, J
M. DAVID, J
P. KELLY, J
D. H. PEEK, J
M. F. BLUE, J
T. L. STANLEY, J
K. G. NICHOLSON, J

SOUTH AUSTRALIA

Supreme Court Bail Review Rules 1985 (Amendment No. 4)

BY virtue and in pursuance of Section 72 of the Supreme Court Act 1935, and all other enabling powers, We, Judges of the Supreme Court of South Australia, make the following Supreme Court Bail Review Rules 1985 (Amendment No. 4).

1. These Rules may be cited as the ‘Supreme Court Bail Review Rules 1985 (Amendment No. 4)’.

2. The Supreme Court Bail Review Rules 1985 are amended as set out below.

3. These amendments are to come into effect on 1 October 2013, or upon their gazettal, whichever is the later.

4. New Rules 10B and 10C are inserted after Rule 10A as follows:

10B—Recording Events in Court

1. Subject to this rule and to any contrary direction of the Court, the making of a record of persons, things, or events in court is not permitted.
2. Subrule (1) does not apply to Courts Administration Authority staff acting in the course of their office or employment.
3. Despite subrule (1):
 - (a) a party to a proceeding which is being heard by the Court, a legal practitioner, law clerk, student or a *bona fide* member of the media may make a handwritten or electronic note of persons, things or events in court; and
 - (b) a *bona fide* member of the media may make an audio recording of proceedings for the sole purpose of verifying notes and for no other purpose.
4. Any record made in court permitted by this Rule must:
 - (a) be made in a manner which does not interfere with court decorum, not be inconsistent with court functions, not impede the administration of justice, and not interfere with the proceedings;
 - (b) not interfere with the Court’s sound system or other technology; and
 - (c) not generate sound or require speaking into a device.
5. Any audio recording made by a member of the media under subrule (3) (b):
 - (a) must not record any private conversation occurring in court;
 - (b) must not be made available to any other person or used for any other purpose; and
 - (c) must be erased entirely within 48 hours of the recording.
6. For the purpose of this Rule, ‘record’ means a record by any means whatsoever, including by handwriting, other physical means, audio and/or visual recording or electronic record.

10C—Electronic Communications to and from Court Rooms

1. Subject to this rule and to any contrary direction of the Court, communication by means of an electronic device to and from a court room during the conduct of proceedings is not permitted.
2. Subrule (1) does not apply to Courts Administration Authority staff acting in the course of their office or employment.

3. Despite subrule (1) and subject to subrules (4) and (5), a party to a proceeding which is being heard by the Court, a legal practitioner or a *bona fide* member of the media may communicate by means of an electronic device to and from a court room during the conduct of proceedings.
4. Any electronic communication permitted by this Rule must:
 - (a) be made in a manner which does not interfere with court decorum, not be inconsistent with court functions, not impede the administration of justice, and not interfere with the proceedings;
 - (b) not interfere with the Court's sound system or other technology; and
 - (c) not generate sound or require speaking into a device.
5. A communication of evidence adduced or a submission made in proceedings, whether in full or in part, must not be made until at least 15 minutes have elapsed since the evidence or submission in question, or until the Court has ruled on any application for suppression or objection made in relation to the evidence or submission within that period of 15 minutes, whichever occurs last.
6. For the purpose of this rule, 'electronic device' means any device capable of transmitting and/or receiving information, audio, video or other matter (including, cellular phones, computers, personal digital assistants, digital or analogue audio and/or visual cameras or similar devices).

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 29th day of July 2013.

(L.S.)

C. KOURAKIS, CJ
T. A. GRAY, J
J. R. SULAN, J
A. M. VANSTONE, J
T. R. ANDERSON, J
R. C. WHITE, J
M. DAVID, J
P. KELLY, J
D. H. PEEK, J
M. F. BLUE, J
T. L. STANLEY, J
K. G. NICHOLSON, J

SOUTH AUSTRALIA

Supreme Court Civil Rules 2006 (Amendment No. 23)

BY virtue and in pursuance of Section 72 of the Supreme Court Act 1935 and all other enabling powers, We, Judges of the Supreme Court of South Australia, make the following Supreme Court Civil Rules 2006 (Amendment No. 23).

1. These Rules may be cited as the Supreme Court Civil Rules 2006 (Amendment No. 23).
2. The Supreme Court Civil Rules 2006 are amended as set out below.
3. This amendment will commence 1 October 2013, or upon its gazettal, whichever is the later.
4. New Rules 9A and 9B are inserted as follows:

9A—Recording Events in Court

1. Subject to this rule and to any contrary direction of the Court, the making of a record of persons, things, or events in court is not permitted.
2. Subrule (1) does not apply to Courts Administration Authority staff acting in the course of their office or employment.
3. Despite subrule (1):
 - (a) a party to a proceeding which is being heard by the Court, a legal practitioner, law clerk, student or a *bona fide* member of the media may make a handwritten or electronic note of persons, things or events in court; and
 - (b) a *bona fide* member of the media may make an audio recording of proceedings for the sole purpose of verifying notes and for no other purpose.
4. Any record made in court permitted by this Rule must:
 - (a) be made in a manner which does not interfere with court decorum, not be inconsistent with court functions, not impede the administration of justice, and not interfere with the proceedings;
 - (b) not interfere with the Court's sound system or other technology; and
 - (c) not generate sound or require speaking into a device.
5. Any audio recording made by a member of the media under subrule (3) (b):
 - (a) must not record any private conversation occurring in court;
 - (b) must not be made available to any other person or used for any other purpose; and
 - (c) must be erased entirely within 48 hours of the recording.
6. For the purpose of this Rule, 'record' means a record by any means whatsoever, including by handwriting, other physical means, audio and/or visual recording or electronic record.

9B—Electronic Communications to and from Court Rooms

1. Subject to this rule and to any contrary direction of the Court, communication by means of an electronic device to and from a court room during the conduct of proceedings is not permitted.
2. Subrule (1) does not apply to Courts Administration Authority staff acting in the course of their office or employment.

3. Despite subrule (1) and subject to subrules (4) and (5), a party to a proceeding which is being heard by the Court, a legal practitioner or a *bona fide* member of the media may communicate by means of an electronic device to and from a court room during the conduct of proceedings.
4. Any electronic communication permitted by this Rule must:
 - (a) be made in a manner which does not interfere with court decorum, not be inconsistent with court functions, not impede the administration of justice, and not interfere with the proceedings;
 - (b) not interfere with the Court's sound system or other technology; and
 - (c) not generate sound or require speaking into a device.
5. A communication of evidence adduced or a submission made in proceedings, whether in full or in part, must not be made until at least 15 minutes have elapsed since the evidence or submission in question, or until the Court has ruled on any application for suppression or objection made in relation to the evidence or submission within that period of 15 minutes, whichever occurs last.
6. For the purpose of this rule, 'electronic device' means any device capable of transmitting and/or receiving information, audio, video or other matter (including, cellular phones, computers, personal digital assistants, digital or analogue audio and/or visual cameras or similar devices).

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 29th day of July 2013.

(L.S.)

C. KOURAKIS, CJ
T. A. GRAY, J
J. R. SULAN, J
A. M. VANSTONE, J
T. R. ANDERSON, J
R. C. WHITE, J
M. DAVID, J
P. KELLY, J
D. H. PEEK, J
M. F. BLUE, J
T. L. STANLEY, J
K. G. NICHOLSON, J

SOUTH AUSTRALIA

Supreme Court Criminal Appeal Rules 1996 (Amendment No. 5)

BY virtue and in pursuance of Section 72 of the Supreme Court Act 1935, and all other enabling powers, We, Judges of the Supreme Court of South Australia, make the following Supreme Court Criminal Appeal Rules 1996 (Amendment No. 5).

1. These Rules may be cited as the ‘Supreme Court Criminal Appeal Rules 1996 (Amendment No. 5)’.

2. The Supreme Court Criminal Appeal Rules 1996 are amended as set out below.

3. These amendments are to come into effect on 1 October 2013, or upon their gazettal, whichever is the later.

4. Rule 4A is deleted and the following new rule inserted in its place:

‘4A (1) Subject to subrule (2), a notice of appeal or notice of application for permission to appeal to the Full Court for which a time for filing or commencement is not fixed by an Act or Rule must be filed in the Registry within 21 days of the date of the conviction, sentence, order or decision which is the subject of the appeal or application.

(2) A notice of appeal by the Director of Public Prosecutions under s 352 (2) of the Act must be filed within seven days of the grant to the defendant of permission to appeal under s 352 (1) (a) (iii).’

5. Rule 5 is amended by deleting subrule (7) and inserting the following new subrule in its place:

‘(7) An appeal by the Director of Public Prosecutions under s 352 (2) of the Act and an application for permission to appeal by the Director under s 352 (1) (a) (iii) of the Act, including an application for an extension of time within which to appeal or to seek such permission, is to be by notice in Form No 2.’

6. New Rules 22 and 23 are inserted as follows:

22—Recording Events in Court

1. Subject to this rule and to any contrary order of the Court, the making of a record of persons, things, or events in court is not permitted.
2. Subrule (1) does not apply to Courts Administration Authority staff acting in the course of their office or employment.
3. Despite subrule (1):
 - (a) a party to a proceeding which is being heard by the Court, a legal practitioner, law clerk, student or a *bona fide* member of the media may make a handwritten or electronic note of persons, things or events in court; and
 - (b) a *bona fide* member of the media may make an audio recording of proceedings for the sole purpose of verifying notes and for no other purpose.
4. Any record made in court permitted by this Rule must:
 - (a) be made in a manner which does not interfere with court decorum, not be inconsistent with court functions, not impede the administration of justice, and not interfere with the proceedings;
 - (b) not interfere with the Court’s sound system or other technology; and
 - (c) not generate sound or require speaking into a device.

5. Any audio recording made by a member of the media under subrule (3) (b):
 - (a) must not record any private conversation occurring in court;
 - (b) must not be made available to any other person or used for any other purpose; and
 - (c) must be erased entirely within 48 hours of the recording.
6. For the purpose of this Rule, 'record' means a record by any means whatsoever, including by handwriting, other physical means, audio and/or visual recording or electronic record.

23—Electronic Communications to and from Court Rooms

1. Subject to this rule and to any contrary order of the Court, communication by means of an electronic device to and from a court room during the conduct of proceedings is not permitted.
2. Subrule (1) does not apply to Courts Administration Authority staff acting in the course of their office or employment.
3. Despite subrule (1) and subject to subrules (4) and (5), a party to a proceeding which is being heard by the Court, a legal practitioner or a *bona fide* member of the media may communicate by means of an electronic device to and from a court room during the conduct of proceedings.
4. Any electronic communication permitted by this Rule must:
 - (a) be made in a manner which does not interfere with court decorum, not be inconsistent with court functions, not impede the administration of justice, and not interfere with the proceedings;
 - (b) not interfere with the Court's sound system or other technology; and
 - (c) not generate sound or require speaking into a device.
5. A communication of evidence adduced or a submission made in proceedings, whether in full or in part, must not be made until at least 15 minutes have elapsed since the evidence or submission in question, or until the Court has ruled on any application for suppression or objection made in relation to the evidence or submission within that period of 15 minutes, whichever occurs last.
6. For the purpose of this rule, 'electronic device' means any device capable of transmitting and/or receiving information, audio, video or other matter (including, cellular phones, computers, personal digital assistants, digital or analogue audio and/or visual cameras or similar devices).
7. Form No. 2 is deleted and the following new form inserted in its place:

‘FORM NO. 2

South Australia

Criminal Law Consolidation Act, 1935

In the Supreme Court

SCCRM-.....-.....

R v.....

Notice of Appeal/Notice of Application for Permission to Appeal Against Sentence by the Director of Public Prosecutions

- 1. The Director of Public Prosecutions appeals to the Full Court/applies to the Full Court for permission to appeal (delete whichever is inapplicable) against the sentence pronounced by in the Court on the day of 20..... upon (name of defendant).
2. Particulars of the said sentence are:
3. The grounds of appeal/the grounds upon which permission to appeal (delete whichever is inapplicable) are:
4. If an extension of time to appeal or within which to seek permission to appeal is required, the grounds upon which the extension is sought are:
5. (a) the last known address of the defendant is:
(b) the name and address of the solicitor acting for the defendant is:

Dated the day of 20

Director of Public Prosecutions'

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 29th day of July 2013.

- (L.S.) C. KOURAKIS, CJ
T. A. GRAY, J
J. R. SULAN, J
A. M. VANSTONE, J
T. R. ANDERSON, J
R. C. WHITE, J
M. DAVID, J
P. KELLY, J
D. H. PEEK, J
M. F. BLUE, J
T. L. STANLEY, J
K. G. NICHOLSON, J

SOUTH AUSTRALIA

Supreme Court Independent Commissioner Against Corruption Act Rules 2013

1. *Short title*

These Rules may be cited as the Supreme Court Independent Commissioner Against Corruption Act Rules 2013.

2. *Commencement*

These Rules will come into operation on 1 September 2013, or upon their gazettal, whichever is the later.

3. *Interpretation*

In these Rules—

the Act means the Independent Commissioner Against Corruption Act 2012 (SA);

the Commissioner means the Independent Commissioner Against Corruption;

examiner has the same meaning as ‘examiner’ in Schedule 2, Clause 1 of the Act.

4. *Applications under s 31 (2) for the issue of a search warrant*

(1) An application under s 31 (2) of the Act for the issue of a search warrant is to be made using Form 1 to these Rules and must be accompanied by the affidavit required by s 31 (5) (b) of the Act and by two copies of the proposed warrant, together with the number of copies which will be needed for service.

(2) An applicant is not to file the application, the supporting affidavit and the copies of the proposed warrant in the Registry but is instead to notify the Registrar orally that an application is to be made.

(3) Upon receiving notification that an application is to be made, the Registrar will appoint a time for the hearing of the application by a judge and will make arrangements with the applicant for the delivery to the judge in advance of the hearing of the application, the supporting affidavit and the copies of the proposed warrant.

(4) When a warrant is issued, the judge will arrange for the seal of the Court to be affixed to it, and will provide copies of the sealed warrant to the applicant.

(5) At the conclusion of the hearing, the application, the affidavit in support, a copy of the warrant as issued, and any other documents relating to the application will be placed in an envelope which the applicant is to provide and which will be sealed and marked by the judge ‘Not to be opened without the permission of a judge’.

5. *Applications by email or fax under s 31 (4) of the Act for the issue of a search warrant*

(1) If an application is to be made under s 31 (4) of the Act by email or fax:

(a) the applicant must first notify the Registrar in order to ascertain an email address or a fax number to which the documents may be sent and the Registrar will then arrange for a judge to consider the application;

(b) the application must be made using Form 1 and must in addition state the circumstances giving rise to the urgency of the application;

(c) the application must be accompanied by an affidavit of the applicant verifying the facts referred to in the application and a copy of the proposed warrant;

(d) the applicant must be available to speak to the judge by telephone and to provide such further information as may be required by the judge; and

(e) the judge may require the applicant to provide a further affidavit deposing to the additional information but may issue the warrant on the applicant’s undertaking to provide that affidavit.

- (2) If satisfied as to the circumstances of urgency and that it is appropriate to issue the search warrant, the judge will sign the warrant, indicate on the warrant the date and time on which the warrant is issued, arrange for the Court seal to be affixed to the warrant and forward a copy of the warrant to the applicant by email or fax.
 - (3) If the applicant has undertaken to provide a further affidavit, the applicant must, as soon as practicable after the issue of the warrant, deliver to the judge an affidavit verifying the additional information.
 - (4) After the issue of the warrant, the application, the affidavit in support, an original of the warrant and any other documents relating to the application will be placed in an envelope which will be sealed and marked by the judge 'Not to be opened without the permission of a judge'.
6. *Applications by telephone under s 31 (4) of the Act for the issue of a search warrant*
- (1) If an application is to be made under s 31 (4) of the Act by telephone:
 - (a) the applicant should in the first instance, and whether within or outside normal business hours, contact the Registrar and the Registrar will appoint a time for the hearing of the application by a judge as soon as practicable;
 - (b) before making the application, the applicant must prepare an affidavit deposing to the grounds on which the issue of the warrant is sought but may, if it is necessary to do so, make the application before the affidavit has been sworn or affirmed;
 - (c) the applicant must inform the judge of the applicant's name and position;
 - (d) the applicant must inform the judge of the purpose for which the search warrant is required, the grounds on which it is sought and the circumstances giving rise to the urgency of the application; and
 - (e) the applicant must, either before or while speaking to the judge, provide the proposed terms of the warrant.
 - (2) If satisfied as to the circumstances of urgency and that it is appropriate to issue the warrant, the judge will inform the applicant of the facts on which the judge relies as grounds for the issue of the warrant, but will not issue the warrant unless the applicant first undertakes to provide an affidavit verifying those facts.
 - (3) If the applicant gives such an undertaking, the judge may then make out and sign a warrant, indicating the date and time at which the warrant was issued.
 - (4) The judge will inform the applicant of the terms of the warrant and the date and time at which it was issued.
 - (5) The applicant must fill out and sign a warrant form (the duplicate warrant) which includes:
 - (a) the name of the judge who issued the original;
 - (b) the terms of the warrant as stated by the judge; and
 - (c) the date and time at which the warrant was issued.
 - (6) The applicant must, as soon as practicable after the issue of the warrant, deliver to the judge an affidavit verifying the facts referred to in subrule (2) and a copy of the duplicate warrant.
 - (7) The documents referred to in subrule (6) should be contained in a sealed envelope marked 'To be opened only by Justice?'
 - (8) If the judge is satisfied with the documents provided under subrule (6), the judge will cause the affidavit, copy duplicate, warrant and any other documents relating to the application to be placed in an envelope which will be sealed and marked by the judge 'Not to be opened without the permission of a judge'.
7. *Retention of documents in a secure repository*
- The sealed envelopes referred to in Rules 4 (6), 5 (4), and 6 (8):
- (a) are to be kept in a secure repository by the Registrar for the period written on the face of the envelope by the Judge who heard the application; and
 - (b) are not to be opened except by, and in accordance with, an order of a judge of the Court.

8. *Applications under Clause 9, Schedule 2 for the issue of a warrant of arrest*

- (1) An application under Clause 9 of Schedule 2 of the Act for the issue of a warrant of arrest is to:
 - (a) be in the form of Form 2;
 - (b) name as the respondent to the application the person in respect of whom the warrant is sought;
 - (c) be accompanied by an affidavit in which the examiner deposes in detail to the circumstances relied upon for the issue of the warrant; and
 - (d) be accompanied by two copies of the proposed warrant.
- (2) If the examiner intends that the application be heard and determined without notice to the person, the examiner is not to file the application, the supporting affidavit and the copies of the proposed warrant in the Registry but is instead to notify the Registrar orally that an application is to be made.
- (3) Upon receiving notification that an application is to be made, the Registrar will appoint a time for the hearing of the application by a judge and will make arrangements with the applicant for the delivery to the judge in advance of the hearing of the application the supporting affidavit and the copies of the proposed warrant.
- (4) At the hearing of the application, the judge may:
 - (a) issue the warrant, arrange for the seal of the Court to be affixed to it and provide a copy of the warrant to the applicant; or
 - (b) make orders as to the filing and service of the application and affidavit; and, in each case;
 - (c) make such orders as are necessary to ensure the confidentiality of the proceedings, the application, the affidavit, the order and any other documents relating to the application.
- (5) Applications under Clause 9 of Schedule 2 to the Act to which subrules (2), (3) and (4) do not apply are to be filed and served upon the respondent.
- (6) The Court will fix a date and time for the hearing of applications to which subrule (5) applies at the time of filing and such date and time is to be endorsed on the copy of the application served on the respondent.

9. *Provision of Warrants*

A person executing a warrant issued under these Rules must, unless it is not reasonably practical to do so, show the warrant to the occupier of a place, or the owner or driver of a vehicle, to which the warrant applies and, on request, provide a copy of the warrant to that occupier, owner or driver as the case may be.

10. *Contempt applications*

- (1) An application by an examiner under Clause 13 in Schedule 2 of the Act for a person to be dealt with in relation to a contempt of the Commissioner is to be commenced by a summons under Rule 34 of the Supreme Court Civil Rules 2006.
- (2) A summons under subrule (1) must be accompanied by:
 - (a) an application for directions under Rule 131 of the Supreme Court Civil Rules 2006;
 - (b) an affidavit of the examiner in which the examiner:
 - (i) exhibits the certificate to which Clause 13 (3) in Schedule 2 of the Act refers;
 - (ii) deposes to his or her belief in the accuracy of the grounds on which the application is made, as stated in the certificate, and in the truth of the evidence relied upon in support of the application, as stated in the certificate.
- (3) If the application is in respect of a person who has been detained under Clause 15 of Schedule 2 of the Act, the examiner is:
 - (a) to include an endorsement on the summons to that effect;

- (b) to request, at the time of filing of the summons, that the summons be listed before a judge as a matter of urgency for directions under Clause 15 of Schedule 2 of the Act.
 - (4) At the hearing of the application for directions filed under subrule (2), the Court will give directions as to the conduct of the application.
 - (5) An examiner may withdraw an application under this rule by filing a notice of discontinuance.
- 11. *Applications for surrender of passports*
 - (1) An application by an examiner under Clause 18 of Schedule 2 of the Act for an order that a person appear before a judge to show cause why he or she should not be ordered to deliver his or her passport or passports to the examiner is to be made by a summons under Rule 34 of the Supreme Court Civil Rules 2006.
 - (2) The summons under subrule (1) must be accompanied by:
 - (a) an application for directions;
 - (b) an affidavit of the examiner in which the examiner deposes to the grounds of the application.
 - (3) The summons, application for directions and supporting affidavit need not be served on any person before the first hearing of the application for directions, and the application may be heard without notice to any other person.
 - (4) Subject to any contrary order or direction of the judge, on the first hearing of the application for directions, the Court will consider whether to make an order requiring the person to appear before a judge of the Court to show cause why he or she should not be ordered to deliver the passport or passports to the examiner, and will give directions as to the conduct of the application as the Court thinks fit.
 - (5) An order under Clause 18 (1) of Schedule 2 of the Act requiring a person to show cause why he or she should not be ordered to deliver his or her passport or passports to the examiner will be in Form 3 to these Rules.

FORM 1

Rules 4 and 5

APPLICATION FOR A SEARCH WARRANT

Independent Commissioner Against Corruption Act 2012, s 31

Applicant's name *[in full]*

- 1. I am an investigator appointed under s 14 of the Independent Commissioner Against Corruption Act 2012 (SA) (the Act).
- 2. I apply for the issue of a warrant under s 31 of the Act for the purposes of the investigation by the Independent Commissioner Against Corruption into

.....

[insert details of the investigation by the Commissioner including details of the matters indicating that the investigation concerns a potential issue of corruption in public administration]

- 2. I apply for a warrant authorising the investigation and search of

[insert details of the private place or private vehicle in respect of which the issue of the warrant is sought]

and seek to be able to exercise the warrant during the following hours of the day or night...../at any time of the day or night *[delete whichever is inapplicable]*

- 3. I apply for the warrant on the following grounds:

[set out in detail the grounds upon which it is said that the warrant is reasonably required for the purposes of the investigation]

- 4. The grounds of the application are verified in my accompanying affidavit.
 - 5. The circumstances of urgency making it appropriate for the application to be made by email or fax are
- [to be completed only in relation to applications made by email or fax under s 31(4) of the Act]*

- 6. I propose that the Court should retain the application, accompanying affidavit and all documents associated with this application for a period of at leastyears before destroying them.

Signature of applicant:

Address and contact details of applicant:

.....

Dated theday of 20

FORM 2

Rule 8

APPLICATION FOR A WARRANT OF ARREST

Independent Commissioner Against Corruption Act 2012, cl 9 of Sch 2

Supreme Court of South Australia Applicant

No of 20 Respondent

Applicant's name [in full]

- 1. I am an examiner appointed under s 14 of the Independent Commissioner Against Corruption Act 2012 (SA) (the Act).
- 2. I apply under Clause 9 of Schedule 2 of the Act for the issue of a warrant for the apprehension of [insert full name and address of the person who is to be the subject of the warrant]

.....
.....

- 3. I make the application on the following grounds:

.....
.....
[set out in detail the grounds upon which the warrant is sought]

- 4. The grounds of the application are verified in my accompanying affidavit.
- 5. The above application will be heard by a judge in chambers at the Supreme Court, Victoria Square, Adelaide atam/pm, on

[date], [month], [year]

Signature of applicant:

Address and contact details of applicant:

.....

Dated theday of 20

FORM 3

Rule 11

ORDER TO SHOW CAUSE

Independent Commissioner Against Corruption Act 2012, cl 18 of Sch 2

Supreme Court of South Australia

Noof 20.....

Applicant

Respondent.....

ORDER

Judge

Date of order :

To: [*insert name and address of the respondent*]

The Court orders that you appear before the Supreme Court of South Australia at the time and place stated below to show cause why you should not be ordered under Clause 18 of Schedule 2 of the Independent Commissioner Against Corruption Act 2012 to deliver your passport or passports to the applicant.

The grounds upon which you are required to show cause are set out in the summons and affidavit of the applicant which accompany this order.

You must file a notice of address for service in accordance with Rule 59 of the Supreme Court Civil Rules 2006 in the Registry before attending Court.

Time and date for hearing:

Place:

Signed

Dated theday of 20

GIVEN under our hands and the Seal of the Supreme Court of South Australia this 29th day of July 2013.

(L.S.)

- C. KOURAKIS, CJ
- T. A. GRAY, J
- J. R. SULAN, J
- A. M. VANSTONE, J
- T. R. ANDERSON, J
- R. C. WHITE, J
- M. DAVID, J
- P. KELLY, J
- D. H. PEEK, J
- M. F. BLUE, J
- T. L. STANLEY, J
- K. G. NICHOLSON, J

TAFE SA ACT 2012

Declaration pursuant to Section 21 (7)

I, GRACE PORTOLESI, Minister for Employment, Higher Education and Skills, declare, pursuant to Section 21 (7) of the TAFE SA Act 2012, the logos appearing in the schedule below to be logos in respect of TAFE SA.

SCHEDULE

The logo for TAFE SA, featuring the word "tafesA" in a bold, lowercase sans-serif font. Above the letters "e" and "s" are three overlapping circles of varying sizes, arranged in a slight arc.

Government of
South Australia

The TAFE SA logo with the text "tafesA" and three circles in black on a white background.The Government of South Australia seal in black on a white background.

Government of
South Australia



Dated 16 August 2013.

