



In reply please quote 2019/03941/01 and 2019/03942/01

Connie Bonaros MLC
Parliament House
North Terrace and King William St
Adelaide SA 5000

**PEOPLE AND BUSINESS
DIVISION**

77 Grenfell Street
Adelaide SA 5000

GPO Box 1533
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Telephone: 08 8343 2222
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ABN 92 366 288 135

Dear Ms. Connie Bonaros

**NOTICE OF DETERMINATION – – REQUEST FOR ACCESS TO DOCUMENTS UNDER
THE FREEDOM OF INFORMATION ACT 1991**

I refer to your two applications made under the *Freedom of Information Act 1991* (the Act) which were received by the Department of Planning, Transport and Infrastructure on 25 March 2019.

Both these matters relate to windfarm applications, assessments and conditions. In email correspondence of the 21 May 2019 you agreed to combine the two applications into one determination as the two applications overlap.

You have requested access to the following:

FOI: 2019/03941/01:

' all conditions pertaining to approved windfarm developments, compliance requirements and all monitoring and survey reports associated with approved windfarms

- all breach of conditions reports from all windfarm approvals since 2002.'

FOI: 2019/03942/01:

'All windfarm applications, assessments, approval and decline documentation for all projects from 2002 to the present.'

You were advised that documents pertaining to windfarm applications were vast and dealing with the application would exceed the fees and charges prescribed threshold of \$1000 for Members of Parliament. On 21 May 2019, an agreement was reached between the agency and yourself that windfarm application documents will not be required to be disclosed under this FOI and the 'Decision Notification Form' will be sufficient to satisfy your FOI request.

The 30 day period for processing your application has now passed. A determination was due on 24 April 2019. This means that the department is deemed by section 19(2)(b) of the Act to have refused access to the documents requested.

However, the department has continued to process your application outside this timeframe. Section 19(2a) provides that an agency can release documents outside the 30 day timeframe, and this is still taken to be a determination under the Act.

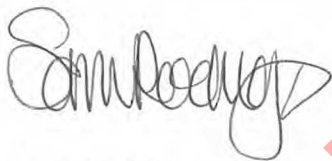
Fourteen documents have been located that are within the scope of your request. I have determined to release all 14 documents in full.

Attached is an explanation of the provisions of the Act which details your rights to review this determination, and the process to be followed.

In accordance with Premier and Cabinet Circular PC045, if you are given access to documents as a result of this FOI application, details of your application, and the documents to which access is given, will be published in the agency's disclosure log within 90 days from the date of this determination. Any private information will be removed. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>. If you have any objection to this publication, please contact us within 30 days of receiving this determination.

Should you have any enquiries concerning your application please contact [REDACTED]
[REDACTED] Freedom of Information Officer, on telephone [REDACTED]

Yours sincerely



Sam Rodrigues
Accredited Freedom of Information Officer

31 May 2019

FREEDOM OF INFORMATION ACT 1991
YOUR RIGHTS TO REVIEW

INTERNAL REVIEW

If you are dissatisfied or concerned with the decision of this Agency regarding access to documents or the request for amendment to your personal records, you can apply for an Internal Review of that decision.

To apply for an Internal Review you must write a letter addressed to the Principal Officer or lodge an Internal Review application form with the Principal Officer of this Agency. The legislated application fee must accompany all applications, unless the fee was waived in the original Freedom of Information application, in which case there would be no fee payable for the application. The application must be lodged within 30 days after being notified of the decision.

The Agency will undertake the Internal Review and advise you of its decision within 14 days of receipt of the application.

Where the decision was made by the Minister or Principal Officer of the Agency, you are unable to request an Internal Review but you can apply for an External Review by the Ombudsman, or SACAT.

You are unable to apply for an Internal Review regarding a decision to extend the time limit for dealing with an application but you can apply for an External Review.

EXTERNAL REVIEW BY THE OMBUDSMAN

If the Agency does not deal with your Internal Review application within 14 calendar days (or you remain unhappy with the outcome of the Internal Review) you are entitled to an External Review by the Ombudsman SA.

You may also request an External Review by the Ombudsman if you have no right to an Internal Review.

The application for review by the Ombudsman should be lodged within 30 days after the date of a determination. The Ombudsman's Office, at their discretion, may extend this time limit.

Investigations by the Ombudsman are free. Further information is available from the Office of the Ombudsman by telephone on 8226 8699 or toll free 1800 182 150 (within SA).

REVIEW BY THE SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (SACAT)

If you are still dissatisfied with the decision made by this Agency after an Internal Review or after a review by the Ombudsman, you can request a review from SACAT.

You must exercise your right of review to SACAT within 30 calendar days after being advised of the determination or the results of any other Internal or Ombudsman Review. Any costs will be determined by SACAT, where applicable. For more information, contact;

South Australian Civil and Administrative Tribunal (SACAT)
Phone: 1800 723 767
Email: sacat@sacat.sa.gov.au

SCHEDULE OF DOCUMENTS - FREEDOM OF INFORMATION APPLICATION NUMBER

**2019/03941/01 and
2019/03942/01**

14006080

Document Number	Description of Document	Date of Document	Author	Determination Release / Partial Release / Refuse Access	Schedule Clause Applied	Notes
1	CERES_windfarm_approval	9/04/2017	DPTI	Release		
2	CERES_windfarm_approval	3/01/2013	DPTI	Release		
3	Lincoln_Gap_windfarm	11/08/2017	DPTI	Release		
4	Lincoln_Gap_windfarm	22/03/2017	DPTI	Release		
5	Lincoln_Gap_windfarm	14/08/2013	DPTI	Release		
6	Lincoln_Gap_windfarm	3/03/2006	DPTI	Release		
7	Keyneton_windfarm_approval	22/06/2012	DPTI	Release		
8	DP_Energy_approval	25/11/2015	DPTI	Release		
9	Hornsdale_Windfarm_approval	26/10/2011	DPTI	Release		
10	Hornsdale_Windfarm_approval	11/07/2016	DPTI	Release		
11	Myponga_Sellicks - Government Gazette	6/07/2006	DPTI	Release		pg 2179
12	Myponga_Sellicks - Government Gazette	23/07/2009	DPTI	Release		pg 3244
13	Myponga_Sellicks - Government Gazette	20/01/2011	DPTI	Release		pg 236
14	List of Windfarm Applications		DPTI	Release		

South Australia – Section 49 of the Development Act 1993

**DECISION NOTIFICATION FORM
CROWN DEVELOPMENT AND PUBLIC INFRASTRUCTURE**

Contact Officer: [REDACTED]
Telephone: [REDACTED]
KNET Reference: 11822705

Development Number:
544/V001/13 V2

FOR DEVELOPMENT APPLICATION

REGISTERED ON: 3 January 2013
VARIATION 2: 9 April 2017

TO: Yorke Peninsula Wind Farm Project Pty Ltd
c/- Senvion Australia Pty Ltd
Level 29, 80 Collins Street
Melbourne VIC 3000

EMAIL: [REDACTED]

LOCATION OF PROPOSED DEVELOPMENT:

(a) Yorke Peninsula - Wind Turbine Host Properties

AI/Sct No.	Plan / Hd No	Street / Road	Locality	Hundred	Title
A2	FP 1254	St Vincent Highway	Port Vincent	Curramulka	CT 5498/726
A1	DP 33404	Mulburra Park Road	Port Vincent	Curramulka	CT 5064/787
A2	DP 33404	Mulburra Park Road	Port Vincent	Curramulka	CT 5064/788
A3	DP 33404	Mulburra Park Road	Port Vincent	Curramulka	CT 5064/789
A2	DP 43772	Sheak Flat Road	Sheak Flat	Curramulka	CT 5396/319
A2	DP 53106	Boundary Road	Curramulka	Muloowurtie	CT 5710/771
A3	DP 56698	Mulburra Park Road	Port Vincent	Curramulka	CT 5844/659
A2	DP 60530	Yorke Highway	Curramulka	Curramulka	CT 5888/598
A6	DP 85469	Twelve Mile Road	Curramulka	Curramulka	CT 6068/501
A1	FP 17030	Piggery Corner Road	Sandilands	Muloowurtie	CT 5551/418
A2	FP 17030	Piggery Corner Road	Sandilands	Muloowurtie	CT 5551/418
A60	DP 68252	St Vincent Highway	Port Julia	Curramulka	CT 5997/537
A21	DP 74694	Anderson Road	Curramulka	Muloowurtie	CT 6127/772
A1	FP 131522	Twelve Mile Road	Curramulka	Curramulka	CT 5239/439
S9	HP 130400	Government Road	Curramulka	Curramulka	CT 5288/395
A201	DP 46762	Government Road	Curramulka	Curramulka	CT 5451/587
A202	DP 46762	Cemetary Road	Curramulka	Curramulka	CT 5451/588
A93	FP 162426	Twelve Mile Road	Curramulka	Curramulka	CT 5300/873
A93	FP 196654	Roolama Road	Curramulka	Curramulka	CT 5583/27
S11	HP 130400	Government Road	Port Vincent	Curramulka	CT 5421/610
S12	HP 130400	Hickmans Road	Port Vincent	Curramulka	CT 5812/285
S13	HP 130400	St Vincent Highway	Port Vincent	Curramulka	CT 5498/726
S14	HP 130400	St Vincent Highway	Port Vincent	Curramulka	CT 5526/212
S15	HP 130400	St Vincent Highway	Port Vincent	Curramulka	CT 5854/297
S17	HP 130400	Government Road	Port Vincent	Curramulka	CT 5417/227
S19	HP 130400	Mulburra Park Road	Port Vincent	Curramulka	CT 5455/437
S21	HP 130400	Government Road	Curramulka	Curramulka	CT 6088/752
S44	HP 130400	Old Coast Road	Port Vincent	Curramulka	CT 6025/865

AI/Sct No.	Plan / Hd No	Street / Road	Locality	Hundred	Title
S69	HP 130400	St Vincent Highway	Curramulka	Curramulka	CT 5491/661
S70	HP 130400	Old Coast Road	Sheaok Flat	Curramulka	CT 5772/304
S71	HP 130400	Old Coast Road	Sheaok Flat	Curramulka	CT 6025/994
S72	HP 130400	Micky Flat Road	Sheaok Flat	Curramulka	CT 5290/810
S74	HP 130400	Micky Flat Road	Curramulka	Curramulka	CT 5460/371
S96	HP 130400	Micky Flat Road	Curramulka	Curramulka	CT 5550/945
S97	HP 130400	Micky Flat Road	Curramulka	Curramulka	CT 5550/945
S98	HP 130400	Micky Flat Road	Curramulka	Curramulka	CT 5308/459
S99	HP 130400	Twelve Mile Road	Curramulka	Curramulka	CT 5308/460
S11	HP 131200	Yorke Highway	Curramulka	Muloowurtie	CT 5425/148
S37	HP 131200	McFarlane Road	Sandilands	Muloowurtie	CT 5539/752
S38	HP 131200	McFarlane Road	Sandilands	Muloowurtie	CT 5424/284
A307	FP 196539	St Vincent Highway	Port Vincent	Curramulka	CT 5562/860
A354	FP 196586	Bittner Road	Curramulka	Curramulka	CT 5410/793
A355	FP 196587	Bittner Road	Curramulka	Curramulka	CT 5831/836
A366	FP 196598	Yorke Highway	Curramulka	Curramulka	CT 5448/294
A367	FP 196599	Yorke Highway	Curramulka	Curramulka	CT 5448/293
A368	FP 196600	Boundary Road	Curramulka	Curramulka	CT 5743/831
A100	FP 196661	Boundary Road	Curramulka	Muloowurtie	CT 5565/925
A100	FP 206515	Twelve Mile Road	Curramulka	Curramulka	CT 5743/830
S100	HP 130400	St Vincent Highway	Port Julia	Curramulka	CT 5448/360
S115	HP 130400	Government Road	Curramulka	Curramulka	CT 5437/730
S118	HP 130400	Government Road	Curramulka	Curramulka	CT 5155/760
S119	HP 130400	Yorke Highway	Curramulka	Curramulka	CT 5141/930
S120	HP 130400	Twelve Mile Road	Curramulka	Curramulka	CT 5531/451
S126	HP 130400	Boundary Road	Curramulka	Curramulka	CT 5786/566
S129	HP 130400	Reddings Road	Curramulka	Curramulka	CT 5316/65
S131	HP 130400	St Vincent Highway	Port Julia	Curramulka	CT 5419/998
S318	HP 130400	Government Road	Curramulka	Curramulka	CT 5437/728
S113	HP 131200	McFarlane Road	Sandilands	Muloowurtie	CT 5552/831
S120	HP 131200	Yorke Valley Road	Sandilands	Muloowurtie	CT 5419/214
S121	HP 131200	McFarlane Road	Sandilands	Muloowurtie	CT 5552/831
S122	HP 131200	Piggery Corner Road	Sandilands	Muloowurtie	CT 5425/473
S123	HP 131200	Piggery Corner Road	Sandilands	Muloowurtie	CT 5377/36
S124	HP 131200	Yorke Valley Road	Sandilands	Muloowurtie	CT 5419/214
S130	HP 131200	North South Road	Curramulka	Muloowurtie	CT 5661/214
S131	HP 131200	Piggery Corner Road	Sandilands	Muloowurtie	CT 5377/36
S134	HP 131200	Davies Road	Curramulka	Muloowurtie	CT 5623/867
S135	HP 131200	Black Bobs Road	Curramulka	Muloowurtie	CT 5555/574
S136	HP 131200	Black Bobs Road	Curramulka	Muloowurtie	CT 5555/574
S137	HP 131200	North South Road	Curramulka	Muloowurtie	CT 5661/214
S144	HP 131200	Anderson Road	Curramulka	Muloowurtie	CT 5276/755
S145	HP 131200	Anderson Road	Curramulka	Muloowurtie	CT 5581/66
S146	HP 131200	Anderson Road	Curramulka	Muloowurtie	CT 5184/369
S147	HP 131200	Anderson Road	Curramulka	Muloowurtie	CT 5566/15
S150	HP 131200	Boundary Road	Curramulka	Muloowurtie	CT 5276/552
S151	HP 131200	Porky Road	Curramulka	Muloowurtie	CT 5276/756

AI/Sct No.	Plan / Hd No	Street / Road	Locality	Hundred	Title
S152	HP 131200	Boundary Road	Curramulka	Muloowurtie	CT 5276/754
S154	HP 131200	Yorke Highway	Curramulka	Muloowurtie	CT 5425/148
S206	HP 131600	Reddings Road	Wauraltee	Wauraltee	CT 5728/131
S117W	HP 130400	Yorke Highway	Curramulka	Curramulka	CT 5448/49
S88N	HP 130400	Yorke Highway	Curramulka	Curramulka	CT 5448/89

(b) Port Julia - Converter Station & Construction Compound

AI/Sct No.	Plan / Hd No	Street / Road	Locality	Hundred	Title
S61	HP 130400	Vinecombe Road	Port Julia	Curramulka	CT 5719/851

(c) Port Julia Coastal land - HVDC Cable Route Crossover

AI/Sct No.	Plan / Hd No	Street / Road	Locality	Hundred	Title
Q65	DP 67120	Old Coast Road	Port Julia	Curramulka	CR 6020/79

(d) St Kilda Coastal land - HVDC Cable Route Crossover

AI/Sct No.	Plan / Hd No	Street / Road	Locality	Hundred	Title
A101	DP 84639	Whiting Street	St Kilda	Port Adelaide	CT 6070/123
A102	DP 84639	Whiting Street	St Kilda	Port Adelaide	CT 6070/124

(e) Globe Derby Park - Converter Station

AI/Sct No.	Plan / Hd No	Street / Road	Locality	Hundred	Title
A311	DP 40170	Port Wakefield Road	Globe Derby Park	Port Adelaide	CT 5887/235

NATURE OF PROPOSED DEVELOPMENT: Variation to DA 544/V001/13 &V1: integrated windfarm development: (a) reduction in the number of turbines from 197 to 187 and the removal of five allotments from the site; (b) increase to the tip height of each turbine from 150 metres to 163 metres; (c) the relocation of turbines to account for the requirements of an upgraded turbine model and to maintain a minimum distance of 1.3km from non-host dwellings; and (d) construction of the development in two stages.

FROM: MINISTER FOR PLANNING

I hereby **APPROVE** the above-mentioned application under the *Development Act 1993*.

You may therefore proceed in accordance with your plans, as submitted, subject to 57 conditions and advisory notes as shown on the attached sheets.

Building works may commence only when a Certificate of Compliance with Building Rules has been received from a Private Certifier, subject to any conditions imposed by the Minister for Planning (or his delegate) and the Certifier.

Unit Manager Development Assessment
as delegate of the
MINISTER FOR PLANNING

Date of Original Decision: 10 February 2014

Date of Amended Decision: 29 August 2017

Pages: 24

PLANNING CONDITIONS - DA 544/V001/13 V2

Planning Conditions

Relevant documents and plans

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development herein approved consists of the staged construction of up to 187 wind turbines, up to eight meteorological measuring masts, two converter stations, one operations compound, one temporary concrete batching plant, HVDC cable including terrestrial and marine sections across Gulf St Vincent, low voltage AC cable to the Rex Minerals Hillside project site, and associated infrastructure and works including temporary equipment storage, underground electrical cabling and switchgear, access roads, fencing, landscaping and earthworks, to be established in strict accordance with the details and plans, including the plans as submitted in Development Application No 554/V001/13 V2:

Approved Documentation

- *The CERES Project Section 49 (Crown Development) Development Application, Volume 1, prepared by Parsons Brinkerhoff dated December 2012, together with Volume 2 - Technical Appendices A to W.*
- *The Ceres Project Section 49 (Crown Development) Development Application - 544/V001/13 ADDENDUM, 29 January 2013.*
- *Letter from REpower Australia to the EPA, titled EPA Reference: 32964 / Yorke Peninsula Wind Farm Project - Development Application Information Request - 14 August 2013, dated 27 August 2013*
- *ABB CERES Project - Marine Installation Overview, Ref. ABB-MEH-R-CERES-R003 Rev 7, dated 21 August 2013*
- *Letter from REpower Australia to the EPA together with a Table of Commitments, titled EPA Reference: 32964 / Yorke Peninsula Wind Farm Project - Development Application Information Request, dated 23 July 2013*
- *CERES Wind Farm: Noise Impact Assessment, Report No. 001 R04 2012124ML, prepared by Marshall Day Acoustics, Revision 4 dated 19 July 2013*
- *Email from CERES Project to DPTI dated 22 July 2013 "Aerotech Agreement and Aerial spraying", and attached Aerotech Transaction and Interface Agreement.*
- *Draft Construction and Environmental Management Framework, Doc. No. CEMF_2162567E-DMS-RPT-001 Rev 2, prepared by Parsons Brinkerhoff, dated June 2013*
- *Additional Information - Clarification with respect to the Temporary Concrete Batching Plant, undated, received by the EPA on 23 July 2013*
- *Ceres Project Section 49 (Crown Development): Submission Response Document, prepared by Parsons Brinkerhoff, dated 27 August 2013*
- *Letter from CERES PROJECT to the Development Assessment Commission dated 10 November 2013 "Response to letter received from Development Assessment Commission dated 30 October 2013" including Appendices 1 to 4.*

- CERES PROJECT "*Development Assessment Commission Hearing – Consolidated Response Document*" dated 11 November 2013
- Letter from CERES PROJECT to the Development Assessment Commission dated 22 November 2013 "*Confirmation of modification to development application following DAC hearing on 14 November 2013*" including Appendices 1 and 2.
- Letter from CERES PROJECT to the Development Assessment Commission dated 5 December 2013 "*Additional information regarding aerial spraying activities*".

Variation 1 – amendment in relation to landowner encumbrances:

- Letter from [REDACTED] (Senvion) – 'Amendment to Landowner encumbrances' - to DPTI dated 10 March 2015
- Letter from [REDACTED] (URPS) – 'Amendment to Landowner encumbrances' - to DPTI dated 10 March 2015

Variation 2 - supersedes approved plans and documentation (where applicable).

- CERES layout – 011-00 (including separate maps for North, Central West, Central East, Southern) – undated.
- CERES Project - Updates to Electromagnetic Interference – 30 March 2017 and accompanying plans: AU-CERES-DA-00-000 Ceres Layout 011-00 (2012 vs 2016 constraints); AU-CERES-DA-00-000 Ceres Layout 011-00 2016 constraints).
- CERES Project – Updates to Shadow Flicker Assessment Assumptions – 6 July 2017
- Senvion - Shadow Management – Advanced System – Product Description.
- EBS Ecology – Impact on avifauna through change of rotor swept area – 29 March 2017
- Marshall Day Acoustics – CERES Project – Revised Noise Assessment – Rp 002 R02 201212ML 6 July 2017.
- CERES Project – Letter to EPA dated 29 June 2017 – including updated noise predictions for the converter stations + including supplemental report from Marshall Day Acoustics Rp 003 2012124ML dated 28 June 2017.
- URPS – Letter to Development Assessment Commission - Proposed Variation to Development Application 544/V001/13 – 3 April 2017.
- Ambidji Group – Revised Final Report – Proposed Ceres Wind Farm – Aviation Impact Assessment – V6.0 31 March 2017.
- CERES Layout 011-00 – not dated.
- Elevation – Senvion 3.4M140 – total turbine height 163m (Hub 93m, Blade length 70m)
- Photomontages of Both Senvion 3.4M114 and Senvion 3.4M140 Turbines.

Reserved Matters requiring final approval

2. Prior to the commencement of construction, the following information shall be submitted for the approval of the Minister for Planning (in consultation with the local councils and relevant state agencies - where applicable):
 - a. the final design, specification and layout plan of all wind turbines in accordance with the South Australian Environment Protection Authority Wind Farms Noise Guidelines 2009, wind monitoring masts, underground cables, internal access roads and ancillary infrastructure.
 - b. the final design, specification and layout of the operations compound and two converter stations - including all buildings, infrastructure, fencing, landscaping, earthworks, noise assessment, proposed access points to the local and arterial road network, and any other relevant matter.
 - c. the final design, specification and alignment of all terrestrial and undersea marine cables (including the proposed overland route from St Kilda to the Globe Derby Park Converter Station)
 - d. the final design, specification and alignment of the proposed connection from the Globe Derby Park Converter Station to the ElectraNet substation.
 - e. the final design, specification and layout of any control building, maintenance, construction and temporary facilities located on the Port Julia converter station site - including the temporary concrete batching plant.
3. Prior to commissioning and operation of the wind farm, the operator shall establish safe flying protocol governing helicopter services used for inspection and maintenance of ElectraNet's 132kV transmission line in proximity of the proposed wind farm in consultation with ElectraNet to the satisfaction of the Minister for Planning.

Construction and operation management plans

4. A final **Construction and Environmental Management and Monitoring Plan** (CEMMP) must be prepared to the satisfaction of the Minister for Planning for specific elements of the project as outlined below prior to construction of the affected/relevant element(s). (The final CEMMP will be based on the *Scope Construction Environmental Management Plan - Ceres Wind Farm Project* (Scope CEMMP), prepared by Parsons Brinkerhoff, Ref. No. 12-0617-01-2162567D, dated 18 December 2012 and amended to incorporate environmental management measures identified through conditions of Development Plan approval.) Construction of the project must be in accordance with the approved CEMMP(s). The CEMMP(s) must include specific management plans for at least the following:
 - Visual amenity
 - Noise and vibration management
 - Air quality and dust management
 - Flora and fauna management
 - Indigenous and non-indigenous heritage management
 - Traffic and access
 - Erosion and stormwater management
 - Waste management
 - Storage and handling of hazardous substances
 - Weeds and pest management
 - Water quality management (terrestrial)
 - Emergency and fire management

- Operational water usage
- Maintenance processes
- Emergency response planning
- Complaints management.

More specific requirements in relation to some elements of the CEMMP follow.

5. A **Traffic Construction and Management Plan** (TCMP) must be prepared to the satisfaction of the Minister for planning prior to construction of the affected/relevant element(s). The TCMP shall include a requirement for regular monitoring and review of arterial roads during the construction period. This will ensure all necessary maintenance works are carried out to all intersections and access roads from the arterial road network to ensure road safety is maximised.
6. A **Construction Noise and Vibration Management Plan** (CNVMP) must be developed, either as stand-alone plan or as part of a wider Construction Environment Management Plan (CEMP) to the reasonable satisfaction of the Minister for planning prior to commencement of construction. The CNVMP must detail of how construction noise and vibration impacts (including site preparation and demolition works) would be managed to ensure that the mandatory provisions of Part 6 Division 1 of the *Environment Protection (Noise) Policy 2007*.
7. A **Soil Erosion and Drainage Management Plan** (SEDMP) as part of the *Environmental Outcomes and Operator Compliance Monitoring Plan*. The SEDMP should, as a minimum, include:
 - (a) Mitigation and management measures to ensure no lasting impacts from the operation on site contamination, land stability and weed control.
 - (b) Mitigation and management measures to ensure no pollutants or sediment are transported off site by erosion (wind or water) or surface water runoff.

Any sections of the sites that require rehabilitation should be monitored and maintained for a period of at least five years to ensure areas have stabilised fully post rehabilitation.
8. **Concrete batching plant** - the CEEMP must incorporate measures and actions that address to the satisfaction of the EPA, the following issues:
 - i. air quality; including a Dust Management Plan relating to storage of sand, aggregate and cement and vehicular movements within the facility
 - ii. water management including the preparation of a Soil Erosion and Drainage Management Plan (SEDMP)
 - iii. wastewater management
 - iv. waste management, including how waste would be disposed of.
9. A **Traffic Management Plan** for the development shall be provided to the satisfaction of the Minister for planning prior to commencement of construction. This plan shall incorporate the following points:
 - The final construction route/s;
 - Details and locations of access points to the arterial road network;
 - Details of the treatments required for the required access points to the arterial road network;

- Details of all road upgrades required to facilitate the development;
- Details of delivery times;
- Details of proposed road closures and their management;
- Details of the permits required;
- Details of all required road signs and advisory signs;
- A route risk assessment for roads intended for transportation of over-dimensional wind farm components.

The plan shall also reference the guidelines pertaining to the transportation of indivisible items in South Australia.

10. A **Mining Management Plan**, prepared in consultation with mineral tenement holders for the management of current and future access and exploration activities (in accordance with relevant state legislation) on the site shall be prepared to the satisfaction of the Minister for planning prior to commencement of construction of the project.
11. A **Rehabilitation and Landscaping Plan** for the entire site (turbines, access roads, convertor stations etc), including options for environmental offsets and a management program (to be undertaken during the operational life of the project) and end-of-project decommissioning works (to outline the extent of reinstatement and restoration activities upon the removal of the wind-farm and associated infrastructure), shall be submitted for approval by the Minister for Planning prior to commencement of construction of the project.
12. An **Environmental Management and Monitoring Plan** (EMMP) for the construction and operational phases of the development shall be submitted to the satisfaction of the Minister for Planning prior to commencement of construction.
13. A **Bat Monitoring Plan** be established to the satisfaction of the Minister for Planning prior to the commencement of construction and be implemented prior to construction of the turbines and continue for a minimum of two years operation of the project once completed.
14. A **Shadow Management System** shall be installed and operated to control for shadow flicker effects that enables affected turbines to automatically shut-off where shadow flicker exceeds 30 hours modelled and 10 hours measured (per annum) for non-associated dwellings.

General conditions

15. The temporary concrete batching plant shall be decommissioned and removed from the Port Julia convertor station site following the completion of turbine construction or within six months of the operation on the wind farm (whichever is sooner). This site must then be rehabilitated in accordance with the approved Rehabilitation and Landscaping Plan.
16. Upon cessation of the use hereby approved, the owner/operator must remove the wind turbines and other above and below ground infrastructure from the subject land, and all pad areas and access roads shall be reinstated and the land restored within 2 years to the reasonable satisfaction of the Minister for Planning. All costs shall be borne by the owner/operator.
17. All upgrades to the local and arterial road network to facilitate site access (including but not limited to realignment and sealing) shall be completed prior to the commencement of construction.

18. The wind farm shall be designed and operated in a manner so as to not interfere with existing telecommunication facilities. This shall be confirmed by post-operational monitoring to be conducted by a qualified consultant within six months of wind farm commissioning. If post-operational monitoring confirms a diminution of or interruption to pre-development service levels, the implementation of any off-site mitigation measures for affected receivers shall be at the cost of the developer.
19. All meteorological masts shall be suitably marked with appropriate aviation orange / white stripes, and if guy-wired, equipped with high-visibility cable balls on the outer guy wires. In addition, such towers must be equipped with 16-foot-high-visibility sleeves, one for each anchor mechanism and each outer guy wire. Each marking mechanism shall be maintained to ensure their visibility and attachments to the wires are maintained.

Environment Protection Authority conditions

Noise - General

20. Noise levels at the noise sensitive receivers around the Wind Farm development are to meet requirements of the SA EPA Wind Farms: Environmental Noise Guidelines 2009. The noise level at the *relevant receivers** must not exceed:
 - a. 40dB(A) for noise sensitive receivers in the Primary Production Zone or zones other than Rural Living,
 - b. 35dB(A) if receivers are situated in the Rural Living zone, or
 - c. the background noise ($L_{A90,10}$) by more than 5dB(A).

whichever is the greater, at all relevant receivers for wind speed from cut-in to rated power of the WTG and each integer wind speed in between.

*Note: *For the purposes of these conditions a relevant receiver is an occupied dwelling where the owners do not have an agreement with the wind farm developer. The noise levels should be adjusted in accordance with the Wind Farm Environmental Guidelines 2009 by the inclusion of a penalty for the tonal characteristic.*

21. Warranted maximum sound power characteristic for the wind turbine generators installed in accordance with the proposed layout must not exceed levels shown in Tables 4 and 5 of the acoustic report (CERES Project: Revised Noise Assessment, Report No. 002 R012012124ML, prepared by Marshall Day Acoustics, 9 March 2017). The warranted sound power levels must be measured and reported in accordance with IEC61400-1, Ed.3.0: Wind turbines - Part 11: Acoustic noise measurements techniques.
22. Noise emission of wind turbine generators (WTGs) intended for installation must not include tones audible at the noise receivers ($\Delta L_{a,k} > 0$). The tonality test procedure is defined in IEC 61400-11, Ed.3.0: Wind turbines - Part 11: Acoustic noise measurement techniques. It is desirable that the applicant confirms the absence of audible tones by submitting relevant technical documentation before commencing construction of the wind farm. In case the applicant is unable to confirm the absence of tones by submitting relevant technical documentation, the absence of the tones must be confirmed by results of the test performed at locality No.189 as shown in the acoustic report (CERES Project: Revised Noise Assessment, Report No. 002 R012012124ML, prepared by Marshall Day Acoustics, 9 March 2017).
23. Noise contribution from the converter station and ancillary equipment at the relevant receivers must not exceed allowable levels as indicated in Table 13 in the acoustic

report (*CERES Wind Farm: Noise Impact Assessment*, Report No. 001 R04 2012124ML, prepared by Marshall Day Acoustics, Revision 4 dated 19 July 2013).

24. The applicant must appoint an independent acoustical consultancy (other than the company who prepared the predictive acoustical report) to monitor noise levels at five localities at least: No.10, 125, 129, 189 and 222 (as shown on the map in the acoustic report, CERES Project: Revised Noise Assessment, Report No. 002 R012012124ML, prepared by Marshall Day Acoustics, 9 March 2017). Monitoring must be executed in accordance with the SA EPA Wind farms environmental noise guidelines (2009) where all of the noise sources associated with the wind farm are in operating mode. The results of the monitoring must be submitted to the EPA not later than three months from the date of the wind farm commissioning.
25. In event that the post-construction noise monitoring report reveals non-compliance with the specified noise criteria, the proponent must arrange for the noise monitoring of other relevant noise sensitive receivers. The measures to assure compliance with the specified noise criteria must be undertaken by the proponent for all of the localities where non-compliance with the noise criteria is revealed. Agreement with the land owners of the noise affected premises can be considered as an option in accordance with the SA EPA Wind Farms: Environmental Noise Guidelines 2009.

Noise – Converter station

26. Upon completion of detailed design of the converter station, and prior to the commencement of construction, an Environmental Noise Assessment must be prepared by an Acoustic Engineer which demonstrates that noise from operation of the proposed converter station at Globe Derby Park meets the noise goals applicable under the *Environment Protection (Noise) Policy 2007* and determined properly in accordance with the Salisbury City Council Development Plan (as current at the time of application) at all noise sensitive receivers. Any noise mitigation measures required to meet the noise goals must be implemented during construction. The report must be submitted to the Development Assessment Commission prior to commencement of construction. *Note: An Acoustic Engineer is defined as a person having sufficient qualifications and experience as to be eligible for admission to the grade of 'Member' of the Australian Acoustical Society (MAAS).*

HDVC Cable Installation

27. To minimise impacts on the marine environment the final HVDC cable route must as far as reasonably practical
 - i. maximise the seaward extent of Horizontal Directional Drilling at the land/sea interface at St Kilda and Port Julia
 - ii. avoid areas of dense seagrass, and
 - iii. where cable surface installation is proposed cable anchor selection must be appropriate for the seabed and installed and maintained with due care.
28. Cable laying techniques, including the use of a Vertical Injector, Jet-assisted Plough (or similar cable burial apparatus) must consider benthic communities and the laying techniques that would result in the smallest disturbance and conducted in accordance with the approved Environment Management Plan. Pre-lay Grapnel Run (or similar intrusive cable route preparation apparatus) must not be used through the St Kilda mangroves or the seagrass communities of Gulf St Vincent.
29. Testing for acid sulphate soils must be undertaken along the proposed terrestrial and intertidal sections of the HVDC cable route prior to construction. The sampling plan must be based on a risk assessment from a qualified environmental consultant

and focus on terrestrial and intertidal locations where saturated soils below five metres Australian Height Datum would be disturbed.

30. Cabling and trench backfilling techniques should be designed to minimise disturbance and oxidation of acid sulphate soils in terrestrial and intertidal locations.

Surface Water and Groundwater Protection

31. A bore census must be carried out prior to trenching and WTG foundation excavation to ensure where possible that the ground watertable is not intersected.
32. The design of wind turbine generator foundations likely to intersect groundwater at the watertable must maximise the use of piles.
33. Stormwater must be managed during construction such that it does not impact on any receiving surface water or groundwater resources.
34. Groundwater must not be adversely impacted by any dewatering operations carried out during construction. Any wastewater generated should not enter waters or reach land where it could impact on groundwater.
35. Any spills of fuel, chemicals or wastewater must be managed in such a way as to minimise its impact on the environment and associated surface water and groundwater dependant ecosystems.

Temporary Concrete Batching Plant

36. Cement, additives and other chemicals must be stored within a dedicated bunded area designed in accordance with the EPA Guideline *Bunding and spill management (2007)*.

Hazardous Materials Storage

37. The storage of hazardous materials must be managed so as to avoid the contamination of soil or receiving waters. Such materials must be stored in a bunded area with the capacity to contain 120 percent (or 133 percent in the case of flammable materials) of the volume of the largest container within the bund. Note: further guidance on bunding and spill management can be found in the EPA Guideline: *Bunding and Spill Management (2007)*.

Bushfire Management

38. The proponent/wind farm operator must engage with relevant Managers/Officers at CFS Region offices, when designing, installing and operating the wind farm to ensure that CFS response processes are not compromised. This includes the development and implementation of a *Fire and Emergency Management Plan (FEMP)* in consultation with the CFS and relevant emergency service agencies.
39. The following SA Country Fire Service (SACFS) requirements shall be incorporated into the design of the wind farm (and ancillary infrastructure) and shall be documented in the final CEMP and OMP and implemented during the on-going operation for the development:
 - (a) Access will be necessary for fire-fighting vehicles at all times, including during the assembly and construction phases. Access roads on the project site will be built to the following specifications:
 - Shall be constructed with a formed all-weather surface,

- Shall be a minimum width of 4 metres,
 - Shall incorporate passing bays with a minimum formed width of 6 metres (including the road or driveway width), and a minimum formed length of 17 metres. The passing bays should be constructed at 200 metre intervals along the driveway. Where it is necessary to provide adequate visibility, such as the nearest point to another passing bay, passing bays may be required at intervals of less than 200m.
 - Shall be constructed with a minimum external radius of 12.5m for all road curves.
 - Shall not exceed a gradient of 16 degrees (29%),
 - Shall incorporate solid all-weather crossings over any water-course capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes,
 - Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres width and a vertical height clearance of 4 metres,
 - Shall allow fire-fighting vehicles to safely enter and exit the site in a forward direction by incorporating either :-
 - a loop road around the site, OR
 - a turning area with a minimum radius of 12.5 metres, OR
 - a 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres.
- (b) A vegetation management zone (VMZ) shall be established and maintained within 20 metres of each wind turbine tower as follows:
- The number of trees and understorey plants within the VMZ shall be maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous.
 - No understorey vegetation shall be established within 10m of the tower site (Understorey is defined as plants and bushes up to 2m in height)
 - Grasses within the zone shall be reduced to a maximum height of 10cm during the fire danger season (e.g. by grazing)
 - The VMZ shall be maintained to prevent the accumulation of dead vegetation during the fire danger season.
- (c) A vegetation management zone (VMZ) shall be established and maintained within 20 metres of each Substation/Control Building/electrical switchyard site as follows:
- The understorey plants within the VMZ shall be maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous.
 - No understorey vegetation shall be established within 10m of the Substation/Control Building/ electrical switchyard site (Understorey is defined as plants and bushes up to 2m in height)
 - Grasses within the zone shall be reduced to a maximum height of 10cm during the fire danger season (eg by grazing or chemical treatment)
 - The VMZ shall be maintained to prevent the accumulation of dead vegetation during the fire danger season.
- (d) The *Fire and Emergency Services Act* and *Regulations* impose restrictions and prohibit certain types of fire and other prescribed activities during the Fire Danger Season and on Days of Total Fire Ban. These include:
- Schedule 9 Permits during the Fire Danger Season may be required prior to lighting a fire or undertaking certain prescribed activities.

- Schedule 10 Permits will be required prior to lighting a fire or undertaking certain prescribed activities on a Total Fire Ban Day.
 - The local Council must be contacted for the issuing of permits.
- (e) During any Fire Danger Season whilst the wind farm is being constructed, the following fire-fighting equipment shall be readily available and in good operable condition at all times mounted on a suitably designed vehicle or trailer dedicated to serve as the 'site fire trailer' for each construction site:
- 2000 litres of firefighting water
 - One 5hp firefighting pump
 - 2 x 30 metre x 19mm fire hose reels with spray/jet nozzles
 - 4 x firefighting knapsacks
 - 4 x rakehoes
 - 4 x long handled shovels
 - 2 x 9 litre stored water pressurized extinguishers
 - 2 x 9kg dry powder extinguishers
- This equipment shall then be maintained and replaced (as required) for the life of the project and available for deployment (at all times) during the Fire Danger Season.
- (f) During the construction phase of the site emergency services shall have access to adequate tower identification mapping and security gate numbers and Wind Farm Company all-hours emergency contact numbers – these requirements may be addressed by the development of applicable notification procedures to be formulated in the Construction Environmental Management Plan (CEMP) and Operational Environmental Management Plan (OEMP) (Refer Condition 4).
- (g) All company staff that are likely to respond into the project area, must be provided *at a minimum* with the following equipment:
- Reliable radio or telephone (mobile) communications to enable contact from site to emergency services.
 - Crews receive bushfire and other emergency reporting training, and have available at all times a contact and procedures manual.
 - A working knowledge of and be compliant with SA Country Fire Service legislation (use of tools during the Fire Danger Season) and contacts for fire ban advice (CFS and local government).

DPTI – Transport Services Division conditions

40. Any upgrades to the road network necessitated by the development shall be at the applicant's cost. This includes any junction upgrades and/or upgrades to facilitate access for Restricted Access Vehicles (RAV) and/or Special Purpose Vehicles (SPV).
41. The proponent shall contact the Vehicle Permits Team on ph 1300 882 249 to discuss the process for approval of RAV and SPV access. The applicant shall be responsible for all costs associated with the assessment of routes and any upgrades to the road network required to facilitate this level of access.
42. The proponent shall seek approval for the concept plans for any junction upgrades from DPTI.
43. All access points to the arterial road network for construction compounds shall be to the satisfaction of DPTI. All upgrades to the arterial road network to facilitate site

access (including but not limited to realignment and sealing) shall be completed prior to the commencement of construction (all turbine clusters).

44. All road works shall be designed and constructed to the satisfaction DPTI, with all costs (including design, project management, construction and any road lighting or drainage upgrades required as a direct result of the development) being borne by the developer. Prior to undertaking the required road works, the developer shall contact DPTI to discuss permitted hours of disruption to traffic flows and technical requirements (which may include upgrades to drainage) for works on or adjacent to a Departmental maintained road.
45. The final route of the transmission line shall be designed to minimise its impact on the arterial road network.
46. All power poles on or adjacent to arterial roads shall be located outside of the road clear zone (minimum 8.0m).
47. All power lines over arterial roads shall provide a minimum vertical clearance of 7.5m
48. Any works undertaken on or adjacent to arterial roads shall not interrupt storm water run-off from the carriageway, or create any flooding on or adjacent to the roadway. Any upgrading or modification to drainage infrastructure required as a direct result of the development and its associated works shall be at the cost of the applicant.

Coast Protection Board

49. The exact location and extent of directional drilling for the HVDC cable at the St Kilda and Port Julia coastal interfaces shall be determined (in consultation with marine and coastal scientific officers) to the reasonable satisfaction of the Minister for Planning, to ensure that sensitive coastal and near shore marine habitats are not unduly impacted by the cable or cable laying process

Native Vegetation

50. That clearance of or damage to native vegetation on the site or public roads for access during construction shall be minimised.
51. Following the completion of construction works on-site, any tracks and disturbed areas (excluding those used for ongoing access and maintenance) must be rehabilitated and bare areas revegetated as soon as possible, taking advantage of natural rainfall, which is mostly between May and September. If bare areas are still present at the end of spring, they must be temporarily protected and stabilised by geotextile matting or other suitable methods, until they can be effectively revegetated.

Department of State Development

52. The proponent must consult with both SEA Gas and Epic Energy to assess and address potential threats from the proposed High Voltage Direct Current (HVDC) Cables intersecting SEA Gas and Epic Energy's Natural Gas Transmission Pipelines.
53. The proponent should consider the Petroleum and Geothermal Exploration Licences that are affected by the proposed wind farm.

Aviation

54. To ensure that fixed wing aerial spraying services can continue to be reasonably provided to adjacent land owners in the same manner as pre-construction of the wind farm, in the event that any aerial spraying service provider proposes to undertake aerial spraying services on land adjacent to the wind farm, the proponent/wind farm operator shall observe the following protocols if requested in writing not less than 24hrs beforehand by the aerial spraying service provider:
- turbines near and within 500 metres of the boundaries of relevant adjacent landowner properties shall be turned off, and blades held stationary and aligned parallel to the flight path for such period of time as reasonably requested by the aerial service provider; and
 - turbines within 500m of the relevant adjacent landowner properties shall be turned off where the aerial service provider believes there may be a risk of turbulence from the turbines impacting on the spraying operations.
55. All earthworks shall be restricted to only those which are shown on the approved plan as required for building and/or access purposes.
56. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, cabling, pipe work etc) that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.
57. The construction of the development may be undertaken in stages as follows:
- Stage 1 – civil works for the converter stations
Stage 2 – balance of works.
- Reserved matters and conditions 3-14 of this authorization may be satisfied, and building rules consent may be obtained, in relation to each Stage separately such that construction of each Stage may commence once the reserved matters and conditions are satisfied and a Certificate of Compliance has been obtained in relation to the affected/relevant stage.

DEVELOPMENT ACT 1993 AND DEVELOPMENT REGULATIONS 2008: REQUIREMENTS

- Pursuant to Section 49(14) of the *Development Act 1993* before any building work is undertaken, the building work is to be certified by a private certifier, or by some person determined by the Minister for the purposes of this provision, as complying with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the Regulations).
- The development must be substantially commenced on the windfarm site not later than 10 August 2018, and fully completed the development by 10 August 2021, unless this period has been extended by the Minister for Planning.

ADVISORY NOTES

- a. A current list of Registered Private Certifiers in South Australia is available here: <https://www.sa.gov.au/topics/planning-and-property/land-and-property-development/engaging-building-industry-professionals/list-of-registered-private-certifiers>
- b. At completion of the project all certified documents should be retained by the responsible agency for the life of the asset.
- c. For additional information relating to certification of government building projects, contact Infrastructure Delivery, Department of Planning, Transport and Infrastructure (telephone 8343 2511) Level 1, 77 Grenfell Street, Adelaide, 5000.
- d. Any request for an extension of time must be lodged with the Development Assessment Branch prior to the time period specified above, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001.
- e. If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the State Heritage Council shall be notified.
- f. Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.
- g. Building Code of Australia and the Australian Standards will determine requirements for any structures on the site and fire protection measures for plant and machinery operating on the site.
- h. Previously provided encumbrance details will be registered against land titles the subject of the approval. The entering in of an encumbrance is a matter between the parties and is subject to the provisions of the *Real Property Act 1886*.

Department of Premier and Cabinet – Aboriginal Affairs

- i. No entries for Aboriginal sites within the proposed development area [as contained in the Central Archive - including Register of Aboriginal Sites and Objects (the Register), administered by the Department of the Premier and Cabinet-Aboriginal Affairs and Reconciliation Division (DPC-AARD)], were recorded. However, the Register is not a comprehensive record of all Aboriginal sites and objects in South Australia. The applicant is advised that sites or objects may exist in the proposed development area, even though the Register does not identify them.
- j. All Aboriginal sites and objects are protected under the Aboriginal Heritage Act 1988 (the Act), whether they are listed in the Register or not. It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister). If the planned activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Section 20 of the Act requires that any Aboriginal sites, objects or remains, discovered on the land, need to be reported to the Minister. Penalties apply for failure to comply with the Act.

Environmental Protection Authority

- k. The applicant is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- l. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>
- m. An environmental authorisation in the form of a licence is required for the operation of the concrete batching facility. The applicant is required to contact the EPA before acting on this approval to ascertain licensing requirements. The EPA expectation is that all works must be undertaken in accordance with the CEMP, SEDMP, Waste Management Plan, Dust Monitoring Plan, and Water Quality Monitoring Program.
- n. The EPA views the use of a plough, jet trencher or vertical injector (with or without jet nozzles) as dredging according to the definition in schedule 1 of the *Environment Protection Act 1993*. Dredging activities will require a licence to be issued by the EPA under the Environment Protection Act prior to construction.
- o. The land-based component of the proposal requires some clearance of native vegetation and will require approval under the *Native Vegetation Act 1991*, and assessed under Regulation 5(1) (d) of the *Native Vegetation Regulations 2003*. This Regulation encompasses clearance for the provision of infrastructure, and is likely to be applicable providing that all criteria under this Regulation are fulfilled and that a significant environmental benefit (SEB) is achieved to offset the clearance. It must be demonstrated that there is no other practicable alternative that would involve no clearance, less clearance, clearance of less significant veg etc (as per part (IV) of the Regulation).

Coast Protection Board

- p. At St Kilda the HVDC cable intersects waters within the area covered by the Adelaide Dolphin Sanctuary Act 2005. The purpose of this Act is to protect the dolphin population and their natural habitat, including the protection of the dolphin population from direct physical harm including changes in water quality. Contractors should be made aware of the Adelaide Dolphin Sanctuary Act and that there is a general duty of care to protect the dolphin population from physical harm.
- q. Coastal Acid Sulphate Soils (CASS) has the potential to cause major habitat loss and degradation due to the release of acid and heavy metal ions into the environment. There is also a threat to development after construction due to deterioration and corrosion due to the disturbance of CASS. The coastal interface land, particularly at St Kilda, may have the potential to develop acid sulphate conditions if exposed to oxygen. The Coast Protection Board has released a set of guidelines which should be followed in areas where acid sulphate soils are likely to occur.

PIRSA

- r. The marine cable across Gulf St Vincent has potential to impact marine habitats, commercial fishing and aquaculture, including sedimentation impact on oyster production and Mud Cockle fishery at Section Bank. Further consideration should be given to any potential impact on prawn and marine scale fin fish fisheries.

- s. The northern part of Gulf St Vincent is an important Snapper breeding area from November through to January. Any construction activity should be undertaken outside this time frame to minimise potential impacts to spawning Snapper.
- t. The proposal must recognise the principles and objectives of the Northern and Yorke Peninsula Natural Resources Management Board's *Regional Natural Resources Management Plan* and the Government of South Australia's *State Natural Resources Management Plan 2012-2017*.
- u. Permits may be required for water affecting activities on the subject parcel as described by Section 5, *Water Affecting Activities* of Volume D, *Regulatory and Policy Framework*, of the Northern and Yorke Natural Resources Management Board's *Regional Natural Resources Management Plan*.
- v. The underground water resources are not prescribed, however, if a well is required to extract groundwater, under Section 127 (3) of the Natural Resources Management Act 2004 a well construction permit is required. Any wells which are found to exist on the subject parcel are to be maintained and or appropriately decommissioned as per Section 144 and Section 127 (3) of the Act.
- w. DMITRE has advised that the proponent must consider all Petroleum and Geothermal Exploration Licences that are affected by the proposed wind farm, and that SEA Gas and Epic Energy are consulted prior to any construction activities, to assess and address potential threats from the proposed High Voltage Direct Current (HVDC) Cables intersecting SEA Gas and Epic Energy's Natural Gas Transmission Pipelines.
- x. The applicant is advised that the site of the development (and subject of this development authorisation) is located within a designated area under the Narungga Area Indigenous Land Use Agreement (NAILUA). This agreement requires the Development Assessment Commission or the Minister for Planning (Crown development) to notify the Narungga Nation Aboriginal Corporation of any decision within 15 business days and advise the applicant of the following matters:
- (a) that it is an offence under the *Aboriginal Heritage Act 1988* to damage, disturb or interfere with any Aboriginal Sites, Objects or Remains; and
 - (b) that the Narungga Nation Aboriginal Corporation are responsible for undertaking Heritage Surveys in the ILUA Area.

If you require further any information on the Narungga Area Indigenous Land Use Agreement (NAILUA) you are advised to contact: Narungga Nation Aboriginal Corporation c/- Lempriere Abbott McLeod, 93 Carrington Street, Adelaide, South Australia 5000

- y. DEWNR has advised that the following requirements of the *Heritage Places Act 1993* apply:
- (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

ElectraNet

- z. ElectraNet is the transmission line asset owner within the vicinity of the project and must be consulted regarding interface with the turbine farm and matters including but not limited to separation distances; construction safety, access and telecommunications performance (potential interface). Please contact [REDACTED].
- aa. The registered easements which traverse the land in the proposed wind farm development provide tenure for ElectraNet's 132kV transmission line connecting the Ardrossan West and Dalrymple substations. No building or permanent structure can be placed within or on these easements. In addition, Regulations under the Electricity Act 1996 prescribe safety clearance zones that affect this property and prohibit the construction of any permanent or temporary structures, alterations or storage of material within this zone. In this instance, the regulations prescribe a horizontal safety clearance zone of 20 metres measured each side from the centre of the transmission line (minimum of 40 metres in total).
- bb. Furthermore, fences within this zone are restricted to no more than 2.0 metres in height and any fence line that crosses the ElectraNet easement must have an access gate installed under the conductors to allow heavy vehicle access along the entire length of the easement. Restrictions on landscaping also exist. No storage of earthworks equipment (including huts) may occur within this easement.

CASA

- cc. The applicant is reminded of the Civil Aviation Safety Authority requirements in respect of aircraft safety associated with the turbine structures.
- dd. If the proponent should choose to provide obstacle lighting to indicate the presence of the wind turbines or wind monitoring masts at night or during periods of low visibility, to ensure consistency and avoid any confusion to pilots, the obstacle lighting installation should conform to CASA Manual of Standards (MOS) Part 139, Chapter 9. The MOS is available on our Web Site, <http://www.casa.gov.au>
- ee. Details of the wind turbines and wind monitoring masts should be reported for inclusion in the national database of tall structures maintained by the Royal Australian Air Force (RAAF). Information on reporting of tall structures may be found in advisory circular issued by CASA, "AC 139-0S (0) Reporting of Tall Structures" <http://www.casa.gov.au>
- ff. Before construction commences, a temporary Notice to Airmen (NOTAM) will need be issued to cover the construction period of the wind farm. Please advise the Airservices Australia Aeronautical Information Service (AIS) at docs.amend@airservicesaustralia.com of the turbine location and height AHD data of the wind turbines so that pilots can be warned of the construction activity. A permanent NOTAM will need to be issued on completion of the wind farm at which point you will be required to provide final location and height AHD details of the wind turbines.

SA Water

- gg. It should be noted that there is no SA Water network available at the proposed location of the concrete batching plant to the north-west of Port Julia. Alternative arrangements would need to be developed to supply this site.

General Legislative Requirements

Further to and in conjunction with the above notes and conditions the following are "Legislative Requirements" identified by the referral agency's that the applicant must adhere to. The list below is not necessarily comprehensive and it is the proponent's responsibility to ensure compliance with all relevant legislation.

If a septic tank or other wastewater control system is to be installed at each of the convertor station or operation compounds, a wastewater control system application must first be lodged with and approved by the local Council. When the wind farm is decommissioned, any wastewater control system installed on the site will also need to be decommissioned to Council requirements.

Environment Protection Act

All construction works associated with the development are required to be undertaken in accordance with section 25(1) of the *Environment Protection Act 1993*, which requires that a person must not undertake any activity, which pollutes, or may pollute without taking all reasonable and practical measures to prevent or minimise harm to the environment. In addition, noise emissions associated with the construction and operation of a wind farm must comply with the *Environment Protection (Noise) Policy 2007*. To assist in ensuring compliance, the applicant needs to consider the *EPA Wind Farms: Environmental Noise Guidelines 2009*.

Aboriginal Heritage Act

The Central Archive, which includes the Register of Aboriginal Sites and Objects (the Register), administered by the Department of the Premier and Cabinet-Aboriginal Affairs and Reconciliation Division (DPC-AARD), has no entries for Aboriginal sites in this location.

The Register is not a comprehensive record of all Aboriginal sites and objects in South Australia. The applicant is advised that sites or objects may exist in the proposed development area, even though the Register does not identify them. All Aboriginal sites and objects are protected under the *Aboriginal Heritage Act 1988* (the Act), whether they are listed in the Register or not. Land within 200 metres of a watercourse (particularly the River Murray and its overflow areas) in particular, may contain Aboriginal sites and objects.

It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister). If the planned activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Section 20 of the Act requires that any Aboriginal sites, objects or remains, discovered on the land, need to be reported to the Minister. Penalties apply for failure to comply with the Act.

Native Vegetation Act

The applicant will need to seek permission for any clearance of native vegetation, pursuant to the *Native Vegetation Act 1991* (unless an exemption applies). The applicant will need to calculate the amount of all native vegetation (for each community type) that would be cleared or disturbed, once the layout of turbines and ancillary infrastructure has been finalised. A Significant Environmental Benefit (SEB) to compensate for any clearance will need to be negotiated with the Native Vegetation Council as part of an application, pursuant to the Act.

In the detailed planning stage, the proponent is requested to consider the following matters to reduce the potential for vegetation removal:

- Where there are existing access tracks and alternative access points that minimise vegetation clearance requirements for turbine locations, these alternatives should be used, as per EBS recommendations.
- The preliminary plan for the converter station layout (Figure 1.4) indicates that the access track for turbine 212 will have an access track which passes through an area of remnant native vegetation. Consideration should be given to relocation of the track to avoid passing through this area of vegetation and resulting in unnecessary clearance in an area that has been heavily cleared and has very little remaining native vegetation.
- Proponents should consider relocation of operations compound into a cleared area in adjacent paddock, as per EBS recommendation. Clearance of up to 18.5 ha of native vegetation is required at the current location; representing a relatively large area in a heavily cleared region where any remnant vegetation is significant (although it is acknowledged that the vegetation is somewhat degraded).
- It is noted that there are a number of turbines where the ideal buffer of 100m from native vegetation areas has not been achieved; at variance with recommendations from EBS. The proponents should consider increasing buffers around significant native vegetation areas where these buffers are less than the recommended (for all remnant vegetation areas, but particularly for high-value vegetation areas). As discussed in the EBS report, decreasing of these buffers increases the risk of impacts on this vegetation.
- Directional drilling should be undertaken for the land-based part of the HVDC cable laying process, where sensitive areas of native vegetation are present. Micro-placement of cable should be undertaken to avoid impact on remnant vegetation wherever possible.
- Buffers should be utilised around areas comprising significant species, to ensure their protection.
- The St Kilda-Globe Derby Park cable alignment (one of two options under consideration) should be selected to minimise clearance of native vegetation. Where the cable is to be along roads, it should be laid within the road surface where native roadside vegetation is present. (It is noted that the two possible alignments under consideration have not been surveyed, as the original Port Wakefield Road alignment was the only option under consideration at the time of assessment by EBS. The two current alternatives will need to have a detailed vegetation survey undertaken prior to construction, and any vegetation issues addressed. If native vegetation clearance is unavoidable, clearance areas will need to be calculated and SEB ratios assigned as appropriate in order to calculate SEB for this part of the proposal.
- Clearance of Sea grasses resulting from the installation of the marine cable needs to be included in the application to clear native vegetation, and will also incur a SEB. The area of Sea grass clearance should be estimated as accurately as possible and should include any projected impacts on Sea grass beds resulting from increased turbidity. Locations and methods of cable-laying should be selected and utilised in order to minimise impacts on the marine vegetation.
- Horizontal directional drilling is supported where possible in order to minimise impacts on the inter-tidal and sub-tidal and reef. Where the cable is to exit the sea on the St Kilda side, the location should be carefully selected and construction carefully managed so as to avoid impacts on the mangrove/samphire area. Liaison with the Coast Protection Board should be maintained throughout the cable laying process, to ensure minimal impacts.

- The CEMP should state that no equipment, materials or vehicles should be stored, stockpiled or parked in areas comprising native vegetation. Areas suitable for such activities should be clearly marked.
- Requirements for weed management and dust suppression during construction should be discussed specifically in relation to native vegetation within the Flora and Fauna Management section of the CEMP to ensure remnant vegetation areas are not impacted (this may also be discussed in more detail in the Ceres Wind farm project Flora and Fauna Management Plan, which was not supplied with the DA for review). Ongoing monitoring and remedial actions for the spread of exotic species should also be part of the Flora and Fauna Management Plan.

Commonwealth Environment Protection & Biodiversity Conservation Act

The Commonwealth Department of Sustainability, Environment, Water, Population and Communities was referred the proposed development by the applicant under the *Environment Protection and Biodiversity Conservation Act 1999* (the Act) to determine whether the works and activities to be undertaken constituted a controlled action under the Act. On 21 December 2012, the Commonwealth determined that the development was not a controlled action (subject to being undertaken in the manner set out in the decision notification).

The following measures were mandated to minimise impacts on Listed threatened species and communities (Sections 18 & 18A of the Act) and listed migratory bird species (Sections 20 & 20A of the Act):

- no clearance of *Acacia enterocarpa*, *Acacia rheticarpa* or *Olearia pannosa spp* within the project area (as identified within the determination)
- no more than 1.47ha clearance of native vegetation located in road reserves within the project area
- no clearance of native vegetation in areas designated as conservation zones
- prior to construction, a qualified ecologist conducts micro-siting surveys in areas designated as signed land vegetation 100m buffers and recovery potential to ensure listed threatened species and species habitat is not impacted by construction activities
- adoption of weed control measures (as identified within the determination)
- temporary fencing or flagging is completed prior to construction to delineate conservation zones and areas where listed threatened species have been previously recorded. Signage must be in place to indicate these areas
- all vehicles, machinery and equipment are limited to the construction footprint, access tracks and existing cleared areas. Signage must be in place to indicate this requirement
- a minimum buffer of 1km between the placement of wind turbine generators and the coastline
- all vessel masters are made aware that southern right whales (*Eubalaena australis*) may be in and around Gulf St Vincent and are made aware of the requirements of the *Environment Protection and Biodiversity Conservation Regulations 2000 - Part 8 Interacting with Cetaceans and Whale Watching*. If a southern right whale enters

within 500m of a vessel, operations must cease, and not resume until the animal moves 500m from the vessel

- all staff and contractors engaged in construction activities are provided with training prior to commencing work, to promote awareness of the above requirements.

Contacts

When undertaking the finalisation of various management plans and/or licensing requirements, the following Departmental contacts have been nominated by the Government Agency referral bodies:

Department for Manufacturing, Innovation, Trade, Resources and Energy

Please contact [redacted] if you wish to discuss any of Mineral Resources or Energy Resources Division's comments generally or [redacted] or if you have any queries in relation to the requirements of the P&GE Act or AS2885.

Department of Planning, Transport and Infrastructure

Traffic Management & Roadworks

DPTI - RAMA North, Asset Enhancement Engineer, [redacted]

DPTI - Traffic Management Centre, ph 1800 018 313 (dpti.tmc@sa.gov.au)

Over Dimensional Vehicles

DPTI - Vehicle Permits Team on ph 1300 882 249.

Transmission Network – Terrestrial

Converter Station – Port Julia – DPTI - RAMA North, Asset Enhancement Engineer, [redacted]

Converter Station – Globe Derby Park – DPTI - Traffic Operations, Senior Engineer, Network Integrity, [redacted]

DPTI - Northern Connector Project Manager, [redacted]

Transmission Network – Marine

For further discussion please contact DPTI - Marine Services, Manager, Marine Operations, [redacted]

Lease Agreement - Marine

The applicant is advised to contact DPTI - Transport Property, Case and Strategy Manager, Marine, [redacted] to proceed with the licence agreement.

Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in this response can be accessed on the following web site:
<http://www.epa.sa.gov.au>.

RELEASED UNDER FOI ACT

South Australia – Section 49 of the Development Act 1993

**DECISION NOTIFICATION FORM
FOR
CROWN DEVELOPMENT AND PUBLIC INFRASTRUCTURE**

Contact Officer: [REDACTED]
Telephone: [REDACTED]
KNET Reference: 2013/00746/01
#8285264

Development Number:
544/V001/13

FOR DEVELOPMENT APPLICATION

DATED: 3/01/13
REGISTERED ON: 3/01/13

TO: [REDACTED]
Yorke Peninsula Wind Farm Project Pty Ltd
c/- Repower Australia Pty Ltd
Level 29, 80 Collins Street
Melbourne Vic 3000

EMAIL: [REDACTED]

LOCATION OF PROPOSED DEVELOPMENT: Refer Annexure A


NATURE OF PROPOSED DEVELOPMENT: Construction of an integrated wind farm and associated infrastructure

FROM: MINISTER FOR PLANNING

I hereby **APPROVE** the above-mentioned application under the Development Act 1993.

You may therefore proceed in accordance with your plans, as submitted, subject to 54 conditions and advisory notes as shown on the attached sheet(s).

Building works may commence only when a Certificate of Compliance with Building Rules has been received from a Private Certifier, subject to any conditions imposed by the Minister for Planning (or his delegate) and the Certifier.


.....
Hon John Rau MP
Minister for Planning

10.2.14
.....
Date of Decision

[] Sheets Attached

Annexure A: Land Ownership details – Ceres Wind Farm DA 544/V001/13

Volume	Folio	Title description	Proposed use
Northern Zone			
5424	284	SECTION 38 OF HUNDRED MULOOWURTIE	4 x WTGs & access track
5377	36	SECTION 123 (of 123 and 131) OF MULOOWURTIE	5 x WTGs, access tracks & 33kV easement & junction
5551	418	ALLOTMENT 1 (of 1 AND 2) FILED PLAN 17030	4 x WTGs & access track
5623	867	SECTIONS 134 HUNDRED OF MULOOWURTIE	5 x WTGs & access track
5539	752	SECTION 37 OF HUNDRED MULOOWURTIE	4 x WTGs & access track
5551	418	ALLOTMENT 2 (of 1 AND 2) FILED PLAN 17030	2 x WTGs & access track
5661	214	SECTION 130 OF MULOOWURTIE	1 x WTG & 33 kV easement
5425	473	SECTION 122 OF MULOOWURTIE	5 x WTGs, access track & wind monitoring mast
5377	36	SECTION 131 (of 123 and 131) OF MULOOWURTIE	2 x WTG's, access tracks & 33kV easement
5419	214	SECTION 120 HUNDRED OF MULOOWURTIE	3 x WTGs & access track
5552	831	SECTION 113 (of 113 and 121) OF MULOOWURTIE	4 x WTGs & access track
5552	831	SECTION 121 (of 113 and 121) OF MULOOWURTIE	3 x WTG's & access track
5419	214	SECTION 124 HUNDRED OF MULOOWURTIE	No planned infrastructure
Central West Zone			
5555	574	SECTION 135 (of 135 AND 136) HUNDRED OF MULOOWURTIE	2 x WTGs & access tracks
5410	793	ALLOTMENT 354 FILED PLAN 196586 OF CURRAMULKA	Wind monitoring mast
5728	131	SECTION 206 HUNDRED OF WAURALTEE	6 x WTGs & access tracks
5437	730	SECTION 115 OF CURRAMULKA	2 x WTGs & access tracks
5276	552	SECTION 150 OF MULOOWURTIE	4 x WTGs & access tracks
5581	66	SECTION 145 OF MULOOWURTIE	6 x WTGs, access tracks,
5566	15	SECTION 147 OF MULOOWURTIE	4 x WTGs, access tracks & 33 kV easement and junction
5425	148	SECTION 154 (of 11 AND 154) HUNDRED OF MULOOWURTIE	1 x WTG, access road & 33 kV easement
5448	49	SECTION 117W OF CURRAMULKA	2 x WTGs, access tracks & 33 kV easement & junction
5276	755	SECTION 144 OF MULOOWURTIE	5 x WTGs, access tracks, 2 x 33 kV easement and a junction
5155	760	SECTION 118 OF CURRAMULKA	No infrastructure planned
5437	728	SECTION 318 OF CURRAMULKA	1 x WTG & access track
5451	588	ALLOTMENT 202 DEPOSITED PLAN 46762 CURRAMULKA	1 x WTG & access track
5448	293	ALLOTMENT 367 FILED PLAN 196589	3 x WTGs & access tracks
6057	256	SECTION 153N OF MULOOWURTIE	No infrastructure planned
5448	89	SECTION 88N OF CURRAMULKA	No infrastructure planned
5531	451	SECTION 120 OF CURRAMULKA	No planned infrastructure
5555	574	SECTION 136 (of 135 AND 136) HUNDRED OF MULOOWURTIE	3 x WTGs & access tracks
5276	754	SECTION 152 OF MULOOWURTIE	3 x WTG's, access tracks & 33 kV easement
5448	294	ALLOTMENT 366 FILED PLAN 196589	No infrastructure planned

Volume	Folio	Title description	Proposed use
5831	836	ALLOTMENT 355 FILED PLAN 196587 OF CURRAMULKA	3 x WTGs & access tracks
5141	930	SECTION 119 OF CURRAMULKA	4 x WTGs & access tracks
5276	756	SECTION 151 OF MULOOWURTIE	1 x WTG, access track & 33 kV junction & easement
5583	27	ALLOTMENT 93 FILED PLAN 196654 OF CURRAMULKA	1 x WTG & access track
5661	214	SECTION 137 OF MULOOWURTIE	2 x WTGs, access tracks & 33 kV easement
5888	598	ALLOTMENT 2 DEPOSITED PLAN 60530 OF CURRAMULKA	No infrastructure planned
6057	257	ALLOTMENT 95 FILED PLAN 196656	2 x WTGs, access track & 33 kV easement
5451	587	ALLOTMENT 201 DEPOSITED PLAN 46762 OF CURRAMULKA	2 x WTGs & access tracks
5425	148	SECTION 11 (of 11 AND 154) HUNDRED OF MULOOWURTIE	1 x WTG, access road & 33 kV easement
5184	369	SECTION 146 OF MULOOWURTIE	4 x WTG's, access tracks, 33 kV easement
5990	340	ALLOTMENT 21 DEPOSITED PLAN 74694 OF CURRAMULKA	2 x WTGs and access tracks
5623	867	SECTIONS 134 HUNDRED OF MULOOWURTIE	5 x WTGs & access track

Central East

5743	830	ALLOTMENT 100 FILED PLAN 206515	1 x WTG, access track & 33 kV easement
5316	65	SECTION 129 HUNDRED OF CURRAMULKA	6 x WTGs & access tracks
6068	501	ALLOTMENT 6 DEPOSITED PLAN 85469	1 x WTG & access track
5448	360	SECTION 100 OF CURRAMULKA	2 x WTGs, access tracks & HVDC easement
5743	831	ALLOTMENT 368 FILED PLAN 196600	33 kV easement
5710	771	ALLOTMENT 2 DEPOSITED PLAN 53106	1 x WTG & access track
5550	945	SECTION 96 CURRAMULKA	3 x WTGs & access tracks
5300	873	ALLOTMENT 93 FILED PLAN 162426	3 x WTGs, access tracks & 33 kV easement
5550	945	SECTION 97 CURRAMULKA	4 x WTGs & access tracks
5565	925	ALLOTMENT 100 FILED PLAN 196661	4 x WTGs, access roads & wind monitoring mast
5308	460	SECTION 99 OF CURRAMULKA	3 x WTGs, access tracks & 33 kV easement
5786	566	SECTION 126 HUNDRED OF CURRAMULKA	9 x WTGs, access tracks, 33 kV easement & junction
5419	998	SECTION 131 HUNDRED OF CURRAMULKA	2 x WTGs, access tracks & 33 kV easement
5308	459	SECTION 98 CURRAMULKA	4 x WTGs, access tracks, 33 kV easement
5239	439	ALLOTMENT 1 FILED PLAN 131522	No planned infrastructure
5997	537	ALLOTMENT 60 DEPOSITED PLAN 68252	1 x WTG, access track & HVDC easement

Southern Zone

6025	865	SECTION 44 OF CURRAMULKA	2 x WTGs & access tracks
5288	395	SECTION 9 OF CURRAMULKA	2 x WTGs & access tracks
5562	860	ALLOTMENT 307 FILED PLAN 196539 OF CURRAMULKA	2 x WTGs & access tracks
5281	558	SECTION 73 OF CURRAMULKA	3 x WTGs, access tracks, 33 kV easement & junctions
5674	444	SECTION 75 HUNDRED OF CURRAMULKA	No planned infrastructure

5498	726	SECTION 13 OF CURRAMULKA	No planned infrastructure
5674	444	SECTION 67 HUNDRED OF CURRAMULKA	No planned infrastructure
5455	437	SECTION 19 OF CURRAMULKA	1 x WTG, access track, 33 kV easement and junction
5421	610	SECTION 11 OF CURRAMULKA	1 x WTG & access track
5281	576	SECTION 68 HUNDRED OF CURRAMULKA	2 x WTGs, access tracks, 33 kV easement & junction
5812	285	SECTION 12 OF CURRAMULKA	4 x WTGs, access tracks & wind monitoring mast
5526	212	SECTION 14 OF CURRAMULKA	2 x WTGs & access tracks
5772	304	SECTION 70 OF CURRAMULKA	1 x WTGs & access tracks
6088	752	SECTION 21 OF CURRAMULKA	2 x WTGs & access tracks
5854	297	SECTION 15 OF CURRAMULKA	1 x WTG & access tracks
5064	789	ALLOTMENT 3 DEPOSITED PLAN 33404 (PREVIOUSLY SECTION 46)	No planned infrastructure
5491	661	SECTION 69 OF CURRAMULKA	6 x WTGs & access tracks
5498	726	ALLOTMENT 2 FILED PLAN 1254	No planned infrastructure
5955	820	SECTION 47 HUNDRED OF CURRAMULKA	1 x WTG, access track & 33 kV easement
5064	787	ALLOTMENT 1 DEPOSITED PLAN 33404 OF CURRAMULKA	2 x WTGs, access tracks & 33 kV easement
5290	810	SECTION 72 OF CURRAMULKA	2 x WTGs & access tracks
5844	659	ALLOTMENT 3 DEPOSITED PLAN 56698 OF CURRAMULKA	1 x WTG & access track
5955	820	SECTION 42 HUNDRED OF CURRAMULKA	1 x WTG, access track & 33 kV easement
6025	994	SECTION 71 OF CURRAMULKA	1 x WTGs & access tracks
5064	788	ALLOTMENT 2 DEPOSITED PLAN 33404 (PREVIOUSLY SECTION 43)	No planned infrastructure
5396	319	ALLOTMENT 2 DEPOSITED PLAN 43772 OF CURRAMULKA	2 x WTGs, access tracks, 33 kV easement & junction
5417	227	SECTION 17 OF CURRAMULKA	1 x WTG & access tracks
5460	371	SECTION 74 HUNDRED OF CURRAMULKA	4 x WTGs, access tracks & 33 kV easement

Volume	Folio	Title description	Proposed use
5887	235	ALLOTMENT 311 DEPOSITED PLAN 40170	Converter station

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PLANNING CONDITIONS - DA 544/V001/13

Planning Conditions

Relevant documents and plans

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development herein approved consists of up to 197 wind turbines, up to eight meteorological measuring masts, two converter stations, one operations compound, one temporary concrete batching plant, HVDC cable including terrestrial and marine sections across Gulf St Vincent, low voltage AC cable to the Rex Minerals Hillside project site, and associated infrastructure and works including temporary equipment storage, underground electrical cabling and switchgear, access roads, fencing, landscaping and earthworks, to be established in strict accordance with the details and plans, including the amended plans as submitted in development application number 554/V001/13:
 - *The CERES Project Section 49 (Crown Development) Development Application, Volume 1, prepared by Parsons Brinkerhoff dated December 2012, together with Volume 2 - Technical Appendices A to W.*
 - *The Ceres Project Section 49 (Crown Development) Development Application - 544/V001/13 ADDENDUM, 29 January 2013.*
 - *Letter from REpower Australia to the EPA, titled EPA Reference: 32964 / Yorke Peninsula Wind Farm Project - Development Application Information Request - 14 August 2013, dated 27 August 2013*
 - *ABB CERES Project - Marine Installation Overview, Ref. ABB-MEH-R-CERES-R003 Rev 7, dated 21 August 2013*
 - *Letter from REpower Australia to the EPA together with a Table of Commitments, titled EPA Reference: 32964 / Yorke Peninsula Wind Farm Project - Development Application Information Request, dated 23 July 2013*
 - *CERES Wind Farm: Noise Impact Assessment, Report No. 001 R04 2012124ML, prepared by Marshall Day Acoustics, Revision 4 dated 19 July 2013*
 - *Email from CERES Project to DPTI dated 22 July 2013 "Aerotech Agreement and Aerial spraying", and attached Aerotech Transaction and Interface Agreement.*
 - *Draft Construction and Environmental Management Framework, Doc. No. CEMF_2162567E-DMS-RPT-001 Rev 2, prepared by Parsons Brinkerhoff, dated June 2013*
 - *Additional Information - Clarification with respect to the Temporary Concrete Batching Plant, undated, received by the EPA on 23 July 2013*
 - *Ceres Project Section 49 (Crown Development): Submission Response Document, prepared by Parsons Brinkerhoff, dated 27 August 2013*
 - *Letter from CERES PROJECT to the Development Assessment Commission dated 10 November 2013 "Response to letter received from Development Assessment Commission dated 30 October 2013" including Appendices 1 to 4.*

- CERES PROJECT "Development Assessment Commission Hearing – Consolidated Response Document" dated 11 November 2013
- Letter from CERES PROJECT to the Development Assessment Commission dated 22 November 2013 "Confirmation of modification to development application following DAC hearing on 14 November 2013" including Appendices 1 and 2.
- Letter from CERES PROJECT to the Development Assessment Commission dated 5 December 2013 "Additional information regarding aerial spraying activities".

Reserved Matters requiring final approval

2. Prior to the commencement of construction, the following information shall be submitted for the approval of the Minister for Planning (in consultation with the local councils and relevant state agencies - where applicable):
 - a. the final design, specification and layout plan of all wind turbines in accordance with the South Australian Environment Protection Authority Wind Farms Noise Guidelines 2009, wind monitoring masts, underground cables, internal access roads and ancillary infrastructure.
 - b. the final design, specification and layout of the operations compound and two converter stations - including all buildings, infrastructure, fencing, landscaping, earthworks, noise assessment, proposed access points to the local and arterial road network, and any other relevant matter.
 - c. the final design, specification and alignment of all terrestrial and undersea marine cables (including the proposed overland route from St Kilda to the Globe Derby Park Converter Station)
 - d. the final design, specification and alignment of the proposed connection from the Globe Derby Park Converter Station to the ElectraNet substation.
 - e. the final design, specification and layout of any control building, maintenance, construction and temporary facilities located on the Port Julia converter station site - including the temporary concrete batching plant.
3. Prior to commissioning and operation of the wind farm, the operator shall establish safe flying protocol governing helicopter services used for inspection and maintenance of ElectraNet's 132kV transmission line in proximity of the proposed wind farm in consultation with ElectraNet to the satisfaction of the Minister for Planning.

Construction and operation management plans

4. A final **Construction and Environmental Management and Monitoring Plan (CEMMP)** must be prepared to the satisfaction of the Minister for Planning for specific elements of the project as outlined below prior to construction of the affected/relevant element(s). (The final CEMMP will be based on the *Scope Construction Environmental Management Plan - Ceres Wind Farm Project* (Scope CEMMP), prepared by Parsons Brinkerhoff, Ref. No. 12-0617-01-2162567D, dated 18 December 2012 and amended to incorporate environmental management measures identified through conditions of Development Plan approval.) Construction of the project must be in accordance with the approved CEMP(s). The CEMMP(s) must include specific management plans for at least the following:
 - Visual amenity
 - Noise and vibration management
 - Air quality and dust management
 - Flora and fauna management
 - Indigenous and non-indigenous heritage management

- Traffic and access
- Erosion and stormwater management
- Waste management
- Storage and handling of hazardous substances
- Weeds and pest management
- Water quality management (terrestrial)
- Emergency and fire management
- Operational water usage
- Maintenance processes
- Emergency response planning

More specific requirements in relation to some elements of the CEEMP follow.

5. A **Traffic Construction and Management Plan (TCMP)** must be prepared to the satisfaction of the Minister for planning prior to construction of the affected/relevant element(s). The TCMP shall include a requirement for regular monitoring and review of arterial roads during the construction period. This will ensure all necessary maintenance works are carried out to all intersections and access roads from the arterial road network to ensure road safety is maximised.
6. A **Construction Noise and Vibration Management Plan (CNVMP)** must be developed, either as stand-alone plan or as part of a wider Construction Environment Management Plan (CEMP) to the reasonable satisfaction of the Minister for planning prior to commencement of construction. The CNVMP must detail how construction noise and vibration impacts (including site preparation and demolition works) would be managed to ensure that the mandatory provisions of Part 6 Division 1 of the *Environment Protection (Noise) Policy 2007*.
7. A **Soil Erosion and Drainage Management Plan (SEDMP)** as part of the *Environmental Outcomes and Operator Compliance Monitoring Plan*. The SEDMP should, as a minimum, include:
 - (a) Mitigation and management measures to ensure no lasting impacts from the operation on site contamination, land stability and weed control.
 - (b) Mitigation and management measures to ensure no pollutants or sediment are transported off site by erosion (wind or water) or surface water runoff.

Any sections of the sites that require rehabilitation should be monitored and maintained for a period of at least five years to ensure areas have stabilised fully post rehabilitation.
8. **Concrete batching plant** - the CEMP must incorporate measures and actions that address to the satisfaction of the EPA, the following issues:
 - i. air quality; including a Dust Management Plan relating to storage of sand, aggregate and cement and vehicular movements within the facility
 - ii. water management including the preparation of a Soil Erosion and Drainage Management Plan (SEDMP)
 - iii. wastewater management
 - iv. waste management, including how waste would be disposed of.

9. A **Traffic Management Plan** for the development shall be provided to the satisfaction of the Minister for planning prior to commencement of construction. This plan shall incorporate the following points:

- The final construction route/s;
- Details and locations of access points to the arterial road network;
- Details of the treatments required for the required access points to the arterial road network;
- Details of all road upgrades required to facilitate the development;
- Details of delivery times;
- Details of proposed road closures and their management;
- Details of the permits required;
- Details of all required road signs and advisory signs;
- A route risk assessment for roads intended for transportation of over-dimensional wind farm components.

The plan shall also reference the guidelines pertaining to the transportation of indivisible items in South Australia.

10. A **Mining Management Plan**, prepared in consultation with mineral tenement holders for the management of current and future access and exploration activities (in accordance with relevant state legislation) on the site shall be prepared to the satisfaction of the Minister for planning prior to commencement of construction of the project.

11. A **Rehabilitation and Landscaping Plan** for the entire site (turbines, access roads, convertor stations etc), including options for environmental offsets and a management program (to be undertaken during the operational life of the project) and end-of-project decommissioning works (to outline the extent of reinstatement and restoration activities upon the removal of the wind-farm and associated infrastructure), shall be submitted for approval by the Minister for Planning prior to commencement of construction of the project.

12. An **Environmental Management and Monitoring Plan** (EMMP) for the construction and operational phases of the development shall be submitted to the satisfaction of the Minister for Planning prior to commencement of construction.

13. A **Bat Monitoring Plan** be established to the satisfaction of the Minister for Planning prior to the commencement of construction and be implemented prior to construction of the turbines and continue for a minimum of two years operation of the project once completed.

General conditions

14. The temporary concrete batching plant shall be decommissioned and removed from the Port Julia convertor station site following the completion of turbine construction or within six months of the operation on the wind farm (whichever is sooner). This site must then be rehabilitated in accordance with the approved Rehabilitation and Landscaping Plan.

15. Upon cessation of the use hereby approved, the owner/operator must remove the wind turbines and other above and below ground infrastructure from the subject land, and all pad areas and access roads shall be reinstated and the land restored within 2 years to the reasonable satisfaction of the Minister for Planning. All costs shall be borne by the owner/operator.

16. All upgrades to the local and arterial road network to facilitate site access (including but not limited to realignment and sealing) shall be completed prior to the commencement of construction.
17. The wind farm shall be designed and operated in a manner so as to not interfere with existing telecommunication facilities. This shall be confirmed by post-operational monitoring to be conducted by a qualified consultant within six months of wind farm commissioning. If post-operational monitoring confirms a diminution of or interruption to pre-development service levels, the implementation of any off-site mitigation measures for affected receivers shall be at the cost of the developer.

Environment Protection Authority conditions

Noise - General

18. Noise levels at the noise sensitive receivers around the Wind Farm development are to meet requirements of the SA EPA Wind Farms: Environmental Noise Guidelines 2009. The noise level at the *relevant receivers** must not exceed:
 - i. 40dB(A) for noise sensitive receivers in the Primary Production Zone or zones other than Rural Living,
 - ii. 35dB(A) if receivers are situated in the Rural Living zone, or
 - iii. the background noise ($L_{A90,10}$) by more than 5dB(A).

whichever is the greater, at all relevant receivers for wind speed from cut-in to rated power of the WTG and each integer wind speed in between.

*Note: *For the purposes of these conditions a relevant receiver is an occupied dwelling where the owners do not have an agreement with the wind farm developer. The noise levels should be adjusted in accordance with the Wind Farm Environmental Guidelines 2009 by the inclusion of a penalty for the tonal characteristic.*

19. Warranted maximum sound power characteristic for the wind turbine generators installed in accordance with the proposed layout must not exceed levels in Tables 2 and 3 of the acoustic report (*CERES Wind Farm: Noise Impact Assessment*, Report No. 001 R04 2012124ML, prepared by Marshall Day Acoustics, Revision 4 dated 19 July 2013), where the sound power magnitudes for the lower wind speeds must not exceed values reported at 6 metres per second (m/s) wind speed. The warranted sound power levels are to be measured in accordance with *IEC61400-1, Ed.3.0: Wind turbines - Part 11: Acoustic noise measurements techniques*.
20. Noise emission of wind turbine generators (WTGs) intended for installation must not include tones audible at the noise receivers ($\Delta L_{a,k} > 0$). The tonality test procedure is defined in *IEC 61400-11, Ed.3.0: Wind turbines - Part 11: Acoustic noise measurement techniques*. If the applicant decides on installation of a different type of WTGs, absence of tones should be confirmed by relevant technical documentation before construction of the wind farm. In case the applicant is unable to confirm absence of tones by submitting relevant technical documentation, absence of the tones must be confirmed by results of the test performed at locality No.189 as shown in the acoustic report (*CERES Wind Farm: Noise Impact Assessment*, Report No. 001 R04 2012124ML, prepared by Marshall Day Acoustics, Revision 4 dated 19 July 2013).
21. Noise contribution from the converter station and ancillary equipment at the relevant receivers must not exceed allowable levels as indicated in Table 13 in the acoustic report (*CERES Wind Farm: Noise Impact Assessment*, Report No. 001 R04 2012124ML, prepared by Marshall Day Acoustics, Revision 4 dated 19 July 2013).

22. The proponent must appoint an independent acoustical consultancy (other than company who prepared the predictive acoustical report) to monitor noise levels at 5 localities at least: No.10, 125, 129, 189 and 222 (as shown on the map in the acoustic report, *CERES Wind Farm: Noise Impact Assessment*, Report No. 001 R04 2012124ML, prepared by Marshall Day Acoustics, Revision 4 dated 19 July 2013). Monitoring must be executed in accordance with the SA EPA Wind Farms: Environmental Noise Guidelines 2009 where all of the noise sources associated with the wind farm are in operating mode. The results of the monitoring should be submitted to the EPA not later than two months from the date of the wind farm commissioning.
23. In event that the post-construction noise monitoring report reveals non-compliance with the specified noise criteria, the proponent must arrange for the noise monitoring of other relevant noise sensitive receivers. The measures to assure compliance with the specified noise criteria must be undertaken by the proponent for all of the localities where non-compliance with the noise criteria is revealed. Agreement with the land owners of the noise affected premises can be considered as an option in accordance with the SA EPA Wind Farms: Environmental Noise Guidelines 2009.

Noise – Converter station

24. Upon completion of detailed design of the converter station, and prior to the commencement of construction, an Environmental Noise Assessment must be prepared by an Acoustic Engineer which demonstrates that noise from operation of the proposed converter station at Globe Derby Park meets the noise goals applicable under the *Environment Protection (Noise) Policy 2007* and determined properly in accordance with the Salisbury City Council Development Plan (as current at the time of application) at all noise sensitive receivers. Any noise mitigation measures required to meet the noise goals must be implemented during construction. The report must be submitted to the Development Assessment Commission prior to commencement of construction. *Note: An Acoustic Engineer is defined as a person having sufficient qualifications and experience as to be eligible for admission to the grade of 'Member' of the Australian Acoustical Society (MAAS).*

HDVC Cable Installation

25. To minimise impacts on the marine environment the final HVDC cable route must as far as reasonably practical
- i. maximise the seaward extent of Horizontal Directional Drilling at the land/sea interface at St Kilda and Port Julia
 - ii. avoid areas of dense seagrass, and
 - iii. where cable surface installation is proposed cable anchor selection must be appropriate for the seabed and installed and maintained with due care.
26. Cable laying techniques, including the use of a Vertical Injector, Jet-assisted Plough (or similar cable burial apparatus) must consider benthic communities and the laying techniques that would result in the smallest disturbance and conducted in accordance with the approved Environment Management Plan. Pre-lay Grapnel Run (or similar intrusive cable route preparation apparatus) must not be used through the St Kilda mangroves or the seagrass communities of Gulf St Vincent.
27. Testing for acid sulphate soils must be undertaken along the proposed terrestrial and intertidal sections of the HVDC cable route prior to construction. The sampling plan must be based on a risk assessment from a qualified environmental consultant and focus on terrestrial and intertidal locations where saturated soils below five metres Australian Height Datum would be disturbed.

28. Cabling and trench backfilling techniques should be designed to minimise disturbance and oxidation of acid sulphate soils in terrestrial and intertidal locations.

Surface Water and Groundwater Protection

29. A bore census must be carried out prior to trenching and WTG foundation excavation to ensure where possible that the ground watertable is not intersected.
30. The design of wind turbine generator foundations likely to intersect groundwater at the watertable must maximise the use of piles.
31. Stormwater must be managed during construction such that it does not impact on any receiving surface water or groundwater resources.
32. Groundwater must not be adversely impacted by any dewatering operations carried out during construction. Any wastewater generated should not enter waters or reach land where it could impact on groundwater.
33. Any spills of fuel, chemicals or wastewater must be managed in such a way as to minimise its impact on the environment and associated surface water and groundwater dependant ecosystems.

Temporary Concrete Batching Plant

34. Cement, additives and other chemicals must be stored within a dedicated bunded area designed in accordance with the EPA Guideline *Bundling and spill management (2007)*.

Hazardous Materials Storage

35. The storage of hazardous materials must be managed so as to avoid the contamination of soil or receiving waters. Such materials must be stored in a bunded area with the capacity to contain 120 percent (or 133 percent in the case of flammable materials) of the volume of the largest container within the bund. Note: further guidance on bunding and spill management can be found in the EPA Guideline: *Bundling and Spill Management (2007)*.

Bushfire Management

36. The proponent/wind farm operator must engage with relevant Managers/Officers at CFS Region offices, when designing, installing and operating the wind farm to ensure that CFS response processes are not compromised.
37. The following SA Country Fire Service (SACFS) requirements shall be incorporated into the design of the wind farm (and ancillary infrastructure) and shall be documented in the final CEMP and OPM and implemented during the on-going operation for the development:
- (a) Access will be necessary for fire-fighting vehicles at all times, including during the assembly and erection phases. Access roads on the project site will be built to the following specifications:
- Minimum width of 6 metres;
 - Shall be all weather construction and surfaces
 - Gradients shall not exceed 16° slope
 - Crossovers on any water course shall be constructed to support a minimum 21 tonne vehicle.

- A working knowledge of and be compliant with SA Country Fire Service legislation (use of tools during the Fire Danger Season) and contacts for fire ban advice (CFS and local government).

DPTI – Transport Services Division conditions

38. Any upgrades to the road network necessitated by the development shall be at the applicant's cost. This includes any junction upgrades and/or upgrades to facilitate access for Restricted Access Vehicles (RAV) and/or Special Purpose Vehicles (SPV).
39. The proponent shall contact the Vehicle Permits Team on ph 1300 882 249 to discuss the process for approval of RAV and SPV access. The applicant shall be responsible for all costs associated with the assessment of routes and any upgrades to the road network required to facilitate this level of access.
40. The proponent shall seek approval for the concept plans for any junction upgrades from DPTI.
41. All access points to the arterial road network for construction compounds shall be to the satisfaction of DPTI. All upgrades to the arterial road network to facilitate site access (including but not limited to realignment and sealing) shall be completed prior to the commencement of construction (all turbine clusters).
42. All road works shall be designed and constructed to the satisfaction DPTI, with all costs (including design, project management, construction and any road lighting or drainage upgrades required as a direct result of the development) being borne by the developer. Prior to undertaking the required road works, the developer shall contact DPTI to discuss permitted hours of disruption to traffic flows and technical requirements (which may include upgrades to drainage) for works on or adjacent to a Departmental maintained road.
43. The final route of the transmission line shall be designed to minimise its impact on the arterial road network.
44. All power poles on or adjacent to arterial roads shall be located outside of the road clear zone (minimum 8.0m).
45. All power lines over arterial roads shall provide a minimum vertical clearance of 7.5m
46. Any works undertaken on or adjacent to arterial roads shall not interrupt storm water run-off from the carriageway, or create any flooding on or adjacent to the roadway. Any upgrading or modification to drainage infrastructure required as a direct result of the development and its associated works shall be at the cost of the applicant.

Coast Protection Board

47. The exact location and extent of directional drilling for the HVDC cable at the St Kilda and Port Julia coastal interfaces shall be determined (in consultation with marine and coastal scientific officers) to the reasonable satisfaction of the Minister for Planning, to ensure that sensitive coastal and near shore marine habitats are not unduly impacted by the cable or cable laying process

Native Vegetation

48. That clearance of or damage to native vegetation on the site or public roads for access during construction shall be minimised.
49. Following the completion of construction works on-site, any tracks and disturbed areas (excluding those used for ongoing access and maintenance) must be rehabilitated and bare areas revegetated as soon as possible, taking advantage of natural rainfall, which is mostly between May and September. If bare areas are still present at the end of spring, they must be temporarily protected and stabilised by geotextile matting or other suitable methods, until they can be effectively revegetated.

DMITRE

50. The proponent must consult with both SEA Gas and Epic Energy to assess and address potential threats from the proposed High Voltage Direct Current (HVDC) Cables intersecting SEA Gas and Epic Energy's Natural Gas Transmission Pipelines.
51. The proponent should consider the Petroleum and Geothermal Exploration Licences that are affected by the proposed wind farm.

Aviation

52. To ensure that fixed wing aerial spraying services can continue to be reasonably provided to adjacent land owners in the same manner as pre-construction of the wind farm, in the event that any aerial spraying service provider proposes to undertake aerial spraying services on land adjacent to the wind farm, the proponent/wind farm operator shall observe the following protocols if requested in writing not less than 24hrs beforehand by the aerial spraying service provider:
 - turbines near and within 500 metres of the boundaries of relevant adjacent landowner properties shall be turned off, and blades held stationary and aligned parallel to the flight path for such period of time as reasonably requested by the aerial service provider; and
 - turbines within 500m of the relevant adjacent landowner properties shall be turned off where the aerial service provider believes there may be a risk of turbulence from the turbines impacting on the spraying operations.
53. All earthworks shall be restricted to only those which are shown on the approved plan as required for building and/or access purposes.
54. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, cabling, pipe work etc) that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.

OBLIGATIONS PURSUANT TO THE DEVELOPMENT ACT 1993 AND DEVELOPMENT REGULATIONS 2008

- i. Pursuant to Section 49(14) of the *Development Act 1993* before any building work is undertaken, the building work is to be certified by a private certifier, or by some person determined by the Minister for the purposes of this provision, as complying

with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the Regulations).

- ii. The development must be substantially commenced within eighteen (18) months and fully completed within five (5) years of the date of this Notification, unless this period has been extended by the Minister for Planning.

ADVISORY NOTES

- a. A current list of Registered Private Certifiers in South Australia is available here: <http://sa.gov.au/subject/Housing%2C+property+and+land/Building+and+development/Building+and+development+applications/Development+applications+with+a+building+component/List+of+registered+private+certifiers> (sa.gov.au website).
- b. At completion of the project all certified documents should be retained by the responsible agency for the life of the asset.
- c. For additional information relating to certification of government building projects, contact [REDACTED] (Principal Engineer: Structural) Building Management, Department of Planning, Transport and Infrastructure ([REDACTED] Level 2, 211 Victoria Square, Adelaide, 5000).
- d. Any request for an extension of time must be lodged with the Statutory Planning Branch prior to the time period specified above, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001.
- e. If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the State Heritage Council shall be notified.
- f. Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.
- g. Building Code of Australia and the Australian Standards will determine requirements for any structures on the site and fire protection measures for plant and machinery operating on the site.

Department of Premier and Cabinet – Aboriginal Affairs

- h. No entries for Aboriginal sites within the proposed development area [as contained in the Central Archive - including Register of Aboriginal Sites and Objects (the Register), administered by the Department of the Premier and Cabinet-Aboriginal Affairs and Reconciliation Division (DPC-AARD)], were recorded. However, the Register is not a comprehensive record of all Aboriginal sites and objects in South Australia. The applicant is advised that sites or objects may exist in the proposed development area, even though the Register does not identify them.
- i. All Aboriginal sites and objects are protected under the Aboriginal Heritage Act 1988 (the Act), whether they are listed in the Register or not. It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister). If the planned activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Section 20 of the Act requires that any Aboriginal sites, objects or remains, discovered on the land, need to be reported to the Minister. Penalties apply for failure to comply with the Act.

Environmental Protection Authority

- j. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- k. An environmental authorisation in the form of a licence is required for the operation of the concrete batching facility. The applicant is required to contact the EPA before acting on this approval to ascertain licensing requirements. The EPA expectation is that all works must be undertaken in accordance with the CEMP, SEDMP, Waste Management Plan, Dust Monitoring Plan, and Water Quality Monitoring Program.
- l. The EPA views the use of a plough, jet trencher or vertical injector (with or without jet nozzles) as dredging according to the definition in schedule 1 of the *Environment Protection Act 1993*. Dredging activities will require a licence to be issued by the EPA under the Environment Protection Act prior to construction.
- m. The land-based component of the proposal requires some clearance of native vegetation and will require approval under the *Native Vegetation Act 1991*, and assessed under Regulation 5(1) (d) of the *Native Vegetation Regulations 2003*. This Regulation encompasses clearance for the provision of infrastructure, and is likely to be applicable providing that all criteria under this Regulation are fulfilled and that a significant environmental benefit (SEB) is achieved to offset the clearance. It must be demonstrated that there is no other practicable alternative that would involve no clearance, less clearance, clearance of less significant veg etc (as per part (IV) of the Regulation).

Coast Protection Board

- n. At St Kilda the HVDC cable intersects waters within the area covered by the Adelaide Dolphin Sanctuary Act 2005. The purpose of this Act is to protect the dolphin population and their natural habitat, including the protection of the dolphin population from direct physical harm including changes in water quality. Contractors should be made aware of the Adelaide Dolphin Sanctuary Act and that there is a general duty of care to protect the dolphin population from physical harm.
- o. Coastal Acid Sulphate Soils (CASS) has the potential to cause major habitat loss and degradation due to the release of acid and heavy metal ions into the environment. There is also a threat to development after construction due to deterioration and corrosion due to the disturbance of CASS. The coastal interface land, particularly at St Kilda, may have the potential to develop acid sulphate conditions if exposed to oxygen. The Coast Protection Board has released a set of guidelines which should be followed in areas where acid sulphate soils are likely to occur.

PIRSA

- p. The marine cable across Gulf St Vincent has potential to impact marine habitats, commercial fishing and aquaculture, including sedimentation impact on oyster production and Mud Cockle fishery at Section Bank. Further consideration should be given to any potential impact on prawn and marine scale fin fish fisheries.
- q. The northern part of Gulf St Vincent is an important Snapper breeding area from November through to January. Any construction activity should be

undertaken outside this time frame to minimise potential impacts to spawning Snapper.

- r. The proposal must recognise the principles and objectives of the Northern and Yorke Peninsula Natural Resources Management Board's *Regional Natural Resources Management Plan* and the Government of South Australia's *State Natural Resources Management Plan 2012-2017*.
- s. Permits may be required for water affecting activities on the subject parcel as described by Section 5, *Water Affecting Activities* of Volume D, *Regulatory and Policy Framework*, of the Northern and Yorke Natural Resources Management Board's *Regional Natural Resources Management Plan*.
- t. The underground water resources are not prescribed, however, if a well is required to extract groundwater, under Section 127 (3) of the Natural Resources Management Act 2004 a well construction permit is required. Any wells which are found to exist on the subject parcel are to be maintained and or appropriately decommissioned as per Section 144 and Section 127 (3) of the Act.
- u. DMITRE has advised that the proponent must consider all Petroleum and Geothermal Exploration Licences that are affected by the proposed wind farm, and that SEA Gas and Epic Energy are consulted prior to any construction activities, to assess and address potential threats from the proposed High Voltage Direct Current (HVDC) Cables intersecting SEA Gas and Epic Energy's Natural Gas Transmission Pipelines.
- v. The applicant is advised that the site of the development (and subject of this development authorisation) is located within a designated area under the Narungga Area Indigenous Land Use Agreement (NAILUA). This agreement requires the Development Assessment Commission or the Minister for Planning (Crown development) to notify the Narungga Nation Aboriginal Corporation of any decision within 15 business days and advise the applicant of the following matters:
 - (a) that it is an offence under the *Aboriginal Heritage Act 1988* to damage, disturb or interfere with any Aboriginal Sites, Objects or Remains; and
 - (b) that the Narungga Nation Aboriginal Corporation are responsible for undertaking Heritage Surveys in the ILUA Area.

If you require further any information on the Narungga Area Indigenous Land Use Agreement (N ILUA) you are advised to contact: Narungga Nation Aboriginal Corporation c/- Lempriere Abbott McLeod, 93 Carrington Street, Adelaide, South Australia 5000

- w. DEWNR has advised that the following requirements of the *Heritage Places Act 1993* apply:
 - (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

ElectraNet

- x. ElectraNet is the transmission line asset owner within the vicinity of the project and must be consulted regarding interface with the turbine farm and matters including but not limited to separation distances; construction safety, access and telecommunications performance (potential interface). [REDACTED]
- y. The registered easements which traverse the land in the proposed wind farm development provide tenure for ElectraNet's 132kV transmission line connecting the Ardrossan West and Dalrymple substations. No building or permanent structure can be placed within or on these easements. In addition, Regulations under the Electricity Act 1996 prescribe safety clearance zones that affect this property and prohibit the construction of any permanent or temporary structures, alterations or storage of material within this zone. In this instance, the regulations prescribe a horizontal safety clearance zone of 20 metres measured each side from the centre of the transmission line (minimum of 40 metres in total).
- z. Furthermore, fences within this zone are restricted to no more than 2.0 metres in height and any fence line that crosses the ElectraNet easement must have an access gate installed under the conductors to allow heavy vehicle access along the entire length of the easement. Restrictions on landscaping also exist. No storage of earthworks equipment (including huts) may occur within this easement.

CASA

- aa. The applicant is reminded of the Civil Aviation Safety Authority requirements in respect of aircraft safety associated with the turbine structures.
- bb. If the proponent should choose to provide obstacle lighting to indicate the presence of the wind turbines or wind monitoring masts at night or during periods of low visibility, to ensure consistency and avoid any confusion to pilots, the obstacle lighting installation should conform to CASA Manual of Standards (MOS) Part 139, Chapter 9. The MOS is available on our Web Site, <http://casa.gov.au/wcmswr/assets/main/rules/199Scasr/139/139mfull.pdf>
- cc. Details of the wind turbines and wind monitoring masts should be reported for inclusion in the national database of tall structures maintained by the Royal Australian Air Force (RAAF). Information on reporting of tall structures may be found in advisory circular issued by CASA, "AC 139-0S (0) Reporting of Tall Structures" <http://www.casa.gov.au/wcmswr/assets/main/rules/199Scasr/139/139cOSp>.
- dd. Before construction commences, a temporary Notice to Airmen (NOTAM) will need be issued to cover the construction period of the wind farm. Please advise the Airservices Australia Aeronautical Information Service (AIS) at docs.amend@airservicesaustralia.com of the turbine location and height AHD data of the wind turbines so that pilots can be warned of the construction activity. A permanent NOTAM will need to be issued on completion of the wind farm at which point you will be required to provide final location and height AHD details of the wind turbines.

SA Water

- ee. It should be noted that there is no SA Water network available at the proposed location of the concrete batching plant to the north west of Port Julia. Alternative arrangements would need to be developed to supply this site.

General Legislative Requirements

Further to and in conjunction with the above notes and conditions the following are "Legislative Requirements" identified by the referral agency's that the applicant must adhere to. The list below is not necessarily comprehensive and it is the proponent's responsibility to ensure compliance with all relevant legislation.

If a septic tank or other wastewater control system is to be installed at each of the convertor station or operation compounds, a wastewater control system application must first be lodged with and approved by the local Council. When the wind farm is decommissioned, any wastewater control system installed on the site will also need to be decommissioned to Council requirements.

Environment Protection Act

All construction works associated with the development are required to be undertaken in accordance with section 25(1) of the *Environment Protection Act 1993*, which requires that a person must not undertake any activity, which pollutes, or may pollute without taking all reasonable and practical measures to prevent or minimise harm to the environment. In addition, noise emissions associated with the construction and operation of a wind farm must comply with the *Environment Protection (Noise) Policy 2007*. To assist in ensuring compliance, the applicant needs to consider the *EPA Wind Farms: Environmental Noise Guidelines 2009*.

Aboriginal Heritage Act

The Central Archive, which includes the Register of Aboriginal Sites and Objects (the Register), administered by the Department of the Premier and Cabinet-Aboriginal Affairs and Reconciliation Division (DPC-AARD), has no entries for Aboriginal sites in this location.

The Register is not a comprehensive record of all Aboriginal sites and objects in South Australia. The applicant is advised that sites or objects may exist in the proposed development area, even though the Register does not identify them. All Aboriginal sites and objects are protected under the Aboriginal Heritage Act 1988 (the Act), whether they are listed in the Register or not. Land within 200 metres of a watercourse (particularly the River Murray and its overflow areas) in particular, may contain Aboriginal sites and objects.

It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister). If the planned activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Section 20 of the Act requires that any Aboriginal sites, objects or remains, discovered on the land, need to be reported to the Minister. Penalties apply for failure to comply with the Act.

Native Vegetation Act

The applicant will need to seek permission for any clearance of native vegetation, pursuant to the *Native Vegetation Act 1991* (unless an exemption applies). The applicant will need to

calculate the amount of all native vegetation (for each community type) that would be cleared or disturbed, once the layout of turbines and ancillary infrastructure has been finalised. A Significant Environmental Benefit (SEB) to compensate for any clearance will need to be negotiated with the Native Vegetation Council as part of an application, pursuant to the Act.

In the detailed planning stage, the proponent is requested to consider the following matters to reduce the potential for vegetation removal:

- Where there are existing access tracks and alternative access points that minimise vegetation clearance requirements for turbine locations, these alternatives should be used, as per EBS recommendations.
- The preliminary plan for the converter station layout (Figure 1.4) indicates that the access track for turbine 212 will have an access track which passes through an area of remnant native vegetation. Consideration should be given to relocation of the track to avoid passing through this area of vegetation and resulting in unnecessary clearance in an area that has been heavily cleared and has very little remaining native vegetation.
- Proponents should consider relocation of operations compound into a cleared area in adjacent paddock, as per EBS recommendation. Clearance of up to 18.5 ha of native vegetation is required at the current location; representing a relatively large area in a heavily cleared region where any remnant vegetation is significant (although it is acknowledged that the vegetation is somewhat degraded).
- It is noted that there are a number of turbines where the ideal buffer of 100m from native vegetation areas has not been achieved; at variance with recommendations from EBS. The proponents should consider increasing buffers around significant native vegetation areas where these buffers are less than the recommended (for all remnant vegetation areas, but particularly for high-value vegetation areas). As discussed in the EBS report, decreasing of these buffers increases the risk of impacts on this vegetation.
- Directional drilling should be undertaken for the land-based part of the HVDC cable laying process, where sensitive areas of native vegetation are present. Micro-placement of cable should be undertaken to avoid impact on remnant vegetation wherever possible.
- Buffers should be utilised around areas comprising significant species, to ensure their protection.
- The St Kilda-Globe Derby Park cable alignment (one of two options under consideration) should be selected to minimise clearance of native vegetation. Where the cable is to be along roads, it should be laid within the road surface where native roadside vegetation is present. (It is noted that the two possible alignments under consideration have not been surveyed, as the original Port Wakefield Road alignment was the only option under consideration at the time of assessment by EBS. The two current alternatives will need to have a detailed vegetation survey undertaken prior to construction, and any vegetation issues addressed. If native vegetation clearance is unavoidable, clearance areas will need to be calculated and SEB ratios assigned as appropriate in order to calculate SEB for this part of the proposal.
- Clearance of Sea grasses resulting from the installation of the marine cable needs to be included in the application to clear native vegetation, and will also incur a SEB. The area of Sea grass clearance should be estimated as accurately as possible and should include any projected impacts on Sea grass beds resulting from increased turbidity. Locations and methods of cable-laying should be selected and utilised in order to minimise impacts on the marine vegetation.

- Horizontal directional drilling is supported where possible in order to minimise impacts on the inter-tidal and sub-tidal and reef. Where the cable is to exit the sea on the St Kilda side, the location should be carefully selected and construction carefully managed so as to avoid impacts on the mangrove/samphire area. Liaison with the Coast Protection Board should be maintained throughout the cable laying process, to ensure minimal impacts.
- The CEMP should state that no equipment, materials or vehicles should be stored, stockpiled or parked in areas comprising native vegetation. Areas suitable for such activities should be clearly marked.
- Requirements for weed management and dust suppression during construction should be discussed specifically in relation to native vegetation within the Flora and Fauna Management section of the CEMP to ensure remnant vegetation areas are not impacted (this may also be discussed in more detail in the Ceres Wind farm project Flora and Fauna Management Plan, which was not supplied with the DA for review). Ongoing monitoring and remedial actions for the spread of exotic species should also be part of the Flora and Fauna Management Plan.

Commonwealth Environment Protection & Biodiversity Conservation Act

The Commonwealth Department of Sustainability, Environment, Water, Population and Communities was referred the proposed development by the applicant under the *Environment Protection and Biodiversity Conservation Act 1999* (the Act) to determine whether the works and activities to be undertaken constituted a controlled action under the Act. On 21 December 2012, the Commonwealth determined that the development was not a controlled action (subject to being undertaken in the manner set out in the decision notification).

The following measures were mandated to minimise impacts on Listed threatened species and communities (Sections 18 & 18A of the Act) and listed migratory bird species (Sections 20 & 20A of the Act):

- no clearance of *Acacia enterocarpa*, *Acacia rheticocarpa* or *Olearia pannosa* spp within the project area (as identified within the determination)
- no more than 1.47ha clearance of native vegetation located in road reserves within the project area
- no clearance of native vegetation in areas designated as conservation zones
- prior to construction, a qualified ecologist conducts micro-siting surveys in areas designated as signed land vegetation 100m buffers and recovery potential to ensure listed threatened species and species habitat is not impacted by construction activities
- adoption of weed control measures (as identified within the determination)
- temporary fencing or flagging is completed prior to construction to delineate conservation zones and areas where listed threatened species have been previously recorded. Signage must be in place to indicate these areas
- all vehicles, machinery and equipment are limited to the construction footprint, access tracks and existing cleared areas. Signage must be in place to indicate this requirement
- a minimum buffer of 1km between the placement of wind turbine generators and the coastline

- all vessel masters are made aware that southern right whales (*Eubalaena australis*) may be in and around Gulf St Vincent and are made aware of the requirements of the *Environment Protection and Biodiversity Conservation Regulations 2000 - Part 8 Interacting with Cetaceans and Whale Watching*. If a southern right whale enters within 500m of a vessel, operations must cease, and not resume until the animal moves 500m from the vessel
- all staff and contractors engaged in construction activities are provided with training prior to commencing work, to promote awareness of the above requirements.

Contacts

When undertaking the finalisation of various management plans and/or licensing requirements, the following Departmental contacts have been nominated by the Government Agency referral bodies:

Department for Manufacturing, Innovation, Trade, Resources and Energy

Please contact [REDACTED] if you wish to discuss any of Mineral Resources or Energy Resources Division's comments generally or [REDACTED] or if you have any queries in relation to the requirements of the P&GE Act or AS2885.

Department of Planning, Transport and Infrastructure

Traffic Management & Roadworks

Northern & Western Office, Planning Unit Manager, [REDACTED]

DPTI Metropolitan Office, Traffic Investigations, A/Manager Traffic Investigations, [REDACTED]

Over Dimensional Vehicles

DPTI Vehicle Permits Team on ph 1300 882 249.

Transmission Network - Terrestrial

Converter Station - Port Julia - DPTI Northern & Western Office, Planning Unit Manager, [REDACTED]

Converter Station - Globe Derby Park - DPTI Metropolitan Office, Traffic Investigations, A/Manager Traffic Investigations, [REDACTED]

DPTI Northern Connector Project Manager, [REDACTED]

Project Director, [REDACTED]

[REDACTED] and DPTI South Road Superway

Transmission Network – Marine

For further discussion please contact DPTI Commercial Marine Services, A/ Principal Advisor,
[REDACTED]

Lease Agreement - Marine

The applicant is advised to contact DPTI Building Management Section, Senior Property Advisor, [REDACTED] to proceed with the licence agreement.

Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in this response can be accessed on the following web site:
<http://www.epa.sa.gov.au>.


.....
Hon John Rau MP
Minister for Planning

10.2.14
.....
Date of Decision

RELEASED UNDER FOIA ACT

South Australia - Regulation 42 under the Development Act 1993

DECISION NOTIFICATION FORM

Contact Officer: [REDACTED]
Telephone: [REDACTED]
KNET Reference: 2017/18296/01

Development Number:
 010/U053/17 R1

FOR DEVELOPMENT APPLICATION

DATED: 11 August 2017
REGISTERED ON: 15 August 2017

TO: Lincoln Gap Windfarm Pty Ltd
 c/-NEXIF Energy Australia PL
 Suite 4.06, 448 St Kilda Road
 MELBOURNE VIC 3004

EMAIL: [REDACTED]

LOCATION OF PROPOSED DEVELOPMENT:

Section / Hundred	Road	Locality	Hundred	CT Reference
S2, Hd of Handyside	Eyre Highway	Lincoln Gap	Handyside	CT 6138/388
S4, Hd of Handyside	Eyre Highway	Lincoln Gap	Handyside	CT 5270/320
S18, Hd Handyside*	Eyre Highway	Lincoln Gap	Handyside	CR 5761/992
A26, DP67645*	Eyre Highway	Lincoln Gap	Handyside	CT 5983/543
S19, Hd Handyside*	Eyre Highway	Lincoln Gap	Handyside	CR 5761/993

* This land provides access to the site, an undeveloped Crown reserve with telecommunications, railways and fuel transfer infrastructure (under registered easements).

NATURE OF PROPOSED DEVELOPMENT: Amendment to EPA directed condition 18:
 Construction of a wind farm and associated infrastructure under 010/0011/06 (and subsequent variations)

From: **STATE COMMISSION ASSESSMENT PANEL**

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT GRANTED	CONDITIONS	DATE
Development Plan Consent	GRANTED	31	2 November 2017
Building Rules Consent – STAGE 1	GRANTED (By Private Certifier)	NIL	5 December 2017
Building Rules Consent – STAGE 2	STILL REQUIRED		
DEVELOPMENT APPROVAL – STAGE 1	GRANTED	31 (total)	6 December 2017
Reserved Matter – STAGE 2	TO BE SATISFIED		1
DEVELOPMENT APPROVAL - FINAL	STILL REQUIRED		

Any conditions imposed are set out on the attached sheet or on the copies of the private certifier's Decision Notification Forms.

[REDACTED]
UNIT MANAGER - STATE ASSESSMENT
as delegate of the
STATE COMMISSION ASSESSMENT PANEL
Date of Updated Decision: 7 February 2018
Sheets 9

DEVELOPMENT APPLICATION - 010/U053/17

Reserved Matters

1. Pursuant to Section 33 (3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the State Commission Assessment Panel (SCAP), prior to the granting of Development Approval for Stage 2:
 - a. the final design, specification and layout of all structures, including WTG specification, monitoring masts, overhead transmission lines and ancillary infrastructure;
 - b. the final design, specification and layout of any substation / transformer and/or control compound(s) - including all buildings, infrastructure, fencing, landscaping, and proposed access points to the Eyre Highway.

Planning Conditions:

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, including the amended plans as submitted in Development Application No 010/U053/17 including:

Latest amended documentation

- Letter from NEXIF to DAC dated 1 August 2017
- Landrum & Brown – Aviation Impact Statement – Lincoln Gap Windfarm – Final Report 31 July 2017 – Project LB00128 v1
- EBS Ecology – Lincoln Gap Windfarm Ecological Assessment – 21 March 2017 v3
- Senvion 110m General View Drawing 10000077014 Rev D dated 6.3.17
- Lincoln Gap Civil Layout AU-LING-CIV-01-006 Rev A0 (and associated spreadsheet of GPS locations).
- Sonus – Lincoln Gap Windfarm – Supplementary Environmental Noise Assessment dated July 2017 Reference S5273C1
- WAX Design – Probable Increase in Visual Effect Discussion – Lincoln Gap Windfarm -24 July 2017 Rev B
- Tubular Tower - HH107-110m Drawing 10000076211 Rev B dated 22.7.2016 (2 Sheets)

Previously approved plans & documentation (remains current unless superseded by above plans)

- Senvion – Rotor Blade RE68.5 Drawing D-3.20-GP-MA.04-A Rev A dated 12.7.16
- Senvion – Rotor Hub – Drawing D-3.20-GP-MA-03-B Rev B dated 2.6.16
- Senvion – Nacelle – WTG Senvion – Drawing D-3.20-GP-MA-02_B Rev B dated 2.6.16
- Senvion 3.6M 140 EBC Product Description (17 pages) PD-3.20-WT-WT.01-B-A-EN
- Senvion – Design and Function pp81-90 G-3.20-GP-BH.01-A-A-EN
- Embedded Steel Can – Weights and Dimensions – Preliminary - Rev A dated 14.11.16
- Met Mast Locations Drawing LGWF_MASTS dated 20 December 2013
- Mast Layout Project Drawing DRW130156-2 Rev 2
- Mast Section Elevation Job No 130156-2 Issue P1
- Mast Assembly Layout and Guy Anchor Footing Plan Job No 130156-2 Issue P1

Associated Documentation (remains current unless superseded by above plans)

- Letter from NEXIF to DAC dated 22 March 2017
- Letter from Lincoln Gap Windfarm PL to DAC dated 2 October 2015
- Substation and Line Variation – Lincoln Gap Windfarm PL – dated October 2015
- Lincoln Gap Windfarm – Photomontages prepared by Hendre (Extents 1 to 10)
- Consolidated Power Projects – Project 10614 – Lincoln Gap 275kV Line dated September 2015 – Line Elevations – Sheets 1 to 34
- Consolidated Power Projects – Terminal Pole – Elevation & Section - 275kV Transmission Line – Drawing 10614(T)-700-003 Rev A
- Consolidated Power Projects – Suspension Pole – Elevation & Section - 275kV Transmission Line – Drawing 10614(T)-700-001 Rev A
- Consolidated Power Projects – Strain Pole – Elevation & Section - 275kV Transmission Line – Drawing 10614(T)-700-002 Rev A
- Proposed Transmission Line Survey – Lincoln Gap – Hd Handyside – Drawing A091415 Detail MGA(0) Dwg Sheets 1-9 (and Index Sheet) dated 8.9.15

- Supplementary Planning Report – Lincoln Gap Windfarm – December 2015 – Appendices A to G (inclusive)
- Consolidated Power Projects – 275kV/33kV Windfarm Substation Proposed Switchgear / Control Room Elevations Drawing 10614(T)-P-2003 Rev A dated 10.12.15
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- Letter to from Lincoln Gap Windfarm to DAC dated 14 December 2015
- EBS Ecology – Lincoln Gap Wind Farm Ecological Assessment V3 dated 16 March 2017
- Lincoln Gap – Civil Layout – Drawing AU-LING-CIV-01-006 (WTG01-006) Rev A-0 (Turbine locations – previous and final)
- Lincoln Gap – Civil Layout - Drawing AU-LING-CIV-01-006 (WTG01-006) Rev A-0 (Road layout, associated infrastructure).

Amended Condition 18

- Letter from NEXIF to SCAP dated 20 December 2017
 - SONUS – Lincoln Gap Windfarm – Supplementary Environmental Noise Assessment – December 2017
2. No wind turbine constructed on the subject land shall exceed a maximum height (from ground level to tip height) of 180 metres, with the maximum number of installed turbines being fifty-nine (59).
 3. The total installed generating capacity of the windfarm development shall not exceed 213 Megawatts (MW) and no individual turbine shall exceed 3.6 Megawatts (MW).
 4. That clearance of or damage to native vegetation on the site or adjacent public roads for access during construction shall be minimised.
 5. The wind farm shall be designed and operated in a manner so as to not interfere with existing telecommunication facilities or communication equipment. This shall be confirmed by post-operational monitoring to be conducted by a qualified consultant within six months of wind farm commissioning – including any sources of High Frequency (HF) noise that could impact on communication equipment. If post-operational monitoring confirms a diminution of or interruption to pre-development service levels, the implementation of any on or off-site mitigation measures for affected receivers shall be at the cost of the developer.
 6. A Rehabilitation Plan for the site, including options for environmental offsets and a management program (to be undertaken during the operational life of the project), removal of temporary construction areas and equipment and end-of-project decommissioning works (to outline the extent of reinstatement and restoration activities upon the removal of the wind-farm and associated infrastructure), shall be submitted for approval by the Development Assessment Commission prior to commencement of construction. *Note: The Native Vegetation Council should be consulted in the preparation of this plan.*
 7. A Construction, Environmental Management and Monitoring Plan (CEMMP) for the construction and operational phases of the development shall be prepared and approved by the Development Assessment Commission prior to the commencement of construction and include (but not be limited to) the following elements:
 - Air quality and dust management
 - Flora and fauna management*
 - Equipment cleaning and monitoring
 - Indigenous and non-indigenous heritage management
 - Traffic and access
 - Erosion and stormwater management
 - Waste management
 - Storage and handling of hazardous substances
 - Weeds and pest management (especially Buffel Grass).
 - Water quality management
 - Emergency and fire management
 - Operational water usage
 - Maintenance processes
 - Emergency response planning
 - Complaints management procedure

*This plan shall also include an on-going monitoring and mitigation protocol in respect to raptor and other bird species that may be impacted by the development.

8. Following the completion of construction works on-site, the tracks and disturbed areas (excluding those used for ongoing access and maintenance) must be rehabilitated and bare areas revegetated as soon as possible, taking advantage of natural rainfall, which is mostly between May and September. If bare areas are still present at the end of spring, they must be temporarily protected and stabilised by geotextile matting or other suitable methods, until they can be effectively revegetated.
9. Prior to the construction of the approved turbine layout, a cultural heritage survey shall be undertaken to ensure that no sites of indigenous heritage are damaged through the installation of the wind farm and associated infrastructure (including associated earthworks and road construction).
10. The final design positions of all turbines and meteorological monitoring masts (including location and height details) shall be provided to the Royal Australian Air Force Aeronautical Information Service (RAAAF AIS) prior to the commencement of construction. Following construction, an 'as constructed' report shall be completed and forwarded to the RAAF AIS (www.raafais.gov.au/obstr_form.htm).
11. All state-agency or utility maintained infrastructure (i.e. roads, kerbs, drains, crossovers, cabling, pipe work etc) that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to state agency or utility specifications. All costs associated with these works shall be met by the developer.
12. All electrical and transmission cabling to and from each wind turbine to the on-site substation herein approved shall be placed underground.
13. The development shall be undertaken in two stages: Stage 1 - temporary construction yard and laydown area; internal road and reticulation system; construction of windfarm substation bench and associated bulk earthworks; Stage 2 - final design and specification of all structures.
14. All meteorological masts shall be suitably marked with appropriate aviation orange / white stripes, and if guy-wired, equipped with high-visibility cable balls on the outer guy wires. In addition, such towers must be equipped with 16 foot high-visibility sleeves, one for each anchor mechanism and each outer guy wire. Each marking mechanism shall be maintained to ensure their visibility and attachments to the wires are maintained.

EPA Conditions

15. That should any further variations to the assessed wind turbine layout or turbine model be made, a report must be prepared by a specialist noise consultant on behalf of the proponent and submitted to the State Commission Assessment Panel for approval prior to construction commencing.
 16. Noise levels at the sensitive receivers surrounding the wind farm must meet the requirements of the EPA's Wind farms environmental noise guidelines (July 2009). The noise level at the relevant receivers* must not exceed:
 - 40dB(A) for noise sensitive receivers in zones other than Rural Living (or 35dB(A) if receivers are situated in the Rural Living Zone); or
 - the background noise (LA90,10) by more than 5dB(A).
- *A relevant receiver is an occupied dwelling where the owners do not have an agreement with the wind farm developer. The above measured noise levels should be adjusted in accordance with the EPA Wind farms environmental noise guidelines 2009 by the inclusion of a penalty for the tonal characteristic.
17. Noise levels at receivers belonging to commercial stakeholders must not exceed 45dB(A) or the background noise (LA90,10) by more than 5dB(A).
 18. The warranted maximum sound power characteristic for the WTGs installed in accordance with the proposed layout must not exceed 113db(A) sound power limit based on the method of IEC61400-11, Ed.3.0: Wind turbines - Part 11: Acoustic Noise Measurements techniques.

19. The applicant must appoint an independent acoustical consultancy (other than the company who prepared the predictive acoustic report) to monitor noise levels at two localities at least: S1 and H1 (as shown on the map in the Supplementary Environmental Noise Assessment by Sonus, ref S5273C2, July 2017). Monitoring must be executed in accordance with the EPA's Wind farms environmental noise guidelines when all of the noise sources associated with the wind farm are in operating mode. The results of the monitoring must be submitted to the EPA no later than three months from the date of the commissioning of the wind farm.
20. If post-construction noise monitoring report reveals non-compliance with the specified noise criteria, the applicant must arrange for the noise monitoring of other relevant noise sensitive receivers. The measures to assure compliance with the specified noise criteria must be undertaken by the applicant for all of the localities where non-compliance with the noise criteria is revealed.

Note: Agreement with the land owners of the noise affected premises can be considered as an option in accordance with the EPA Wind farms environmental noise guidelines (July 2009).
21. That an erosion control plan must be prepared to the reasonable satisfaction of the State Commission Assessment Panel prior to construction commencing on the site, and must be implemented as one of the environmental management measures for the site.
22. That following construction of the wind farm and individual components thereof, all site work areas, including access roads not required for on-going maintenance, shall be rehabilitated including replanting with indigenous plant species or other suitable soil binding species and by nurturing plantings at all times to the reasonable satisfaction of the State Commission Assessment Panel.
23. That upon cessation of the use hereby approved, the owner/operator must remove the wind turbines and other above and below ground infrastructure from the subject land, and all pad areas and access roads shall be reinstated and the land restored to the reasonable satisfaction of the State Commission Assessment Panel.
24. That there shall be no on-site burial of waste materials.
25. That fuels, chemicals, lubricants and any other dangerous/hazardous materials likely to cause environmental harm must be contained on-site in an appropriately designed containment facility.

Department of State Development Conditions

26. Prior to the commencement of construction of the 275kV transmission line, the proponent/wind farm operator must undertake the following requirements:
 - a. obtain a written determination from the Moomba to Port Bonython Liquids Pipeline operator as to:
 - i. whether the development has the potential to impact compliance of the pipeline with AS 2885; and
 - ii. where there is a potential impact on pipeline compliance, whether a Safety Management Study conducted in accordance with AS2885 will be required.
 - b. Participating in a Safety Management Study workshop if such a workshop is required;
 - c. Reaching agreement with the pipeline operator to address the actions resulting from the Safety Management Study to ensure the pipeline continues to comply with AS2885;
 - d. Complying with the conditions of the relevant pipeline easement.