GRACE PORTOLESI, Minister for Employment, Higher Education and Skills

[REPUBLISHED]

IN *Government Gazette* No. 51 dated 15 August 2013, page 3494, a Notice was printed with errors and *should* be replaced with the following:

TRAINING AND SKILLS DEVELOPMENT ACT 2008

Part 4—Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following Trades or Declared Vocations in addition to the *Gazette* notices of:

- | | | | |
|-----------------------|----------------------|-----------------------|-----------------------|
| 1. 25 September 2008 | 2. 23 October 2008 | 3. 13 November 2008 | 4. 4 December 2008 |
| 5. 18 December 2008 | 6. 29 January 2009 | 7. 12 February 2009 | 8. 5 March 2009 |
| 9. 12 March 2009 | 10. 26 March 2009 | 11. 30 April 2009 | 12. 18 June 2009 |
| 13. 25 June 2009 | 14. 27 August 2009 | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009 | 18. 22 October 2009 | 19. 3 December 2009 | 20. 17 December 2009 |
| 21. 4 February 2010 | 22. 11 February 2010 | 23. 18 February 2010 | 24. 18 March 2010 |
| 25. 8 April 2010 | 26. 6 May 2010 | 27. 20 May 2010 | 28. 3 June 2010 |
| 29. 17 June 2010 | 30. 24 June 2010 | 31. 8 July 2010 | 32. 9 September 2010 |
| 33. 23 September 2010 | 34. 4 November 2010 | 35. 25 November 2010 | 36. 16 December 2010 |
| 37. 23 December 2010 | 38. 17 March 2011 | 39. 7 April 2011 | 40. 21 April 2011 |
| 41. 19 May 2011 | 42. 30 June 2011 | 43. 21 July 2011 | 44. 8 September 2011 |
| 45. 10 November 2011 | 46. 24 November 2011 | 47. 1 December 2011 | 48. 8 December 2011 |
| 49. 16 December 2011 | 50. 22 December 2011 | 51. 5 January 2012 | 52. 19 January 2012 |
| 53. 1 March 2012 | 54. 29 March 2012 | 55. 24 May 2012 | 56. 31 May 2012 |
| 57. 7 June 2012 | 58. 14 June 2012 | 59. 21 June 2012 | 60. 28 June 2012 |
| 61. 5 July 2012 | 62. 12 July 2012 | 63. 19 July 2012 | 64. 2 August 2012 |
| 65. 9 August 2012 | 66. 30 August 2012 | 67. 13 September 2012 | 68. 4 October 2012 |
| 69. 18 October 2012 | 70. 25 October 2012 | 71. 8 November 2012 | 72. 29 November 2012 |
| 73. 13 December 2012 | 74. 25 January 2013 | 75. 14 February 2013 | 76. 21 February 2013 |
| 77. 28 February 2013 | 78. 7 March 2013 | 79. 14 March 2013 | 80. 21 March 2013 |
| 81. 28 March 2013 | 82. 26 April 2013 | 83. 23 May 2013 | 84. 30 May 2013 |
| 85. 13 June 2013 | 86. 20 June 2013 | 87. 11 July 2013 | 88. 1 August 2013 |
| 89. 8 August 2013 | | | |

Trades or Declared Vocations and Required Qualifications and Training Contract Conditions for the Public Safety Training Package PUA12 v1

*Trade/ #Declared Vocation/ Other Occupation	Code	Title	Nominal Term of Training Contract	Probationary Period
# Firefighter and Emergency Operator	PUA20613	Certificate II in Public Safety (Firefighting and Emergency Operations)	12 months	1 month
# Firefighter and Emergency Operator	PUA30613	Certificate III in Public Safety (Firefighting and Emergency Operations)	36 months	3 months
# Emergency Communications Centre Operator	PUA33012	Certificate III in Public Safety (Emergency Communications Centre Operations)	12 months	1 month
# Firefighting Supervisor	PUA40313	Certificate IV in Public Safety (Firefighting Supervision)	48 months	3 months
# Emergency Communications Centre Supervisor	PUA42712	Certificate IV in Public Safety (Emergency Communications Centre Operations)	12 months	1 month

*Trade/ #Declared Vocation/ Other Occupation	Code	Title	Nominal Term of Training Contract	Probationary Period
# Firefighting Manager	PUA50513	Diploma of Public Safety (Firefighting Management)	48 months	3 months

TRAINING AND SKILLS DEVELOPMENT ACT 2008

Part 4—Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following Trades or Declared Vocations in addition to the *Gazette* notices of:

- | | | | |
|-----------------------|----------------------|-----------------------|-----------------------|
| 1. 25 September 2008 | 2. 23 October 2008 | 3. 13 November 2008 | 4. 4 December 2008 |
| 5. 18 December 2008 | 6. 29 January 2009 | 7. 12 February 2009 | 8. 5 March 2009 |
| 9. 12 March 2009 | 10. 26 March 2009 | 11. 30 April 2009 | 12. 18 June 2009 |
| 13. 25 June 2009 | 14. 27 August 2009 | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009 | 18. 22 October 2009 | 19. 3 December 2009 | 20. 17 December 2009 |
| 21. 4 February 2010 | 22. 11 February 2010 | 23. 18 February 2010 | 24. 18 March 2010 |
| 25. 8 April 2010 | 26. 6 May 2010 | 27. 20 May 2010 | 28. 3 June 2010 |
| 29. 17 June 2010 | 30. 24 June 2010 | 31. 8 July 2010 | 32. 9 September 2010 |
| 33. 23 September 2010 | 34. 4 November 2010 | 35. 25 November 2010 | 36. 16 December 2010 |
| 37. 23 December 2010 | 38. 17 March 2011 | 39. 7 April 2011 | 40. 21 April 2011 |
| 41. 19 May 2011 | 42. 30 June 2011 | 43. 21 July 2011 | 44. 8 September 2011 |
| 45. 10 November 2011 | 46. 24 November 2011 | 47. 1 December 2011 | 48. 8 December 2011 |
| 49. 16 December 2011 | 50. 22 December 2011 | 51. 5 January 2012 | 52. 19 January 2012 |
| 53. 1 March 2012 | 54. 29 March 2012 | 55. 24 May 2012 | 56. 31 May 2012 |
| 57. 7 June 2012 | 58. 14 June 2012 | 59. 21 June 2012 | 60. 28 June 2012 |
| 61. 5 July 2012 | 62. 12 July 2012 | 63. 19 July 2012 | 64. 2 August 2012 |
| 65. 9 August 2012 | 66. 30 August 2012 | 67. 13 September 2012 | 68. 4 October 2012 |
| 69. 18 October 2012 | 70. 25 October 2012 | 71. 8 November 2012 | 72. 29 November 2012 |
| 73. 13 December 2012 | 74. 25 January 2013 | 75. 14 February 2013 | 76. 21 February 2013 |
| 77. 28 February 2013 | 78. 7 March 2013 | 79. 14 March 2013 | 80. 21 March 2013 |
| 81. 28 March 2013 | 82. 26 April 2013 | 83. 23 May 2013 | 84. 30 May 2013 |
| 85. 13 June 2013 | 86. 20 June 2013 | 87. 11 July 2013 | 88. 1 August 2013 |
| 89. 8 August 2013 | 90. 15 August 2013 | | |

Trades or Declared Vocations and Required Qualifications and Training Contract Conditions for the Metal and Engineering Training Package MEM05 v9

*Trade/ #Declared Vocation/ Other Occupation	Code	Title	Nominal Term of Training Contract	Probationary Period
# Engineering Technician Level V	MEM50212	Diploma of Engineering - Technical	24 months	2 months

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2013

	\$		\$
Agents, Ceasing to Act as.....	48.50	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	32.25
Incorporation	24.50	Discontinuance Place of Business.....	32.25
Intention of Incorporation	61.00	Land—Real Property Act:	
Transfer of Properties	61.00	Intention to Sell, Notice of.....	61.00
Attorney, Appointment of.....	48.50	Lost Certificate of Title Notices	61.00
Bailiff's Sale.....	61.00	Cancellation, Notice of (Strata Plan)	61.00
Cemetery Curator Appointed.....	35.75	Mortgages:	
Companies:		Caveat Lodgement	24.50
Alteration to Constitution	48.50	Discharge of.....	25.75
Capital, Increase or Decrease of	61.00	Foreclosures.....	24.50
Ceasing to Carry on Business	35.75	Transfer of	24.50
Declaration of Dividend.....	35.75	Sublet.....	12.40
Incorporation	48.50	Leases—Application for Transfer (2 insertions) each	12.40
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each	35.75
First Name.....	35.75	Licensing.....	71.50
Each Subsequent Name.....	12.40	Municipal or District Councils:	
Meeting Final.....	40.50	Annual Financial Statement—Forms 1 and 2	677.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	481.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	96.50
First Name.....	48.50	Each Subsequent Name.....	12.40
Each Subsequent Name	12.40	Noxious Trade	35.75
Notices:		Partnership, Dissolution of	35.75
Call.....	61.00	Petitions (small).....	24.50
Change of Name.....	24.50	Registered Building Societies (from Registrar-General)	24.50
Creditors.....	48.50	Register of Unclaimed Moneys—First Name	35.75
Creditors Compromise of Arrangement	48.50	Each Subsequent Name	12.40
Creditors (extraordinary resolution that 'the Company		Registers of Members—Three pages and over:	
be wound up voluntarily and that a liquidator be		Rate per page (in 8pt)	308.00
appointed')	61.00	Rate per page (in 6pt)	407.00
Release of Liquidator—Application—Large Ad	96.50	Sale of Land by Public Auction.....	61.50
—Release Granted.....	61.00	Advertisements.....	3.40
Receiver and Manager Appointed.....	55.50	¼ page advertisement	143.00
Receiver and Manager Ceasing to Act.....	48.50	½ page advertisement	287.00
Restored Name.....	45.25	Full page advertisement.....	562.00
Petition to Supreme Court for Winding Up.....	84.00	Advertisements, other than those listed are charged at \$3.40 per	
Summons in Action.....	71.50	column line, tabular one-third extra.	
Order of Supreme Court for Winding Up Action	48.50	Notices by Colleges, Universities, Corporations and District	
Register of Interests—Section 84 (1) Exempt	108.00	Councils to be charged at \$3.40 per line.	
Removal of Office.....	24.50	Where the notice inserted varies significantly in length from	
Proof of Debts.....	48.50	that which is usually published a charge of \$3.40 per column line	
Sales of Shares and Forfeiture.....	48.50	will be applied in lieu of advertisement rates listed.	
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Assigned	35.75	condition that they will not be reproduced without prior	
Deceased Persons—Notice to Creditors, etc.	61.00	permission from the Government Printer.	
Each Subsequent Name	12.40		
Deceased Persons—Closed Estates.....	35.75		
Each Subsequent Estate.....	1.60		
Probate, Selling of	48.50		
Public Trustee, each Estate	12.40		

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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**.

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Acts, Bills, Rules, Parliamentary Papers and Regulations					
Pages	Main	Amends	Pages	Main	Amends
1-16	3.00	1.40	497-512	41.00	40.00
17-32	3.90	2.45	513-528	42.00	40.75
33-48	5.15	3.65	529-544	43.50	42.00
49-64	6.50	5.00	545-560	44.75	43.50
65-80	7.55	6.30	561-576	45.75	44.75
81-96	8.80	7.30	577-592	47.50	45.25
97-112	10.00	8.60	593-608	48.75	46.75
113-128	11.20	9.90	609-624	49.50	48.50
129-144	12.60	11.10	625-640	50.50	49.00
145-160	13.80	12.40	641-656	52.00	50.50
161-176	15.00	13.60	657-672	53.00	51.00
177-192	16.40	14.80	673-688	54.50	53.00
193-208	17.60	16.30	689-704	55.50	53.50
209-224	18.60	17.20	705-720	57.00	55.00
225-240	19.90	18.40	721-736	58.50	56.00
241-257	21.40	19.50	737-752	59.00	57.50
258-272	22.60	20.60	753-768	61.00	58.50
273-288	23.70	22.40	769-784	62.00	61.00
289-304	24.80	23.30	785-800	63.00	62.00
305-320	26.25	24.70	801-816	64.50	62.50
321-336	27.25	25.75	817-832	65.50	64.50
337-352	28.75	27.00	833-848	67.00	65.50
353-368	29.50	28.50	849-864	68.00	66.50
369-384	31.25	29.50	865-880	69.50	68.00
385-400	32.50	31.00	881-896	70.00	68.50
401-416	33.75	32.00	897-912	71.50	70.00
417-432	35.00	33.50	913-928	72.00	71.50
433-448	36.00	34.75	929-944	73.50	72.00
449-464	37.00	35.50	945-960	74.50	73.00
465-480	37.50	36.75	961-976	78.00	74.00
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SURVEY ACT 1992

Register of Surveyors

IT is hereby notified for general information that the names of the undermentioned persons are duly registered or licensed under the above Act.

List of Licensed Surveyors to 1 July 2013

Name	Address	Date of Licence
Abbott, Richard Poole	366 Halifax Street, Adelaide, S.A. 5000	30.3.78
Afnan, Ruhi	19 Dunn Street, Bridgewater, S.A. 5155	9.4.92
NP Allen, Scott Lewis	16 Claxton Street Adelaide, S.A. 5000.....	8.5.86
Anderson, Ralph Ian	78 Twentieth Street, Renmark, S.A. 5341	10.5.90
Andrew, Robert Lindsay	29 Fowler Street, Seaview Downs, S.A. 5049.....	23.10.74
Andrews, Richard George	P.O. Box 113, Parndana, S.A. 5220	19.6.80
Arnold, Timothy	9A Brolga Place, Sturt, S.A. 5047.....	9.12.10
Aslanidis, Nicholas Peter	12 Powell Street, Gilles Plains, S.A. 5086.....	20.9.12
Bacchus, Scott John	33 Turners Avenue, Hawthorndene, S.A. 5051	3.8.06
NP Banks, Alan David	33 Carlisle Road, Westbourne Park, S.A. 5041	11.10.90
Barnes, Lyall Bruce	7 Boronia Court, Paradise, S.A. 5075.....	14.4.94
Barwick, Craig	P.O. Box 1000, Kent Town, S.A. 5071	15.11.01
Barrington, Mettina Elizabeth Grace	11 King William Street, Kent Town, S.A. 5067.....	15.5.08
Bennett, Mark Nicholas	10A Brook Street, Torrens Park, S.A. 5062	18.11.04
Bested, Antony John	23 Gurney Road, Dulwich, S.A. 5065	1.1.92
Bested, John Charles	362 Magill Road, Kensington Park, S.A. 5068.....	16.3.67
Bevan, Matthew John	P.O. Box 80, Oaklands Park, S.A. 5046.....	21.2.13
Bleeze, Denis Robert	18 Range Road South, Houghton, S.A. 5131	16.7.81
Blok, Timothy	5 Seventh Avenue, Hove, S.A. 5048	13.9.90
Blundell, Marc John Pole	8 Belmont Close, Clovelly Park, S.A. 5042	17.7.03
Brinkley, Peter James	38 Bricknell Street, Magill, S.A. 5072	19.8.10
Brogden, Damian John	19 Joanna Street, Largs Bay, S.A. 5016	13.7.89
Bryant, Warwick Kelvin	2/141 Mitchell Street, Larrakeyah, N.T. 0820	28.10.05
Burdett, Michael Paul	P.O. Box 1000, Kent Town, S.A. 5071	12.8.82
Burford, Rodney Neil	P.O. Box 67, Unley, S.A. 5061	13.1.76
Burgess, Gregory Stephen	76 Hutchinson Street, Mount Barker, S.A. 5251	6.7.95
Burgess, Kevin Trevor	46 Second Avenue, St Peters, S.A. 5069	8.7.82
Cameron, Donald Roderick	36 Devines Road, Glenarchy, Tas. 7010	14.5.92
Cameron, Michael Leigh	45 Helen Street, Mount Gambier, S.A. 5290.....	20.4.06
Campbell, John Robert	15-17 Currie Street, Nambour Qld 4560	19.6.03
Carn, Brenton Allen	16 Chester Street, Henley Beach, S.A. 5022	19.9.96
Castelanelli, Carmelo	62 Carlton Parade, Torrensville, S.A. 5031	11.3.93
Cavallo, Rocco	77 East Avenue, Clarence Park, S.A. 5034	13.9.90
Christie, Brenton Andrew	4 Topaz Court, Hope Valley, S.A. 5090.....	21.7.05
Clarke, Matthew James	39 Fuller Street, Parkside, S.A. 5063.....	19.11.09
Cooke, Geoffrey Bernard	3 Clifton Court, Stonyfell, S.A. 5066	15.7.76
Cooper, Daniel Charles	19 Belmont Crescent, Mount Barker, S.A. 5251	20.06.13
Cornish, John Leslie	5 Horsell Road, Blair, S.A. 5052	12.3.79
Coultas, Geoffrey Bruce	59 Myrtle Road, Seacliff, S.A. 5049.....	1.1.87
Crowe, Simon John	24 Foster Street, Parkside, S.A. 5063	17.3.12
Curnow, James	4 Goyder Street, Erindale, S.A. 5066	10.12.76
D'Aloia, Giuseppe	9 Cassia Crescent, Kidman Park, S.A. 5025.....	20.6.02
Dansie, Phillip Alan	3 Angas Street, Port Lincoln, S.A. 5606.....	26.4.77
Dellatorre, Wade Christopher	33 Olive Parade, Kadina, S.A. 5554.....	16.5.02
Donaghey, Francis Andrew	25B Tarlton Street, Somerton Park, S.A. 5044.....	15.7.76
Donaghey, Shaun Bernard	1 Leak Avenue, Glenelg North, S.A. 5045.....	17.10.02
Driver, Malcolm John	11 King William Street, Kent Town, S.A. 5067.....	9.8.84
Dyson, Andrew	42 Regent Street, Kensington, S.A. 5068	13.2.78
Ednie, Mark David	10 Knapman Street, Port Pirie, S.A. 5540	18.6.09
Falkenberg, Andrew John	17 Dame Pattie Circuit, West Lakes, S.A. 5021.....	6.12.90
Feller, Raymond Leslie	40 Outlook Drive, Aberfoyle Park, S.A. 5159.....	23.11.66
NP Filmer, Michael Shaun	25 Melbourne Street, St James, W.A. 6102.....	3.8.06
Filmer, Scott John	1 Railway Place, Mount Barker, S.A. 5251.....	16.8.07
NP Forgan, Trevor Stewart	85 Kintore Avenue, Prospect, S.A. 5082	19.2.75
Frankiw, Jaroslaw	P.O. Box 53, McLaren Vale, S.A. 5171	4.6.75
Fryar, Rockland Neil	7 Panorama Drive, Panorama, S.A. 5041	8.9.94
Fudge, Jeffrey Charles	275 Marion Road, North Plympton, S.A. 5037	11.8.78
Fyfe, Alister Ross	30 Statenborough Street, Leabrook, S.A. 5018	4.3.80
Gathercole, Dylan Luke	36 Harriet Street, West Croydon, S.A. 5008	16.2.12
Gehren, Noel Ralfe	19 Branch Road, Aldgate, S.A. 5154.....	13.12.07
Gilbert, Peter Mark	2 Cremorne Street, Fullarton, S.A. 5063	8.9.94
Gluis, Joel Mark	33 Euro Avenue, Eden Hills, S.A. 5050	17.3.11
Goedecke, Mark Robert	Steed & Pohl Surveyors, 23 Sydenham Road, Norwood, S.A. 5067..	30.7.84
Grant, Trevor Donald	18 Valley View Drive, Highbury, S.A. 5089.....	1.3.84
Grear, Michael Stuart	24b Willunga Street, Eden Hills, S.A. 5050	1.1.92
Harmer, Michael William	8 Apalka Place, Rostrevor, S.A. 5073	18.11.10
Hawkins, Thomas Bernard	3/14 Conigrave Street, Oaklands Park, S.A. 5046.....	15.9.05
Heanes, Robert Allan	33 Mt. Osmond Road, Mount Osmond, S.A. 5064.....	16.10.63
Henley, John Edward	458 Morphett Street, Adelaide, S.A. 5000.....	12.10.89
Hennig, Bryan Ronald	14 Allendale Avenue, Novar Gardens, S.A. 5040	1.7.68
Hennig, Shayne Bryan	275 Marion Road, North Plympton, S.A. 5037	14.6.90
Hewett, Bruce Allan	54 Coromandel Parade, Blackwood, S.A. 5051.....	31.10.78

Name	Address	Date of Licence
Hillyard, Tyson Peter	108 Turners Avenue, Hawthorndene, S.A. 5051	15.11.12
Hopkins, Michael Jessop	16 Frederick Street, Adelaide, S.A. 5000	17.4.84
Hordacre, Glenn Ian	11 King William Street, Kent Town, S.A. 5067	12.11.92
Hynes, Matthew David	P.O. Box 1030, Glenelg South, S.A. 5045	20.5.04
Jeanes, Peter Ian	P.O. Box 215, Lonsdale, S.A. 5160	3.2.82
Jeffrey, Thomas Samuel	15 Galway Terrace, Largs Bay, S.A. 5016	18.6.13
Jericho, David Allan	48 Lawrence Street, Kadina, S.A. 5554	11.3.93
NP Jones, Andrew Charles	3 Jasper Street, Salisbury East, S.A. 5109	20.4.79
Kennedy, Ross Alexander	20 Sizer Street, Lower Mitcham, S.A. 5062	14.5.92
Kentish, Peter Maclaren	Level 2, 101 Grenfell Street, Adelaide, S.A. 5000	12.9.78
Klau, Timothy David	50A Normandy Place, Port Lincoln, S.A. 5606	18.5.06
Klitscher, Simon Martin	P.O. Box 226, Brooklyn Park, S.A. 5032	15.6.00
Koch, Robin Barry	86 Mawson Road, Meadows, S.A. 5201	10.9.92
Kruimel, Daniel Nigel	70 Elizabeth Street, Banksia Park, S.A. 5091	22.4.10
Lambis, Haralambos Michael	11 King William Street, Kent Town, S.A. 5067	21.4.05
Lane, Gregory Charles	4 Light Road, Coromandel Valley, S.A. 5051	15.6.06
Lange, Robert Harry	P.O. Box 422, Port Adelaide, S.A. 5015	13.9.84
NP Langman, James Stephen	72 Rapid Avenue, Northgate, S.A. 5085	18.3.10
Leaker, Martin John	17 College Road, Somerton Park, S.A. 5044	10.11.94
Leith, Grantley David	30 College Road, Somerton Park, S.A. 5044	10.5.90
Lewis, Gregory Wayne	5 Parkview Court, Aberfoyle Park, S.A. 5159	12.11.87
Liebelt, Michael John	6 Graves Street, Kadina, S.A. 5554	11.6.92
Liebelt, Susan Marie	32 Ewing Street, Kadina, S.A. 5554	10.9.92
Linsell, John Thomas	9 Anne Court, Happy Valley, S.A. 5159	20.8.09
Lock, Craig James	P.O. Box 289, Mount Gambier, S.A. 5290	8.3.84
Lock, Michael Grant	87 Springbank Road, Clapham, S.A. 5062	13.2.86
Loechel, Robin Everard	16 St. Andrews Terrace, Willunga, S.A. 5172	12.3.79
Lohmeyer, Michael John	13 Dillon Road, Aldgate, S.A. 5154	9.3.89
Mann, Grant Glenn	11 Island View Crescent, Victor Harbor, S.A. 5211	11.3.93
Mattsson, Jeffrey Ian	10 Braeside Avenue, Seacombe Heights, S.A. 5047	10.11.85
McCarthy, Alan John	P.O. Box 28, Tanunda, S.A. 5352	17.4.84
McDonnell-Smith, David	77 Grenfell Street, Adelaide, S.A. 5000	1.1.84
Millett, Christopher John	c/o 143 Fullarton Road, Rose Park, S.A. 5067	1.1.92
Minchin, Christopher George	87 Thirrd Avenue, Joslin, S.A. 5070	14.6.84
Mullins, Stephen Bernard	3 McPharlin Avenue, Redwood Park, S.A. 5097	17.2.81
Neale, Graeme Edward	27 Dover Street, Malvern, S.A. 5061	15.5.80
Nichols, Gary William	10 Tester Drive, Blackwood, S.A. 5051	1.1.84
Nietschke, Michael Dean	13 Michael Street, Lockleys, S.A. 5032	16.10.97
Nisbet, Kim Alan	Stock Road, Mylor, S.A. 5153	15.5.80
North, Ashley Linton	22 Sylvan Circuit, Noarlunga Downs, S.A. 5168	20.8.09
O'Callaghan, Michael Patrick	P.O. Box 1277, Main Road, Mylor, S.A. 5153	14.3.85
Oldfield, Mark Howard	P.O. Box 8315, Mount Gambier East, S.A. 5291	11.9.86
Paull, Gregory John	65 Alfred Road, West Croydon, S.A. 5008	21.3.13
Pennino Damiano	P.O. Box 917, Salisbury S.A. 5108	20.6.13
NP Perry, Geoffrey Robert	P.O. Box 76, Hahndorf, S.A. 5245	14.7.83
Petrilli, Kevin John	Suite 5, 13-23 Unley Road, Parkside, S.A. 5063	19.7.90
Phillips, David Graham	P.O. Box 1818, Renmark, S.A. 5341	24.5.72
Phillips, Perry Mark	171 Cross Road, Westbourne Park, S.A. 5041	13.12.84
Pittman, Mark Roger	6 Moore Street, Somerton Park, S.A. 5044	21.8.97
Pohl, Henry Michael	23 Sydenham Road, Norwood, S.A. 5067	31.3.83
Pyper, David Edward	5 Wokurna Avenue, Mitcham, S.A. 5062	1.1.91
Rea, Franco	11 King William Street, Kent Town, S.A. 5067	15.6.00
Retallack, Richard Alan	25 Narinna Avenue, Cumberland Park, S.A. 5041	9.4.92
Richardson, Brett John	15 Fielder Street, Tanunda, S.A. 5352	17.3.11
Rigon, Dario	P.O. Box 370, Campbelltown, S.A. 5074	10.3.88
Rosko, Sime	7/30 Frederick Road, West Lakes, S.A. 5021	9.7.87
Ryan, Kane Benjamin	11 King William Street, Kent Town, S.A. 5067	18.3.10
Sargent, Mark Christopher	P.O. Box 926, Shepparton Vic. 3632	20.7.00
NP Sarneckis, Kostas	32 Wattle Crescent, Tea Tree Gully, S.A. 5091	3.8.77
Sayer, Max Alfred Michael	176 Prospect Road, Prospect, S.A. 5082	12.10.89
Scutchings, Craig Allen	4 Tremayne Drive, Mount Barker, S.A. 5251	16.12.04
Singh, Sanjeev Kunel	160 Ramson Smyth Drive, Goodwood Heights, New Zealand	20.9.12
Slape, Bradley James	G.P.O. Box 1354, Adelaide, S.A. 5001	20.4.06
NP Smith, Peter Stuart	P.O. Box 574, Marleston, S.A. 5033	9.4.81
Smith, Trevor John Gee	11 Mitchell Street, Seaview Downs, S.A. 5049	14.6.84
Sommerville, Peter Thomas	P.O. Box 655, McLaren Vale, S.A. 5171	16.10.79
Standley, Mark Brenton	16B Kareda Drive, Campbelltown, S.A. 5074	15.6.00
Stolz, Peter Georg Hermann	13 Atlanta Avenue, Ingle Farm, S.A. 5098	1.1.91
Summers, Clayton Myles	9 St Georges Street, Willunga, S.A. 5172	12.6.86
Teakle, Mark Ronald Bray	P.O. Box 981, Mount Gambier, S.A. 5290	8.11.84
Tennant, Alistair Charles	8 Sexton Road, Brighton, S.A. 5048	13.10.83
Thorley Beau	21 Hardy Avenue Glengowrie, S.A. 5044	17.11.11
Townsend, Steven James	8 Beaver Court, Port Lincoln, S.A. 5606	18.08.05
Tripodi, Alfredo	10 Paula Street, Athelstone, S.A. 5076	15.3.07
NP Tucker, Paul	P.O. Box 884, Barmera, S.A. 5345	31.5.73
Turnbull, Shaun William	90 Lochside Drive, West Lakes, S.A. 5021	15.2.07
Turner, George Joseph	23 Wychwood Grove, Upper Sturt, S.A. 5156	19.5.11
Turner, Steven Miles	23 Raymond Grove, Warradale, S.A. 5046	28.9.77
Tweedie, Graham Bruce	c/o Aurecon, 116 Military Road, Neutral Bay, N.S.W. 2089	21.10.10

Name	Address	Date of Licence
van Senden, Geoffrey Clifton	11 Chapel Street, Strathalbyn, S.A. 5255	11.10.90
Weber, John Leslie	23A Hill Street, Parkside, S.A. 5063	12.3.79
Weston, David Arthur Giles	78 Castle Street, Parkside, S.A. 5063	12.3.92
Williams, Mark Antony Peter	24 York Drive, Flagstaff Hill, S.A. 5159	17.6.04
Window, Ashley Greg	9 Dorene Street, St Marys, S.A. 5042.....	13.3.08
Wood, Adam Browning	24 Hakea Avenue, Athelstone, S.A. 5076	17.8.06

List of Registered Surveyors to 1 July 2013

Name	Address	Date of Registration
Chivers, John Henry	c/o SMEC, P.O. Box 356, Cooma, N.S.W. 2630	5.10.79
R Latham, James Stephen	P.O. Box 574, Marleston, S.A. 5033.....	1.1.98
Millett, Alec John	P.O. Box 561, Cottesloe, W.A. 6911	12.3.92
R McFarlane, John Alexander	7 Prince Street, Alberton, S.A. 5014.....	19.7.07
Pickett, Richard Bruce	3A Fuller Street, Parkside, S.A. 5063	1.1.00
NP Rutter, Gregory Thomas	P.O. Box 133, Mena Creek, Qld 4871	14.5.92

NP Denotes non-practising Surveyors.

S. MEDLOW SMITH, Registrar

SHOP TRADING HOURS ACT 1977

Temporary Exemption

NOTICE is hereby given that pursuant to Section 5 (9) (b) of the Shop Trading Hours Act 1977 ('the Act'), I, John Rau, Minister for Industrial Relations, do hereby declare that shops within the ambit of Sections 13 (5a) and 13 (5b), situated within the Greater Adelaide Shopping District, exempt from the provisions of the Act, subject to the following conditions:

- exemption will apply on Saturday, 19 April 2014 until 5 p.m.;
- normal trading hours prescribed by Section 13 of the Act shall apply at all other times;
- all employees working during these extended hours will do so on a strictly voluntary basis;
- any and all relevant industrial instruments are to be complied with; and
- all work health and safety issues (in particular those relating to extended trading hours) must be appropriately addressed.

Dated 15 August 2013.