Transport – DPTI Conditions

27. All road works shall be designed and constructed to the satisfaction DPTI, with all associated costs to be borne by the applicant. Prior to sealing the Eyre Highway access the applicant shall contact DPTI, Asset Management, Network Planning Engineer, Road & Marine Assets, [REDACTED] to discuss any technical issues, permitted hours of disruption to traffic flows and technical requirements for works on or adjacent to a DPTI maintained road.
28. The overhead line shall ensure sufficient clearances are maintained for the use of Eyre Highway as a strategic over - dimensional route. The following minimum clearances shall be adhered to in

addition to all other statutory requirements; 9.0 metres in width, 7.2 metres in height and 500 tonnes.

29. All necessary over dimensional permits shall be obtained for the construction phase of the project.

SA Country Fire Service Conditions

30. The proponent/wind farm operator must engage with relevant Managers/Officers at CFS Region offices, when designing, installing and operating the wind farm to ensure that CFS response processes are not compromised.

31. The following SA Country Fire Service (SACFS) requirements shall be incorporated into the design of the wind farm (and ancillary infrastructure) and shall be documented in the final CEMP and implemented during the on-going operation for the development:

- (a) Access will be necessary for fire-fighting vehicles at all times, including during the assembly and erection phases. Access roads on the project site will be built to the following specifications:
- Minimum width of 5 metres;
 - Shall be all weather construction and surfaces
 - Gradients shall not generally exceed 16° slope
 - Crossovers on any water course shall be constructed to support a minimum 15 tonne vehicle.
 - Curves shall have an inside radii of 9 metres minimum.
 - Dead end access roads shall have a 25 metre diameter all weather turnaround, or a "Y or T" shaped turnaround area with each leg being no less than 17 metres long.
- (b) Tower sites are to be cleared of all flammable vegetation for an area of 40 metres by 40 metres during the construction phase, and maintained post construction phase during subsequent/each Fire Danger Season, to the same dimensions of 40 metres by 40 metres. This will allow an appropriate turn around for vehicles at tower sites.
- (c) During any Fire Danger Season whilst the wind farm is being constructed, the following fire-fighting equipment *at a minimum* must be readily available at all times at each construction site, and mounted on an appropriate 4 x 4 vehicle:
- 2000 litres of firefighting water
 - One 5hp firefighting pump
 - 2 x 30 metre x 19mm fire hose reels with spray/jet nozzles
 - 4 x firefighting knapsacks
 - 4 x rakehoes
 - 4 x long handled shovels
 - 2 x 9 litre stored water pressurized extinguishers
 - 2 x 9kg dry powder extinguishers
- This equipment shall then be maintained and replaced (as required) for the life of the project and available for deployment (at all times) during the Fire Danger Season.
- (d) During the construction phase and ongoing maintenance processes into the future, the local emergency services must be provided with:
- Tower identification mapping
 - Security gate numbers and key sets
 - Wind Farm Company all-hours emergency contact telephone numbers
- (e) All company staff that are likely to respond into the project area, must be provided *at a minimum* with the following equipment:
- Reliable radio or telephone (mobile) communications to enable contact from site to emergency services.
 - Crews receive bushfire and other emergency reporting training, and have available at all times a contact and procedures manual.
 - A working knowledge of and be compliant with SA Country Fire Service legislation (use of tools during the Fire Danger Season) and contacts for fire ban advice (CFS and local government).

Building Rules Conditions and Notes:

Please find attached the private certifier's (Katnich Dodd) copies of building rules Decision Notification Forms for Building Rules Conditions & Notes.

Advisory Notes:

- a) You have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- b) Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow.
- c) Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- d) The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- e) Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in this response can be accessed on the following web site: <http://www.epa.sa.gov.au/pub.html>
- f) Please refer to DA 010/0011/06 for the operative period of planning consent - including substantial commencement and project completion timeframes.
- g) Development Approval will not be granted until all reserved matters are satisfied and a Building Rules Consent has been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
- h) For the purposes of Condition 19 a specialist noise consultant is taken to be one eligible for membership of both the Institution of Engineers Australia and the Australian Acoustical Society.
- i) The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- j) Prior to the commencement of construction, the developer is advised to:
 - Obtain a written determination from the operator of the Moomba to Port Bonython pipeline as to (a) whether the development has the potential to impact compliance of the pipeline with AS 2885 and (b) where there is potential impact on pipeline compliance, whether a Safety Management Study conducted in accordance with AS 2885 will be required.
 - Participating in a Safety Management Workshop if such a workshop is required
 - Reaching Agreement with the operator of the Moomba to Port Bonython pipeline to address any actions resulting from the Safety Management Study to ensure the pipeline continues to comply with AS 2885
 - Complying with the conditions of the relevant easement.
- k) Prior to the commencement of construction, a temporary Notice to Airmen (NOTAM) will need to be issued to cover the construction of the windfarm. The Airservices Aeronautical Information Service (AIS) at docs.amend@airservicesaustralia.com must be advised of the location of turbines and height AHD data to enable all pilots to be warned. A permanent NOTAM will need to be issued on completion of the windfarm.
- l) The applicant should liaise with relevant aviation authorities to ensure that the Lowest Safe Altitude for air route Z92 WHA-GAANY and W764 WHA-OMEK be increased from 2500 ft AMSL to 2700 ft AMSL to allow for possible errors in ground elevation and physical survey errors. Similarly, the 2500ft 25nm Minimum Sector Altitude (MSA) for the Port Augusta Aerodrome should be increased to 2700ft. In addition, a note must be placed in the Port Augusta ERSAs FAC entry indicating the proximity of the wind farm to the airfield.

- m) The applicant is reminded of the Civil Aviation Safety Authority and Air Services Australia notification requirements in respect of aircraft safety associated with the installation of 'tall structures' (i.e. turbine structures). As constructed details need to be provided to ASA at vod@airservicesaustralia.com
- n) The applicant is reminded of the requirement under the *Environment Protection & Biodiversity Conservation Act 1999* to make a referral pursuant to the Act if any activity is likely to affect any matters of National Environmental Significance, such as threatened communities or species of native vegetation and fauna.
- o) The applicant should contact DPTI Vehicle Permits Team on telephone 1300 882 249 to identify the requirements for the oversize vehicle permits for the construction phase of the wind farm.
- p) Should further information be required regarding the clearance envelopes for the Eyre Highway, the applicant should contact DPTI Senior Vehicle Permits Officer, Operations Services, Mr [REDACTED]
- q) The proponent should comply with the National Airports Safeguarding Framework Guideline D, "Managing the risk to aviation safety of wind turbine installations (wind farms)/wind monitoring towers". The guideline is published on the web at;
http://www.infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/index.aspx
- r) The proponent should provide details of the of the turbines, their locations and heights to the Department of Defence in accordance with the CASA Advisory Circular AC 139-08(0) published on the web at;
<http://www.casa.gov.au/scripts/nc.dll?WCMS:OLDASSET::svPath=/rules/1998casr/139/,svFileName=139c08.pdf>
- s) The proponent should provide details of the location, dimensions and height of the turbines to the Aerial Agricultural Association of Australia on the following details: Mail: PO Box 353, MITCHELL ACT 2911; Phone: 02 6241 2100 or 02 6241 2500; Fax: 02 6241 2555; Email: admin@aerialag.com.au
- t) The Australia Rail Track Corporation (ARTC) must be consulted during the transportation of all material to/from the site in order to maintain rail safety. The ARTC contact is [REDACTED], Property Manager East West, Enterprise Services on telephone [REDACTED]
- u) The proponent will be required to submit an application under *Native Vegetation Regulation 5(1)(d)* for the installation of infrastructure for the wind farm, including the turbines, substations, powerlines and switchyard. Additional survey information will be required – refer latest reports from EBS.
- v) The applicant is advised that sites and objects may exist in the proposed development area, even though the Register of Aboriginal Sites and Objects administered by the Department of State Development does not record any in this location. Pursuant to the *Aboriginal Heritage Act 1988*, it is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation. Any such discoveries must be reported to the Minister. Penalties apply for failure to comply with the Act.
- w) If, during construction or operation of the development, the proponent discovers evidence of an aboriginal site or any aboriginal objects or remains, the proponent is required, pursuant to the *Aboriginal Heritage Act, 1988*, to report particulars to of such discovery to the Minister for Aboriginal Affairs and Reconciliation and thereafter comply with any directions given by the Minister Aboriginal Affairs and Reconciliation.
- x) The Aboriginal Affairs and Reconciliation branch (AARD-DPC) advises that there are various Aboriginal groups / organisations / traditional owners that may have an interest in the project – these include – Barngarla Aboriginal Corporation – Chairperson [REDACTED], PO Box 2587, Whyalla Norrie, SA 5608 [REDACTED]

Mandatory Notifications for Stages of Construction – Compliance with Regulation 74 (1) of the Development Regulations 2008.

The State Commission Assessment Panel (SCAP) requires notification at the following stages of building work:

- a) One business days' notice of the intended commencement of building work on the site;
- b) After completion of steel reinforcement prior to pouring concrete (if any);
- c) After completion of wet areas prior to tiling (if any)
- d) One business days' notice of completion of the building work;
- e) Swimming Pool (if any):
 - I. commencement of work on site
 - II. completion of construction of a swimming pool (before the pool is filled with water)
 - III. completion of a safety fence or barrier for a swimming pool (temporary/permanent)
 - IV. in relation to some other form of building work - the completion of that aspect or those aspects of the building work relating to the swimming pool safety features

Verbal notice given by telephone is sufficient (contact [REDACTED], Building and Compliance Officer, telephone [REDACTED]). Alternatively, notice can be forwarded via email, post or by leaving a written notice with the SCAP. When providing notice, please quote the development number assigned to your application.

A notice of the intention to commence building work must be accompanied by the name, address and telephone number of the person who is providing the notification.



[REDACTED]
UNIT MANAGER - STATE ASSESSMENT
as delegate of the
STATE COMMISSION ASSESSMENT PANEL
Date of Updated Decision: 7 February 2018

RELEASED UNDER FOIA ACT

DECISION NOTIFICATION FORM

Contact Officer: [REDACTED]
 Telephone: [REDACTED]
 KNET Reference: 10378789

Development Number:
 010/0011/06 V2 R1

FOR DEVELOPMENT APPLICATION

DATED: 22 March 2017
 REGISTERED ON: 22 March 2017

TO: Lincoln Gap Windfarm Pty Ltd
 Level 5, 39 Martin Place
 Sydney NSW 2000

EMAIL: [REDACTED]

LOCATION OF PROPOSED DEVELOPMENT:

Section / Hundred	Road	Locality	Hundred	CT Reference
S2, Hd of Handyside	Eyre Highway	Lincoln Gap	Handyside	CT 6138/388
S4, Hd of Handyside	Eyre Highway	Lincoln Gap	Handyside	CT 5270/320
S18, Hd Handyside*	Eyre Highway	Lincoln Gap	Handyside	CR 5761/992
A26, DP67645*	Eyre Highway	Lincoln Gap	Handyside	CT 5983/543
S19, Hd Handyside*	Eyre Highway	Lincoln Gap	Handyside	CR 5761/993

* This land provides access to the site, an undeveloped Crown reserve with telecommunications, railways and fuel transfer infrastructure (under registered easements).

NATURE OF PROPOSED DEVELOPMENT: Staging of development (2 stages) + amendments to plans to partially satisfy reserved matters (turbine configuration and location) and Condition 3 (project MW): Construction of a 59 turbine windfarm with associated infrastructure (DA 010/0011/06 – including variations V1 & V2).

From: **DEVELOPMENT ASSESSMENT COMMISSION**

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT GRANTED	NO. OF CONDITIONS	RESERVED MATTER
Development Plan Consent	GRANTED	26	
Building Rules Consent – STAGE 1	STILL REQUIRED		
DEVELOPMENT APPROVAL – STAGE 1	STILL REQUIRED		
Reserved Matter – STAGE 2	TO BE SATISFIED		1
Building Rules Consent – STAGE 2	STILL REQUIRED		
DEVELOPMENT APPROVAL - FINAL	STILL REQUIRED		

Any conditions imposed are set out on the attached sheet.

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Notification Form, you must not start any site works or building work or change the use of the land until you have also received notification of a Development Approval.

UNIT MANAGER – STRATEGIC DEVELOPMENT ASSESSMENT

as delegate of the

DEVELOPMENT ASSESSMENT COMMISSION

Date of Previous Decision: 26 April 2016

Date of Amended Decision: 15 May 2017

Sheets 8

DEVELOPMENT APPLICATION - 010/0011/06 V2 R1

Reserved Matters

1. Pursuant to Section 33 (3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval for Stage 2:
 - a. the final design, specification and layout of all structures, including WTG specification, monitoring masts, overhead transmission lines and ancillary infrastructure;
 - b. the final design, specification and layout of any substation / transformer and/or control compound(s) - including all buildings, infrastructure, fencing, landscaping, and proposed access points to the Eyre Highway.

Planning Conditions:

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, including updated plans as submitted in Development Application No 010/0011/06 V2 R1 including:

Final Plans & Documentation

- Letter from NEXIF to DAC dated 22 March 2017
- Senvion – Rotor Blade RE68.5 Drawing D-3.20-GP-MA.04-A Rev A dated 12.7.16
- Senvion – Rotor Hub – Drawing D-3.20-GP-MA-03-B Rev B dated 2.6.16
- Senvion – Nacelle – WTG Senvion – Drawing D-3.20-GP-MA-02_B Rev B dated 2.6.16
- Senvion – 76-80m Tower – Drawing – Preliminary Rev A dated 14.11.16
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- Senvion – Design and Function pp81-90 G-3.20-GP-BH.01-A-A-EN
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- Mast Layout Project Drawing DRW130156-2 Rev 2
- Mast Section Elevation Job No 130156-2 Issue P1
- Mast Assembly Layout and Guy Anchor Footing Plan Job No 130156-2 Issue P1
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- Substation and Line Variation – Lincoln Gap Windfarm PL – dated October 2015
- Lincoln Gap Windfarm – Photomontages prepared by Hendre (Extents 1 to 10)
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- Consolidated Power Projects – Line Route - 275kV Transmission Line - Drawing 10614(T)-400-001 Rev B - dated 9/15
- Letter to from Lincoln Gap Windfarm to DAC dated 14 December 2015

Supplementary Reports

- Obstacle Lighting Assessment prepared for Lincoln Gap Windfarm Pty Ltd - Aviation Projects - 12 May 2014
 - Aviation Impact Statement - Lincoln Gap Windfarm, South Australia - IDS Australasia DOC no. MA-001-FM4 - 9 May 2014
 - Lincoln Gap Windfarm - Noise Study - ALSTOM dated 18 June 2014
2. No wind turbine constructed on the subject land shall exceed a maximum height (from ground level to tip height) of 150 metres, with the maximum number of installed turbines being fifty-nine (59).
 3. The total installed generating capacity of the windfarm development shall not exceed 213 Megawatts (MW) and no individual turbine shall exceed 3.6 Megawatts (MW).
 4. That clearance of or damage to native vegetation on the site or adjacent public roads for access during construction shall be minimised.
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 6. A Rehabilitation Plan for the site, including options for environmental offsets and a management program (to be undertaken during the operational life of the project), removal of temporary construction areas and equipment and end-of-project decommissioning works (to outline the extent of reinstatement and restoration activities upon the removal of the wind-farm and associated infrastructure), shall be submitted for approval by the Development Assessment Commission prior to commencement of construction. *Note: The Native Vegetation Council should be consulted in the preparation of this plan.*
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 - Flora and fauna management*
 - Indigenous and non-indigenous heritage management
 - Traffic and access
 - Erosion and stormwater management
 - Waste management
 - Storage and handling of hazardous substances
 - Weeds and pest management
 - Water quality management
 - Emergency and fire management
 - Operational water usage
 - Maintenance processes
 - Emergency response planning

*This plan shall also include an on-going monitoring and mitigation protocol in respect to raptor and other bird species that may be impacted by the development.
 8. Following the completion of construction works on-site, the tracks and disturbed areas (excluding those used for ongoing access and maintenance) must be rehabilitated and bare areas re-vegetated as soon as possible, taking advantage of natural rainfall, which is mostly between May and September. If bare areas are still present at the end of spring, they must be temporarily

protected and stabilised by geotextile matting or other suitable methods, until they can be effectively re-vegetated.

9. Prior to the construction of the approved turbine layout, a cultural heritage survey shall be undertaken to ensure that no sites of indigenous heritage are damaged through the installation of the wind farm and associated infrastructure (including associated earthworks and road construction).
10. The final design positions of all turbines and meteorological monitoring masts (including location and height details) shall be provided to the Royal Australian Air Force Aeronautical Information Service (RAAAF AIS) prior to the commencement of construction. Following construction, an 'as constructed' report shall be completed and forwarded to the RAAF AIS (www.raafais.gov.au/obstr_form.htm).
11. All state-agency or utility maintained infrastructure (i.e. roads, kerbs, drains, crossovers, cabling, pipe work etc) that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to state agency or utility specifications. All costs associated with these works shall be met by the developer.
12. All electrical and transmission cabling to and from each wind turbine to the on-site substation herein approved shall be placed underground.
13. The development shall be undertaken in two stages: Stage 1 - temporary construction yard and laydown area; internal road and reticulation system; construction of on-site windfarm substation bench and associated bulk earthworks; Stage 2 - final design and specification of all structures and connecting infrastructure to off-site (Electranet) switchyard and substation.

EPA Conditions

14. That should any further variations to the assessed wind turbine layout or turbine model be made, a report must be prepared by a specialist noise consultant on behalf of the proponent and submitted to the Development Assessment Commission for approval prior to construction commencing.
15. That post-construction measurement of noise levels shall be carried out by a specialist noise consultant in accordance with EPA guidelines in place at that time. Confirmation of compliance with these guidelines shall be submitted to the planning authority within two months of the commissioning of the wind turbine installation. The report must also demonstrate compliance with the assessed sound power levels and confirm that tonality effects in accordance with IEC 61400-11 are not present.
16. That an erosion control plan must be prepared to the reasonable satisfaction of the Development Assessment Commission prior to construction commencing on the site, and must be implemented as one of the environmental management measures for the site.
17. That following construction of the wind farm and individual components thereof, all site work areas, including access roads not required for on-going maintenance, shall be rehabilitated including replanting with indigenous plant species or other suitable soil binding species and by nurturing plantings at all times to the reasonable satisfaction of the Development Assessment Commission.
18. That upon cessation of the use hereby approved, the owner/operator must remove the wind turbines and other above and below ground infrastructure from the subject land, and all pad areas and access roads shall be reinstated and the land restored to the reasonable satisfaction of the Development Assessment Commission.
19. That there shall be no on-site burial of waste materials.
20. That fuels, chemicals, lubricants and any other dangerous/hazardous materials likely to cause environmental harm must be contained on-site in an appropriately designed containment facility.

Department of State Development Conditions

21. Prior to the commencement of construction of the 275kV transmission line, the proponent/wind farm operator must undertake the following requirements:
- a. obtain a written determination from the Moomba to Port Bonython Liquids Pipeline operator as to:
 - i. whether the development has the potential to impact compliance of the pipeline with AS 2885; and
 - ii. where there is a potential impact on pipeline compliance, whether a Safety Management Study conducted in accordance with AS2885 will be required.
 - b. Participating in a Safety Management Study workshop if such a workshop is required;
 - c. Reaching agreement with the pipeline operator to address the actions resulting from the Safety Management Study to ensure the pipeline continues to comply with AS2885;
 - d. Complying with the conditions of the relevant pipeline easement.

Transport – DPTI Conditions

22. All road works shall be designed and constructed to the satisfaction DPTI, with all associated costs to be borne by the applicant. Prior to sealing the Eyre Highway access the applicant shall contact DPTI, Asset Management, Network Planning Engineer, Road & Marine Assets, [REDACTED] to discuss any technical issues, permitted hours of disruption to traffic flows and technical requirements for works on or adjacent to a DPTI maintained road.
23. The overhead line shall ensure sufficient clearances are maintained for the use of Eyre Highway as a strategic over - dimensional route. The following minimum clearances shall be adhered to in addition to all other statutory requirements; 9.0 metres in width, 7.2 metres in height and 500 tonnes.
24. All necessary over dimensional permits shall be obtained for the construction phase of the project.

SA Country Fire Service Conditions

25. The proponent/wind farm operator must engage with relevant Managers/Officers at CFS Region offices, when designing, installing and operating the wind farm to ensure that CFS response processes are not compromised.
26. The following SA Country Fire Service (SACFS) requirements shall be incorporated into the design of the wind farm (and ancillary infrastructure) and shall be documented in the final CEMP and implemented during the on-going operation for the development:
- (a) Access will be necessary for fire-fighting vehicles at all times, including during the assembly and erection phases. Access roads on the project site will be built to the following specifications:
 - Minimum width of 5 metres;
 - Shall be all weather construction and surfaces
 - Gradients shall not generally exceed 16° slope
 - Crossovers on any water course shall be constructed to support a minimum 15 tonne vehicle.
 - Curves shall have an inside radii of 9 metres minimum.
 - Dead end access roads shall have a 25 metre diameter all weather turnaround, or a "Y or T" shaped turnaround area with each leg being no less than 17 metres long.
 - (b) Tower sites are to be cleared of all flammable vegetation for an area of 40 metres by 40 metres during the construction phase, and maintained post construction phase during subsequent/each Fire Danger Season, to the same dimensions of 40 metres by 40 metres. This will allow an appropriate turn around for vehicles at tower sites.

(c) During any Fire Danger Season whilst the wind farm is being constructed, the following fire-fighting equipment *at a minimum* must be readily available at all times at each construction site, and mounted on an appropriate 4 x 4 vehicle:

- 2000 litres of firefighting water
- One 5hp firefighting pump
- 2 x 30 metre x 19mm fire hose reels with spray/jet nozzles
- 4 x firefighting knapsacks
- 4 x rakehoes
- 4 x long handled shovels
- 2 x 9 litre stored water pressurized extinguishers
- 2 x 9kg dry powder extinguishers

This equipment shall then be maintained and replaced (as required) for the life of the project and available for deployment (at all times) during the Fire Danger Season.

(d) During the construction phase and ongoing maintenance processes into the future, the local emergency services must be provided with:

- Tower identification mapping
- Security gate numbers and key sets
- Wind Farm Company all-hours emergency contact telephone numbers

(e) All company staff that are likely to respond into the project area, must be provided *at a minimum* with the following equipment:

- Reliable radio or telephone (mobile) communications to enable contact from site to emergency services.
- Crews receive bushfire and other emergency reporting training, and have available at all times a contact and procedures manual.
- A working knowledge of and be compliant with SA Country Fire Service legislation (use of tools during the Fire Danger Season) and contacts for fire ban advice (CFS and local government).

Advisory Notes:

- a) You have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- b) Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow.
- c) Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- d) The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- e) Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in this response can be accessed on the following web site: <http://www.epa.sa.gov.au/pub.html>
- f) Please refer to DA 010/0011/06 for the operative period of planning consent - including substantial commencement and project completion dates.
- g) Development Approval will not be granted until all reserved matters are satisfied and a Building Rules Consent has been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.

- h) For the purposes of Conditions 12 and 13 a specialist noise consultant is taken to be one eligible for membership of both the Institution of Engineers Australia and the Australian Acoustical Society.
- i) The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- j) Prior to the commencement of construction, the developer is advised to:
- Obtain a written determination from the operator of the Moomba to Port Bonython pipeline as to (a) whether the development has the potential to impact compliance of the pipeline with AS 2885 and (b) where there is potential impact on pipeline compliance, whether a Safety Management Study conducted in accordance with AS 2885 will be required.
 - Participating in a Safety Management Workshop if such a workshop is required
 - Reaching Agreement with the operator of the Moomba to Port Bonython pipeline to address any actions resulting from the Safety Management Study to ensure the pipeline continues to comply with AS 2885
 - Complying with the conditions of the relevant easement.
- k) Prior to the commencement of construction, a temporary Notice to Airmen (NOTAM) will need to be issued to cover the construction of the windfarm. The Airservices Aeronautical Information Service (AIS) at docs.amend@airservicesaustralia.com must be advised of the location of turbines and height AHD data to enable all pilots to be warned. A permanent NOTAM will need to be issued on completion of the windfarm.
- l) The applicant should liaise with relevant aviation authorities to ensure that the Lowest Safe Altitude for air route W501 be increased from 2400 ft AMSL to 2500 ft AMSL to allow for possible errors in ground elevation and physical survey errors. In addition, a note must be placed in the Port Augusta ERSA FAC entry indicating the proximity of the wind farm to the airfield.
- m) The applicant is reminded of the Civil Aviation Safety Authority requirements in respect of aircraft safety associated with the turbine structures.
- n) The applicant is reminded of the requirement under the *Native Vegetation Act 1991* to obtain permission under that Act for any clearance of native vegetation or otherwise to bring itself within an exemption under that Act.
- o) The applicant is reminded of the requirement under the *Environment Protection & Biodiversity Conservation Act 1999* to make a referral pursuant to the Act if any activity is likely to affect any matters of National Environmental Significance, such as threatened communities or species of native vegetation and fauna.
- p) The applicant should contact DPTI Vehicle Permits Team on telephone 1300 882 249 to identify the requirements for the oversize vehicle permits for the construction phase of the wind farm.
- q) Should further information be required regarding the clearance envelopes for the Eyre Highway, the applicant should contact DPTI Senior Vehicle Permits Officer, Operations Services, [REDACTED]
- r) The proponent should comply with the National Airports Safeguarding Framework Guideline D, "Managing the risk to aviation safety of wind turbine installations (wind farms)/wind monitoring towers". The guideline is published on the web at;
http://www.infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/index.aspx
- s) The proponent should provide details of the of the turbines, their locations and heights to the Department of Defence in accordance with the CASA Advisory Circular AC 139-08(0) published on the web at;
<http://www.casa.gov.au/scripts/nc.dll?WCMS:OLDASSET::svPath=/rules/1998casr/139/,svFileName=139c08.pdf>

- t) The proponent should provide details of the location, dimensions and height of the turbines to the Aerial Agricultural Association of Australia on the following details: Mail: PO Box 353, MITCHELL ACT 2911; Phone: 02 6241 2100 or 02 6241 2500; Fax: 02 6241 2555; Email: admin@aerialag.com.au
- u) The Australia Rail Track Corporation (ARTC) must be consulted during the transportation of all material to/from the site in order to maintain rail safety. The ARTC contact is [REDACTED], Property Manager East West, Enterprise Services on telephone [REDACTED]
- v) Further to the previous information provided in relation to Civil Aviation Safety Authority (CASA) notifications, due to the potential increase in height the proponent must notify CASA of the proposed height and location of the proposed wind farm turbines, where the turbines are more than 110m high. Additional requirements may be required by CASA.
- w) The proponent will be required to submit an application under *Native Vegetation Regulation 5(1)(d)* for the installation of infrastructure for the wind farm, including the turbines, substations, powerlines and switchyard. Additional survey information will be required – refer latest reports from EBS.
- x) The applicant is advised that sites and objects may exist in the proposed development area, even though the Register of Aboriginal Sites and Objects administered by the Department of State Development does not record any in this location. Pursuant to the *Aboriginal Heritage Act 1988*, it is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation. Any such discoveries must be reported to the Minister. Penalties apply for failure to comply with the Act.
- y) If, during construction or operation of the development, the proponent discovers evidence of an aboriginal site or any aboriginal objects or remains, the proponent is required, pursuant to the Aboriginal Heritage Act, 1988, to report particulars to of such discovery to the Minister for Aboriginal Affairs and Reconciliation and thereafter comply with any directions given by the Minister Aboriginal Affairs and Reconciliation.
- z) The Aboriginal Affairs and Reconciliation branch (AARD-DPC) advises that there are various Aboriginal groups / organisations / traditional owners that may have an interest in the project – these include – Barngarla Aboriginal Corporation – Chairperson [REDACTED], PO Box 2587, Whyalla Norrie, SA 5608 [REDACTED]

RELEASED UNDER OIA

DECISION NOTIFICATION FORM

Contact Officer: [REDACTED]
Telephone: [REDACTED]
KNET Reference: 8725426

Development Number:
010/0011/06 V1

FOR DEVELOPMENT APPLICATION

DATED: 14 August 2013
REGISTERED ON: 14 August 2013

TO: Lincoln Gap Windfarm Pty Ltd
 Level 5, 39 Martin Place
 SYDNEY NSW 2000

EMAIL: [REDACTED]

LOCATION OF PROPOSED DEVELOPMENT:

Section / Hundred	Road	Locality	Hundred	CT Reference
S2, Hd of Handyside	Eyre Highway	Lincoln Gap	Handyside	CT 6066/920
S4, Hd of Handyside	Eyre Highway	Lincoln Gap	Handyside	CT 5270/320
S18, Hd Handyside*	Eyre Highway	Lincoln Gap	Handyside	CR 5761/992

* This land provides access to the windfarm site, an undeveloped Crown reserve with telecommunications and fuel transfer infrastructure (under registered easements).

NATURE OF PROPOSED DEVELOPMENT:

Windfarm - Variation to previous consent 010/0011/06 to construct a 59 turbine windfarm with associated infrastructure. The variation comprises an increase in turbine height from 124m to 150m, an increase in the power generation of each turbine from 2.0MW up to 3.3MW, alterations to the approved turbine locations (including an allowance to enable a micro-siting of up to 100m) with no more than 59 turbines to be constructed; and the installation of two (2) additional 80m high meteorological and wind monitoring masts on the site.

From: DEVELOPMENT ASSESSMENT COMMISSION

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT GRANTED	NO. OF CONDITIONS	RESERVED MATTERS	NOT APPLICABLE
Development Plan Consent	GRANTED	21		
Reserved Matters	STILL REQUIRED		1	
Building Rules Consent	STILL REQUIRED			
DEVELOPMENT APPROVAL	STILL REQUIRED			

Any conditions imposed are set out on the attached sheet. **This consent contains reserved matters that must be satisfied prior to the consideration of any building rules consent or Development Approval being granted.**

Details of the building classification and the approved number of occupants under the Building Code are attached.

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Notification Form, you must not start any site works or building work or change the use of the land until you have also received notification of a Development Approval.

PRINCIPAL PLANNER - DAC
as delegate of the
DEVELOPMENT ASSESSMENT COMMISSION
Date of Decision: 17 July 2013
Sheets attached: (6)

DEVELOPMENT APPLICATION DA 010/0011/06 V1

Reserved Matters

1. Pursuant to Section 33 (3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:
 - a. the final design, specification, layout and placement of all wind turbines, wind monitoring masts, underground cables, internal access roads and ancillary infrastructure;
 - b. the final design, specification, layout and placement of any temporary construction, substation or control compound - including all buildings, infrastructure, fencing, landscaping, earthworks, and proposed access points to the arterial road network.

Note: The above details must be informed by a comprehensive flora and fauna study to enable the final layout and siting of wind farm infrastructure to ensure environmental impacts are minimised and enable appropriate off-set and rehabilitation requirements to be considered and implemented in accordance with state legislation and Planning Conditions 6, 7 & 8.

Planning Conditions:

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, including the amended plans as submitted in Development Application No 010/0011/06 V1 including:

Amended Plans & Documentation

- Met Mast Locations Drawing LGWF_MASTS dated 20 December 2013
- Turbine Layout 1 of 3 Drawing WAD110846 C01 Rev B dated 5 March 2014
- Turbine Layout 2 of 3 Drawing WAD110846 C02 Rev A dated 13 December 2013
- Turbine Layout 3 of 3 Drawing WAD110846 C03 Rev A dated 13 December 2013
- Photo Montage Index Map Project 13-005 dated 4 December 2013
- View Points 1-6 Project 13-005 dated 4 December 2013
- Lincoln Gap - Wind Turbine Noise Contours dated June 2013
- Platform Crane Eco 122 Tower 89m Drawing 12000101
- Mast Layout Project Drawing DRW130156-2 Rev 2
- Mast Section Elevation Job No 130156-2 Issue P1
- Mast Assembly Layout and Guy Anchor Footing Plan Job No 130156-2 Issue P1
- General Mast Layout and Footing Sections Job No 130156-2 Issue P1
- Lincoln Gap Windfarm - Schedule of Coordinates - Turbines and Met Masts
- Letter from [REDACTED] (LGWF PL) to DAC dated 20 December 2013
- Alstom ECO 122 - General Description and Specification dated 2 February 2012

Supplementary Reports

- Obstacle Lighting Assessment prepared for Lincoln Gap Windfarm Pty Ltd - Aviation Projects - 12 May 2014
 - Aviation Impact Statement - Lincoln Gap Windfarm, South Australia - IDS Australasia DOC no. MA-001-FM4 - 9 May 2014
 - Lincoln Gap Windfarm - Desktop Study - Noise Assessment - Rp 001 R01 2014260AL prepared by Marshall Day Acoustics dated 24 June 2014
2. No wind turbine constructed on the subject land shall exceed a maximum height (from ground level to tip height) of 150 metres, with the maximum number of installed turbines being fifty-nine (59).
 3. The total installed generating capacity of the windfarm development shall not exceed 195 Megawatts (MW) and no individual turbine shall exceed 3.3 Megawatts (MW).
 4. That clearance of or damage to native vegetation on the site or adjacent public roads for access during construction shall be minimised.

5. The wind farm shall be designed and operated in a manner so as to not interfere with existing telecommunication facilities. This shall be confirmed by post-operational monitoring to be conducted by a qualified consultant within six months of wind farm commissioning. If post-operational monitoring confirms a diminution of or interruption to pre-development service levels, the implementation of any on or off-site mitigation measures for affected receivers shall be at the cost of the developer.
6. A Rehabilitation Plan for the site, including options for environmental offsets and a management program (to be undertaken during the operational life of the project) and end-of-project decommissioning works (to outline the extent of reinstatement and restoration activities upon the removal of the wind-farm and associated infrastructure), shall be submitted for approval by the Development Assessment Commission prior to commencement of construction. *Note: The Native Vegetation Council should be consulted in the preparation of this plan.*
7. A Construction, Environmental Management and Monitoring Plan (CEMMP) for the construction and operational phases of the development shall be prepared and approved by the Development Assessment Commission prior to the commencement of construction and include (but not be limited to) the following elements:
 - Air quality and dust management
 - Flora and fauna management*
 - Indigenous and non-indigenous heritage management
 - Traffic and access
 - Erosion and stormwater management
 - Waste management
 - Storage and handling of hazardous substances
 - Weeds and pest management
 - Water quality management
 - Emergency and fire management
 - Operational water usage
 - Maintenance processes
 - Emergency response planning

*This plan shall also include an on-going monitoring and mitigation protocol in respect to raptor and other bird species that may be impacted by the development.
8. Following the completion of construction works on-site, the tracks and disturbed areas (excluding those used for ongoing access and maintenance) must be rehabilitated and bare areas revegetated as soon as possible, taking advantage of natural rainfall, which is mostly between May and September. If bare areas are still present at the end of spring, they must be temporarily protected and stabilised by geotextile matting or other suitable methods, until they can be effectively revegetated.
9. Prior to the construction of the approved turbine layout, a cultural heritage survey shall be undertaken to ensure that no sites of indigenous heritage are damaged through the installation of the wind farm and associated infrastructure (including associated earthworks and road construction).
10. The final design positions of all turbines and meteorological monitoring masts (including location and height details) shall be provided to the Royal Australian Air Force Aeronautical Information Service (RAAAF AIS) prior to the commencement of construction. Following construction, an 'as constructed' report shall be completed and forwarded to the RAAF AIS (www.raafais.gov.au/obstr_form.htm).
11. All state-agency or utility maintained infrastructure (i.e. roads, kerbs, drains, crossovers, cabling, pipe work etc) that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to state agency or utility specifications. All costs associated with these works shall be met by the developer.

EPA Conditions

12. Noise levels at the sensitive receivers surrounding the proposed wind farm must meet the requirements of the EPA's Wind Farms Environmental Noise Guidelines (July 2009). The noise level at the relevant receivers* must not exceed:

- i) 40dB(A) for noise sensitive receivers in zones other than Rural Living (or 35dB(A) if receivers are situated in the Rural Living Zone); or
- ii) the background noise (LA90,10) by more than 5dB(A).

*A relevant receiver is an occupied dwelling where the owners do not have an agreement with the wind farm developer. The above measured noise levels should be adjusted in accordance with the EPA's Wind Farms Environmental Noise Guidelines (July 2009) by the inclusion of a penalty for the tonal characteristic.

13. Noise levels at receivers belonging to commercial stakeholders must not exceed 45dB(A) or the background noise (LA90,10) by more than 5dB(A).
14. The warranted maximum sound power characteristic for the WTGs installed in accordance with the proposed layout (allowing a tolerance for final micro-siting of individual turbines to 100m) must not exceed levels in Table E1, Appendix B of the Lincoln Gap Wind Farm - Desktop Study (Marshall Day Acoustics, 25 June 2014). The warranted sound power levels must be measured in accordance with IEC61400-11, Ed. 3.0: Wind turbines - Part 11: Acoustic noise measurement techniques.
15. The noise emission of WTGs intended for installation must not include tones audible at the noise receivers ($\alpha_{L,k} > 0$). The tonality test procedure is defined in IEC 61400-11, Ed.3.0: Wind turbines - Part 11: Acoustic noise measurement techniques. If the applicant decides to install a different type of WTG, absence of tones must be confirmed by relevant technical documentation before construction. If the applicant is unable to confirm absence of tones by submitting relevant technical documentation, absence must be confirmed by results of the test performed at locality S1 as shown in the Lincoln Gap Wind Farm - Desktop Study (Marshall Day Acoustics, 25 June 2014).
16. The applicant must appoint an independent acoustical consultancy (other than the company that prepared the predictive acoustical report) to monitor noise levels at location S1 and H1 (at least), as shown on the Lincoln Gap Wind Farm Layout in Appendix C of the Lincoln Gap Wind Farm - Desktop Study (Marshall Day Acoustics, 25 June 2014). Monitoring must be executed in accordance with the EPA's Wind Farms Environmental Noise Guidelines (July 2009) and all monitoring results must be submitted to the EPA no later than two months from the date of the commissioning of the wind farm.
17. If post-construction noise monitoring reveals non-compliance with the specified noise criteria, the applicant must arrange for the noise monitoring of other relevant sensitive receivers. The measures to assure compliance with the specified noise criteria must be undertaken by the applicant for all of the localities where non-compliance with the noise criteria is revealed. Note: Agreement with the land owners of the noise affected premises can be considered as an option in accordance with the EPA's Wind Farms Environmental Noise Guidelines (July 2009).

Transport – DPTI Conditions

18. All road works shall be designed and constructed to the satisfaction DPTI, with all associated costs to be borne by the applicant. Prior to undertaking the required road works, the applicant shall contact [REDACTED] to discuss permitted hours of disruption to traffic flows and technical requirements for works on or adjacent to a DPTI maintained road.
19. All necessary over dimensional permits shall be obtained for the construction phase of the project.

SA Country Fire Service Conditions

20. The proponent/wind farm operator must engage with relevant Managers/Officers at CFS Region offices, when designing, installing and operating the wind farm to ensure that CFS response processes are not compromised.
21. The following SA Country Fire Service (SACFS) requirements shall be incorporated into the design of the wind farm (and ancillary infrastructure) and shall be documented in the final CEMP and implemented during the on-going operation for the development:

- (a) Access will be necessary for fire-fighting vehicles at all times, including during the assembly and erection phases. Access roads on the project site will be built to the following specifications:
- Minimum width of 5 metres;
 - Shall be all weather construction and surfaces
 - Gradients shall not generally exceed 16° slope
 - Crossovers on any water course shall be constructed to support a minimum 15 tonne vehicle.
 - Curves shall have an inside radii of 9 metres minimum.
 - Dead end access roads shall have a 25 metre diameter all weather turnaround, or a "Y or T" shaped turnaround area with each leg being no less than 17 metres long.
- (b) Tower sites are to be cleared of all flammable vegetation for an area of 40 metres by 40 metres during the construction phase, and maintained post construction phase during subsequent/each Fire Danger Season, to the same dimensions of 40 metres by 40 metres. This will allow an appropriate turn around for vehicles at tower sites.
- (c) During any Fire Danger Season whilst the wind farm is being constructed, the following fire-fighting equipment *at a minimum* must be readily available at all times at each construction site, and mounted on an appropriate 4 x 4 vehicle:
- 2000 litres of firefighting water
 - One 5hp firefighting pump
 - 2 x 30 metre x 19mm fire hose reels with spray/jet nozzles
 - 4 x firefighting knapsacks
 - 4 x rakehoes
 - 4 x long handled shovels
 - 2 x 9 litre stored water pressurized extinguishers
 - 2 x 9kg dry powder extinguishers

This equipment shall then be maintained and replaced (as required) for the life of the project and available for deployment (at all times) during the Fire Danger Season.

- (e) During the construction phase and ongoing maintenance processes into the future, the local emergency services must be provided with:
- Tower identification mapping
 - Security gate numbers and key sets
 - Wind Farm Company all-hours emergency contact telephone numbers
- (f) All company staff that are likely to respond into the project area, must be provided *at a minimum* with the following equipment:
- Reliable radio or telephone (mobile) communications to enable contact from site to emergency services.
 - Crews receive bushfire and other emergency reporting training, and have available at all times a contact and procedures manual.
 - A working knowledge of and be compliant with SA Country Fire Service legislation (use of tools during the Fire Danger Season) and contacts for fire ban advice (CFS and local government).


Advisory Notes:

- a) You have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.

- b) Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow.
- c) Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- d) The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- e) An environmental authorisation in the form of a licence must be obtained for the operation of a concrete batching plant. The applicant is required to contact the Environment Protection Authority to ascertain licensing requirements.
- f) Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in this response can be accessed on the following web site: <http://www.epa.sa.gov.au/>
- g) The operative date of planning consent for this variation application remains the same for Development Application 010/0011/06: valid until 31 December 2017, with substantial commencement (on the site) not later than 31 December 2015, with the project fully completed by 31 December 2017.
- h) Development Approval will not be granted until all reserved matters are satisfied and a Building Rules Consent has been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
- i) For the purposes of Conditions 16, a specialist noise consultant is taken to be one eligible for membership of both the Institution of Engineers Australia and the Australian Acoustical Society.
- j) Prior to the commencement of construction, the developer is advised to:
- Obtain a written determination from the operator of the Moomba to Port Bonython pipeline as to (a) whether the development has the potential to impact compliance of the pipeline with AS 2885 and (b) where there is potential impact on pipeline compliance, whether a Safety Management Study conducted in accordance with AS 2885 will be required.
 - Participating in a Safety Management Workshop if such a workshop is required
 - Reaching Agreement with the operator of the Moomba to Port Bonython pipeline to address any actions resulting from the Safety Management Study to ensure the pipeline continues to comply with AS 2885
 - Complying with the conditions of the relevant easement.
- k) Prior to the commencement of construction, a temporary Notice to Airmen (NOTAM) will need to be issued to cover the construction of the windfarm. The Airservices Aeronautical Information Service (AIS) at docs.amend@airservicesaustralia.com must be advised of the location of turbines and height AHD data to enable all pilots to be warned. A permanent NOTAM will need to be issued on completion of the windfarm.
- l) The applicant should liaise with relevant aviation authorities to ensure that the Lowest Safe Altitude for air route W501 be increased from 2400 ft AMSL to 2500 ft AMSL to allow for possible errors in ground elevation and physical survey errors. In addition, a note must be placed in the Port Augusta ERSAs FAC entry indicating the proximity of the wind farm to the airfield.
- m) If, during construction or operation of the development, the proponent discovers evidence of an aboriginal site or any aboriginal objects or remains, the proponent is required, pursuant to the *Aboriginal Heritage Act, 1988*, to report particulars to of such discovery to the Minister for Aboriginal Affairs and Reconciliation and thereafter comply with any directions given by the Minister Aboriginal Affairs and Reconciliation.
- n) The applicant is reminded of the Civil Aviation Safety Authority requirements in respect of aircraft safety associated with the turbine structures.

- o) The applicant is reminded of the requirement under the *Native Vegetation Act 1991* to obtain permission under that Act for any clearance of native vegetation or otherwise to bring itself within an exemption under that Act.
- p) The applicant is reminded of the requirement under the *Environment Protection & Biodiversity Conservation Act 1999* to make a referral pursuant to the Act if any activity is likely to affect any matters of National Environmental Significance, such as threatened communities or species of native vegetation and fauna.
- q) The applicant should contact DPTI Vehicle Permits Team on telephone 1300 882 249 to identify the requirements for the oversize vehicle permits for the construction phase of the wind farm.
- r) The proponent should comply with the National Airports Safeguarding Framework Guideline D, "Managing the risk to aviation safety of wind turbine installations (wind farms)/wind monitoring towers". The guideline is published on the web at;
http://www.infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/index.aspx
- s) The proponent should provide details of the of the turbines, their locations and heights to the Department of Defence in accordance with the CASA Advisory Circular AC 139-08(0) published on the web at;
<http://www.casa.gov.au/scripts/nc.dll?WCMS:OLDASSET::svPath=/rules/1998casr/139/,svFileName=139c08.pdf>
- t) The proponent should provide details of the location, dimensions and height of the turbines to the Aerial Agricultural Association of Australia on the following details:

Mail: PO Box 353
MITCHELL ACT 2911
Phone: 02 6241 2100 or 02 6241 2500
Fax: 02 6241 2555
Email: admin@aerialag.com.au
- u) Further to the previous information provided in relation to Civil Aviation Safety Authority (CASA) notifications, due to the potential increase in height the proponent must notify CASA of the proposed height and location of the proposed wind farm turbines, where the turbines are more than 110m high. Additional requirements may be required by CASA.



PRINCIPAL PLANNER - DAC
as delegate of the
DEVELOPMENT ASSESSMENT COMMISSION

DECISION NOTIFICATION FORM

Development Number
010/0011/06

FOR DEVELOPMENT APPLICATION

DATED : 3/03/06

REGISTERED ON : 6/03/06

TO: Wind Energy Solutions Pty Ltd
PO Box 322
Sydney Markets Plaza
FLEMINGTON NSW 2129

LOCATION OF PROPOSED DEVELOPMENT: Lincoln Gap

Allotment comprising Pieces 1, 2, 3 & 4 in DP 37168 and Sections 2, 4 & 8 Hundred of Handyside and Section 313 Hundred of Copley.

Certificates of Title: Volume 5179 Folio 927 and Volume 5270 Folios 316 and 320.

NATURE OF PROPOSED DEVELOPMENT

Wind farm comprising 59 wind turbine generators and associated infrastructure and substation. (Lincoln Gap Wind Farm)

From : **DEVELOPMENT ASSESSMENT COMMISSION**

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT GRANTED	NO. OF CONDITIONS	CONSENT REFUSED	NOT APPLICABLE
Provisional Development Plan Consent	GRANTED	Eleven (11)		
Land Division				N/A
Land Division [Strata]				N/A
Provisional Building Rules Consent	Still Required			
Public Space				N/A
Other				
DEVELOPMENT APPROVAL	Still Required			N/A

One representation from third parties concerning your category 3 proposal was received.

If there were third party representations, any consent/approval or consent/approval with conditions does not operate until the periods specified in the Act (fifteen business days) have expired. If there is an appeal by a third party, any consent or consent with conditions shall not commence until determination of the appeal. On expiry of fifteen business days from the date of the decision on your application you should contact the Environment Resources and Development Court (8204 0300) to find out if there has been an appeal lodged.

Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions are set out on the attached sheets.

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Notification Form, you must not start any site works or building work or change the use of the land until you have also received notification of a Development Approval.

Date of Decision: 22 June 2006 [] Development Assessment Commission

Signed: [2] Sheets Attached

Date: 29/6/06

Development Application 010/0011/06 – Lincoln Gap Wind Farm

Conditions:

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans submitted in development application number 010/0011/06 including the amended turbine location plan negotiated with Telstra and the undertakings to conduct baseline research submitted with the response to representations dated 30 May 2006.
2. That clearance of or damage to native vegetation on the site or adjacent public roads for access during construction shall be minimised.
3. That any sealing or upgrade of the Eyre Highway shoulders and the access road and apron required by the Transport Services Division of the Department for Transport, Energy and Infrastructure to ensure the safety of traffic movements shall be undertaken prior to the commencement of construction with all costs borne by the proponent.
4. That the wind farm shall be designed and operated in a manner so as to not interfere with existing telecommunication facilities.
5. That should any further variations to the assessed wind turbine layout or turbine model be made, a report must be prepared by a specialist noise consultant on behalf of the proponent and submitted to the Development Assessment Commission for approval prior to construction commencing.
6. That post-construction measurement of noise levels shall be carried out by a specialist noise consultant in accordance with EPA guidelines in place at that time. Confirmation of compliance with these guidelines shall be submitted to the planning authority within two months of the commissioning of the wind turbine installation. The report must also demonstrate compliance with the assessed sound power levels and confirm that tonality effects in accordance with IEC 61400-11 are not present.
7. That an erosion control plan must be prepared to the reasonable satisfaction of the Development Assessment Commission prior to construction commencing on the site, and must be implemented as one of the environmental management measures for the site.
8. That following construction of the wind farm and individual components thereof, all site work areas, including access roads not required for on-going maintenance, shall be rehabilitated including replanting with indigenous plant species or other suitable soil binding species and by nurturing plantings at all times to the reasonable satisfaction of the Development Assessment Commission.
9. That upon cessation of the use hereby approved, the owner/operator must remove the wind turbines and other above and below ground infrastructure from the subject land, and all pad areas and access roads shall be reinstated and the land restored to the reasonable satisfaction of the Development Assessment Commission.
10. That there shall be no on-site burial of waste materials.
11. That fuels, chemicals, lubricants and any other dangerous/hazardous materials likely to cause environmental harm must be contained on-site in an appropriately designed containment facility.

Advisory notes:

- (a) If, during construction or operation of the development, the proponent discovers evidence of an aboriginal site or any aboriginal objects or remains, the proponent is required, pursuant to the *Aboriginal Heritage Act, 1988*, to report particulars to of such discovery to the Minister for Aboriginal Affairs and Reconciliation and thereafter comply with any directions given by the Minister Aboriginal Affairs and Reconciliation.
- (b) For the purposes of Conditions 5 and 6 a specialist noise consultant is taken to be one eligible for membership of both the Institution of Engineers Australia and the Australian Acoustical Society.
- (c) The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- (d) The applicant is reminded of the Civil Aviation Safety Authority requirements in respect of the provision of safety lighting and maps showing the location of turbines.
- (e) Any information sheets, guidelines documents, codes of practice, technical bulletins etc that are referenced in the EPA response on the application can be accessed on the following web site: <http://www.epa.sa.gov.au/pub.html>
- (f) The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- (g) You are also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.
- (h) You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
- (i) You have a right of appeal against the conditions which have been imposed on this Provisional Development Plan Consent or Development Approval.
- (j) Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow.
- (k) Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).

Reason for the decision:-

The proposal is consistent with the relevant provisions of the Development Plan.

Reasons for the conditions:-

To minimise environmental impacts and ensure safe access on and off the Eyre Highway.

PRINCIPAL PLANNER
DEVELOPMENT ASSESSMENT COMMISSION

South Australia – Sections 49 and 49A Development Act 1993

**GROWN DEVELOPMENT AND PUBLIC INFRASTRUCTURE
AND
ELECTRICITY INFRASTRUCTURE DEVELOPMENT
DECISION NOTIFICATION FORM**

Contact Officer: [REDACTED]
Telephone: [REDACTED]
KNET Reference: 8058731, 2012/25900/01

Development Number:
711/V006/12

FOR DEVELOPMENT APPLICATION

DATED: 22 June 2012
REGISTERED ON: 22 June 2012

TO: Energy Pacific (Vic) Pty Ltd
Level 11, 474 Flinders Street
MELBOURNE VIC 3000

EMAIL: [REDACTED]

LOCATION OF PROPOSED DEVELOPMENT:

Title Reference Volume/ Folio	CT 5370/673, CT 5910/35, CT 5203/997, CT 5620/53, CT 5547/432, CT 6093/980, CT 5535/664, CT 5478/641, CT 5739/389	Refer appendix A for detail
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NATURE OF PROPOSED DEVELOPMENT: Wind Farm and associated ancillary infrastructure.

From: MINISTER FOR PLANNING

I hereby **APPROVE** the above-mentioned application under the Development Act 1993.

You may therefore proceed in accordance with your plans, as submitted, subject to conditions and notes as shown on the attached sheet.

Building works may commence only when a Certificate of Compliance with Building Rules has been received from a Private Certifier, subject to any conditions imposed by the Minister for Planning (or his delegate) and the Certifier.


John Rau
MINISTER FOR PLANNING
Date of Decision: 29.11.13
DEVELOPMENT APPLICATION 711/V006/12

PLANNING CONDITIONS:

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, including the amended plans as submitted in development application number 711/V006/12:

Proposed Keyneton Wind Farm Development Application Report, Volume 1 (Pacific Hydro)
Proposed Keyneton Wind Farm Development Application Report, Volume 2 (Pacific Hydro)
Appendix A, PacificHydro Proposed Keyneton Wind Farm - Response to Agency Submissions

2. Prior to the commencement of construction, the final layout plan and associated details of the wind turbines and ancillary infrastructure, shall be submitted for approval by the Minister for Planning.
3. Noise levels at the noise sensitive receivers around the wind farm development are to meet requirement of the EPA Wind Farm Environmental Noise Guidelines. The noise level at the relevant receivers must not exceed 40dB (A). However if the background noise exceeds 40dB (A) then the noise level at the receiver must not exceed the background noise by more than 5 dB (A)
4. Should the wind turbine model REPower MM92, not be the turbine which is constructed on site, the developer will be required to re-submit a new noise assessment report based upon the wind turbine model selected. The selected model should again be reviewed by the Environment Protection Authority and, if necessary, a new independent review of the submitted noise assessment should be undertaken with the resultant noise levels being to the satisfaction of the Minister for Planning.
5. Noise emission of Wind Turbine Generators (WTG's) intended for installation must not include tones audible at the noise receivers (Delta La, k.0). The tonality test procedure is defined in the IEC 61400-11, Ed.2.1: Wind turbine generator systems - Part 11: Acoustic noise measurement techniques. Absence of the tones must be confirmed by results of the test performed at locality R117 as shown in the acoustics report (VIPAC engineers & Scientists, 18th June 2012).
6. An independent acoustical consultancy must be appointed to monitor noise levels at four localities at least: R42, R117, R126, R155 (as shown on the map in the acoustics report, (VIPAC engineers & Scientists, 18th June 2012). Monitoring must be executed in accordance with the EPA Wind Farms: Environmental Noise Guidelines where all of the noise sources associated with the wind farm are in operating mode.
7. The results of the monitoring must be submitted to the EPA not later than four (4) months from the date of the wind farm commissioning.
8. The project's Construction Environmental Management and Monitoring Plan (CEMMP) which includes the Pollution Prevention Plan (including stormwater management, sedimentation and erosion prevention (SEDMP)); the Native Vegetation Management and Monitoring Plan; the Weed Management and Monitoring Plan; the Site Rehabilitation Management Plan; the Noise Environmental Management and Monitoring Plan; the Cultural Heritage Management and Monitoring Plan; the Fire and Emergency Management Plan; the Traffic Management and Monitoring Plan and the Site Rehabilitation Management Plan as outlined in Chapter 12, Volume 1 be strictly adhered to and be executed to the satisfaction of the relevant authorities.
9. The Operational Environmental Management and Monitoring Plan (OEMMP) which includes; the Pollution Prevention Plan (including stormwater management, sedimentation and erosion prevention (SEDMP)); the Native Vegetation Management Plan; the Weed Management and Monitoring plan; the Noise Environmental Management and Monitoring Plan; the Fire and Emergency Management Plan and the Traffic Management and

Monitoring Plan, as outlined in Chapter 12, Volume 1 of the *Proposed Keyneton Wind Farm Development Application Report, Volume 1 (Pacific Hydro)*, be strictly adhered to and be executed to the satisfaction of the relevant authorities.

10. That all and any other plans including but not limited to the TV reception plan as detailed in the *Proposed Keyneton Wind Farm Development Application Report, Volume 1 (PacificHydro)*, *Proposed Keyneton Wind Farm Development Application Report, Volume 2 (PacificHydro)* and *Appendix A, PacificHydro Proposed Keyneton Wind Farm - Response to Agency Submissions* be strictly adhered to.
11. The storage and use of hazardous materials must be managed so as to avoid the contamination of soil or receiving waters. Such materials must be stored in a bunded area with the capacity to contain 120% (or 133% in the case of flammable materials) of the volume of the largest container within the bund. Note: further guidance on bunding and spill management can be found in the *EPA Guideline: Bunding and Spill Management*. There shall be no on-site burial of waste materials.
12. Any clearance of native vegetation be consistent with the Native Vegetation Regulation 5(1)(d) – Provision of Infrastructure, under the *Native Vegetation Regulations 2003*.
13. A Traffic Management Monitoring Plan (TMMP) shall be provided to DPTI for approval prior to commencement of construction. This plan shall incorporate:
 - The final construction route/s;
 - Details of all road upgrades required to facilitate the development;
 - Details of delivery times;
 - Details of proposed road closures and their management;
 - Details of permits required;
 - Details of all required road signs and advisory signs; and
 - A route risk assessment for roads intended for transportation of over-dimensional wind farm components.

The plan will also reference the guidelines pertaining to the transportation of indivisible items in South Australia.

14. Construction compounds shall be identified on a final layout plan identifying access requirements to the arterial network.
15. That the final design of the transmission line shall be designed to minimise its impact on the arterial road network.
16. All power lines over arterial roads shall be located outside of the road clear zone (minimum 8.0m)
17. All upgrades to the arterial road network to facilitate site access (including but not limited to realignment and sealing) shall be completed prior to the commencement of construction (northern and southern clusters).
18. All road works shall be designed and constructed to the satisfaction of the Transport Services Division (DPTI) with all costs (including design, project management, construction and any road lighting or drainage upgrades required as a direct result of the development) being borne by the developer. Prior to undertaking the required road works, the developer shall contact this Departments Eastern Region (Murray Bridge Office), Regional Planning Engineer, [REDACTED] on telephone [REDACTED] to discuss permitted hours of disruption to traffic flows and technical requirements (which may include upgrade to drainage) for works on or adjacent to a Departmental maintained road.
19. Wind Farm operator/s should engage with relevant Managers/Officers at CFS Region offices, when designing, installing and operating wind farms to ensure that CFS response processes are not compromised.

20. All plant and heavy equipment should carry at least one 9 Litre Water Stored Pressure fire extinguisher with a minimum rating of 3A.
21. Grass should be no more than 10cm in height and leaf litter no more than 10mm deep for a distance of ten (10) metres around constructed buildings and viewing platforms;
22. There should be no long grass or deep leaf litter in areas where plant and heavy equipment will be working
23. A fuel reduced area of five (5) metres width should be maintained around the perimeter of electricity compounds and sub station type facilities.
24. If a septic tank or other wastewater control system is to be installed at each of the temporary construction compounds, a wastewater control system application must first be lodged with and approved by Mid Murray Council. When the construction compounds are decommissioned and removed from the land, any wastewater control system installed on the site will need to be decommissioned to Council requirements.
25. The wind farm shall be designed and operated in a manner so as to not interfere with existing telecommunication facilities.
26. Upon cessation of the use hereby approved, the owner/operator must remove the wind turbines and other above and below ground infrastructure from the subject land, and all pad areas and access roads shall be reinstated and the land restored within 2 years in accordance with the *Decommissioning and Reinstatement Plan dated June 2012* to the reasonable satisfaction of the Minister for Planning with all costs borne by the owner/operator.

OBLIGATIONS PURSUANT TO THE DEVELOPMENT ACT 1993 AND DEVELOPMENT REGULATIONS 2008

- i. Pursuant to Section 49(14) of the *Development Act 1993* before any building work is undertaken, the building work is to be certified by a private certifier, or by some person determined by the Minister for the purposes of this provision, as complying with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the Regulations).
- ii. The development must be substantially commenced within Four (4) years of the date of this Notification, unless this period has been extended by the Minister for Planning.
- iii. Any act or work authorised or required by this Notification must be completed within Six (6) years of the date of the Notification unless this period is extended by the Minister for Planning.
- iv. If these requirements cannot be satisfied, a fresh consent before commencing or continuing the development.

ADVISORY NOTES

- a. A current list of Registered Private Certifiers in South Australia is available here: <http://sa.gov.au/subject/Housing%2C+property+and+land/Building+and+development/Building+and+development+applications/Development+applications+with+a+building+component/List+of+registered+private+certifiers> (sa.gov.au website).
- b. At completion of the project all certified documents should be retained by the responsible agency for the life of the asset.
- c. For additional information relating to certification of government building projects, contact [REDACTED] (Principal Engineer: Structural) Building Management, Department of

Planning, Transport and Infrastructure () Level 2, 211 Victoria Square, Adelaide, 5000.

- d. Any request for an extension of time must be lodged with the Planning and Assessment Branch prior to the time period specified above, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001.
- e. If, during construction or operation of the development, the proponent discovers evidence of an aboriginal site or any aboriginal objects or remains, the proponent is required, pursuant to the *Aboriginal Heritage Act 1988*, to report particulars to of such discovery to the Minister for Aboriginal Affairs and Reconciliation and thereafter comply with any directions given by the Minister Aboriginal Affairs and Reconciliation.
- f. The applicant is reminded of the Civil Aviation Safety Authority requirements in respect of aircraft safety associated with the turbine structures.
- g. The applicant is reminded of the requirement under the *Native Vegetation Act 1991* to obtain permission under that Act for any clearance of native vegetation or otherwise to bring itself within an exemption under that Act.
- h. The applicant is reminded of the requirement under the *Environment Protection & Biodiversity Conservation Act 1999* to make a referral pursuant to the Act if any activity is likely to affect any matters of National Environmental Significance, such as threatened communities or species of native vegetation and fauna.
- i. The applicant is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act. To take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- j. Earthworks and heavy vehicle movement resulting in site disturbance including track construction or upgrading, erection of overhead transmission lines and cable trenching should not be undertaken when soil damage, degradation or erosion is likely to occur as a result of the activity or exposure to wind or rain.
- k. The applicant is advised that construction and operational activities resulting in the exposure of soil or the stockpiling of soil and spoil should be managed to avoid erosion and/or sediment entering any wetland, watercourse or drainage line. (Further assistance can be found in the EPA Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry.)
- l. The applicant is advised that construction noise resulting in noise with an adverse impact on amenity must comply with Part 6, Division 1 of the *Environment Protection (Noise) Policy 2007*.
- m. An environmental authorisation in the form of a licence under the *Environment Protection Act 1993* must be obtained before commencing any batching on site. The applicant is advised to contact the EPA in sufficient time to determine the licensing requirements.
- n. Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in this response can be accessed on the following web site: <http://www.epa.sa.gov.au>
- o. If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the State Heritage Council shall be notified.
- p. Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

- q. The applicant is advised of their general duty of care under the *River Murray Act 2003* to take all reasonable measures to prevent any harm to the River Murray through his or her actions or activities.
- r. The River Murray and many of its tributaries and overflow areas have abundant evidence of Aboriginal occupation and Aboriginal sites, objects or artefacts may be present on the subject land (eg. Scarred trees, campsites, burial sites, middens etc). Under section 20 of the *Aboriginal Heritage Act 1988* (the Act), an owner or occupier of private land, or an employee or agent of such an owner or occupier, must report the discovery on the land of any Aboriginal sites, objects and remains to the Minister responsible for the administration of the Act, as soon as practicable, giving the particulars of the nature and location of the Aboriginal sites, objects or remains. It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation. If the planned activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must first be obtained from the Minister under Section 23 of the Act. Penalties may apply for failure to comply with the Act.
- s. Building Code of Australia and the Australian Standards will determine requirements for any structures on the site and fire protection measures for plant and machinery operating on the site.

Further to and in conjunction with the above notes and conditions there are “**Legislative Requirements**” that the applicant must adhere to

Environment Protection Act

All construction works associated with the development are required to be undertaken in accordance with section 25(1) of the *Environment Protection Act 1993*, which requires that a person must not undertake any activity, which pollutes, or may pollute without taking all reasonable and practical measures to prevent or minimise harm to the environment. In addition, noise emissions associated with the construction and operation of a wind farm must comply with the *Environment Protection (Noise) Policy 2007*. To assist in ensuring compliance, the applicant needs to consider the *EPA Wind Farms: Environmental Noise Guidelines 2009*.

Aboriginal Heritage Act

The applicant will need to seek permission to disturb damage or destroy any Aboriginal Sites as a result of construction activities, pursuant to the *Aboriginal Heritage Act 1988*. In addition, the applicant and all employees (inc contractors) must be conversant with the provisions of the Act, particularly the requirement to immediately contact the Department of Premier & Cabinet (Aboriginal Affairs and Reconciliation) in the event that archaeological items (especially skeletal material) are uncovered during earthmoving.

Native Vegetation Act

The applicant will need to seek permission for any clearance of native vegetation, pursuant to the *Native Vegetation Act 1991* (unless an exemption applies). The applicant will need to calculate the amount of all native vegetation (for each community type) that would be cleared or disturbed, once the layout of turbines and ancillary infrastructure has been finalised. A Significant Environmental Benefit (SEB) to compensate for any clearance will need to be negotiated with the Native Vegetation Council as part of an application, pursuant to the Act.

Commonwealth Environment Protection & Biodiversity Conservation Act

The environmental studies that support the application identified several communities of native vegetation and species of native fauna that are listed as threatened under the *Environment Protection & Biodiversity Conservation Act 1999*. Once the layout of turbines and ancillary infrastructure has been finalised, the applicant will undertake further ecological surveys (esp. for Pygmy Bluetongue Lizard) and submit a referral pursuant to the Act if required.

Appendix A

LOCATION OF PROPOSED DEVELOPMENT

DA 711/V006/12

Title Reference Volume/ Folio	Land plan and parcel details on title	Land parcels within wind farm site boundary
CT 5370/673	<p>Allotments 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 118, 119, 120, 121, 122, 123, 124, 125, 126 and 130. Filed Plan 174436.</p> <p>In the area named Keyneton. Hundreds of Jellicoe and Moorooroo.</p> <p>Allotments comprising pieces 116, 117, 127, 128 & 129. Filed Plan 174436.</p> <p>In the areas named Keyneton and Moculta. Hundreds of Jellicoe and Moorooroo.</p> <p>Pieces 116 and 117 form one allotment.</p> <p>Pieces 127, 128 and 129 form one allotment.</p>	<p>Allotments 101, 102, 103, 106, 107, 108, 109. Filed Plan 174436.</p> <p>In the area named Keyneton. Hundreds of Jellicoe and Moorooroo.</p>
CT 5910/35	<p>Section 158. Hundred of Jellicoe. In the area named Towitta.</p> <p>Sections 346, 355, 645, 662, 663, 664, 669, 670, 677 and 824. Hundred of Jellicoe. In the area named Keyneton.</p> <p>Allotment 101. Deposited Plan 18000. In the area named Keyneton. Hundred of Jellicoe.</p> <p>Allotment 200. Deposited Plan 21149. In the area named Keyneton. Hundred of Jellicoe.</p> <p>Allotments 109, 112, 113, 114, 115, 116, 117, 118 & 119. Filed Plan 35437. In the area named Keyneton. Hundred of Jellicoe.</p> <p>Allotment comprising pieces 120, 121, 122 & 123. Filed Plan 35437. In the areas named Keyneton and Towitta. Hundred of Jellicoe.</p> <p>Allotment comprising pieces 31 and 32. Filed Plan 161156. In the area named Keyneton. Hundred of Jellicoe.</p> <p>Allotment 33. Filed Plan 161157. In the area named Keyneton. Hundred of Jellicoe.</p> <p>Allotment comprising pieces 34 and 35. Filed Plan 161157. In the area named Keyneton. Hundred of Jellicoe.</p>	<p>Sections 662, 663, 664, 669, 670. Hundred of Jellicoe. In the area named Keyneton.</p> <p>Allotment 200. Deposited Plan 21149. In the area named Keyneton. Hundred of Jellicoe.</p> <p>Allotments 114, 115, 116, 117. Filed Plan 35437. In the area named Keyneton. Hundred of Jellicoe.</p>
CT 5203/997	<p>Sections 552, 557, 564 . In the area named Keyneton. Hundred of Jellicoe.</p> <p>Sections 657 and 658. Hundred of Jellicoe. In the areas named Keyneton & Mount McKenzie.</p> <p>Sections 788, 789, 790 and 799. Hundred of Jellicoe. In the area named Keyneton.</p> <p>Allotment 6. Deposited Plan 21151. In the area named Keyneton. Hundred of Jellicoe.</p> <p>Allotments 7. Deposited Plan 21151. In the area named Sedan. Hundred of Jellicoe.</p> <p>Allotments 2 and 3. Filed Plan 103977.</p> <p>In the area named Mount McKenzie. Hundred of Jellicoe.</p>	<p>Sections 552, 557, 564. In the area named Keyneton. Hundred of Jellicoe.</p> <p>Sections 657 & 658. Hundred of Jellicoe. In the areas named Keyneton & Mount McKenzie.</p> <p>Sections 788, 789, 790 and 799. In the area named Keyneton. Hundred of Jellicoe.</p> <p>Allotments 2 and 3. Filed Plan 103977. In the area named Mount McKenzie. Hundred of Jellicoe.</p>

CT 5620/53	Allotments 117, 118 and 119. Filed Plan 216418. In the area named Mount Mckenzie. Hundred of Jellicoe. Allotments 120, 121, 122 and 123. Filed Plan 216418. In the area named Keynton. Hundred of Jellicoe.	Allotments 117, 118 and 119. Filed Plan 216418. In the area named Mount Mckenzie. Hundred of Jellicoe. Allotments 120, 121, 122 and 123. Filed Plan 216418. In the area named Keynton. Hundred of Jellicoe.
CT 5547/432	Allotment 254. Filed Plan 170003. In the area named Mount Mckenzie. Hundred of Jellicoe.	Allotment 254. Filed Plan 170003. In the area named Mount Mckenzie. Hundred of Jellicoe.
CT 6093/980	Allotment 1000. Deposited Plan 12383. In the area named Cambral. Hundreds of Angas and Jellicoe and Jutland.	Allotment 1000. Deposited Plan 12383. In the area named Cambral. Hundreds of Angas and Jellicoe and Jutland.
CT 5535/664	Allotment 2. Deposited Plan 27990. In the area named Eden Valley. Hundred of Jutland	Allotment 2. Deposited Plan 27990. In the area named Eden Valley. Hundred of Jutland
CT 5478/641	Blocks 8 and 467. Hundred of Jutland. In the area named Eden Valley.	Block 467. Hundred of Jutland. In the area named Eden Valley.
CT 5739/389	Allotment 9. Deposited Plan 3806. In the area named Cambral. Hundreds of Angas and Jutland.	Allotment 9. Deposited Plan 3806. In the area named Cambral. Hundreds of Angas and Jellicoe and Jutland.

RELEASED UNDER

South Australia – Sections 49 and 49A Development Act, 1993

**CROWN DEVELOPMENT AND PUBLIC INFRASTRUCTURE
DECISION NOTIFICATION FORM**

Contact Officer: [REDACTED]
Telephone: [REDACTED]
KNET Reference: 10652392

Development Number:
660/V008/15
Council Reference:
n/a

FOR DEVELOPMENT APPLICATION

DATED: 25 November 2015
REGISTERED ON: 25 November 2015

TO: DP Energy Australia Pty Ltd*
4 Marshall Road
Lake Barrine,
QUEENSLAND 4884

EMAIL: [REDACTED]

* Crown sponsored by the Department of State Development [Section 49(2)(c) of the *Development Act 1993*].

LOCATION OF PROPOSED DEVELOPMENT:

Sec/Allot	Plan Type	Road	Locality	CT Reference
s696	H330600	Port Paterson Rd	Port Paterson	CT 6151/864
s697	H330600	Port Paterson Rd	Port Paterson	CT 6151/864
s698	H330600	Port Paterson Rd	Port Paterson	CT 6151/864
S699	H330600	Augusta Highway	Port Paterson	CT 6151/864
S700	H330600	Augusta Highway	Port Paterson	CT 6151/864
S708	H330600	Augusta Highway	Port Paterson	CT 6151/864
S682	H330600	Port Paterson Rd	Port Paterson	CT 5480/196
S695	H330600	Port Paterson Rd	Port Paterson	CT 5480/196
S694	H330600	Augusta Highway	Port Paterson	CT 5229/724
S684	H330600	Augusta Highway	Port Paterson	CT 5229/726
S683	H330600	Gade Road	Port Paterson	CT 5229/727
S688	H330600	Farm Access	Winninowie	CT 5463/300
S920	H331400	Farm access	Winninowie	CT 5463/314
S921	H331400	Farm access	Winninowie	CT 5463/314
S922	H331400	Farm access	Winninowie	CT 5463/314
S923	H331400	Farm access	Winninowie	CT 5463/314
S687	H330600	Pillion Road	Winninowie	CT 5641/229
S662	H330600	Farm Access	Winninowie	CT 5676/249
S663	H330600	Farm Access	Winninowie	CT 5676/249
S12	H331400	Horrocks Pass Rd	Winninowie	CT 5936/973
S19	H331400	Horrocks Pass Rd	Winninowie	CT 5936/973
S357	H331400	Horrocks Pass Rd	Winninowie	CT 5936/973
A400	D71015	Farm Access	Winninowie	CT 6015/882
S16	H331400	Horrocks Pass Rd	Winninowie	CT 6015/882
S17	H331400	Horrocks Pass Rd	Winninowie	CT 6015/882
S31	H331400	Farm Access	Winninowie	CT 6015/882
S32	H331400	Farm Access	Winninowie	CT 6015/882
S33	H331400	Farm Access	Winninowie	CT 6015/882
S34	H331400	Farm Access	Woolundunga	CT 6015/882

S35	H331400	Spear Creek Rd	Woolundunga	CT 6015/882
S360	H331400	Horrocks Pass Rd	Winninowie	CT 6015/882
S661	H330600	Port Paterson Rd	Winninowie	CT 6015/882
S669	H330600	Farm Access	Winninowie	CT 6015/882
S670	H330600	Farm Access	Winninowie	CT 6015/882
S674	H330600	Augusta Highway	Winninowie	CT 6015/882
S676	H330600	Pillion Road	Winninowie	CT 6015/882
S677	H330600	Augusta Highway	Winninowie	CT 6015/882
S678	H330600	Gade Road	Winninowie	CT 6015/882
S686	H330600	Augusta Highway	Winninowie	CT 6015/882

NATURE OF PROPOSED DEVELOPMENT:

Port Augusta Renewable Energy Park: staged construction of up to 59 wind turbines and a series of solar modules, with associated infrastructure to produce an installed capacity of up to 375MW of renewable energy on two sites (east + west).

Additional elements include: the establishment of a main substation (with offices, amenities and workshop), five smaller substations, pv inverter/transformer stations, electrical export connection to Davenport substation, approximately 8km of overhead 132kV line (to provide an electrical connection from the east site to main substation), meteorological masts, security fencing, viewing platform and visitor facility, access tracks, underground cabling, vegetation clearance, hardstand areas, site and civil works.

Temporary development components include: construction compounds, borrow pits, concrete batching plants and meteorological masts.

From: **MINISTER FOR PLANNING**

I hereby **APPROVE** the above-mentioned application under the *Development Act 1993*.

You may therefore proceed in accordance with your plans, as submitted, subject to conditions as shown on the attached sheet(s).

John Rau

MINISTER FOR PLANNING

Date of Decision: 2-8-16

Pages 10

CONDITIONS OF APPROVAL:

Relevant documents and plans

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development herein approved consists of the installation up to 59 wind turbines and a series of solar PV modules, with associated infrastructure to produce a total installed capacity of up to 375MW of renewable energy on two sites (east and west); construction of a main substation (with offices, amenities and workshop) and five smaller substations, PV inverter/transformer stations, electrical export connection to Davenport substation, approximately 8km of overhead 132kV line (to provide an electrical connection from the east site to main substation); associated infrastructure: meteorological masts, security fencing, viewing platform and visitor facility, access tracks, underground cabling, vegetation clearance, hardstand areas, site and civil works; and temporary development components including construction compounds, borrow pits, concrete batching plants and meteorological masts to be established in strict accordance with the details and plans, as submitted in Development Application number 660/V008/15:
 - PAREP - Volume 1: Executive Summary – November 2015
 - PAREP - Volume 2: Development Application Report – November 2015
 - PAREP - Volume 3: Figures – November 2015
 - PAREP - Volume 4: Technical Appendices – November 2015
 - Development Application – Response to Agency Submissions – April 2016
 - PAREP – Development Application – Response to Agency Submissions – April 2016
 - PAREP – Development Application – Response to Public Submissions – April 2016
 - Letter from [REDACTED] Response to EPA – dated 3 March 2016
 - Letter from [REDACTED] Response to EPA – dated 16 February 2016
 - Letter from [REDACTED] Response to DEWNR – dated 16 February 2016
 - Letter from [REDACTED] Response to SAW – dated 26 February 2016
 - Letter from [REDACTED] Response to DPTI – dated 1 March 2016
 - Letter from [REDACTED] Response to PIRSA – dated 16 March 2016
 - Letter from [REDACTED] Response to DPTI – dated 22 March 2016
 - Proposed Strategy for Migrant Shorebird Studies – DP Energy – dated February 2016
 - Supplementary Studies on Shorebirds - DP Energy - dated May 2016.
 - Letter from [REDACTED] (DPE) - Response to turbine colours - dated 3 June 2016
 - Letter from GTA Consultants to DP Energy - Response to DPTI referral response regarding Shadow Flicker - dated 8 June 2016.
 - Letter to [REDACTED] (DPE) dated 22 January 2016

Reserved Matters

2. The following plans shall be submitted for the further assessment and approval by the Minister for Planning:
 - the location and layout of the public viewing area.

Plans requiring final approval

3. Prior to the commencement of construction, the following information shall be submitted for the approval of the Minister for Planning (and prepared in consultation with the local councils and relevant state agencies where applicable):
 - a. the final design, specification and layout plan of all wind turbines, wind monitoring masts, underground cables, internal access roads and ancillary infrastructure.
 - b. the final design, specification and layout of solar PV fields
 - c. the final design, specification and layout of the converter stations and main substation - including all buildings, infrastructure, fencing, landscaping, earthworks, proposed access points to the local and arterial road network, and any other relevant matter.
 - d. the final design, specification and layout of any control building, maintenance, construction and temporary facilities - including temporary concrete batching plants and borrow pits.

- e. a landscaping plan. This plan shall detail the establishment of a vegetated screen around the solar farms, sub-stations and the office/workshop compound (primarily to minimise views from the highway and nearby residences) as far as practicable. The plan should address earthworks, site preparation, weed and grazing control, the use of native species from the local provenance, watering and replacement plantings. Landscaping works shall be implemented prior to the commencement of operation.
- g. the final alignment and design of any above-ground transmission lines.

Construction and operation management plans

4. A final **Environmental Management Plan(s)** (EMP) for the construction and operational phases of the development shall be prepared to the reasonable satisfaction of the Minister for Planning, prior to the commencement of construction, for specific elements of the project as outlined in the development application (based on the Draft Environmental Management Plan and Commitments – Chapter 18 – Volume 2: Development Application Report – November 2015) and amended to incorporate environmental management measures identified through these conditions of Development Plan approval. .

Construction and operation of the project must be in accordance with the approved EMP(s). The EMP(s) must include specific management measures or plans for at least the following aspects:

- Noise and vibration
- Air quality and dust
- Native flora and fauna
- Aboriginal heritage
- Traffic and access
- Erosion and stormwater management
- Waste management (including litter)
- Storage and handling of hazardous substances
- Weeds and pests
- Water quality (including the adjacent coastal and marine environment)
- Fire risk
- Flood risk
- Public safety
- Emergency response planning
- Site remediation (post construction)

The EMP shall include the following sub-plans:

(a) **Construction Noise and Vibration Management Plan** (CNVMP) The CNVMP must detail of how construction noise and vibration impacts (including site preparation and demolition works) would be managed to ensure compliance with the mandatory provisions of Part 6 Division 1 of the *Environment Protection (Noise) Policy 2007*.

(b) **Soil Erosion and Drainage Management Plan** (SEDMP). The SEDMP should, as a minimum, include:

- i. Mitigation and management measures to ensure no lasting impacts from the operation on site contamination, land stability and weed control.
- ii. Mitigation and management measures to ensure no pollutants or sediment are transported off site by erosion (wind or water) or surface water runoff.
- iii. Mitigation and management measures for the control of dust.

Any sections of the sites that require rehabilitation should be monitored and maintained for a period of at least five years to ensure areas have stabilised fully post rehabilitation.

(c) **Fire and Emergency Management Plan** (FEMP) for the construction and operational phase of the development. This plan shall address emergency vehicle access, fire-fighting equipment and vegetation clearance matters (and take into account the requirements of the SA Country Fire Service where practicable).

(d) **Cultural Heritage Study and Management Plan** (CHSMP). An archaeological survey of the final layout of the Port Augusta Renewable Energy Park (to enable the appropriate micro-siting and positioning of infrastructure).

(e) **Temporary Batching Plant Management Plan (TBPMP)**. The TBPMP will cover the establishment and operation of the temporary concrete batching plants, incorporate measures and actions that address the following issues, in consultation with the EPA:

- i. wastewater management and disposal (including contaminated stormwater, bad batches etc.)
- ii. solid waste management and disposal (include surplus concrete, putrescible, packaging etc.)
- iii. storage of solid and liquid materials and the provision of bunding with reference to the EPA Guideline for Bunding and Spill Management (http://www.epa.sa.gov.au/files/47717_guide_bunding.pdf)
- iv. details of the linings and volumes of all ponds and washout pits
- v. erosion control measures
- vi. dust mitigation measures (including management of vehicle traffic areas, fitting of sprinklers, use of tarpaulins, use of fabric filters at cement storage silo)
- vii. designated temporary storage areas.

Note – It is understood that the Environmental Management Plan (EMP) will be amended during the construction and operational phases of the development to account for changing site.

5. A **Draft Rehabilitation Plan (DRP)** for the entire site (turbines, solar farm, access roads, convertor stations etc.) that outlines end-of-project decommissioning works (describing the extent of reinstatement and restoration activities upon the removal of the renewable energy infrastructure and associated facilities), shall be submitted to and approved by the Minister for Planning prior to commencement of construction of the project. The DRP will be replaced by a more detailed Final Rehabilitation Plan (FRP) based on current best practices at the time prior to decommissioning, which would be submitted for approval to the Minister for Planning six (6) months prior to decommissioning.

General conditions

6. The temporary concrete batching plants shall be decommissioned and removed from the 'east' and 'west' sites following the completion of the turbine, substations and solar farm construction or within six months of the operation of the project (whichever is sooner). These sites must be rehabilitated in accordance with the approved Draft Rehabilitation Plan (DRP).
7. Upon cessation of the use hereby approved, the owner/operator must remove the wind turbines and other above and below ground infrastructure from the subject land, and all pad areas and access roads shall be reinstated and the land restored within 2 years to the reasonable satisfaction of the Minister for Planning (or to such a lesser extent as to be agreed with the Minister for Planning as part of the Final Rehabilitation Plan). All costs shall be borne by the owner/operator.
8. All necessary upgrades to the local and arterial road network to facilitate site access (including but not limited to realignment and sealing) shall be completed prior to the commencement of construction.
9. The wind and solar farm shall be designed and operated in a manner so as to not interfere with existing licensed telecommunication facilities. If a diminution or interruption to pre-development service levels is identified post-commissioning, the design and implementation of any off-site mitigation measures for affected receivers shall be at the cost of the developer.
10. That the landscaping shown on the plans forming part of the application shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.
11. That clearance of or damage to native vegetation on the site or public roads for access during construction shall be minimised.
12. Following the completion of construction works on-site, any tracks and disturbed areas (excluding those used for ongoing access and maintenance) must be rehabilitated and bare areas re-vegetated as soon as possible, taking advantage of natural rainfall, which is mostly between May and September. If bare areas are still present at the end of spring, they must be temporarily protected and stabilised by geotextile matting or other suitable methods, until they can be effectively re-vegetated.
13. All earthworks shall be restricted to only those which are shown on the approved plans as required for building and/or access purposes.

14. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, cabling, pipe work etc.) that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.
15. Wind turbine structures (i.e. nacelle, tower and blades etc.) shall be designed and installed with a low-reflective finish to minimise the potential for blade glint or glare as a source of driver distraction and/or discomfort.
16. The final design of all buildings or structures associated with the development should have exterior colours and finishes in non-reflective, neutral colours that complement the surrounding landscape.
17. No contaminated stormwater runoff is to be discharged to the coastal or marine environment.
18. Any imported substrate or engineered fill within proximity to the coast shall be free of weeds and pathogens.
19. That no additional signs shall be displayed upon the subject land other than those identifying the parking area access points and those shown on the approved plans. If any further signs are required, these shall be the subject of a separate application.

Environment Protection Authority conditions

20. Noise levels at the noise sensitive receivers in the vicinity of the Wind Farm development must meet the recommended noise levels contained in the Environment Protection Authority's Wind farms environmental noise guidelines (July 2009). The noise level at the relevant receivers* must not exceed:
 - 35dB(A) if receivers are situated in a Rural Living zone, or
 - 40dB(A) for noise sensitive receivers in other zones, or
 - the background noise (LA90,10) by more than 5dB(A) whichever is the greater.

*A relevant receiver is defined as an occupied dwelling where the owners do not have an agreement with the wind farm developer. The above measured noise levels must be adjusted in accordance with the Environment Protection Authority's Wind farm environmental noise guidelines (July 2009) by the inclusion of a penalty for the tonal characteristic where necessary.
21. Warranted maximum sound power characteristic for the wind turbine generators installed in accordance with the proposed layout must not exceed levels in Section 7.4 (Pg. 20 - 21) Figure 7.1 of the *Environmental Noise Assessment report prepared by Sonus Pty Ltd. and dated 30 October 2015* unless otherwise agreed to by the Minister for Planning, having consulted with the Environment Protection Authority.
22. Noise emitted by the selected wind turbine generators must not include tones audible at the noise receivers ($\Delta L_{a,k} > 0$) when tested in accordance with the tonality test procedure defined in IEC 61400-11, Ed.3.0: Wind turbines - Part 11: Acoustic noise measurement techniques. The results of any such post-construction tonality testing must be submitted to the Minister for Planning within three months of the proposed development commencing operation. The Minister for Planning must confirm its satisfaction with any post-construction tonality testing, having consulted with the Environment Protection Authority.
23. Sound power of all four transformers to be installed in the electric substation must not exceed levels indicated in Table 7.5 of the Environmental Noise Assessment report prepared by Sonus Pty Ltd. and dated 30 October 2015 unless otherwise agreed to by the Minister for Planning, having consulted with the Environment Protection Authority.
24. An independent acoustical consultancy (other than the company that prepared the predictive acoustical report) must monitor noise levels at eight localities at least: H1A, H3, H6A, H8, H10, H11, H14, H31A (as identified in the Environmental Noise Assessment report prepared by Sonus Pty Ltd. and dated 30 October 2015) or such other localities agreed to by the Minister for Planning, having consulted with the Environment Protection Authority. Monitoring must be undertaken with reference to the Environment Protection Authority's Wind farms environmental noise guidelines (July 2009) when all of the noise sources associated with the wind farm are in operating mode. The results of this monitoring must be submitted to the Minister for Planning within three months of the proposed development commencing operation. The Minister for Planning must confirm its satisfaction, having consulted with the Environment Protection Authority.

25. If post-construction noise monitoring results reveal non-compliance at the neighbouring residences with the noise criteria specified in the Environment Protection Authority's Wind farms environmental noise guidelines (July 2009), the applicant must implement measures to ensure compliance with such noise criteria.
26. If post-construction noise monitoring results reveal exceedance of the predicted outdoor wind farm noise levels as identified in the Environmental Noise Assessment report prepared by Sonus Pty Ltd. and dated 30 October 2015 at the beneficiary residences, the applicant must implement measures to ensure that the originally predicted outdoor noise level are not exceeded.
27. The unoccupied dwelling located at wind turbine generator 59 must be demolished within 6 months of the commissioning of the wind farm.

DPTI – Safety and Service Division conditions

28. A Traffic Management Plan for the development shall be provided to DPTI for approval prior to commencement of construction. This plan shall incorporate the following points:
 - The final construction route/s;
 - Details of all road upgrades required to facilitate the development;
 - Details of delivery times;
 - Details of proposed road closures and their management;
 - Details of the permits required;
 - Details of all required road signs and advisory signs;
 - A route risk assessment for roads intended for transportation of over-dimensional wind farm components.

The plan shall also reference the guidelines pertaining to the transportation of indivisible items in South Australia.

29. The access point/s to/from the Augusta Highway and Horrocks Pass Road shall be upgraded to accommodate the anticipated traffic volumes and vehicle sizes prior to the commencement of construction.
30. All road works shall be designed and constructed to Austroads Guidelines and Australian Standards and to DPTI's satisfaction, with all associated costs to be borne by the applicant. The applicant should contact [REDACTED] to discuss the requirements.
31. All power poles on or adjacent arterial roads shall be located outside of the road clear zone as defined in Austroads Guide to Road Design Part 6: Roadside Safety and Barriers.
32. All power lines over arterial roads shall provide a minimum vertical clearance of 7.5m.
33. All vehicles shall enter and exit the site in a forward direction.
34. No stormwater from this development shall be permitted to discharge on-surface to Augusta Highway. In addition, any existing drainage of Augusta Highway shall be accommodated in the development and any alterations to road drainage infrastructure as a result of this development are to be at the expense of the applicant.

DEVELOPMENT ACT 1993 & DEVELOPMENT REGULATIONS 2008 REQUIREMENTS

- i. Pursuant to Section 49(14) of the *Development Act 1993* before any building work is undertaken, the building work is to be certified by a private certifier, or by some person determined by the Minister for the purposes of this provision, as complying with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the Regulations).
- ii. The development must be substantially commenced within three (3) years and fully completed within six (6) years of the date of this Notification, unless this period has been extended by the Minister for Planning.

ADVISORY NOTES

- a. A current list of Registered Private Certifiers in South Australia is available here: <http://www.sa.gov.au/topics/property-and-land/land-and-property-development/engaging-building-industry-professionals/private-certifiers> (sa.gov.au website).

- b. At completion of the project all certified documents should be retained by the responsible agency for the life of the asset.
- c. For additional information relating to certification of government building projects, contact [REDACTED] (Chief Project Officer, Building Policy, Department of Planning, Transport and Infrastructure ([REDACTED] Level 1, GHD Building, 211 Victoria Square, Adelaide SA 5000.
- d. Any request for an extension of time must be lodged with the Assessment Branch prior to the time period specified above, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001.
- e. If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the State Heritage Council shall be notified. Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.
- f. Building Code of Australia and the Australian Standards will determine requirements for any structures on the site and fire protection measures for plant and machinery operating on the site.

Department of Premier and Cabinet – Aboriginal Affairs

- g. The Central Archive, which includes the Register of Aboriginal Sites and Objects (the Register), administered by the Department of the Premier and Cabinet-Aboriginal Affairs and Reconciliation Division (DPC-AARD), contains one entry of archaeological significance on s661, HP 330600 (CT 6105/882) for Aboriginal sites in this location. A number of traditional owners or Aboriginal groups may have an interest, this includes the Nukunu Peoples Council Inc (Contact – [REDACTED]
- h. The Register is not a comprehensive record of all Aboriginal sites and objects in South Australia. The applicant is advised that sites or objects may exist in the proposed development area, even though the Register does not identify them. All Aboriginal sites and objects are protected under the *Aboriginal Heritage Act 1988* (the Act), whether they are listed in the Register or not. Land within 200 metres of a watercourse (particularly the River Murray and its overflow areas) in particular, may contain Aboriginal sites and objects.
- i. It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister). If the planned activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Section 20 of the Act requires that any Aboriginal sites, objects or remains, discovered on the land, need to be reported to the Minister. Penalties apply for failure to comply with the Act.

Environment Protection Authority

- j. The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- k. An environmental authorisation in the form of a licence is required for the activity of concrete batching. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements.
- l. A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- m. The applicant is reminded that construction will need to be undertaken in accordance with Division 1 of Part 6 of the Environment Protection (Noise) Policy 2007 at all times.
- n. The applicant is reminded that from 1 January 2016 the Environment Protection (Water Quality) Policy 2015 came into effect. Therefore, all reasonable and practicable measures should be put in place to ensure that wind farm and concrete batching operations are undertaken in accordance with the Environment Protection (Water Quality) Policy 2015 which can be found at: [https://www.legislation.sa.gov.au/LZ/C/POL/Environment%20Protection%20\(Water%20Quality\)%20Policy%202015.aspx](https://www.legislation.sa.gov.au/LZ/C/POL/Environment%20Protection%20(Water%20Quality)%20Policy%202015.aspx)

Department of Environment, Water and Natural Resources

- o. The following requirements of the *Heritage Places Act 1993* apply:
- (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

Coast Protection Board

- p. The Coast Protection Board has released a set of guidelines which should be followed in areas where acid sulfate soils are likely to occur. These can be found at: http://www.environment.sa.gov.au/about-us/boards-and-committees/Coast_Protection_Board/Coastal_acid_sulfate_soils
- q. Any infrastructure, footings or equipment, particularly electrical, that would be vulnerable to water ingress from flooding, should be elevated to a minimum of 3.95m Australian Height Datum or otherwise located and designed to ensure safe operation over the expected service life of the development. The final plans (site levels) submitted to the Minister for Planning must include Australian Height Datum (AHD) levels (where relevant).
- r. Any impediments to the migration of natural systems (e.g. levee's, solid fencing) should be taken into account in the final design of the project. Any access tracks to the coast should be perpendicular to the coast, or nodal, and no track should be constructed along the seaward boundary of the development.

Civil Aviation Safety Authority

- s. The applicant is reminded of the Civil Aviation Safety Authority requirements in respect of aircraft safety associated with wind turbine structures.
- t. Final design details of the wind turbines and wind monitoring masts should be reported for inclusion in the national database of tall structures maintained by Air Services Australia (ASA) as they may present an increased risk (i.e. hazard) to low-flying aircraft. Before construction commences, a temporary Notice to Airmen (NOTAM) will need to be issued to cover the construction period of the wind farm. Please advise the Aeronautical Information Service (ASA-AIS) of the locations and height data (AHD) of the wind turbines so that pilots can be warned of construction activity. After construction is complete, a permanent NOTAM will need to be issued, with "as constructed" details of all above ground structures (exceeding 30m or more above ground level) provided to ASA. These details can be emailed to vod@airserviceaustralia.com

SA Country Fire Service

- u. In relation to Condition 3(c), the **Fire and Emergency Management Plan (FEMP)** must be prepared in consultation with the SA Country Fire Service, and where practicable, incorporate their requirements outlined in correspondence to the Development Assessment Commission dated 14 January 2016, to mitigate bushfire hazard.

DPTI - Safety and Service Division

- v. Part of the eastern boundary of Section 708, Hundred of Davenport, which forms part of the northern extremity of the proposed development, abuts a section of the Augusta Highway that was proclaimed as a controlled access road on 13 December 1979 pursuant to Part 2A of the *Highways Act 1926*. Department records show that there is no proclaimed or permitted means of access by which persons and vehicles may directly enter or leave the controlled access road from/to this site. Access may be gained via the Augusta Highway clear of the controlled access section. Access is also available via local roads.
- w. The applicant should contact the DPTI Vehicle Permits Team on telephone 1300 882 249 to discuss the required permits for the use of oversize/over-mass vehicles on public roads.

General Legislative Requirements

Further to and in conjunction with the above notes and conditions the following are "Legislative Requirements" identified by the referral agency's that the applicant must adhere to. The list below is not necessarily comprehensive and it is the proponent's responsibility to ensure compliance with all relevant legislation.

If a septic tank or other wastewater control system is to be installed at the control building or temporary construction compounds, a wastewater control system application must first be lodged with and approved by the local Council. When the renewable energy park is decommissioned, any wastewater control system installed on the site will also need to be decommissioned to Council requirements.

Environment Protection Act

All construction works associated with the development are required to be undertaken in accordance with section 25(1) of the *Environment Protection Act 1993*, which requires that a person must not undertake any activity, which pollutes, or may pollute without taking all reasonable and practical measures to prevent or minimise harm to the environment. In addition, noise emissions associated with the construction and operation of a wind farm must comply with the *Environment Protection (Noise) Policy 2007*. To assist in ensuring compliance, the applicant needs to consider the *EPA Wind Farms: Environmental Noise Guidelines 2009*.

Native Vegetation Act

The applicant will need to seek permission for any clearance of native vegetation, pursuant to the *Native Vegetation Act 1991* (unless an exemption applies). The applicant will need to calculate the amount of all native vegetation (for each community type) that would be cleared or disturbed, once the layout of turbines and ancillary infrastructure has been finalised. A Significant Environmental Benefit (SEB) to compensate for any clearance will need to be negotiated with the Native Vegetation Council as part of an application, pursuant to the Act.

Interpretation of Noise Impacts for beneficiary landowners

(a) The EPA has previously advised of its satisfaction (correspondence dated 22 January 2016) with the commercial agreements between DP Energy Australia Pty Ltd and three beneficiary landowners (H10, H11 and H14) outlining their acceptance and acknowledgement of possible noise exposure from the development. The commercial agreements confirm that the landowners agree to the installation of WTGs on their property and that they have received a demonstration of the predicted maximum outdoor noise levels of 47dB(A) or 50dB(A).

(b) The applicant's noise report (prepared by SONUS) identified that internal noise levels for all beneficiary land owners would achieve the recommended 30dB(A) (as recognised by the *World Health Organisation Guidelines for Community Noise 1999*) in order to prevent steep disturbance. Commercial agreements between DP Energy Pty Ltd and its beneficiary landowners require the installation of specific acoustic treatments (such as to either install an air conditioning system which provides sufficient outside air such that windows can be closed, or by installing acoustic fresh air vents) into the beneficiary dwellings located at H10, H11 and H14 to ensure the internal noise level of 30dB(A) inside would be met.

South Australia – Sections 49 and 49A Development Act 1993

**CROWN DEVELOPMENT AND PUBLIC INFRASTRUCTURE
AND
ELECTRICITY INFRASTRUCTURE DEVELOPMENT
DECISION NOTIFICATION FORM**

Contact Officer:
Telephone:

Development Number:
764/V001/11

FOR DEVELOPMENT APPLICATION

DATED: 26/10/2011
REGISTERED ON: 26/10/2011

TO: Investec Bank (Australia) Limited
C/- Aurecon Australia Pty Ltd
55 Grenfell Street
ADELAIDE SA 5000

EMAIL:

LOCATION OF PROPOSED DEVELOPMENT:

Primary Production zoned land (7500ha over 77 allotments) north of Jamestown being

Title Code	Volume	Folio	Plan Code	Plan No.	Parcel No.
CT	5790	426	H	310900	s101
CR	5762	792	H	310900	s423
CT	5204	148	F	112770	a9
CT	5205	281	H	240200	s296
CT	5709	440	H	310900	s113
CT	5447	939	H	310900	s209
CT	5730	3	H	310900	s185E
CT	5814	709	F	187664	a342
CT	5685	997	H	310900	s104
CT	5441	303	H	310500	s239
CT	5685	997	H	310900	s103
CT	5481	568	F	187658	a336
CT	5797	287	H	240200	s297
CT	5790	833	H	310900	s119
CT	5833	106	F	218216	a5
CT	5457	59	H	310900	s123
CT	5792	164	H	310900	s120
CT	5534	409	H	310900	s184
CT	5502	596	H	310500	s242
CT	5447	940	H	310900	s416
CT	5471	647	F	187642	a320
CT	5457	68	H	310900	s122
CT	5834	444	H	240200	s152W
CT	5677	743	H	310500	s359
CT	5535	774	H	310900	s107
CT	5663	448	H	310900	s115
CT	5447	941	H	310900	s207
CT	5512	920	H	310900	s182
CT	5565	332	D	49276	a101
CT	5447	954	H	310900	s177N
CT	5221	186	H	310900	s121
CT	5790	426	H	310900	s102
CT	5787	783	H	240500	s116e

CT	5835	935	H	310900	s203W
CT	5677	743	H	310500	s127
CT	5565	333	D	49276	a102
CT	5423	887	H	310900	s189
CT	5447	954	H	310900	s176
CT	5948	868	H	240200	s729
CT	5490	100	H	310900	s174
CT	5443	54	H	310900	s116
CT	5993	502	H	310500	s121
CT	5709	440	H	310900	s114
CT	5423	888	H	310900	s191
CT	5261	52	H	310500	s126
CT	5727	243	H	240200	s298
CT	5471	386	H	240500	s112e
CT	5773	686	H	310900	s203e
CT	5512	920	H	310900	s181
CT	5948	868	H	240200	s154
CT	5897	994	H	310900	s220
CT	5423	887	H	310900	s190
CT	5787	782	H	240500	s110
CT	5897	996	H	310900	s216
CT	5723	304	D	53127	a2
CT	5787	781	H	240200	s149
CT	5221	187	H	310900	s118
CT	5686	241	H	310900	s187
CT	5490	100	H	310900	s175
CT	5239	533	H	310900	s106
CT	5787	782	H	240500	s116w
CT	5457	57	H	310900	s117
CT	5677	743	H	310500	s128
CT	5677	743	H	310500	s125
CT	5897	993	D	60344	a1
CT	5599	916	H	310900	s185w
CT	5814	702	F	187665	a343
CT	5773	741	F	187663	a341
CT	5512	919	H	310900	s183
CT	5620	834	H	310900	s186
CT	5707	535	H	310900	s111e
CT	5459	222	H	310900	s111w
CT	5459	222	H	310900	s110
CT	5459	68	H	310900	s108
CT	5707	535	H	310900	s112
CT	5823	994	H	310900	s109

NATURE OF PROPOSED DEVELOPMENT:

Construct up to 105 wind turbines with a maximum overall installed capacity of 315 MW

From: **MINISTER FOR PLANNING**

I hereby **APPROVE** the above-mentioned application under the Development Act 1993.

You may therefore proceed in accordance with your plans, as submitted, subject to conditions as shown on the attached sheet(s).

Building works may commence only when a Certificate of Compliance with Building Rules has been received from a Private Certifier, subject to any conditions imposed by the Minister for Planning (or his delegate) and the Certifier.



MINISTER FOR PLANNING
Date of Decision: 4.7.12
[4] Sheets Attached

RELEASED UNDER FOI ACT

DEVELOPMENT APPLICATION 764/V001/11

Planning Conditions:

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, including the amended plans as submitted in Development Application No. 764/V001/11:
 - o Aurecon Report - Hornsdale Wind Farm Application Report (including appendices) - Investec Bank (Australia) Limited - 26 October 2011, unless amended by
 - o Aurecon Report - Hornsdale Wind Farm Development Application - Consolidated Response to Agency, Council and Public Submissions - 27 March 2012.
 - o Letter from Aurecon to DPTI dated 15 May 2012.
2. Prior to the commencement of construction the final layout plan (and associated reporting) of wind turbines and ancillary infrastructure shall be approved by the Minister for Planning.
3. That clearance of or damage to native vegetation on the site or public roads for access during construction shall be minimised.
4. A Traffic and Access Management Plan, prepared in consultation with the Transport Services Division DPTI and Northern Areas Council, shall be submitted for approval by the Minister for Planning. As part of the plan, the applicant shall engage an accredited road safety auditor to undertake a safety audit of the local road network to be used by vehicles servicing the development. The Plan shall include the following:
 - a. definition of roads and routes to be used for vehicles during construction and for on-going maintenance purposes
 - b. load specifications of vehicles servicing the development
 - c. identification of upgrade of roads required to accommodate all vehicles servicing the development
 - d. identification of intersection treatment that is required to facilitate heavy traffic turning movements
 - e. specification of engineering standards for pavement and drainage design and construction
 - f. a management schedule during the construction stage of the development to minimize impact on road users
 - g. a maintenance program for roads utilised by the vehicles servicing the development
 - h. an agreement with Northern Areas Council that all road upgrading (including drainage and water runoff measures), intersection treatment and on-going maintenance costs are to be borne by the developer of the wind farm.
5. That the wind farm shall be designed and operated in a manner so as to not interfere with existing telecommunication facilities. The implementation of off-site mitigation measures for affected receivers shall be at the cost of the developer.
6. A Mining Management Plan, prepared in consultation with Flinders Mines Ltd, for the management of future access and exploration activities (in accordance with relevant state legislation) on the site shall be approved by the Minister for Planning prior to commencement of construction..
7. A Rehabilitation Plan for the site, including options for environmental offsets and a management program (to be undertaken during the operational life of the project) and end-of-project decommissioning works (to outline the extent of reinstatement and restoration activities upon the removal of the wind-farm and associated infrastructure), shall be submitted for approval by the Minister for Planning prior to commencement of construction.
8. An Environmental Management and Monitoring Plan (EMMP) for the construction and operational phases of the development shall be approved by the Minister for Planning prior to commencement of construction.
9. Noise generated by the wind farm must not exceed*:

- a. 40 dB(A) for noise sensitive receivers** in a primary production/general farming zone,
- b. 35 dB(A) if receivers are situated in a rural living zone, or
- c. the background noise (LA90,10) by more than 5 dB(A) at noise sensitive receivers.

(*The above measured noise levels should be adjusted in accordance with the *EPA Wind Farms: Environmental Noise Guidelines 2009* by the inclusion of a 5dB(A) penalty at a receiver where a tone is audible ($\Delta L_{a,k} > 0$ as measured in accordance with international standard IEC61400-11, Ed.2.1: *Wind turbine generator systems- Part 11: Acoustic noise measurements techniques*) at that particular noise sensitive receiver. **A noise sensitive receiver is an occupied dwelling where the owners do not have an agreement with the wind farm developer.)

10. An independent acoustical consultant (other than the company that prepared the predictive acoustical report) must be appointed to monitor noise levels at least five residences including: 5, 38, 39, 45 and 47 (as shown on the maps in the "Addendum to Environmental Noise Assessment, Rev 3, 25 October 2011" acoustic report by Aurecon, dated 15 March 2012). Note: monitoring must be performed in accordance with the EPA "Wind Farms: Environmental Noise Guidelines, 2009" when all of the noise sources associated with the wind farm are in operating mode. The results of the monitoring must be submitted to the satisfaction of the Environment Protection Authority within two months from the date of the wind farm commissioning.
11. In order to determine whether a 5dB(A) penalty would be applicable at a receiver (in accordance with the *EPA Wind Farms: Environmental Noise Guidelines 2009*), a tonality test must be conducted in accordance with the international standard IEC61400-11, Ed.2.1: *Wind turbine generator systems- Part 11: Acoustic noise measurements techniques*. The presence or absence of the audible tones must be confirmed by post-construction tonality assessment at least residence 39 (as shown on the maps in the "Addendum to Environmental Noise Assessment, Rev 3, 25 October 2011" acoustic report by Aurecon, dated 15 March 2012). Results of the noise monitoring must be adjusted for tonality if necessary.
12. Prior to work commencing on site, a Construction Environment Management Plan (CEMP) must be submitted to the satisfaction of the EPA and the measures contained in the CEMP must be implemented during the construction and rehabilitation phases of the work. The CEMP must include, as a minimum:
 - a. Soil Erosion and Drainage Management Plan (SEDMP) prepared according to the *EPA's Stormwater Pollution Prevention Code of Practice (for the Building and Construction Industry), March 1999*; and
 - b. Measures to manage potential dust and noise emissions, solid and liquid wastes and concrete wastes from construction works.
13. The storage and use of hazardous materials must be managed so as to avoid the contamination of soil or receiving waters. Such materials must be stored in a bunded area with the capacity to contain 120% (or 133% in the case of flammable materials) of the volume of the largest container within the bund. Note: further guidance on bunding and spill management can be found in the *EPA Guideline: Bunding and Spill Management*. There shall be no on-site burial of waste materials.
14. Following the completion of construction works on-site, the tracks and disturbed areas (excluding those used for ongoing access and maintenance) must be rehabilitated and bare areas revegetated as soon as possible, taking advantage of natural rainfall, which is mostly between May and September. If bare areas are still present at the end of spring, they must be temporarily protected and stabilised by geotextile matting or other suitable methods, until they can be effectively revegetated.
15. That prior to the construction of the approved turbine layout (as required by Condition 2), a cultural heritage survey shall be undertaken to ensure that no sites of European or indigenous heritage are damaged through the installation of the wind farm and associated infrastructure (including associated earthworks and road construction).

OBLIGATIONS PURSUANT TO THE DEVELOPMENT ACT 1993 AND DEVELOPMENT REGULATIONS 2008

- i. Pursuant to Section 49(14) of the *Development Act 1993* before any building work is undertaken, the building work is to be certified by a private certifier, or by some person determined by the Minister for the purposes of this provision, as complying with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the Regulations).

- ii. The development must be substantially commenced within 3 years of the date of this Notification, unless this period has been extended by the Minister for Planning.
- iii. You are also advised that any act or work authorised or required by this Notification must be completed within 5 years of the date of the Notification unless this period is extended by Minister for Planning.
- iv. You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.

ADVISORY NOTES

- a. A current list of Registered Private Certifiers in South Australia is available here: <http://sa.gov.au/subject/Housing%2C+property+and+land/Building+and+development/Building+and+development+applications/Development+applications+with+a+building+component/List+of+registered+private+certifiers> (sa.gov.au website).
- b. At completion of the project all certified documents should be retained by the responsible agency for the life of the asset.
- c. For additional information relating to certification of government building projects, contact [REDACTED] (Principal Engineer: Structural) Building Management, Department of Planning, Transport and Infrastructure [REDACTED] Level 2, 211 Victoria Square, Adelaide, 5000.
- d. Any request for an extension of time must be lodged with the Planning and Assessment Branch prior to the time period specified above, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001.
- e. If, during construction or operation of the development, the proponent discovers evidence of an aboriginal site or any aboriginal objects or remains, the proponent is required, pursuant to the Aboriginal Heritage Act, 1988, to report particulars to of such discovery to the Minister for Aboriginal Affairs and Reconciliation and thereafter comply with any directions given by the Minister Aboriginal Affairs and Reconciliation.
- f. In relation to Condition 15, historical and anthropological evidence establishes that both the Ngadjuri and Nukunu have heritage interests in the project area, and as such it is recommended that both parties are consulted and engaged in the design and construction of the project.
- g. The applicant is reminded of the Civil Aviation Safety Authority requirements in respect of aircraft safety associated with the turbine structures.
- h. The applicant is reminded of the requirement under the *Native Vegetation Act 1991* to obtain permission under that Act for any clearance of native vegetation or otherwise to bring itself within an exemption under that Act.
- i. The applicant is reminded of the requirement under the *Environment Protection & Biodiversity Conservation Act 1999* to make a referral pursuant to the Act if any activity is likely to affect any matters of National Environmental Significance, such as threatened communities or species of native vegetation and fauna.
- j. For the purposes of Condition 6 the EMMP shall include the following:
 - Soil Erosion and Drainage Management Plan (SEDMP), prepared to the reasonable satisfaction of the EPA
 - Traffic and Access Management Plan
 - Remediation Plan for all construction works, prepared in consultation with the Northern Areas Council
 - Rehabilitation Plan
 - A Mining Management Plan
 - Bushfire Risk Management Plan, prepared to the reasonable satisfaction of the Country Fire Service (CFS)
 - Native Vegetation Management Plan, prepared to the reasonable satisfaction of the Native Vegetation Council
 - Pest Plant and Animal Management Plan, prepared to the reasonable satisfaction of the Natural Resources Management (NRM) Board

- Cultural Heritage Survey, prepared to the reasonable satisfaction of the Department of the Premier & Cabinet (Aboriginal Affairs & Reconciliation).

RELEASED UNDER FOI ACT

South Australia – Sections 49 and 49A Development Act 1993

**CROWN DEVELOPMENT AND PUBLIC INFRASTRUCTURE
AND
ELECTRICITY INFRASTRUCTURE DEVELOPMENT
DECISION NOTIFICATION FORM**

Contact Officer: [REDACTED]
Telephone: [REDACTED]
KNET Reference: #10927107

Development Number:
764/V031/16

FOR DEVELOPMENT APPLICATION

DATED: 11/07/2016
REGISTERED ON: 12/07/2016

TO: HWF 2 Pty Ltd
Level 14 (Suite 3), 227 Elizabeth Street
SYDNEY NSW 2000
EMAIL: [REDACTED]

LOCATION OF PROPOSED DEVELOPMENT:

Primary Production zoned land north of Jamestown being:

Title Code	Volume	Folio	Plan Code	Plan No.	Parcel No.
CT	5790	426	H	310900	s101
CR	5762	792	H	310900	s423
CT	5204	148	F	112770	a9
CT	5205	281	H	240200	s296
CT	5709	440	H	310900	s113
CT	5447	939	H	310900	s209
CT	5730	3	H	310900	s185E
CT	5814	709	F	187664	a342
CT	5685	997	H	310900	s104
CT	5441	303	H	310500	s239
CT	5685	997	H	310900	s103
CT	5481	568	F	187658	a336
CT	5797	287	H	240200	s297
CT	5790	833	H	310900	s119
CT	5833	106	F	218216	a5
CT	5457	59	H	310900	s123
CT	5792	164	H	310900	s120
CT	5534	409	H	310900	s184
CT	5502	596	H	310500	s242
CT	5447	940	H	310900	s416
CT	5471	647	F	187642	a320
CT	5457	68	H	310900	s122
CT	5834	444	H	240200	s152w
CT	5677	743	H	310500	s359
CT	5535	774	H	310900	s107
CT	5663	448	H	310900	s115
CT	5447	941	H	310900	s207

CT	6121	733	D	91527	a1
CT	6121	734	D	91527	a2
CT	6121	735	D	91527	a3
CT	6121	737	H	310900	s181
CT	5565	332	D	49276	a101
CT	5447	954	H	310900	s177N
CT	5221	186	H	310900	s121
CT	5790	426	H	310900	s102
CT	5787	783	H	240500	s116e
CT	5835	935	H	310900	s203W
CT	5677	743	H	310500	s127
CT	5565	333	D	49276	a102
CT	5423	887	H	310900	s189
CT	5447	954	H	310900	s176
CT	5948	868	H	240200	s729
CT	5490	100	H	310900	s174
CT	5443	54	H	310900	s116
CT	5993	502	H	310500	s121
CT	5709	440	H	310900	s114
CT	5423	888	H	310900	s191
CT	5261	52	H	310500	s126
CT	5727	243	H	240200	s298
CT	5471	386	H	240500	s112e
CT	5773	686	H	310900	s203e
CT	5512	920	H	310900	s181
CT	5948	868	H	240200	s154
CT	5897	994	H	310900	s220
CT	5423	887	H	310900	s190
CT	5787	782	H	240500	s110
CT	5897	996	H	310900	s216
CT	5723	304	D	53127	a2
CT	5787	781	H	240200	s149
CT	5221	187	H	310900	s118
CT	5686	241	H	310900	s187
CT	5490	100	H	310900	s175
CT	5239	533	H	310900	s106
CT	5787	782	H	240500	s116w
CT	5457	57	H	310900	s117
CT	5677	743	H	310500	s128
CT	5677	743	H	310500	s125
CT	5897	993	D	60344	a1
CT	5599	916	H	310900	s185w
CT	5814	702	F	187665	a343
CT	5773	741	F	187663	a341
CT	6121	736	D	91527	p4
CT	6121	736	D	91527	p5
CT	5620	834	H	310900	s186
CT	5707	535	H	310900	s111e

CT	5459	222	H	310900	s111w
CT	5459	222	H	310900	s110
CT	5459	68	H	310900	s108
CT	5707	535	H	310900	s112
CT	5823	994	H	310900	s109
CT	5227	184	H	310900	S218
CT	5227	185	H	310900	S217
CT	5359	112	H	310500	S12
CT	5359	112	H	310500	S2
CT	5447	937	H	240500	S105
CT	5447	942	H	310900	S177S
CT	5469	591	H	240500	S109
CT	5473	466	H	240500	S108
CT	5473	466	H	310900	S178
CT	5473	467	H	240500	S112W
CT	5512	920	H	310900	S181
CT	5512	920	H	310900	S182
CT	5707	182	H	310900	S213
CT	5727	48	H	310500	S24
CT	5727	48	H	310500	S25
CT	5727	74	H	310900	S211
CT	5738	823	H	310500	S32
CT	5781	255	F	187657	A335
CT	5833	65	H	310500	S14
CT	5834	145	H	310900	S205
CT	5897	995	F	187666	A344
CT	5897	997	F	187662	A340
CT	6087	99	H	310900	S426
CT	6108	119	D	90285	A301
CT	6108	120	D	90285	A302
CT	6108	121	D	90285	A303

NATURE OF PROPOSED DEVELOPMENT:

Stage 3 of the Hornsdale Wind Farm comprising the construction of up to 41 wind turbines with a maximum overall installed capacity of 115 MW (or a maximum capacity of 109MW at the point of connection to the National Electricity Network) and ancillary infrastructure, including transformer boxes, underground electrical cabling and access tracks.

From: **MINISTER FOR PLANNING**

I hereby **APPROVE** the above-mentioned application under the *Development Act 1993*.

You may therefore proceed in accordance with your plans, as submitted, subject to conditions as shown on the attached sheet.

Building works may commence only when a Certificate of Compliance with Building Rules has been received from a Private Certifier, subject to any conditions imposed by the Minister for Planning (or his delegate) and the Certifier.



General Manager – Planning and Development
as delegate of the
Minister for Planning

Date of Decision: 24/11/2016
Sheets Attached: 4

DEVELOPMENT APPLICATION 764/V002/16

PLANNING CONDITIONS

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans submitted in Development Application No 764/V002/16.
2. Prior to the commencement of construction the final layout plan (and associated reporting) of wind turbines and ancillary infrastructure shall be submitted for approval by the Minister for Planning prior to commencement of construction.
3. Clearance of or damage to native vegetation on the site or public roads for access during construction shall be minimised.
4. A Traffic and Access Management Plan, prepared in consultation with the Department for Planning, Transport and Infrastructure (Transport Division) and the Northern Areas Council, shall be submitted for approval by the Minister for Planning prior to commencement of construction. As part of the plan, the applicant shall engage an accredited road safety auditor to undertake a safety audit of the local road network to be used by vehicles servicing the development. The Plan shall include the following:
 - a. Definition of roads and routes to be used for vehicles during construction and for on-going maintenance purposes.
 - b. Load specifications of vehicles servicing the development.
 - c. Identification of upgrade of roads required to accommodate all vehicles servicing the development.
 - d. Identification of intersection treatment that is required to facilitate heavy traffic turning movements.
 - e. Specification of engineering standards for pavement and drainage design and construction.
 - f. A management schedule during the construction stage of the development to minimize impact on road users.
 - g. A maintenance program for roads utilised by the vehicles servicing the development.
 - h. An agreement with Northern Areas Council that all road upgrading (including drainage and water runoff measures), intersection treatment and on-going maintenance costs are to be borne by the developer of the wind farm.
5. The wind farm shall be designed and operated in a manner so as to not interfere with existing telecommunication facilities. The implementation of off-site mitigation measures for affected receivers shall be at the cost of the developer.
6. A Rehabilitation Plan, including options for environmental offsets and a management program (to be undertaken during the operational life of the project) and end-of-project decommissioning works (to outline the extent of reinstatement and restoration activities upon the removal of the wind-farm and associated infrastructure), shall be submitted for approval by the Minister for Planning prior to commencement of construction.
7. An Environmental Management and Monitoring Plan (EMMP) for the construction and operational phases of the development shall be submitted for approval by the Minister for Planning prior to commencement of construction.
8. Noise generated by the wind farm shall not exceed:
 - a. 40dB(A) for noise sensitive receivers* in the Primary Production zones or zones other than rural living;
 - b. 35dB(A) if receivers are situated in a rural living zone; or
 - c. The background noise (LA90,10min) by more than 5dB(A) at noise sensitive receivers.

**A noise sensitive receiver is an occupied dwelling where the owners do not have an agreement with the wind farm developer. The above measured noise levels should be adjusted in accordance with the EPA's Wind Farm Environmental Guidelines 2009 by the inclusion of a penalty for the tonal characteristics.*

9. The warranted maximum sound power characteristic for the wind turbine generators installed in accordance with the proposed layout shall not exceed those provided in Section 2.2.1 of the Hornsdale Wind Farm Noise Assessment – Supplementary Report, GHD, June 2016. The warranted sound power

levels are to be measured and reported in accordance with IEC61400-11, Ed 3.0: Wind Turbines – Part 11: Acoustic noise measurement techniques. This can be proven by providing acoustic reports.

10. Noise emission of the WTGs intended for installation shall not include tones audible at the noise receivers ($\Delta L_{a,k} > 0$). In order to determine whether a 5dB(A) penalty would be applicable at a receiver, a tonality test may be conducted. The tonality test procedure is defined in IEC61400-11, Ed 3.0: Wind Turbines – Part 11: Acoustic noise measurement techniques. Absence of tones should be confirmed by submitting relevant technical documentations prior to commencing construction of wind farm. Alternatively, it can be confirmed by results of post-construction acoustic test performed at receiver 39 (Hornsdale Wind Farm Noise Assessment – Supplementary Report, GHD, June 2016). Results of the noise monitoring must be adjusted for tonality if necessary.
11. The applicant shall appoint an independent acoustical consultancy (other than the company who prepared the predictive acoustical report) to monitor noise levels at at least 5 localities: receivers 5, 35, 39, 40 and 59 (as referenced in maps within the Hornsdale Wind Farm Noise Assessment – Supplementary Report, GHD, June 2016). Note: Monitoring should be executed in accordance with the EPA's *Wind Farm Environmental Noise Guidelines 2009* where all of the noise sources associated with the wind farm are in operating mode. The results of the monitoring should be submitted to the EPA not later than two months from the date of the wind farm commissioning. Data from Aurecon report may be used as reference.
12. If the post-construction noise monitoring report reveals non-compliance with the specified noise criteria, the applicant shall arrange for the noise monitoring of other relevant noise sensitive receivers. The measures to assure compliance with the specified noise criteria must be undertaken by the proponent for all the localities where non-compliance with the noise criteria is revealed. Agreement with the land owners of the noise affected premises can be considered as an option in accordance with the *Wind Farm Environmental Noise Guidelines 2009*.
13. A Construction Environment Management Plan (CEMP) shall be submitted for approval by the Minister for Planning prior to commencement of construction. The CEMP shall include, as a minimum:
 - a. Soil Erosion and Drainage Management Plan (SEDMP) prepared according to the EPA's *Stormwater Pollution Prevention Code of Practice (for the Building and Construction Industry)*, March 1999; and
 - b. Measures to manage potential dust and noise emissions, solid and liquid wastes and concrete wastes from construction works.
14. The storage and use of hazardous materials shall be managed so as to avoid the contamination of soil or receiving waters. Such materials must be stored in a bunded area with the capacity to contain 120% (or 133% in the case of flammable materials) of the volume of the largest container within the bund. Note: further guidance on bunding and spill management can be found in the EPA *Guideline: Bunding and Spill Management*. There shall be no on-site burial of waste materials.
15. Following the completion of construction works on-site, the tracks and disturbed areas (excluding those used for ongoing access and maintenance) shall be rehabilitated and bare areas revegetated as soon as possible, taking advantage of natural rainfall (i.e. between May and September). If bare areas are still present at the end of spring, they must be temporarily protected and stabilised by geotextile matting or other suitable methods, until they can be effectively revegetated.
16. Prior to the construction of the approved turbine layout, a cultural heritage survey shall be undertaken to ensure that no sites of European or Aboriginal cultural heritage are damaged through the installation of turbines and associated infrastructure (including associated earthworks and road construction).

OBLIGATIONS PURSUANT TO THE *DEVELOPMENT ACT 1993* AND *DEVELOPMENT REGULATIONS 2008*

- i. Pursuant to Section 49(14) of the *Development Act 1993* before any building work is undertaken, the building work is to be certified by a private certifier, or by some person determined by the Minister for the purposes of this provision, as complying with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the Regulations).
- ii. The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the Minister for Planning.
- iii. You are also advised that any act or work authorised or required by this Notification must be completed within 5 years of the date of the Notification unless this period is extended by Minister for Planning.
- iv. You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.

ADVISORY NOTES

- a. A current list of Registered Private Certifiers in South Australia is available here: <http://sa.gov.au/subject/Housing%2C+property+and+land/Building+and+development/Building+and+development+applications/Development+applications+with+a+building+component/List+of+registered+private+certifiers> (sa.gov.au website).
- b. At completion of the project all certified documents should be retained by the responsible agency for the life of the asset.
- c. For additional information relating to certification of government building projects, contact [REDACTED] (Principal Engineer: Structural) Building Management, Department of Planning, Transport and Infrastructure [REDACTED] Level 2, 211 Victoria Square, Adelaide, 5000.
- d. Any request for an extension of time must be lodged with the Planning and Assessment Branch prior to the time period specified above, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001.
- e. If, during construction or operation of the development, the proponent discovers evidence of an aboriginal site or any aboriginal objects or remains, the proponent is required, pursuant to the *Aboriginal Heritage Act 1988*, to report particulars to of such discovery to the Minister for Aboriginal Affairs and Reconciliation and thereafter comply with any directions given by the Minister for Aboriginal Affairs and Reconciliation.
- f. If historical and anthropological evidence establishes that both the Ngadjuri and Nukunu have heritage interests in the project area, it is recommended that both parties are consulted and engaged in the design and construction of the project.
- g. The applicant is reminded of the Civil Aviation Safety Authority requirements in respect of aircraft safety associated with the turbine structures.
- h. The applicant is reminded of the requirement under the *Native Vegetation Act 1991* to obtain permission under that Act for any clearance of native vegetation or otherwise to bring itself within an exemption under that Act.
- i. The applicant is reminded of the requirement under the *Environment Protection & Biodiversity Conservation Act 1999* to make a referral pursuant to the Act if any activity is likely to affect any matters of National Environmental Significance, such as threatened communities or species of native vegetation and fauna.