JOHN RAU, Deputy Premier, Minister for Industrial Relations

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 29 August 2013

WATER MAINS LAID

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

ADELAIDE WATER DISTRICT**TOWN OF GAWLER**

Easements in lot 403 in LTRO DP 87744, Richardson Drive, Reid. p14-16

CITY OF MITCHAM

Fisher Crescent, Craighburn Farm. p19 and 20
Ferguson Avenue, Craighburn Farm. p19 and 20
Hackett Close, Craighburn Farm. p19 and 20
Easements in allotment piece 620 in LTRO DP 91700, Ferguson Avenue, Craighburn Farm. p19 and 20

DISTRICT COUNCIL OF MOUNT BARKER

Lawton Court, Nairne. p21
Lloyd Crescent, Littlehampton. p28
Compson Road, Littlehampton. p58

CITY OF PLAYFORD

Fradd Road, Munno Para West, from chainage 00 metres to 370.62 metres. p5, 6 and 9

CITY OF PORT ADELAIDE ENFIELD

Yerlo Drive, Largs North. p1, 2 and 4
Biturro Street, Largs North. p1-4
Kuya Circuit, Largs North. p1, 3 and 4
Kurayne Circuit, Largs North. p1, 3 and 4
Tindo Lane, Largs North. p1, 3 and 4
Swinden Crescent, Blakeview. p56
Margaret Street, Blakeview. p56

CITY OF SALISBURY

Easement in lot 50 in LTRO DP 73203, Edinburgh Road, and lot 1003 in LTRO DP 89856, Mirage Road, Direk. p17 and 18

TOWNSHIP OF CLARE WATER DISTRICT

CLARE AND GILBERT VALLEYS COUNCIL
Square Mile Road, Stanley Flat. p41

MURRAY BRIDGE WATER DISTRICT

THE RURAL CITY OF MURRAY BRIDGE
Gray Street, Murray Bridge. p103

PORT AUGUSTA WATER DISTRICT

PORT AUGUSTA CITY COUNCIL
Addison Road, Port Augusta West. p22

TWO WELLS WATER DISTRICT

DISTRICT COUNCIL OF MALLALA
Walter Avenue (currently lot 100 in LTRO DP 84941), Two Wells. p57
Jean Avenue (currently lot 100 in LTRO DP 84941), Two Wells. p57

WHYALLA WATER DISTRICT

THE CORPORATION OF THE CITY OF WHYALLA
Russell Street, Whyalla Norrie. p59

SEWERS LAID

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

ADELAIDE DRAINAGE AREA**CAMPBELLTOWN CITY COUNCIL**

Atkell Avenue, Campbelltown. FB 1230 p27

CITY OF CHARLES STURT

Amos Way, Royal Park. FB 1230 p21
Clegowie Street, West Beach. FB 1230 p29

TOWN OF GAWLER

Easements in lot 403 in LTRO DP 87744, Richardson Drive, Reid. FB 1229 p11-14

CITY OF HOLDFAST BAY

Vale Road, Seacliff Park. FB 1230 p8
Osterley Terrace, Seacliff Park. FB 1230 p18
Slade Street, Somerton Park. FB 1230 p22

CITY OF MITCHAM

In and across Fergusson Avenue, Craighburn Farm. FB 1229 p15-18
In and across Fisher Crescent, Craighburn Farm. FB 1229 p15-19
Easements in lots 531-538 in LTRO DP 91700, Fisher Crescent, Craighburn Farm. FB 1229 p15, 16 and 18
Easement in lot 526 in LTRO DP 91700, Fisher Crescent, Craighburn Farm. FB 1229 p15-17
Easement in lots 515 and 516 in LTRO DP 91700, Fisher Crescent, Craighburn Farm. FB 1229 p15-17
Easements in allotment piece in LTRO DP 91700, Fergusson Avenue, Craighburn Farm. FB 1229 p15-19
Easements in lot 974 in LTRO DP 91700, Grand Boulevard, Craighburn Farm. FB 1229 p15, 16 and 19
Gannet Avenue, Glenalta. FB 1230 p24
Elizabeth Street, Clapham. FB 1230 p25

CITY OF ONKAPARINGA

Selaru Way, Noarlunga Downs. FB 1230 p9
Young Street, Reynella. FB 1230 p10
Roxanne Avenue, Aberfoyle Park. FB 1230 p23

CITY OF PLAYFORD

Swinden Crescent, Blakeview. FB 1229 p21 and 22
Margaret Street, Blakeview. FB 1229 p21 and 22

CITY OF PORT ADELAIDE ENFIELD

Biturro Street, Largs North. FB 1229 p5-9
Easements in reserve (lot 507 in LTRO DP 90694), Yerlo Drive,
Largs North. FB 1229 p5-8
Yerlo Drive, Largs North. FB 1229 p5, 6 and 8
Kuya Circuit, Largs North. FB 1229 p5 and 7-9
Kurayne Circuit, Largs North. FB 1229 p5, 7, 9 and 10
Tindo Lane. FB 1229 p5, 7 and 10
Easement in lots 2-7 in LTRO DP 90694, Strathfield Terrace,
Largs North. FB 1229 p5, 7 and 8
Easement in lots 14-16 in LTRO DP 90694, Strathfield Terrace,
Largs North. FB 1229 p5, 7 and 9
Easement in lot 19 in LTRO DP 90694, Strathfield Terrace, Largs
North. FB 1229 p5, 7 and 9
Floriedale Road, Greenacres. FB 1230 p31

CITY OF SALISBURY

High Street, Salisbury. FB 1230 p28

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

Slade Street, Murray Bridge. FB 1230 p26

STIRLING COUNTRY DRAINAGE AREA**ADELAIDE HILLS COUNCIL**

Lot 5 in LTRO DP 51175, Wattle Tree Road, Bridgewater—
40 mm PE80 pressure sewer system main. This main is available
on application only. FB 1230 p19
Lot 43 in LTRO FP 129597, James Street, Crafers—40 mm
PE80 pressure sewer system main. This main is available on
application only. FB 1230 p19

WHYALLA COUNTRY DRAINAGE AREA**THE CORPORATION OF THE CITY OF WHYALLA**

Darling Terrace, Whyalla. FB 1230 p7

A. J. RINGHAM, Chief Executive Officer,
South Australian Water Corporation

WILDERNESS PROTECTION REGULATIONS 2006*Closure of Western River Wilderness Protection Area*

PURSUANT to Regulations 6 (2) (c) of the Wilderness Protection
Regulations 2006, I, John Erwin Schutz, Director of National
Parks and Wildlife, close to the public part of Western River
Wilderness Protection Area from 6 a.m. on Tuesday, 29 October
2013 until 6 a.m. on Monday, 30 June 2014.

The closure applies to the southern section of the wilderness
protection area (the whole of Section S47, Deposited Plan
H110400, Hundred of Gosse) which is located south of Colmans
Road and Sheridan Road.

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

Dated 20 August 2013.

J. E. SCHUTZ, Director of National Parks
and Wildlife

South Australia

Statutes Amendment (Gambling Reform) Act (Commencement) Proclamation 2013

1—Short title

This proclamation may be cited as the *Statutes Amendment (Gambling Reform) Act (Commencement) Proclamation 2013*.

2—Commencement of Act

- (1) Subject to subclauses (2) to (6), the *Statutes Amendment (Gambling Reform) Act 2013* (No 37 of 2013) (the *Act*) will come into operation on 31 August 2013.
- (2) The following provisions of the Act will come into operation on 31 October 2013:
 - (a) section 5;
 - (b) section 37;
 - (c) section 64;
 - (d) section 81(1) and (2);
 - (e) section 107;
 - (f) Part 7.
- (3) The following provisions of the Act will come into operation on 1 January 2014:
 - (a) section 4;
 - (b) sections 6 and 7;
 - (c) section 9;
 - (d) sections 11 to 36 (inclusive);
 - (e) sections 38 and 39;
 - (f) sections 42A, 42B(1),(2),(3),(4),(5),(6) and (8) and 42C to be inserted into the *Casino Act 1997* by section 40;
 - (g) section 41;
 - (h) sections 46 to 55 (inclusive);
 - (i) sections 57 to 61 (inclusive);
 - (j) section 62(2), (5), (6), (7), (8), (9), (10), (11), (12) and (13);
 - (k) section 63;
 - (l) sections 65 to 77 (inclusive);
 - (m) sections 79 and 80;
 - (n) section 81(3);
 - (o) section 83;
 - (p) sections 85 to 87 (inclusive);
 - (q) section 90;

- (r) section 93;
 - (s) section 53A(1), (2), (3), (5), (6), (7), (8) and (9) to be inserted into the *Gaming Machines Act 1992* by section 96;
 - (t) sections 101 to 103 (inclusive);
 - (u) section 104(2);
 - (v) section 106;
 - (w) section 113(1);
 - (x) section 115;
 - (y) section 120(1), (2), (3), (5) and (7);
 - (z) sections 122 to 124 (inclusive);
 - (za) section 128.
- (4) Section 94 of the Act will come into operation on 1 February 2014.
- (5) The following provisions of the Act will come into operation on 1 July 2014:
- (a) section 8;
 - (b) sections 42 to 45 (inclusive);
 - (c) section 62(1), (3), (4), and (14);
 - (d) section 78;
 - (e) section 82;
 - (f) section 84;
 - (g) sections 88 and 89;
 - (h) sections 91 and 92;
 - (i) section 95;
 - (j) sections 97 to 100 (inclusive);
 - (k) section 104(1);
 - (l) section 105;
 - (m) sections 108 to 110 (inclusive);
 - (n) section 112;
 - (o) section 113(2);
 - (p) section 114;
 - (q) section 116;
 - (r) section 117;
 - (s) section 120(4) and (6);
 - (t) section 126;
 - (u) section 135;
 - (v) sections 139 to 143 (inclusive).

(6) The following provisions of the Act will come into operation on 1 January 2017:

- (a) section 42B(7) to be inserted into the *Casino Act 1997* by section 40;
- (b) section 53A(4) to be inserted into the *Gaming Machines Act 1992* by section 96.

Made by the Governor

with the advice and consent of the Executive Council
on 29 August 2013

MGA0008/13CS

South Australia

Tobacco Products Regulation (Exemption—East of Berlin) Proclamation 2013

under section 71 of the *Tobacco Products Regulation Act 1997*

1—Short title

This proclamation may be cited as the *Tobacco Products Regulation (Exemption—East of Berlin) Proclamation 2013*.

2—Commencement

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

3—Interpretation

In this proclamation—

Act means the *Tobacco Products Regulation Act 1997*;

prescribed period means the period commencing on 1 September 2013 and ending on 6 October 2013;

prescribed production means the stage production of *East of Berlin* produced by Bakehouse Theatre Company Inc.

4—Application of proclamation

This proclamation applies to the following persons:

- (a) a person employed by, or in relation to, the prescribed production;
- (b) an occupier of the Bakehouse Theatre, 255 Angas Street, Adelaide;
- (c) an employer with responsibility for a workplace consisting of the Bakehouse Theatre in relation to the prescribed production.

5—Exemption from section 46 of the Act

- (1) A person to whom this proclamation applies is exempt from the operation of section 46 of the Act in relation to smoking occurring in the course of a performance or rehearsal of the prescribed production during the prescribed period.
- (2) An exemption under this clause is subject to the following conditions:
 - (a) smoking may only occur on a stage on which the prescribed production is being performed or rehearsed, or in a rehearsal room used in relation to the prescribed production;
 - (b) the area in which smoking may occur under the exemption must be well ventilated;
 - (c) the audience for a performance of the prescribed production must be warned that there will be smoking during the performance;
 - (d) a person may only smoke a tobacco product of a kind contemplated by paragraph (g) of the definition of *tobacco product* in section 4 of the Act.

- (3) If a person contravenes or fails to comply with a condition of an exemption specified in subclause (2), the exemption does not, while the contravention or non-compliance continues, operate in that person's favour.

Made by the Governor

with the advice and consent of the Executive Council
on 29 August 2013

HEAC-2013-00071

South Australia

Second-hand Dealers and Pawnbrokers Regulations 2013

under the *Second-hand Dealers and Pawnbrokers Act 1996*

Contents

1	Short title
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8	Notification by dealers, proposed dealers or former dealers (section 7 of Act)
9	Verification of identification
10	Claim to goods in possession of second-hand dealer (section 11 of Act)
11	Content of pawn tickets (section 13 of Act)
12	Records of sale of unredeemed pawns (section 14 of Act)
13	Notification by operator of second-hand market (section 15 of Act)
14	Records to be kept by operator of second-hand market (section 16 of Act)

Schedule 1—Notice of claim to goods in possession of second-hand dealer

Schedule 2—Revocation of *Second-hand Dealers and Pawnbrokers Regulations 1998*

1—Short title

These regulations may be cited as the *Second-hand Dealers and Pawnbrokers Regulations 2013*.

2—Commencement

These regulations will come into operation on 1 September 2013.

3—Interpretation

In these regulations—

Act means the *Second-hand Dealers and Pawnbrokers Act 1996*;

interactive game console means equipment for the playing of a game—

- (a) that involves a display on a computer monitor, television screen, liquid crystal display or similar medium; and
- (b) where the way in which the game proceeds and the result achieved at various stages of the game is determined in response to the decisions, inputs and direct involvement of the player;

prescribed goods means goods of any of the following kinds:

- (a) gemstones or precious metals;

- (b) items of jewellery that include gemstones or precious metals;
- (c) watches;
- (d) sporting or recreational goods (but not including clothing or footwear);
- (e) watercraft (including jet skis, windsurfers and surfboards) or parts of watercraft (including outboard motors);
- (f) musical instruments (but not including pianos other than electric or electronic pianos);
- (g) portable engine-powered, motorised or air-powered tools or equipment;
- (h) tool kits;
- (i) photographic equipment or video cameras;
- (j) computer hardware or interactive game consoles;
- (k) computer programs or computer programs and data, including those comprising games for use with interactive game consoles;
- (l) electric or electronic goods including—
 - (i) televisions, radios, compact disc players, video tape players, digital video disc players or other audio or audio-visual systems;
 - (ii) mobile or portable telephones;
 - (iii) microwave ovens,(but not including refrigerators, washing machines, clothes dryers, dishwashers, stoves, under bench ovens or wall ovens);
- (m) compact discs or digital video discs;
- (n) vehicles without their own automotive power (including bicycles, caravans and trailers);
- (o) motor vehicles;
- (p) the following motor vehicle components:
 - (i) front left fenders;
 - (ii) front right fenders;
 - (iii) front left doors;
 - (iv) front right doors;
 - (v) rear left doors;
 - (vi) rear right doors;
 - (vii) rear left quarter panels;
 - (viii) rear right quarter panels;
 - (ix) body shells;
 - (x) front sections of body shells;
 - (xi) rear sections of body shells;
 - (xii) automatic or manual transmissions;
 - (xiii) engines;

- (xiv) boot lids;
- (xv) tailgates;
- (xvi) hoods;
- (xvii) air bags;
- (xviii) frames;
- (xix) motor vehicle seats;

prescribed motor vehicle component—see paragraph (p) of the definition of **prescribed goods**;

written-off vehicle has the same meaning as in Part 7 of the *Motor Vehicles Regulations 2010*;

written-off vehicle notice has the same meaning as in Part 7 of the *Motor Vehicles Regulations 2010*.

4—Application of Act

- (1) Sections 8 and 9 of the Act apply only in relation to the following kinds of goods:
 - (a) goods that a dealer receives under a contract of pawn;
 - (b) prescribed goods.
- (2) Section 10 of the Act applies only in relation to prescribed goods.
- (3) Section 10(2) of the Act does not apply in relation to—
 - (a) gemstones or precious metals; or
 - (b) items of jewellery that include gemstones or precious metals; or
 - (c) watches.
- (4) Section 10 of the Act does not apply in relation to second-hand goods that have come into the possession of a second-hand dealer (the **transferee dealer**) if—
 - (a) the goods were acquired from another second-hand dealer (the **transferor dealer**); and
 - (b) the transferor dealer retained the goods in accordance with section 10 or, if the goods have been successively acquired by a chain of second-hand dealers, the first in that chain retained the goods in accordance with section 10; and
 - (c) the transferee dealer keeps, as a record for the purposes of section 8 of the Act, a copy of a certificate signed by the second-hand dealer who retained the goods in accordance with section 10 certifying as to that retention.
- (5) Sections 9 and 10 of the Act do not apply in relation to a written-off vehicle or a motor vehicle component from a written-off vehicle if the dealer records, for the purposes of section 8 of the Act, the serial number of a written-off vehicle notice affixed to the vehicle.
- (6) Sections 6, 7, 8, 9 and 10 of the Act do not apply in relation to the following businesses:
 - (a) the business of selling second-hand vehicles carried on by a person licensed as a dealer, or exempt from the requirement to be licensed as a dealer, under the *Second-hand Vehicle Dealers Act 1995*;
 - (b) the business of repairing prescribed goods for customers;

- (c) the business of acquiring prescribed goods for the purposes of recycling metal and selling scrap metal obtained from those goods.
- (7) For the purposes of the application of the Act, an ADI or a registered corporation within the meaning of the *Corporations Act 2001* of the Commonwealth will not be considered to be a pawnbroker only by reason of receiving goods under a contract for sale where the seller has a right to buy back the goods.
- (8) Part 2 of the Act does not apply in relation to the sale of goods by an organisation formed for religious, educational or other charitable or beneficial community purposes where all the goods sold have been donated to the organisation and the proceeds of the sale (after deduction of expenses relating to the sale) go to the organisation.
- (9) Part 4 of the Act does not apply in relation to—
 - (a) a second-hand market conducted by an organisation formed for religious, educational or other charitable or beneficial community purposes where all the goods sold have been donated to the organisation and the proceeds of the sale (after deduction of the expenses of the market) go to the organisation; or
 - (b) a second-hand market where no prescribed goods are sold.

5—Modification of Act in relation to abandoned goods

- (1) The application of the Act is modified in relation to abandoned goods removed by a second-hand dealer at the request or with the authorisation of a council or an agency of the Crown in the course of or for the purposes of the dealer's business so that—
 - (a) the records required to be kept under section 8 of the Act in relation to the goods—
 - (i) need not contain the information set out in section 8(4) of the Act; but
 - (ii) must contain—
 - (A) the name and address of the council or the agency of the Crown at whose request or with whose authorisation the goods were removed; and
 - (B) a description of the goods; and
 - (C) a description identifying the place from which the goods were removed; and
 - (D) the date on which the goods were removed; and
 - (b) on the sale of the goods by the dealer, the dealer must—
 - (i) record, for the purposes of section 8 of the Act, the name and residential address or business name and business address of the purchaser of the goods and the date of sale; and
 - (ii) if the purchaser of the goods is not another second-hand dealer, verify the identity of the purchaser and record, for the purposes of section 8 of the Act, details of the means used to verify the information; and
 - (c) sections 8(5), 9 and 10 of the Act do not apply in relation to the goods.

- (2) In this regulation—

abandoned goods means goods that have been abandoned or left, or unlawfully deposited or placed, on a road, in a public place or on local government land or Crown land;

council, local government land, public place and **road** have the same respective meanings as in the *Local Government Act 1999*.

6—Requirements to be complied with by auctioneer

For the purposes of the definition of *second-hand market* in section 3 of the Act and for the purposes of section 10(3)(e) of the Act, an auctioneer must comply with the following requirements in relation to each lot of prescribed goods auctioned by the auctioneer:

- (a) in the case of an auctioneer who is a second-hand dealer¹—the auctioneer must record against the entry relating to the goods kept under section 8 of the Act—
 - (i) the date on which the goods were auctioned; and
 - (ii) the place at which the goods were auctioned; and
 - (iii) a note of whether or not the goods were sold at auction and, if the goods were sold, the amount for which the goods were sold;
- (b) in the case of an auctioneer who is not a second-hand dealer—the auctioneer must—
 - (i) keep records relating to the goods, and confirm and verify the information recorded, as required by section 8 of the Act as if the auctioneer were a second-hand dealer (except that identification codes need not be recorded as required by section 8(4)(f)); and
 - (ii) record against the entry relating to the goods kept under subparagraph (i)—
 - (A) the date on which the goods were auctioned; and
 - (B) the place at which the goods were auctioned; and
 - (C) a note of whether or not the goods were sold at auction and, if the goods were sold, the amount for which the goods were sold.

Note—

- 1 Section 24(1)(c) of the Act provides that if in proceedings for an offence against the Act it is established that, within the period of 12 months immediately preceding the date of the alleged offence, the defendant conducted 6 or more auctions for the sale of second-hand goods on behalf of other persons, it will be presumed, in the absence of proof to the contrary, that the defendant was carrying on business as a second-hand dealer on the date of the alleged offence.

7—Disqualification from carrying on business as second-hand dealer (section 6 of Act)

For the purposes of section 6(2)(b) of the Act, an offence against section 8, 10 or 16 of the Act is an offence of a prescribed kind.

8—Notification by dealers, proposed dealers or former dealers (section 7 of Act)

- (1) For the purposes of section 7(3)(a) of the Act, the following is required to be contained in a notice under section 7:
 - (a) in the case of a natural person who is a second-hand dealer or proposed second-hand dealer—the full name and residential address of the person (and, if the business is to be carried on in partnership, of each partner);
 - (b) in the case of a body corporate that is a dealer or proposed dealer—
 - (i) the name and residential address of each director; and
 - (ii) the address of the registered corporate office of the body corporate;
 - (c) the name under which the business or proposed business is to be carried on;
 - (d) each address at which the business or proposed business is to be carried on;

- (e) each address at which records required to be kept under the Act are or will be kept;
 - (f) each address at which goods bought or received in the course of or for the purposes of the business or proposed business are or will be kept;
 - (g) a brief description of the nature of the business or proposed business, including a description of the types of goods that are or are proposed to be bought or received in the course of or for the purposes of the business or proposed business;
 - (h) a statement as to whether or not any circumstance applies by virtue of which the person would be disqualified under section 6 of the Act from carrying on business as a second-hand dealer;
 - (i) an address for service.
- (2) For the purposes of section 7(4) of the Act, notice must be given to the Commissioner of Police as follows:
- (a) if there is any change in—
 - (i) the residential address of a second-hand dealer; or
 - (ii) the name in which a second-hand dealer carries on business; or
 - (iii) the address of the registered corporate office of a second-hand dealer that is a body corporate; or
 - (iv) the address at which the business of a second-hand dealer is carried on; or
 - (v) the address at which records required to be kept under the Act by a second-hand dealer or former second-hand dealer are kept; or
 - (vi) the address at which goods bought or received in the course of or for the purposes of the business of a second-hand dealer are kept; or
 - (vii) the address for service of a second-hand dealer or, unless the person is no longer required to keep records under the Act, the address for service of a former second-hand dealer,

the second-hand dealer or former second-hand dealer must, within 14 days, give written notice to the Commissioner of the new address or name (as the case may be);
 - (b) if a second-hand dealer ceases to carry on business as a dealer, the person must, within 14 days, give written notice to the Commissioner of that fact;
 - (c) if a person enters into a partnership to carry on business as a second-hand dealer or ceases to be in such a partnership, the person must, within 14 days, give written notice to the Commissioner of that fact, together with the names and addresses of the members of the new or former partnership;
 - (d) if a person becomes a director of a body corporate that is a second-hand dealer, the body corporate must, within 14 days, give written notice to the Commissioner of the name and residential address of the new director;
 - (e) if an event occurs by virtue of which a person is disqualified under section 6 of the Act from continuing to carry on business as a second-hand dealer, the person must immediately inform the Commissioner of the event.

9—Verification of identification

- (1) If a person is required by the Act or these regulations to verify the identity of another (a *customer*) and record details of the means used to verify that information, the person must verify the identity and record the details in accordance with this regulation.
- (2) The identity of a customer must be verified by examining in accordance with subregulation (3) evidence produced by the customer consisting of—
 - (a) a single card or document that appears—
 - (i) to have been issued by the government or a statutory authority of the State or the Commonwealth or another State or a Territory; and
 - (ii) to bear the name, residential address and signature and a photograph of the customer; or
 - (b) two or more cards or documents—
 - (i) at least one of which appears to have been issued by the government or a statutory authority of the State or the Commonwealth or another State or a Territory and the other or others of which appear to have been issued for some official or other proper purpose by a person or body other than the customer; and
 - (ii) that together appear to bear the name, residential address and signature of the customer.
- (3) The person must examine the evidence produced by the customer so as to ensure—
 - (a) that it does not appear to have been forged or tampered with; and
 - (b) that it contains a name and address matching the name and address given to the person by the customer as the customer's name and residential address; and
 - (c) that it contains a signature apparently matching the signature of the customer obtained by the person; and
 - (d) if it consists of a single card or document—that the photograph is a likeness of the customer.
- (4) The following details of each card or document used to verify the identity of a customer must be recorded:
 - (a) if the card or document has an identifying number—that number;
 - (b) if the card or document does not have an identifying number but does bear the date of its issue—that date;
 - (c) details sufficient to enable identification of the body or person who apparently issued the card or document.

10—Claim to goods in possession of second-hand dealer (section 11 of Act)

- (1) For the purposes of section 11(3)(a) of the Act, the notice set out in Schedule 1 is prescribed.
- (2) For the purposes of section 11(3)(c) of the Act, the dealer must notify, and give a copy of the notice to—
 - (a) the police officer in charge of the police station nearest to the place at which the goods subject to the notice are kept; or
 - (b) a police officer designated for the purpose by the officer in charge of the station.

11—Content of pawn tickets (section 13 of Act)

For the purposes of section 13(2)(c) of the Act, a pawn ticket must contain, in addition to the information required by section 13(2), the following information:

- (a) the full name, residential address and signature of the person pawning the goods;
- (b) an accurate description of each item of the goods including, where applicable, their types, sizes, colours, brands, serial numbers and other distinguishing features;
- (c) a unique identification code;
- (d) the date on which the goods are pawned;
- (e) the end date of the redemption period;
- (f) a statement that the redemption period may be extended by agreement between the pawnbroker and the person entitled to redeem the goods and a description of the procedures for doing so;
- (g) a statement that, if at the end of the redemption period the goods have not been redeemed, the pawnbroker is required, as soon as reasonably practicable, to sell the goods in a manner conducive to securing the best price reasonably obtainable;
- (h) the address at which the goods will be kept during the redemption period;
- (i) if the ticket covers more than 1 item of goods—a statement of whether or not the items may be separately redeemed;
- (j) the rate of interest charged by week, month, or other period, as the case may be, and an equivalent annual interest rate (ie. the rate that bears to a year the same proportion as the periodic interest rate bears to the period in respect of which interest is charged);
- (k) a statement of any fees or charges that were not treated as interest for the purposes of calculating the rate of interest disclosed under paragraph (i).

12—Records of sale of unredeemed pawns (section 14 of Act)

For the purposes of section 14(5) of the Act, the details of the sale of the goods that must be recorded are—

- (a) the date on which the goods are sold; and
- (b) the amount for which the goods are sold.

13—Notification by operator of second-hand market (section 15 of Act)

(1) For the purposes of section 15(3) of the Act, a notice under section 15 must contain the following information:

- (a) in the case of a natural person who operates or proposes to operate a second-hand market—the full name, residential address and business address (if any) of the person;
- (b) in the case of a body corporate that operates or proposes to operate a second-hand market—
 - (i) the full name and residential address of each director; and
 - (ii) the address of the registered corporate office of the body corporate;
- (c) the name in which the second-hand market is or is to be operated;
- (d) the address at which the second-hand market is or is to be held;

- (e) a statement of whether or not the second-hand market is or is to be operated on a continuing basis and details of when the market operates or is to operate;
 - (f) each address at which records required to be kept under the Act are or will be kept;
 - (g) a statement of whether or not prescribed goods are or may be sold at the second-hand market;
 - (h) a brief description of the nature of the second-hand market or proposed second-hand market, including a description of the types of goods that are or are proposed to be sold at the market or proposed market;
 - (i) an address for service.
- (2) For the purposes of section 15(4) of the Act, notice must be given to the Commissioner of Police as follows:
- (a) if there is any change in—
 - (i) the residential address of the person who operates a second-hand market; or
 - (ii) the address of the registered corporate office of a body corporate that operates a second-hand market; or
 - (iii) the name in which a second-hand market is operated; or
 - (iv) the address at which a second-hand market is operated; or
 - (v) the address at which records required to be kept under this Act by a person who operates or formerly operated a second-hand market are kept; or
 - (vi) the address for service of a person who operates a second-hand market or, unless the person is no longer required to keep records under the Act, the address for service of a person who formerly operated a second-hand market,

the person who operates or formerly operated the second-hand market must, within 14 days, give written notice to the Commissioner of the new address or name (as the case may be);
 - (b) if a second-hand market that has been operated on a continuing basis ceases to be operated, the person who operated the market must, within 14 days, give written notice to the Commissioner of that fact;
 - (c) if a person enters into a partnership to operate a second-hand market or ceases to be in such a partnership, the person must, within 14 days, give written notice to the Commissioner of that fact, together with the names and addresses of the members of the new or former partnership;
 - (d) if a person becomes a director of a body corporate that operates a second-hand market, the body corporate must, within 14 days, give written notice to the Commissioner of the name and residential address of the new director.

14—Records to be kept by operator of second-hand market (section 16 of Act)

- (1) For the purposes of section 16 of the Act, the following records must be kept in relation to each day on which second-hand goods are sold at the second-hand market:
 - (a) the date on which and the place at which the second-hand market is held;
 - (b) the full names and residential or business addresses of each person who sells prescribed goods at the second-hand market.

- (2) For the purposes of section 16 of the Act, the identity of the persons recorded under subregulation (1)(b) must be verified, and details of the means used to verify the identity must be recorded, in accordance with these regulations.

Schedule 1—Notice of claim to goods in possession of second-hand dealer

Claim to goods in possession of second-hand dealer

Claimant

Name of claimant:

Address of claimant:

I claim that the following goods are stolen goods and that I am entitled to possession of the goods.

Description of goods:

I claim that the goods were stolen on *[insert date]* from *[insert location/address]*

Police station at which goods reported stolen (*if so reported*):

Police report number (*if known*):

I can identify the goods as goods to which I am entitled because of the following marks or features:

Date:

Signature of claimant:

Second-hand dealer

Name of second-hand dealer:

Business address of dealer:

Address at which claimed goods located:

Date:

Signature of dealer:

Information

- 1 This notice must be completed and signed by the claimant and the dealer.
- 2 The dealer must—
 - immediately on completion and signing of the notice, give the claimant a copy of the notice; and
 - notify a police officer of the making of the claim, and give the officer a copy of the notice, in accordance with the regulations; and
 - keep a copy of the notice at the place at which the goods are kept.
- 3 The dealer must not, without the written authority of a police officer, sell or part with possession of the goods.
- 4 The Magistrates Court may, on application by a person entitled to the possession of stolen goods that are or have been in possession of a second-hand dealer—
 - order that the goods be returned to the person or, if the dealer has unlawfully sold or parted with possession of the goods, that the dealer pay to the person the value of the goods;
 - make such other orders as to compensation for damage to the goods or otherwise as it thinks fit.

Schedule 2—Revocation of *Second-hand Dealers and Pawnbrokers Regulations 1998*

The *Second-hand Dealers and Pawnbrokers Regulations 1998* 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 29 August 2013

No 213 of 2013

MPOL13/11CS

South Australia

Fisheries Management (Blue Crab Fishery) Regulations 2013

under the *Fisheries Management Act 2007*

Contents

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Schedule 1—Aquatic resources prescribed for Blue Crab Fishery

Part 1—Aquatic resources prescribed for purposes of regulation 4(2)(a)

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Schedule 2—Revocation of regulations

- 1 Revocation of *Fisheries Management (Blue Crab Fishery) Regulations 1998*
-

1—Short title

These regulations may be cited as the *Fisheries Management (Blue Crab Fishery) Regulations 2013*.

2—Commencement

These regulations will come into operation on 1 September 2013.