For the purposes of Condition 7, the EMMP shall include the following:

- A Soil Erosion and Drainage Management Plan (SEDMP).
- Traffic and Access Management Plan.
- Remediation Plan for all construction works, prepared in consultation with the Northern Areas Council.
- Rehabilitation Plan.
- A Mining Management Plan.
- Bushfire Risk Management Plan, prepared in consultation with the Country Fire Service (CFS).

- Native Vegetation Management Plan, prepared in consultation with the Native Vegetation Council.
- Pest Plant and Animal Management Plan, prepared in consultation with Natural Resources Northern and Yorke (Department of Environment, Water and Natural Resources).
- Cultural Heritage Survey, prepared in consultation with the Department of the Premier & Cabinet (Aboriginal Affairs & Reconciliation).
- Complaints management in accordance with the Wind Farm Complaint Handling Bulletin (2016), released by the National Wind Farm Commissioner.

RELEASED UNDER FOI ACT



THE SOUTH AUSTRALIAN
GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 6 JULY 2006

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GOVERNMENT GAZETTE NOTICES

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

Department of the Premier and Cabinet
Adelaide, 6 July 2006

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

No. 16 of 2006—Tobacco Products Regulation (Prohibited Tobacco Products) Amendment Act 2006. An Act to amend the Tobacco Products Regulation Act 1997.

No. 17 of 2006—Statutes Amendment (New Rules of Civil Procedure) Act 2006. An Act to amend the Supreme Court Act 1935, the District Court Act 1991 and the Magistrates Court Act 1991, to make certain procedural changes and changes in terminology, that have become desirable in the light of the proposed new rules of civil procedure for the Supreme Court and the District Court; and to make related amendments to various other Acts.

No. 18 of 2006—Commission of Inquiry (Children in State Care) (Privileges and Immunities) Amendment Act 2006. An Act to amend the Commission of Inquiry (Children in State Care) Act 2004.

By command,
GAIL GAGO, for Premier

DPC 06/0875

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Eastern Water Conservation and Drainage Board, pursuant to the provisions of the South Eastern Water Conservation and Drainage Act 1992:

Member: (from 6 July 2006 until 5 July 2010)
James Osborne
Jodie Anne Berkefeld

By command,
GAIL GAGO, for Premier

WBCS 06/0014

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Board of the Botanic Gardens and State Herbarium, pursuant to the provisions of the Botanic Gardens and State Herbarium Act 1978:

Member: (from 6 July 2006 until 30 June 2008)
Karen Porter
Anne Buchecker
Michael James Subacius

By command,
GAIL GAGO, for Premier

EHCS 06/0011

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Aboriginal Lands Trust, pursuant to the provisions of the Aboriginal Lands Trust Act 1966:

Member: (from 6 July 2006 until 5 July 2009)
Elaine Newchurch
Irene McKenzie
Haydn John Davey
Reg Dodd
Ian Devon Johnson
Kingsley Abdulla
Peter Rigney
Phillip Milera
Mabel Lochowiak
Roseanne Woodforde

Deputy Member: (from 6 July 2006 until 5 July 2009)
George Cooley (Deputy to Lochowiak)
Timothy Abdulla (Deputy to Abdulla)
Steven Walker (Deputy to Rigney)
Christine Hunt (Deputy to Woodforde)

Chair: (from 6 July 2006 until 5 July 2009)
George Tongerie

By command,
GAIL GAGO, for Premier

MFC/CS/06/019

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Aboriginal Lands Trust, pursuant to the provisions of the Aboriginal Lands Trust Act 1966 and section 36 (d) (i) of the Acts Interpretation Act 1915:

Acting Chair: during the absence of George Tongerie
Haydn John Davey

By command,
GAIL GAGO, for Premier

MFC/CS/06/019

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Michael John Wright, MP, Minister for Administrative Services and Government Enterprises, Minister for Industrial Relations and Minister for Recreation, Sport and Racing to be also Acting Minister for Police, Acting Minister for Mineral Resources Development and Acting Minister for Urban Development and Planning for the period 1 September 2006 to 16 September 2006 inclusive during the absence of the Honourable Paul Holloway, MLC.

By command,
GAIL GAGO, for Premier

MPOL 06/009 CS

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable John David Hill, MP, Minister for Health, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to be also Acting Attorney-General, Acting Minister for Justice and Acting Minister for Multicultural Affairs for the period 12 July 2006 to 19 July 2006 inclusive during the absence of the Honourable Michael John Atkinson, MP.

By command,
GAIL GAGO, for Premier

AGO 0155/03 CS TEMP1

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Paul Holloway, MLC, Minister for Police, Minister for Mineral Resources Development and Minister for Urban Development and Planning to be also Acting Minister for Administrative Services and Government Enterprises, Acting Minister for Industrial Relations and Acting Minister for Recreation, Sport and Racing for the period 8 July 2006 to 23 July 2006 inclusive during the absence of the Honourable Michael John Wright, MP.

By command,
GAIL GAGO, for Premier

MAS 06/011 CS

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Karlene Ann Maywald, MP, Minister for the River Murray, Minister for Regional Development, Minister for Small Business, Minister for Science and Information Economy and Minister Assisting the Minister for Industry and Trade to be also Acting Minister for Agriculture, Food and Fisheries and Acting Minister for Forests for the period 18 July 2006 to 6 August 2006 inclusive during the absence of the Honourable Rory John McEwen, MP.

By command,

GAIL GAGO, for Premier

MAFF 06/009

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint Michael David as a Judge of the Supreme Court from 6 July 2006, pursuant to the provisions of the Constitution Act 1934 and the Supreme Court Act 1935 and to determine pursuant to section 7 (3) (a) of the Oaths Act 1936, that the oaths related to the appointment shall be taken before the Chief Justice of the Supreme Court of South Australia.

By command,

GAIL GAGO, for Premier

AGO 0070/03 CS

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint Alan Peter Moss to the offices of Judge of the Youth Court of South Australia and the Environment, Resources and Development Court of South Australia on an auxiliary basis from 6 August 2006 to 30 June 2007, it being a condition of appointment that the powers and jurisdictions of office should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment, pursuant to the provisions of the Judicial Administration (Auxiliary Appointments and Powers) Act 1988.

By command,

GAIL GAGO, for Premier

AGO 0005/03 CS

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint judicial officers to the auxiliary pool for the period 6 July 2006 until 30 June 2007, as listed—it being a condition of appointment that the powers and jurisdictions of office should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment, pursuant to the provisions of the Judicial Administration (Auxiliary Appointments and Powers) Act 1988.

Michael Ward to the office of Magistrate on an auxiliary basis

Gregory Ronald Alfred Clark to the office of Magistrate on an auxiliary basis

Leslie Trevor Olsson MBE RFD ED to the office of Judge of the Supreme Court of South Australia on an auxiliary basis

Brendan Michael Burley to the office of Master of the Supreme Court of South Australia and to the office of Judge of the District Court of South Australia both on an auxiliary basis

Barrie Kitchin to the office of Judge of the District Court of South Australia on an auxiliary basis

Andrew Bray Cameron Wilson, AM to the office of Judge of the District Court of South Australia and to the office of Judge of the Environment, Resources and Development Court of South Australia both on an auxiliary basis

Peter Maurice St Leger Kelly to the office of Master of the District Court of South Australia on an auxiliary basis

Michael Lester Wheatley Bowering to the office of Judge of the Environment, Resources and Development Court of South Australia on an auxiliary basis

David Cyril Gurry to the office of Magistrate and the office of Magistrate of the Youth Court of South Australia both on an auxiliary basis

David Swain to the office of Magistrate on an auxiliary basis

John Antoine Kiosoglous to the office of Magistrate on an auxiliary basis

Jacynth Elizabeth Sanders to the office of Magistrate on an auxiliary basis

Charles Graham Eardley to the office of Magistrate on an auxiliary basis

By command,

GAIL GAGO, for Premier

AGO 0005/03 CS

Department of the Premier and Cabinet
Adelaide, 6 July 2006

HER Excellency the Governor in Executive Council has been pleased to appoint Richard Thomas Smith as Chief Executive Officer of the Superannuation Funds Management Corporation of South Australia (Funds SA) for a term of five years commencing on 6 July 2006 and expiring on 5 July 2011, pursuant to section 19 of the Superannuation Funds Management Corporation of South Australia Act 1995.

By command,

GAIL GAGO, for Premier

TF 06/047 CS

CROWN LANDS ACT 1929: SECTION 5

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

The Schedule

Aged Persons Cottage Homes Reserve, Section 307, Hundred of Minlacowie, County of Fergusson, the proclamation of which was published in the *Government Gazette* of 20 February 1975 at page 578, The Third Schedule, being the whole of the land comprised in Crown Record Volume 5757, Folio 217.

Dated 6 July 2006.

GAIL GAGO, Minister for Environment
and Conservation

DEH 10/1122

DEVELOPMENT ACT 1993, SECTION 48: DECISION BY THE DEVELOPMENT ASSESSMENT COMMISSION AS DELEGATE OF THE GOVERNOR

Preamble

1. The decision of the Governor under section 48 of the Development Act 1993, to approve the development of Holdfast Shores Stage 2B development located adjacent to Colley Terrace, Glenelg was published in the *Gazette* on 19 February 2004.

2. On 8 June 2000 and pursuant to section 48 of the Development Act 1993, the Governor granted a development approval for the Holdfast Shores 2A development, comprising a hotel, car parking, landscaping and associated works, adjacent to Chappell Drive, Glenelg. The development was subject to a Development Report and an Assessment Report, pursuant to section 46 of the Development Act 1993. Amendments to the Holdfast Shores Stage 2A proposal relating primarily to design, car parking, land division, signage issues and Building Rules, were subsequently granted approval by the Development Assessment Commission (as the Governor's delegate) on 7 December 2000; 1 March 2001; 17 May 2001; 28 February 2002; 3 October 2002; 20 March 2003, and Stage 2B amendments dated 4 March 2004, 15 July 2004 and 26 August 2004.

3. A proposal for the development of the Holdfast Shores 2B proposal at Glenelg, comprising the construction of the Glenelg Surf Life Saving Club, demolition of the existing GSLSC building; the Magic Mountain building and the construction of a rock seawall, an apartment building, and an entertainment and retail precinct, has been considered under Division 2, Part 4 of the Development Act 1993.

4. A number of amendments have been approved since the original decision date of 19 February 2004. The most recent amendments are contained in the following documents and drawings:

- Land division plans and associated correspondence for community title land division applications 110/C061/05 and 110/C062/05 uploaded onto EDALA on 25 July 2005.

5. The Governor was satisfied that an appropriate Amended Development Report and an Amended Assessment Report have been prepared in relation to the development, in accordance with the requirements of Division 2 of Part 4 of the Development Act 1993.

6. The Governor had, in considering the application, regard to all relevant matters under section 48 (5) of the Development Act 1993.

7. Application has now been made to the Development Assessment Commission as delegate of the Governor under section 48 of the Development Act 1993, to grant an approval for Secondary Community Title Land Divisions 110/C061/05 and 110/C062/05.

8. The amendments to the development are contained in final amended plans and associated documents uploaded electronically onto EDALA on 25 July 2005.

9. The Development Assessment Commission has in considering the application had regard to all relevant matters under section 48 (5) of the Development Act 1993.

10. The Development Assessment Commission is satisfied that the variations do not require the preparation of a further amended Development Report.

Decision

Pursuant to section 48 of the Development Act 1993, the Development Assessment Commission as delegate of the Governor, in relation to a proposal submitted by Holdfast Shores Consortium to develop the Holdfast Shores Stage 2B at Glenelg:

- (a) grant provisional development authorisation for the Holdfast Shores Stage 2B development at Glenelg, subject to the conditions and notes to the applicant below;
- (b) grant development authorisation for Building Rules Certification for the demolition of Magic Mountain and the use of the Police Station building by the Glenelg Surf Life Saving Club;
- (c) grant development authorisation for Building Rules Certification for Early Works Package 2B of the development. These apply to bulk excavation, piling, footings, retaining walls, stormwater disposal system, rock seawall extension, base for site paving, car park entry and Hope Street entry, oil pipeline diversion around the basement car park and site utilities infrastructure;
- (d) grant development authorisation for Building Rules Certification for Packages 3 and 4 of the development. These apply to early works for the Apartment Building and for the Entertainment and Retail Building, including excavation, piling, retaining walls, columns and in-ground services;
- (e) grant development authorisation for Building Rules Certification for Packages 5 and 6 of the development, which applies to the Platinum Apartments Superstructure and parts of the Entertainment Precinct Superstructure, and for the temporary walkway;
- (f) grant development authorisation for Building Rules Certification for Package 7 of the development, which applies to the Superstructure for the Entertainment Building and Surf Life Saving Club;
- (g) grant provisional development authorisation for the variation relating to an additional underground car park in the Entertainment Building;

- (h) grant development authorisation for the variation relating to modifications to the Entertainment Building;
- (i) grant development authorisation for the variation relating to a beach observation tower for the Glenelg Surf Life Saving Club;
- (j) grant provisional development authorisation for the variation relating to modifications to the Glenelg Town Hall;
- (k) grant development authorisation for the amendment No. 4 relating to modifications to the Entertainment Building;
- (l) specify all matters relating to this development plan authorisation as matters in respect of which conditions of this authorisation may be varied or revoked, or new conditions attached;
- (m) pursuant to section 48 and Regulation 64(1) of the Development Act 1993, reserve the following matters for further decision-making at a later stage (refer 'Notes to Applicant'):
 - (i) further assessment and certification in respect of the Building Rules for components of the proposed development;
 - (ii) any external advertising signage;
- (n) approve the land division application 110/D012/04, lodged on 4 February 2004;
- (o) approve the land division application 110/D052/05, lodged electronically with the Development Assessment Commission on EDALA on 22 June 2005;
- (p) grant provisional development authorisation for the variation relating to Amendment No. 5—Modifications to the Retail Building. (Windows to the western wall);
- (q) grant provisional development authorisation for the variation relating to Amendment No. 6—Revision to retaining walls adjacent Glenelg Town Hall;
- (r) grant development authorisation for Building Rules Certification for Building Rules Certificate for Packages 3 and 4 (Platinum Apartments Basement and Entertainment Precinct Basement) to reflect modifications to the retaining wall and for Package 7 to reflect the approved modification to the Entertainment Building, (Amendment No. 4);
- (s) grant provisional development authorisation for the variation relating to—modifications to Level 3 of the Entertainment Building (Amendment No. 8);
- (t) grant provisional development authorisation for the variation relating to—modifications to and signage for the Retail Tenancy T05 on Moseley Square (Amendment No. 9);
- (u) approve the land division application 110/C053/05 in plans and associated documents uploaded electronically onto EDALA on 28 April 2006 and 15 May 2006 and a range of associated detailed documentation attached to a letter from Norman Waterhouse to the City of Holdfast Bay dated 11 May 2006; and
- (v) approve the land division applications 110/C061/05 and 110/C062/05 in plans and associated documents uploaded electronically onto EDALA on 25 July 2005.

Conditions of Approval

1. Except where minor amendments may be required by other Acts and/or legislation or by conditions imposed herein, the Holdfast Shores 2B development shall be undertaken in strict accordance with:

- (a) The following drawings contained in the Amended Development Report for Holdfast Shores Stage 2B, dated September 2003, except to the extent that they are varied by the plans described in paragraph 1 (b):
 - Drawing Titled: 'Site plan level B2'; Drawing Number: 111.
 - Drawing Titled: 'Site plan level 1'; Drawing Number: 112.
 - Drawing Titled: 'Site plan level 2'; Drawing Number: 113.

- Drawing Titled: 'Entertainment building basement'; Drawing Number: 114.
 - Drawing Titled: 'Entertainment building level 1'; Drawing Number: 115.
 - Drawing Titled: 'Entertainment building level 2'; Drawing Number: 116.
 - Drawing Titled: 'Entertainment building levels 3 and 4'; Drawing Number: 117.
 - Drawing Titled: 'Entertainment building elevations'; Drawing Number: 118.
 - Drawing Titled: 'Entertainment building elevations'; Drawing Number: 119.
 - Drawing Titled: 'Entertainment building sections'; Drawing Number: 120.
 - Drawing Titled: 'Apartment Plans B2 and B1'; Drawing Number: 121.
 - Drawing Titled: 'Apartment Plans L1, L2, L3-4 and L5'; Drawing Number: 122.
 - Drawing Titled: 'Apartment Plans L6-8 and L9, roof plan'; Drawing Number: 123.
 - Drawing Titled: 'Apartment elevations—north and east'; Drawing Number: 124.
 - Drawing Titled: 'Apartment elevations—west and south'; Drawing Number: 125.
 - Drawing Titled: 'Apartment sections'; Drawing Number: 126.
 - Drawing Titled: 'Land use'; Drawing Number: 127.
 - Drawing Titled: 'Built form'; Drawing Number: 128.
 - Drawing Titled: 'Urban spaces'; Drawing Number: 129.
 - Drawing Titled: 'Open space/vegetation'; Drawing Number: 130.
 - Drawing Titled: 'View corridor'; Drawing Number: 131.
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 - Drawing Titled: 'Concourse study—pedestrian movement'; Drawing Number: 137.
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 - Drawing Titled: 'Moseley Square study'; Drawing Number: 139.
 - Drawing Titled: 'Town Hall opportunities'; Drawing Number: 140.
 - Drawing Titled: 'Foreshore open space study'; Drawing Number: 141.
 - Drawing Titled: 'Apartment building study'; Plan Number: 142.
 - Drawing Titled: 'Entertainment precinct—east plaza study'; Drawing Number: 143.
 - Drawing Titled: 'Sun diagrams summer'; Drawing Number: 144.
 - Drawing Titled: 'Sun diagrams winter'; Drawing Number: 145.
 - Drawing Titled: 'Landscaping'; Drawing Number: 146.
 - Drawing Titled: 'Construction Stage 1'; Drawing Number: 147.
 - Drawing Titled: 'Construction Stage 2'; Drawing Number: 148.
 - Drawing Titled: 'Construction Stage 3'; Drawing Number: 149.
 - Drawing Titled: 'Construction Stage 4'; Drawing Number: 150.
- (b) The following drawings accompanying the Response by proponent to submissions, 3. City of Holdfast Bay Submission, dated 17 December 2003, as they relate to the proposal for Holdfast Shores Stage 2B, except to the extent that they are varied by the plans as described in paragraph (c):
- Drawing Titled: 'Sun diagrams summer'; Drawing Number: 144 rev. A.
 - Drawing Titled: 'Sun diagrams winter'; Drawing Number: 145 rev. A.
 - Drawing Titled: 'Entertainment building basement supplementary plan'; Drawing Number: 151 rev. A.
 - Drawing Titled: 'Entertainment building level 1 supplementary plan'; Drawing Number: 152 rev. A.
 - Drawing Titled: 'Entertainment building level 2 supplementary plan'; Drawing Number: 153 rev. A.
 - Drawing Titled: 'Entertainment building levels 3 and 4 supplementary plan'; Drawing Number: 154.
 - Drawing Titled: 'Entertainment building levels 3 and 4 supplementary plan'; Drawing Number: 154 rev. A.
- (c) The following drawings accompanying the further information and clarification letter dated 22 January 2004, as they relate to the proposal for Holdfast Shores Stage 2B:
- Drawing Titled: 'Car park ventilation supplementary plan'; Drawing Number: 155.
 - Drawing Titled: 'Civil stormwater supplementary plan'; Drawing Number: 156.
 - Drawing Titled: 'Civil stormwater supplementary plan' Drawing Number: 157.
 - Drawing Titled: 'Oil pipeline supplementary plan'; Drawing Number: 158.
- (d) The land division plan lodged with the Development Assessment Commission on 4 February 2004: Application number 110/D012/04.
- (e) The land division plan lodged electronically on EDALA with the Development Assessment Commission on 22 June 2005: Application number 110/D052/054.
- (f) The land division plans lodged electronically on EDALA with the Development Assessment Commission which include an amended final scheme description uploaded on 28 April 2006 and an amended final plan uploaded on 15 May 2006: Application number 110/C053/05.
- (g) The land division plans lodged electronically on EDALA with the Development Assessment Commission on 25 July 2005: Application numbers 110/D061/05 and 110/D062/05.
- (h) The following documents, except to the extent that they are varied by the plans described in paragraphs (a) and (c):
- Amended Development Report for Stage 2B, Volumes 1 and 2 by the Holdfast Shores Consortium, dated 18 September 2003 (except to the extent that it may be varied by a subsequent document in this paragraph).
 - The letter from Woodhead International to Planning SA, titled Response by proponent to submissions, 3. City of Holdfast Bay submission, dated 17 December 2003 (except to the extent that it may be varied by a subsequent document in this paragraph).

- The Amended Assessment Report prepared by the Minister for Aboriginal Affairs and Reconciliation (as delegate Minister for the Minister for Urban Development and Planning), for the Holdfast Shores 2B development, dated February 2004 (except to the extent that it may be varied by a subsequent document in this paragraph).
 - The letter from Woodhead International to Planning SA, titled Further Information and Clarification, dated 22 January 2004.
 - The letter from Woodhead International to Planning SA, titled Packages 1 and 2A Building Rules Certification, dated 21 June 2004.
 - The letter from Woodhead International to Planning SA, titled Early Works Package 2B Building Rules Certification, dated 15 July 2004.
 - The letter from Woodhead International to Planning SA, titled Amendment No. 1 to Provisional Development Authorisation (reserved matters), dated 1 June 2004.
 - The letter from Woodhead International to Planning SA, titled Amendment No. 2 to Provisional Development Authorisation (reserved matters), dated 17 August 2004.
 - The letter from Woodhead International to Planning SA, titled Building Rules Certification for Packages 3 and 4, dated 28 September 2004.
 - The letter from Woodhead International to Planning SA, titled Amendment No. 3 to Development Authorisation—Temporary Walkway, dated 24 January 2005.
 - The letter from Woodhead International to Planning SA, Amendment No. 3 to Provisional Development Authorisation, dated 11 January 2005.
 - The letter from Woodhead International to Planning SA, titled Packages 5 and 6 Building Rules Certification, dated 4 January 2005.
 - The letter from Woodhead International to Planning SA, Amendment No. 2 of Provisional Development Authorisation, dated 27 October 2004.
 - Letter from Woodhead International to Planning SA, titled Package 7 Building Rules Certification, dated 6 May 2005.
 - Letter from Woodhead International to Planning SA, Holdfast Shores Stage 2B, Glenelg Town Hall Egress, dated 8 March 2005.
 - Letter from Alexander Symonds to Planning SA titled Holdfast Shores Stage 2B—Land Division Application 110/D052/05 and 100/C053/05, dated 11 October 2005.
 - Letter from Boulderstone Hornibrook Urban Construct Joint Venture, titled Holdfast Shores Stage 2B—Land Division, to Planning SA dated 14 December 2005.
 - Letter from Connor Holmes, titled Holdfast Shores Stage 2B—Land Division Application 110/D052/05 and 110/C053/05, to Planning SA dated 6 January 2006.
 - Letter from Norman Waterhouse to Planning SA, titled Holdfast Shores Stage 2B—Land Divisions—Glenelg Pty Ltd, dated 20 January 2006.
 - Letter from Woodhead International to Planning SA, Holdfast Shores Stage 2B, Amendment No. 5 to the Provisional Development Authorisation, dated 2 December 2005.
 - Letter from Woodhead International to Planning SA, Holdfast Shores Stage 2B, Amendments to Packages 2B and 7 Building Rules Certification, dated 21 September 2005.
 - Letter from Boulderstone Hornibrook to City of Holdfast Bay (copied to Planning SA) Holdfast Shores Stage 2B, excavation of basement, eastern side of Glenelg Town Hall, dated 7 November 2005.
 - Letter from Harben Design included with e-mail dated 8 December 2005.
 - Letter from QED Pty Ltd, on behalf of Starbucks Australia, dated 10 January 2006.
 - E-mail from QED Pty Ltd, dated 27 January 2006, titled ‘Starbucks—Glenelg—Extra Information’.
 - A range of associated detailed documentation (associated with 110/C053/05) attached to a letter from Norman Waterhouse to the City of Holdfast Bay dated 11 May 2006.
2. A Construction Environmental Management Plan (CEMP) shall be prepared, in consultation with the Environment Protection Authority, Coast Protection Board and the City of Holdfast Bay, to address the management issues during construction. Matters to be addressed in the CEMP must include:
- traffic management during construction, including transport beyond the site;
 - control and management of construction noise;
 - dust and mud control;
 - working hours;
 - stormwater and groundwater management during construction;
 - site security and fencing;
 - disposal of building waste and refuse;
 - protection and cleaning of roads and pathways;
 - site clean-up;
 - adherence to all relevant Environment Protection Authority policies and codes of practice for construction sites;
 - identification and management of potential and actual acid sulphate soils (should these be encountered); and
 - identification and management of contaminated soils and groundwater (should these be encountered).
3. The applicant shall submit further information and application(s) in relation to the matters that have been reserved for further decision-making by the Governor (or her delegate).
4. No building works shall commence on subsequent stages of the development until a decision has been made by the Governor (or her delegate), involving matters relating to the Building Rules assessment and certification requirements and any other reserved matters that are subject to further development application.
5. No works shall commence unless, and until, legal rights to develop the Magic Mountain site have been secured.
6. The car parking areas shall be designed in accordance with Australian Standards 2890 1-1993 and line markings shall be maintained in good and substantial condition at all times.
7. Access for service deliveries and waste disposal vehicles at the Holdfast Promenade shall only be allowed between 7 a.m. and 10 a.m. daily.
8. Stormwater from the Holdfast Shores Stage 2B site shall not be disposed of by way of a pipe or similar structure that conveys the stormwater to the beach.
9. Site works, construction work and truck movements to and from the site shall only be carried out between 7 a.m. and 6 p.m., Monday to Saturday, inclusive.
10. Pedestrian access ways, from Moseley Square to the Entertainment Plaza and from Hope Street through the ‘air lock’, shall remain open to the public at all times.
11. Landscaping shall be provided in accordance with the authorised plans and shall be maintained and nurtured, with any diseased or dying plants being replaced.
12. The waste storage and service area at the rear of the buildings shall be kept in a neat, tidy and healthy condition at all times and the service area access door shall remain closed at all times, other than when loading or unloading is taking place.
13. Machinery, plant operating equipment, lighting or sound devices shall not impair or impinge upon the enjoyment of adjoining properties or occupiers thereof.
14. All drainage, finished floor levels, and public works associated with the development, including the disposal of stormwater, shall be carried out in accordance with accepted engineering standards and to the reasonable satisfaction of the City of Holdfast Bay.

15. The period of time for which the building (the Police Station building) shall be used as clubrooms shall be 18 months from the date of Development Authorisation of 15 July 2004, after which period the building shall be vacated.

16. The clubrooms (in the Police Station building) will not be used as a nightclub or discotheque or the like.

17. The door to the accessible male toilet (in the Police Station building) shall be handed to provide latch side clearance in accordance with Fig. 12 of AS1428.1. BCA-Part D3.2.

18. The levels of any openings to the basement car park, including ventilation outlets, inlets and the like shall be in accord with those previously proposed in section 4.1Q of the Amended Development Report for Stage 2B dated 18 September 2003.

19. The fit-out of the public toilets shall be to the reasonable satisfaction of the City of Holdfast Bay.

20. Service plant/machinery associated with the Entertainment Building shall be appropriately concealed from public view.

21. The proposed transformer located on the southern elevation of the Entertainment Building shall be appropriately screened to minimise its visual impact on the public realm.

22. The applicant shall place outdoor showers along the back of the beach to the reasonable satisfaction of the City of Holdfast Bay.

23. The southern most waterslide shall not project over the walkway space located between the Town Hall and Entertainment Building and in any event, should not be located within 5 m of the Town Hall.

24. Structures or ornaments in the mini-golf course shall be arranged and sited to ensure that:

- (a) no individual structure or ornament exceeds a height of 1.5 m within the southern section of the mini-golf course so as to obscure western and north-western views from the Town Hall; and
- (b) structures or ornaments are not grouped in a manner that creates visual bulk to the southern or western elevations of the Entertainment Building or obscures western and north-western views from the Town Hall.

25. The modifications to the Glenelg Town Hall access shall be executed with minimum intervention to the historic fabric of the building.

26. The encumbrance dated 16 February 2006, shall be registered on the five Torrens titles, facing Moseley Square as soon as practicable after the land division No. 110/D052/05 is implemented.

27. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services, for land division application Nos 110/D052/05, 110/C053/05, 110/C061/05 and 110/C062/05. (SA Water 90097/04 Water/Sewer).

28. The necessary easements shall be granted to the SA Water Corporation free of cost for land division application Nos 110/D052/05 and 110/C053/05.

29. Two copies of a certified survey plan shall be lodged for Certificate purposes for land division application Nos 110/D052/05, 110/C053/05, 110/C061/05 and 110/C062/05.

30. Vibration during construction is an issue which shall be addressed within a Construction Environmental Plan. A before and after dilapidation study of the former Glenelg Town Hall shall be prepared to note new cracking and other damage. The Plan shall also provide a maximum vibration reading during use of machinery, pile driving or other construction activities. Regular monitoring of the building shall be undertaken while work proceeds. (NOTE: a copy of this information shall be provided to Heritage SA.).

31. Heritage SA shall be consulted prior to any further development changes relating to building rules approval, for modifications to the retaining wall adjacent Glenelg Town Hall.

32. The proposed bi-fold doors and windows at the southern elevation of Retail Tenancy T05, shall be secured completely within the confines of the tenancy and not encroach onto the Council footpath/Moseley Square, when operated.

33. The signage for Retail Tenancy T05, (including its structure and advertising material thereon) shall be maintained in good condition.

34. The signage for Retail Tenancy T05 shall not be of a light intensity as to cause light overspill, which results in unreasonable nuisance to adjoining land and buildings.

Notes on Building Rules Certification (for demolition of Magic Mountain and use of the Police Station Building by GSLSC)

The Early Fire Hazard Indices of wall, floor and ceiling linings, and air-handling ductwork shall comply with Clause C1.10 of the BCA.

Notes on Building Rules Certification (for the Platinum Apartments Basement and Entertainment Precinct Basement)

The application does not include the superstructure works which shall be the subject of a separate application.

This consent is issued on the understanding that the proprietary type materials and products as specified either on the architectural plans or specifications are to be selected and installed in accordance with the manufacturers' recommendations and relevant standards.

Fire precautions must be taken during construction in accordance with BCA-E1.9. The builder must also ensure, once the method of construction has been determined, that the design of the building/structure adequately accommodates the anticipated construction activity actions.

The person proposing to undertake building work on land (or who is in charge of such work) is warned of their obligation to give Council notice at stages prescribed in Regulation 74.

Notes on Building Rules Certification (for the Platinum Apartments Superstructure and parts of the Entertainment Precinct Superstructure)

This application does not include the Entertainment Building superstructure which shall be the subject of a separate application.

The certified drawings/documents will be issued by the Council with the notification of development approval.

The drawings are stamped 'Preliminary'. Future changes may require separate approval.

The propriety type materials and products as specified either on the architectural plans or specification are to be selected and installed in accordance with the manufacturers' recommendation and relevant standards.

Fire precautions must be taken during construction in accordance with BCA-E1.9. The builder must ensure once the method of construction has been determined, that the design of the building/structure adequately accommodates the anticipated construction activity actions.

The person proposing to undertake building work on land (or who is in charge of such work) is warned of their obligation to give the Council notice at stages prescribed in Regulation 74.

Notes on Building Rules Certification (for the Entertainment Building Superstructure and Surf Life Saving Club)

The certified drawings/documents will be issued by the Council with the notification of development approval.

The proprietary type materials and products as specified either on the architectural plans or specifications are to be selected and installed in accordance with the manufacturers' recommendations and relevant standards.

Fire precautions must be taken during construction in accordance with BCA-E1.9. The builder must also ensure, once the method of construction has been determined, that the design of the building/structure adequately accommodates the anticipated construction activity actions.

The person proposing to undertake building work on land (or who is in charge of such work) is warned of their obligation to give the Council notice at stages prescribed in Regulation 74.

SCHEDULE OF ESSENTIAL SAFETY PROVISIONS: Regulation 76 requires that the relevant authority on granting provisional building rules consent, issue a schedule that specifies the essential safety provisions for the building and the standards or requirements for the maintenance and testing in respect of each of those essential safety provisions set out in Minister's Specification SA 76. The items to be inspected or tested will be detailed on a Schedule attached to the Building Rules Consent for the superstructures.

For building work prescribed in Regulation 75, the building owner must, at least 28 days before the building work is commenced cause to be served on the owner of the affected land or premises a notice of intention to perform the building work and the nature of that work as required by section 60.

Pursuant to section 53A of the Development Act 1993, the relevant authority must form an opinion as to whether the existing building is unsafe or structurally unsound. It is considered that although there are/may be items or matters that are not in strict conformity with the Building Rules, or other matters of non-compliance that cannot be identified from the information supplied by the applicant, that the proposed upgrading measures will render the building safe.

Wet areas details including floor grades, set-downs and impervious surfaces shall comply with Minister's Specification SA F1.7 including provision of drainage flanges.

Existing glass in doors, side panels and other human impact areas shall be assessed by the glazier for compliance with section 5 of AS 1288-1994 Glass in Buildings. The applicant is advised that to comply with the Occupational Health, Safety and Welfare Act 1986, any glass that does not meet current requirements should be replaced.

IMPORTANT: The Building Rules Certification does not imply compliance with the Electricity Act 1996, (building within prescribed distances of adjacent power lines) or Occupational Health, Safety and Welfare Act 1986, the (State) Equal Opportunity Act 1984, or with the Commonwealth Disability Discrimination Act as amended or any of the regulations under those Acts. It is the responsibility of the owner and the person erecting the building to ensure compliance with same.

Proof of maintenance must be provided to Council each calendar year by the building owner.

CERTIFICATE OF OCCUPANCY: A new Certificate of Occupancy is required to be issued in relation to the proposed development. Katnich Dodd, will before granting a certificate of occupancy, require:

1. A *Statement of Compliance* from the licensed building work contractor who carried out the relevant work or who was in charge of carrying out the relevant work or if there is no such licensed building work contractor—from a registered building work supervisor or private certifier all in accordance with the *pro forma* attached to the building rules consent for Packages 5 and 6 which must also be signed by the owner of the relevant land, or by someone acting on his or her behalf.

2. A certificate of compliance for each essential provision, in the appropriate form under Schedule 16, signed by the installer of the safety provision, or where the installer is a company, signed by the manager responsible for the installation work.

3. Where a building is required by the Building Rules to be equipped with a booster assembly for use by fire-fighters or to have installed a fire alarm that transmits a signal to a fire station and facilities for fire detection, fire-fighting or the control of smoke must be installed in the building pursuant to an approval under the Act, the 'wet' and/or 'dry' report(s) from the fire authority as to whether those facilities have been installed and operate satisfactorily.

Storey	Portion	Classification	Area m ²	Max. Occupants
Basement	All	7a	—	—
Level 01 (Ground)	Tenancies	5 and 6 (dual classification)	—	—
	Entertainment	9b	—	900 persons
	Boat store Gymnasium	7b 9b	—	—
Level 02 (First)	Tenancies	5 and 6 (dual classification)	—	—
	Games Functions	9b 9b	660 390	660 persons 390 persons
Level 03 (Second)	Conference Centre	9b	300	240 persons
Level 04 (Third)	Offices	5	175	18 persons
Level 05 (Fourth)	Waterslide Deck	9b	175	175 persons

For building work prescribed in Regulation 75, the building owner, must, at least 28 days before the building work is commenced cause to be served on the owner of the affected land or premises a notice of intention to perform the building work and the nature of that work, as required by section 60.

Pursuant to the Local Government Act 1999, the builder may be required to erect and maintain hoardings and platforms for the protection of the public on adjoining streets and footpaths as directed by the City of Holdfast Bay.

Wet area details including floor grades, set downs, and water resistant surfaces shall comply with Minister's Specification SA F1.7-2004 and AS3740 Waterproofing of wet areas within residential buildings including provision of drainage flanges.

A person must not fill the pool with water unless the pool is enclosed by a fence that complies with Part 3.9.3 of the BCA.

IMPORTANT: The Building Rules Certification for Packages 5, 6 and 7 is for compliance with the Development Act 1993 and does not imply compliance with the Swimming Pools (Safety) Act 1972, as amended, or any of the regulations under this Act. It is the responsibility of the owner and the person erecting the building/structure to ensure compliance with same.

NOTES TO APPLICANT

- A decision on the reserved matters relating to Building Rules assessment and certification requirements for further stages will only be made by the Governor (or her delegate) after a Building Rules assessment and certification has been undertaken and issued by the City of Holdfast Bay, or a private certifier, as required by the Development Act 1993 and after the Minister for Urban Development and Planning receives a copy of all relevant certification documentation, as outlined in Regulation 64 of the Development Regulations 1993.
- If the Building Rules assessment process demonstrates that the Holdfast Shores Stage 2B development complies with the Building Rules pursuant to the Development Act 1993 and Development Regulations 1993, the City of Holdfast Bay, or a private certifier conducting the Building Rules assessment, must:
 - (a) provide to the Minister the certification in the form set out in Schedule 12A of the Development Regulations 1993; and
 - (b) to the extent that may be relevant and appropriate:
 - (i) issue a schedule of essential safety provisions under Division 4 of Part 12;
 - (ii) assign a classification of the building under these regulations; and

- (iii) ensure that the appropriate levy has been paid under the Construction Industry Training Fund 1993.

Regulation 64 of the Development Regulations 1993, provides further information about the type and quantity of all building certification documentation required for referral to the Minister:

- The City of Holdfast Bay, or a private certifier undertaking the Building Rules assessment and certification for the Holdfast Shores Stage 2B development, must ensure that any assessment and certification is consistent with this provisional development authorisation (including any conditions or notes that apply in relation to this provisional development authorisation).
- Should the applicant wish to vary the application or the staging of any reserved matters, as outlined in this provisional development authorisation, a variation to the application may be submitted, pursuant to section 48B of the Development Act 1993, provided that the development application variation remains within the ambit of the Amended Development Report and Amendment Assessment Report referred to in this provisional development authorisation.
- The applicant is advised of the requirement to comply with the Environment Protection Authority's (EPA) 'Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry' during demolition and construction of the development.
- Noise emissions from the Holdfast Shores Stage 2B development will be subject to the Environment Protection (Industrial Noise) Policy 1994 and the Environment Protection Authority (EPA) Guidelines and the Environment Protection Act 1993.
- Prior to any construction, the applicant should consult with Adelaide Airport Ltd, about crane operations.
- The Heritage Branch of the Department for Environment and Heritage, should be consulted if there is to be any physical intervention to the structures on the adjacent State Heritage place (Glenelg Town Hall). Any such work must be executed in accordance with advice arising from such consultation.
- The proponent is reminded of the General Environmental Duty under section 25 of the Environment Protection Act 1993, which requires that a person must not undertake any activity, which pollutes, or may pollute, without taking all reasonable and practical measures to prevent or minimise harm to the environment.
- If the Holdfast Shores 2B development is not substantially commenced within two years of the date of any reserved matter decisions, the Governor may cancel this provisional development authorisation and any subsequent decisions on reserved matters (where relevant).
- The Minister has a specific power to require testing, monitoring and auditing under section 48C of the Development Act 1993.
- Final details on the size and construction of the beach tower and confirmation that ownership and maintenance is to be by the Surf Life Saving Club to be provided to the satisfaction of the City of Holdfast Bay.
- The precise location of the beach tower needs to allow for future volleyball courts and be to the satisfaction of Council's Holdfast Shores Stage 2B Project Board Steering Committee.
- Visually attractive options, such as the incorporation of public art, should be considered for the screening of the proposed transformer located on the southern elevation of the Entertainment Building.
- Further details shall be provided to the City of Holdfast Bay regarding the waterslides and their support structures to ensure that:
 - (a) the proposed support structures do not dominate the built form and western and south-western face of the Entertainment Building; and
 - (b) adequate visual permeability is retained between the waterslide tubes.

- All land division documentation, including easement plans should be forwarded to Council for execution under the Real Property Act 1886.
- Variation No. 5 to the Retail Tenancy will be subject to meeting the requirements of the Building Code of Australia, particularly in terms of fire safety.
- External advertising and proposed colour schemes of the buildings adjacent to the former Town Hall shall be the subject of a separate approval.
- Applicants for Retail Tenancies which sell food and beverages (including the applicant for Retail Tenancy T05) are required to lodge a formal application for the internal fitout with Council's Environmental Health Unit for assessment against the Food Act 2001 and Environmental Health Act 1987.
- Applicants for Retail Tenancies which incorporate outdoor dining areas (including the applicant for Retail Tenancy T05) are required to lodge a separate application for an Outdoor Dining Permit with Council for any proposed Outdoor Dining areas. (NB: this will be assessed in accordance with Councils adopted Moseley Square Outdoor Dining Guidelines).
- Following completion of the retail buildings and associated balconies, an Encroachment Permit and invoice for the annual encroachment fee will be forwarded to the building owner/s by Council. (NB: the annual fee is based on a valuation of the size of the encroachment and its use).

Dated 6 July 2006.

R. BARUA, Secretary, Development Assessment Commission

DEVELOPMENT ACT 1993: SECTION 48

DECISION BY THE GOVERNOR

Preamble

1. My decision under section 48 of the Development Act 1993, to approve the development of the Myponga/Sellicks Hill Wind Farm located on the Sellicks Hill Range near Myponga was published in the *Gazette* on 20 November 2003.

2. The development was the subject of a Public Environmental Report and an Assessment Report under sections 46 and 46C of the Development Act 1993.

3. An amendment to the proposal for the erection of two 50 m high anemometer (wind monitoring) towers for two years (temporary use) was subsequently considered and approved by the Development Assessment Commission and published in the *Gazette* on 18 November 2004.

4. A further amendment to the proposal for a variation of Condition 17 attached to the development authorisation to enable substantial work to commence on the site within three years of the date of the original authorisation was subsequently considered and approved by the Development Assessment Commission and published in the *Gazette* on 5 May 2005.

5. A further amendment to the proposal for:

- revised turbine layout and final turbine model;
- changes to Operations and Maintenance compound (deletion of substation);
- replacement of three temporary wind monitoring masts with two permanent masts;
- consequent minor variations to electrical connections, access tracks and land division associated with leases for the turbine sites;
- confirmation of turbine foundations,

was subsequently considered and approved by the Development Assessment Commission and published in the *Gazette* on 4 August 2005.

6. Application has now been made by TrustPower Australia Holdings Pty Ltd for a further variation of Condition 17 attached to the development authorisation to enable substantial work to commence on the site within five years of the date of the original authorisation.

7. The application for variation is contained in letter from TrustPower Australia Holdings Pty Ltd to the Development Assessment Commission dated 21 March 2006.

8. I have, in considering the application for variation, had regard to all relevant matters under section 48 (5) of the Development Act 1993.

9. I am satisfied that the variations do not significantly affect the substance of the development and do not require the preparation of a further or amended Public Environmental Report.

10. On the advice of Executive Council, I have decided to vary Condition 17 to enable substantial work to commence on the site within four years of the date of the original authorisation.

Decision

PURSUANT to section 48 of the Development Act 1993 and with the advice and consent of Executive Council, I grant development plan authorisation to the amendment, subject to the following varied conditions and notes:

1. The Myponga/Sellicks Hill Wind Farm shall be developed in accordance with:

- the Site Layout Plan;
- the Access Route Plan; and
- the Electrical Layout and Connection Routes Plan,

as provided for Appendix D of the Response Document and Amendment to the Proposal dated 14 July 2003:

- the proposed locations for new 50 m Anemometer Towers Plan;
- the proposed anemometer location on St Vincent Property Plan;
- the proposed anemometer location on Koraleigh Property Plan,

as provided with the request for minor variation letter dated 6 October 2004, except as varied by the application for variation to development authorisation by TrustPower Australia Holdings Pty Ltd dated 28 June 2005 and further request for extension by TrustPower Australia Holdings Pty Ltd dated 21 March 2006.

2. Construction must not be commenced until:

- (a) an Environmental Management and Monitoring Plan (EMMP) has been developed to the satisfaction of the Environment Protection Authority. The EMMP must include those additional matters set out in section 7 of the Assessment Report;
- (b) a private certifier or the District Council of Yankalilla has certified to the Development Assessment Commission that all work that constitutes building work under the Development Act 1993, complies with the Building Rules.

3. Clearance of remnant native vegetation on the site or adjacent public roads for access during construction shall be minimised and be in accordance with the Native Vegetation Council requirements.

4. A compliance officer whose sole responsibility is verification of compliance shall be on-site at all times during construction to ensure all environmental management and monitoring is being conducted in accordance with the approved Environmental Management and Monitoring Plan and provide reports on any issue or variance with the prescribed requirements, to the Environment Protection Authority.

5. Compliance checking of noise levels shall be carried out by a specialist noise consultant in accordance with the EPA Wind Farms Guidelines in force at the time of testing to confirm the data within the Bassett Acoustics report AA0651 dated 24 June 2005 and to confirm noise levels associated with the substation installation is free of low frequency tones or excessive noise.

6. Analysis of any variations to the assessed turbine layout, or turbine model, that occurs during the detailed design or construction phase of the project shall be carried out by a specialist noise consultant and shall be confirmed as being in accordance with the EPA Wind Farms Environmental Noise Guidelines prior to any construction of the affected turbines taking place. Any variations require further approval.

7. A public viewing platform with associated car parking and landscaping shall be established on Reservoir Road in accordance with the plan shown in the Public Environmental Report dated 10 March 2003, Appendix I, subject to the approval of the District Council of Yankalilla and Transport SA as landowners, with all costs borne by the proponent.

8. Screen planting shall be established on the Main South Road verge in accordance with Figures B and D in Appendix F of the Response Document and on the northern edge of Reservoir Road up to the end of the first left hand bend from the Main South Road intersection. The screen planting shall commence prior to the operation of the project and in consultation with the District Council of Yankalilla and Transport SA, with costs borne by the proponent.

9. Any costs associated with changes to the overtaking lane on Main South Road (heading south) that may be required by Transport SA, following its proposed review of the operation of the overtaking lane, shall be borne by the proponent.

10. Any additional measures required by Transport SA to minimise the potential for driver distraction shall be implemented to the satisfaction of the District Council of Yankalilla and Transport SA, with all costs being borne by the proponent.

11. Signs directing traffic to the proposed viewing platform shall be erected on Main South Road and Reservoir Road in consultation with Transport SA with all installation and on-going maintenance costs being borne by the proponent. All signs shall be in accordance with Australian Standards for Tourist Signing and the South Australian Tourist Sign Posting Policy.

12. All access points used during construction and maintenance shall be designed and constructed to Transport SA standards, with all costs being borne by the proponent.

13. The wind turbines shall be painted matt off-white/grey to minimise the visual impact and any potential for glare or reflection and shall not display any signs, logos or other advertising displays.

14. The wind turbines and associated infrastructure and site shall be kept clean and tidy and serviced regularly with any graffiti being removed and with all repairs to rectify breakdown or damage being effected as soon as is practicable.

15. Any new stobie poles for transmission lines shall be colour treated to reduce their visual impact and, where possible, new lines shall use a flat line configuration.

16. Upon decommissioning of the wind farm, the site shall be returned, as far as is possible, to its condition prior to the commencement of the development, with the turbines and all above ground electrical infrastructure no longer required for electricity transmission being removed.

17. If development is not commenced by substantial work on the site within four years of the date of the original authorisation, the Governor may cancel the authorisation by written notice.

18. A landscaping and revegetation plan will be required for the construction and operational stages. Pest plant and animal control aspects will need to be addressed. The plan should be prepared in consultation with the Department for Environment and Heritage and the Native Vegetation Council, and shall be incorporated into the Environmental Management and Monitoring Plan.

19. The two temporary 50 m anemometer (wind monitoring) towers shall be removed within two years of their erection.

20. The two temporary 50 m anemometer (wind monitoring) towers and supporting guys shall be contained entirely within the site and shall not encroach over any public road reserve.

21. The wind farm operator shall undertake wind speed monitoring at the permanent tower with the greatest wind speed exposure at 10 minute intervals simultaneously at both hub height and at a height of 10 m above ground level. The data shall be recorded in a format to enable desktop analysis.

22. The wind farm operator shall maintain sufficient data indicating the relationship between the wind speeds at 10 minute intervals between the temporary wind towers and the permanent towers. The data shall be recorded in a format to enable desktop analysis.

NOTES

- The applicant is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that its activities on the whole site, including during construction, do not pollute the environment in a way which causes or which may cause environmental harm. In particular, an appropriate soil erosion and drainage management plan, prepared in accordance with the Environment Protection Authority Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry, will be required to be submitted and approved before construction commences (as part of the Environmental Management and Monitoring Plan).
- The applicant shall liaise with Transport SA's Murray Bridge Office Customer Liaison and Safety Officer (presently Alison Allen, (08) 8532 8122) prior to any works being undertaken on or adjacent Main South Road and Reservoir Road.
- The Environmental Management and Monitoring Plan requires further work before it will receive approval, by the addition of those matters outlined in section 7 of the Assessment Report dated November 2003.
- The development shall proceed in accordance with all relevant State and Commonwealth law (as amended from time to time).
- If, during construction or operation of the development, the proponent discovers evidence of an Aboriginal site or any Aboriginal objects or remains, the proponent is required, pursuant to the Aboriginal Heritage Act 1988, to report particulars to of such discovery to the Minister for Aboriginal Affairs and Reconciliation and thereafter comply with any directions given by the Minister for Aboriginal Affairs and Reconciliation.
- The proponent shall negotiate with the District Council of Yankalilla and the City of Onkaparinga on any matters arising from the development where the Councils have responsibilities under the Local Government Act 1999 and Roads (Opening and Closing) Act 1991.
- The requirement for an Environmental Management and Monitoring Plan (EMMP) prior to the commencement of construction does not include the two temporary anemometer towers hereby approved.
- For the purposes of conditions 5 and 6 a specialist noise consultant is taken to be one eligible for membership of both the Institution of Engineers Australia and the Australian Acoustical Society.

Given under my hand at Adelaide, 6 July 2006.

MARJORIE JACKSON-NELSON, Governor

ELECTRICITY ACT 1996**ORIGIN ENERGY'S DEFAULT ELECTRICITY CONTRACT PRICES FOR DOMESTIC AND BUSINESS CUSTOMERS**

Notice under the Electricity Act 1996 by Origin Energy Electricity Limited (ABN 33 071 052 287) of Default Contract Prices for Small Customers

PURSUANT to section 36AB of the Electricity Act 1996, notice is hereby given by Origin of its default contract prices for customers who are consuming less than 160 megawatt hours per annum of electricity ('small customers') and who are purchasing electricity under Origin's default contract terms and conditions. The Default Contract Prices are set out below and will apply from and after the expiry of 28 days from the date of publication of this notice.

Justification Statement

The Default Contract Prices set out in this notice are the same as the standing contract prices for small customers as fixed by the Electricity Standing Contract Price Determination made by the Essential Services Commission of South Australia ('ESCOSA') on 17 December 2004.

Prices effective as at 3 August 2006

	GST Exclusive	GST Inclusive
Domestic Light and Power - Tariff 110		
Summer: 1st January to 31st March		
First 300 kWh per qtr (c/kWh)	16.21	17.831
Next 700 kWh per qtr (c/kWh)	18.24	20.064
Balance (c/kWh)	19.42	21.362
Supply Charge (c per day)	33.67	37.037
Winter: 1st April to 31st December		
First 300 kWh per qtr (c/kWh)	16.21	17.831
Next 700 kWh per qtr (c/kWh)	16.32	17.952
Balance (c/kWh)	17.50	19.250
Supply Charge (c per day)	33.67	37.037
Off-Peak Controlled Load - Tariff 116		
First 2000 kWh per qtr (c/kWh)	6.96	7.656
Balance (c/kWh)	7.80	8.580
Charitable Tariff		
For all consumption kWh per qtr (c/kWh)	17.38	19.118
Supply Charge (c per day)	33.67	37.037
General Supply - Tariff 126		
Summer: 1st January to 31st March		
For all consumption (c/kWh)	18.42	20.262
Supply Charge (c per day)	33.67	37.037
Winter: 1st April to 31st December		
First 7500 kWh per qtr (c/kWh)	17.02	18.722
Balance (c/kWh)	16.40	18.040
Supply Charge (c per day)	33.67	37.037

	GST Exclusive	GST Inclusive
General Supply - Tariff 128		
Summer: 1st January to 31st March		
First 5000 kWh per qtr (c/kWh)	22.35	24.585
Balance (c/kWh)	20.27	22.297
Supply Charge (c per day)	34.16	37.576
Winter: 1st April to 31st December		
First 5000 kWh per qtr (c/kWh)	21.39	23.529
Next 2500 kWh per qtr (c/kWh)	19.31	21.241
Balance (c/kWh)	17.57	19.327
Supply Charge (c per day)	34.16	37.576
Off Peak		
For all consumption kWh (c/kWh)	9.66	10.626

In addition to the charges or tariffs for the supply of electricity as set out above, customers should note that in certain circumstances Origin Energy Electricity Limited may require lodgement of security deposits or may impose fees and charges that are incidental to the supply of electricity to a customer, including but not limited to an account establishment fee, site call out fee, disconnection fee, reconnection fee, late payment fee, dishonoured cheque fee and special meter reading fee.

Further details are available from Origin, phone 13 24 61.

RELEASED UNDER FOIA ACT

ELECTRICITY ACT 1996

ERRATA

AGL SA Standing and Default Contract Prices for Small Business Customers

ON 16 June 2006, AGL South Australia Pty Ltd (ABN 49 091 105 092) (AGL SA) published its standing and default contract prices for customers who are consuming less than 160MWh per annum of electricity ('small customers'). The retailer tariffs for the small business tariff categories outlined below have been adjusted to correct minor errors in the prescribed distribution service tariffs previously published. Please note that the standing and default contract prices remain *unchanged* and are effective from 1 July 2006.

For further information please call AGL SA on 131 245.

P. James
 Director
 AGL South Australia Pty Limited

Tariff Categories	GST Exclusive			GST Inclusive		
	Prescribed Distribution Service Tariffs	Retailer Tariffs	Standing and Default Contract Prices	Prescribed Distribution Service Tariffs	Retailer Tariffs	Standing and Default Contract Prices
Charitable 112 For all consumption (c/kWh) Supply Charge (c/day)	7.8102 23.6231	9.57 10.05	17.38 33.67	8.59122 25.98541	10.527 11.055	19.118 37.037
General Supply 126 <i>From 1 Jan - 31 Mar</i> For all consumption (c/kWh) Supply Charge (c/day)	7.8102 23.6231	10.61 10.05	18.42 33.67	8.59122 25.98541	11.671 11.055	20.262 37.037
<i>From 1 Apr - 31 Dec</i> First 82.1918 kWh/day (c/kWh) Thereafter (c/kWh) Supply Charge (c/day)	7.8102 7.8102 23.6231	9.21 8.59 10.05	17.02 16.40 33.67	8.59122 8.59122 25.98541	10.131 9.449 11.055	18.722 18.040 37.037
General Supply 126M (Monthly Meter Read) <i>From 1 Jan - 31 Mar</i> For all consumption (c/kWh) Supply Charge (c/day)	7.7619 23.6231	10.61 10.05	18.37 33.67	8.53809 25.98541	11.671 11.055	20.207 37.037
<i>From 1 Apr - 31 Dec</i> First 82.1918 kWh/day (c/kWh) Thereafter (c/kWh) Supply Charge (c/day)	7.7619 7.7619 23.6231	9.21 8.58 10.05	16.97 16.34 33.67	8.53809 8.53809 25.98541	10.131 9.438 11.055	18.667 17.974 37.037

ENVIRONMENT PROTECTION ACT 1993

Approval of Category B Containers

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

Approval of Category B Containers:

Approve as Category B Containers, subject to the conditions in subclauses (i) and (ii) below, each of the classes of containers identified by reference to the following matters described in the first 4 columns of Schedule 1 of this Notice which are sold in South Australia:

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

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

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

(ii) *Approved Refund Markings:*

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

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
iDrinx Beer Tequila Lime	275	Glass	Australian Independent Brewers	Marine Stores Ltd
Powerade Isotonic Berry Ice	1 000	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Powerade Isotonic Berry Ice	600	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Powerade Isotonic Berry Ice	300	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Powerade Isotonic Gold Rush	600	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Powerade Isotonic Lemon Lime	1 000	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Powerade Isotonic Lemon Lime	600	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Powerade Isotonic Mountain Blast	1 000	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Powerade Isotonic Mountain Blast	600	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Powerade Isotonic Socceroo Strike	600	PET	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Powerade Isotonic Socceroo Strike	310	Can—Aluminium	Coca Cola Amatil (Aust.) Pty Ltd	Statewide Recycling
Moove Mango Chill	300	HDPE	Dairy Vale Foods Limited	Statewide Recycling
Bundaberg Rum & Cola Super Dry	375	Aluminium	Diageo Australia Pty Ltd	Statewide Recycling
Guinness Draught Surger Unit	375	Aluminium	Diageo Australia Pty Ltd	Statewide Recycling
Johnnie Walker Red Label and Cola Super Dry	375	Aluminium	Diageo Australia Pty Ltd	Statewide Recycling
Smirnoff Premium Ice Super Dry	375	Aluminium	Diageo Australia Pty Ltd	Statewide Recycling
A&W Root Beer	355	Can—Aluminium	Hahndorf Sweets	Statewide Recycling
Dr Pepper	355	Can—Aluminium	Hahndorf Sweets	Statewide Recycling
Aloe Taste	1 500	PET	Happy Mart	Marine Stores Ltd
Asac Asac Pain	1 500	PET	Happy Mart	Marine Stores Ltd
Asac Asac Peach	1 500	PET	Happy Mart	Marine Stores Ltd
Caffe Latte Cappuccino	175	Can—Aluminium	Happy Mart	Marine Stores Ltd
Caffe Latte Espresso	175	Can—Aluminium	Happy Mart	Marine Stores Ltd
Caffe Latte Mild	175	Can—Aluminium	Happy Mart	Marine Stores Ltd
Caffe Latte Moca	175	Can—Aluminium	Happy Mart	Marine Stores Ltd
Cholongi	200	PET	Happy Mart	Marine Stores Ltd
Demisoda Apple	250	Can—Aluminium	Happy Mart	Marine Stores Ltd
Morning Sunrise Achimhatsal	180	Glass	Happy Mart	Marine Stores Ltd
Paldo Shikhye Rice Punch	238	Can—Aluminium	Happy Mart	Marine Stores Ltd
Paldo Vllac Soo Jeng GWA	238	Can—Aluminium	Happy Mart	Marine Stores Ltd
Plum Taste Chorokmeasil	180	Glass	Happy Mart	Marine Stores Ltd
Pokari Sweat	500	PET	Happy Mart	Marine Stores Ltd
Pokari Sweat	250	Can—Aluminium	Happy Mart	Marine Stores Ltd
Kristov Vodka Zero Ice	275	Glass	Independent Distillers (Aust.) Pty Ltd	Statewide Recycling
Kristov Vodka Zero Raspberry	275	Glass	Independent Distillers (Aust.) Pty Ltd	Statewide Recycling
Absolut Clear Cut	330	Glass	Maxxium Australia Pty Ltd	Statewide Recycling
Absolut Crisp Cut	330	Glass	Maxxium Australia Pty Ltd	Statewide Recycling
Ron Rico Hammer Reef Dark Rum & Cola	375	Can—Aluminium	Maxxium Australia Pty Ltd	Statewide Recycling
Berri Cranberry Drink	1 500	PET	National Foods Milk Limited	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Musashi SLM Chocolate Flavoured Milk Drink	250	LPB—Aseptic	Nestle Australia Ltd	Statewide Recycling
Musashi SLM Strawberry Flavoured Milk Drink	250	LPB—Aseptic	Nestle Australia Ltd	Statewide Recycling
Evian Natural Spring Water	1 500	PET	Orlando Wyndham Group Pty Ltd	Marine Stores Ltd
Drink Up Spring Water	600	PET	P & N Beverages Australia Pty Ltd	Flagcan Distributors
Drink Up Spring Water	1 500	PET	P & N Beverages Australia Pty Ltd	Flagcan Distributors
Fuze Cola	600	PET	P & N Beverages Australia Pty Ltd	Flagcan Distributors
Fuze Lemon	600	PET	P & N Beverages Australia Pty Ltd	Flagcan Distributors
Fuze Orange	600	PET	P & N Beverages Australia Pty Ltd	Flagcan Distributors
Fuze Passionfruit	600	PET	P & N Beverages Australia Pty Ltd	Flagcan Distributors
Fuze Raspberry	600	PET	P & N Beverages Australia Pty Ltd	Flagcan Distributors
Aussie Pops Blueberry Flavoured Fruit Drink	350	PET	Pink Ribbon Beverages Pty Ltd	Statewide Recycling
Aussie Pops Lime Flavoured Fruit Drink	350	PET	Pink Ribbon Beverages Pty Ltd	Statewide Recycling
Aussie Pops Orange Flavoured Fruit Drink	350	PET	Pink Ribbon Beverages Pty Ltd	Statewide Recycling
Aussie Pops Raspberry Flavoured Fruit Drink	350	PET	Pink Ribbon Beverages Pty Ltd	Statewide Recycling
Hahn Pale Ale	330	Glass	South Australian Brewing Company Pty Ltd	Marine Stores Ltd
Tooheys Old	750	Glass	South Australian Brewing Company Pty Ltd	Marine Stores Ltd
Tooheys Pils	345	Glass	South Australian Brewing Company Pty Ltd	Marine Stores Ltd
Crystal Spring Natural Still Spring Water	1 500	PET	Springwater Beverages Pty Ltd	Statewide Recycling
Crystal Spring Natural Still Spring Water	350	PET	Springwater Beverages Pty Ltd	Statewide Recycling
Crystal Spring Natural Still Spring Water	600	PET	Springwater Beverages Pty Ltd	Statewide Recycling
Eblen Subaru Natural Spring Water	600	PET	Springwater Beverages Pty Ltd	Statewide Recycling
Foodland All Natural Spring Water	1 500	PET	Springwater Beverages Pty Ltd	Statewide Recycling
Foodland All Natural Spring Water	600	PET	Springwater Beverages Pty Ltd	Statewide Recycling
W2O Premium Still Spring Water	600	PET	Springwater Beverages Pty Ltd	Statewide Recycling
Supre Natural Spring Water	350	PET	Supre	Statewide Recycling
Chi Herbal Mineral Water Drink	1 250	PET	Sydneywide Beverage	Statewide Recycling
Lucky Beer	330	Glass	The Lucky Drink Company Pty Ltd	Visy Recycling CDL Services

ESSENTIAL SERVICES COMMISSION ACT 2002

Gas Distribution Code and Gas Metering Code

NOTICE is hereby given that:

1. Pursuant to section 28 (2) of the Essential Services Commission Act 2002, the Essential Services Commission has varied the Gas Distribution Code and the Gas Metering Code made on 8 March 2004.

2. The variations to the Gas Distribution Code and the Gas Metering Code will have effect on and from 6 July 2006.

3. Copies of the Gas Distribution Code (Reference: Issue No. GDC/02) and the Gas Metering Code (Reference: Issue No. GMC/02) as varied may be inspected or obtained from the Essential Services Commission, 8th Floor, 50 Pirie Street, Adelaide and are also available at <http://www.escosa.sa.gov.au>.

4. Queries in relation to the Gas Distribution Code or the Gas Metering Code may be directed to the Essential Services Commission, 8th Floor, 50 Pirie Street, Adelaide. Telephone (08) 8463 4444 or Freecall 1800 633 592.

Execution

The seal of the Essential Services Commission was affixed with due authority by the Chairperson of the Essential Services Commission.

Dated 30 June 2006.

P. WALSH, Chairperson,
Essential Services
Commission

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Damien John Wilksch (the 'exemption holder') is exempt from Clause 22 of Schedule 1 of the Fisheries (General) Regulations 2000, but only insofar as he may use the device described in Schedule 1 to take carp, bony bream and other non-native species in the areas specified in Schedule 2 for the purpose of trade or business (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 4 July 2006 until 30 June 2007, unless varied or revoked earlier.

SCHEDULE 1

'Carp net'—a gill net with a ply greater than 5, having a maximum length of 50 m and a minimum mesh size of 10 cm and a maximum mesh size not exceeding 18 cm.

SCHEDULE 2

- (1) Subject to paragraph (2), the licence holder may conduct fishing activities pursuant to this licence in all backwaters of the River Murray excluding the following areas during the corresponding period set out in the following table:

<i>Area Excluded</i>	<i>Period of Closure</i>
Lake Littra and outflow channel	Permanent—all year
Clover Lake	Permanent—all year
Coombool Swamp	Permanent—all year
Lake Limbra and outflow channel	Permanent—all year
Lake Woolpoolool	Permanent—all year
Ral Ral Creek below Chaffey Pump and entrance waters to Lake Merreti	Permanent—all year
Katarapko Creek and Eckert Creek, including The Splash	Permanent—all year
Bulyong Creek	Permanent—all year
Pilby Creek	Permanent—all year
Hancock Creek	Permanent—all year
Mundic Creek	Permanent—all year
Pike Creek	Permanent—all year
Punkah Creek	Permanent—all year
Slaney Creek	Permanent—all year
Loch Luna	Permanent—all year
Cobdogla Swamp	1 August to 30 April (inclusive)
Loveday Swamp/Mussel Lagoons	1 August to 30 April (inclusive)
Lake Merreti	1 August to 31 January (inclusive)

- (2) The licence holder may conduct fishing operations within the closure areas and periods listed above if given written approval by the Director of Fisheries to undertake specified carp eradication work in a specified area for a specified period.

SCHEDULE 3

1. The exemption holder must not use more than 30 carp nets at any one time in permitted backwaters of the River Murray.

2. The exemption holder must not have more than 30 carp nets in his possession at any time when he is deploying carp nets in the backwaters of the River Fishery.

3. The exemption holder may only engage in the exempted activity when also fishing pursuant to River Fishery Licence No. R03, and may only use a boat to engage in the exempted activity if that boat is registered by endorsement on River Fishery Licence No. R03.

4. The exemption holder must not cause or permit a person to act as his agent when engaging in the exempted activity unless that person may lawfully act as an agent for the exemption holder in relation to River Fishery Licence No. R03.

5. All native fish (excluding bony bream) taken in the course of the exempted activity must be immediately returned to the water.

6. Immediately prior to commencing the exempted activity, the exemption holder must advise the PIRSA Fisheries Compliance Unit on 1800 065 522 with the following details:

- The licence number and person(s) conducting the activity.
- The exact location(s) of the fishing activities.
- The number of carp nets being used.
- Exemption Number 9901897.

7. The exemption holder must ensure that the carp nets are checked and all fish removed at least once during each 24 hour period.

8. When the exemption holder moves the carp nets more than 3 km from the reported location of the nets under condition 6, or removes the nets from the River completely, the exemption holder must again report to the PIRSA Fisheries Compliance Unit on 1800 065 522 and provide either details, as required under condition 6 of this exemption, or report that fishing with carp nets has ceased.

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

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

Dated 3 July 2006.

W. ZACHARIN, Director of Fisheries

FRUIT AND PLANT PROTECTION ACT 1992

Notice Concerning Currant Lettuce Aphid

PURSUANT to section 4 of the Fruit and Plant Protection Act 1992, I, Rory McEwen, Minister for Agriculture, Food and Fisheries, hereby revoke the declaration of the following to be a disease for the purposes of the Act:

Common Name	Scientific Name
Currant Lettuce Aphid	<i>Nasonovia ribis-nigri</i>

Dated 27 June 2006.

R. MCEWEN, Minister for Agriculture,
Food and Fisheries

LAND AND BUSINESS (SALE AND CONVEYANCING)
ACT 1994

Exemption

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

SCHEDULE 1

Peter John Hill, an employee of Wardle Co. Pty Ltd.

SCHEDULE 2

The business described as Crystal Brook Newsagency situated at 45 Bowman Street, Crystal Brook, S.A. 5523.

Dated 6 July 2006.

J. RANKINE, Minister for Consumer Affairs

LAND AND BUSINESS (SALE AND CONVEYANCING)
ACT 1994

Exemption

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

SCHEDULE 1

Michael Wayne Simounds, an employee of Delfin Realty Pty Ltd.

SCHEDULE 2

A portion of the land described in certificate of title register book volume 5932, folio 743, situated at Lot 51, Atiu Street, Mawson Lakes, S.A. 5095.

Dated 6 July 2006.

J. RANKINE, Minister for Consumer Affairs

LAND AND BUSINESS (SALE AND CONVEYANCING)
ACT 1994

Exemption

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

SCHEDULE 1

Elesa Jane Wood, an employee of Toop Real Estate Group Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5247, folio 591, situated at 12 Raldon Grove, Myrtle Bank, S.A. 5064.

Dated 6 July 2006.

J. RANKINE, Minister for Consumer Affairs

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES
ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Hann & Sutcliffe Nominees Pty Ltd as trustee for Hann & Sutcliffe Unit Trust has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at 58 Church Street, Penola, S.A. 5277 and known as Prince of Wales Hotel Motel.

The applications have been set down for hearing on 8 August 2006 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 31 July 2006).

The applicant's address for service is c/o Duncan Basheer Hannon, Barristers and Solicitors, G.P.O. Box 2, Adelaide, S.A. 5001 (Attention: Max Basheer or David Tillett).

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

Dated 3 July 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Vine Control Pty Ltd has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 377 Tapleys Hill Road, Seaton, S.A. 5023 and known as De Lisio Wines.

The application has been set down for hearing on 11 August 2006 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 3 August 2006).

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

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

Dated 4 July 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Geoffrey Russell Pascoe and Susan Elizabeth Pascoe have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at Building 35, 4 Adelaide Road, Lobethal, S.A. 5240 and to be known as Adelaide Hills Wine Cellar.

The application has been set down for hearing on 11 August 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- To sell liquor in accordance with section 40 of the Liquor Licensing Act 1997.
- To sell liquor at any time through direct sales transactions (provided that if the liquor is to be delivered to an address interstate, the liquor is dispatched and delivered only between the hours of 8 a.m. and 9 p.m. and not on Good Friday or Christmas Day).
- To sell and supply wines which are produced by small 'Adelaide Hills Region' (as defined by the Geographical Indicators Committee under the Wine and Brandy Act) wineries, those wineries:

(a) not having a cellar door outlet; or

(b) having a cellar door outlet that is not staffed seven days per week and employs less than eight employees.

- To sell or supply wine as defined above by way of sample for consumption on the premises.
- Authorisation to despatch liquor from premises other than the licensed premises pursuant to section 42 (2) (b) of the Liquor Licensing Act 1997.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date (viz: 3 August 2006).

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

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

Dated 4 July 2006.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Distill—The Health Bar Pty Ltd as trustee for Mpire Family Trust and Gerard Francis Family Trust has applied to the Licensing Authority for the transfer of a Special Circumstances Licence and variation to Conditions in respect of premises situated at 286-288 Rundle Street, Adelaide, S.A. 5000, known as Bubba Joe's Rundle Street and to be known as Distill—The Health Bar.

The application has been set down for hearing on 4 August 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Variation to Conditions to delete the following from the licence:
 - Conditions 2—There shall not be any amplified live musical entertainment or any Disc Jockey type activity after 1 a.m. or before 10 a.m. on any morning.
 - Conditions 3—The premises shall not be used or advertised as a nightclub, discotheque, rock band venue or similar.
 - Condition 10—Apart from those loudspeakers *in situ* as at the first day of December 1998, no loudspeaker shall be placed closer than 4 m from any entrance to or exit from the premises and at all times any such loudspeaker is to be directed away from the entrance to or exit from the premises and into the premises proper.
 - Condition 11—All external doors and windows are to be closed when the 'In House' sound system is in use (other than for playing low level background music), live entertainment is being undertaken or a jukebox is available for use.
 - Condition 15—On the ground floor area there shall be no beer available from kegs or by way of 'tap beer'.
 - Condition 17—The licensee shall not advertise or use the name 'Bar', 'Tavern', 'Pub' or 'Inn'.

- Variation to Conditions:

From:

Area 3 shall operate during the following days and times:

Monday to Sunday: 10 a.m. to midnight.

To:

Area 3 shall operate during the following days and times:

Monday to Sunday: 10 a.m. to 3 a.m. the following day.

- Condition 12:

From:

There shall be no activity on the premises, which results in queuing at the entrance by persons waiting to gain entry.

To:

A small temporary que can be formed in Area 3 subject to Council approval.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 27 July 2006).

The applicant's address for service is c/o Martin Greenrod, 286-288 Rundle Street, Adelaide, S.A. 5000.

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

Dated 30 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that BL & LS Buscombe Pty Ltd has applied to the Licensing Authority for a variation to Licence Conditions and variation to Extended Trading Authorisation in respect of premises situated at 165 Tynte Street, North Adelaide, S.A. 5006 and known as the Daniel O'Connell Hotel.

The application has been set down for hearing on 4 August 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Variation to Authorisation including Extended Trading Authorisation to permit the consumption of liquor in Area 4 of the hotel which is the rear courtyard until 10 p.m. (presently 5 p.m.) on each and every day of the week.
- The hotel's Entertainment Consent is not sought to be varied in any way.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 27 July 2006).

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

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

Dated 30 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Palazzo Bar Pty Ltd as trustee for the Cafe Palazzo Pirie Street Unit Trust has applied to the Licensing Authority for a variation to Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at 110 Pirie Street, Adelaide, S.A. 5000 and known as The Office on Pirie.

The application has been set down for hearing on 4 August 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Variation to Extended Trading Authorisation:
Monday and Tuesday: Midnight to 3 a.m. the following day.
- Variation to Entertainment Consent to apply to the above-mentioned hours.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 27 July 2006).

The applicant's address for service is Paul Cazneaux, 110 Pirie Street, Adelaide, S.A. 5000.

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

Dated 30 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Charnakan Sripet and Supatara Pty Ltd as trustee for the C. Sripet Family Trust and the Supatara Family Trust have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 108 Tynte Street, North Adelaide, S.A. 5006 and known as Amarin Thai Restaurant.

The application has been set down for hearing on 8 August 2006 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date (viz: 31 July 2006).

The applicants' address for service is c/o Judy Koh, Solicitor, 23A Payneham Road, College Park, S.A. 5069.

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

Dated 30 June 2006.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Toad Park Pty Ltd has applied to the Licensing Authority for alterations and redefinition and variation to the Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 10 Main Street, Mawson Lakes, S.A. 5095 and known as Mawson Lakes Hotel.

The application has been set down for hearing on 21 July 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Alterations and redefinition to the licensed premises as per plans lodged with this office..
- Variation to the current Extended Trading Authorisation and Entertainment Consent (in accordance with existing Areas 4 and 5) to include the areas defined as lobby and function rooms in the upstairs area as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant before the hearing date (viz: 20 July 2006).

The applicant's address for service is c/o Fisher Jeffries Solicitors, SGIC Building, Level 15, 211 Victoria Square, Adelaide, S.A. 5000 (Attention: Craig Vozzo or Adrian Battiston).

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

Dated 30 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Dinh Hoang Vu has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 98 O'Connell Street, North Adelaide, S.A. 5006 known as Co Co Corner Thai Restaurant and to be known as Basil and Lemongrass Thai Cafe.

The application has been set down for hearing on 7 August 2006 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 28 July 2006).

The applicant's address for service is c/o Duc Mai Lawyers, P.O. Box 149, Kilkenny, S.A. 5009.

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

Dated 29 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that P. & S. Bell Nominees Pty Ltd as trustee for P. & S. M. Bell Family Trust has applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at 48 Goolwa Road, Middleton, S.A. 5213 and known as Seachange Bed and Breakfast.

The application has been set down for hearing on 8 August 2006 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 31 July 2006).

The applicant's address for service is c/o Sally Bell, 336 Richmond Road, Netley, S.A. 5037.

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

Dated 29 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Lyndoch Creek Wines Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 9 Need Street, Enfield, S.A. 5085 and to be known as Lyndoch Creek Wines.

The application has been set down for hearing on 4 August 2006 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 27 July 2006).

The applicant's address for service is c/o Meister Belperio Clark, 389 King William Street, Adelaide, S.A. 5000.

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

Dated 29 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Q. & Jane Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 115 Main South Road, O'Halloran Hill, S.A. 5158 and known as Imperial Prince Restaurant.

The application has been set down for hearing on 8 August 2006 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 31 July 2006).

The applicant's address for service is c/o Judy Koh, 23A Payneham Road, College Park, S.A. 5069.

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

Dated 29 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Wildgroup Enterprises Pty Ltd as trustee for Festival Function Trust has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 292 Findon Road, Findon, S.A. 5023, known as European Convention Centre and to be known as Festival Function Centre.

The application has been set down for hearing on 4 August 2006 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 27 July 2006).

The applicant's address for service is c/o Eddy Dichiera, P.O. Box 42, Woodville Park, S.A. 5011.

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

Dated 28 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Pratt Pty Ltd as trustee for the Pratt Family Trust has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 258A Hindley Street, Adelaide, S.A. 5000 and known as Mojo West.

The application has been set down for hearing on 7 August 2006 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 28 July 2006).

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

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

Dated 28 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that H. M. Wines International Pty Ltd has applied to the Licensing Authority for the transfer of a Wholesale Liquor Merchant's Licence in respect of premises situated at Stonyfell Winery, Stonyfell Road, Stonyfell, S.A. 5066 and known as Henry Martin Wines.

The application has been set down for hearing on 7 August 2006 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 28 July 2006).

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

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

Dated 28 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Fahey's Lakes Resort Pty Ltd has applied to the Licensing Authority for a variation to Extended Trading Authorisation in respect of premises situated at 141 Brebner Drive, West Lakes, S.A. 5021 and known as Lakes Resort.

The application has been set down for hearing on 4 August 2006 at 9 a.m.

Conditions

The following licence conditions are sought:

- Variation to authorisation (including Extended Trading Authorisation but not Entertainment Consent) in Areas 1 to 11 (inclusive) and 16 to permit on licence consumption at the following times:

Midnight until 3 a.m. on the mornings following Monday to Sunday (inclusive);

Midnight to 2 a.m. on Good Friday.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 27 July 2006).

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

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

Dated 28 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Dale-Jean Blain has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Shop 3, Rivoli Lane, Naracoorte, S.A. 5271 and known as The Blue Wattle Cafe.

The application has been set down for hearing on 1 August 2006 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date (viz: 24 July 2006).

The applicant's address for service is c/o Peter Westley, P.O. Box 1265, Naracoorte, S.A. 5271.

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

Dated 28 June 2006.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Barry Richard Schmidt and Lynette Janice Schmidt have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Lot 51, Siegersdorf Road, Nuriootpa, S.A. 5355 and to be known as Schmidt's Weinberg.

The application has been set down for hearing on 4 August 2006 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date (viz: 27 July 2006).

The applicants' address for service is c/o Schmidt Weinberg, P.O. Box 641, Nuriootpa, S.A. 5355.

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

Dated 28 June 2006.

Applicants

MINING ACT 1971

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

Applicant: Chaffey Investments Pty Ltd

Claim Number: 3612

Location: Allotment 50, DP41827, Hundred of Willunga—Approximately 4 km north-west of Willunga.

Area: 11.8 hectares

Purpose: Recovery of Sand

Reference: T02550

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

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 5, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 21 July 2006.

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

H. TYRTEOS, Mining Registrar

MINING ACT 1971

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

Applicant: Quigs Transport Pty Ltd

Claim Number: 3621

Location: Section 845, Hundred of McDonnell—Approximately 17 km south of Mount Gambier.

Area: 3.1 hectares

Purpose: Recovery of Limestone Rubble

Reference: T02556

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

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 5, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 21 July 2006.

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

H. TYRTEOS, Mining Registrar

MINING ACT 1971

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

Applicant: Fairclough Nominees Pty Ltd

Claim Number: 3593-3611

Location: Katunga Block 1131 and Corunna Block 807, Out of Hundreds, Port Augusta—Approximately 9 km south-west of Iron Knob.

Area: 150.8 hectares

Purpose: Recovery of Sand

References: T02547 and T02548

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 5, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 28 July 2006.

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

H. TYRTEOS, Mining Registrar

NATIONAL ELECTRICITY LAW

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

Under Section 107, the time period has been extended for the making of the draft determination for the National Electricity Amendment (Metrology) Rule 2006 to 24 August 2006.

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

John Tamblyn
Chairman
Australian Energy Market Commission

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

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

Dated 6 July 2006.

PETROLEUM ACT 2000

Variation of Pipeline Licence—PL 1

NOTICE is hereby given that under the provisions of the Petroleum Act 2000, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573, the conditions of the abovementioned Pipeline Licence held by Epic Energy South Australia Pty Ltd have been varied as follows:

The pipeline licence is varied by amending the licence granted 1 April 1969, as follows:

Clause 4 'General Description of Pipeline' is amended by substituting subclause 4.3 with the following subclause:

- 4.3 a 219.0 mm OD steel lateral pipeline approximately 38.7 km in length (herein called the 'Angaston Lateral') from an off-take located at KP 731.8 on the Mainline (within Wasleys Compressor Station Compound) delivery points at or near the Angaston Meter Station being:
- the upstream insulation flange on the Adelaide Brighton Cement works isolation valve;
 - the downstream insulation flange of the Epic Energy meter skid on the off-take to the Riverland Pipeline System (PL 6), located within the Angaston Meter Station compound;
 - the downstream insulation flange of the Epic Energy meter skid on the off-take to the Angaston Township distribution system, located within the Angaston Meter Station compound.

Dated 28 June 2006.

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

PETROLEUM ACT 2000

Variation of Pipeline Licence—PL 6

NOTICE is hereby given that under the provisions of the Petroleum Act 2000, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573, the conditions of the abovementioned Pipeline Licence held by Envestra (SA) Ltd have been varied as follows:

The pipeline licence is varied by amending the licence granted 1 October 1994 as follows:

- Clause 4 'General Description of Pipeline' is amended by substituting subclause 4.1 with the following subclause:

4.1 a steel pipeline for the conveyance of natural gas, with lateral extensions, being a main pipeline with pipes of an external diameter of 114 mm over a route of approximately 231 km commencing at the downstream insulation flange of the Epic Energy meter skid (PL 1) located within the Angaston Meter Station compound and shall terminate at the exit flange of the Berri Meter Station located within or near the premises presently occupied by BRL Hardy Ltd, Sturt Highway, Berri and the exit flange of the Murray Bridge Meter Station located within or near the premises presently occupied by Metro Meat Ltd, Lagoon Road, Murray Bridge.

- Clause 4 'General Description of Pipeline' is also amended by inserting after subclause 4.5 the following subclause:

4.6 a compressor station and associated facilities (including pigging facilities) located immediately downstream of the commencement point of the pipeline.

Dated 28 June 2006.

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

PHYLLOXERA AND GRAPE INDUSTRY ACT 1995

Contributions towards Primary Functions under the Act for Year, 2005-2006

PURSUANT to section 23 of the above Act, the Phylloxera and Grape Industry Board gives notice that registered persons (being persons who are recorded in the Register established by the Board as owners of 0.5 hectares, or more of planted vines) must contribute to the costs of the Board's primary functions for the year ending 30 April 2006.

The rules of calculation of such contributions are as follows:

- Calculations will be based on the area of vines recorded in the Register as being owned by each person.
- The rate per hectare of vines will be \$9.50 with a minimum contribution of \$50.
- Any fee for default or delay in contribution payment will be calculated on a per hectare basis.
- The levy will be collected or recovered by the Commissioner of Land Tax on behalf of the Board as if the contribution were land tax and will be subject to the same penalties for delay or default in payment (section 23 (3) of the Act).

Notices of contributions will be forwarded by post to registered persons.

P. HACKWORTH, Executive Officer

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2006

	\$		\$
Agents, Ceasing to Act as.....	38.00	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	25.25
Incorporation	19.30	Discontinuance Place of Business	25.25
Intention of Incorporation	47.75	Land—Real Property Act:	
Transfer of Properties	47.75	Intention to Sell, Notice of.....	47.75
Attorney, Appointment of.....	38.00	Lost Certificate of Title Notices	47.75
Bailiff's Sale.....	47.75	Cancellation, Notice of (Strata Plan)	47.75
Cemetery Curator Appointed.....	28.25	Mortgages:	
Companies:		Caveat Lodgement.....	19.30
Alteration to Constitution	38.00	Discharge of.....	20.20
Capital, Increase or Decrease of	47.75	Foreclosures.....	19.30
Ceasing to Carry on Business	28.25	Transfer of.....	19.30
Declaration of Dividend.....	28.25	Sublet.....	9.70
Incorporation	38.00	Leases—Application for Transfer (2 insertions) each	9.70
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	28.25
First Name.....	28.25	Licensing.....	56.50
Each Subsequent Name.....	9.70	Municipal or District Councils:	
Meeting Final.....	31.75	Annual Financial Statement—Forms 1 and 2	532.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	378.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name.....	75.50
First Name.....	38.00	Each Subsequent Name.....	9.70
Each Subsequent Name.....	9.70	Noxious Trade.....	28.25
Notices:		Partnership, Dissolution of.....	28.25
Call.....	47.75	Petitions (small).....	19.30
Change of Name	19.30	Registered Building Societies (from Registrar-	
Creditors.....	38.00	General).....	19.30
Creditors Compromise of Arrangement.....	38.00	Register of Unclaimed Moneys—First Name.....	28.25
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	9.70
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	47.75	Rate per page (in 8pt)	242.00
Release of Liquidator—Application—Large Ad.....	75.50	Rate per page (in 6pt)	320.00
—Release Granted.....	47.75	Sale of Land by Public Auction.....	48.25
Receiver and Manager Appointed.....	44.00	Advertisements.....	2.70
Receiver and Manager Ceasing to Act.....	38.00	¼ page advertisement	113.00
Restored Name.....	35.75	½ page advertisement	226.00
Petition to Supreme Court for Winding Up.....	66.50	Full page advertisement.....	443.00
Summons in Action.....	56.50	Advertisements, other than those listed are charged at \$2.70 per	
Order of Supreme Court for Winding Up Action.....	38.00	column line, tabular one-third extra.	
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Proof of Debts.....	38.00	Where the notice inserted varies significantly in length from	
Sales of Shares and Forfeiture.....	38.00	that which is usually published a charge of \$2.70 per column line	
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ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be *received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@saugov.sa.gov.au.* Send as attachments in Word format. Please include date the notice is to be published and to whom the notice will be charged. **The Government Gazette is available online at: www.governmentgazette.sa.gov.au.**

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2006

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

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PUBLIC SECTOR MANAGEMENT ACT 1995

Section 69

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

APPOINTEE	POSITION	SALARY
MINISTER: Attorney-General, Minister for Justice, Minister for Multicultural Affairs		
Holland	Luke Ministerial Adviser	\$82 045
MINISTER: Minister for Employment, Training and Further Education, Minister for Youth, Minister for the Status of Women		
O'Donoghue	Philip Ministerial Adviser	\$82 045
MINISTER: Minister for Mental Health and Substance Abuse, Minister for Emergency Services, Minister Assisting in Regional Health, Minister Assisting the Minister for Industry and Trade		
Grigson	Andrew Ministerial Adviser	\$82 045

IN terms of sections (5) (b) and (c) and (6) of the Public Sector Management Act 1995, the following information relating to the appointment of persons for the time being employed on the Minister's personal staff under this section, their remuneration and other conditions of appointment is provided as at 30 June 2006:

APPOINTEE	POSITION	SALARY
MINISTER: Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change		
	NUMBER OF MINISTERIAL STAFF:	29.1
Chataway	Peter Chief of Staff to the Premier <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, home delivered newspapers</i>	\$154 167
Alexandrides	Nick Deputy Chief of Staff and Senior Legal Adviser to the Premier <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park, private plated motor vehicle, home delivered newspapers</i>	\$137 037
Worrall	Lance Senior Adviser - Economic Policy <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$137 037
Bottrall	Jill Principal Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$130 186
Flanagan	Paul Media Unit Manager <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$127 503
Crafter	Samuel Senior Policy Officer <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$120 000
McGuire	Michael Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$99 784
Hockley	Catherine Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$94 231
Manuel	Leah Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$94 231
Parker	Lachlan Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$94 231
Thomas	Nicole Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$94 231
Clemow	Matthew Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$87 589
Dadzis	Astra Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$87 589
Heath	David Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$87 589
Hurrell	Bronwyn Media Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$87 589

APPOINTEE		POSITION	SALARY
Lower	Richard	Media Adviser	\$87 589
		<i>reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
Lush	Deanna	Media Adviser	\$87 589
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
Sweeney	Loine	Media Adviser	\$87 589
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
Batistich	Mark	Speech Writer	\$87 589
		<i>reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
Lawson	Emma	Ministerial Adviser	\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
Grant	Julia	Policy Adviser	\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
Nicol	Graham	Policy Adviser	\$82 045
		<i>reasonable personal use of mobile telephone, car park</i>	
Ryan	Timothy	Policy Adviser	\$82 045
		<i>reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	
Virgo	Michele	Chief Administration Officer	\$76 389
		<i>reasonable personal use of mobile telephone, car park</i>	
Lange	Ethne	Adviser	\$72 843
		<i>reasonable personal use of mobile telephone, car park</i>	
Thomas	Robyn	Ministerial Officer	\$64 274
Krollig	Olivia	Personal Assistant to the Premier (Appointments)	\$62 239
		<i>reasonable personal use of mobile telephone, car park</i>	
Nicholson	Catherine	Assistant to the Media Unit	\$52 110
		<i>reasonable personal use of mobile telephone</i>	
Hasler	Anne	Personal Assistant - Policy Unit	\$42 849
		<i>0.8 FTE (Salary based on working 4 days per week)</i>	
Stewart	Amanda	Personal Assistant - Policy Unit	\$16 053
		<i>0.3 FTE (Salary based on working 1.5 days per week)</i>	

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

			NUMBER OF MINISTERIAL STAFF:	5.0
Tuffnell	Benjamin	Chief of Staff		\$119 908
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, private plated motor vehicle, car park</i>		
Mullighan	Stephen	Senior Policy Adviser		\$97 014
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>		
Leahy	Shannon	Ministerial Adviser		\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>		
Roberts	Esther	Ministerial Adviser		\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>		
Summerton	Paul	Ministerial Adviser		\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, car park</i>		

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

			NUMBER OF MINISTERIAL STAFF:	9.0
Gent	Kevin	Chief of Staff		\$114 198
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>		
Bistrovic	John	Ministerial Adviser		\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>		
Hubert	Paula	Ministerial Adviser		\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>		
Marcuccitti	Paul	Ministerial Adviser		\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>		
Vanco	George	Ministerial Adviser		\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>		

APPOINTEE		POSITION	SALARY
Makin	Jeremy	Parliamentary Adviser	\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	
Holden	Sean	Ministerial Officer	\$67 275
		<i>reasonable personal use of mobile telephone</i>	
Varga	Karen	Acting Personal Assistant	\$55 386
Murray	Rickee	Personal Assistant	\$55 386
		<i>[Leave from 1 May 2006 until 27 October 2006 inclusive]</i>	

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

			NUMBER OF MINISTERIAL STAFF:	
Frater	Don	Chief of Staff	5.0	\$114 198
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>		
Pinnegar	Matthew	Senior Policy Adviser		\$97 014
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>		
Bertossa	Michelle	Ministerial Adviser		\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>		
Bowen	Jared	Ministerial Adviser		\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>		
Gerace	Angela	Ministerial Adviser		\$82 045
		<i>reasonable personal use of mobile telephone</i>		

MINISTER: Attorney-General, Minister for Justice, Minister for Multicultural Affairs

			NUMBER OF MINISTERIAL STAFF:	
Louca	Procopis	Chief of Staff	5.0	\$114 198
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>		
Bartlett	Sally	Ministerial Adviser		\$82 045
		<i>reasonable personal use of mobile telephone</i>		
Denny	William	Ministerial Adviser		\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>		
Demitriou	Maria	Personal Assistant		\$55 386
Christopoulos	Adriana	Personal Assistant to the Chief of Staff and Parliamentary Secretary		\$51 389

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

			NUMBER OF MINISTERIAL STAFF:	
Adams	Brer	Chief of Staff	3.6	\$114 198
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>		
Picton	Christopher	Ministerial Adviser		\$82 045
		<i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>		
Duggin	Susan	Ministerial Adviser		\$65 636
		<i>0.8 FTE (Salary based on working 4 days per week) home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>		
Rutherford	Natalie	Ministerial Adviser		\$65 636
		<i>0.8 FTE (Salary based on working 4 days per week) reasonable personal use of mobile telephone</i>		

APPOINTEE	POSITION	SALARY
MINISTER: Minister for Administrative Services and Government Enterprises, Minister for Industrial Relations, Minister for Recreation, Sport and Racing		
	NUMBER OF MINISTERIAL STAFF:	14.0
Baynes	Geoffrey Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$114 198
Green	Peter Media Monitoring Service Manager <i>reasonable personal use of mobile telephone, home computer/fax line rental and calls, car park</i>	\$100 678
Champion	Nicholas Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$82 045
Duffy	Brendan Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 045
Katic	Adrian Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, car park</i>	\$82 045
Cooper	Angelina Principal Monitor, Media Monitoring Service	\$62 809
Allen	Connie Media Monitor	\$51 844
Bukva	Renata Media Monitor	\$51 844
Buntain	Nicholle Media Monitor	\$51 844
Church	Susan Media Monitor	\$51 844
Fenn	Shelley Media Monitor	\$51 844
Marsden	Belinda Media Monitor	\$51 844
Moloney	Kaye Media Monitor	\$51 844
Smith	Jenny Media Monitor	\$43 395
MINISTER: Minister for Education and Children's Services, Minister for Tourism, Minister for the City of Adelaide		
	NUMBER OF MINISTERIAL STAFF:	5.0
Heneker	Kylie Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$114 198
Gudgeon	Kelly Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$82 045
Sumner	Julia Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$82 045
Temperly	Ben Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 045
Gregory	Vicky Personal Assistant	\$62 239

APPOINTEE	POSITION	SALARY
MINISTER: Minister for Families and Communities, Minister for Aboriginal Affairs and Reconciliation, Minister for Housing, Minister for Ageing, Minister for Disability, Minister Assisting the Premier in Cabinet Business and Public Sector Management		
NUMBER OF MINISTERIAL STAFF:		6.0
Blewett	Simon Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$114 198
Purman	Victoria Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, car park</i>	\$97 014
Hummel	Gabrielle Ministerial Adviser <i>reasonable personal use of mobile telephone</i>	\$82 045
Selvanera	George Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 045
Bertossa	Daniel Policy Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$82 045
Vaughan	Julienne Personal Assistant	\$55 386
MINISTER: Minister for Agriculture, Food and Fisheries, Minister for Forests		
NUMBER OF MINISTERIAL STAFF:		4.0
Campbell	Stephen Acting Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$114 198
Fearn	Sally Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 ,045
Ryan	Matthew Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 045
Scotland	David Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 045
MINISTER: Minister for the River Murray, Minister for Regional Development, Minister for Small Business, Minister for Science and Information Economy, Minister Assisting the Minister for Industry and Trade		
NUMBER OF MINISTERIAL STAFF:		4.0
Fearn	Malcolm Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$114 198
Poddar	Anita Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$82 045
Rodwell	Helen Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 045
Vowias	Mary Adviser, Regional Development and Small Business <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$76 000
MINISTER: Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs		
NUMBER OF MINISTERIAL STAFF:		3.0
Jarvis	Justin Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$114 198
Karzis	George Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$82 045
Kitschke	Bradley Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 045
MINISTER: Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Volunteers, Minister for Consumer Affairs, Minister Assisting in Early Childhood Development		
NUMBER OF MINISTERIAL STAFF:		3.0
Duigan	Angela Chief of Staff and Adviser - Social Inclusion <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$114 198
Clancy	Rosemary Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 045
Crisp	Denis Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 045

APPOINTEE	POSITION	SALARY
MINISTER: Minister for Employment, Training and Further Education, Minister for Youth, Minister for Gambling		
	NUMBER OF MINISTERIAL STAFF:	4.0
Ryan	Paul Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$114 198
Welsh	Jodie Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 045
Zubrinich	Roger Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$82 045
Georganas	Wendy Personal Assistant	\$55 386
MINISTER: Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health		
	NUMBER OF MINISTERIAL STAFF:	4.0
Boswell	Lois Chief of Staff <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$114 198
Close	Susan Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone</i>	\$82 849
Barclay	Ann Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls, car park</i>	\$82 045
Mahoney	Brigid Ministerial Adviser <i>home telephone rental and two thirds of calls, reasonable personal use of mobile telephone, home facsimile, computer lines and calls</i>	\$82 045

Dated 30 June 2006.

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

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Opening and Closing
Strangways Road, Hindmarsh Valley and Inman Valley*

BY Road Process Order made on 31 August 2005, the City of Victor Harbor ordered that:

1. Portion of sections 197 and 199 in the Hundred of Encounter Bay, more particularly delineated and numbered '1' and '2' (respectively) in Preliminary Plan No. 32/0585 be opened as road, forming a realignment of Strangways Road.

2. Portions of Strangways Road intersecting section 197 and adjoining the western boundary of section 199, more particularly delineated and lettered 'A' and 'B' (respectively) in Preliminary Plan No. 32/0585 be closed.

3. The whole of the land subject to closure lettered 'A' be transferred to Raymond John Van Osch in accordance with agreement for exchange dated 23 February 2005, entered into between the City of Victor Harbor and R. J. Van Osch.

4. The whole of the land subject to closure lettered 'B' be transferred to Tonia Kaye Ebbs in accordance with agreement for transfer dated 3 November 2003, entered into between the City of Victor Harbor and T. K. Ebbs.

On 29 June 2006, that order was confirmed by the Minister for Administrative Services and Government Enterprises conditionally upon the deposit by the Registrar-General of Deposited Plan 68782 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 6 July 2006.

P. M. KENTISH, Surveyor-General

**SOUTH AUSTRALIAN COMMUNITY HOUSING
AUTHORITY***Election Results*

PURSUANT to Regulation 15, Section 2 of the South Australian Co-operative and Community Housing (Electoral Procedures) Regulations 1992, I hereby give notice of the election of two housing co-operative representatives to the Board of the South Australian Community Housing Authority.

At the close of nominations at 5 p.m. on Thursday, 30 March 2006, a total of five nominations were received for the two vacancies. A ballot was required and opened on 1 May 2006 and closed at 10 a.m. on Monday, 22 May 2006.

The results of the ballot are as follows:

Candidate	No. of Votes
Amer, John.....	15
Golding, Maurice.....	7
Gow, Graeme.....	57 *elected
Stewart, Phillip.....	26
Whitehouse, John.....	36 *elected
Total.....	141

I therefore hereby give notice that Graeme Gow and John Whitehouse have been elected to the Board of the South Australian Community Housing Authority for a term beginning effective from 1 July 2006 and expiring on 30 June 2008.

Dated 27 June 2006.

M. FIDGE, Acting General Manager

NOTICE TO MARINERS

NO. 31 OF 2006

*South Australia—Gulf St Vincent—Approaches to Port Adelaide—
to seaward North Haven Marina Entrance—SAR Supply
Drop Exercise*

MARINERS are advised that the Australian Maritime Safety Authority will be conducting an SAR Supply Drop Exercise in conjunction with the South Australian Police Air Wing on the following dates at the times indicated:

Saturday, 8 July 2006, from 0900 hours (9 a.m.) to 1630 hours (4.30 p.m.)

Sunday, 9 July 2006, from 0900 hours (9 a.m.) to 1630 hours (4.30 p.m.)

Position: Three nautical miles south-west of the entrance to the North Haven Marina.

Co-ordinates: Latitude 34°49.14'S (WGS 84)

Longitude 138°27.20'E

Mariners are further advised that the exercise will consist of equipment being dropped from a light twin engine fixed wing aircraft, and up to four sorties per day. Orange and white smoke flares will be dropped on each day. All vessels not taking part in the exercise should give the area a wide berth. There will be a vessel engaged in the recovery of the equipment who will be in contact with the Signal Station.

Navy Chart affected: Aus 137.

Publications affected: Australian Pilot, Volume 1 (First Edition, 2005) page 387, South Australian Waters, CW map 6F, page 196.

Adelaide, 2 July 2006.

PATRICK CONLON, Minister for Transport

FP 2001/1439

DTEI 2006/00826

South Australia

Administrative Arrangements (Administration of Irrigation Act) Proclamation 2006

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

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

2—Commencement

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

3—Administration of Act committed to Minister for the River Murray

The administration of the *Irrigation Act 1994* is committed to the Minister for the River Murray.

Made by the Governor

with the advice and consent of the Executive Council
on 6 July 2006

DPC050/96CS

RELEASED UNDER FOIA ACT

South Australia

Fees Regulation (Proclaimed Managers and Justices) Revocation Regulations 2006

under the *Fees Regulation Act 1927*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Revocation of *Fees Regulation (Proclaimed Managers and Justices) Regulations 2002*

- 3 Revocation of regulations
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fees Regulation (Proclaimed Managers and Justices) Revocation Regulations 2006*.

2—Commencement

These regulations will come into operation in accordance with section 5 of the *Fees Regulation Act 1927*.

Part 2—Revocation of *Fees Regulation (Proclaimed Managers and Justices) Regulations 2002*

3—Revocation of regulations

The *Fees Regulation (Proclaimed Managers and Justices) Regulations 2002* are revoked.

Made by the Governor

with the advice and consent of the Executive Council
on 6 July 2006

No 186 of 2006

AGO023/03CS

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CITY OF CAMPBELLTOWN

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at its meeting held on 27 June 2006 the Corporation of the City of Campbelltown passed the following resolutions:

Adoption of Valuation

Pursuant to section 167 (2) (a) of the Local Government Act 1999, the Council adopts for rating purposes for the year ending 30 June 2007 the most recent valuations supplied by the Valuer-General of the capital value of land within the Council's area, totalling \$6 440 929 700.

Declaration of General Rate for the Year 2006-2007

Pursuant to section 153 (1) (a) of the Local Government Act 1999, the Council declares a general rate of 0.31165 cents in the dollar on the assessed capital value of rateable property within the Council's area for the year ending 30 June 2007.

Minimum Rate

Pursuant to section 158 (1) (a) of the Local Government Act 1999, the Council fixes a minimum amount payable by way of rates of \$586 in respect of rateable land within the Council's area for the year ending 30 June 2007.

Natural Resources Management Levy

Pursuant to section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, the Council declares a separate rate of 0.006964 cents in the dollar on the capital value of all rateable land within the Council's area to reimburse the Council for amounts contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board, totalling \$425 583.

P. VLATKO, Chief Executive Officer

CITY OF HOLDFAST BAY

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at its meeting held on 27 June 2006, and in relation to the 2006-2007 financial year, the Council, in exercise of the powers contained in Chapter 10 of the Local Government Act 1999:

- (1) Adopted the most recent valuation of the State Valuation Office of the capital value of land in its area, (such valuation of the State Valuation Office being available to the Council as at the date it adopted its budget), and totalling \$7 409 491 080.
- (2) Declared a differential general rate of 0.23605 cents in the dollar of the capital value of land, on rateable land within its area which is used for Residential and Other land uses.
- (3) Declared a differential general rate of 0.31866 cents in the dollar for the capital value of land on rateable land within its area which is used for Commercial (Shop), Commercial (Office), Commercial (Other), Industrial (Light), Industrial (Other) and Vacant Land uses.
- (4) Imposed a minimum amount payable by way of the general rate of \$620 on land in that part of the Council's area which is not inside the Patawalonga basin bounded by the high water mark.
- (5) In order to support and improve business viability, profitability and trade, commerce and industry in that part of the Council's area comprising the following rateable land:
 - (a) with a frontage to Jetty Road, Glenelg or Moseley Square;
 - (b) within the side streets that intersect with Jetty Road, Glenelg between High Street, Glenelg and Augusta Street, Glenelg;
 - (c) the entire site referred to as the Holdfast Shores 2B Entertainment Centre; and
 - (d) with a land use of Category 2 (Commercial—Shop), Category 3 (Commercial—Office) and Category 4 (Commercial—Other),

declared a differential separate rate of 0.166 cents in the dollar of the capital value of land on all rateable land within the above geographical boundary and land use categories set out in Regulation 10 (2) of the Local Government (General) Regulations 1999.

- (6) (a) In exercise of the powers contained in section 154 of the Act and in order to carry out the activity of the maintenance and upkeep of the boat lock in the Patawalonga basin, a separate rate of 0.77 cents in the dollar of the capital value of land, be declared on all rateable land within the Patawalonga basin bounded by the high water mark.
- (b) In exercise of the powers contained in section 158 of the Act the amount that would otherwise be payable by way of rates in respect of this separate rate is altered by fixing the amount of rates payable for assessments that are wholly or partly within the part of the area on which this separate rate is imposed and the capital values of which exceed \$64 935 at \$500.
- (7) In exercise of the powers contained in section 95 of the Natural Resources Management Act 2004 and in order to reimburse the Council for the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board being \$432 459 imposed a levy comprising 0.005985 cents in the dollar of the capital value of land, on rateable land in the Council's area in the catchment area of the Board, the capital value of such land comprising \$7 232 462 200, the basis for the levy having been selected as the capital value of rateable land, by the Minister, after consultation with constituent Councils in the Management Board Area and submitted to and approved by the Governor.

R. T. DONALDSON, Chief Executive Officer

CITY OF MARION

Adoption of Valuation

NOTICE is hereby given that at a meeting held on 27 June 2006, the Council of the City of Marion, pursuant to the provisions of the Local Government Act 1999, for the year ending 30 June 2007, adopted the capital valuation to apply in its area for rating for the 2006-2007 financial year, as supplied by the Valuer-General totalling \$10 989 554 160.

Declaration of Rates

Notice is hereby given that, the Council did on 27 June 2006, declare differential general rates in the dollar based on capital value as follows:

- (a) 0.3365 cents in the dollar on rateable land of Category 1—Residential, Category 7—Primary Production and Category 9—Other.
- (b) 0.5216 cents in the dollar on rateable land of Category 2—Commercial—Shop, Category 3—Commercial—Office, Category 4—Commercial—Other.
- (c) 0.5048 cents in the dollar on rateable land of Category 5—Industrial—Light, Category 6—Industrial—Other and Category 8—Vacant Land.

The Council resolved that the minimum amount payable by way of rates in respect of rateable land within the area for the year ending 30 June 2007 shall be \$637.

The Council declared a separate rate of 0.007005 cents in the dollar on all rateable land within the Adelaide and Mount Lofty Ranges Natural Resources Management Board Area within the area for the year ending 30 June 2007.

The Council resolved that rates will be payable in four equal or approximately equal instalments, and that the due dates for those instalments will be 1 September 2006, 1 December 2006, 1 March 2007 and 1 June 2007.

M. SEARLE, Chief Executive

CITY OF MITCHAM

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at a meeting of the Council held on 27 June 2006, the Council resolved for the financial year commencing 1 July 2006, that:

Adoption of Assessment

Pursuant to section 167 of the Local Government Act 1999, to adopt the capital valuation made by the Valuer-General for the Council area, the assessed value of rateable property totalling \$10 018 091 020.

Declaration of Differential General Rates

Pursuant to sections 153 and 156 of the Local Government Act 1999, to declare differential general rates, as follows:

- (a) 0.29148 cents in the dollar on capital value of rateable land of Category 1 (Residential), Category 7 (Primary Production), Category 8 (Vacant Land) and Category 9 (Other); and
- (b) 0.46637 cents in the dollar on capital value of rateable land in Category 2 (Commercial—Shop), Category 3 (Commercial—Office), Category 4 (Commercial—Other), Category 5 (Industry—Light) and Category 6 (Industry—Other).

To fix a minimum amount payable by way of the general rates of \$613 in respect of each assessment.

Declaration of Differential Separate Rate

Pursuant to section 154 of the Local Government Act 1999, to declare a differential separate rate of 0.05323 cents in the dollar on capital value of rateable land of Category 2 (Commercial—Shop), Category 3 (Commercial—Office), Category 4 (Commercial—Other), Category 5 (Industry—Light), Category 6 (Industry—Other) and Category 9 (Other) land uses within the District Centre Zone in the area of Blackwood for the purposes of improving car parking in the Blackwood District Centre.

Declaration of Natural Resources Management Levy

Pursuant to section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, to declare a separate rate to recoup the Natural Resources Management Levy of 0.00595 cents in the dollar on capital value of rateable land in the Council area within the Adelaide and Mount Lofty Ranges Natural Resources Management Board area.

R. MALCOLM, Chief Executive Officer

CITY OF ONKAPARINGA

Adoption of Valuation

NOTICE is hereby given that the Council at its meeting held on 27 June 2006, resolved in accordance with section 167 (2) (a) of the Local Government Act 1999, to adopt the Valuer-General's valuation of capital value being \$16 733 633 820 for the financial year ending 30 June 2007, and hereby specifies that 1 July 2006 shall be the day as and from which such valuation shall become the valuation of the Council.

Declaration of General Rates

Notice is hereby given that at its meeting held on 27 June 2006, the Council determined that in exercise of the powers contained in section 153 (1) (b) of the Act, it is appropriate pursuant to section 156 (1) (a) of the Act to declare differential general rates for the financial year ending 30 June 2007, in the area of Council according to land use, in accordance with Regulation 10 of the Local Government (General) Regulations, as follows:

- (1) Pursuant to section 152 (1) (c) of the Act a General Rate that consists of two components:
 - (i) being based on the value of the land subject to the rate; and
 - (ii) a Fixed Charge to apply equally to each separate piece of rateable land in the area.

- (2) Pursuant to sections 152 (1) (c), 153 and 156 (1) (a) of the Local Government Act 1999, differential general rates be declared as follows:
 - (i) 0.305588 cents in the dollar on rateable land of Category 1 (Residential) use;
 - (ii) 0.382404 cents in the dollar on rateable land of Categories 2, 3, 4, (Commercial—Shop, Office and Other) and Categories 5 and 6 (Industrial—Light and Other) uses;
 - (iii) 0.275388 cents in the dollar on rateable land of Category 7 (Primary Production) use;
 - (iv) 0.523886 cents in the dollar on rateable land of Category 8 (Vacant Land) use; and
 - (v) 0.369728 cents in the dollar on rateable land of Category 9 (Other) use.

- (3) Pursuant to section 152 (1) (c) (ii) of the Local Government Act 1999, the Council imposes a fixed charge of \$210.

- (4) Pursuant to section 166 (1) (l) (ii) of the Local Government Act 1999 and to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to rapid changes in valuations, Council will grant a rebate of general rates to the Principal Ratepayer of Category 1 (Residential) land use, to cap any increase in general rates payable to that paid in the previous year plus 10%, where the increase in valuation is not as a result of:
 - (i) improvements made to the property worth more than \$20 000;
 - (ii) a change to the land use of the property; or
 - (iii) a change in ownership of the rateable property since 1 July 2005,

the amount of the rebate being the difference between the amount of general rates in monetary terms imposed for the 2006-2007 financial year and the amount of rates in monetary terms payable (after any rebate was applied but prior to deducting any pensioner concessions) for the 2005-2006 financial year plus 10% of those rates.

- (5) Pursuant to section 166 (1) (l) (i) of the Local Government Act 1999, to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to a redistribution of the rates burden arising from a change to the structure of Council's rates, Council will grant a 5% rebate on rateable land of Category 1 (Residential) land use to apply to the general rates payable on that portion of the valuation in excess of \$250 000 to assist in the phasing out of the Tiered Rate adjustment and as a transitional measure for the implementation of the Fixed Charge component of Council's rating structure. This rebate to be applied by Council on its own initiative to all eligible assessments without the need for an application to be made to Council.

Declaration of Separate Rates—Natural Resources Management Levies

Notice is hereby given that at its meeting held on 27 June 2006, the Council in exercise of the powers contained in section 95 of the Natural Resources Management Act 2004 and section 154 (1) of the Local Government Act 1999, in order to reimburse to the Council the amount contributed to Natural Resources Management Boards, the Council declares a separate rate upon the Capital Value of rateable land, for the financial year ending 30 June 2007, as follows:

- 0.006708 cents in the dollar on all rateable land in the Council's area in the region of the SA Murray-Darling Natural Resources Management Board; and
- 0.011366 cents in the dollar on all rateable land in the Council's area in the region of the Adelaide Mount Lofty Ranges Natural Resources Management Board.

Service Charges

Notice is hereby given that the Council at its meeting held on 27 June 2006, resolved that for the financial year ending 30 June 2007 pursuant to section 155 of the Act, Council imposes the method of recovery of septic tank effluent costs for the disposal and treatment of residential waste and minor trade waste is by an annual service charge of:

- \$400 per unit on each occupied allotment;
- \$400 per unit on each vacant allotment; and
- the rate for multiple tenancies on occupied allotments used for commercial purposes be \$240 per tenancy where two tenancies exist, \$160 per tenancy where three tenancies exist, or \$120 per tenancy where four or more tenancies exist.

In the case of a single residential household a 'Unit' will equal one. In the case of higher use properties (such as schools, hospitals and other multiple tenancy properties etc.) an equivalent unit charge is calculated.

Notice is hereby given that the Council at its meeting held on 27 June 2006, resolved that for the financial year ending 30 June 2007, pursuant to section 188 (1) of the Local Government Act 1999, the Council imposes a service fee for connection to the STEDS system of \$2 704 per connection, be applied to connections arising from applications lodged for approval after the adoption of the increased fee.

Notice is hereby given that the Council at its meeting held on 27 June 2006, resolved that for the financial year ending 30 June 2007 and pursuant to section 155 of the Act, Council imposes a service charge to recover the costs incurred by Council (based on the nature and the level of usage of the service) for the disposal and treatment of major trade waste being a service charge per kilolitre calculated using the criteria specified in the City of Onkaparinga STEDS Trade Waste Guidelines. The formula to calculate the rate being (cost/kilolitre x number of kilolitres treated) + capital charge = rate per kilolitre.

Payment of Rates

Notice is hereby given that at its meeting held on 27 June 2006, the Council determined that pursuant to the provisions of section 181 of the Local Government Act 1999, the Council resolved that the abovementioned rates including charges which have been imposed for the financial year ending 30 June 2007, will fall due in four equal or approximately equal instalments on the following days:

- 1 September 2006
- 1 December 2006
- 1 March 2007
- 1 June 2007.

J. TATE, Chief Executive Officer

CITY OF PORT LINCOLN

Declaration of Rates

NOTICE is hereby given that at a meeting of Council held on Monday, 19 June 2006, it was resolved:

Adoption of Valuations

That the City of Port Lincoln, in accordance with section 167 of the Local Government Act 1999, hereby adopts the valuations made by the Valuer-General of site values of all properties within the City of Port Lincoln valued at \$733 990 400 that are to apply to land within its area for rating purposes for the year ending 30 June 2007. The date upon which the valuations shall become and be the valuation of the Council is 1 July 2006.

Adoption of Budget and Annual Statement

That pursuant to the Local Government Act 1999, section 123, Part (2) and (3) the Budget Document and Annual Statement dated June 2006 entitled City of Port Lincoln Budget for Adoption and Annual Statement 2006-2007, be adopted as the budget for the City of Port Lincoln for the period 1 July 2006 to 30 June 2007.

Declaration of Rates—Basis of Rating

That pursuant to section 152 (1) (c) of the Local Government Act 1999, Council declares the basis of general rates for the year ending 30 June 2007 to be that consisting of two components:

- (a) one being based on the value of land subject to the rate; and
- (b) the other being a fixed charge.

Differential General Rating

That pursuant to section 153 (1) (b) of the Local Government Act 1999, the City of Port Lincoln declares the following differential rates for the year ending 30 June 2007 on the basis of the locality of the land in accordance with section 156 (1) (b) and (7) (a) in that there is a differentiation according to the zone in which the land is situated in the City of Port Lincoln Development Plan:

- (a) a Differential General Rate of 0.5870 cents in the dollar on the valuation of land within the Lincoln Fringe Zone as delineated in the City of Port Lincoln Development Plan;
- (b) a Differential General Rate of 0.6523 cents in the dollar on the valuation of all other areas in the City excluding the Lincoln Fringe Zone as delineated in the City of Port Lincoln Development Plan.

Fixed Charge

That pursuant to section 152 (1) (c) (ii) of the Local Government Act 1999, the City of Port Lincoln hereby declares a fixed charge of \$270 on each separate assessed rateable property for the year ending 30 June 2007.

Separate Rate—Parking

That pursuant to section 154 (1) and (7) of the Local Government Act 1999, the City of Port Lincoln declares a differential separate rate on all land uses except that used for residential purposes within the Port Lincoln Centre Retail Core (Area 1), Lincoln Place (Area 2) and Boston (Area 3), as delineated in the Port Lincoln Development Plan, for the purpose of making available additional off-street parking spaces in the Port Lincoln City Centre Area as delineated in the City of Port Lincoln Development Plan and that a rate of 0.0333 cents in the dollar be based on the value of the land subject to the rate for the year ending 30 June 2007.

Separate Rate—Eyre Peninsula Natural Resources Water Management Board

That pursuant to section 92 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, the following separate rate be declared on all rateable land in the Council area in order to reimburse the Council the amount contributed to the Eyre Peninsula Natural Resources Management Board for the year ending 30 June 2007. Fixed rate of \$32.70 per rateable assessment.

Payment by Instalments

That pursuant to section 181 of the Local Government Act 1999, rates for the 2006-2007 year shall be payable in four equal or approximately equal instalments, and that the due date for payment of rate instalments be 1 September 2006, 1 December 2006, 2 March 2007 and 1 June 2007.

Agreement for Payment with Principal Ratepayer

That pursuant to section 44 of the Local Government Act 1999, the Chief Executive Officer be given delegated authority under section 181 (5) of the Local Government Act 1999, to enter into agreements with Principal Ratepayers.

Discount for Early Payment

That Council grant a discount pursuant to section 181 (11) of the Local Government Act 1999, amounting to 2% of the total rates (not including Natural Resources Management Levy) paid on or before 18 August 2006.

G. DODD, Chief Executive Officer

CITY OF PROSPECT

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the Council of the City of Prospect at its meeting held on 27 June 2006 and for the financial year ending 30 June 2007:

1. Resolved that the most recent valuations of capital value made by the Valuer-General, amounting to \$3 217 130 400, be adopted for rating purposes.
2. Declared differential general rates upon the basis of land use as follows:
 - (1) 0.3160 cents in the dollar on the capital value of rateable land of residential use and vacant land; and
 - (2) 0.4625 cents in the dollar on the capital value of rateable land of Commercial—Shop, Commercial—Office, Commercial—Other, Industry—Light, Industry—Other, Primary Production and other land uses.
3. Set a minimum amount payable by way of general rates of \$630.
4. Declared a separate rate of 0.007451 cents in the dollar on rateable land within the Council area which falls within the area of the Natural Resources Management Board.

R. PINCOMBE, Chief Executive Officer

CITY OF SALISBURY

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the City of Salisbury at a meeting held on Monday, 26 June 2006:

1. Adopted the Valuer-General's valuation of rateable capital values, being \$11 174 494 010, for the year ending 30 June 2007. The valuation shall, from 26 June 2007, become and be the valuation of the Council for rating purposes.
2. Declared differential general rates on property within its area for the financial year ending on 30 June 2007, which rates shall vary by reference to the use of the rateable property in accordance with Regulation 10 of the Local Government Act (General) Regulation 1999, as follows:
 - (a) in respect of rateable property which is used for Commercial—Shop, Commercial—Office, Commercial—Other, Industrial—Light, Industrial—Other land uses, a Differential General Rate of 0.5833 cents in the dollar for the assessed capital value of such property;
 - (b) in respect of rateable property which is used for Vacant Land use, a Differential General Rate of 0.4137 cents in the dollar for the assessed capital value of such property; and
 - (c) in respect of all other rateable property in the area used for purposes other than as stated in paragraphs (a) and (b) hereof, a Differential General Rate of 0.3940 cents in the dollar on the assessed capital value of such property.
3. Fixed a minimum amount of \$625 which shall be payable by way of rates on any one assessment within the Municipality in respect of the year ending 30 June 2007.
4. Declared the following differential separate rates in accordance with section 154 of the Local Government Act 1999, for the year ending 30 June 2007:

Salisbury Town Centre Separate Rate

A separate rate of 0.08889 cents in the dollar on the capital value of rateable land used for commercial purposes within that part of its area comprising the Salisbury Town Centre District Centre Zone which is delineated on Maps Sal/61 and Sal/62 of the Development Plan under the Development Act 1993, applicable to the Council's area.

The purpose of this separate rate is to provide a fund to promote and enhance business viability, profitability, trade and commerce in that part of the Council's area, which is the subject of the separate rate.

Globe Derby Separate Rate

A separate rate of \$70 per each allotment numbered 1-32 in Deposited Plan No. 9830 and allotments numbered 33, 34 and 36-64 in Deposited Plan No. 9831 of portion of Section 3070, Hundred of Port Adelaide (laid out as Bolivar).

The purpose of this separate rate is to provide a fund to the Globe Derby Community Club for the purpose of maintaining the common land, being Lot 65 in Deposited Plan No. 9832.

Adelaide and Mount Lofty Ranges Natural Resources Management Board Separate Rate

A separate rate of 0.007992 cents in the dollar on the capital valuation of all rateable properties within the area of the City of Salisbury.

The purpose of this separate rate is to reimburse to Council the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board as required under section 95 of the Natural Water Resources Management Act 2004.

S. HAINS, City Manager

CITY OF UNLEY

Adoption of Valuation

NOTICE is hereby given that the Corporation of the City of Unley in accordance with section 167 (2) (a) of the Local Government Act 1999, at a meeting held on Monday, 26 June 2006, adopted for the year ending 30 June 2007, the Government assessment of capital value being \$7 612 645 300, as detailed in the valuation roll prepared by the Valuer-General in relation to the areas of the Corporation of the City of Unley and hereby specifies 1 July 2006, as the day as and from which such valuation shall become and be the valuations of the Council.

Declaration of Rates

Notice is hereby given that at a meeting held on Monday, 26 June 2006, the Corporation of the City of Unley in accordance with section 156 (1) (a) of the Local Government Act 1999, declared differential general rates, based upon the capital value of the land subject to the rate, for the year ending 30 June 2007 as follows:

- (a) In respect to rateable land which is categorised by land use Category 1—Residential in Regulation 10 of the Local Government (General) Regulations 1999, as a prescribed permissible differentiating factor, a differential general rate of 0.2765 cents in the dollar.
- (b) In respect to rateable land which is categorised by land use Category 2 (Commercial—Shop), Category 5 (Industry—Light), Category 6 (Industry—Other), Category 7 (Primary Production), Category 8 (Vacant Land) and Category 9 (Other) in Regulation 10 of the Local Government (General) Regulations 1999, as prescribed permissible differentiating factors, a differential general rate of 0.477 cents in the dollar.
- (c) In respect to rateable land which is categorised by land use Category 3 (Commercial—Office) and Category 4 (Commercial—Other) in Regulation 10 of the Local Government (General) Regulations 1999, as prescribed permissible differentiating factors, a differential general rate of 0.6637 cents in the dollar.

Pursuant to section 158 of the Local Government Act 1999, the Council fixed a minimum amount that shall be payable by way of rates on all rateable land within the whole of the Municipality for the year ending 30 June 2007 at \$489.

Pursuant to section 154 to the Local Government Act 1999 and in respect to all rateable land within the City of Unley, a separate rate of 0.00593 cents in the dollar was declared as the Natural Resources Management Levy in accordance with the requirements of the Natural Resources Management Act 2004.

Pursuant to section 154 of the Local Government Act 1999, for the year ending 30 June 2007 the following differential separate rates are declared on all rateable land based upon capital value of the land, subject to the rate as follows:

- In order to raise the amount of \$56 000 to carry out the project of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area comprising rateable land with an Unley Road address, a differential separate rate of 0.03031 cents in the dollar in respect of land uses—Category 2 (Commercial—Shop), Category 3 (Commercial—Office) and Category 4 (Commercial—Other).
- In order to raise the amount of \$27 500 to carry out the project of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area comprising rateable land with a Goodwood Road address and situated between Mitchell Street/Arundel Avenue to the south and Leader Street/Parsons Street to the north, a differential separate rate of 0.1014 cents in the dollar in respect of land uses—Category 2 (Commercial—Shop), Category 3 (Commercial—Office) and Category 4 (Commercial—Other).
- In order to raise the amount of \$45 000 to carry out the project of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area comprising rateable land with a King William Road address and situated between Greenhill Road and Commercial Road (eastern side), a differential separate rate of 0.1056 cents in the dollar in respect of land uses—Category 2 (Commercial—Shop).
- In order to raise the amount of \$14 500 to carry out the project of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area comprising rateable land along the western side of Glen Osmond Road and situated between Greenhill Road and Katherine Street, a differential separate rate of 0.0869 cents in the dollar in respect of land uses—Category 2 (Commercial—Shop).

M. WITHERS, Chief Executive Officer

CITY OF VICTOR HARBOR

ROADS (OPENING AND CLOSING) ACT 1991

Road Opening and Closing—Hancock Road, Back Valley/Inman Valley

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the City of Victor Harbor proposes to make a Road Process Order to:

- open as road portion of Allotment 5 in Filed Plan 40086, portion of Piece 21 in Deposited Plan 55086 and portion of Allotment 20 in Deposited Plan 55086 as delineated '1', '2' and '3' in Preliminary Plan No. 05/0052 forming a realignment of Hancock Road; and
- close and transfer to Nigel Patrick Owden Drury portions of Hancock Road adjoining Allotment 3 in Filed Plan 40086 and Allotment 20 in Deposited Plan 55086 and transfer to Wayne Lawrence Kirk and Jane McBeth Kirk, portion of Hancock Road adjoining Piece 21 in Deposited Plan 55086 as delineated 'A', 'B' and 'C' in Preliminary Plan No. 05/0052.

Closed road 'A' to be merged with Allotment 3 in Filed Plan 40086, closed road 'B' to be merged with Allotment 20 in Deposited Plan 55086 and closed road 'C' to be merged with Piece 21 in Deposited Plan 55086.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, corner of George Main Road and Bay Road, Victor Harbor and the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide, during normal office hours.

Any person is entitled to object to the proposed road process, or any person affected by the proposed closure is entitled to apply for an easement to be granted in that person's favour over the land subject to the proposed closure. Such objection or application for an easement must set out the full name and address of the person making the objection or application and must be fully supported by reasons. Any application for an easement must give full particulars of the nature and location of the easement and where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed.