3—Interpretation

- (1) In these regulations, unless the contrary intention appears—
 - Act* means the *Fisheries Management Act 2007*;
 - blue crab* means Blue Swimmer Crab (*Portunus armatus*);
 - blue crab fishing zone* means—
 - (a) the Gulf St. Vincent Blue Crab Fishing Zone; or
 - (b) the Spencer Gulf Blue Crab Fishing Zone;

blue crab pot entitlement means the maximum number of crab pots that the holder of a licence in respect of the fishery may lawfully use at any one time for the purpose of taking blue crab under the licence;

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

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

subject to any variation applying during that quota period;

conversion value means the number determined by the Minister to be the conversion value for a blue crab fishing zone and a quota period;

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

crab pot has the same meaning as in the *Fisheries Management (General) Regulations 2007*;

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

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

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

fishery means the Blue Crab Fishery constituted by these regulations;

Gulf St. Vincent Blue Crab Fishing Zone means the waters of Gulf St. Vincent north of the geodesic from the location on Mean High Water Springs closest to 35°10'04.74" South, 137°40'38.64" East to the location on Mean High Water Springs closest to 35°36'48.51" South, 138°05'44.01" East;

marine scalefish fishery means the Marine Scalefish Fishery or the Restricted Marine Scalefish Fishery constituted by the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2006*;

Mean High Water Springs means the line representing the average of all high water observations at the time of spring tide over a period of 19 years;

quota period—a quota period for the fishery is a period of 12 months commencing on 1 July;

Spencer Gulf Blue Crab Fishing Zone means the waters of Spencer Gulf north of the geodesic from the location on Mean High Water Springs closest to 34°26'45.00" South, 136°06'57.58" East to the location on Mean High Water Springs closest to 34°26'45.00" South, 137°24'59.26" East;

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

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

- (2) In these regulations, unless the contrary intention appears, **company**, **director**, **proprietary company** and **public company** have the same respective meanings as in the Corporations Act.
- (3) In these regulations—
 - (a) all lines in spatial descriptions are geodesics based on the Geocentric Datum of Australia 1994 (**GDA94**) as defined in the Commonwealth of Australia Gazette GN35 of 6 September 1995, and all coordinates are expressed in terms of GDA94;
 - (b) common and scientific fish names are given according to AS:SSA-001 *Australian Fish Names Standard* published by Seafood Services Australia in July 2007, as amended from time to time;
 - (c) a reference to the **taking of aquatic resources** includes a reference to an act preparatory to or involved in the taking of the aquatic resources.

4—Constitution of fishery

- (1) The Blue Crab Fishery is constituted.
- (2) The fishery consists of the taking, in the waters of the blue crab fishing zones—
 - (a) of aquatic resources specified in Schedule 1 Part 1; and
 - (b) of aquatic resources specified in Schedule 1 Part 2 for the purpose of bait.
- (3) The Minister may impose a condition on a licence in respect of the fishery that limits the holder of the licence to the taking of aquatic resources in the waters of the Gulf St. Vincent Blue Crab Fishing Zone or the Spencer Gulf Blue Crab Fishing Zone.

5—Issue of licences

- (1) Subject to this regulation, the Minister may issue licences in respect of the fishery.
- (2) An application for a licence in respect of the fishery may only be made by a person who holds a licence in respect of the Marine Scalefish Fishery subject to a condition fixing a blue crab quota entitlement.
- (3) The Minister may only grant an application for a licence in respect of the fishery—
 - (a) if the applicant's licence in respect of the Marine Scalefish Fishery has been surrendered; and
 - (b) if a boat registered for use under that licence is the subject of, is registered for use under, or is otherwise referred to in, a licence, permit, authority or other entitlement to take aquatic resources granted under a law of the Commonwealth or a corresponding law—that entitlement has also been surrendered.

6—Transfer of licence

- (1) Licences in respect of the fishery are transferable.
- (2) An application for consent to the transfer of a licence must be accompanied by—
 - (a) the licence to be transferred; and
 - (b) a form of return as required by regulation 12 completed by the holder of the licence up to the date of application; and
 - (c) if the transferee is a company—a current company extract relating to the transferee issued not more than 1 month immediately preceding the date of application.
- (3) The Minister may only consent to the transfer of a licence if satisfied as to the following:
 - (a) that any fees or other amounts payable in relation to the licence under the Act or the repealed Act have been paid in full;
 - (b) that the licence to be transferred has not been suspended;
 - (c) that no proceedings alleging an offence against the Act or the repealed Act are pending or likely to be commenced in the State against the holder of the licence;
 - (d) if the transferee is a natural person, that the transferee is at least 15 years of age and is a fit and proper person to hold a licence in respect of the fishery;
 - (e) if the transferee is a company, that each director of the company is a fit and proper person to be a director of a company that holds a licence in respect of the fishery;
 - (f) if a boat registered for use under the licence is the subject of, is registered for use under, or is otherwise referred to in, a licence, permit, authority or other entitlement to take aquatic resources granted under a law of the Commonwealth or a corresponding law—
 - (i) that the entitlement is either to be transferred together with the licence to the transferee or to be surrendered on or before the transfer of the licence; or
 - (ii) that—
 - (A) the transfer of the licence separately from the entitlement is not likely to result in fishing activities that over-exploit or endanger the aquatic resources of the State; and
 - (B) the person or body that granted the entitlement concurs with the separate transfer of the licence.

7—Registration

An application by the holder of a licence in respect of the fishery—

- (a) to register a boat or device for use under the licence; or
 - (b) to register a person as a master of a boat that may be used under the licence,
- must be accompanied by the documents specified in the application form.

8—Revocation of registration

- (1) The Minister may, on application by the holder of a licence in respect of the fishery, revoke the registration of—
 - (a) a boat or device used under the licence; or
 - (b) a person as a master of a boat that may be used under the licence.

- (2) An application for revocation of registration must—
 - (a) be made in a manner and form approved by the Minister; and
 - (b) be signed by the applicant and completed in accordance with the instructions contained in the form; and
 - (c) be accompanied by the documents specified in the application form.

9—Blue crab pot entitlements and carriage of crab pots on boats

- (1) The Minister must, on or before the commencement of each quota period, determine the conversion value for a blue crab fishing zone and the quota period.
- (2) The Minister may impose or vary conditions on licences in respect of the fishery fixing blue crab pot entitlements as follows:
 - (a) on the issue of a licence in respect of the fishery, a condition must be imposed on the licence fixing a blue crab pot entitlement calculated in accordance with the formula set out in subregulation (3);
 - (b) on the variation of a blue crab quota entitlement under a licence in respect of the fishery, the conditions of the licence must be varied so that the blue crab pot entitlement under the licence, as calculated in accordance with the formula set out in subregulation (3), reflects the variation in the unit entitlement under the licence;
 - (c) blue crab pot entitlements must not be varied except as provided by this subregulation.
- (3) For the purposes of subregulation (2), the formula for calculating the blue crab pot entitlement under a licence is as follows:

$$A = \frac{B}{C}$$

where—

A is the blue crab pot entitlement expressed as a whole number (a number having a fraction of half or more being rounded up to the next whole number);

B is the unit entitlement under the licence;

C is the conversion value for the blue crab fishing zone to which the unit entitlement under the licence relates.

- (4) The Minister may impose conditions on licences in respect of the fishery limiting the number of crab pots that may be carried on boats and otherwise regulating the carrying of crab pots used for fishing activities under the licences.

10—Individual blue crab catch quota system

- (1) The Minister must, on or before the commencement of each quota period, determine the number of kilograms of blue crab that is to be the value of a blue crab unit for a blue crab fishing zone and the quota period.

- (2) The Minister may impose or vary conditions on licences in respect of the Blue Crab Fishery or a marine scalefish fishery fixing blue crab quota entitlements as follows:
- (a) on the issue of a licence in respect of the Blue Crab Fishery (a *new licence*), the licence may be allocated a number of blue crab units in respect of a blue crab fishing zone equal to the number of blue crab units in respect of that zone that was, immediately before the surrender of the licence in respect of the Marine Scalefish Fishery held by the applicant for the new licence, the subject of a condition of the licence in respect of the Marine Scalefish Fishery;
 - (b) on joint application made to the Minister by the holders of any 2 licences in respect of the Blue Crab Fishery subject to a condition fixing a blue crab quota entitlement in respect of the same blue crab fishing zone, the conditions of the licences may be varied so as to increase the unit entitlement in respect of that zone under 1 of the licences and decrease the unit entitlement in respect of that zone under the other licence by a corresponding number of units;
 - (c) on joint application made to the Minister by the holder of a licence in respect of the Blue Crab Fishery subject to a condition fixing a blue crab quota entitlement in respect of a particular blue crab fishing zone (the *first licence*) and the holder of a licence in respect of a marine scalefish fishery subject to a condition fixing a blue crab quota entitlement in respect of the same zone (the *second licence*)—
 - (i) the conditions of the first licence may be varied so as to decrease the unit entitlement under that licence in respect of that zone and the conditions of the second licence may be varied so as to increase the unit entitlement under that licence in respect of that zone by a corresponding number of units; or
 - (ii) the conditions of the first licence may be varied so as to increase the unit entitlement under that licence in respect of that zone and the conditions of the second licence may be varied so as to decrease the unit entitlement under that licence in respect of that zone by a corresponding number of units;
 - (d) on joint application made to the Minister by the holder of a licence in respect of the Blue Crab Fishery subject to a condition fixing a blue crab quota entitlement in respect of a particular blue crab fishing zone (the *first licence*) and the holder of a licence in respect of a marine scalefish fishery not subject to a condition fixing a blue crab quota entitlement (the *second licence*)—
 - (i) the conditions of the first licence may be varied so as to decrease the unit entitlement under that licence in respect of that zone; and
 - (ii) a corresponding number of units may be allocated to the second licence and a condition fixing a blue crab quota entitlement in respect of that zone may be imposed on that licence;
 - (e) if the total catch of blue crab taken by the holder of a licence in respect of the Blue Crab Fishery during a quota period exceeded the blue crab quota entitlement under the licence for that quota period, the conditions of the licence may be varied so as to decrease the quota entitlement—
 - (i) if the catch exceeded the quota entitlement by not more than 20 kilograms of blue crab—by 1 kilogram for each kilogram taken in excess of the quota entitlement; or

- (ii) if the catch exceeded the quota entitlement by more than 20 kilograms but not more than 50 kilograms of blue crab—by 2 kilograms for each kilogram taken in excess of the quota entitlement;
- (f) if—
 - (i) the holder of a licence in respect of the fishery is convicted of an offence of contravening a condition of the licence fixing a blue crab quota entitlement; and
 - (ii) the conduct constituting the offence involved the taking of more than 50 kilograms of blue crab in excess of the quota entitlement,

the conditions of the licence may be varied so as to reduce the blue crab quota entitlement under the licence for 3 quota periods following the conviction by 1 kilogram for each kilogram taken in excess of the quota entitlement for the quota period during which the offence was committed;

 - (g) a variation of a quota entitlement under paragraph (e) must be expressed to apply only for the quota period during which the variation is made.
- (3) An application to vary unit entitlements must—
 - (a) be made in a manner and form approved by the Minister; and
 - (b) be signed by the applicants and completed in accordance with the instructions contained in the form; and
 - (c) be accompanied by the appropriate fee fixed by the *Fisheries Management (Fees) Regulations 2007*.

11—Catch and disposal records

- (1) In this regulation—
 - CDR book** means a book issued by the Department containing blank forms BSCF1;
 - form BSCF1** means the document produced by the Department entitled *BSCF1 Primary Industries (S.A.) Fisheries Blue Crab Catch and Disposal Record*.
- (2) The holder of a licence in respect of the fishery or registered master of a boat from which blue crab is taken under such a licence must comply with the following provisions:
 - (a) immediately on landing blue crab taken under the licence he or she must weigh the crabs on accurate scales and complete Part A of form BSCF1 using a blue or black ballpoint pen;
 - (b) he or she must cause the crabs to which the completed Part A of that form relates to be transported to the registered premises of the registered fish processor specified on the form, together with the white, blue and green copies of the completed form;
 - (c) he or she must complete forms BSCF1 in consecutive ascending order and complete all forms in a CDR book before commencing to use a new CDR book;
 - (d) he or she must ensure that the yellow copies of forms BSCF1 and the CDR book are kept on board the registered boat until the CDR book is completed;
 - (e) he or she must deliver a completed CDR book to the Minister within 14 days of its completion.
- (3) If a provision of subregulation (2) is not complied with, the holder of the licence is guilty of an offence.

Maximum penalty: \$5 000.

12—Periodic returns

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

Maximum penalty: \$5 000.

Expiation fee: \$315.

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

Maximum penalty: \$5 000.

Expiation fee: \$315.

Schedule 1—Aquatic resources prescribed for Blue Crab Fishery

Part 1—Aquatic resources prescribed for purposes of regulation 4(2)(a)

Crustaceans

Blue Swimmer Crab (*Portunus armatus*)

Rock Crab (*Nectocarcinus integrifons*)

Spider Crab (Family Majidae)

Velvet Crab (*Nectocarcinus tuberculatus*)

Part 2—Aquatic resources prescribed for purposes of regulation 4(2)(b)

Molluscs

Octopus (*Octopus* spp)

Gould's Squid (*Nototodarus gouldii*)

Scalefish

Australian Anchovy (*Engraulis australis*)

Barracouta (*Thyrsites atun*)

Black Bream (*Acanthopagrus butcheri*)

Cod (marine species) (Family Moridae)
Flathead (Family Platycephalidae)
Flounder (Family Bothidae or Pleuronectidae)
Bluespotted Goatfish (*Upeneichthys vlamingii*)
Eastern Striped Grunter (*Pelates sexlineatus*)
Australian Herring (*Arripis georgianus*)
Yellowtail Kingfish (*Seriola lalandi*)
Leatherjacket (Family Monacanthidae)
Blue Mackerel (*Scomber australasicus*)
Common Jack Mackerel (*Trachurus declivis*)
Morwong (Family Cheilodactylidae)
Mullet of all species (Family Mugilidae)
Mulloway (*Argyrosomus hololepidotus*)
West Australian Salmon (*Arripis truttaceus*)
Australian Sardine (*Sardinops sagax*)
Snook (*Sphyræna novaehollandiae*)
Southern Sole (*Aseraggodes haackeanus*)
Sea Sweep (*Scorpius aequipinnis*)
Trevally (*Caranginae* spp)
Bluethroat Wrasse (*Notolabrus tetricus*)

Sharks

Rays of all species (Class Elasmobranchii)
Shark of all species (Class Elasmobranchii) other than White Shark (*Carcharodon carcharias*)
Skate of all species (Class Elasmobranchii)

Schedule 2—Revocation of regulations

1—Revocation of *Fisheries Management (Blue Crab Fishery) Regulations 1998*

The *Fisheries Management (Blue Crab Fishery) Regulations 1998* 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 29 August 2013

No 214 of 2013

13MAFF29CS

South Australia

Fisheries Management (Abalone Fisheries) Variation Regulations 2013

under the *Fisheries Management Act 2007*

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 - 5 Variation of regulation 18—Use of registered masters in fishing activities
 - 6 Insertion of Schedule 2
 - Schedule 2—Southern Zone abalone fishing areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Abalone Fisheries) Variation Regulations 2013*.

2—Commencement

These regulations will come into operation on 1 September 2013.

3—Variation provisions

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

Part 2—Variation of *Fisheries Management (Abalone Fisheries) Regulations 2006*

4—Substitution of regulation 15

Regulation 15—delete the regulation and substitute:

15—Individual catch quota system—Southern Zone

- (1) In this regulation—

abalone fishing area means an area defined in Schedule 2;

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

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

subject to any variation applying during that quota period;

fishery means the Southern Zone Abalone Fishery;

quota period—a quota period for the fishery is a period of 12 months commencing on 1 September in any year;

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

unit value means the number of kilograms of abalone meat determined by the Minister to be the value of an abalone unit for a class of abalone and a quota period.

- (2) The Minister—
 - (a) must determine—
 - (i) the number of kilograms of abalone meat that is to be the value of an abalone unit for a class of abalone and each quota period; and
 - (ii) the conversion value for a class of abalone; and
 - (b) may, from time to time, vary the conversion value for a class of abalone.
- (3) The Minister may vary conditions on licences in respect of the fishery fixing abalone quota entitlements as follows:
 - (a) on joint application made to the Minister by the holders of any 2 licences, the conditions of those licences may be varied so as to increase the unit entitlement under 1 of the licences in respect of a particular class of abalone and decrease the unit entitlement under the other licence in respect of that class of abalone by a corresponding number of units;
 - (b) if the total catch of abalone of a particular class taken by the holder of a licence during a quota period exceeded the abalone quota entitlement under the licence in respect of that class of abalone and quota period, the Minister may vary the conditions of the licence so as to decrease the quota entitlement in respect of that class of abalone—
 - (i) if the catch exceeded the quota entitlement by not more than 50 kilograms of abalone meat—by 1 kilogram for each kilogram taken in excess of the quota entitlement; or

- (ii) if the catch exceeded the quota entitlement by more than 50 kilograms but not more than 100 kilograms of abalone meat—by 2 kilograms for each kilogram taken in excess of the quota entitlement;
- (c) if—
- (i) the holder of a licence in respect of the fishery is convicted of an offence of contravening a condition of the licence fixing an abalone quota entitlement; and
 - (ii) the conduct constituting the offence involved the taking of more than 100 kilograms of abalone meat in excess of the quota entitlement,

the conditions of the licence may be varied so as to decrease the abalone quota entitlement under the licence in respect of the class of abalone that was taken for 3 quota periods following the conviction by 1 kilogram for each kilogram taken in excess of the quota entitlement for the quota period during which the offence was committed;

- (d) if the total catch of abalone of a particular class taken by the holder of a licence during a quota period was less than the abalone quota entitlement under the licence in respect of that class of abalone and quota period, the Minister may vary the conditions of the licence so as to—
- (i) increase the quota entitlement in respect of that class of abalone by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the quota entitlement (but in any case by not more than 50 kilograms); and
 - (ii) prohibit any additional abalone units allocated to the licence as a result of the increase in the quota entitlement made under this paragraph from being transferred to another licence;
- (e) if—
- (i) the holder of a licence has assisted in the carrying out of research work under the Act or repealed Act in relation to the fishery; and
 - (ii) the Minister considers that it is appropriate to compensate or reward the holder of the licence for the time spent in providing that assistance,

the Minister may vary the conditions of the licence so as to increase the abalone quota entitlement under the licence;

- (f) a variation of a quota entitlement or unit entitlement under this subregulation (other than paragraph (a) or (c)) must be expressed to apply only for the quota period during which the variation is made.

- (4) For the purposes of subregulation (3)(d), in determining whether the total catch of abalone during a particular quota period was less than the abalone quota entitlement under the licence in respect of that quota period, any increase in the quota entitlement applying during that period as a result of a variation made under that subregulation must be disregarded.
- (5) An application to vary unit entitlements must—
- (a) be made in a manner and form approved by the Minister; and
 - (b) be signed by the applicants and completed in accordance with the instructions contained in the form; and
 - (c) be accompanied by the appropriate fee fixed by the *Fisheries Management (Fees) Regulations 2007*.
- (6) The holder of a licence in respect of the fishery must not, for a commercial purpose, take abalone of any class if the unit entitlement under the licence in respect of either class of abalone specified in column 1 of the following table falls below the number specified alongside in column 2.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Column 1	Column 2
<u>Class of abalone</u>	<u>Unit entitlement</u>
Blacklip Abalone	100
Greenlip Abalone	5

- (7) For the purposes of subregulation (6), if the conditions of a licence in respect of the fishery are varied so as to decrease the unit entitlement under the licence in respect of a class of abalone and the variation is expressed to apply only for the quota period during which the variation is made, the number of abalone units in the decrease must be taken to form part of the unit entitlement under the licence in respect of that class of abalone in determining whether the unit entitlement under the licence falls below the minimum specified in the table.

5—Variation of regulation 18—Use of registered masters in fishing activities

- (1) Regulation 18(1)—at the foot of subregulation (1) insert:
- Maximum penalty: \$5 000.
Expiation fee: \$315.
- (2) Regulation 18(2)—delete subregulation (2) and substitute:
- (2) Subregulation (1) does not prevent—
 - (a) 1 other (and only 1 other) registered master from engaging in fishing activities under a licence in respect of the Southern Zone Abalone Fishery on the same day as the first registered master provided that the 2 registered masters are not diving at the same time; or
 - (b) 1 other (and only 1 other) registered master who is a trainee diver from engaging in fishing activities under a licence in respect of an abalone fishery on the same day as the first registered master provided that—

- (i) at all times while engaged in fishing activities, the trainee diver is under the direct supervision of the first registered master; and
- (ii) the trainee diver does not engage in fishing activities under the licence on more than 10 days in any quota period for the abalone fishery.

6—Insertion of Schedule 2

After Schedule 1 insert:

Schedule 2—Southern Zone abalone fishing areas

Area 1

The waters of or near Robe contained within and bounded by a line commencing at Point 1 (36°35'06" South, 139°40'28" East), then easterly to the line of Mean High Water Springs closest to Point 2 (36°35'06" South, 139°49'52.27" East), then beginning south-easterly along the line of Mean High Water Springs to the location closest to Point 3 (37°13'48.90" South, 139°46'56.46" East), then westerly to Point 4 (37°13'44" South, 139°37'34" East), then north-westerly to Point 5 (37°09'50" South, 139°34'08" East), then northerly to Point 6 (36°50'53" South, 139°34'08" East), then easterly to Point 7 (36°50'53" South, 139°40'28" East), then northerly to the point of commencement.

Area 2

The waters of or near Robe contained within and bounded by a line commencing at Point 4 (37°13'44" South, 139°37'34" East), then easterly to the line of Mean High Water Springs closest to Point 3 (37°13'48.90" South, 139°46'56.46" East), then beginning south-easterly along the line of Mean High Water Springs to the location closest to Point 8 (37°26'01.92" South, 139°57'00.20" East), then west south-westerly to Point 9 (37°27'00" South, 139°49'17" East), then north-westerly to the point of commencement.

Area 3

The waters of or near Beachport contained within and bounded by a line commencing at Point 9 (37°27'00" South, 139°49'17" East), then east north-easterly to the line of Mean High Water Springs closest to Point 8 (37°26'01.92" South, 139°57'00.20" East), then beginning south-easterly along the line of Mean High Water Springs to the location closest to Point 10 (37°29'09.15" South, 140°03'41.58" East), then south-westerly to Point 11 (37°31'59" South, 139°53'55" East), then north-westerly to the point of commencement.

Area 4

The waters of or near Beachport contained within and bounded by a line commencing at Point 11 (37°31'59" South, 139°53'55" East), then north-easterly to the line of Mean High Water Springs closest to Point 10 (37°29'09.15" South, 140°03'41.58" East), then beginning south-easterly along the line of Mean High Water Springs to the location closest to Point 12 (37°33'54.60" South, 140°06'28.06" East), then south-westerly to Point 13 (37°35'44" South, 139°57'29" East), then north-westerly to the point of commencement.

Area 5

The waters of or near Southend contained within and bounded by a line commencing at Point 13 (37°35'44" South, 139°57'29" East), then north-easterly to the line of Mean High Water Springs closest to Point 12 (37°33'54.6" South, 140°06'28.06" East), then beginning south-easterly along the line of Mean High Water Springs to the location closest to Point 14 (37°38'30.98" South, 140°12'18.48" East), then west south-westerly to Point 15 (37°39'37" South, 140°01'11" East), then north-westerly to the point of commencement.

Area 6

The waters of or near Millicent contained within and bounded by a line commencing at Point 15 (37°39'37" South, 140°01'11" East), then east north-easterly to the line of Mean High Water Springs closest to Point 14 (37°38'30.98" South, 140°12'18.48" East), then beginning south-easterly along the line of Mean High Water Springs to the location closest to Point 16 (37°51'16.48" South, 140°21'25.38" East), then westerly to Point 17 (37°51'18" South, 140°16'25" East), then north-westerly to Point 18 (37°45'33" South, 140°10'34" East), then north-westerly to Point 19 (37°43'37" South, 140°05'48" East), then north-westerly to the point of commencement.

Area 7

The waters of or near Tantanoola contained within and bounded by a line commencing at Point 17 (37°51'18" South, 140°16'25" East), then easterly to the line of Mean High Water Springs closest to Point 16 (37°51'16.48" South, 140°21'25.38" East), then beginning south-easterly along the line of Mean High Water Springs to the location closest to Point 20 (37°53'54.88" South, 140°22'31.48" East), then south-westerly to Point 21 (37°56'52" South, 140°17'48" East), then north north-westerly to the point of commencement.

Area 8

The waters of or near Tantanoola contained within and bounded by a line commencing at Point 21 (37°56'52" South, 140°17'48" East), then north-easterly to the line of Mean High Water Springs closest to Point 20 (37°53'54.88" South, 140°22'31.48" East), then beginning south-easterly along the line of Mean High Water Springs to the location closest to Point 23 (37°55'09.05" South, 140°23'48.16" East), then south-westerly to Point 24 (38°00'13" South, 140°18'52" East), then north north-westerly to the point of commencement.

Area 9

The waters of or near Tantanoola contained within and bounded by a line commencing at Point 24 (38°00'13" South, 140°18'52" East), then north-easterly to the line of Mean High Water Springs closest to Point 23 (37°55'09.05" South, 140°23'48.16" East), then beginning south-easterly along the line of Mean High Water Springs to the location closest to Point 25 (37°56'58.29" South, 140°27'58.60" East), then south-westerly to Point 26 (38°01'24" South, 140°22'46" East), then west north-westerly to the point of commencement.

Area 10

The waters of or near Tantanoola contained within and bounded by a line commencing at Point 26 (38°01'24" South, 140°22'46" East), then north-easterly to the line of Mean High Water Springs closest to Point 25 (37°56'58.29" South, 140°27'58.60" East), then beginning south-easterly along the line of Mean High Water Springs to the location closest to Point 27 (37°59'23.62" South, 140°31'01.72" East), then south-westerly to Point 28 (38°02'49" South, 140°27'27" East), then west north-westerly to the point of commencement.

Area 11

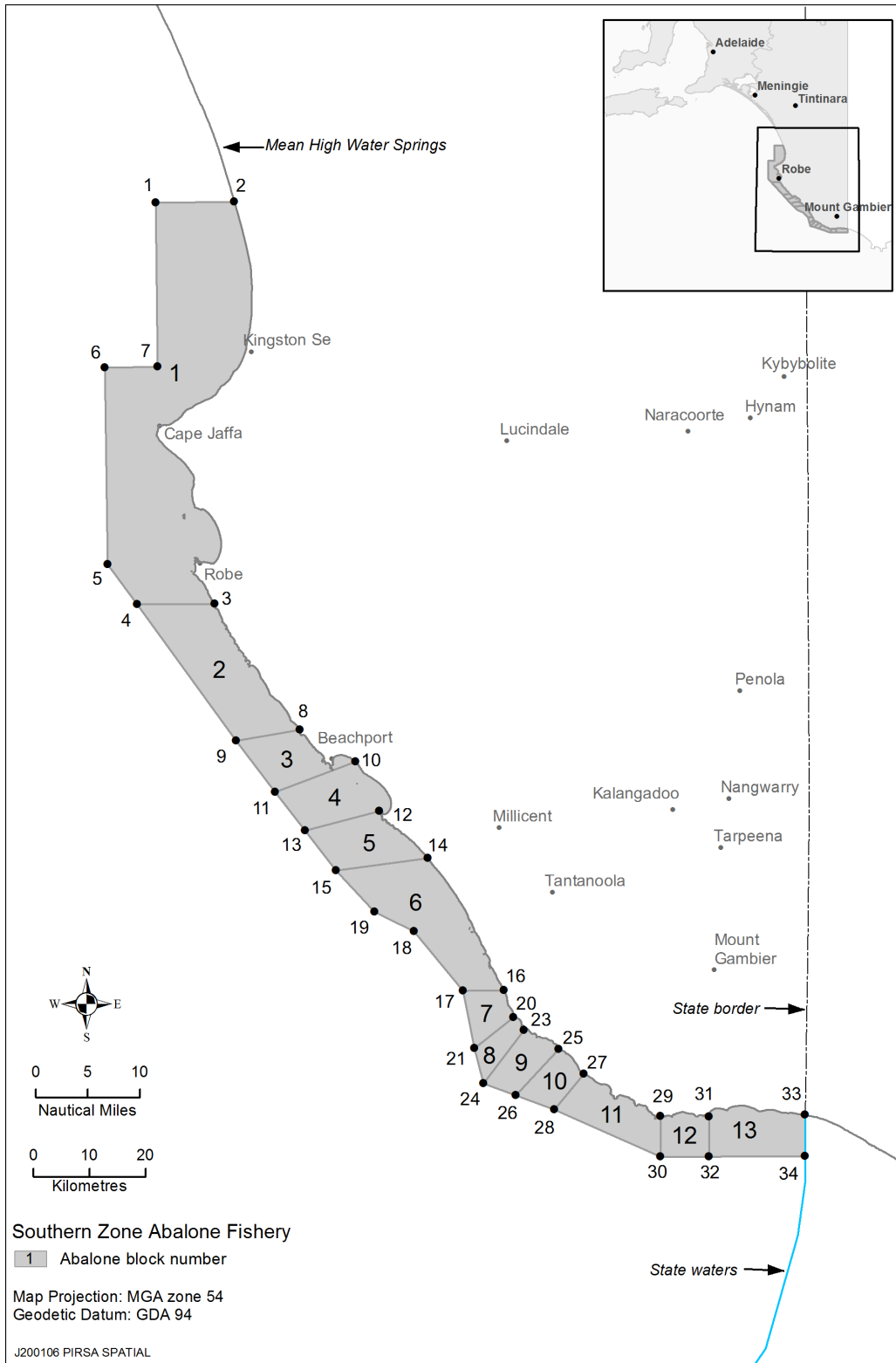
The waters of or near Blanche Bay contained within and bounded by a line commencing at Point 28 (38°02'49" South, 140°27'27" East), then north-easterly to the line of Mean High Water Springs closest to Point 27 (37°59'23.62" South, 140°31'01.72" East), then beginning south-easterly along the line of Mean High Water Springs to the location closest to Point 29 (38°03'30.05" South, 140°40'20" East), then south to Point 30 (38°07'23" South, 140°40'20" East), then north-westerly to the point of commencement.

Area 12

The waters of or near Port MacDonnell contained within and bounded by a line commencing on the line of Mean High Water Springs closest to Point 29 (38°03'30.05" South, 140°40'20" East), then beginning easterly along the line of Mean High Water Springs to the location closest to Point 31 (38°03'32.82" South, 140°46'13.84" East), then south to Point 32 (38°07'23" South, 140°46'14" East), then west to Point 30 (38°07'23" South, 140°40'20" East), then north to the point of commencement.

Area 13

The waters of or near Port MacDonnell contained within and bounded by a line commencing on the line of Mean High Water Springs closest to Point 31 (38°03'32.82" South, 140°46'13.84" East), then beginning easterly along the line of Mean High Water Springs to the eastern border of the State of South Australia (Point 33 (38°03'23.18" South, 140°57'57.71" East), then southerly along the border of the State to the boundary of the State waters, then southerly along that boundary to Point 34 (38°07'23" South, 140°57'56.92" East), then west to Point 32 (38°07'23" South, 140°46'14" East), then north to the point of commencement.



Note—

The map is provided for convenience of reference only.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 29 August 2013

No 215 of 2013

13MAFF28CS

South Australia

Fisheries Management (General) Variation Regulations 2013

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fisheries Management (General) Regulations 2007*

- 4 Variation of Schedule 2—Undersize fish
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (General) Variation Regulations 2013*.

2—Commencement

These regulations will come into operation on 1 September 2013.

3—Variation provisions

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

Part 2—Variation of *Fisheries Management (General) Regulations 2007*

4—Variation of Schedule 2—Undersize fish

- (1) Schedule 2, clause 5(2)—delete subclause (2) and substitute:
 - (2) Blacklip abalone is undersize—
 - (a) if taken in an abalone fishing area in the Southern Zone—its length is less than the length specified by the Minister from time to time by notice in the Gazette; or
 - (b) if taken in waters other than the Southern Zone—
 - (i) it is less than 13 cm in length; or
 - (ii) the meat, having been removed from the shell, weighs less than 113 gm.

- (2) Schedule 2, clause 5(5), definition of *Area S*—delete the definition and substitute:

abalone fishing area has the same meaning as in regulation 15 of the *Fisheries Management (Abalone Fisheries) Regulations 2006*;

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 29 August 2013

No 216 of 2013

13MAFF28CS

South Australia

Fisheries Management (Vessel Monitoring Scheme) Variation Regulations 2013

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fisheries Management (Vessel Monitoring Scheme) Regulations 2007*

- 4 Variation of regulation 3—Interpretation
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Vessel Monitoring Scheme) Variation Regulations 2013*.

2—Commencement

These regulations will come into operation on 1 September 2013.

3—Variation provisions

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

Part 2—Variation of *Fisheries Management (Vessel Monitoring Scheme) Regulations 2007*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1), definition of *fishing season*—after paragraph (d) insert:
 - (e) in relation to the Southern Zone Abalone Fishery—means the period commencing on 1 September in any year and ending on 31 August in the following year;
- (2) Regulation 3(1), definition of *prescribed fishing activity*—after paragraph (d) insert:
 - (e) in relation to a fishery authority in respect of the Southern Zone Abalone Fishery—means the taking of abalone in the Southern Zone for a commercial purpose;

(3) Regulation 3(1), definition of **registered boat**—after paragraph (d) insert:

or

(e) a registered boat used under a fishery authority in respect of the Southern Zone Abalone Fishery;

(4) Regulation 3(2)(c)—delete paragraph (c) and substitute:

(c) **Northern Zone, Northern Zone Rock Lobster Fishery, Southern Zone Rock Lobster Fishery** and **Victorian licence** have the same respective meanings as in the *Fisheries Management (Rock Lobster Fisheries) Regulations 2006*;

(ca) **Southern Zone**, in relation to the Southern Zone Rock Lobster Fishery, has the same meaning as in the *Fisheries Management (Rock Lobster Fisheries) Regulations 2006*;

(cb) **Southern Zone Abalone Fishery** has the same meaning as in the *Fisheries Management (Abalone Fisheries) Regulations 2006*, and **Southern Zone**, in relation to that Fishery, has the same meaning as in those regulations;

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 29 August 2013

No 217 of 2013

13MAFF28CS

South Australia

Public Corporations (Adelaide Festival Centre Trust) Regulations 2013

under the *Public Corporations Act 1993*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Application of Act to Trust

Schedule 1—Revocation of *Public Corporations (Adelaide Festival Centre Trust) Regulations 1998*

1—Short title

These regulations may be cited as the *Public Corporations (Adelaide Festival Centre Trust) Regulations 2013*.

2—Commencement

These regulations will come into operation on 1 September 2013.

3—Interpretation

In these regulations—

Act means the *Public Corporations Act 1993*;

Adelaide Festival Centre Trust means the trust established by the *Adelaide Festival Centre Trust Act 1971*.

4—Application of Act to Trust

The following provisions of the Act apply to the Adelaide Festival Centre Trust:

- (a) Part 2 (Ministerial control);
- (b) Part 3 (Performance and scope of corporation's operations);
- (c) sections 27, 32, 35, 36, 39, 40, 41 and 42.

Note—

See section 5(1a) of the Act for other provisions of the Act that apply to the Adelaide Festival Centre Trust.

Schedule 1—Revocation of *Public Corporations (Adelaide Festival Centre Trust) Regulations 1998*

The *Public Corporations (Adelaide Festival Centre Trust) Regulations 1998* 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 29 August 2013

No 218 of 2013

DPC13/050CS

South Australia

ASER (Restructure) Regulations 2013

under the *ASER (Restructure) Act 1997*

Contents

Part 1—Preliminary

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- 2 Commencement
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Part 2—The Site and its constituent parts

- 4 The Site
- 5 Casino site

Part 3—ASER Services Corporation

- 6 Convening of meetings of members
- 7 Member to preside at meetings
- 8 Quorum
- 9 Proxies
- 10 Voting rights of members
- 11 Staff of the Corporation
- 12 Office
- 13 Common seal and execution of documents
- 14 Insurance

Part 4—The common area and shared facilities

- 15 Obstruction of common area
- 16 Stakeholders not to alter shared facilities
- 17 Use of air-conditioning plant
- 18 Notice of defects

Part 5—Compulsory contributions

- 19 Compulsory contributions
- 20 Levy of contributions
- 21 Accounting matters
- 22 Estimation of consumption

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- 23 Service of documents

Schedule 1—Subsidiary sites

Schedule 2—Compulsory contributions

- 1 Basis of contribution
- 2 Remission of rates and taxes to taxing or rating authority
- 3 Interpretation
- 4 Compulsory contributions to ASER Services Corporation

Schedule 3—Revocation of *ASER (Restructure) Regulations 1998*

Part 1—Preliminary**1—Short title**

These regulations may be cited as the *ASER (Restructure) Regulations 2013*.

2—Commencement

These regulations will come into operation on 1 September 2013.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *ASER (Restructure) Act 1997*;

Adelaide Station subsidiary site—see Schedule 1;

casino site—see regulation 5;

Casino subsidiary site—see Schedule 1;

Convention Centre subsidiary site—see Schedule 1;

Exhibition Hall Car Park subsidiary site—see Schedule 1;

Exhibition Hall subsidiary site—see Schedule 1;

General Plan or *GP* means a plan affecting land deposited at the General Registry Office at Adelaide pursuant to section 31 of the *Registration of Deeds Act 1935*;

Hotel subsidiary site—see Schedule 1;

Northern Car Park subsidiary site—see Schedule 1;

Rail Commissioner means the Rail Commissioner under the *Rail Commissioner Act 2009*;

Riverside Building subsidiary site—see Schedule 1;

Site—see regulation 4;

Southern Car Park subsidiary site—see Schedule 1;

stakeholder 1 means the occupier for the time being of the Hotel subsidiary site;

stakeholder 2 means the occupier for the time being of the Convention Centre subsidiary site;

stakeholder 3 means the occupier for the time being of the Northern Car Park subsidiary site;

stakeholder 4 means the occupier for the time being of the Southern Car Park subsidiary site;

stakeholder 5 means the occupier for the time being of the Exhibition Hall subsidiary site;

stakeholder 6 means the occupier for the time being of the Exhibition Hall Car Park subsidiary site;

stakeholder 7 means the occupier for the time being of the Riverside Building subsidiary site;

stakeholder 8 means the occupier for the time being of the Adelaide Station subsidiary site;

stakeholder 9 means the occupier for the time being of the Casino subsidiary site.

Part 2—The Site and its constituent parts

4—The Site

The Site consists of that piece of land being formerly—

- (a) the whole of the land comprised in Certificates of Title Register Book Volume 5101 Folio 624 and Volume 5191 Folio 690 and that portion of piece 1 in Deposited Plan No. 46426 marked S, being portion of the land comprised in Certificate of Title Register Book Volume 4401 Folio 352;
- (b) the whole of the land comprised in Certificate of Title Register Book Volume 5522 Folio 16 and portion of the land comprised in Certificates of Title Register Book Volume 5522 Folios 12 and 15;

but now being the whole of the land comprised in Certificate of Title Register Book 5522 Folio 16 and the portion of land comprised in Certificate of Title Register Book Volume 5853 Folio 305 and the portion of land comprised in Certificate of Title Register Book Volume 5895 Folio 159.¹

Note—

- 1 The Site was defined by the *ASER (Restructure) Regulations 1998* (see paragraph (a)). The site was subsequently enlarged (see paragraph (b)). Since then new Certificates of Title have been issued in relation to the Site.

5—Casino site

Pursuant to sections 3 and 7 of the Act, the casino site is the land comprised in General Plan No. 249 of 1998 and marked F1, Plant F3, F4, Light & Plant F5, Balcony F6, Balcony F7, G1, G2, Hall G3, G15, Plant G16, Lift L1, Lifts L2, Lift L3, Lifts L4, M1, M2, M3, P2, Corridor P3, P5, Corridor P6, Lobby P7, P9, P11, P13, P14, PM2, Stairs S1, Stairs S2, Stairs S5, Stairs S6, Stairs S7, Stairs S9, Stairs S10, Fire Escape Stairs S11, SF1, Plant SF3, Light and Plant SF4, SF5 Light Court, Light and Plant SF6, T1, Light Court T3, T4 Light Court and Light Court T5 (being part of the Site and being occupied by the Adelaide Casino).

Part 3—ASER Services Corporation

6—Convening of meetings of members

- (1) Subject to this regulation, a member or the executive officer of the Corporation may at any time convene a meeting of members of the Corporation on not less than 7 days notice in writing.
- (2) In the case of an emergency, 2 members of the Corporation may together convene a meeting of members of the Corporation on not less than 24 hours notice in writing.
- (3) With the consent of all members or their proxies, a meeting of members of the Corporation may be held without notice or on a period of notice that is less than that otherwise required under this regulation.

7—Member to preside at meetings

- (1) Members may elect a member to preside at meetings of the Corporation and the member so elected or the member's proxy will preside at meetings of the Corporation.

- (2) If a member is not so elected or a member so elected is not present (in person or by proxy) at a meeting, the members or proxies present may choose 1 of their number to preside at the meeting.

8—Quorum

Two members present in person or by proxy constitute a quorum for a meeting of the members of the Corporation.

9—Proxies

- (1) A proxy must be appointed by instrument in writing executed in a manner binding on the appointor.
- (2) A member may at any time revoke the appointment of a proxy and appoint another proxy in his or her place.
- (3) A member may appoint one or more alternate proxies to act for the member where a proxy appointed is unable to act.
- (4) The instrument appointing or revoking the appointment of a proxy takes effect when served on the Corporation.
- (5) If the State of South Australia is a member of the Corporation, the Minister may appoint a person to act as proxy for the State.

10—Voting rights of members

- (1) Subject to subregulation (2), the voting rights of members of the Corporation are as follows:

stakeholder 1	245 votes
stakeholder 2	214 votes
stakeholder 3	105 votes
stakeholder 4	14 votes
stakeholder 5	1 vote
stakeholder 6	1 vote
stakeholder 7	236 votes
stakeholder 8	100 votes
stakeholder 9	85 votes.

- (2) If, under section 22 of the Act and these regulations, 100% of the cost of work of a particular kind carried out by the Corporation is to be borne by 1 member, a resolution authorising the Corporation to carry out that work is not valid unless consented to by the member required to bear 100% of the cost of the work.

11—Staff of the Corporation

- (1) The Corporation must appoint an executive officer and may appoint such other employees of the Corporation as it thinks necessary or desirable.
- (2) An appointment will be on such terms and conditions as the Corporation may fix.

12—Office

- (1) The Corporation must have an office which is reasonably accessible to the public to which all communications and notices may be addressed.

- (2) The Corporation must paint or affix and keep painted or affixed in a conspicuous position and in letters easily legible from outside the office its name, the hours during which it is open and the expression *Office*.

13—Common seal and execution of documents

- (1) The Corporation is to have a common seal.
- (2) The Corporation must set out its name in legible characters on its common seal.
- (3) The common seal of the Corporation must not be affixed to a document except with the authority of the members at a duly constituted meeting, and the affixing of the seal must be attested by the signatures of 2 members or their proxies for the time being.
- (4) The Corporation may, by instrument under its common seal or by resolution, authorise any person employed by the Corporation (whether nominated by name, office or title) or any other person to execute documents or perform acts on behalf of the Corporation subject to conditions and limitations (if any) specified in the instrument of authority or resolution.
- (5) Without limiting subregulation (4), an authority may be given so as to authorise 2 or more persons to execute documents jointly on behalf of the Corporation.
- (6) A document is duly executed by the Corporation if—
 - (a) the common seal of the Corporation is affixed to the document in accordance with this regulation; or
 - (b) the document is signed on behalf of the Corporation by a person or persons in accordance with an authority conferred under this regulation.

14—Insurance

- (1) Pursuant to section 14 of the Act—
 - (a) the Corporation must insure and keep insured those parts of subsidiary sites leased or sub-leased to the Corporation, the common area and the shared facilities against public liability in a sum not less than \$20 000 000 per claim or such greater sum as the Minister may from time to time fix;
 - (b) the Corporation must insure itself and keep itself insured from claims against professional error or omission or negligence in the performance of its functions in a sum not less than \$4 000 000 per claim or such greater amount as the Minister may from time to time fix.
- (2) The Corporation must also insure and keep insured those parts of subsidiary sites leased or sub-leased to the Corporation, the common area and the shared facilities against loss or damage caused by fire, storm and tempest, flood, lightning, earthquake, explosion, accidental damage, impact, malicious damage, burglary, theft, and machinery breakdown, for the reinstatement and replacement cost of those parts of subsidiary sites leased or sub-leased to the Corporation, the common area and the shared facilities.
- (3) The Corporation may also insure its members and their proxies and its officers against claims made against them for professional error or omission or negligence in carrying out their duties in relation to the Corporation in a sum not exceeding \$4 000 000 or such greater sum as the Minister may from time to time fix.

- (4) Each policy effected pursuant to this regulation must contain provisions to the following effect:
- (a) all insuring agreements and endorsements, with the exception of limits of liability, must operate in the same manner as if there were a separate policy covering each party which is an insured;
 - (b) the failure by an insured to observe and fulfil the terms of the policy must not prejudice the insurance with regard to any other insured.

Part 4—The common area and shared facilities

15—Obstruction of common area

A stakeholder must not in any way obstruct or permit the obstruction of any part of the common area without the prior consent of the Corporation.

16—Stakeholders not to alter shared facilities

A stakeholder must not—

- (a) make or cause or permit to be made any repairs or maintenance work or alteration to any shared facilities; or
- (b) otherwise interfere with shared facilities,

without the prior consent in writing of the Corporation, which consent may be withheld in its absolute discretion.

17—Use of air-conditioning plant

In respect of the shared facilities used to provide chilled water for use in air-conditioning, a stakeholder must, to the extent of its control over air-conditioning plant, use and regulate the plant so as to ensure that the shared facilities are employed to the best advantage in the conditions from time to time prevailing so as not to interfere with, damage or otherwise prejudice or detract from the operations of the shared facilities.

18—Notice of defects

A stakeholder must notify the Corporation in writing promptly on becoming aware of any circumstances (including any accident to or defect of want of repair in or to the common area or shared facilities) that might cause any danger, risk or hazard to the common area or the shared facilities or to any person or property in the common area or by reason of the use of the shared facilities.

Part 5—Compulsory contributions

19—Compulsory contributions

For the purposes of section 22 of the Act, compulsory contributions from stakeholders to the Corporation are to be determined on the basis fixed by Schedule 2.

20—Levy of contributions

- (1) The Corporation may from time to time by notice in writing levy stakeholders for their respective contributions.
- (2) A contribution becomes due and payable when it is levied on the stakeholder concerned and must be paid within 14 days of service on the stakeholder of the notice in writing making the levy.

- (3) A contribution which remains unpaid for more than 14 days will bear interest at the rate of 20% per annum on any amount outstanding in respect of the contribution after the expiration of the 14 day period.
- (4) The Corporation may remit in whole or in part any interest payable under subregulation (3).

21—Accounting matters

In determining contributions payable by stakeholders to the Corporation, the Corporation must bring general overheads and running expenses to account so that the burden of such overheads and running expenses falls on stakeholders in an equitable manner having regard to their respective use of the services and facilities provided by the Corporation.

22—Estimation of consumption

In any case, whether through oversight or any other cause, there is a delay in the reading of meters, an estimate of the readings as at the date on which the meters should have been read may be taken and a calculation of consumption made on the basis of such estimate.

Part 6—Miscellaneous

23—Service of documents

- (1) A document may be served on the Corporation by leaving it at, or sending it by post to, the office of the Corporation or by serving it on the executive officer.
- (2) In addition to any mode of service authorised by these regulations or by law, a document may be served on the Corporation or a stakeholder by sending it by fax to the fax number of the recipient last notified in writing to the sender.
- (3) A communication, if sent by fax, is taken to be made at the time of transmission.
- (4) A transmission report made by the machine from which the fax was sent which indicates that a fax was sent in its entirety to the fax number of the Corporation or stakeholder (as the case may be) is evidence that the fax was duly sent.

Schedule 1—Subsidiary sites

Name of subsidiary site	Boundaries of subsidiary site
Adelaide Station subsidiary site	<p>The land comprised in—</p> <ul style="list-style-type: none"> <li data-bbox="667 439 1337 499">(a) General Plan No. 249 of 1998 and marked Lift L5, LA1, Concourse P15, Ramp P16, Stairs S3 and Stairs S8; and <li data-bbox="667 517 1337 600">(b) General Plan No. 248 of 1998 and marked ST1 Station, ST2 Station, ST3 Station, ST6 Vent Area and ST7 Stratum Area, <p>(being part of the Site and being occupied by the Rail Commissioner in connection with the <i>Adelaide Railway Station</i>).</p>
Casino subsidiary site	<p>The land comprised in General Plan No. 249 of 1998 and marked Bridge G4, Foyer G5, Canopy G6, Walkway G7, Road & Parking G8, Access G9 and Terrace G13 (being part of the Site and being occupied by the <i>Adelaide Casino</i> — but not being part of the premises licensed as a casino).</p>
Convention Centre subsidiary site	<p>The land comprised in General Plan No. 248 of 1998 and marked C1 Convention Centre, N2 Fire Control, N3 Pump Room, N4 Fire Tank, N5, N6 Fire Tank, N7 Storage, N8 Substation, N9 Switchroom, N10 Lifts, N11 Battery Room, N12 Goods Handling, N13 Sump Room, N15 Access, N17 Loading Bay, N18 Loading Dock, N19 Storage, N21, N23 Boiler Room, N24 Switchroom, N25 Convention Facilities, N26 Office, N27 Amenities, N28 Refrigeration Enclosure, N31 Canteen, N32 Storage, N33 PABX, N34 Passage, N35 Services, N36 Cage, N37 Cage, N39 Air Conditioners, N42, N48 Services, Restaurant P8, Cooling Tower P9, PL10 and ER (being part of the Site and being occupied by the <i>Adelaide Convention Centre</i>).</p>
Exhibition Hall Car Park subsidiary site	<p>The land comprised in General Plan No. 248 of 1998 and marked E2 Carpark, E4 Carpark, E9 Carpark, E11 Access and E12 Access, (being part of the Site and being occupied by the <i>Exhibition Hall Car Park</i>).</p>
Exhibition Hall subsidiary site	<p>The land comprised in General Plan No. 248 of 1998 and marked EX1 Exhibition Hall, E3, E5 Ramp, E6 Loading Dock, E7, E8, E10 Transformer Room, E13 Access, E14 Stairs, E15, E16, E17 Garden, E18 Access, E19 Garden, E20 Garden, E21 Garden, E23, E24, E25 Garden, E26 Fire Escape, E27 Access, E28 Walkway, E29 Garden, E30 Garden, E31, E32 Access, E33 Access, E34, E35 Access and R4 Roller Door (being part of the Site and being occupied by the <i>Exhibition Hall</i>).</p>
Hotel subsidiary site	<p>The land comprised in General Plan No. 248 of 1998 and marked CD1 Delivery and Car Park, H1 Hotel, H2 Fire Escape Tunnel, H3 Central Plant Room, H4 Substation, H5 Fire Escape Tunnel, Stairs H6, Stairs H7, H8, H9 Terrace, H10 Balance at Concourse Level, H11 Room, H12 Doorway to Concourse, H13 Balance at Sub Plaza Level, H14 Terrace, H15 Doorway, H16 Doorway, H17 Doorway, H18 Doorway, H19 Stairs, H20, H21 Access, H22 Vents, N14 Stairs, N14A Stairs, N47 Services and External Function Area P15 (but not the land marked AR3 and AR9 in the General Plan referred to) (being part of the Site and being occupied by the <i>Intercontinental Adelaide Hotel</i>).</p>

Name of subsidiary site	Boundaries of subsidiary site
Northern Car Park subsidiary site	The land comprised in General Plan No. 248 of 1998 and marked N1 Carpark, N16 Ramps, N20 Carpark, N22 Access, N29 Carpark, N29A Carpark, N29B Carpark, N30 Carpark, N38 Duct, N40 Duct, N43, N44 Services, N45, N46, N49 Ramp, L1 Lobby, P11 Lifts and P12 Stairs (being part of the Site and being occupied by the car park generally known as the <i>Northern Car Park</i>).
Riverside Building subsidiary site	The land comprised in General Plan No. 248 of 1998 and marked OB1 Office Building, P17 Shop, P18 Plant Room, P19 Fire Control Room, P21 Stairs, P22 Stairs, P26 Lift, P27 Stairs, PA1 Passage, R1 Loading Dock, R2, R3, S2 Monitoring Room, S3 Switchroom, S4 Switchroom, S5 Cleaners Room, S8 Transformer Room, S9 Tank Room, S10 Lift Lobby and Lifts, S14 Pump Room, S15 M.D.F. Room, S16 U.P.S. System Room, S17 Store, S18, S19, S20, S21, S22 Fire Ring Main Room, S23, S24 Passage, S25 Lift Well and S27 Fire M.J.B. (being part of the Site and being occupied by the <i>Riverside Building</i> and by the shop adjoining the ramp in front of the <i>Intercontinental Adelaide Hotel</i>).
Southern Car Park subsidiary site	The land comprised in General Plan No. 248 of 1998 and marked S1 Carpark, S6, S7 Concrete Wall, S12 Stairs, S13 Pumps and Tanks, S26 Water Mains, S28 Doorway, S29 Doorway, S30 and FW1 Fire Wall (being part of the Site and being occupied by the car park generally known as the <i>Southern Car Park</i>).

Schedule 2—Compulsory contributions

1—Basis of contribution

- (1) Subject to subclause (2), the basis of contribution by stakeholders in respect of each of the categories of cost incurred by the Corporation set out in the table in this Schedule is according to the percentages set out in the table.
- (2) The basis of contribution by stakeholders in respect of electricity consumed (chilled water system) cost is that the cost is to be shared amongst the stakeholders using the chilled water facility in the proportion that the relative benefits derived by the respective stakeholders from the chilled water facility bear to one another.

2—Remission of rates and taxes to taxing or rating authority

The Corporation must forthwith remit any amount collected as a contribution from a stakeholder in respect of rates and taxes to the taxing or rating authority or to the Treasurer (as the case may require).

3—Interpretation

In this Schedule—

chilled water (shared facilities) cost means the cost incurred by the Corporation in the operation, inspection, repair, maintenance, renewal, replacement and insurance of shared facilities used or held for use for the purposes of the provision of chilled water for use in air-conditioning and the maintenance and insurance of plant rooms housing such shared facilities to the extent that the cost of the maintenance and insurance of such plant rooms is not included in the electric power (shared facilities) cost (also including consumed fuels but excluding water and electricity consumed in the manufacture of chilled water);

electricity consumed (chilled water system) cost means the cost incurred by the Corporation in the consumption by it of electric power used in providing chilled water in air-conditioning;

electric power (shared facilities) cost means the cost incurred by the Corporation in the operation, inspection, repair, maintenance, renewal, replacement and insurance of shared facilities used or available for use in the provision of electric power (including the maintenance and insurance of plant rooms housing such shared facilities);

emergency power (shared facilities) cost means the cost incurred by the Corporation in the operation, inspection, repair, maintenance, renewal, replacement and insurance of shared facilities used or available for use solely in the provision of emergency electric power (including the maintenance and insurance of plant rooms housing such shared facilities);

fire protection service (shared facilities) cost means the cost incurred by the Corporation in the operation, inspection, repair, maintenance, renewal, replacement and insurance of shared facilities used or held for use for the purposes of a fire protection service and the maintenance and insurance of plant rooms housing such shared facilities to the extent that the cost of the maintenance and insurance of such plant rooms is not included in the electric power (shared facilities) cost or chilled water (shared facilities) cost;

general insurance (maintenance of common area) cost means the cost incurred by the Corporation in the insurance of the following parts of the common area: the plaza paving, drainage facilities, garden plots, landscaped areas, garden watering facilities, canopies and artworks;

insurance, in relation to the shared facilities, parts of the common area or plant rooms (but not in relation to public liability insurance), means insurance against the risks referred to in regulation 14;

maintenance of common area cost means the cost incurred by the Corporation in the management, repair, maintenance and cleaning of the following parts of the common area: the plaza paving, drainage facilities, garden plots, landscaped areas, garden watering facilities, canopies and artworks;

maintenance of structural elements cost means the cost incurred by the Corporation in the management, repair, maintenance, replacement and insurance of the following to the extent that they are part of the common area: the plaza slabs and the piles, pile caps, structural columns and walls supporting the plaza slabs;

other costs and expenses means the cost incurred by the Corporation in carrying out its activities to the extent that the cost is not otherwise included in a category of costs under this Schedule;

other shared facilities cost means the cost incurred by the Corporation in the operation, inspection, repair, maintenance, renewal, replacement and insurance of shared facilities to the extent that the cost is not otherwise included in electric power (shared facilities) cost, emergency power (shared facilities) cost, fire protection service (shared facilities) cost, chilled water (shared facilities) cost, public liability insurance (leased areas, common area and shared facilities) cost, electricity consumed (chilled water system) cost or water consumed (chilled water system) cost;

public liability insurance (leased areas, common area and shared facilities) cost means the cost incurred by the Corporation in the provision of public liability insurance in respect of those parts of subsidiary sites leased or sub-leased to the Corporation, the common area and the shared facilities;

rates and taxes includes—

- (a) rates and taxes payable by the Site owner (including, if relevant, under section 25(1) of the *Housing and Urban Development (Administrative Arrangements) Act 1995* or under section 29(1) of the *Public Corporations Act 1993*); and
- (b) if relevant, amounts payable to the Treasurer for the credit of the Consolidated Account pursuant to section 25(2) of the *Housing and Urban Development (Administrative Arrangements) Act 1995* or pursuant to section 29(2) of the *Public Corporations Act 1993* determined by the Treasurer from time to time to be the equivalent of rates that the Site owner would be liable to pay to The Corporation of the City of Adelaide if the Site owner were not an instrumentality of the Crown;

rates and taxes cost means the cost incurred by the Site owner or the Corporation in the payment of rates and taxes in respect of the common area (to the extent that such payment is not specifically provided for in a lease or other document);

security of the common area cost means the cost incurred by the Corporation in respect of the security of the common area;

Site owner means any agency or instrumentality of the Crown that is, for the time being, the holder of fee simple granted over the land of the Site;

water consumed (chilled water system) cost means the cost incurred by the Corporation in the payment for water consumed by the Corporation in the operation of the chilled water system and cooling tower.

4—Compulsory contributions to ASER Services Corporation

Note—

This clause is comprised of a table—see the next page.

	Chilled water (shared facilities) cost	Electricity consumed (chilled water system) cost	Electric power (shared facilities) cost	Emergency power (shared facilities) cost	Fire protection service (shared facilities) cost	General insurance (maintenance of common area) cost	Maintenance of common area cost	Maintenance of structural elements cost	Public liability insurance (lease areas, common area and shared facilities) cost	Rates and taxes cost	Security of common area cost	Water consumed (chilled water system) cost	Other shared facilities cost	Other costs and expenses
Stakeholder 1 (Hotel)	34.8%	see cl 1(2)	31.4%	52.4%	29.7%	29.3%	—	29.3%	29.3%	29.3%	6.0%	59.5%	32.0%	29.3%
Stakeholder 2 (Convention Centre)	25.9%	see cl 1(2)	24.2%	9.6%	7.8%	27.0%	100%	27.0%	27.0%	27.0%	85.0%	12.4%	27.0%	27.0%
Stakeholder 3 (Northern Car Park)	—	see cl 1(2)	9.6%	9.2%	5.0%	11.0%	—	11.0%	11.0%	11.0%	—	—	11.0%	11.0%
Stakeholder 4 (Southern Car Park)	—	see cl 1(2)	1.4%	1.3%	0.7%	2.0%	—	2.0%	2.0%	2.0%	—	—	2.0%	2.0%
Stakeholder 5 (Exhibition Hall)	—	see cl 1(2)	—	—	4.0%	—	—	—	—	—	—	—	—	—
Stakeholder 6 (Exhibition Hall Car Park)	—	see cl 1(2)	—	—	1.0%	—	—	—	—	—	—	—	—	—
Stakeholder 7 (Riverside Building)	39.3%	see cl 1(2)	26.0%	19.7%	28.7%	25.7%	—	25.7%	25.7%	25.7%	3.0%	28.1%	28.0%	25.7%
Stakeholder 8 (Adelaide Station)	—	see cl 1(2)	2.4%	7.8%	18.1%	—	—	—	—	—	—	—	—	—
Stakeholder 9 (Casino)	—	see cl 1(2)	5.0%	—	5.0%	5.0%	—	5.0%	5.0%	5.0%	6.0%	—	—	5.0%

Schedule 3—Revocation of *ASER (Restructure) Regulations 1998*

The *ASER (Restructure) Regulations 1998* 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 29 August 2013

No 219 of 2013

South Australia

Libraries Regulations 2013

under the *Libraries Act 1982*

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Part 1—Revocation of *Libraries Regulations 1998*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Libraries Regulations 2013*.