The objection or application for an easement must be made in writing to the Council, P.O. Box 11, Victor Harbor, S.A. 5211, within 28 days of this notice and a copy shall 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, so that the person making the submission or a representative may attend, if so desired.

Dated 6 July 2006.

G. MAXWELL, City Manager

CITY OF VICTOR HARBOR

NOTICE is hereby given that the Council of the City of Victor Harbor, at a meeting held on 3 July 2006, in exercise of the powers contained in Chapter 10 of the Local Government Act 1999, resolved as follows:

Adoption of Valuation

Pursuant to section 167 (2) (a) of the Act adopted for rating purposes for the year ending 30 June 2007, the Valuer-General's valuation of capital value in relation to land within the area of the Council and declared that the total valuation that is to apply within the area is \$2 681 901 560.

Declaration of Rates

Pursuant to section 153 (1) (b) of the Act declared the following differential general rates on rateable land within the area for the year ending 30 June 2007, based on the capital value of the land and by reference to land use as categorised within Regulation 10 of the Local Government (General) Regulations 1999:

- In respect of rateable land which is categorised by Land Use Category 1 (Residential), Category 8 (Vacant Land) and Category 9 (Other), a differential general rate of 0.3033 cents in the dollar.
- In respect of rateable land which is categorised by Land Use Category 2 (Commercial—Shop), Category 3 (Commercial—Office) and Category 4 (Commercial—Other), a differential rate of 0.3336 cents in the dollar.
- In respect of rateable land which is categorised by Land Use Category 5 (Industry—Light) and Category 6 (Industry—Other), a differential general rate of 0.3185 cents in the dollar.
- In respect of rateable land which is categorised by Land Use Category 7 (Primary Production), a differential general rate of 0.2730 cents in the dollar.

Regional Natural Resources Management Levy

Pursuant to section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, declare separate rates for the year ending 30 June 2007, based on the capital value of all rateable properties, to recover amounts payable to Natural Resources Management Boards as follows:

- In respect of all rateable properties located within the area of the Council and of the Adelaide and Mount Lofty Natural Resources Management Board, a separate rate of 0.00173 cents in the dollar.
- In respect of all rateable properties located within the area of the Council and of the South Australian Murray-Darling Basin Natural Resources Management Board, a separate rate of 0.00720 cents in the dollar.

Fixed Charge

Pursuant to section 151 (1) (ii) of the Act a fixed charge of \$195 has been imposed on each piece of rateable land within the area of the City of Victor Harbor.

Rebates—Rate Relief

Pursuant to section 166 (1) (l) of the Act a rebate on rates will be offered where the increase in rates levied upon a property exceed the 2005-2006 rates levied by more than 15% as a result of valuation changes or changes to the basis of rating. Such rebates will only apply to residential properties that have not been subject to improvements since 1 January 2005 and that have been the ratepayer's principal place of residence since 1 January 2005.

Payment of Rates

Pursuant to section 181 (1) of the Act rates for the year ending 30 June 2007, are payable by quarterly instalments on the eighth day of the months of September 2006, December 2006, March 2007 and June 2007.

G. K. MAXWELL, City Manager

ADELAIDE HILLS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Edward Avenue, Crafrers West

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Adelaide Hills Council proposes to make a Road Process Order to close and retain the unmade southern end portion of Edward Avenue, more particularly delineated and lettered 'A' in Preliminary Plan No. 06/0019.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, 28 Onkaparinga Valley Road, Woodside and the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any person is entitled to object to the proposed road process, or any person affected by the proposed closure is entitled to apply for an easement to be granted in that person's favour over the land subject to the proposed closure. Such objection or application for an easement must set out the full name and address of the person making the objection or application and must be fully supported by reasons. Any application for an easement must give full particulars of the nature and location of the easement and where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed.

The objection or application for an easement must be made in writing to the Council, P.O. Box 44, Woodside, S.A. 5244, within 28 days of this notice and a copy shall 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, so that the person making the submission or a representative may attend, if so desired.

Dated 5 July 2006.

P. PEPPIN, Chief Executive Officer

BERRI BARMERA COUNCIL

Appointment

NOTICE is hereby given that at a meeting of Council held on 27 June 2006, Christopher Ronald Howell was appointed as Acting Chief Executive Officer, for the period 10 July 2006 to 14 July 2006, during the absence of the Chief Executive Officer who will be on Annual Leave.

S. RUFUS, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT REMARKABLE

LOCAL GOVERNMENT ACT 1999

Adoption of Community Land Management Plans

NOTICE is hereby given that pursuant to section 197 (3) of the Local Government Act 1999 and having complied with the provisions of section 197 (1) (a) and (b) the District Council of Mount Remarkable at its meeting held on 13 June 2006, resolved to adopt Community Land Management Plans for the following groups of Community Land:

Public Halls, Institutes and Civic Centres
Community Buildings
Cemeteries
Waste Management
Recreation Reserves
Caravan Parks
Other Reserves

S. R. CHERITON, Chief Executive Officer

NARACOORTE LUCINDALE COUNCIL

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at its meeting held on 27 June 2006, the Council in exercise of the powers contained in Chapter 10 of the Local Government Act 1999, adopted the following resolutions:

Adoption of Assessment

That pursuant to section 167 (2) (a) of the Local Government Act 1999, Council adopts for the year ending 30 June 2007, the most recent valuations of the Valuer-General available to the Council of the capital value of land within the Council's area being:

	\$
Rateable Properties.....	1 832 983 180
Non-rateable Properties.....	39 915 300

and specifies 1 July 2006, as the day from which such valuations shall become the valuations of the Council.

Adoption of Budget

That pursuant to the provisions of section 123 of the Local Government Act 1999, the 2006-2007 financial budget, as presented, including the:

- Budgeted Operating Statement;
- Budgeted Statement of Financial Position;
- Budgeted Statement of Changes in Equity;
- Budgeted Statement of Cash Flow;
- Budgeted Statement as to the basis for the Determination of Rates,

are adopted involving:

- a total expenditure (excluding depreciation) of \$18 343 846;
- a total estimated income and borrowings (other than rates) of \$11 274 811;
- an estimated surplus (or deficit) from the 2005-2006 financial year of \$0.00; and
- a total amount required to be raised from general rates of \$7 069 035.

Declaration of the Rates

That pursuant to section 156 (1) (c) of the Local Government Act 1999, Council declares differential general rates according to the locality and the use of the land and based upon the capital value of the land on all rateable properties within the area of the Council, for the year ending 30 June 2007, as follows:

	Cents
Rural Living	0.394
Deferred Urban.....	0.394
Residential (Naracoorte) Zone.....	0.569
Recreation (Naracoorte) Zone	0.569
Conservation (Naracoorte) Zone	0.569
Country Living (Naracoorte) Zone.....	0.569
Mixed Use (Naracoorte) Zone.....	0.569
Deferred Industry (Naracoorte) Zone	0.569
Commercial (Naracoorte) Zone.....	0.590
Commercial/Industry (Naracoorte) Zone.....	0.590
Industry (Naracoorte) Zone	0.590
Town Centre (Naracoorte) Zone	0.590
General Industry (Naracoorte) Zone.....	0.590
General Farming Zone.....	0.325
Forestry/Farming Zone.....	0.325
Horticulture Zone	0.325
Special Uses Aerodrome Zone	0.325
Industry Zone	0.461
Town Centre (Lucindale) Zone	0.461
Commercial (Lucindale) Zone.....	0.461
Country/Towns Zone Vacant Land Use (excluding vacant land use)	0.436

	Cents
Country Townships Zone	0.436
Residential (Lucindale) Zone	0.447
Vacant Land Use (Lucindale) Zone.....	0.447
Public Purpose (Lucindale) Zone	0.447

Minimum Rate

Pursuant to section 158 of the Local Government Act 1999, the Council fixes a minimum amount of \$200 payable by way of rates for the year ending 30 June 2007.

Rate Capping

To provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to rapid changes in valuation, a rebate of general rates for the 2006-2007 financial year will be granted to the principal ratepayer of an Assessment under section 166 (1) (f) of the Local Government Act 1999, on application to Council where the amount of any increase in rates in respect of that assessment in monetary terms between the amount of general rates imposed for the 2005-2006 financial year (after any rebate was applied) and the amount of general rates imposed for the 2006-2007 financial year, is greater than 50% (5% for pensioners and self-funded retirees in relation to their principal place of residence). The amount of rebate will be the difference between the amount of general rates in monetary terms imposed for the 2006-2007 financial year and the amount of general rates imposed in monetary terms payable for the 2005-2006 financial year (after any rebate was applied but prior to deducting any pensioner or other concession) plus 50% (or 5% for pensioners and self-funded retirees in relation to their principal place of residence) of that amount.

The rebate will not apply where:

- any such increase is due in whole or part to an increase in valuation of the land in the Assessment because of improvements made worth more than \$20 000;
- any such increase is in whole or part because the zoning of the land, or land use has changed;
- any such increase is due in full or part to the use of the land being different for rating purposes on the date the Council declared its general rates for the 2006-2007 financial year than on the date the Council declared its general rates for the 2005-2006 financial year;
- the ownership of the rateable property has changed since 1 July 2005; or
- any increase occurs as a result of a change in the minimum rate.

The Naracoorte Lucindale Council will review the Rate Capping percentage annually and Rate Rebates will only be granted to ratepayers on application to the Council on the prescribed form.

Declaration of CWMS (formerly STEDS) Special Rate

Pursuant to section 155 of the Local Government Act 1999, the Council fixes an annual service charge for the Lucindale Community Wastewater Management Scheme (CWMS) for the year ending 30 June 2007, as follows:

- In respect of all occupied properties serviced by that scheme in the township of Lucindale—\$191.
- In respect of all vacant properties serviced by that scheme in the township of Lucindale—\$70.

Declaration of Recyclable Waste Collection Special Rate

Pursuant to section 155 of the Local Government Act 1999, the Council fixes an annual service charge for the Recyclable Waste Collection for the year ending 30 June 2007, as follows in respect of all occupied rateable properties in the townships of Naracoorte, Lucindale, Frances, Hynam, Kybybolite and properties zoned Rural Living—\$62.

Declaration of South East Natural Resources Management Board Levy

Pursuant to the powers contained in the Natural Resources Management Act 2004 and section 154 (1) of the Local Government Act 1999, in order to reimburse the Council the

amount contributed to the South East Natural Resources Management Board, the Council fixed a separate levy of \$31.15 in respect of each rateable property in the area of the Council in the catchment area of the Board.

Rating Policy

That pursuant to section 171 of the Local Government Act 1999, Council adopt a Rating Policy for 2006-2007 as detailed in Appendix A.

Payment of Rates—Payment of Rates by Quarterly Instalments

That pursuant to section 184 of the Act the payment of rates may be made by four approximately equal instalments, the first of which shall be due on the first working day of September 2006, the second on the first working day of December 2006, the third on the first working day of March 2007 and the fourth on the first working day of June 2007.

D. A. HOVENDEN, Chief Executive Officer

RENMARK PARINGA COUNCIL

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at its meeting held on Tuesday, 27 June 2006, the Renmark Paringa Council for the financial year ending 30 June 2007 and in exercise of powers contained in Chapter 10 of the Local Government Act 1999, passed the following resolutions:

1. Adoption of Valuation

1.1 The rates assessed on rateable land in the area of the Council will be based on the site value of land for all rateable land.

1.2 Pursuant to section 167 (2) (a) of the Act, the most recent valuations of the Valuer-General available to Council of the site value of land within the Council's area, totalling \$423 562 940 for rating purposes.

2. Declaration of General Rates

Pursuant to section 156 (1) (b) the following differential general rates are hereby declared on rateable land within the Council area, which vary according to the locality of the land as defined by the zones established pursuant to the Development Act 1993, Development Plan and Renmark Paringa (DC) Development Plan:

Zone	Zone Description	Cents in \$
1	Residential	1.100
2	District Business	1.120
3	General Industry	1.120
4	Horticulture (Deferred Urban)	0.715
5	Horticulture	0.715
6	Dryland Calperum	0.715
7	Flood	0.715
8	Tourist Accommodation	1.120
9	Community	1.100
10	Country Living	0.715
11	Town Centre	1.120
12	Local Centre	1.100
13	Residential Waterfront	0.669
17	Residential 2	1.100
18	Waterfront	1.100
30	Business	1.120
31	Commercial	1.120
32	Country Living	0.715
33	Dryland	0.715
34	Flood Plain	0.715
35	Fringe	0.715
36	Industrial	1.120
37	Lyrup Residential	1.100
38	Paringa Residential	1.100

3. Minimum Rate

Pursuant to section 158 of the Local Government Act 1999, the Council fixes a minimum amount payable by way of rates of \$375 upon all rateable land within its area in respect of the financial year ending 30 June 2007.

4. *Separate Rate—NRM Levy*

In order to raise the amount of \$78 551 (being the amount of \$76 721 payable to the SA Murray Darling Basin Natural Resources Management Board plus applicable rebates) the Council:

- Pursuant to the powers contained in section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, a separate rate of 0.0186 cents in the dollar, based on the site value of rateable land, be declared on all rateable land in the Council area; and
- Pursuant to the powers contained in section 95 of the Natural Resources Management Act 2004 and section 158 of the Local Government Act 1999, a minimum amount payable by way of this separate rate of \$7 be fixed for rateable land in the Council area.

5. *Service Charges*

Pursuant to section 155 of the Act and in accordance with the CWMS Property Units Code as provided at Regulation 9A of the Local Government (General) Regulations 1999, the Council declares the following service charges payable in respect to rateable and non-rateable land where a septic tank effluent disposal connection point is provided:

- Within the Township of Renmark—an annual service charge of \$180 per unit in respect of each piece of rateable land (whether vacant or occupied) serviced by the Renmark Scheme.
- Those properties within the Township of Paringa—an annual service charge of \$220 per unit in respect of each piece of rateable land (whether vacant or occupied) serviced by the Paringa Scheme.

6. *Rebate Arrangements*

The Council has resolved, pursuant to section 166 (1) (i) of the Local Government Act 1999, for the purpose of providing relief against what would otherwise amount to a substantial change in rates payable due to anomalies in valuations, to provide a rebate of 50% to the principal ratepayer of land without the need for the principal ratepayer to make written application in the following circumstances:

- 6.1 the rateable land is zoned Dryland Farming;
- 6.2 the predominant and actual land use is farming as defined in the Development Act Regulations 1993, as amended; and
- 6.3 the rebate shall not apply to any properties paying less than the minimum rate of \$375.

7. *Payment by Instalments*

Pursuant to section 181 of the Local Government Act 1999, general rates, minimum rates and service charges shall be payable in four equal or approximately equal instalments on the following dates:

- 5 September 2006;
- 5 December 2006;
- 6 March 2007; and
- 5 June 2007.

8. *Delegations*

The Council delegates to the Chief Executive Officer, pursuant to section 44 of the Local Government Act 1999, the power pursuant to section 181 (5) and (7), to enter into arrangements on behalf of Council with ratepayers regarding the payment of rates at times other than those specified in paragraph 6 of this Declaration.

9. *Rating Policy*

Pursuant to section 171 (1) of the Local Government Act 1999, Council adopts the rating policy for the 2006-2007 financial year.

B. C. HURST, Chief Executive Officer

REMARK PARINGA COUNCIL

DEVELOPMENT ACT 1993

General Plan Amendment Report (PAR)— Draft for Public and Agency Exhibition

NOTICE is hereby given that the Renmark Paringa Council has prepared a draft Plan Amendment Report to amend the Renmark Paringa (DC) Development Plan.

The Plan Amendment Report will amend the Development Plan by implementing changes investigated within the Development Plan Review completed in 2004. The PAR addresses a number of issues in relation to economic activity, environment and resources, people towns and housing and infrastructure as well as some minor amendments to wording.

The amendments include policies relating to the following issues:

- Residential Development;
- Flood and Fringe Zone provisions;
- Horticulture;
- Land Division;
- Industrial Expansion;
- Site Contamination;
- Land Division; and
- Country Township Development.

The intention is to deliver a clear and unambiguous Development Plan consistent with the Planning Strategy for Regional South Australia.

The draft Plan Amendment Report will be available for public inspection at the Council Offices, 8 Ral Ral Avenue, Renmark from 6 July 2006 until 1 September 2006. Copies of the Plan Amendment Report can be purchased at the Council office at \$11 each.

Written submissions regarding the draft amendment will be accepted by the Renmark Paringa Council until 5 p.m. on 1 September 2006. All submissions should be addressed to David Case, Town Planner, P.O. Box 730, Renmark, S.A. 5341. Copies of all written submissions received will be available for inspection by interested persons at the Council offices from 9 a.m. on 4 September 2006 until 4 p.m. on 18 September 2006.

A public hearing will be held on 19 September 2006, from 7 p.m. at the Council Chamber Room, 8 Ral Ral Avenue, Renmark, S.A. 5341, to enable people to speak to Council in relation to the PAR and submissions. Persons wishing to speak at the hearing should clearly indicate this on their written submission.

For further information, contact David Case, Town Planner, on 8586 6609.

B. HURST, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

Adoption of Valuation and Declaration of Rates and Charges

NOTICE is hereby given that at the meeting held on 21 June 2006, the Council in exercise of the powers contained in Chapter 10 of the Local Government Act 1999, resolved as follows:

Adoption of Valuation

That the District Council of Robe in accordance with section 167 of the Local Government Act 1999, adopts for the year ending 30 June 2007, the Government Valuation of capital values in relation to the area of Council, totalling \$694 881 840 and hereby specifies 1 July 2006, as the day as from which such valuation shall become and be the valuation of the Council.

Declaration of Rates

That the District Council of Robe pursuant to section 152 of the Local Government Act 1999, declare a general rate of 0.2980 cents in the dollar on the assessed capital value of all rateable property in the District Council of Robe for the financial year ending 30 June 2007.

Pursuant to section 158 of the said Act, Council fixes that the minimum amount which shall be payable by way of rates on any one assessment in the Township of Robe shall be \$481 for the financial year ending 30 June 2007.

STEDS Service Charge

That pursuant to section 155 of the Local Government Act 1999, Council declares that the service charge for the year ending 30 June 2007, for all properties serviced by the Robe Septic Tank Drainage Scheme be:

	\$
Occupied with desludging	269.70
Occupied without desludging	237.00
Unoccupied	178.40

The STEDS connection levy be \$2 500 for each newly created allotment or unit that accesses the existing STEDS system.

Natural Resources Management Levy

That in exercise of the powers contained in section 138 of the Natural Resources Management Act 2004 and the Local Government Act 1999, in order to reimburse to the Council the amount contributed to the South East Natural Resources Management Board, a separate rate of \$29.90 be declared on all rateable land in the Council's area in the area of the Board based on a fixed levy of the same amount on all rateable land.

Waste Management Services Levy

That pursuant to section 155 of the Local Government Act 1999, Council declares that the service charge for the year ending 30 June 2007, for all tenements within in the Township of Robe be \$220 per tenement per annum raised *pro rata* from scheme implementation planned to be 1 February 2007.

R. J. KAY, Chief Executive Officer

- (n) Keith Oval, Memorial Avenue, Keith, being Part Section 369, Hundred of Stirling;
- (o) Keith Caravan Park, Naracoorte Road, Keith, being Part Section 411C, Hundred of Stirling;
- (p) Keith Swimming Pool, Naracoorte Road, Keith, being Part Section 411B, Hundred of Stirling;
- (q) Western Flat Recreation Centre, Bordertown-Naracoorte Road, being Lot 3, Hundred of Beeamma;
- (r) Wolseley Recreation Grounds, Railway Terrace North, Wolseley, being Allotment 101, Hundred of Tatiara;
- (s) Willalooka Recreation Reserves, Riddoch Highway, being Sections 81 and 100, Hundred of Willalooka; and
- (t) Bangham Hall, Bordertown-Frances Road, being Section 77, Hundred of Geegeela.

This notice operates at all times until revoked.

The operation of a gas fire or electric element under this notice is subject to the following conditions:

1. The space immediately around and above the gas fire or electric element must be cleared of all flammable material to a distance of at least 4 m.
2. A person who is able to control the gas fire or electric element must be present at all times while it is lighted or charged.
3. An appropriate agent adequate to extinguish any fire must be at hand.

Dated 13 June 2006.

R. J. HARKNESS, Chief Executive Officer

[REPUBLISHED]

WAKEFIELD REGIONAL COUNCIL

Appointment

NOTICE is hereby given that at a meeting of the Council held on 14 June 2006, Craig Darrell Martin was appointed as an Authorised Officer, pursuant to the Public and Environmental Health Act 1987 (section 7 (1)), Food Act 2001 (section 94), Dog and Cat Management Act 1995 (section 27), Local Government Act 1999 (section 260), Environment Protection Act 1999 (Burning Policy) and Development Act 1993 (section 18) and cancels the authorisations of Emily Jane Post.

P. BARRY, Chief Executive Officer

[*]

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

- Barber, Olive Daphne*, late of Pioneer Street, Stansbury, of no occupation, who died on 17 May 2006.
- Bentley, Helen*, late of 32 Cross Road, Myrtle Bank, retired landlord, who died on 29 January 2006.
- Constable, Kelvin John*, late of 22 Whyte Street, Peterhead, of no occupation, who died on 14 December 2005.
- Dahl, Neil Alan*, late of Everard Street, Largs Bay, retired builder, who died on 9 May 2006.
- Duggin, Paul Ronald*, late of 15-19 Woodville Road, Woodville South, retired wharfie, who died on 27 April 2006.
- Hardstaff, Joseph*, late of 55 Hawker Avenue, Plympton Park, metal polisher, who died on 17 March 2006.
- Hunter, Lottie Alice Ada*, late of Peterson Street, Somerton Park, widow, who died on 7 May 2006.
- Johnson, Joseph Roger*, late of 28 Campbelltown Street, Oaklands Park, retired baker's assistant, who died on 30 December 2005.
- Jones, Johnny*, late of 93 Pratt Avenue, Pooraka, of no occupation, who died on 22 March 2006.
- Kosior, Margarete*, late of 24 Penzance Street, Glenelg, retired clerk, who died on 8 November 2005.
- McInnes, Gwendoline Sydney*, late of 56 High Street, Grange, widow, who died on 12 May 2006.
- Potter, Hazel Joyce*, late of 25 Roopena Street, Ingle Farm, of no occupation, who died on 25 January 2006.
- Potter, Stanley William*, late of 26 Byron Street, Glenelg, of no occupation, who died on 15 January 2006.

DISTRICT COUNCIL OF TATIARA

ELEVENTH SCHEDULE

*Fire and Emergency Services Act 2005—Regulation 34—
Declaration of an Area of the State in which a Person may
operate a Gas Fire or Electric Element for Cooking Purposes in
the Open Air Contrary to the Terms of a Total Fire Ban*

NOTICE is hereby given that pursuant to Regulations under the Fire and Emergency Services Act 2005, the District Council of Tatiara declares that persons may operate gas fires or electric elements for cooking purposes in the open air contrary to the terms of a total fire ban at the following places:

- (a) Mundulla Playground, being Section 600, Hundred of Wirrega;
- (b) Woolshed Street, Bordertown, Hundred of Tatiara;
- (c) Virgo Park Playground, Venn Avenue, Bordertown, being Lot 103, Hundred of Tatiara;
- (d) Bordertown Swimming Pool, Cannawigara Road, Bordertown, being Part Section 60, Hundred of Tatiara;
- (e) Memorial Park Boat Lake, Bordertown, being Part Section 60, Hundred of Tatiara;
- (f) Bordertown Caravan Park, Penny Terrace, Bordertown, being Section 962, Hundred of Tatiara;
- (g) Gateway Park, Dukes Highway, Bordertown, being Section 1034, Hundred of Tatiara;
- (h) Bordertown Football Oval, South Terrace, Bordertown, being Section 868, Hundred of Tatiara;
- (i) Memorial Avenue Park, Memorial Drive, Padthaway, being Section 95, Hundred of Parsons;
- (j) Settlers Park, Vogelsang Road, Padthaway being Section 74, Hundred of Parsons;
- (k) Lions Park, Dukes Highway, Keith, being Section 441, Hundred of Stirling;
- (l) Don Moseley Park, Dukes Highway, Keith, being Section 369, Hundred of Stirling;
- (m) Hender Street, Keith, Hundred of Stirling;

Promnitz, Aileen Dawn, late of 410 Henley Beach Road, Lockleys, widow, who died on 6 March 2006.

Rapaic, Milan, late of 18 Northcote Street, Kilburn, retired meter repairer, who died on 9 January 2006.

Raymond, Jean, late of 1 Crawford Grove, Andrews Farm, retired company manager, who died on 28 April 2006.

Schaer, Simon, late of Currie Street, Adelaide, of no occupation, who died on 15 December 2005.

South, Molly, late of 81 Tapleys Hill Road, Hendon, retired buyer, who died on 6 May 2006.

Thompson, Kenneth Charles, late of 38 Jersey Avenue, Kilburn, retired storeman and packer, who died on 4 April 2006.

Warnock, Dominic Leslie, late of 113 Sixteenth Street, Renmark, retired labourer, who died on 22 February 2006.

Wheadon, George Gerald, late of 81 Tapleys Hill Road, Hendon, retired school teacher, who died on 14 April 2006.

Wood, John, late of 25 Clovelly Avenue, Clarence Gardens, retired dental supplier, who died on 27 April 2006.

Yates, Lorna Eleanor, late of 6 Ellis Street, Enfield, retired dressmaker, who died on 22 March 2006.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 4 August 2006, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 6 July 2006.

C. J. O'LOUGHLIN, Public Trustee

SALE OF PROPERTY

Auction Date: Friday, 21 July 2006 at 11 a.m.

Location: 10 Bishopstone Road, Davoren Park

NOTICE is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the Magistrates Court of South Australia, Action No. AMCCI 3763 of 2005, directed to the Sheriff of South Australia in an action wherein Australian Central Credit Union Limited is the Plaintiff and Daryl Edward Sloan is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Griffin

Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Defendant Daryl Edward Sloan as the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Davoren Park, being 10 Bishopstone Road, being the property comprised in certificate of title register book volume 5127, folio 778.

Further particulars from the auctioneers:

Griffin Real Estate
8 Greenhill Road
Wayville, S.A. 5034
Telephone (08) 8372 7872

SALE OF PROPERTY

Auction Date: Wednesday, 26 July 2006 at 10 a.m.

Location: Government Auctions SA, 47 Transport Avenue, Netley.

NOTICE is hereby given that on the above date at the time and place stated, by virtue of Orders for Sale issued by the Fines Payment Unit of South Australia, Penalty No. EXREG 04/83490-1 and others, are directed to the Sheriff of South Australia in an action wherein Ryan Peter Stokes is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Government Auctions SA make sale of the following:

Holden Berlina
Registration No. WIF 221.

SALE OF PROPERTY

Auction Date: Wednesday, 26 July 2006 at 10 a.m.

Location: Government Auctions SA, 47 Transport Avenue, Netley.

NOTICE is hereby given that on the above date at the time and place stated, by virtue of Orders for Sale issued by the Fines Payment Unit of South Australia, Penalty No. EXREG 05/70354-1 and others, are directed to the Sheriff of South Australia in an action wherein David P. Sexton is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Government Auctions SA make sale of the following:

Hyundai Lantra
Registration No. VTR 638.

UNCLAIMED MONEYS ACT 1891

Register of Unclaimed Moneys held by Envestra Limited over \$10

Name of Owner on Books and Last Known Address	Payment Date	Cheque No.	Total Amount Due \$
Aviron Consulting Pty Ltd, Merrick Howes, Macquarie Bank, 20 Bond Street, Sydney, N.S.W. 2001	28.5.99	16193	1 212.90
Timothy Keith Ball, 15 Franklin Road, Cherrybrook, N.S.W. 2126	28.5.99	8859	163.00
Winton Lambert Campbell, P.O. Box 987, Toowong, Qld 4066	28.5.99	12493	326.00
Vincent Norman Davidson, 123 Melville Terrace, Manly, Qld 4179	28.5.99	16129	163.00
Barbara Edgar, 90 Nepean Highway, Aspendale, Vic. 3195	28.5.99	16132	177.99
William James Hunt, 1/60 Walkers Way, Nundah, Qld 4012	28.5.99	12385	163.00
Edmund A. D. Jowett, 495 Clonbinane Road, Broadford, Vic. 3658	28.5.99	10506	293.40
Noel George McPhee, c/o Godfrey Pembroke Ltd, P.O. Box 1017, Frankston, Vic. 3199	28.5.99	16137	149.64
Maxene Nieminen, 19 Garema Court, Durack, Qld 4077	28.5.99	16138	163.00
Michael William O'Halloran, 2 James Street, Ethelton, S.A. 5015	28.5.99	13788	163.00
Peter William Owen, RMB 4148, Marnoo Road, Stawell, Vic. 3380	28.5.99	36184	163.00
Fiona Faye Saunders, 45 Warrenwood Avenue, Hoppers Crossing, Vic. 3029	28.5.99	10202	163.00
Stephen Thomas Smith, P.O. Box 1451, Woden, A.C.T. 2606	28.5.99	8057	48.70
Edna Josephine Vincent, 5 Ambleside Court, Frankston, Vic. 3199	28.5.99	11535	1 616.96
Lionel Henry Brewin, 87 Moseley Street, Glenelg South, S.A. 5045	26.11.99	22074	45.25
Vincent Norman Davidson, 123 Melville Terrace, Manly, Qld 4179	26.11.99	24104	270.00
David Vincent De Luca, Unit 3, 1 Gower Street, Summer Hill, N.S.W. 2130	26.11.99	21848	43.64
Barbara Edgar, 90 Nepean Highway, Aspendale, Vic. 3195	26.11.99	24105	331.29
Heather Joy Hooper, 18 Mowbray Street, Hawthorn East, Vic. 3123	26.11.99	18932	226.35
Ann Margaret James, 'Iona', 146 Mocambo Road, Henty, Vic. 3312	26.11.99	36130	162.00
Ann Margaret James, 'Iona', 146 Mocambo Road, Henty, Vic. 3312	26.11.99	36130	27.61
John McCann, P.O. Box R967, Royal Exchange, Sydney, N.S.W. 2000	26.11.99	16496	270.00
Gordon James McNab, Upper Camp Mountain Road, Camp Mountain, Qld 4520	26.11.99	20667	270.00
Noel George McPhee, c/o Godfrey Pembroke Ltd., P.O. Box 1017, Frankston, Vic. 3199	26.11.99	24111	247.87
Maxene Nieminen, 19 Garema Court, Durack, Qld 4077	26.11.99	24112	270.00
Peter William Owen, RMB 4148, Marnoo Road, Stawell, Vic. 3380	26.11.99	36184	270.00
Peter William Owen, RMB 4148, Marnoo Road, Stawell, Vic. 3380	26.11.99	36184	46.01
Fiona Faye Saunders, 45 Warrenwood Avenue, Hoppers Crossing, Vic. 3029	26.11.99	18437	270.00
Peter Herbert Stanes, P.O. Box 3945, Alice Springs, N.T. 0871	26.11.99	16251	149.60
Vinod Mamta Patel Pty Ltd, 28 Frenchs Forest Road, Frenchs Forest, N.S.W. 2088	26.11.99	17640	270.00
Jack Williams, 62 Jenkins Street, Rosewater, S.A. 5013	26.11.99	21770	45.25
Edwin Carl Wood, P.O. Box R84, Royal Exchange, Sydney, N.S.W. 2000	26.11.99	18362	1 080.00
Total			\$9 261.46

ATTENTION

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

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before 10 a.m. on Thursday**.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Phone 8207 1045—Fax 8207 1040.

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

ADELAIDE, THURSDAY, 23 JULY 2009

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GOVERNMENT GAZETTE NOTICES

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

Department of the Premier and Cabinet
Adelaide, 23 July 2009

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

No. 34 of 2009—Equal Opportunity (Miscellaneous) Amendment Act 2009. An Act to amend the Equal Opportunity Act 1984.

No. 35 of 2009—Petroleum (Miscellaneous) Amendment Act 2009. An Act to amend the Petroleum Act 2000 and to make related amendments to the Development Act 1993 and the Mining Act 1971.

No. 36 of 2009—Appropriation Act 2009. An Act for the appropriation of money from the Consolidated Account for the year ending on 30 June 2010 and for other purposes.

No. 37 of 2009—Public Sector Act 2009. An Act to make provision for employment, management and governance matters relating to the public sector of the State; to repeal the Public Sector Management Act 1995 and for other purposes.

No. 38 of 2009—Public Sector Management (Consequential) Amendment Act 2009. An act to amend the Public Sector Management Act 1995.

No. 39 of 2009—Statutes Amendment and Repeal (Fair Trading) Act 2009. An Act to amend the Building Work Contractors Act 1995, the Civil Liability Act 1936, the Conveyancers Act 1994, the Fair Trading Act 1987, the Land Agents Act 1994, the Plumbers, Gas Fitters and Electricians Act 1995, the Second-hand Vehicle Dealers Act 1995, the Security and Investigation Agents Act 1995 and the Travel Agents Act 1986; and to repeal the Consumer Transactions Act 1972 and the Recreational Services (Limitation of Liability) Act 2002.

By command,

MICHAEL O'BRIEN, for Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 23 July 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Chiropractic and Osteopathy Board of South Australia, pursuant to the provisions of the Chiropractic and Osteopathy Practice Act 2005:

Member: (from 27 July 2009 until 26 July 2012)
Kendall Ward Leembruggen
Charles Fred Williamson
Geoffrey Stephen McCann
Luke Daniel Rickards
Kathryn Lucy Quigley
Debra Ruth Lane

By command,

MICHAEL O'BRIEN, for Premier

HEAC-2009-00011

Department of the Premier and Cabinet
Adelaide, 23 July 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Equal Opportunity Tribunal, pursuant to the provisions of the Equal Opportunity Act 1984:

Deputy Presiding Officer: (from 23 July 2009 until 22 July 2012)

Malcolm Robertson
Geoffrey Louis Muecke
Christine Louise Trenorden
Dean Clayton
Peter Anthony Herriman

By command,

MICHAEL O'BRIEN, for Premier

AGO0266/02CS

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JAY WEATHERILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY:

1. Resume the land defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as a Reserve for Depot Purposes and declare that such land shall be under the care, control and management of the Wattle Range Council.
3. Dedicate the Crown Land defined in The Third Schedule as a Reserve for South Eastern Water Conservation and Drainage Board Purposes and declare that such land shall be under the care, control and management of the South Eastern Water Conservation and Drainage Board.

The First Schedule

1. Reserve for the purpose of the South-Eastern Drainage Board, Section 490, Hundred of Mount Muirhead, County of Grey, the proclamation of which was published in the *Government Gazette* of 10 September 1970 at page 1103, The Third Schedule, being the whole of the land comprised in Crown Record Volume 5706 Folio 267.
2. Depot Purposes Reserve, Allotment 2 in Deposited Plan 62873, Hundred of Mount Muirhead, County of Grey, the notice of which was published in the *Government Gazette* of 15 January 2004 at page 171, The Third Schedule, being the whole of the land comprised in Crown Record Volume 5913 Folio 784.

The Second Schedule

Allotment 11 in Deposited Plan 81082, Hundred of Mount Muirhead, County of Grey, exclusive of all necessary roads, subject to an existing free and unrestricted right of way over the land marked A on Deposited Plan 81082 (RTD 9657631).

The Third Schedule

Allotment 12 in Deposited Plan 81082, Hundred of Mount Muirhead, County of Grey, exclusive of all necessary roads.

Dated 23 July 2009.

JAY WEATHERILL, Minister for Environment
and Conservation

DEH 09/3186

DEVELOPMENT ACT 1993: SECTION 48

Variation of Decision by the Governor

Preamble

1. The decision to grant a development authorisation under section 48 of the Development Act 1993, in respect of the Myponga/Sellicks Hill Wind Farm located on the Sellicks Hill Range near Myponga ('the authorisation') was published in the *Government Gazette* on 20 November 2003 at page 4112.

2. Various amendments to the authorisation from time to time have been notified in the *Government Gazette* as follows:

- 18 November 2004, page 4333;
- 5 May 2005, page 1104;
- 4 August 2005, page 2952;
- 6 July 2006, page 2179.

3. I have most recently decided pursuant to section 48 (7) (b) (ii) to:

- Change condition 8 to reflect the landscaping plans provided by TrustPower Holdings Australia Pty Ltd dated 23 June 2008.
- Extend the date mentioned in condition 17 as the final date by which substantial work is to have commenced on site to 26 September 2010.

4. For ease of reference, a consolidated version of the conditions of the authorisation as amended to date is republished hereunder.

Decision

PURSUANT to section 48 of the Development Act 1993, and with the advice and consent of Executive Council, I vary:

- Condition 8 of the authorisation by deleting the text and replacing it with text as follows: Screen planting shall be established in accordance with the plans contained in correspondence from TrustPower Holdings Australia Pty Ltd dated 23 June 2008. This will be undertaken to the satisfaction of the Department for Transport, Energy and Infrastructure with costs borne by the proponent.
- Condition 17 of the authorisation by deleting the date therein specified and substituting for it the date of 26 September 2010.

Given under my hand at Adelaide, 23 July 2009.

KEVIN SCARCE, Governor

CONSOLIDATED VERSION OF CONDITIONS
OF AUTHORISATION

1. The Myponga/Sellicks Hill Wind Farm shall be developed in accordance with:

- The Site Layout Plan;
- The Access Route Plan; and
- The Electrical Layout & Connection Routes Plan;

as provided for Appendix D of the Response Document and Amendment to the Proposal dated 14 July 2003.

- The proposed locations for new 50 m Anemometer Towers Plan;
- The proposed anemometer location on St Vincent Property Plan;
- The proposed anemometer location on Koraleigh Property Plan;

as provided with the request for minor variation letter dated 6 October 2004, except as varied by the application for variation to development authorisation by TrustPower Australia Holdings Pty Ltd dated 28 June 2005 and further request for extension by TrustPower Australia Holdings Pty Ltd dated 21 March 2006.

2. Construction must not be commenced until:

- (a) an Environmental Management and Monitoring Plan (EMMP) has been developed to the satisfaction of the Environment Protection Authority. The EMMP must include those additional matters set out in section 7 of the Assessment Report.
- (b) a private certifier or the District Council of Yankalilla has certified to the Development Assessment Commission that all work that constitutes building work under the Development Act 1993, complies with the Building Rules.

3. Clearance of remnant native vegetation on the site or adjacent public roads for access during construction shall be minimised and be in accordance with the Native Vegetation Council requirements.

4. A compliance officer whose sole responsibility is verification of compliance shall be on-site at all times during construction to ensure all environmental management and monitoring is being conducted in accordance with the approved Environmental Management and Monitoring Plan and provide reports on any issue or variance with the prescribed requirements, to the Environment Protection Authority.

5. Compliance checking of noise levels shall be carried out by a specialist noise consultant in accordance with the EPA Wind Farms Guidelines in force at the time of testing to confirm the data within the Bassett Acoustics report AA0651 dated 24 June 2005 and to confirm noise levels associated with the substation installation is free of low frequency tones or excessive noise.

6. Analysis of any variations to the assessed turbine layout, or turbine model, that occurs during the detailed design or construction phase of the project shall be carried out by a specialist noise consultant and shall be confirmed as being in accordance with the EPA Wind Farms Environmental Noise Guidelines prior to any construction of the affected turbines taking place. Any variations require further approval.

7. A public viewing platform with associated car parking and landscaping shall be established on Reservoir Road in accordance with the plan shown in the Public Environmental Report dated 10 March 2003, Appendix I, subject to the approval of the District Council of Yankalilla and Transport SA as land owners, with all costs borne by the proponent.

8. Screen planting shall be established in accordance with the plans contained in correspondence from TrustPower Holdings Australia Pty Ltd dated 23 June 2008. This will be undertaken to the satisfaction of the Department for Transport, Energy and Infrastructure with costs borne by the proponent.

9. Any costs associated with changes to the overtaking lane on Main South Road (heading south) that may be required by Transport SA, following its proposed review of the operation of the overtaking lane, shall be borne by the proponent.

10. Any additional measures required by Transport SA to minimise the potential for driver distraction shall be implemented to the satisfaction of the District Council of Yankalilla and Transport SA with all costs being borne by the proponent.

11. Signs directing traffic to the proposed viewing platform shall be erected on Main South Road and Reservoir Road in consultation with Transport SA with all installation and on-going maintenance costs being borne by the proponent. All signs shall be in accordance with Australian Standards for Tourist Signing and the South Australian Tourist Sign Posting Policy.

12. All access points used during construction and maintenance shall be designed and constructed to Transport SA standards, with all costs being borne by the proponent.

13. The wind turbines shall be painted matt off-white/grey to minimise the visual impact and any potential for glare or reflection and shall not display any signs, logos or other advertising displays.

14. The wind turbines and associated infrastructure and site shall be kept clean and tidy and serviced regularly with any graffiti being removed and with all repairs to rectify breakdown or damage being effected as soon as is practicable.

15. Any new stobie poles for transmission lines shall be colour treated to reduce their visual impact and, where possible, new lines shall use a flat line configuration.

16. Upon decommissioning of the wind farm, the site shall be returned, as far as is possible, to its condition prior to the commencement of the development, with the turbines and all above ground electrical infrastructure no longer required for electricity transmission being removed.

17. If development is not commenced by substantial work on the site by 26 September 2010 the Governor may cancel the authorisation by written notice.

18. A landscaping and revegetation plan will be required for the construction and operational stages. Pest plant and animal control aspects will need to be addressed. The plan should be prepared in consultation with the Department for Environment and Heritage and the Native Vegetation Council, and shall be incorporated into the Environmental Management and Monitoring Plan.

19. The two temporary 50 m anemometer (wind monitoring) towers shall be removed within two years of their erection.

20. The two temporary 50 m anemometer (wind monitoring) towers and supporting guys shall be contained entirely within the site and shall not encroach over any public road reserve.

21. The wind farm operator shall undertake wind speed monitoring at the permanent tower with the greatest wind speed exposure at 10 minute intervals simultaneously at both hub height and at a height of 10 m above ground level. The data shall be recorded in a format to enable desktop analysis.

22. The wind farm operator shall maintain sufficient data indicating the relationship between the wind speeds at 10 minute intervals between the temporary wind towers and the permanent towers. The data shall be recorded in a format to enable desktop analysis.

NOTES

- The applicant is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that its activities on the whole site, including during construction, do not pollute the environment in a way which

causes or which may cause environmental harm. In particular, an appropriate soil erosion and drainage management plan, prepared in accordance with the Environment Protection Authority Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry, will be required to be submitted and approved before construction commences (as part of the Environmental Management and Monitoring Plan).

- The applicant shall liaise with Transport SA's Murray Bridge Office Customer Liaison and Safety Officer (presently Ms Alison Allen, (08) 8532 8122) prior to any works being undertaken on or adjacent to Main South Road and Reservoir Road.
- The Environmental Management and Monitoring Plan requires further work before it will receive approval, by the addition of those matters outlined in Section 7 of the Assessment Report dated November 2003.
- The development shall proceed in accordance with all relevant State and Commonwealth law (as amended from time to time).
- If, during construction or operation of the development, the proponent discovers evidence of an aboriginal site or any aboriginal objects or remains, the proponent is required, pursuant to the Aboriginal Heritage Act 1988, to report particulars to of such discovery to the Minister for Aboriginal Affairs and Reconciliation and thereafter comply with any directions given by the Minister for Aboriginal Affairs and Reconciliation.
- The proponent shall negotiate with the District Council of Yankalilla and the City of Onkaparinga on any matters arising from the development where the Councils have responsibilities under the Local Government Act 1999, and Roads (Opening and Closing) Act 1991.
- The requirement for an Environmental Management and Monitoring Plan (EMMP) prior to the commencement of construction does not include the two temporary anemometer towers hereby approved.
- For the purposes of conditions 5 and 6 a specialist noise consultant is taken to be one eligible for membership of both the Institution of Engineers Australia and the Australian Acoustical Society.

DEVELOPMENT ACT 1993, SECTION 25 (17): NORTHERN AREAS COUNCIL—JAMESTOWN INDUSTRIAL/COMMERCIAL DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Development Plan Amendment entitled 'Northern Areas Council—Jamestown Industrial/Commercial Development Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

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

NOTICE

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

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

Dated 23 July 2009.

PAUL HOLLOWAY, Minister for Urban
Development and Planning

DEVELOPMENT ACT 1993, SECTION 29 (2) (b) (i): AMENDMENT TO THE VICTOR HARBOR (CITY) DEVELOPMENT PLAN

Preamble

It is necessary to amend the Victor Harbor (City) Development Plan dated 28 May 2009.

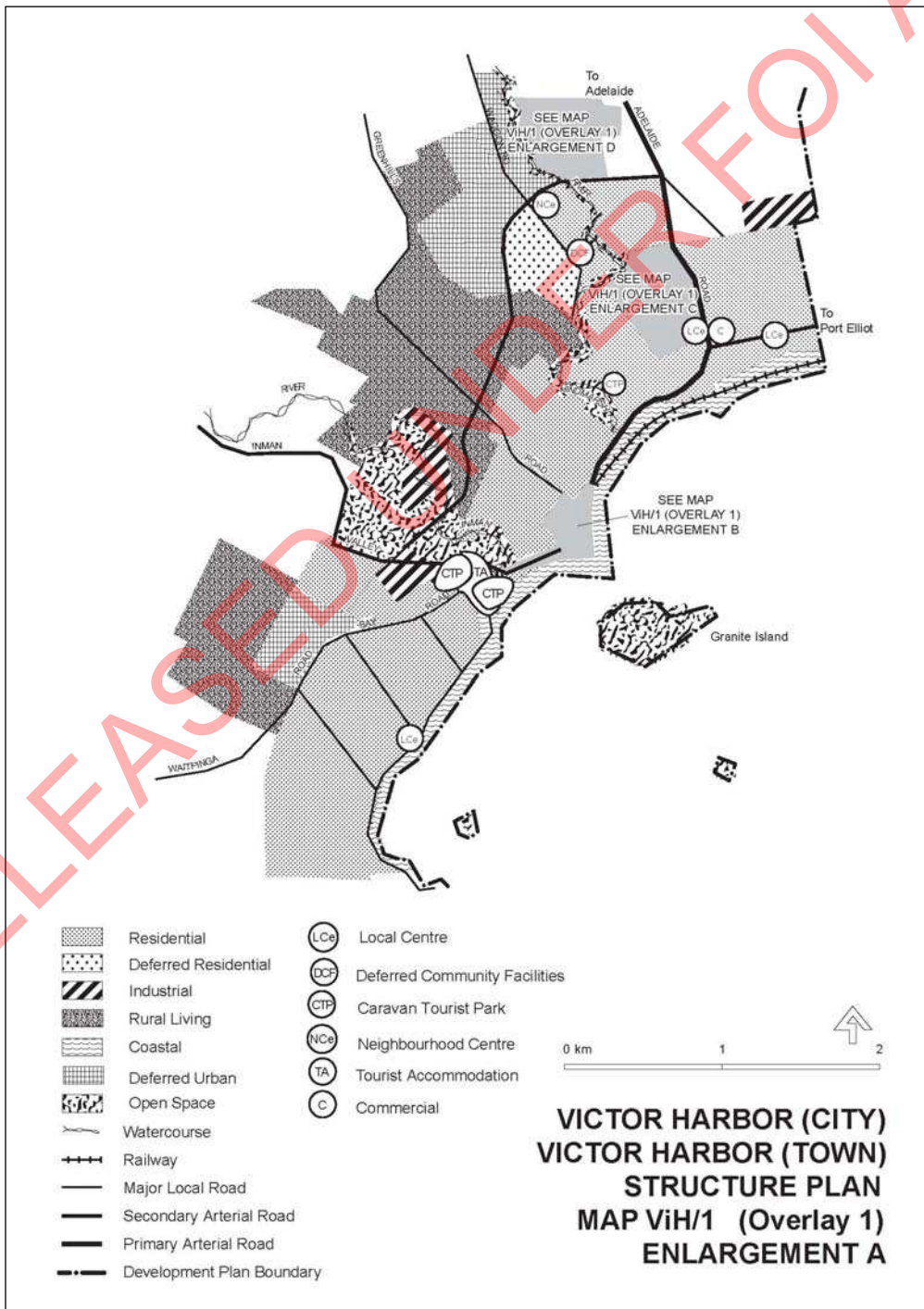
NOTICE

PURSUANT to section 29 (2) (b) (i) of the Development Act 1993, I, Paul Holloway, being the Minister administering the Act, amend the Victor Harbor (City) Development Plan dated 28 May 2009 as follows, by:

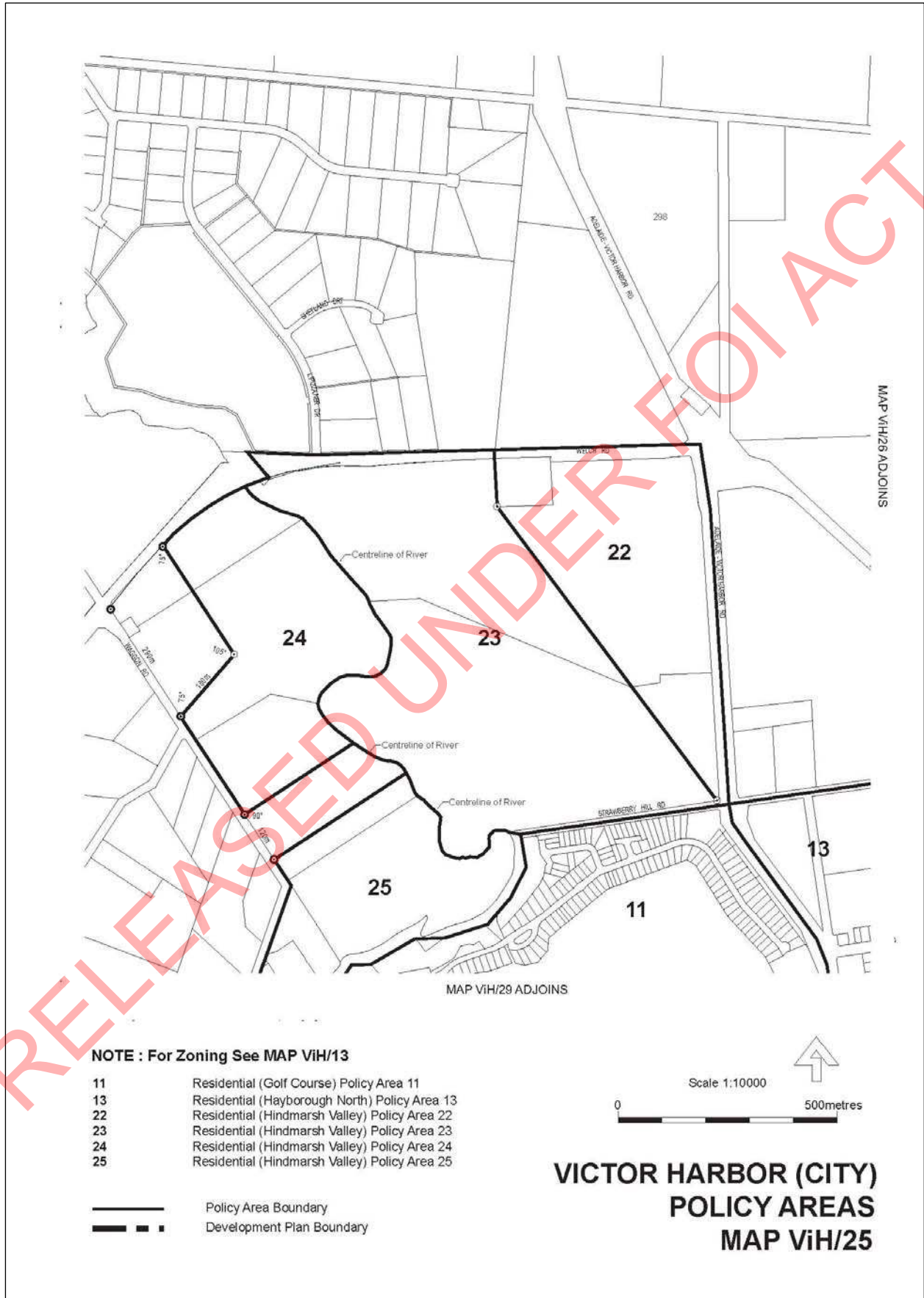
- (a) deleting Map ViH/1(Overlay 1) Enlargement A as *Gazetted* pursuant to section 27 (5) (a) of the Development Act 1993, on 23 July 2009 and replace it with the contents of Attachment A;
- (b) deleting Policy Area Map Vi/H/25 and replace it with the contents of Attachment B;
- (c) deleting Policy Area Map ViH/29 as *Gazetted* pursuant to section 27 (5) (a) of the Development Act 1993, on 23 July 2009 and replace it with the contents of Attachment C.

[Note: These amendments are to follow on from today's *Gazetted* section 27 (5) (a) notice that has amended the Victor Harbor (City) Development Plan.]

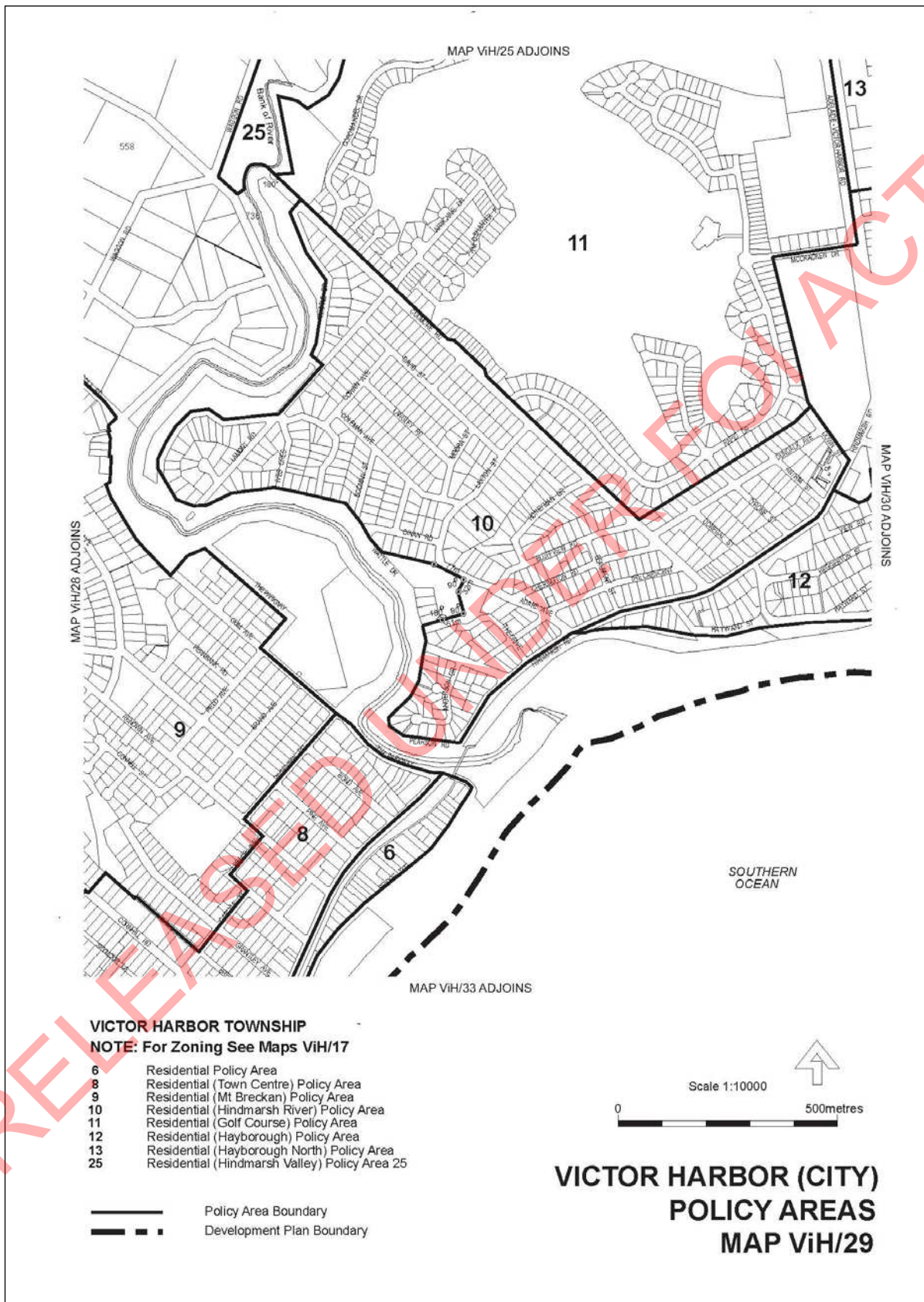
ATTACHMENT A



ATTACHMENT B



ATTACHMENT C



Dated 13 July 2009.

PAUL HOLLOWAY, Minister for Urban Development and Planning

DEVELOPMENT ACT 1993, SECTION 27 (5) (a): CITY OF VICTOR HARBOR OUTER RETAIL CENTRES
DEVELOPMENT PLAN AMENDMENT*Preamble*

Pursuant to section 27 (3) (b) of the Development Act 1993, the Environment, Resources and Development Committee of Parliament has suggested an amendment to the Victor Harbor Development Plan, as recently amended by the Outer Retail Centres Development Plan Amendment.

Following this suggestion, pursuant to section 27 (5) (a), I, Paul Holloway, being the Minister administering the Act, am proceeding to make such an amendment to amend the City of Victor Harbor Development Plan dated 28 May 2009.

NOTICE

PURSUANT to section 27 (5) (a) of the Development Act 1993, I, Paul Holloway, being the Minister administering the Act, amend the City of Victor Harbor Development Plan dated 28 May 2009 as follows:

1. Immediately after Local Centre (Hayborough) Zone insert the contents of Attachment A.
2. Delete existing Map ViH/1 (Overlay 1) Enlargement A and replace with the contents of Attachment B.
3. Delete existing Map ViH/17 and replace with the contents of Attachment C.
4. Delete existing Map ViH/18 and replace with the contents of Attachment D.
5. Delete existing Map ViH/29 and replace with the contents of Attachment E.
6. Delete existing Map ViH/30 and replace with the contents of Attachment F.

Dated 13 July 2009.

PAUL HOLLOWAY, Minister for Urban Development and Planning

ATTACHMENT A

Commercial Zone

The Objectives and Principles of Development Control that follow apply in the Commercial Zone on Maps ViH/17 and ViH/18. They are additional to those expressed for the whole of the Victor Harbor council area.

OBJECTIVES

- Objective 1: A zone accommodating a range of commercial, office, warehousing activities, including wholesaling, storage, distribution and service activities.
- Objective 2: A zone accommodating indoor/outdoor recreational facilities.
- Objective 3: A high standard of development in this gateway location, which promotes buildings which are low in scale and incorporate high quality streetscape design to enhance the appearance of the locality along the Adelaide to Victor Harbor Road and Port Elliot Road.
- Objective 4: A zone that is developed in a manner which minimises any adverse impacts on the adjoining Residential Zone in terms of appearance, noise, lighting and traffic generation.
- Objective 5: Development that contributes to the Desired Character of the zone.

Desired Character

The role of the zone is to cater for a variety of commercial uses such as offices, limited small scale bulky goods, warehouses and small-scale service trade premises. The expansion of centre type facilities such as shops is not desired, although limited retail associated with the uses envisaged in the zone is appropriate.

Development along the Adelaide to Victor Harbor Road and Port Elliot Road will be distinctive and of a high architectural and landscape quality to reflect the gateway significance of the location and improve the amenity of the local area. All aspects of building design and site planning will ensure high quality development faces each road. Buildings generally should be low in scale and height and complemented by high quality landscaping.

Changes in the use of land and buildings should generally be of a low traffic generating nature. Where possible, the sharing of parking areas between land uses is encouraged.

Development on sites with an unsatisfactory layout will be designed to improve or rectify these conditions, particularly where it relates to parking and traffic movement, integration of allotments and the orientation of buildings.

Development will have regard to the adjoining residential development and is planned to protect the residential amenity of the adjacent area and avoid potential future conflicts.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

1 The following forms of development are envisaged in the Commercial Zone:

- Bulky goods retailing up to 500 m²;
- Motor vehicle related business other than wrecking yard;
- Office;
- Petrol filling station;
- Recreational facility (indoor and/or outdoor);
- Service trade premises;
- Shop with a gross leasable area less than 250 m²;
- Store;
- Warehouse.

- 2 Retail development in the zone should not hinder the development or function of any Centre Zone and should comprise only retail components associated with:
- (a) petrol filling stations; and
 - (b) office, service trade premises or warehouse developments.

Form and Character

- 3 Development should contribute positively to streetscaping and road verge treatments, and enhance the appearance of the approach to the Town Centre.
- 4 Development on sites with an unsatisfactory or obsolete layout should be designed to improve or rectify those conditions, particularly where it relates to parking and traffic movement, integration of allotments, orientation of buildings and impacts to adjoining more sensitive development.
- 5 New development should provide buffers to reduce impacts to adjoining residential development.
- 6 Operating hours should be limited where there is potential for undesirable impacts on residential development.
- 7 Development should incorporate provision for safe vehicular access from adjoining roads, on-site car parking, and areas for the on-site manoeuvring, loading and unloading of service vehicles, to ensure the safe and free flow of traffic on adjoining public roads.

Land Division

- 8 Land division in the Commercial Zone is appropriate provided new allotments are of a size and configuration to ensure the objectives of the zone can be achieved.