2—Commencement

These regulations will come into operation on 1 September 2013.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Libraries Act 1982*;

disabled person's parking permit means—

- (a) a permit issued under Part 3D of the *Motor Vehicles Act 1959*; or
- (b) a similar permit or authority issued under the law of another State or a Territory of the Commonwealth;

library parking permit—see regulation 5;

library parking permit area means an area designated by an official sign displayed in or near the area as a parking area for persons holding a library parking permit;

official sign means a sign or marking (or a combination of signs and markings) erected or made with the authority of the Board;

park includes stand;

parking area for disabled persons means an area designated by an official sign displayed in or near the area as a parking area for persons holding a disabled person's parking permit;

property of the Board means property under the care or control of the Board;

vehicle means motor vehicle;

wheeled recreational device includes rollerblades, rollerskates, a skateboard or similar wheeled device, but does not include a bicycle.

4—Acting with approval of Board or authorised officer

- (1) These regulations do not prevent a person from doing anything with the approval of the Board or an authorised officer or otherwise with lawful authority.
- (2) An approval given by the Board or an authorised officer for the purposes of these regulations—
 - (a) must be in writing or, if given orally, must be confirmed in writing as soon as practicable; and
 - (b) may relate to a particular person or matter or persons or matters of a class specified by the Board or authorised officer; and
 - (c) may be subject to conditions (including a condition requiring payment of a fee) specified by the Board or authorised officer; and
 - (d) may be varied or revoked by the Board or authorised officer at any time.
- (3) If the Board or an authorised officer gives approval subject to a condition, the person to whom the approval is given must not contravene or fail to comply with the condition.

Maximum penalty: \$1 250.

5—Library parking permits

- (1) The Board may determine—
 - (a) the persons entitled to a *library parking permit*; and
 - (b) the parts of the premises of the Board that will be designated as *library parking permit areas*, being areas for the parking of vehicles by persons entitled to a library parking permit; and

- (c) the fee (if any) to be paid for such a permit; and
 - (d) the conditions to which such permits will be subject (which may include conditions as to the period for which the permits remain in force and conditions as to the display of the permits in vehicles),
- and may vary or revoke any such determination.
- (2) The Board may issue a library parking permit to any person entitled to such a permit on payment of the fee (if any), and subject to the conditions, determined by the Board.

Part 2—Behaviour on premises of Board

6—Nuisances, annoyances and use of electronic devices in library

- (1) A person must not, while in a library, speak using a mobile phone, computer or other electronic device in such a way that is likely to interfere with the comfort of, or disturb or annoy, another person.
- Maximum penalty: \$250.
Expiation fee: \$80.
- (2) A person must not, while in a library, use a radio, mobile phone, computer or other electronic device that is capable of emitting sound unless the person ensures that he or she does not allow any sound from the device to interfere with the comfort of, or disturb or annoy, another person.
- Maximum penalty: \$250.
Expiation fee: \$80.
- (3) A person must not, while in a library, use a mobile phone, computer or other electronic device—
- (a) to transmit any material that is defamatory, obscene or offensive; or
 - (b) to knowingly access material that is obscene.
- Maximum penalty: \$1 250.

7—Other behaviour

A person must not, while in a library or on other premises of the Board—

- (a) use abusive, threatening or insulting language; or
- (b) behave in a threatening, intoxicated, indecent or otherwise disorderly or offensive manner or create any disturbance; or
- (c) interfere with another person's reasonable enjoyment of the library or premises; or
- (d) consume alcohol except in licensed premises; or
- (e) consume unlawful substances; or
- (f) smoke except in an area designated by an official sign displayed in or near the area as an area in which smoking is permitted; or
- (g) eat or drink in an area designated by the Board or an authorised officer, or by an official sign displayed in or near the area, as an area in which eating or drinking is prohibited; or
- (h) deposit litter or waste matter in any place except in a rubbish bin or other receptacle provided for that purpose; or

- (i) pick a flower or damage or uproot a tree, shrub or other plant; or
- (j) distribute printed matter; or
- (k) erect a structure; or
- (l) display a bill, sign, poster, placard, banner or flag; or
- (m) sell anything or offer anything for sale; or
- (n) solicit for contributions to, or membership of, a religious, charitable or other organisation; or
- (o) take up any other collection; or
- (p) hold, arrange or participate in a rally, demonstration or other meeting; or
- (q) light or maintain a fire.

Maximum penalty: \$250.

Expiation fee: \$80.

8—Restricted areas

A person must not enter or remain in a part of a library or other premises of the Board that is designated, at the direction of the Board or an authorised officer, or by an official sign displayed in or near the area, as an area that is closed to public access.

Maximum penalty: \$250.

Expiation fee: \$80.

9—Wheeled recreational devices

A person must not bring a wheeled recreational device into a library or use such a device in a library.

Maximum penalty: \$125.

Expiation fee: \$55.

10—Dogs and other animals

- (1) A person must not bring an animal into, or permit an animal to enter, a library except as follows:
 - (a) a person who is wholly or partially blind or deaf, or otherwise disabled, may be accompanied in the library by an accredited disability dog, guide dog or hearing dog (within the meaning of the *Dog and Cat Management Act 1995*);
 - (b) if such a dog is brought into, or permitted to enter, a library, the person responsible for the dog while in the library must ensure that the dog is, at all times under effective control by means of physical restraint (within the meaning of the *Dog and Cat Management Act 1995*).

Maximum penalty: \$125.

Expiation fee: \$55.

- (2) An authorised officer may remove an animal from a library, a part of a library or other premises of the Board if the owner or person in charge of the animal cannot be located in the vicinity after reasonable attempts to do so.

11—Protection of property of Board

- (1) A person must not, while in a library or on other premises of the Board—
 - (a) remove, deface, damage or otherwise interfere with books, objects, works, collections or any other property of the Board; or
 - (b) remove, deface, damage or otherwise interfere with a label, sign, seat, statue, fence, roof, wall, building, structure or any other property of the Board; or
 - (c) climb on, or attach lighting to, a tree, shrub, fence, roof, wall, building or other structure or any other property of the Board.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) The Board or an authorised officer may require a person who brings into a library any bag, case, box or other article that could conceal library materials to surrender the item or items to the Board or authorised officer for temporary storage in a designated area within the library.

12—Return of surrendered or confiscated property

- (1) The Board should endeavour to return to a person, when leaving a library, anything that was surrendered by or confiscated from the person at the request of the Board or an authorised officer.
- (2) However, the Board may retain, for such period as is necessary for the purposes of legal proceedings, anything that the Board reasonably believes may constitute evidence of the commission of an offence.

13—Notices of exclusion from library

- (1) If an authorised officer—
 - (a) has reasonable cause to suspect that a person has committed an offence against the Act or these regulations; and
 - (b) is of the opinion that it would be desirable to exercise the powers conferred by this regulation in order to prevent the commission of further offences,

the authorised officer may, by notice in writing given to the person, ban the person from entering a library or part of a library specified in the notice, for any period specified in the notice (not exceeding 2 years).

- (2) A notice under subregulation (1) must state that the person may, within the period specified in the notice, apply to the Board for a review of the notice.
- (3) The Board may, if it considers it appropriate to do so, invite the person to make submissions to the Board on the matter (either orally or in writing).
- (4) The Board may, after considering any submissions made by the person, if it considers it appropriate to do so, vary or revoke the notice.
- (5) A person who enters a library or part of a library in contravention of a notice issued under subregulation (1) is guilty of an offence.

Maximum penalty: \$750.

Expiation fee: \$105.

Part 3—Driving and parking on premises of Board

14—Driving

The following provisions apply in relation to the driving or riding of a vehicle on premises of the Board:

- (a) a person must not drive or ride a vehicle on a part of the premises in contravention of an official sign displayed in or near the area indicating that the maximum speed limit at which vehicles are permitted to travel in the area is 10 kilometres per hour;
- (b) a person must not bring a vehicle onto, or drive or ride a vehicle on, any part of the premises that is designated, at the direction of the Board or an authorised officer, or by an official sign displayed in or near the area, as an area that is closed to public vehicular access;
- (c) a person must not drive or ride a vehicle on a part of the premises in contravention of any other official sign displayed in or near the area prohibiting or regulating the driving or riding of vehicles or vehicles of a particular kind in that area;
- (d) a person must not drive or ride a vehicle on the premises except in an area specifically set aside for the driving or parking of vehicles;
- (e) a person must not drive or ride a vehicle on the premises without due care or reasonable consideration for others.

Maximum penalty: \$1 250.

Expiation fee: \$160.

15—Parking

- (1) A person must not park a vehicle on premises of the Board unless—
 - (a) the vehicle is parked in an area designated by an official sign displayed in or near the area as an area in which parking is permitted; and
 - (b) —
 - (i) in the case of a parking area for disabled persons—a disabled person's parking permit is lawfully displayed in the vehicle and any other conditions of parking in that area (displayed on the sign or permit or issued with the permit) are complied with; or
 - (ii) in the case of a library parking permit area—a library parking permit is lawfully displayed in the vehicle any other conditions of parking in that area (displayed on the sign or permit or issued with the permit) are complied with; or
 - (iii) in any other case—any conditions of parking (displayed on the sign) are complied with.

Maximum penalty: \$125.

Expiation fee: \$55.

- (2) A person must not park a vehicle on a part of the premises of the Board in contravention of an official sign displayed in or near the area prohibiting the parking of vehicles or vehicles of a particular kind in that area.

Maximum penalty: \$125.

Expiation fee: \$55.

- (3) A person must not park a vehicle on premises of the Board so as to prevent or impede the passage of a pedestrian or another vehicle.
Maximum penalty: \$125.
Expiation fee: \$55.

16—Liability of vehicle owners and drivers for offence

- (1) Without derogating from the liability of any other person, but subject to this regulation, if a vehicle is involved in an offence against regulation 14 or 15 (the *principal offence*)—
 - (a) the owner of the vehicle is guilty of an offence and liable to the same penalty as is fixed for the principal offence; and
 - (b) the expiation fee that is fixed for the principal offence applies in relation to an offence against this regulation.
- (2) The owner and driver of a vehicle are not both liable through the operation of this regulation to be convicted of an offence arising out of the same circumstances, and consequently conviction of the owner exonerates the driver and conviction of the driver exonerates the owner.
- (3) An expiation notice or expiation reminder notice given under the *Expiation of Offences Act 1996* to the owner of a vehicle for an alleged offence against this regulation involving the vehicle must be accompanied by a notice inviting the owner, if he or she was not the driver at the time of the alleged prescribed offence, to provide the Board, within the period specified in the notice, with a statutory declaration—
 - (a) setting out the name and address of the driver; or
 - (b) if he or she had transferred ownership of the vehicle to another prior to the time of the alleged prescribed offence and has complied with the *Motor Vehicles Act 1959* in respect of the transfer—setting out details of the transfer (including the name and address of the transferee).
- (4) Before proceedings are commenced against the owner of a vehicle for an offence against this regulation involving the vehicle, the complainant must send the owner a notice—
 - (a) setting out particulars of the alleged prescribed offence; and
 - (b) inviting the owner, if he or she was not the driver at the time of the alleged prescribed offence, to provide the complainant, within 21 days of the date of the notice, with a statutory declaration setting out the matters referred to in subregulation (3).
- (5) Subregulation (4) does not apply to—
 - (a) proceedings commenced where an owner has elected under the *Expiation of Offences Act 1996* to be prosecuted for the offence; or
 - (b) proceedings commenced against an owner of a vehicle who has been named in a statutory declaration under this regulation as the driver of the vehicle.
- (6) Subject to subregulation (7), in proceedings against the owner of a vehicle for an offence against this regulation, it is a defence to prove—
 - (a) that, in consequence of some unlawful act, the vehicle was not in the possession or control of the owner at the time of the alleged prescribed offence; or
 - (b) that the owner provided the complainant with a statutory declaration in accordance with an invitation under this regulation.

- (7) The defence in subregulation (6)(b) does not apply if it is proved that the owner made the declaration knowing it to be false in a material particular.
- (8) If—
- (a) an expiation notice is given to a person named as the alleged driver in a statutory declaration under this regulation; or
 - (b) proceedings are commenced against a person named as the alleged driver in such a statutory declaration,
- the notice or summons, as the case may be, must be accompanied by a notice setting out particulars of the statutory declaration that named the person as the alleged driver.
- (9) The particulars of the statutory declaration provided to the person named as the alleged driver must not include the address of the person who provided the statutory declaration.
- (10) In proceedings against a person named in a statutory declaration under this regulation for the offence to which the declaration relates, it will be presumed, in the absence of proof to the contrary, that the person was the driver of the vehicle at the time at which the alleged offence was committed.
- (11) In proceedings against the owner or driver of a vehicle for an offence against these regulations, an allegation in the complaint that a notice was given under this regulation on a specified day will be accepted as proof, in the absence of proof to the contrary, of the facts alleged.

Schedule 1—Revocation and transitional provisions

Part 1—Revocation of *Libraries Regulations 1998*

The *Libraries Regulations 1998* are revoked.

Part 2—Transitional provisions

1—Interpretation

In this Part—

revoked regulations means the *Libraries Regulations 1998*.

2—Approvals of Board or authorised officers

An approval under regulation 4A of the revoked regulations and current immediately before the commencement of this clause, will be taken, on that commencement, to be an approval under regulation 4 of these regulations, and to continue for the remainder of the term, and subject to the same conditions (if any), as applied under the approval immediately before that commencement.

3—Notices of exclusion from library

A notice issued under regulation 8 of the revoked regulations and in force immediately before the commencement of this clause, will be taken, on that commencement, to be a notice given under regulation 13 of these regulations, and to continue for the remainder of the term, and subject to the same conditions (if any), as applied under the notice immediately before that commencement.

4—Library parking permits

A permit issued by the Board under regulation 10 of the revoked regulations and current immediately before the commencement of this clause, will be taken, on that commencement, to be a library parking permit issued under regulation 5 of these regulations, and to continue for the remainder of the term, and subject to the same conditions (if any), as applied under the permit immediately before that commencement.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 29 August 2013

No 220 of 2013

ART/13/012

South Australia

Subordinate Legislation (Postponement of Expiry) Regulations 2013

under the *Subordinate Legislation Act 1978*

Contents

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Schedule 1—Postponement of expiry

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Schedule 3—Revocation of *Subordinate Legislation (Postponement of Expiry)
Regulations 2012*

1—Short title

These regulations may be cited as the *Subordinate Legislation (Postponement of Expiry)
Regulations 2013*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *Subordinate Legislation Act 1978*.

4—Postponement of expiry for 1 year—Regulations made before 1 January 2003

The expiry under Part 3A of the Act of the regulations listed in Schedule 1 is postponed for a period of 1 year commencing on 1 September 2013.

5—Expiry of obsolete regulations

The regulations listed in Schedule 2 will expire under the Act on 1 September 2013.

Schedule 1—Postponement of expiry

Air Transport (Route Licensing—Passenger Services) Regulations 2002 made under the *Air Transport (Route Licensing—Passenger Services) Act 2002*

Art Gallery Regulations 2002 made under the *Art Gallery Act 1939*

Australian Road Rules made under the *Road Traffic Act 1961*

Authorised Betting Operations Regulations 2001 made under the *Authorised Betting Operations Act 2000*

Bail Regulations 2000 made under the *Bail Act 1985*

Boxing and Martial Arts Regulations 2002 made under the *Boxing and Martial Arts Act 2000*

Brands Regulations 2001 made under the *Brands Act 1933*

Coast Protection (Eyre) Regulations 2000 made under the *Coast Protection Act 1972*

Coast Protection (Fleurieu) Regulations 2000 made under the *Coast Protection Act 1972*

Coast Protection (Identity Card) Regulations 2001 made under the *Coast Protection Act 1972*

Coast Protection (Kangaroo Island) Regulations 2000 made under the *Coast Protection Act 1972*

Coast Protection (Metropolitan) Regulations 2000 made under the *Coast Protection Act 1972*

Coast Protection (South East) Regulations 2000 made under the *Coast Protection Act 1972*

Coast Protection (Spencer) Regulations 2000 made under the *Coast Protection Act 1972*

Coast Protection (Yorke) Regulations 2000 made under the *Coast Protection Act 1972*

Commonwealth Places (Mirror Taxes Administration) (Modification of State Taxing Laws) Regulations 2000 made under the *Commonwealth Places (Mirror Taxes Administration) Act 1999*

Controlled Substances (Controlled Drugs, Precursors and Plants) Regulations 2000 made under the *Controlled Substances Act 1984*

Corporations (Ancillary Provisions) Regulations 2001 made under the *Corporations (Ancillary Provisions) Act 2001*

Correctional Services Regulations 2001 made under the *Correctional Services Act 1982*

Cremation Regulations 2001 made under the *Cremation Act 2000*

Criminal Law (Sentencing) Regulations 2000 made under the *Criminal Law (Sentencing) Act 1988*

Dangerous Substances Regulations 2002 made under the *Dangerous Substances Act 1979*

Electricity Corporations (Restructuring and Disposal) Regulations 1999 made under the *Electricity Corporations (Restructuring and Disposal) Act 1999*

Electronic Transactions Regulations 2002 made under the *Electronic Transactions Act 2000*

Emergency Services Funding (Remissions—Land) Regulations 2000 made under the *Emergency Services Funding Act 1998*

Emergency Services Funding (Remissions—Motor Vehicles and Vessels) Regulations 2000 made under the *Emergency Services Funding Act 1998*

Explosives (Fireworks) Regulations 2001 made under the *Explosives Act 1936*

Fees Regulation (Public Trustee Administration Fees) Regulations 2002 made under the *Fees Regulation Act 1927*

First Home Owner Grant Regulations 2000 made under the *First Home Owner Grant Act 2000*

Fisheries Management (Miscellaneous Fishery) Regulations 2000 made under the *Fisheries Management Act 2007*

Food Regulations 2002 made under the *Food Act 2001*

- Forest Property Regulations 2001* made under the *Forest Property Act 2000*
- Freedom of Information (General) Regulations 2002* made under the *Freedom of Information Act 1991*
- Gene Technology Regulations 2002* made under the *Gene Technology Act 2001*
- Goods Securities Regulations 1999* made under the *Goods Securities Act 1986*
- Ground Water (Qualco-Sunlands) Control Regulations 2000* made under the *Ground Water (Qualco-Sunlands) Control Act 2000*
- Hindmarsh Island Bridge (Application of Tripartite Deed—Exclusion of Allotments) Regulations 2002* made under the *Hindmarsh Island Bridge Act 1999*
- Historic Shipwrecks Regulations 1999* made under the *Historic Shipwrecks Act 1981*
- Housing Improvement (Section 60 statements) Regulations 2001* made under the *Housing Improvement Act 1940*
- Juries (Remuneration for Jury Service) Regulations 2002* made under the *Juries Act 1927*
- Legislation Revision and Publication Regulations 2002* made under the *Legislation Revision and Publication Act 2002*
- Local Government (General) Regulations 1999* made under the *Local Government Act 1999*
- Local Government (Procedures at Meetings) Regulations 2000* made under the *Local Government Act 1999*
- Long Service Leave Regulations 2002* made under the *Long Service Leave Act 1987*
- Motor Vehicles (Accident Towing Roster Scheme) Regulations 2000* made under the *Motor Vehicles Act 1959*
- Mutual Recognition (South Australia) (Temporary Exemptions) Regulations 1999* made under the *Mutual Recognition (South Australia) Act 1993*
- National Parks and Wildlife (National Parks) Regulations 2001* made under the *National Parks and Wildlife Act 1972*
- National Parks and Wildlife (Wildlife) Regulations 2001* made under the *National Parks and Wildlife Act 1972*
- Native Title (South Australia) Regulations 2001* made under the *Native Title (South Australia) Act 1994*
- Offshore Minerals Regulations 2002* made under the *Offshore Minerals Act 2000*
- Police Regulations 1999* made under the *Police Act 1998*
- Police Superannuation Regulations 2002* made under the *Police Superannuation Act 1990*
- Prices Regulations 2001* made under the *Prices Act 1948*
- Primary Industry Funding Schemes (Apiary Industry Fund) Regulations 2001* made under the *Primary Industry Funding Schemes Act 1998*
- Primary Industry Funding Schemes (Cattle Industry Fund) Regulations 2000* made under the *Primary Industry Funding Schemes Act 1998*
- Primary Industry Funding Schemes (Deer Industry Fund) Regulations 2002* made under the *Primary Industry Funding Schemes Act 1998*
- Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) Regulations 2001* made under the *Primary Industry Funding Schemes Act 1998*

Primary Industry Funding Schemes (Pig Industry Fund) Regulations 2001 made under the *Primary Industry Funding Schemes Act 1998*

Primary Industry Funding Schemes (Riverland Wine Industry Fund) Regulations 2001 made under the *Primary Industry Funding Schemes Act 1998*

Primary Industry Funding Schemes (Sheep Industry Fund) Regulations 1999 made under the *Primary Industry Funding Schemes Act 1998*

Private Parking Areas Regulations 2001 made under the *Private Parking Areas Act 1986*

Public Corporations (Adelaide Convention Centre Corporation) Regulations 2000 made under the *Public Corporations Act 1993*

Public Corporations (Adelaide Film Festival) Regulations 2002 made under the *Public Corporations Act 1993*

Public Corporations (Australian Children's Performing Arts Company) Regulations 2001 made under the *Public Corporations Act 1993*

Public Corporations (Bio Innovation SA) Regulations 2001 made under the *Public Corporations Act 1993*

Public Corporations (Economic Development Board) Regulations 2002 made under the *Public Corporations Act 1993*

Public Finance and Audit Regulations 2002 made under the *Public Finance and Audit Act 1987*

Radiation Protection and Control (Ionising Radiation) Regulations 2000 made under the *Radiation Protection and Control Act 1982*

Residential Tenancies (Rooming Houses) Regulations 1999 made under the *Residential Tenancies Act 1995*

Road Traffic (Mass and Loading Requirements) Regulations 1999 made under the *Road Traffic Act 1961*

Road Traffic (Miscellaneous) Regulations 1999 made under the *Road Traffic Act 1961*

Road Traffic (Oversize or Overmass Vehicle Exemptions) Regulations 1999 made under the *Road Traffic Act 1961*

Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999 made under the *Road Traffic Act 1961*

Road Traffic (Vehicle Standards) Rules 1999 made under the *Road Traffic Act 1961*

Sexual Reassignment Regulations 2000 made under the *Sexual Reassignment Act 1988*

South Australian Co-operative and Community Housing (Associated Land Owners) Regulations 2002 made under the *South Australian Co-operative and Community Housing Act 1991*

South Australian Motor Sport Regulations 1999 made under the *South Australian Motor Sport Act 1984*

Strata Titles (Fees) Regulations 2001 made under the *Strata Titles Act 1988*

Subordinate Legislation (General) Regulations 2002 made under the *Subordinate Legislation Act 1978*

Summary Offences (General) Regulations 2001 made under the *Summary Offences Act 1953*

Superannuation Regulations 2001 made under the *Superannuation Act 1988*

Superannuation (Electricity Industry Pensioners) Regulations 2001 made under the *Superannuation Act 1988*

Superannuation (Transfer of Electricity Industry Members) Regulations 2002 made under the *Superannuation Act 1988*

Trans-Tasman Mutual Recognition (South Australia) Regulations 1999 made under the *Trans-Tasman Mutual Recognition (South Australia) Act 1999*

Unauthorised Documents Regulations 2001 made under the *Unauthorised Documents Act 1916*

Worker's Liens Regulations 1999 made under the *Worker's Liens Act 1893*

Schedule 2—Expiry of obsolete regulations

Dog Fence Regulations 1997 made under the *Dog Fence Act 1946*

Financial Institutions Duty Regulations 1998 made under the *Financial Institutions Duty Act 1983*

Protection of Marine Waters (Prevention of Pollution from Ships) Regulations 2001 made under the *Protection of Marine Waters (Prevention of Pollution from Ships) Act 1987*

Technical and Further Education (Vehicles) Regulations 1998 made under the *Technical and Further Education Act 1975*

Schedule 3—Revocation of *Subordinate Legislation (Postponement of Expiry) Regulations 2012*

The *Subordinate Legislation (Postponement of Expiry) Regulations 2012* 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 29 August 2013

No 221 of 2013

AGO0117/13CS

South Australia

Mines and Works Inspection Regulations 2013

under the *Mines and Works Inspection Act 1920*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Mines and Works Inspection Regulations 2013*.

2—Commencement

These regulations will come into operation on 1 September 2013.

3—Interpretation

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

Act means the *Mines and Works Inspection Act 1920*;

amenity of an area or place includes any quality or condition of the area or place that conduces to its biological, physical or cultural value;

approved means approved by the Chief Inspector;

authorised person means a person authorised under section 7 of the Act to inspect a mine;

Board of Examiners means the Board of Examiners for Mine Managers continued in existence under Schedule 1;

business day means a day other than a Saturday, Sunday or a public holiday;

Chief Inspector means the Chief Inspector of Mines;

competent person means a person who is suitably qualified (whether by experience, training, or both) to carry out the work or function described in the relevant regulation;

Department means the administrative unit of the Public Service that is, under the Minister, responsible for the administration of this Act;

Director means the Chief Executive of the Department;

manager means the person who for the time being has the immediate charge or direction of mining operations on a mine and includes a temporary manager, or other person appointed in accordance with these regulations to act in the absence of a manager;

petroleum has the same meaning as in the *Petroleum and Geothermal Energy Act 2000*;

precious stones has the same meaning as in the *Opal Mining Act 1995*;

precious stones field means a precious stones field under the *Opal Mining Act 1995*;

quarry means a quarry, open cut, gravel pit, sand pit, clay pit, borrow pit or other excavation, other than an underground mine, made in the natural surface of the ground for the purpose of recovering any mineral, and includes works;

site means the place where or under which mining operations have been or are being carried out, and includes the area in the vicinity of that place;

top soil means the surface soil of land in its natural state, distinguishable from overburden;

underground mine means an excavation made in order to conduct operations underground for the purpose of recovering any mineral, and includes works.

- (2) If a regulation refers to the number of persons working in a mine then, for the purposes of computing the number of those persons, the owner of the mine will not be included but the manager and any contractor will be included if the manager or contractor is working in the mine.
- (3) A reference in these regulations to a certificate or permit (as a qualification for a manager (or a temporary manager) of a mine) is a reference to a certificate or permit issued under Schedule 1.

Part 2—Administration

Division 1—Managers

4—Appointment of a manager

- (1) If—
 - (a) 10 or more persons are to work at a mine in any period of 24 hours; or
 - (b) the Chief Inspector directs, by notice in writing served on the owner of a mine, that an appointment should be made under this Division (in a case where less than 10 persons are to work at the mine in any period of 24 hours),

then the owner of the mine must—

- (c) —

- (i) if paragraph (a) applies—before the commencement of work at the mine; or
 - (ii) if paragraph (b) applies—within the time specified in the notice,appoint a suitable person who holds the appropriate qualifications¹ as the manager of the mine, and then ensure that the position is filled on an on-going basis; and
 - (d) ensure that the manager supervises the mining operations at the mine (except during a period of temporary absence).
- (2) If the manager of a mine is absent, or intends to be absent, from the mine for 7 or more days, the owner of the mine must—
- (a) appoint a suitable person who holds the appropriate qualifications² as the temporary manager of the mine; and
 - (b) ensure that the temporary manager supervises the mining operations at the mine during the absence of the manager (except during a period of temporary absence on the part of the temporary manager).
- (3) Whenever the manager or temporary manager is absent from the mine for any length of time while the mine is working, the owner of the mine, or a person authorised in writing by the owner of the mine, must ensure that a competent person is in charge or has direction of mining operations at the mine during that absence.
- (4) The owner of a mine may appoint himself or herself under a preceding subregulation if appropriately qualified.
- (5) A person must not accept appointment, or act, as the manager (or temporary manager) of more than 1 mine.
- (6) If a manager (or temporary manager) has not been appointed for a particular mine then the owner of the mine (or if the mine is jointly owned, each of the owners) will be taken to be the manager of the mine for the purposes of any regulation that imposes a duty or responsibility on the manager of a mine (without affecting any duty or responsibility as the owner of the mine).

Notes—

- 1 See regulation 5.
- 2 See regulation 5.

5—Qualifications for manager

For the purposes of these regulations, an appropriate qualification is—

- (a) for the manager (or temporary manager) of an underground mine—
 - (i) if 20 or more persons are working at the mine in any period of 24 hours—a first-class underground mine-manager's certificate;
 - (ii) if between 10 and 19 persons (inclusive) are working at the mine in any period of 24 hours—a first-class or second-class underground mine-manager's certificate;
 - (iii) if less than 10 persons are working at the mine in any period of 24 hours—a first-class or second-class underground mine-manager's certificate, or a special permit;
 - (iv) in any case—a restricted certificate, provided that the relevant underground mine is a mine, or falls within a particular class of mines, that the holder of the certificate is entitled to manage;

- (b) for the manager (or temporary manager) of a quarry—
 - (i) if 20 or more persons are working at the quarry in any period of 24 hours—a first-class quarry-manager's certificate;
 - (ii) if between 10 and 19 persons (inclusive) are working at the quarry in any period of 24 hours—a first-class or second-class quarry-manager's certificate;
 - (iii) if less than 10 persons are working at the quarry in any period of 24 hours—a first-class or second-class quarry-manager's certificate, or a special permit;
 - (iv) in any case—a restricted certificate, provided that the relevant quarry is a quarry, or falls within a particular class of quarries, that the holder of the certificate is entitled to manage.

6—Notice of appointment

The owner of a mine must, within 3 business days after making an appointment under this Division, furnish the Chief Inspector with a notice in writing stating the name and address of the person who has been appointed, and particulars of the person's qualifications.

Division 2—Commencement and cessation of work

7—Approval to undertake certain activities

- (1) The owner of a mine must not—
 - (a) prepare or develop a new deposit for the extraction of a mineral; or
 - (b) open up or commence to rework an old mine or a previously worked deposit; or
 - (c) commence work for the construction of a building or plant for the treatment of a mineral at the site of the mine,or allow such an activity to occur, without the written approval of the Chief Inspector or a designated person.
- (2) The owner of a mine must, at least 21 days before an activity referred to in subregulation (1) is proposed to be undertaken, furnish the Chief Inspector or a designated person with a notice, in writing, setting out details of the activity that is to be undertaken (and those details must be sufficient to enable the Chief Inspector or a designated person to make a decision for the purposes of subregulation (1)).
- (3) This regulation does not apply to—
 - (a) mining operations being carried out under a lease or licence under the *Mining Act 1971*; or
 - (b) the recovery of precious stones on a precious stones field; or
 - (c) the recovery of petroleum.
- (4) In this regulation—

designated person means a person authorised in writing by the Chief Inspector to give an approval under this regulation.

8—Notices

- (1) The owner of a mine must, within 3 business days after—
 - (a) the acquisition of the mine (being a working mine) by the owner; or
 - (b) the commencement of work at a mine; or
 - (c) the recommencement of work at a mine after a cessation of work,
furnish the Chief Inspector with a notice in writing setting out—
 - (d) the full name and address of the owner, the name and address of the manager of the mine, and the qualifications held by the manager of the mine; and
 - (e) the situation of the mine; and
 - (f) the mineral or substance being mined or worked (or to be mined or worked); and
 - (g) the estimated number of persons employed (or to be employed) at the mine.
- (2) In this regulation—

cessation of work does not include a cessation for holidays or repairs, or on account of industrial action.

Division 3—Plans and programmes

9—Plans and programmes

- (1) The Chief Inspector may, by notice in writing served on the owner of a mine, require that 1 or more of the following be prepared within the time specified in the notice:
 - (a) accurate maps, plans or sections of the mine, and its immediate environs;
 - (b) development programmes for the mine.
- (2) The owner of a mine to whom a notice is directed under subregulation (1) must ensure—
 - (a) that a map, plan, section or programme required by the notice is prepared in accordance with the requirements of the notice and the requirements of Schedule 2 specified in the notice; and
 - (b) that 3 copies of each map, plan, section or programme are delivered to the Chief Inspector at the principal office of the Department within the time required by the notice; and
 - (c) that the original (or an accurate copy) of each map, plan, section or programme is kept at the mine office; and
 - (d) —
 - (i) that each map, plan and section is, at intervals not exceeding 7 years, and immediately before the abandonment of the mine, updated to show the current workings and operations of the mine, or the state of the mine, that 3 copies of each updated document are then immediately delivered to the Chief Inspector, and that the original (or an accurate copy) of each updated document is kept at the mine office; and
 - (ii) that a development programme is, at intervals not exceeding 7 years or such other period as the Chief Inspector may determine, updated, that 3 copies of the updated document is then immediately delivered to the Chief Inspector, and that the original (or an accurate copy) of the updated document is kept at the mine office.

- (3) The owner of a mine to whom a notice is directed under subregulation (1) must ensure that all maps, plans, sections and programmes are drawn to scales approved by the Chief Inspector and are sufficient to show clearly all relevant detail.
- (4) The owner of a mine who is required to prepare or update a development programme under this regulation must not carry out, or allow to be carried out, work that adversely affects, or is likely to adversely affect, the amenity of the site of the mine unless or until—
 - (a) the Chief Inspector has approved the development programme, in its original form or as updated, as the case may require; or
 - (b) the Chief Inspector has given a specific approval for the work.
- (5) The owner of a mine must not carry out, or allow to be carried out, work that is contrary to, or inconsistent with, the provisions of a relevant development programme.
- (6) An inspector or authorised person may, at any reasonable time, with or without an assistant, inspect and examine any map, plan, section or programme kept at a mine.
- (7) A person who has the possession, custody or control of a map, plan, section or programme kept at a mine must, at the request of an inspector or authorised person, produce the document for inspection or examination.

Division 4—Inspections

10—Duty to facilitate inspections

The manager of a mine must, at the request of an inspector or authorised person (in connection with the operation of the mine)—

- (a) cause the inspector or authorised person to be lowered into, or raised from, a shaft or otherwise mechanically transported within any workings;
- (b) ensure that the inspector or authorised person has access to all parts of the mine, and all plant and machinery at the mine;
- (c) do all things necessary to enable an inspection of the mine to occur.

Division 5—Duty to provide equipment

11—Duty to provide equipment

- (1) The owner of a mine must—
 - (a) provide and install at the mine the materials and equipment that are necessary to enable compliance with these regulations; and
 - (b) ensure that these materials and equipment are maintained in good condition and are used appropriately.
- (2) If a contractor is operating in a mine, the contractor is under the same duty as the owner of the mine under subregulation (1) in relation to material and equipment in that part, or those parts, of the mine in which the contractor is operating, and to or for those persons to whom the contractor's powers and authority extend.
- (3) In this regulation—

equipment includes all types of machinery, plant, appliances, tools and articles.

Part 3—Amenity of mine area and of the surrounding environment

12—General duties

- (1) A person who carries out a mining operation or an associated, incidental or ancillary activity must ensure that the operation or activity is carried out so as to minimise interference with the amenity of the area.
- (2) A person who carries out a mining operation or an associated, incidental or ancillary activity must ensure that vegetation within and around the site of the operation or activity is not unnecessarily interfered with, damaged or cut down.
- (3) A person who carries out a mining operation or an associated, incidental or ancillary activity must not create a nuisance through the production of undue or excessive noise or dust.
- (4) A person who carries out a mining operation or an associated, incidental or ancillary activity must not allow the operation or activity to cause the sea, groundwater, or a river, tributary, stream, dam, watercourse, billabong or other body of water, to become degraded.

13—Conservation of top soil

A person who carries out a mining operation must ensure—

- (a) that any top soil that must be removed for the purposes of the mining operation, that can be collected separately from the overburden, and that is suitable for subsequent use in connection with revegetation measures as part of the rehabilitation of the site, is stored (on its removal) in a manner that maximises its usefulness for rehabilitation purposes; and
- (b) so far as is reasonably practicable, that any top soil that is being stored is protected from undue wind and water erosion.

14—Protection from damage

- (1) A person who carries out a mining operation must not place products, overburden, waste material, dams or materials so as to—
 - (a) interfere with (or potentially interfere with) natural drainage; or
 - (b) cause (or potentially cause) damage to property; or
 - (c) unduly interfere with the amenity of the area; or
 - (d) permit the degradation of the sea, groundwater, or a river, tributary, stream, dam, watercourse, billabong or other body of water.
- (2) A person who carries out a mining operation must not permit the release of material so as to cause the pollution of air at the site.
- (3) The owner of a mine where an excavation occurs (or has occurred), or from which top soil is removed, must so far as is reasonably practicable take action to avoid undue wind and water erosion at the site or in relation to surrounding areas.
- (4) However, an act undertaken for the purposes of subregulation (3) must not cause degradation of the sea or groundwater, or a river, tributary, stream, dam, watercourse, billabong or other body of water.
- (5) If a mining operation or an associated, incidental or ancillary activity intersects 2 or more aquifers that have different groundwater qualities, the owner of the mine must ensure that groundwater degradation is minimised (both for while the mine is in operation and for when the mine is decommissioned).

15—Decommissioning notices

The owner of a mine (or, as the case requires, the former owner of a mine) must furnish the Chief Inspector with—

- (a) a notice when mining operations at the mine are complete; and
- (b) a further notice when plant, machinery and materials are removed from the mine and the site; and
- (c) a further notice when the land has (in the opinion of the owner) been rehabilitated.

16—Decommissioning requirements

The owner of a mine must leave the site of the mine in a clean, tidy, stable and safe condition.

17—Rehabilitation

The owner of a mine (or, as the case requires, the former owner of a mine) must, within 2 years after the cessation of work at the mine, carry out or ensure the proper rehabilitation of the site of the mine, and any other affected area, in accordance with any directions of the Chief Inspector.

Part 4—Miscellaneous

18—Exemption

- (1) If the Chief Inspector is satisfied—
 - (a) that compliance with a regulation is unnecessary, impractical or undesirable in a particular case; or
 - (b) that a satisfactory alternative procedure, action or installation will be adopted, taken or installed,

the Chief Inspector may (in his or her discretion) exempt a person, or a class of persons, from the operation of a regulation.

- (2) An exemption under subregulation (1) may be granted subject to conditions or limitations specified by the Chief Inspector.
- (3) If the Chief Inspector determines—
 - (a) that a condition under subregulation (2) has been contravened or not observed; or
 - (b) that circumstances have altered,

the Chief Inspector may revoke an exemption.

19—Offences

- (1) A person who contravenes or fails to comply with a provision of these regulations is guilty of an offence.
Maximum penalty: \$1 000.
- (2) The owner of a mine must ensure compliance with the requirements of these regulations.
Maximum penalty: \$1 000.
- (3) If an act or default that results in a contravention or failure to comply with a regulation is committed by a person other than the owner of a mine, both the person and the owner of the relevant mine are guilty of an offence.

- (4) The manager of a mine must not knowingly allow or permit a person to contravene or fail to comply with a provision of these regulations.

Maximum penalty: \$1 000.

20—General defence

It is a defence to a charge of an offence against these regulations for the accused to prove that the offence relates to a matter over which the accused did not have control and could not reasonably have been expected to have control.

21—Fees

The fees set out in Schedule 3 are payable as specified in that Schedule.

Schedule 1—Board of Examiners, certificates and permits

Part 1—Board of examiners

1—Continuation of Board

- (1) The *Board of Examiners for Mine Managers* continues in existence.
- (2) Subject to this Schedule, the Board of Examiners consists of—
 - (a) the Chief Inspector; and
 - (b) 2 or more members appointed by the Governor.
- (3) At least 1 member of the Board of Examiners must hold a first-class underground mine-manager's certificate and at least 1 member must hold a first-class quarry-manager's certificate.

2—Terms and conditions of office

- (1) A member of the Board of Examiners (other than the Chief Inspector) will be appointed on conditions, and for a term (not exceeding 3 years), determined by the Governor and, on the expiration of a term of office, is eligible for reappointment.
- (2) The Governor may remove a member of the Board of Examiners from office—
 - (a) for breach of, or non-compliance with, a condition of appointment; or
 - (b) for misconduct; or
 - (c) for failure or incapability to carry out official duties satisfactorily.
- (3) The office of a member of the Board of Examiners becomes vacant if the member—
 - (a) dies; or
 - (b) completes a term of office and is not reappointed; or
 - (c) resigns by written notice to the Minister; or
 - (d) is removed from office under subclause (2).

3—Proceedings etc

- (1) 3 members constitute a quorum of the Board of Examiners.
- (2) The Chief Inspector will, if present at a meeting of the Board of Examiners, preside at the meeting.

- (3) If there is a casual vacancy in the office of Chief Inspector, the Governor may appoint a person to preside at meetings of the Board of Examiners (and to act as a member of the Board of Examiners) until the vacancy is filled.
- (4) If the Chief Inspector is unable to attend a meeting of the Board of Examiners, the Director may appoint an inspector to preside at the meeting (and to act as a member of the Board of Examiners).
- (5) A decision carried by a majority of votes of members present at a meeting of the Board of Examiners is a decision of the Board of Examiners.
- (6) Each member present at a meeting of the Board of Examiners has 1 vote on a question arising for decision and, if the votes are equal, the person presiding at the meeting has a second or casting vote.
- (7) The Board of Examiners must have accurate minutes kept of its proceedings.
- (8) Subject to this Schedule, the Board of Examiners may determine its own procedures.

4—Validity of acts and proceedings

An act or proceeding of the Board of Examiners is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

Part 2—Certificates and permits—qualification and issue

5—First-class underground mine-manager's certificate

Subject to this Schedule, the Board of Examiners may grant a first-class underground mine-manager's certificate—

- (a) to a person who—
 - (i) has practical experience in underground mining for not less than 3 years; and
 - (ii) holds a degree or diploma in mining engineering from a university or other tertiary institution in Australia, or from another education body recognised by the Board of Examiners for the purposes of these regulations; and
 - (iii) has passed a written examination in mining law, environment and occupational health and safety law set by the Board of Examiners; or
- (b) to a person who—
 - (i) has experience and holds qualifications accepted by the Board of Examiners as being equivalent to the experience and qualifications required by paragraph (a)(i) and (ii); and
 - (ii) has passed a written examination in mining law, environment and occupational health and safety law set by the Board of Examiners.

6—Second-class underground mine-manager's certificate

Subject to this Schedule, the Board of Examiners may grant a second-class underground mine-manager's certificate to a person who—

- (a) has practical experience in underground mining for not less than 3 years; and
- (b) holds qualifications considered by the Board of Examiners as being sufficient for the management of an underground mine where up to 19 persons may work in any period of 24 hours; and

- (c) has passed a written examination in mining law, environment and occupational health and safety law set by the Board of Examiners.

7—First-class quarry-manager's certificate

Subject to this Schedule, the Board of Examiners may grant a first-class quarry-manager's certificate—

- (a) to a person who—
 - (i) has practical experience in quarrying for not less than 3 years; and
 - (ii) holds a degree or diploma in mining engineering from a university or other tertiary institution in Australia, or from another education body recognised by the Board of Examiners for the purposes of these regulations; and
 - (iii) has passed a written examination in mining law, environment and occupational health and safety law set by the Board of Examiners; or
- (b) to a person who—
 - (i) has experience and holds qualifications accepted by the Board of Examiners as being equivalent to the experience and qualifications required under paragraph (a)(i) and (ii); and
 - (ii) has passed a written examination in mining law, environment and occupational health and safety law set by the Board of Examiners.

8—Second-class quarry-manager's certificate

Subject to this Schedule, the Board of Examiners may grant a second-class quarry-manager's certificate—

- (a) to a person who has had practical experience in mining or quarrying for not less than 3 years and who has passed the examinations conducted by the Board of Examiners for candidates for second-class quarry-manager's certificates; or
- (b) to a person who has experience and holds qualifications accepted by the Board of Examiners as being equivalent to the experience and qualifications required under paragraph (a).

9—Restricted certificates

- (1) If an applicant for a certificate satisfies the Board of Examiners that the applicant is qualified by experience and knowledge to manage a mine at which he or she will be employed, or mines of a specified class, but the Board of Examiners is not satisfied that the applicant is entitled to an ordinary certificate, the Board of Examiners may (subject to subregulation (2)) issue a restricted certificate to the applicant.
- (2) The applicant must pass a written examination in mining law, environment and occupational health and safety law set by the Board of Examiners before a certificate may be issued.
- (3) A restricted certificate must contain a statement of the particular mine or particular class of mines that the holder of the certificate is entitled to manage.
- (4) A restricted certificate does not entitle the holder of the certificate to be a manager of a mine other than a mine indicated by the certificate.

10—Temporary certificates

- (1) The Board of Examiners may, if it considers it expedient to do so, issue to a person (whether or not qualified for a permanent certificate under these regulations) a temporary certificate.

- (2) The person must pass a written examination in mining law, environment and occupational health and safety law set by the Board of Examiners before a temporary certificate may be issued.
- (3) A temporary certificate—
 - (a) will be in force for the period specified by the Board of Examiners in the certificate; and
 - (b) will, while in force, have the same effect as an ordinary certificate of the same kind; and
 - (c) may be granted subject to terms and conditions specified by the Board of Examiners.

11—General requirements for certificates

- (1) A certificate will not be granted to a person unless the person—
 - (a) applies for the certificate on a form provided by the Board of Examiners and satisfies the Board of Examiners of the facts that give the person the right to be granted a certificate; and
 - (b) satisfies the Board of Examiners that he or she is a fit and proper person to be the holder of a certificate; and
 - (c) is at least 25 years of age; and
 - (d) pays the appropriate fee specified by Schedule 3.
- (2) The Board of Examiners will determine the form of a certificate, and may specify in the certificate—
 - (a) a statement of any limitations or restrictions on the effect of the certificate;
 - (b) a statement of any qualifications taken into account by the Board of Examiners in granting the certificate;
 - (c) other information determined to be appropriate by the Board of Examiners.

12—Examinations

- (1) The Board of Examiners will hold examinations in mining law, environment and occupational health and safety law as required for candidates for certificates who have otherwise satisfied the requirements of this Schedule.
- (2) The Board of Examiners must hold examinations for second-class quarry managers' certificates not less frequently than once in every 2 years unless there are no candidates.
- (3) The subject of the examinations for second-class quarry-managers will be as follows:
 - (a) Quarrying;
 - (b) Mathematics;
 - (c) Explosives;
 - (d) Quarry machinery.
- (4) The Board of Examiners may exempt a person from the obligation to pass an examination conducted by the Board of Examiners for the purposes of these regulations (other than the examination in mining law, environment and occupational health and safety law) if the person satisfies the Board of Examiners that he or she is sufficiently qualified in the subject of the examination.

13—Permits

- (1) The Chief Inspector may grant to a person a special permit to act as the manager of a mine where less than 10 persons work if the Chief Inspector is satisfied that the person has had sufficient practical experience in mining, and has sufficient knowledge of these regulations, and other regulations relating to safe and appropriate mining practices and procedures.
- (2) A special permit—
 - (a) will authorise the holder of the permit to act as manager only for the mine specified in the permit; and
 - (b) will remain in force for the period (not exceeding 12 months) specified in the permit; and
 - (c) may be granted subject to terms and condition specified by the Chief Inspector.

14—Record

The Board of Examiners must keep a record of all certificates and permits issued under this Schedule.

Part 3—Certificates and permits—suspension and cancellation

15—Suspension and cancellation

- (1) If the holder of a certificate or permit issued under this Schedule—
 - (a) contravenes or fails to comply with a requirement of the Act, these regulations, or other regulations or laws relating to safe or appropriate mining practices or procedures; or
 - (b) contravenes or fails to comply with a term or condition of the certificate or permit; or
 - (c) acts negligently or in an unsafe manner, or in a manner amounting to misconduct, in or in connection with the work of a manager; or
 - (d) ceases for any other reason to be a fit and proper person to be the holder of the certificate or permit,

the Board of Examiners may suspend or cancel the certificate or permit.

- (2) However, before taking action under subclause (1), the Board of Examiners must give the holder of the certificate or permit a notice in writing—
 - (a) stating the proposed action; and
 - (b) stating the reasons for the proposed action; and
 - (c) inviting him or her to show, within a specified time (of at least 21 days), why the proposed action should not be taken.
- (3) If, after considering any representation made within the specified time, the Board of Examiners still considers that action should be taken, the Board of Examiners may—
 - (a) suspend the certificate or permit for a specified period, until the fulfilment of specified conditions, or until further order; or
 - (b) cancel the certificate or permit; or
 - (c) take other action (for example, by attaching conditions to the certificate or permit) determined by the Board of Examiners to be appropriate in the circumstances.

- (4) The Board of Examiners must inform the relevant person of the decision by notice in writing.
- (5) If the Board of Examiners takes action under subclause (3), the notice must also state the reasons for the action.

16—Immediate suspension

- (1) If the Board of Examiners considers that there would be an immediate threat to safety at a mine unless a certificate or permit is suspended immediately, the Board of Examiners may, without following the procedures set out in clause 15, suspend the certificate or permit immediately for a period, and on terms, specified in a written notice of suspension given to the holder of the certificate or permit.
- (2) A suspension under subclause (1) cannot exceed 6 weeks except with the concurrence of the Minister.
- (3) The Board of Examiners may—
 - (a) withdraw a suspension under this clause at any time;
 - (b) with the concurrence of the Minister, extend a suspension under this clause (pending resolution of the matter under clause 14, as appropriately modified to meet the circumstances of the case).

17—Review of decision

- (1) Subject to this clause, a person who is (or has been) the holder of a certificate or permit and who is aggrieved by a decision of the Board of Examiners to suspend or cancel the certificate or permit may, within 14 days after receiving notice of the relevant decision, apply for a review of the matter under this clause.
- (2) The application for review—
 - (a) must be made in writing to the Minister; and
 - (b) must contain a statement of the grounds on which the review is requested.
- (3) A person applying for a review must ensure that a copy of the application is served on the Chief Inspector, or the secretary of the Board of Examiners, within 3 business days after the application is made to the Minister.
- (4) Unless otherwise specifically directed by the Board of Examiners, the operation of the decision to which the review relates is suspended pending the outcome of the review.
- (5) On the receipt of an application for review, the Minister must, in consultation with the Attorney-General, appoint an independent person to review the relevant decision.
- (6) In conducting a review, the person appointed under subclause (5)—
 - (a) must give the applicant and the Board of Examiners a reasonable opportunity to submit evidence, information and arguments relevant to the matters in issue; and
 - (b) is not bound by the rules of evidence, but may inform himself or herself on a matter as he or she thinks fit; and
 - (c) may determine the procedure to be followed in the matter.
- (7) At the conclusion of the review, the person appointed under subclause (5) may do 1 or more of the following:
 - (a) affirm, vary or quash the relevant decision or substitute, or make in addition, a decision that the person thinks appropriate;

- (b) remit the matter to the Board of Examiners for further consideration;
- (c) make further or other orders that are appropriate to the circumstances of the case.

18—Inquiries by the Board

- (1) The Board of Examiners may at any time conduct an inquiry into the conduct of the holder of a certificate or permit to establish whether or not the person should continue to hold the certificate or permit.
- (2) An inquiry under subclause (1) will be conducted in such manner as the Board of Examiners thinks fit.

Part 4—Rules

19—Rules

- (1) The Board of Examiners may make rules relevant to the performance of its functions.
- (2) The rules may—
 - (a) provide for the manner and form in which applications may be made to the Board of Examiners;
 - (b) provide for the information and material that must accompany an application;
 - (c) prescribe courses of study, and deal with examinations conducted by the Board of Examiners;
 - (d) provide for the recognition of qualifications and experience obtained or gained outside the State;
 - (e) deal with other matters necessary or expedient for the effective and efficient operation of the Board of Examiners.

Schedule 2—Prescribed requirements for plans and programmes

The following requirements are prescribed for the purposes of regulation 9:

1—Locality plan of mine area

- (1) A locality plan of the mine area and of an area not less than metres, outside the boundaries of the mine area (*ie* area over which mining rights are held), on standard sheet (x) with date and north point and showing the following:
 - (a) the name of the county and hundred;
 - (b) the boundaries of sections and allotments and their section and allotment numbers;
 - (c) the names and addresses of the occupiers and owners of the mine area;
 - (d) the surface contours of the mine area at intervals not exceeding 3 metres related to sea level or to an established permanent local bench mark;
 - (e) the locations of public and private utilities, protected sites, housing and buildings existing within the limits of the plan, including transmission lines, watercourses, drains and water storages, and explosives storages and preparation buildings, and oil storages.
- (2) In this clause—

Protected sites means historic buildings, monuments etc.

2—Working plan of mine area

A working plan of the mine area or the proposed mine area, as the case may be, and sections (at least 2, 1 longitudinal and 1 a cross-section) giving contours at intervals not exceeding 3 metre intervals and showing the following:

- (a) the boundaries of the land over which mining rights are held;
- (b) the positions of bore holes and test excavations showing the depths, thicknesses and types of strata;
- (c) the boundaries of all existing quarry excavations showing all bench floors and slopes of faces;
- (d) all underground excavations, including excavations that have been backfilled;
- (e) the locations of existing plant, machinery, buildings, roads, safety fences, services, and utilities, tree belts and other screens such as hedgerows or shelter belts, waste rock screens, and other barriers, explosives storages and preparation buildings, and oil storages;
- (f) the locations of existing slime dams, tailing dams, settling ponds, water storages, watercourses and drains;
- (g) the location of existing dumps of overburden and waste, and stockpiles of products;
- (h) the proposed situation for years at intervals years or when mining is complete, with regard to—
 - (i) the boundaries of all quarry excavations showing also bench floors, slopes of faces;
 - (ii) the location of plant, machinery, buildings, roads, safety fences, services and utilities, tree belts and other screening such as hedgerows and waste rock screens, explosives storages and preparation buildings, and oil storages;
 - (iii) the location and the elevation of soil and overburden dumps;
 - (iv) the locations and the elevation of water storages, settling ponds, slime dams and tailings storages;
 - (v) the drainage system for disposal of water and liquid waste products.

3—Development programme

A development programme showing the following:

- (a) the method of operation and the order of procedure or stages to be adopted in the progressive extraction of mineral substances;
- (b) the provisions made or to be made for prevention of nuisances, and for the prevention of pollution of drainage waters;
- (c) the method of operation and the order of procedure for screening and the progressive rehabilitation of worked-out areas, dumps, dams etc so as to conform to the general amenity of the area, as well as the methods by which revegetation will be carried out.

Schedule 3—Fees

1	Application for a certificate under Schedule 1	\$27.25
2	Each subject for examination for a second-class quarry manager's certificate under Schedule 1	\$17.40
3	Examination in mining law, environment and occupational health and safety law under Schedule 1	\$17.40
4	Issue of a certificate under Schedule 1	\$42.75
5	Issue of a replacement certificate	\$27.25

Schedule 4—Revocation of *Mines and Works Inspection Regulations 1998*

The *Mines and Works Inspection Regulations 1998* 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 29 August 2013

No 222 of 2013

MRD13/008CS

South Australia

Protection of Marine Waters (Prevention of Pollution from Ships) Regulations 2013

under the *Protection of Marine Waters (Prevention of Pollution from Ships) Act 1987*

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Schedule 1—Discharge report

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Protection of Marine Waters (Prevention of Pollution from Ships) Regulations 2013*.

2—Commencement

These regulations will come into operation on 1 September 2013.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Protection of Marine Waters (Prevention of Pollution from Ships) Act 1987*;

Department means the administrative unit of the Public Service that is, under the Minister, responsible for the administration of the Act;

IMO means the International Maritime Organization;

South Australian Marine Spill Contingency Action Plan means the plan developed and published under section 28A of the Act;

State Marine Pollution Controller means the person for the time being performing the duties and functions of State Marine Pollution Controller as detailed in the *South Australian Marine Spill Contingency Action Plan*.

Part 2—Pollution by oil or noxious substances

4—Prescribed officers

- (1) The State Marine Pollution Controller and each port manager are prescribed officers for the purposes of sections 8(2) and 18(2) of the Act.
- (2) For the purposes of sections 13(3) and (4) and 23(5) and (6) of the Act, the State Marine Pollution Controller is a prescribed officer.
- (3) For the purposes of section 18(6), (7), (8) and (9) of the Act, the State Marine Pollution Controller is a prescribed officer.

5—Oil record book

- (1) An oil tanker to which section 11 of the Act applies must carry—
 - (a) an oil record book in the form set out in Part I of Appendix III to Annex I of the 1978 Protocol; and
 - (b) an oil record book in the form set out in Part II of Appendix III to Annex I of the 1978 Protocol.
- (2) A ship (other than an oil tanker) to which section 11 of the Act applies must carry an oil record book in the form set out in Part I of Appendix III to Annex I of the 1978 Protocol.

6—Matters to be recorded in an oil record book

- (1) For the purposes of section 11(5) of the Act—
- (a) each of the following operations (being a machinery space operation) is a prescribed operation in relation to a ship (including an oil tanker):
 - (i) the ballasting or cleaning of an oil fuel tank;
 - (ii) a discharge of dirty ballast or cleaning water from an oil fuel tank;
 - (iii) a disposal of oil residues (sludge);
 - (iv) a discharge overboard or other disposal of bilge water that has accumulated in any machinery space; and
 - (b) each of the following operations (being a cargo or a ballast operation) is a prescribed operation in relation to an oil tanker:
 - (i) the loading of oil cargo;
 - (ii) an internal transfer of oil cargo during a voyage or in port;
 - (iii) the unloading of oil cargo;
 - (iv) the ballasting of a cargo tank or a dedicated clean ballast tank;
 - (v) the cleaning of a cargo tank (including crude oil washing);
 - (vi) a discharge of ballast from a tank other than a segregated ballast tank;
 - (vii) a discharge of water from a slop tank;
 - (viii) the closing, after an operation referred to in subparagraph (vii), of all applicable valves or similar devices;
 - (ix) the closing, after an operation referred to in subparagraph (vii), of valves necessary for the isolation of a dedicated clean ballast tank from cargo and stripping lines;
 - (x) a disposal of residues.
- (2) For the purposes of section 11(5) of the Act, each of the following occurrences is a prescribed occurrence in relation to a ship (including an oil tanker):
- (a) the discharge into the sea of oil or an oily mixture from the ship for the purpose of—
 - (i) securing the safety of the ship; or
 - (ii) saving life at sea;
 - (b) the discharge into the sea of oil or an oily mixture in consequence of damage to the ship or its equipment;
 - (c) the discharge into the sea of substances containing oil for the purpose of combating specific pollution incidents;
 - (d) the failure of the ship's oil discharge monitoring and control system;
 - (e) the discharge into the sea of oil or an oily mixture, being—
 - (i) a discharge for an exceptional purpose other than a purpose referred to in paragraph (a) or (c); or
 - (ii) an accidental discharge other than a discharge referred to in paragraph (b).

7—Cargo record book

For the purposes of section 21 of the Act, the prescribed form of cargo record is the form set out in Appendix IV to Annex II of the 1978 Protocol.

8—Matters to be recorded in a cargo record book

- (1) For the purposes of section 21(5) of the Act, each of the following operations is a prescribed operation in relation to a ship:
 - (a) the loading of cargo;
 - (b) an internal transfer of cargo during a voyage or in port;
 - (c) the unloading of cargo;
 - (d) the ballasting of a cargo tank;
 - (e) the cleaning of a cargo tank;
 - (f) a discharge of ballast from a cargo tank;
 - (g) a disposal of residues to a reception facility;
 - (h) the discharge of a noxious liquid substance, or of a mixture containing such a substance, into the sea in accordance with Regulation 5 of Annex II to the Convention;
 - (i) the removal by ventilation procedures of cargo residues from a tank in accordance with Regulation 5 of Annex II to the Convention.
- (2) For the purposes of section 21(5) of the Act, each of the following occurrences is a prescribed occurrence in relation to a ship:
 - (a) the discharge into the sea of a noxious liquid substance, or of a mixture containing such a substance, for the purpose of—
 - (i) securing the safety of the ship; or
 - (ii) saving life at sea;
 - (b) the discharge into the sea of a noxious liquid substance, or of a mixture containing such a substance, in consequence of damage to the ship or its equipment;
 - (c) the discharge into the sea of a noxious liquid substance, or of a mixture containing such a substance, being—
 - (i) a discharge for an exceptional purpose other than a purpose referred to in paragraph (a); or
 - (ii) an accidental discharge other than a discharge referred to in paragraph (b).

9—Regulation 8 of Annex II to have the force of law

- (1) Pursuant to section 24 of the Act, the provisions of Regulation 8 of Annex II to the Convention, other than paragraph (1) of that Regulation, apply to, and in relation to, the washing of a tank of a ship from which a noxious liquid substance has been unloaded.
- (2) A person who is a surveyor accredited or otherwise recognised under the *Marine Safety (Domestic Commercial Vessel) National Law* is, by virtue of this subregulation, a surveyor authorised for the purpose of implementing Regulation 8 of Annex II to the Convention.

- (3) If a tank of a ship from which a noxious liquid substance has been unloaded is not washed in accordance with whichever of the provisions of Regulation 8 of Annex II to the Convention is applicable to the tank, having regard to—
- (a) whether the substance unloaded from the tank is a Category A, Category B, Category C or Category D substance; and
 - (b) whether the tank has been unloaded in a Special Area or an area other than a Special Area,
- the master of the ship is guilty of an offence.
- Maximum penalty: \$5 000.
- (4) In the application of Regulation 8 of Annex II to the Convention to, or in relation to, the washing of a tank of a ship—
- (a) a reference to the receiving Party will be taken as a reference to Australia or to the State; and
 - (b) a reference to the Administration will be taken as a reference to the State Marine Pollution Controller; and
 - (c) a reference to the surveyor (however described) will be taken as a reference to a surveyor authorised under subregulation (2).
- (5) A surveyor referred to in subregulation (2) must, in the exercise of any power or the performance of any function for the purpose of implementing Regulation 8 of Annex II to the Convention, comply with any control procedures developed by the IMO.
- (6) An exemption referred to in paragraph (2)(b), (5)(b), (6)(b) or (7)(c) of Regulation 8 of Annex II to the Convention may only be granted to a ship engaged in voyages to ports or terminals under the jurisdiction of States, other than Australia, that are parties to the Convention and, on such an exemption being granted to a ship, the appropriate entry made in the ship's cargo record book must be endorsed by a surveyor.

Part 3—Pollution by packaged harmful substances

10—Interpretation

- (1) Unless the contrary intention appears, an expression that is used in this Part and in Annex III to the Convention (whether or not a particular meaning is assigned to it by that Annex) has, in this Part, the same meaning as in that Annex.
- (2) For the purposes of this Part—
- cargo* does not include a ship's stores or equipment.

11—Purpose

This Part—

- (a) gives effect to regulations 1 to 6 of Annex III to the Convention; and
- (b) prescribes matters for the purposes of Part 3AA of the Act.

12—Carriage of harmful substance

If a harmful substance is carried by sea as cargo in packaged form in contravention of these regulations, the master and the owner of the ship are each guilty of an offence.

Maximum penalty:

- (a) if the offender is a natural person—\$8 000 or imprisonment for 1 year; or

- (b) if the offender is a body corporate—\$20 000.

13—Packaging and marking of harmful substance

- (1) A harmful substance carried by sea as cargo in packaged form must be packaged in accordance with the IMDG Code.
- (2) The package must be marked or labelled—
 - (a) to indicate that the substance is a marine pollutant; and
 - (b) with the correct technical name of the harmful substance; and
 - (c) with the trade name (if any) of the substance.
- (3) The marking or labelling of the package must be sufficiently durable so as to be legible after immersion in the sea for a period of 3 months.
- (4) A package containing a harmful substance that is exempted from the marking requirements of the IMDG Code on the grounds that it contains only a small quantity of the harmful substance, is exempt from the marking requirements of this regulation.

14—Stowage

A harmful substance carried by sea as cargo in packaged form, and any package containing residue of a harmful substance, must be stowed and secured on the ship in accordance with the IMDG Code.

15—Quantity limitations

The quantity of a harmful substance that is carried by sea as cargo in packaged form must not exceed the quantity limitation for the particular substance specified by the IMDG Code.

16—Documents relating to carriage of harmful substance

If a ship is carrying a harmful substance by sea as cargo in packaged form the following provisions apply:

- (a) any document relating to the carriage of the harmful substance must state that the substance being carried is a marine pollutant and the correct technical name of the substance;
- (b) the shipping documents supplied by the shipper must include a signed certificate or declaration that the harmful substance is packaged and marked or labelled in accordance with these regulations;
- (c) a list or stowage plan detailing the location of the harmful substance on the ship must be carried on the ship;
- (d) where the harmful substance is loaded in this State, a copy of the list or stowage plan detailing the location of the harmful substance on the ship must—
 - (i) be retained on shore by the owner of the ship, or his or her representative, until the substance is unloaded; and
 - (ii) be deposited with the port manager prior to the departure of the ship.

17—Washing substances overboard

For the purposes of section 24AAB of the Act, a substance is taken to have been washed overboard in accordance with the regulations if the manner of disposal is the most appropriate having regard to the physical, chemical and biological properties of the substance.

Part 4—Pollution by garbage

18—Interpretation

Unless the contrary intention appears, an expression that is used in this Part and in Annex V to the Convention (whether or not a particular meaning is assigned to it by that Annex) has, in this Part, the same meaning as in that Annex.

19—Placards

- (1) A ship of 12 metres in length or more must display placards informing the crew and passengers of the garbage disposal requirements of section 24AAD of the Act.
- (2) If placards are not displayed on a ship in accordance with subregulation (1), the master and the owner of the ship are each guilty of an offence.

Maximum penalty:

- (a) if the offender is a natural person—\$2 000; or
- (b) if the offender is a body corporate—\$5 000.

20—Garbage management plan

- (1) This regulation applies to the following ships while they are in State waters:
 - (a) a ship of 400 tons gross tonnage or more;
 - (b) a ship certified to carry 15 or more passengers and crew.
- (2) If a garbage management plan conforming to the requirements of subregulation (3) is not carried, and implemented, on a ship to which this regulation applies, the master and the owner of the ship are each guilty of an offence.

Maximum penalty:

- (a) if the offender is a natural person—\$2 000; or
- (b) if the offender is a body corporate—\$5 000.

- (3) A garbage management plan must—
 - (a) provide written procedures for the collection, storage, processing and disposing of garbage, including procedures for the use of the garbage disposal equipment on board; and
 - (b) designate a person to be responsible for ensuring the plan is followed; and
 - (c) be in accordance with the guidelines developed by the IMO.

21—Garbage record book

- (1) This regulation applies to the following ships while they are in State waters:
 - (a) a ship of 400 tons gross tonnage or more;
 - (b) a ship certified to carry 15 or more passengers and crew.
- (2) If a garbage record book, in the form specified in the Appendix to Annex V of the 1978 Protocol, is not carried at all times on a ship to which this regulation applies, the master and the owner of the ship are each guilty of an offence.

Maximum penalty:

- (a) if the offender is a natural person—\$2 000; or
- (b) if the offender is a body corporate—\$5 000.

- (3) The person responsible for overseeing a discharge of garbage from a ship to which this regulation applies or for an incineration of garbage on board such a ship must, on completion of the discharge operation or incineration, record in the ship's garbage record book—
- (a) the date and time of the discharge operation or incineration; and
 - (b) the position of the ship at the time of the discharge operation or incineration; and
 - (c) a description, and the estimated amount, of the garbage discharged or incinerated,
- and sign the entry in the garbage record book.
Maximum penalty: \$2 000.
- (4) Where the disposal, escape or accidental loss of garbage from a ship to which this regulation applies occurs in a situation referred to in section 24AAD(2)(a), (b) or (c) of the Act, an entry must be made in the ship's garbage record book, by the master of the ship, of the circumstances of, and the reasons for, the disposal, escape or accidental loss.
Maximum penalty: \$2 000.
- (5) The master of a ship to which this regulation applies must—
- (a) sign each completed page of the ship's garbage record book; and
 - (b) ensure the garbage record book is kept on board the ship and is available at all times for inspection.
- Maximum penalty: \$2 000.
- (6) The owner of a ship to which this regulation applies must keep the ship's garbage record book for a period of 2 years after the date of the final entry in the book.
Maximum penalty: \$2 000.

Part 5—Reporting requirements

22—Notification of discharges

- (1) For the purposes of section 25A(1) and (3) of the Act, a prescribed incident must be notified to the State Marine Pollution Controller by means of a telephone message, a telex message, a radio message or a fax message—
- (a) conveyed through the Port Adelaide Signal Station of the operator of the port of Port Adelaide or the office of a prescribed officer and containing the name, radio call sign (if any) and position of the ship concerned followed by the name of the person notifying the incident; or
 - (b) conveyed through the Australian Search and Rescue Centre of the Australian Maritime Safety Authority and commencing with the code letters POLREP and containing the name, radio call sign (if any) and position of the ship concerned followed by the name of the person notifying the incident.
- (2) For the purposes of section 25A(6) and (7) of the Act, a report in relation to a prescribed incident must be furnished to the State Marine Pollution Controller—
- (a) within 24 hours of receipt of a request for a report or within such further time as the State Marine Pollution Controller may allow; and
 - (b) in the form set out in Schedule 1.

23—Discharge reports occurring other than from ships

- (1) For the purposes of section 27(2) of the Act, a report must be furnished to the Minister in relation to the occurrence within 24 hours after receipt of a request for a report, or within such further time as the Minister may allow.
- (2) For the purposes of section 27(2) of the Act the form set out in Schedule 1 is the prescribed form.

24—Discharge reports occurring other than from ships

- (1) For the purposes of section 27(2) of the Act, a report must be furnished to the Minister in relation to the occurrence within 24 hours after receipt of a request for a report, or within such further time as the Minister may allow.
- (2) For the purposes of section 27(2) of the Act the form set out in Schedule 1 is the prescribed form.

Part 6—Miscellaneous

25—Minister may make orders

The Minister may, by instrument in writing, make orders for and in relation to—

- (a) giving effect to Annexes I, II, III and V to the Convention, other than provisions of those Annexes to which effect is given by a provision of the Act or these regulations; and
- (b) giving effect to Article 8 of, and Protocol I to, the Convention, other than provisions of that Article or Protocol to which effect is given by a provision of the Act or these regulations; and
- (c) the fixing of fees to be paid in respect of any matters under any such orders.

26—Fee for deposit of oil record book or cargo record book

A fee of \$40.00 is payable by the owner of a ship for—

- (a) the deposit of an oil record book of the ship in accordance with section 13(4) of the Act; or
- (b) the deposit of a cargo record book of the ship in accordance with section 23(6) of the Act.

27—Exemptions

- (1) For the purposes of section 41(1)(h) of the Act, each of the following classes of ships is exempt from the provisions of the Act and these regulations:
 - (a) ships belonging to an arm of the Defence Forces of Australia or to the naval, military or air forces of another country;
 - (b) ships (other than a vessel belonging to an arm of the Defence Forces of Australia or to the naval, military or air forces of another country) that are owned or operated by a State other than Australia and used, for the time being, only on government non-commercial service.
- (2) In subregulation (1)(b)—
State has the same meaning as in the Convention.

Schedule 1—Discharge report

(Section 25A and section 27 of Act)

Details to be provided below only if applicable and must be provided within 24 hours of receipt of request for report unless further time allowed.

- 1. Name and contact details (telephone, address, etc.) of the person requested to furnish report**, being the relevant person with duty to notify of the pollution incident or discharge occurrence:

If ship -

Master of the ship:

Where Master unable to comply, the owner, charterer, manager or operator of the ship or their agents:

If vehicle -

Owner or person in charge of the vehicle; or person responsible for the discharge:

If apparatus -

Owner or person in charge of the apparatus; or person responsible for the discharge:

- 2. Please tick the relevant occurrence and provide the relevant source information:**

Pollution incident for ships

Note: Pollution incident for a ship includes damage, failure or breakdown of a ship of 15 metres in length or more that—

- affects the safety of the ship, including collision, grounding, fire, explosion, structural failure, flooding and cargo shifting; or
- results in impairment of the safety of navigation, including failure or breakdown of steering gear, propulsion plant, electrical generating systems or essential shipborne navigational aids.

Discharge from ship

For pollution incident or discharge from ship - provide name, radio call-sign, flag of ship and type of ship (e.g. oil tanker, chemical tanker, dry cargo ship), gross tonnage and condition of ship:

Discharge from vehicle

Provide type of vehicle and number plate:

Discharge from apparatus (includes a pipeline, structure on land, oil rig, or any equipment used for the exploration, recovery or storage of oil)

Provide type of apparatus:

- 3. Location of pollution incident or discharge**

If ship - latitude and longitude and also provide position, course and speed of the ship at the time of pollution incident or discharge:

If vehicle or apparatus - location on water or land of the discharge, where it was reasonably likely oil or mixture would flow into State waters (latitude and longitude, if known):

- 4. Date and time of pollution incident or discharge** (specify which time status used, e.g. UTC, CST, daylight savings):

5. **Brief description of the pollution incident or discharge** (what, how and why incident/discharge occurred, what damage was sustained, condition of ship/vehicle/apparatus, if any other ship/vehicle/ apparatus involved, etc.):
6. **Type and origin of discharge including the technical name (or, where the technical name is not known, the trade name), UN number, Classification in the International Maritime Dangerous Goods (IMDG) Code (where applicable), name of manufacturer, quantity and concentration, of the harmful substance discharged, or likely to be discharged:**
7. **Volume/quantity of discharge:**
8. **Is the discharge ongoing and/or has been contained?**
9. **Weather, sea and current conditions in the vicinity of the pollution incident or discharge:**
10. **Estimated direction of discharge movement and surface area of the discharge:**
11. **What actions have been taken since the pollution incident or discharge to contain the discharge** (including any equipment that has been used)?
12. **What assistance (if any) is required or has been provided?**
13. **Any known sensitive areas nearby** (e.g. mangroves, power station inlets, marine parks, conservation parks, Native title or cultural significance to the Indigenous populations, etc.)?

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 29 August 2013

No 223 of 2013

MTR13/017CS

SENDING COPY?

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Closing time for lodging new copy is 4 p.m. on Tuesday preceding the regular Thursday Gazette.

ADELAIDE CITY COUNCIL

*Draft Representation Review Report—New Proposal
For Public Consultation*

NOTICE is hereby given that the Council has undertaken a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of Council.

As an outcome of this review Council proposes to:

- Retain Lord Mayor elected by electors of the Area;
- Alter the ward boundaries to create four wards;
- Decrease the number of Ward Councillors to four, with one Ward Councillor representing each of the four wards; and
- Increase the number of Area Councillors to six.

Council has prepared its draft Representation Review Report—New Proposal which details the review process, public consultation undertaken and the proposal Council considers should be carried into effect, which has been released for public consultation.

The public consultation will commence on Thursday, 29 August 2013 and conclude at 5 p.m. on Thursday, 19 September 2013.

There are several ways to participate:

Online Submissions

To download a copy of the draft Representation Review Report—New Proposal and summary paper, or to provide your feedback online visit: www.yoursay.adelaidecitycouncil.com.

Hard Copy Submissions

A hard copy of the document can also be viewed at Council's Customer Centre or its libraries and community centres.

Written Submissions

All written submissions must be received at Council by 5 p.m. on Thursday, 19 September 2013 addressed to:

Community Consultation
Representation Review
G.P.O. Box 2252, Adelaide, S.A. 5001,
or faxed to (08) 8203 7575,
or emailed to yoursay@adelaidecitycouncil.com

Submissions must include name and address of the respondent and will be included in any report to Council, which is also available to the public. Any person(s) making a written submission will be given the opportunity to appear before a meeting of the Council to be heard in support of their submission.

Consultation will conclude at 5 p.m. on Thursday, 19 September 2013.

P. SMITH, Chief Executive Officer

CITY OF WEST TORRENS

*City of West Torrens Development Plan Review—'Our Place'
For Public Consultation*

NOTICE is hereby given that the City of West Torrens is reviewing its Development Plan pursuant to Section 30 of the Development Act 1993, to determine the appropriateness of the Development Plan to the council area and its consistency with the Metropolitan Planning Strategy. The review will result in the preparation of a Strategic Directions Report that will guide Council's land use and strategic planning for the next three to five years.

The review of Council's Development Plan will coincide with the review of its Community Plan. The 'Our Place' consultation process will inform the development and review of several Council strategic plans, including the West Torrens Development Plan.

Further information about the 'Our Place' consultation process, including information sessions, is available from:

www.westtorrens.sa.gov.au/ourplace

During the consultation period anyone can make a written submission. All submissions should be sent:

- By post to: Chief Executive Officer, City of West Torrens, 165 Sir Donald Bradman Drive, Hilton, S.A. 5033.

- By email to: csu@wtcc.sa.gov.au; or
- Online at: www.westtorrens.sa.gov.au/ourplace.

Written submissions should be received by Council no later than Thursday, 31 October 2013. All submissions received during 'Our Place' will become public information and available for viewing at the Council Offices.

Your submission should also clearly indicate whether you wish to speak at a Public Meeting of Council about your written submission. The Public Meeting may not be held if no submission indicates an interest in speaking at the public meeting.

The time and date of the Public Meeting is yet to be determined. However, those who indicate on their submission they wish to be heard at the Public Meeting will receive written confirmation of the date and time; and a further public notice will also be published advising of the date, time and location of the Public Meeting once determined.

Dated 27 August 2013.

T. BUSS, Chief Executive Officer

ALEXANDRINA COUNCIL

*Road Closure—Government Road ('Regulator Road')
Hindmarsh Island*

NOTICE is hereby given, that in accordance with Section 359 of the Local Government Act 1934, as amended, Council revokes resolution ACF11421, to open Government Road (known locally as 'Regulator Road'), Hindmarsh Island, following the Council meeting held on Monday, 22 July 2013.

P. DINNING, Chief Executive

CLARE & GILBERT VALLEYS COUNCIL

Temporary Road Closure—Ness Street, Clare

NOTICE is hereby given that pursuant to Section 33 of the Road Traffic Act 1961 and Instrument of General Approval of the Minister dated 12 March 2001, Clare & Gilbert Valleys Council:

Makes an order that Ness Street, Clare will be closed to vehicular traffic, other than vehicles taking part, between 12.30 p.m. and 5 p.m. on Saturday, 31 August 2013 and Sunday, 1 September 2013, for the purpose of commencing work on the Ness Street art installation.

Makes an order exempting persons participating in the event from the following Australian Road Rules:

230 Crossing a Road (general).

R. BLIGHT, Chief Executive Officer

THE DISTRICT COUNCIL OF ELLISTON

Adoption of Valuations and Declarations of Rates

NOTICE is hereby given that at its meeting held on 20 August 2013, the Council for the financial year ending 30 June 2014, resolved as follows:

Adoption of Valuations

That Council, pursuant to Section 167 (2) (a) of the Local Government Act 1999, for the 2013-2014 financial year, adopts for rating purposes the most recent valuations of the Valuer-General available to the Council of the capital value of land within the Council's area, totalling \$371 801 620 for rateable land, and hereby specifies 16 August 2013 as the day from which such valuations shall become and be the valuations of Council, subject to such alterations as may appear necessary.

Declaration of Differential Rates and Fixed Charge

1. That pursuant to Sections 152 (1) (a) and 153 (1) (b) of the Local Government Act 1999, the Council having adopted its Annual Business Plan and Budget for the 2013-14 financial year and the capital valuations that are to apply to land within its area for rating purposes for the 2013-2014 financial year, declares differential general rates on rateable land within its area for the 2013-2014 financial year, such differentiating factors being declared permissible by the Local Government (General) Regulations 1999, as follows:

- All land use within the Commercial (Bulk Handling) Zone as described in Council's Development Plan as consolidated 1 December 2011 at 0.9900 cents in the dollar.
 - Land outside the Commercial (Bulk Handling) Zone with the following land uses:
 - Residential:

A differential General Rate of 0.3943 cents in the dollar on the value of the rateable land;
 - Commercial—Shop:

A differential General Rate of 0.3943 cents in the dollar on the value of the rateable land;
 - Commercial—Office:

A differential General Rate of 0.3943 cents in the dollar on the value of the rateable land;
 - Commercial—Other:

A differential General Rate of 0.3943 cents in the dollar on the value of the rateable land;
 - Industry—Light:

A differential General Rate of 0.3943 cents in the dollar on the value of the rateable land;
 - Industry—Other:

A differential General Rate of 0.3943 cents in the dollar on the value of the land, subject to the rate;
 - Primary Production:

A differential General Rate of 0.3943 cents in the dollar on the value of the rateable land;
 - Vacant Land:

A differential General Rate of 0.3943 cents in the dollar on the value of the rateable land;
 - Other:

A differential General Rate of 0.3943 cents in the dollar on the value of the rateable land.
2. That pursuant to Section 152 (1) (c) (ii) of the Local Government Act 1999, the Council declares a fixed charge of \$256 payable in respect of rateable land within the Council area for the 2013-2014 financial year.

*Declaration of Separate Rate—
Regional Natural Resources Management Levy*

That pursuant to Section 154 of the Local Government Act 1999 and Section 95 of the Natural Resources Management Act 2004, the Council declares a separate rate of \$63.90 on each separate assessment of rateable land in the area in order to recoup the amount of \$63 005 being Council's contribution to the Eyre Peninsula Natural Resources Management Board for the 2013-2014 financial year.

*Declaration of Annual Service Charge—
Community Wastewater Management System*

That pursuant to Section 155 of the Local Government Act 1999 in respect of the 2013-2014 financial year, the Council imposes an annual service charge in respect of the prescribed service of effluent waste disposal on all land to which the Council provides or makes available the service as follows:

- In respect of all land within the area serviced by CWMS at Lock, an annual service charge of \$327 per property.

Declaration of Annual Water Charge

That pursuant to Section 155 of the Local Government Act 1999 in respect of the 2013-2014 financial year, the Council impose an annual service charge in respect of the prescribed service of the provision of water as follows:

- For all properties at Port Kenny serviced by the Port Kenny Water Supply, an annual charge of \$75 per property.

Declaration of Annual Service Charge—Waste Management

Pursuant to Section 155 of the Local Government Act 1999, property within the kerbside collection route will be charged a rate of \$300 per year for the collection of one 140 litre bin per week:

- (a) vacant allotments within the kerbside collection route will be charged the same amount as residential allotments within the kerbside collection route; and
- (b) single farm enterprises and adjoining allotments are only charged the annual service charge in respect of the assessment constituting the principal property.

Pursuant to Section 155 of the Local Government Act 1999 and Regulation 9B of the Local Government (General) Regulation 1999, Waste Collection charges are applied on properties which are required to take their waste a distance to be collected.

The Waste Collection charges are then charged based on the following tiered rates for distances from the access point to the land:

• No more than 500 metres	100%
• More than 500 metres	75%
• More than 2km but less than 5km	50%
• More than 5km	No rate

Commercial—Shop, Commercial—Office, Commercial—Other, Industry—Light, Industry—Other and Other land use within the kerb-side collection route:

- 0-0.3 m³ of waste per week on average \$300 per annum.
- 0.3-0.6m³ of waste per week on average \$600 per annum.
- Greater than 0.6m³ of waste per week on average \$900 per annum.

Payment of Rates

That pursuant to Section 181 (1) of the Local Government Act 1999, all rates are payable in four equal or approximately equal instalments on or before the following dates:

- 27 September 2013;
- 20 December 2013;
- 28 March 2014; and
- 27 June 2014.

That pursuant to Section 181 (11) of the Local Government Act 1999, Council determines that:

- ratepayers may apply to pay their rates and service charges in full by 20 December 2013;
- such applications must be lodged with Council by 25 September 2013;
- if rates in these circumstances are paid in full by 20 December fines and interest will not be applied for the September to December period.

R. FOSTER, Chief Executive Officer

DISTRICT COUNCIL OF KAROONDA EAST MURRAY

Adoption of Valuations and Declaration of General Rates

NOTICE is hereby given that the District Council of Karoonda East Murray at its meeting held on Tuesday, 27 August 2013, resolved the following:

Adoption of 2013-2014 Annual Business Plan

That in accordance with Section 123 of the Local Government Act 1999, the Council adopt the 2013-2014 Annual Business Plan.

Adoption of 2013-2014 Council Budget

That pursuant to Section 123 of the Local Government Act 1999 and Regulation 7 of the Local Government (Financial Management) Regulations 2011, the Council adopt the Budget for the 2013-2014 financial year.

The Budget operating expenses including full cost attribution and depreciation for the 2013-2014 financial year total \$3 223 146 with income being \$3 609 626, net \$386 480. Total Net Capital Expenditure for 2013-2014 is \$3 342 500.

Adoption of Valuations

That in accordance with provision of Section 167 (1) and Section (2) (a) of the Local Government Act 1999, the Council adopt the most recent valuation of the Valuer-General capital values that is to apply for rating purposes for the year ending 30 June 2014 being capital valuation totalling \$257 605 920 of which \$247 304 320 represents rateable land.

Declaration of General Rates

Pursuant to Section 153 (1) (a) of the Local Government Act 1999, the Council declare a general rate of 0.4094 cents in the dollar on the capital value of all rateable land within the area for the 2013-2014 financial year.

Minimum Amount Payable

Pursuant to Section 158 (1) (a) of the Local Government Act 1999, the Council declare a minimum rate of \$180 to be fixed for rateable land within the whole of the council area for the 2013-2014 financial year.

Service Charge

Pursuant to Section 155 of the Local Government Act 1999, the Council declare a service charge for the Community Waste Water Management System of \$300 per unit and \$275 per vacant allotment in Karoonda for properties serviced by the system for the 2013-2014 financial year.

Payment of Rates

Pursuant to Section 181 of the Local Government Act 1999, the Council declare that the Council rates for the financial year ending 30 June 2014 shall be payable in four equal instalments with instalments falling due on 30 September 2013, 30 December 2013, 19 March 2014 and 19 June 2014.

*Natural Resources Management Levy—
Declaration of Separate Rate*

Pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999, in order to reimburse to the council the amount contributed to the South Australian Murray Darling Basin Natural Resources Management Board being \$25 296, that Council declares a separate rate of 0.01023 cents in the dollar, based on the capital value of all rateable land for the 2013-2014 financial year.

P. SMITHSON, Chief Executive Officer

DISTRICT COUNCIL OF TUMBY BAY

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that at the Special Council Meeting held on 20 August 2013, the Council for the financial year ending 30 June 2014, resolved the following:

1. Adopted for rating purposes the most recent valuations of the Valuer-General of the site value of land within the Council's area, totalling \$619 774 900.
2. Declared differential general rate as follows:
 - (a) 6.53 cents in the dollar on rateable land within the Commercial Bulk Handling Zones as defined in the Council's Development Plan; and
 - (b) 0.30193 cents in the dollar on all other rateable land.
3. Declared a fixed charge of \$564 on all rateable land.
4. Declared a differential separate rate as follows:
 - (a) 0.01115 cents in the dollar on all rateable land within the Port Neill Township; and
 - (b) 0.008367 cents in the dollar on all rateable land outside the Port Neill Township and within the Hundred of Dixon, to maintain the Port Neill Soldiers Memorial Hall.
5. Declared a separate rate based on a fixed charge of \$62 on all rateable land in the Council area to reimburse to the Council the amount contributed to the Eyre Peninsula Natural Resources Management Board.
6. Declared an annual service charge:
 - (a) within the townships of Tumby Bay, Port Neill, Lipson and Ungarra for the collection, treatment or disposal of waste in the amount of:
 - (i) \$277 for each occupied allotment;
 - (ii) \$42 for each vacant allotment;

(iii) \$235 for each additional 140 litre bin requested per property; and

(b) for the use of the Tumby Bay Common Effluent Drainage Scheme of \$415 per property unit.

T. J. SMITH, Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Hoyleton North Road, Hoyleton/Kybunga

NOTICE is hereby given, pursuant to Section 10 of the Roads (Opening and Closing) Act 1991, that the Wakefield Regional Council proposes to make a Road Process Order to close Hoyleton North Road and merge with the adjoining allotments comprised pieces 116, 117, 118, 119, 120 and 121 in Filed Plan 171380 shown delineated as 'A' and 'B' on the Preliminary Plan No. 13/0028.

A copy of the plan and a statement of persons affected are available for public inspection at the Council Office, Scotland Place, Balaklava, S.A. 5461 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, Scotland Place, Balaklava, S.A. 5461 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 16 August 2013.

R. D. BLIGHT, Chief Executive Officer

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

- Ahern, Alick Ian*, late of 336 Kensington Road, Leabrook, retired teacher, who died on 6 July 2012.
- Ballantyne, Hannah Leslie*, late of 60 Coorara Avenue, Payneham South, home duties, who died on 12 April 2013.
- Ben-Gershon, Ira*, late of 411 Anzac Highway, Camden Park, of no occupation, who died on 12 March 2013.
- Farr, Lillian Beatrice Elizabeth*, late of Leighton Avenue, Klemzig, retired machinist, who died on 12 May 2013.
- Franke, Gordon Norman*, late of 57 Cottage Lane, Hackham, maintenance engineer, who died on 16 October 2012.
- Johnston, Roland Francis*, late of 16 Eighth Avenue, Woodville Gardens, retired commercial traveller, who died on 18 July 2013.
- Leaney, Mary*, late of 63-71 Labrina Avenue, Prospect, retired process worker, who died on 25 June 2013.
- Ricketts, Margaret*, late of 20 Leron Avenue, Enfield, retired motor mechanic, who died on 24 May 2013.
- Ridgard, Elsie*, late of 61 Silkes Road, Paradise, widow, who died on 15 July 2013.
- Sawicki, Rosemarie Hildegard*, late of 40B Reece Avenue, Klemzig, home duties, who died on 15 June 2013.
- Schapel, David William*, late of 4 Moy Avenue, Warradale, retired court reporter, who died on 11 July 2013.

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 Office of Public Trustee, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 27 September 2013, otherwise they will be excluded from the distribution of the said estates; and notice is also hereby given that all persons 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 same to the Public Trustee.

Dated 29 August 2013.

D. A. CONTALA, Public Trustee

ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 4 p.m. on Wednesday.

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

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