Non-complying Development

- 9 The following kinds of development are non-complying in the Commercial Zone:

◆ *Form of Development*

- ◆ Dwelling
- ◆ Fuel depot
- ◆ Industry
- ◆ Intensive animal keeping
- ◆ Road transport terminal
- ◆ Shop or group of shops

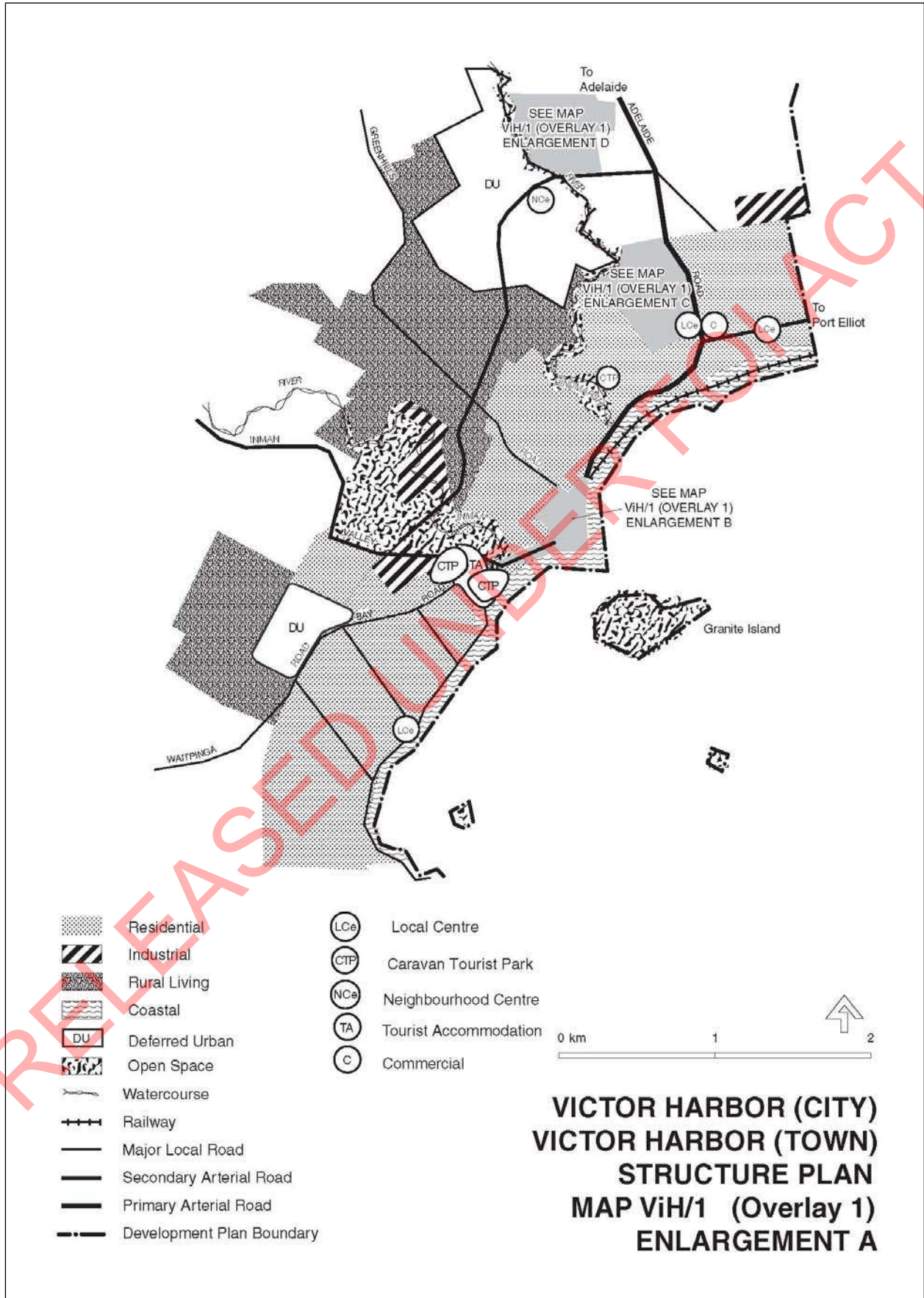
Exceptions

Except where:

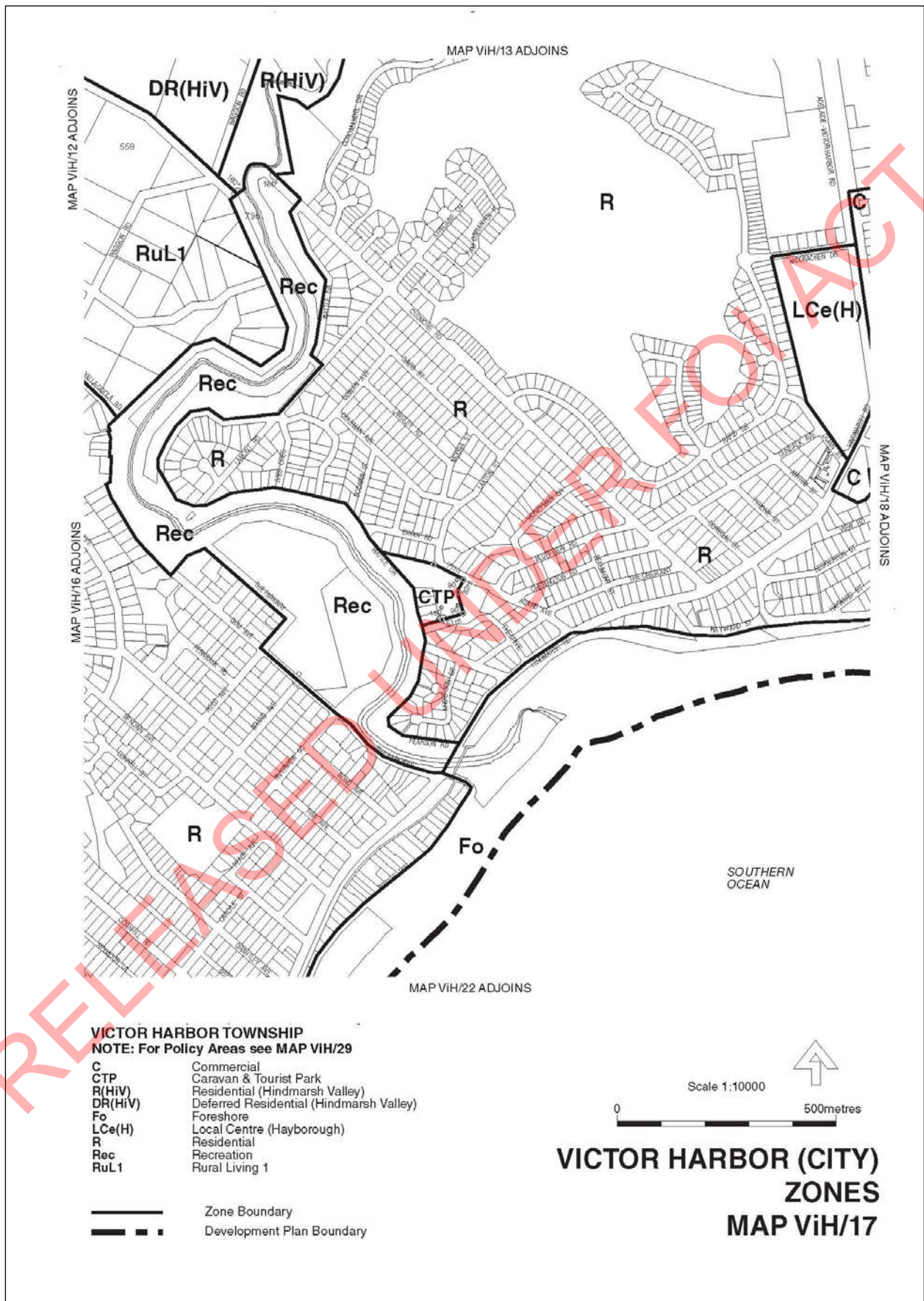
- (a) the gross leasable area is less than 250 m².

RELEASED UNDER FOIA ACT

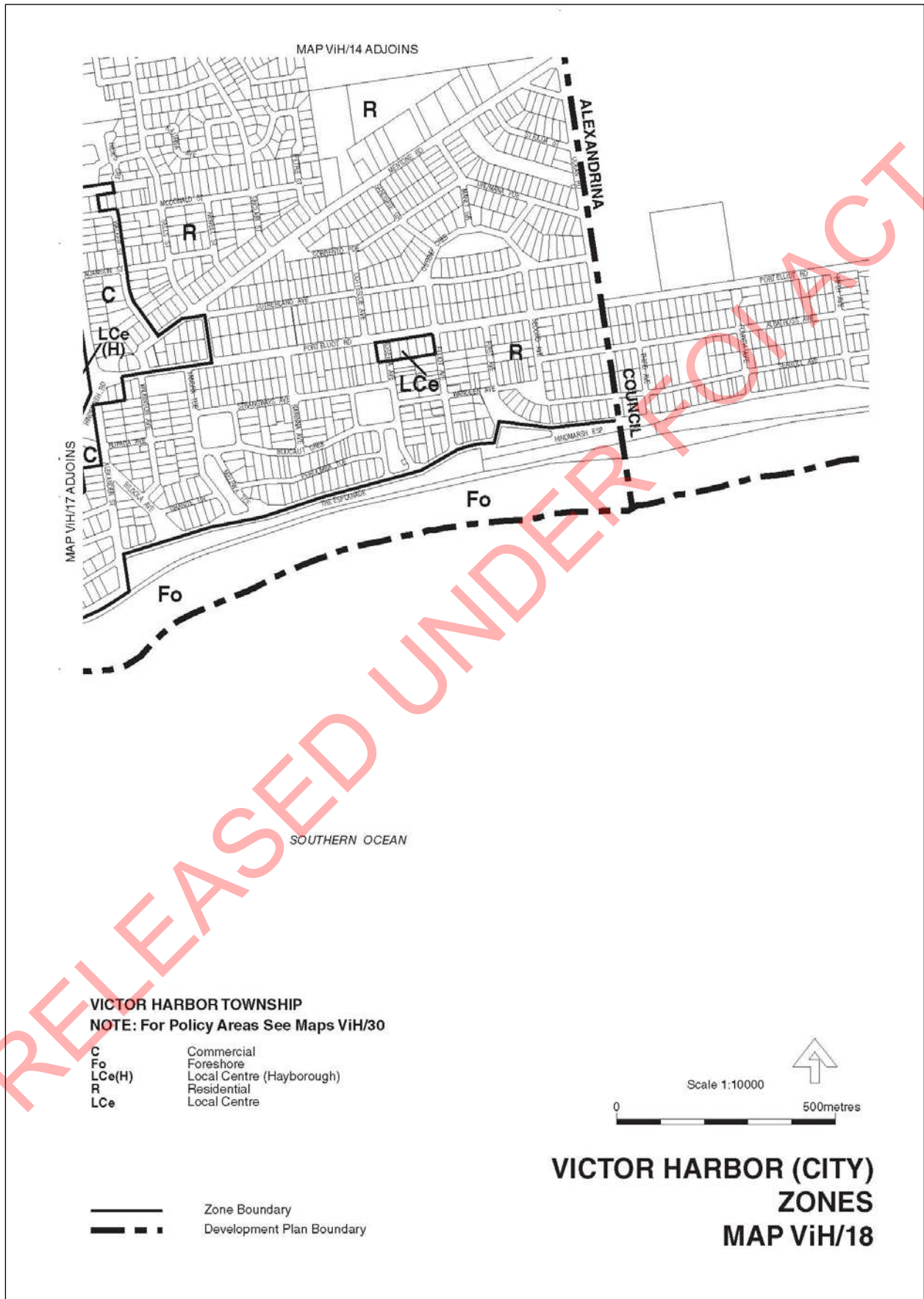
ATTACHMENT B



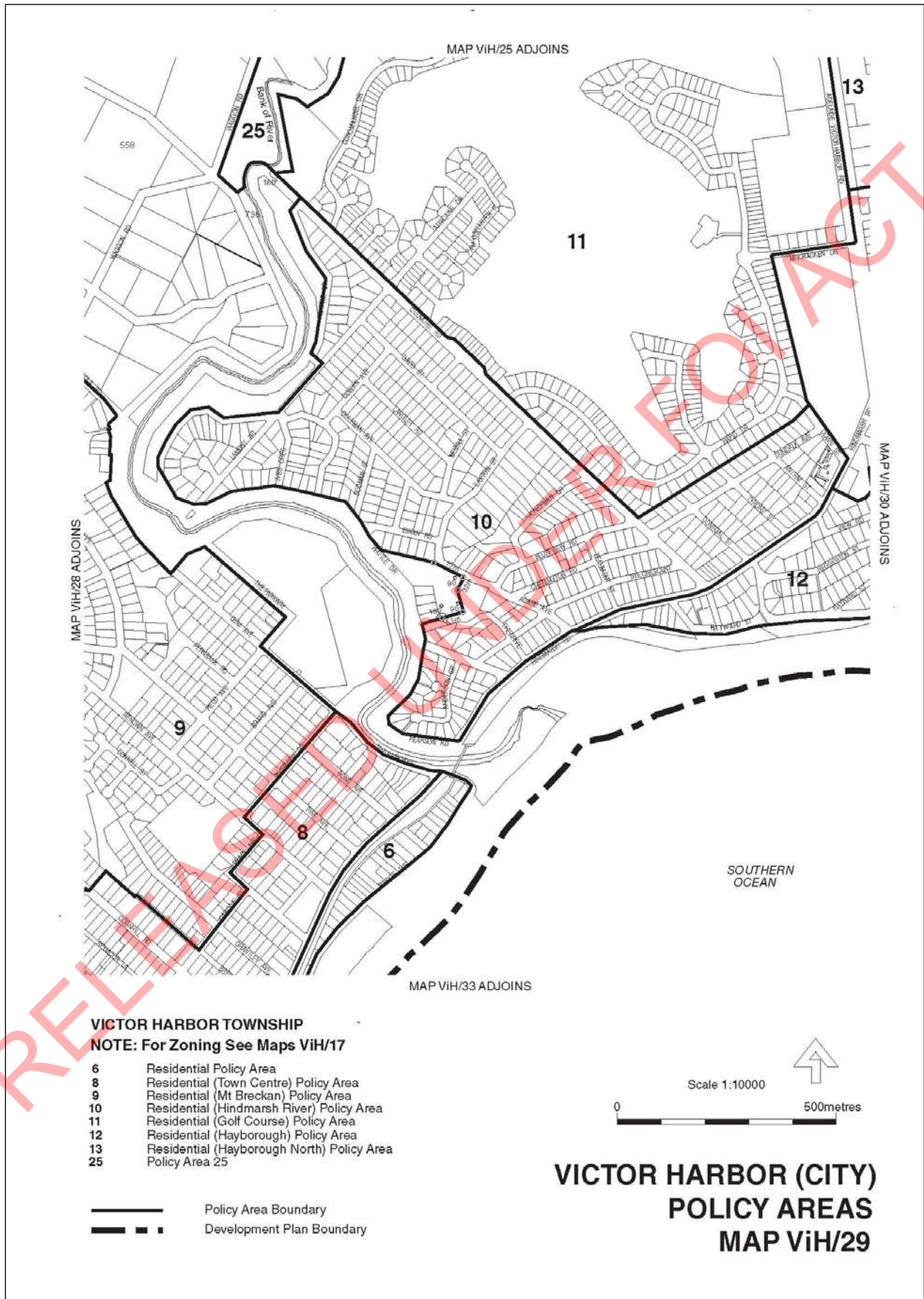
ATTACHMENT C



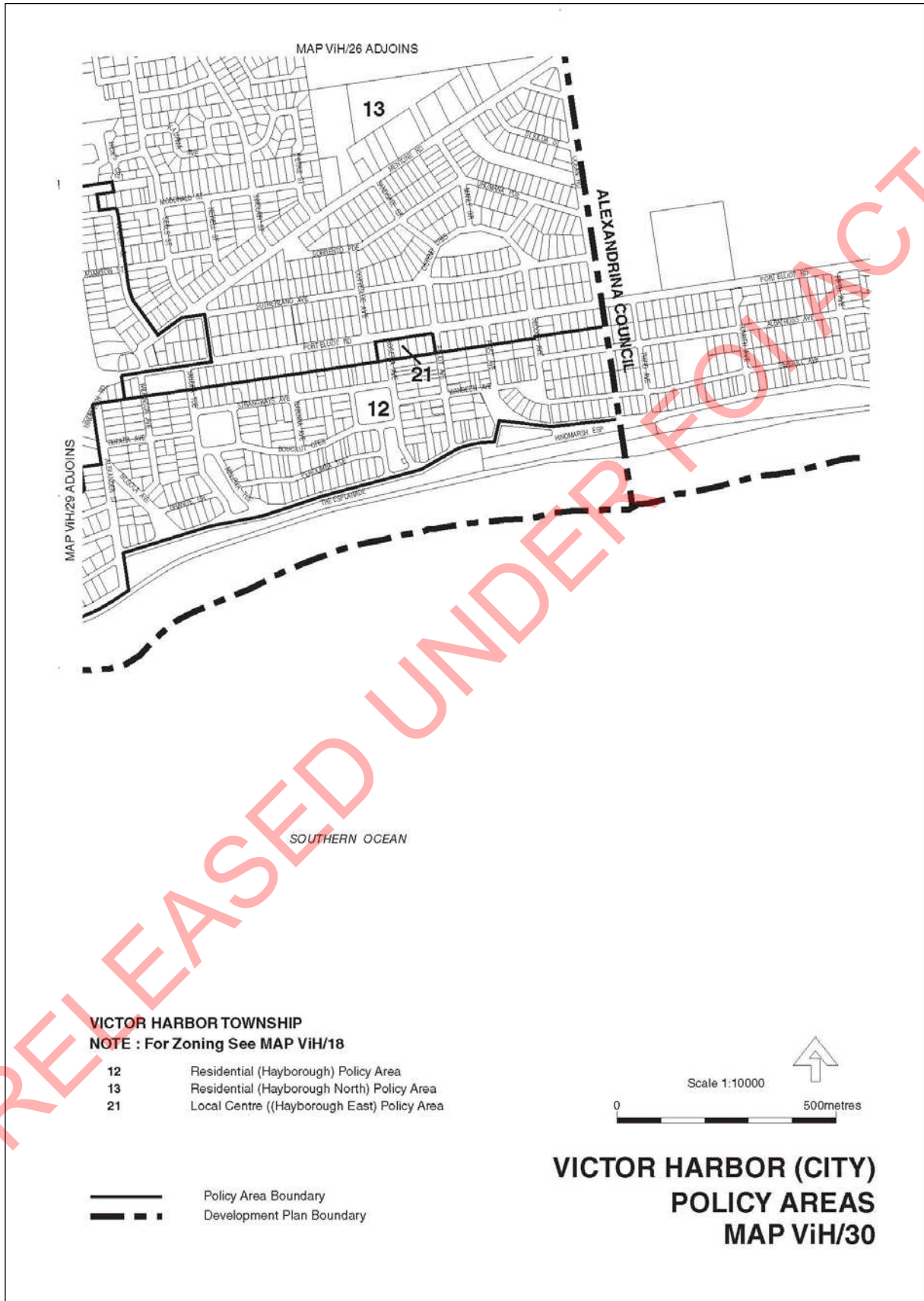
ATTACHMENT D



ATTACHMENT E



ATTACHMENT F



EXPIATION OF OFFENCES ACT 1996
NATIONAL PARKS AND WILDLIFE ACT 1972

Instrument of Authorisation

I, JAY WILSON WEATHERILL, Minister for Environment and Conservation, being the Minister responsible for the administration of the National Parks and Wildlife Act 1972, do hereby authorise, pursuant to section 6 (3) (b) (i) of the Expiation of Offences Act 1996, those persons appointed as Wardens, pursuant to section 20 of the National Parks and Wildlife Act 1972, and listed below, to issue expiation notices for expiable offences under the National Parks and Wildlife Act 1972, or Regulations made under the National Parks and Wildlife Act 1972:

Warden No.	Name of Warden
473	Jones, Sarah-Jane
474	Walsh, Patrick
475	Schriever, Barry
476	Calliss, Shayne
477	Iwao, Seiji
478	Bravington, Elijah
479	Brougham, Neil
480	Francis, Dennis
481	Ahlin, Sarah

Dated 6 July 2009.

JAY WEATHERILL, Minister for Environment and Conservation

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Robert McCormack of Australian Aquatic Biological Pty Ltd, P.O. Box 3, Karuah, N.S.W. 2324 (the 'exemption holder'), or a person acting as his agent, are exempt from the provisions of Clauses 43, 44, 45, 46 and 47 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as the exemption holder may collect aquatic organisms from South Australian inland waters, using the gear specified in Schedule 1 (the 'exempted activity'), subject to the conditions set out in Schedule 2, from 17 July 2009 until 30 June 2010, unless varied or revoked earlier.

SCHEDULE 1

- 12 yabby pot;
- 12 shrimp traps;
- 1 dip net per person.

SCHEDULE 2

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

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

3. A maximum of six specimens of each species may be retained by the exemption holder pursuant to this notice.

4. All crayfish of any species carrying external eggs must be immediately returned to the water.

5. Voucher specimens collect pursuant to this notice must be lodged with the Carnegie Museum, The Australian Museum or the South Australian Museum.

6. The exempted activity may be conducted on the exemption holder's behalf by Dr Jason Coughran.

7. Before conducting the exempted activity, the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902247.

8. Within 14 days of each collection of organisms pursuant to this notice, the exemption holder must provide a report in writing to the Director of Fisheries (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.

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

10. 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 17 July 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, licence holders in the Marine Scalefish Fishery endorsed with a condition fixing a sardine quota on the licence (the 'exemption holders') are exempt from Regulation 4 (1) of the Fisheries Management (Vessel Monitoring Scheme) Regulations 2007, but only insofar as the exemption holders are permitted to undertake fishing activities using a registered boat pursuant to the licence without a VMS unit installed (the 'exempted activity'), subject to conditions specified in Schedule 1, from 17 July 2009 until 30 June 2010, unless varied or revoked earlier.

SCHEDULE 1

1. The registered boat used pursuant to the exempted activity must be 7.5 m or less in length.

2. While engaged in the exempted activity, the registered boat may not be used for the taking of sardines using a sardine net or the holding or transport of any sardines.

3. While a registered boat is engaged in the exempted activity, other registered boats on the licence are prohibited from undertaking any sardine fishing activities pursuant to that licence.

4. The exemption holder must notify PIRSA Fisheries 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 notice 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. 9902257.

5. While engaged in the exempted activity, the exemption holder must have in their possession a copy of this notice and produce that notice to a PIRSA Fisheries Compliance Officer 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 17 July 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Kate Mason of the South Australian Murray-Darling Basin Natural Resources Management Board, P.O. Box 2343, Murray Bridge, S.A. 5253 (the 'exemption holder'), or a person acting as her agent, is exempt from the provisions of section 70 of the Fisheries Management Act 2007 and Regulation 7 (a) of the Fisheries Management (General) Regulations 2007, but only insofar as she may engage in the collection of fish (the 'exempted activity') from the waters described in Schedule 1, using the gear specified in Schedule 2, subject to the conditions set out in Schedule 3, from 17 July 2009 until 30 June 2010, unless varied or revoked earlier.

SCHEDULE 1

The tributaries, backwaters and wetlands of the River Murray between Lock 1 and the Coorong.

SCHEDULE 2

- 8 fine mesh (9 mm mesh size) fyke nets;
- 20 shrimp traps;
- 2 seine nets;
- 2 dip nets.

SCHEDULE 3

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

2. A maximum of five fish of any species per location may be taken for the purpose of species identification.

3. All other native fish taken pursuant to the exempted activity must be immediately returned to the water unless retained for the purpose of species identification.

4. Before conducting the exempted activity, the exemption holder or a person acting as her agent must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902261.

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

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

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

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 17 July 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under section 79 of the Fisheries Management Act 2007, published in the *South Australian Government Gazette*, dated 5 March 2009, referring to the West Coast Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a West Coast Prawn Fishery Licence to use prawn trawl nets in the waters specified in Schedule 1, under the conditions specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

The waters of the west coast prawn fishery adjacent to Venus Bay.

SCHEDULE 2

1. Each licence holder must ensure that a representative sample of the catch (a 'bucket count') is taken for each trawl shot carried out during the fishing activity.

2. Each 'bucket count' sample must be accurately weighed to 7 kg where possible and the total number of prawns contained in the bucket must be recorded on the attached data sheet, marked 'West Coast Prawn Fishery Bucket Count Data Sheet'.

3. The information recorded on the 'WCPF Bucket Count Data Sheet' must be returned to SARDI Aquatic Sciences within 15 days of the fishing activity being completed.

4. Fishing must cease if one or both of the following limits are reached:

- (a) the average catch per vessel, per night (for all three vessels) drops below 300 kg for two consecutive nights;
- (b) the average prawn 'bucket count' for all three vessels exceeds 240 prawns per bucket on any single fishing night.

5. The fleet must nominate a licence holder to provide a daily update by telephone or SMS message to the PIRSA Fisheries manager, to report the total prawn catch per night and the average prawn 'bucket count' information.

6. No fishing activity may be undertaken between 0700 hours and 1830 hours on any day during the period of this notice.

SCHEDULE 3

From 1830 hours on 15 July 2009 to 0700 hours on 29 July 2009.

Dated 15 July 2009.

S. SLOAN, Program Leader, Fisheries Management

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Graeme Noll of Natural Resources Services Pty Ltd trading as COOE, Unit 14, Level 1, North Terrace House, 19 North Terrace, Hackney, S.A. 5069 (the 'exemption holder') is exempt from section 70 of the Fisheries Management Act 2007, but only insofar as he may engage in the collection of marine 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 19 July 2009 until 15 August 2009, unless varied or revoked earlier.

SCHEDULE 1

The waters of Spencer Gulf near Point Lowly, excluding the area closed for the taking of cephalopods.

SCHEDULE 2

A Paironet sampler consisting of two 300 µm mesh nets, 1.5 m in length and a 25 cm mouth opening.

SCHEDULE 3

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

2. Any specimens not returned to the water must be lodged with the South Australian Museum as voucher specimens.

3. Before collecting any specimens pursuant to this notice, the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption at the time of making the call and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related questions. Exemption No. 9902264.

4. The exemption holder must provide a report in writing summarising the collection of organisms pursuant to this notice to the Director of Fisheries (G.P.O. Box 1625, Adelaide, S.A. 5001) within 14 days of lodging voucher specimens with the South Australian Museum, giving the following details:

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

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

6. 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 17 July 2009.

M. SMALLRIDGE, Director of Fisheries

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Chambers Creek on 25 January 2009:

- 4 yabbie pots
- 6 drop nets
- 1 fish trap

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Chambers Creek, River Murray.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Mount Gambier office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 14 July 2009.

M. LEWIS, General Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Birkenhead on 17 June 2009:

- 1 40 m monofilament fish net, white 10 mm head line rope, orange cylinder floats (small) inserted onto the headline, white rope along the base of net with crimped pieces of lead attached, mesh size is approximately 50 mm.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Tidal Gates in Barker Inlet, Port Adelaide, S.A. 5015.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 14 July 2009.

M. LEWIS, General Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Birkenhead on 2 June 2009:

- 1 rock lobster pot
- Approximately 35 m of brown rope
- 1 red 2 L float and 1 white 1 L float
- 1 40 cm cylinder bait securing device attached with yellow and green wire
- 1 06/07 recreational registration tag

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Encounter Bay between Rosetta Head Wharf and Wright Island, Victor Harbor.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 14 July 2009.

M. LEWIS, General Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Southend on 8 December 2008:

- 2 rock lobster pots with rope and buoys

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Southend.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 14 July 2009.

M. LEWIS, General Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Arno Bay Creek on 28 June 2009:

- 1 mesh net approximately 50 m long

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Arno Bay Creek.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Whyalla office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 14 July 2009.

M. LEWIS, General Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Cape Jaffa on 27 March 2009:

- 1 rock lobster pot with red neck
- 1 red 4 L buoy
- 1 white length of rope

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Cape Jaffa.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Birkenhead on 12 July 2008:

25 m monofilament gill net

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Port River, Birkenhead.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Hutt Bay on 14 February 2009:

1 rock lobster pot with black neck
1 orange length length of rope
1 white 4 L buoy

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Hutt Bay.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Mount Gambier office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Cape Douglas on 20 November 2008:

1 rock lobster pot with red neck
1 metal bait basket
1 red 4 L float

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Cape Douglas.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Mount Gambier office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Gerloff Bay on 26 November 2008:

1 rock lobster pot with cane neck
1 pink 4 L float
1 white 4 L float
1 black bait basket

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Gerloff Bay.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Mount Gambier office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Racecourse Bay on 20 November 2008:

1 rock lobster pot with red neck and cane surround
2 black bait baskets
1 white 4 L float

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Racecourse Bay.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Mount Gambier office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Beachport on 19 November 2008:

1 drop net, blue mesh, orange rope, 2 white floats
1 drop net, blue mesh, orange rope, 2 white 4 L buoys
1 drop net, orange and black mesh, pink and blue rope, 2 red plastic floats (small), 1 white 4 L buoy
1 drop net, black and orange mesh, yellow rope, 1 white 4 L buoy
1 drop net, orange and black mesh, orange rope, 1 white 4 L buoy, 2 small plastic floats

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Beachport.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Cooper Creek on 20 October 2008:

- 11 Opera House nets, orange and white ropes
- 11 bait holders (round screw tops)

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Cooper Creek.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Cooper Creek on 20 October 2008:

- 1 wire yabbie trap with thick white rope and round screw top bait cylinder.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Cooper Creek.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Cooper Creek on 20 October 2008:

- 2 Opera House nets, yellow ropes
- 1 wire trap (orange mesh)

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Cooper Creek.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Onkaparinga River on 4 October 2008:

- 1 mesh net with white rope/green ropes and blue foam floats

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Onkaparinga River.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Birkenhead on 29 July 2008:

- 1 300 m monofilament fishing net, green pieces of rubber used as floats lashed at intervals along the top of the net, fishing line along the base of net with crimped pieces of lead attached to the line.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Barque Creek, Barker Inlet.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Birkenhead on 29 July 2008:

1 150 m monofilament fishing net, yellow pieces of rubber used as floats lashed at intervals along the top of the net, fishing line along the base of net with crimped pieces of lead attached to the line.

1 100 m monofilament fishing net, black pieces of rubber used as floats lashed at intervals along the top of the net, fishing line along the base of net with crimped pieces of lead attached to the line.

2 white fertiliser bags used to store the nets.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Barque Creek, Barker Inlet.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Birkenhead on 29 July 2008:

1 20 m monofilament fishing net, white 10 mm head line rope, brown floats (small) lashed to the headline, green cord along the base of net with crimped pieces of lead attached to the cord, mesh size is approximately 120 mm.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007 and were taken into possession at Chapman Creek, Chapman Creek Aquatic Reserve.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Kingston S.E. on 31 March 2009:

1 rock lobster pot—stainless steel mesh, black plastic neck, orange rope, 1 L orange float.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007 and were taken into possession at Nora Creina.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston S.E. office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Kingston S.E. on 24 March 2009:

1 drop net, black mesh, white float, white rope

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007 and were taken into possession at Cape Jaffa.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston S.E. office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Douglas Point on 14 February 2009:

1 rock lobster pot, red neck, yellow rope
1 4 L red buoy
1 rock lobster pot, red neck, yellow rope, blue mesh
1 4 L red buoy

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007 and were taken into possession at Douglas Point.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Mount Gambier office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Cape Jaffa on 17 January 2009:

1 rock lobster pot, stainless steel mesh, red plastic neck, 2 black plastic bait baskets, 1 red plastic bait basket, 1 PVC bait basket, white rope, 1 red float.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007 and were taken into possession at Cape Jaffa.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston S.E. office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Guichen Bay, Robe on 18 January 2009:

- 1 rock lobster pot, stainless steel mesh, red plastic neck, 1 black plastic bait basket, 1 red float, 1 yellow float, orange rope.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007 and were taken into possession at Grichen Bay, Robe.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston S.E. office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Guichen Bay, Robe on 18 January 2009:

- 1 rock lobster pot—stainless steel mesh, red plastic neck, white rope, 1 faded red float, 1 green float, 1 black plastic bait basket.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Guichen Bay, Robe.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston SE office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Boatswains Point near Robe on 18 January 2009:

- 1 rock lobster pot—stainless steel mesh, red plastic neck, pink and green rope, 1 black plastic bait basket, 1 red float.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Boatswains Point near Robe.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston SE office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Wrights Bay near Robe on 18 January 2009:

- 1 rock lobster pot—stainless steel mesh, red plastic neck, orange rope, 1 red float, 1 smaller white float.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Wrights Bay.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston SE office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Wrights Bay near Robe on 18 January 2009:

- 1 rock lobster pot—stainless steel mesh, red plastic neck, orange rope, 1 white float.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Wrights Bay near Robe.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston SE office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Kadina on 30 November 2008:

- 1 double ringed crab net with metal mesh bottom and black netting sides approximately 700 mm in diameter with green cord attached.
- 1 double ringed crab net with metal mesh bottom and black netting sides approximately 600 mm in diameter with white and black cord attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Wallaroo Jetty, Wallaroo.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kadina office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Murninnie Beach on Saturday, 18 October 2008:

- 1 nylon mesh net 77 m long, 1.8 m in depth, orange floats

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Murninnie Beach.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Whyalla office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Margaret Brock Reef, Cape Jaffa on 28 January 2009:

- 1 recreational rock lobster pot with rope and buoys

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Margaret Brock Reef.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston S.E. office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Beachport on 22 February 2009:

- 1 recreational rock lobster pot plus buoys and rope

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Beachport.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston S.E. office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Port Lincoln on 12 November 2008:

- 1 rock lobster pot with 1 red float and 1 white float and no registration tag attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Donnington Island near Port Lincoln.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Port Lincoln office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Kingston S.E. on 14 February 2009:

- 1 rock lobster pot, red neck, 8 L red and white float
- 1 rock lobster pot, red and black neck, 2 L white float
- 1 rock lobster pot, red neck, 2 4 L white floats and 1 pinky float.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Southend.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kingston S.E. office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Cooper Creek on 20 October 2008:

4 drop nets with 2 tags in poor condition

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Cooper Creek.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Birkenhead office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Golden Island on 21 January 2009:

1 rock lobster pot with a black plastic neck and a single red buoy.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Golden Island.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Port Lincoln office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Wedge Island on 3 January 2009:

1 rock lobster pot with a red plastic neck and white float with painted orange band.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Wedge Island.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Port Lincoln office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Gaalen Island on 5 January 2009:

1 rock lobster pot with a black plastic neck and 2 yellow floats.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Gaalen Island.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Port Lincoln office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Gaalen Island on 5 January 2009:

1 rock lobster pot with a red plastic neck and 1 white float

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Gaalen Island.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Port Lincoln office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Port Clinton on 22 September 2008:

4 single drop nets, rope attached
1 single drop net, rope attached

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Port Clinton.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kadina office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division at Bauld Hill Beach on 22 September 2008:

1 white container (fish tub), rope attached

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession at Bauld Hill Beach.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Kadina office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 5 May 2009.

M. SMALLRIDGE, General Manager,
Fisheries Services

LEGAL PRACTITIONERS ACT 1981

Instrument of Reappointment

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

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

This appointment is effective from 18 July 2009.

Dated 16 July 2009.

MICHAEL ATKINSON, Attorney-General

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES
ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Staxdon Pty Ltd as trustee for S. & E. Ey Trust has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at Main North Road, Auburn, S.A. 5451 and known as Rising Sun Hotel.

The applications have been set down for hearing on 20 August 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 13 August 2009).

The applicant's address for service is c/o Donaldson Walsh Lawyers, G.P.O. Box 2873, Adelaide, S.A. 5001 (Attention: Jarrod Ryan).

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

Dated 16 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Crancker Investments Pty Ltd has applied to the Licensing Authority for a variation to Conditions in respect of premises situated at 196 Grenfell Street, Adelaide, S.A. 5000 and known as Crown and Anchor Hotel.

The application has been set down for callover on 14 August 2009 at 9 a.m.

Conditions

The following licence conditions are sought:

- Variation to the licence conditions:

From:

10. 'No Live Entertainment shall be provided in Areas 5, 6 and 9 and entertainment in these areas shall be restricted to music provided through the licensee's in-house system or by way of a juke box, in which case only the licensee or its employees are permitted to alter or change any CDs/music played on the premises in these areas'.

To:

10. 'Live entertainment may be provided in Areas 5, 6 and 9. All music in Areas 5, 6 and 9 will be restricted to being provided through the licensee's in-house system or by way of a juke box in which case only the licensee, its employees or authorised Crown and Sub-contractors are permitted to change any CDs/Music on the premises in these areas'.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 7 August 2009).

The applicant's address for service is c/o John Machin, 196 Grenfell Street, Adelaide, S.A. 5000.

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

Dated 14 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Alrow Nominees Pty Ltd as trustee for Alan Rowett Family Trust has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 325 Sturt Road, Bedford Park, S.A. 5042 and known as Roselands Tennis World.

The application has been set down for hearing on 19 August 2009 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 12 August 2009).

The applicant's address for service is c/o Jeff Stevens & Associates, Level 1, 86 Pirie Street, Adelaide, S.A. 5000.

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

Dated 14 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that CHMJ Pty Ltd as trustee for CH Family Trust and MJ Trust and Steve Rosso Pty Ltd as trustee for Russo Family Trust have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at T20 Seaford Shopping Centre, Commercial Road, Seaford, S.A. 5169 and known as Caffe Acqua Seaford.

The application has been set down for hearing on 20 August 2009 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 13 August 2009).

The applicants' address for service is c/o Pace Lawyers, 192 Gilbert Street, Adelaide, S.A. 5000 (Attention: Serina Pace).

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

Dated 17 July 2009.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Linda Caruso has applied to the Licensing Authority for a Redefinition, variation to Conditions, variation to an Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at 12 Diment Road, Salisbury North, S.A. 5108 and known as Salisbury Country Golf Links.

The application has been set down for callover on 21 August 2009 at 9 a.m.

Conditions

The following licence conditions are sought:

- Redefinition to include the whole of the Golf Course as per plans lodged with this office.
- Variation to an Extended Trading Authorisation to include the above redefined area.
- Variation to Entertainment Consent to include the above redefined area.
- Variation to Conditions to change the following trading hours:

From:

Tuesday: 7 a.m. to 8.30 p.m.

To:

Tuesday: 7 a.m. to midnight.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 14 August 2009).

The applicant's address for service is c/o Linda Caruso, Lot 12, Diment Road, Salisbury North, S.A. 5108.

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

Dated 14 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Walkers Arms Pty Ltd as trustee for Walkers Arms Class Trust has applied to the Licensing Authority for Alterations, Redefinition, variation to an Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at 36 North East Road, Walkerville, S.A. 5081 and known as Walker's Arms Hotel.

The application has been set down for callover on 21 August 2009 at 9 a.m.

Conditions

The following licence conditions are sought:

- Alterations and Redefinition for reconstruction of the whole licensed premises as per plans lodged with this office.
- Alterations and Redefinition to include proposed Outdoor Area as per plans lodged with this office.
- Extended Trading Authorisation and Entertainment Consent are to remain as currently approved and are to apply to the proposed Outdoor Area as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 14 August 2009).

The applicant's address for service is c/o Peter Johnson, 1/26 North East Road, Walkerville, S.A. 5081.

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

Dated 15 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that International Management Holdings Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Club Wine Direct.

The application has been set down for callover on 21 August 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 14 August 2009).

The applicant's address for service is c/o Sharnee Bennett, P.O. Box 298, Stepney, S.A. 5069.

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

Dated 16 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Sean Michael Masterson and Susan Oliver as trustee for the Courthouse Cafe Trust have applied to the Licensing Authority for a Restaurant Licence and Entertainment Consent in respect of premises situated at 52 Main Street, Normanville, S.A. 5204 and to be known as Courthouse Cafe.

The application has been set down for callover on 21 August 2009 at 9 a.m.

Conditions

The following licence conditions are sought:

- Entertainment Consent:

On any day: 10 a.m. to 11.30 p.m.

New Year's Day: 10 a.m. to midnight.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the callover date (viz: 14 August 2009).

The applicants' address for service is c/o Sean Masterson, P.O. Box 34, Normanville, S.A. 5204.

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

Dated 17 July 2009.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that the Maltese Senior Citizens Association has applied to the Licensing Authority for a Limited Club Licence in respect of premises situated at 29 Le Hunte Street, Kilburn, S.A. 5084 and to be known as the Maltese Senior Citizens Association of South Australia Incorporated.

The application has been set down for callover on 21 August 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 14 August 2009).

The applicant's address for service is c/o Frank Grima, P.O. Box 174, Kilburn, S.A. 5084.

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

Dated 14 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Tricia Pauline Westley has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 2 Adelaide Road, Victor Harbor, S.A. 5211 and to be known as the 19th Hole Cellar Door Wine Sales.

The application has been set down for callover on 21 August 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 14 August 2009).

The applicant's address for service is c/o Westley Digiorgio Solicitors, P.O. Box 1265, Naracoorte, S.A. 5271 (Attention: Peter Westley).

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

Dated 16 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Sennco Pty Ltd as trustee for Najar Family Trust has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 349 Magill Road, St Morris, S.A. 5068 and to be known as Viva Sustainable Food.

The application has been set down for callover on 21 August 2009 at 9 a.m.

Conditions

The following licence conditions are sought:

- The primary use of the premises is a retail outlet, with a function space to be used for casual eating and functions on a semi-regular basis.
- To sell sustainably produced, certified organic, biodynamic, low preservative, chemical free and speciality small production liquor comprising beer, wine and spirits.
- For consumption on the premises in the designated function room, on any day between 7 a.m. to 11 p.m. except Christmas Day and Good Friday.
- For consumption off the premises on any day between 7 a.m. and 9 p.m. except Christmas Day and Good Friday.
- Food will be available at all times when liquor is consumed on the premises.
- Functions include sit down dinners and stand up drinks/nibbles functions.
- Maximum capacity in the function room is 100 persons.
- All functions are for invited patrons only and are not open to the general public.
- No rubbish will be moved outside or made available for collection between the hours of 11 p.m. and 7 a.m. of the following morning.
- Noise from the premises shall be kept to a minimum.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 14 August 2009).

The applicant's address for service is c/o Caralyn Lammas, 349 Magill Road, St Morris, S.A. 5068.

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

Dated 16 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Hesketh Wine Company Pty Ltd as trustee for the JFDI Nominees Trust has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 6 Blairgowrie Road, St Georges, S.A. 5064 and to be known as Hesketh Wine Company.

The application has been set down for callover on 21 August 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 14 August 2009).

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

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

Dated 17 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Truevision Enterprises Pty Ltd as trustee for Wellington Hatch Trust has applied to the Licensing Authority for the transfer of a Hotel Licence in respect of premises situated at 1 Hallett Street, Tarlee, S.A. 5411 and known as Sir James Fergusson Hotel.

The application has been set down for hearing on 24 August 2009 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 17 August 2009).

The applicant's address for service is c/o Clelands Solicitors, 208 Carrington Street, Adelaide, S.A. 5000 (Attention: Rinaldo D'Aloia).

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

Dated 15 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Cyprus Community of SA Inc. has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 8 Barpowell Road, Welland, S.A. 5007, known as Riverbanks Function Centre and to be known as Cyprus Community.

The application has been set down for hearing on 24 August 2009 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 17 August 2009).

The applicant's address for service is c/o Chris Ioannou, 25 Cross Street, Queenstown, S.A. 5014.

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

Dated 15 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Bronte Elizabeth Symonds and Jake Bryan Symonds have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at the corner of Edith and Blanche Street, Edithburgh, S.A. 5583 and known as The Location at the Burgh.

The application has been set down for hearing on 24 August 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 17 August 2009).

The applicants' address for service is c/o Jeff Stevens and Associates, Level 1/86 Pirie Street, Adelaide, S.A. 5000.

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

Dated 15 July 2009.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Hind Pty Ltd as trustee for the Hind Unit Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 24 Saltfleet Street, Port Noarlunga, S.A. 5167, known as Spice Bar and to be known as Harvest of India.

The application has been set down for hearing on 24 August 2009 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 17 August 2009).

The applicant's address for service is c/o Richard Leuthra, 91 O'Connell Street, North Adelaide, S.A. 5006.

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

Dated 16 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Distill Pty Ltd as trustee for the Distill Unit Trust, 5/4A Chief Street, Hindmarsh, S.A. 5007, has applied to the Licensing Authority for a Direct Sales Licence in respect of business to be known as Vinteloper Wines.

The application has been set down for callover on 28 August 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 21 August 2009).

The applicant's address for service is c/o David Bowley, P.O. Box 2601, Kent Town, S.A. 5071.

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

Dated 20 July 2009.

Applicant

MINING ACT 1971

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

Applicant: Marmota Energy Limited

Location: Lake Frome area—Approximately 145 km north-north-west of Olary.

Pastoral Lease: Lakeside

Term: 1 year

Area in km²: 24

Ref.: 2009/00075

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

J. MARTIN, Acting Mining Registrar

MINING ACT 1971

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

Applicant: Marmota Energy Limited

Location: Lake Frome area—Approximately 155 km east of Leigh Creek.

Pastoral Lease: Lakeside

Term: 1 year

Area in km²: 316

Ref.: 2009/00096

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

J. MARTIN, Acting Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 35A (1) of the Mining Act 1971, that an application for mining leases over the undermentioned mineral claim has been received. Details of the proposal may be inspected at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000:

Applicant: Mark Hardy

Claim Number: 3811

Location: Allotment 3 in Deposited Plan 67579, Hundred of Menzies—Approximately 10 km north-west of Kingscote, Kangaroo Island.

Area: 13.2 hectares

Purpose: For the recovery of limestone

Reference: T02668

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

Written submissions in relation to the granting of mining leases are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 6 August 2009.

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

J. MARTIN, Acting Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 35A (1) of the Mining Act 1971, that an application for a mining lease over the undermentioned mineral claim has been received. Details of the proposal may be inspected at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000:

Applicant: Ian Hoffman

Claim Number: 4130

Location: Section 117, Hundred of Minnipa—Approximately 5 km north of Minnipa.

Area: 1.98 hectares

Purpose: For the recovery of extractive minerals (granite)

Reference: T02754

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

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 20 August 2009.

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

J. MARTIN, Acting Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 35A (1) of the Mining Act 1971, that an application for a mining lease over the undermentioned mineral claim has been received. Details of the proposal may be inspected at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000:

Applicant: Richard Kym Parker and Jennifer May Parker

Claim Number: 3786

Location: Allotment 3 in Deposited Plan 22825, Hundred of Dixon—Approximately 34 km north-east of Tumby Bay.

Area: 246.75 hectares

Purpose: For the recovery of extractive minerals (quartzite/sandstone)

Reference: T02658

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

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 20 August 2009.

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

J. MARTIN, Acting Mining Registrar

NATIONAL ELECTRICITY LAW

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

Under section 107, the period of time for the making of the draft determination on the *Total Factor Productivity for Distribution Network Regulation* Rule proposal has been extended to **1 October 2010**.

Under section 95, NEMMCO (now AEMO) requested the *Cost Recovery for other services directions* Rule proposal (Project Ref. ERC0090). The proposal seeks to amend the methodology for recovering costs for directions issued by the AEMO for services other than energy and market ancillary services. Submissions must be received by **24 August 2009**.

Submissions on this proposal can be lodged online via the AEMC's website at www.aemc.gov.au. Before submitting your submission, you must review the AEMC's privacy collection statement on its website.

Submissions should be submitted in accordance with the *AEMC's Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website subject to a claim of confidentiality.

All documents in relation to the above matters are published on the AEMC's website and are available for inspection at the offices of the AEMC.

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

23 July 2009.

PETROLEUM ACT 2000

Suspension of Petroleum Exploration Licence—PEL 101

PURSUANT to section 90 of the Petroleum Act 2000, notice is hereby given that PEL 101 has been suspended under the provisions of the Petroleum Act 2000, from and including 26 June 2009 until 26 December 2009, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

The expiry date of PEL 101 is now determined to be 22 January 2010.

Dated 15 July 2009.

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

PETROLEUM ACT 2000

*Suspension of Geothermal Exploration Licences—
GELs 241 and 242*

PURSUANT to section 90 of the Petroleum Act 2000, notice is hereby given that GELs 241 and 242 have been suspended under the provisions of the Petroleum Act 2000, from and including 7 July 2009 until 6 January 2010, pursuant to delegated powers.

The expiry date of GELs 241 and 242 is now determined to be 24 February 2013.

Dated 15 July 2009.

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

PETROLEUM ACT 2000

Cessation of Suspension and Surrender Geothermal Exploration Licences—GEL 157 and GEL 179

PURSUANT to section 90 of the Petroleum Act 2000, notice is hereby given that the suspension dated 24 October 2008, of the abovementioned Exploration Licences has been ceased under the provisions of the Petroleum Act 2000, effective from 16 July 2009, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

Notice is hereby given that pursuant to delegated powers I have also accepted surrender of the abovementioned Geothermal Exploration Licences, with effect from 16 July 2009.

No. of Licence	Licensee	Date of Surrender	Area in km ²	Reference
GEL 157	MNGI Pty Ltd	16 July 2009	496	27/02/262
GEL 179	MNGI Pty Ltd	16 July 2009	500	27/02/302

Description of Area—GEL 157

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

Commencing at a point being the intersection on latitude 29°36'00"S GDA94 and longitude 139°41'00"E GDA94, thence east to longitude 139°43'00"E GDA94, north to latitude 29°34'00"S GDA94, east to longitude 139°47'00"E GDA94, north to latitude 29°33'00"S GDA94, east to longitude 139°52'00"E GDA94, north to latitude 29°32'00"S GDA94, east to the western boundary of Strzelecki Regional Reserve, thence generally southerly along the boundary of the said Regional Reserve and the western boundary of Lake Callabonna Fossil Reserve (*G.G. 5.12.1901*) to latitude 29°42'00"S GDA94, west to longitude 139°42'00"E GDA94, north to latitude 29°41'00"S GDA94, west to longitude 139°41'00"E GDA94 and north to the point of commencement.

Area: 496 km² approximately.

Description of Area—GEL 179

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

Commencing at a point being the intersection of latitude 29°31'00"S GDA94 and longitude 139°52'00"E GDA94, thence east to longitude 140°10'00"E GDA94, south to latitude 29°35'00"S GDA94, east to longitude 140°18'00"E GDA94, south to latitude 29°40'00"S GDA94, west to longitude 140°16'00"E GDA94, south to latitude 29°41'00"S GDA94, west to longitude 140°12'00"E GDA94, south to latitude 29°42'00"S GDA94, west to the western boundary of Lake Callabonna Fossil Reserve, thence generally north-easterly along the boundary of the said Reserve to latitude 29°32'00"S GDA94, west to longitude 139°52'00"E GDA94 and north to point of commencement.

Area: 500 km² approximately.

Dated 16 July 2009.

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

PETROLEUM ACT 2000

Grant of Petroleum Exploration Licence—PEL 138

NOTICE is hereby given that the undermentioned Petroleum Exploration Licence has been granted under the provisions of the Petroleum Act 2000, pursuant to delegated powers.

No. of Licence	Licensees	Date of Expiry	Area in km ²	Reference
138	Dawnpark Holdings Pty Ltd Standard Oil Pty Ltd	15 July 2014	6 563	27/2/234

Description of Area—PEL 138

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

Commencing at a point being the intersection of latitude 26°54'34"S GDA94 and longitude 133°00'00"E GDA94, thence east to longitude 133°18'00"E GDA94, south to latitude 27°00'00"S GDA94, east to the eastern boundary of the Anangu Pitjantjatjara Lands, thence generally southerly and westerly along the boundary of the said Lands to longitude 133°00'00" AGD66, north to latitude 27°39'00"S AGD66, west to longitude 133°00'00"E GDA94 and north to the point of commencement.

Area: 6 563 km² approximately.

Dated 16 July 2009.

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

PETROLEUM ACT 2000

Application for a Pipeline Licence—PL 19

PURSUANT to section 65 (6) of the Petroleum Act 2000 (the Act) and Delegated powers, notice is hereby given that an application for the grant of a pipeline licence has been received from Adelaide Energy Limited.

General Description of Application

The Jacaranda Ridge #2 pipeline commences at the Jacaranda #2 well site and proceeds to the existing Redman #1 well site, where it connects into the existing flowline to transport gas to the Katnook Plant. The Jacaranda Ridge #2 pipeline is approximately 10 km long.

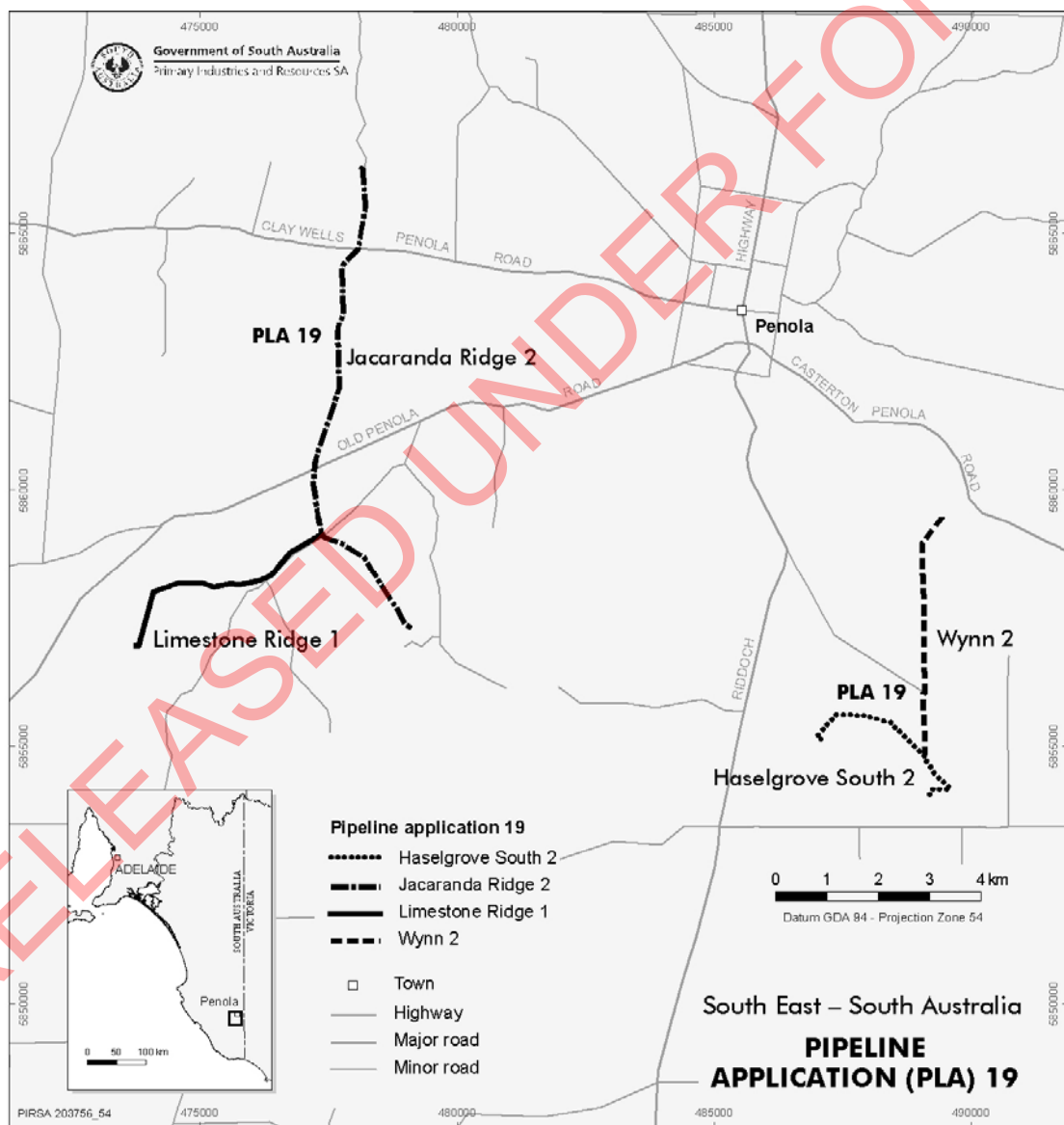
The Limestone Ridge #1 pipeline commences at the Limestone Ridge #1 well site and connects into the Jacaranda Ridge #2 pipeline to transport gas to the Katnook Plant. The Limestone Ridge #1 pipeline is approximately 4.8 km long.

The Haselgrove South #2 pipeline commences at the Haselgrove South #2 well site and concludes at the Haselgrove South #1 well site, where it connects into the existing flowline to transport gas to the Katnook Plant. The Haselgrove South #2 pipeline is approximately 4 km long.

The Wynn #2 pipeline commences at the Wynn #2 well site and travelling in a southward direction connects with the Haselgrove South #2 pipeline to transport gas to the Katnook Plant. The Wynn #2 pipeline is approximately 4.8 km long.

The total length of the proposed pipeline will cover a distance of approximately 23.6 km.

MAP OF PROPOSED PIPELINE ROUTE



Dated 20 July 2009.

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

PETROLEUM ACT 2000

Partial Surrender of Petroleum Production Licences

NOTICE is hereby given that pursuant to section 89 of the Petroleum Act 2000, I have accepted the partial surrender of the below-mentioned Petroleum Production Licence areas, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573:

No of Licence	Licencees	Locality	Date of Surrender	Approx. Area surrendered in km ²	Reference
PPL 145	Delhi Petroleum Pty Ltd Origin Energy Resources Limited Vamgas Pty Ltd Santos (NARNL Cooper) Pty Ltd Bridge Oil Developments Pty Ltd Alliance Petroleum Aust Pty Ltd Basin Oil Pty Ltd Reef Oil Pty Ltd Santos Petroleum Pty Ltd Santos (BOL) Pty Ltd	Cooper Basin of South Australia	1.7.08	5.50	28/1/262
PPL 148			1.7.08	6.96	28/1/294
PPL 174			1.1.09	0.38	28/1/305
PPL 175			1.7.08	44.40	28/1/315
PPL 178			1.7.08	2.46	28/1/332
PPL 179			1.7.08	1.27	28/1/280
PPL 190			1.7.08	228.29	28/1/314
PPL 193			1.7.08	5.030	28/1/312
PPL 195			1.7.08	1.080	28/1/308
PPL 182			Santos Ltd Delhi Petroleum Pty Ltd Origin Energy Resources Ltd Vamgas Pty Ltd Santos (NARNL Cooper) Pty Ltd	Cooper Basin of South Australia	1.1.09
PPL 187	1.7.08	4.62			28/1/252
PPL 194	1.1.09	4.49			28/1/242

*Description of Licence Areas Remaining**PPL 145*

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

Commencing at a point being the intersection of latitude 28°25'00"S Clarke1858 and longitude 139°57'00"E AGD66, thence east to longitude 139°58'15"E AGD66, south to latitude 28°25'30"S GDA94, east to longitude 139°58'40"E GDA94, south to latitude 28°25'35"S GDA94, east to longitude 139°58'55"E GDA94, south to latitude 28°26'00"S GDA94, east to longitude 139°59'10"E GDA94, south to latitude 28°27'10"S GDA94, east to longitude 139°59'20"E GDA94, south to latitude 28°27'25"S AGD66, west to longitude 139°58'45"E AGD66, south to latitude 28°27'35"S AGD66, west to longitude 139°58'30"E AGD66, south to latitude 28°27'50"S AGD66, west to longitude 139°57'40"E GDA94, north to latitude 28°27'30"S GDA94, west to longitude 139°57'20"E AGD66, north to latitude 28°26'45"S AGD66, east to longitude 139°57'25"E AGD66, north to latitude 28°26'00"S AGD66, east to longitude 139°57'35"E AGD66, north to latitude 28°25'35"S AGD66, west to longitude 139°57'00"E AGD66 and north to point of commencement.

Area: 12.5 km² approximately.

PPL 148

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

Commencing at a point being the intersection of latitude 27°47'00"S GDA94 and longitude 139°46'45"E GDA94, thence east to longitude 139°46'50"E GDA94, south to latitude 27°47'05"S GDA94, east to longitude 139°46'55"E GDA94, south to latitude 27°47'13"S GDA94, east to longitude 139°47'00"E GDA94, south to latitude 27°47'40"S GDA94, west to longitude 139°46'55"E GDA94, south to latitude 27°47'48"S GDA94, west to longitude 139°46'50"E GDA94, south to latitude 27°47'50"S GDA94, west to longitude 139°46'30"E GDA94, south to latitude 27°47'52"S GDA94, west to longitude 139°46'25"E GDA94, south to latitude 27°47'55"S GDA94, west to longitude 139°46'20"E GDA94, north to latitude 27°47'52"S GDA94, west to longitude 139°46'15"E GDA94, north to latitude 27°47'47"S GDA94, west to longitude 139°46'10"E GDA94, north to latitude 27°47'28"S GDA94, east to longitude 139°46'20"E GDA94, north to latitude 27°47'25"S GDA94, east to longitude 139°46'25"E GDA94, north to latitude 27°47'20"S GDA94, east to longitude 139°46'30"E GDA94, north to latitude 27°47'17"S GDA94, east to longitude 139°46'35"E GDA94, north to latitude 27°47'10"S GDA94, east to longitude 139°46'40"E GDA94, north to latitude 27°47'05"S GDA94, east to longitude 139°46'45"E GDA94 and north to point of commencement.

Area: 1.44 km² approximately.

PPL 174

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

Commencing at a point being the intersection of latitude 27°39'30"S AGD66 and longitude 140°15'00"E AGD66, thence east to longitude 140°17'00"E AGD66, south to latitude 27°40'35"S GDA94, west to longitude 140°16'55"E GDA94, south to latitude 27°40'40"S GDA94, west to longitude 140°16'45"E GDA94, south to latitude 27°40'45"S GDA94, west to longitude 140°16'40"E GDA94, south to latitude 27°40'50"S GDA94, west to longitude 140°16'30"E GDA94, south to latitude 27°41'00"S AGD66, west to longitude 140°16'00"E Clarke1858, north to latitude 27°41'00"S Clarke1858, west to longitude 140°14'00"E Clarke1858, south to latitude 27°41'40"S AGD66, west to longitude 140°13'20"E AGD66, north to latitude 27°40'50"S AGD66, east to longitude 140°13'40"E AGD66, north to latitude 27°40'40"S AGD66, east to longitude 140°14'00"E AGD66, north to latitude 27°40'30"S AGD66, east to longitude 140°14'10"E AGD66, north to latitude 27°40'10"S AGD66, east to longitude 140°14'30"E AGD66, north to latitude 27°40'00"S AGD66, east to longitude 140°15'00"E AGD66 and north to point of commencement.

Area: 12.92 km² approximately.

PPL 175

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

Commencing at a point being the intersection of latitude 28°13'50"S AGD66 and longitude 139°55'05"E GDA94, thence east to longitude 139°55'40"E GDA94, south to latitude 28°14'30"S AGD66, west to longitude 139°54'40"E AGD66, north to latitude 28°14'05"S GDA94, east to longitude 139°54'55"E GDA94, north to latitude 28°13'55"S GDA94, east to longitude 139°55'00"E GDA94, north to latitude 28°13'50"S GDA94, east to longitude 139°55'05"E GDA94 and north to point of commencement.

Area: 1.6 km² approximately.

PPL 178

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

Commencing at a point being the intersection of latitude 27°52'40"S AGD66c and longitude 140°04'40"E AGD66, thence east to longitude 140°05'45"E GDA94, south to latitude 27°53'00"S GDA94, west to longitude 140°05'40"E GDA94, south to latitude 27°54'00"S Clarke1858, west to longitude 140°03'30"E AGD66, north to latitude 27°53'40"S AGD66, east to longitude 140°03'40"E AGD66, north to latitude 27°53'30"S AGD66, east to longitude 140°04'00"E AGD66, north to latitude 27°53'20"S AGD66, east to longitude 140°04'10"E AGD66, north to latitude 27°53'10"S AGD66, east to longitude 140°04'20"E AGD66, north to latitude 27°53'00"S AGD66, east to longitude 140°04'30"E AGD66, north to latitude 27°52'50"S AGD66, east to longitude 140°04'40"E AGD66 and north to point of commencement.

Area: 6.34 km² approximately.

PPL 179

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

Commencing at a point being the intersection of latitude 28°22'40"S AGD66 and longitude 140°05'00"E AGD66, thence east to longitude 140°05'35"E GDA94, south to latitude 28°22'50"S AGD66, east to longitude 140°06'00"E AGD66, south to latitude 28°23'10"S AGD66, west to longitude 140°05'55"E AGD66, south to latitude 28°23'15"S AGD66, west to longitude 140°05'50"E AGD66, south to latitude 28°23'25"S AGD66, west to longitude 140°05'45"E GDA94, south to latitude 28°23'35"S GDA94, east to longitude 140°05'50"E GDA94, south to latitude 28°23'50"S GDA94, west to longitude 140°05'45"E GDA94, south to latitude 28°24'20"S AGD66, west to longitude 140°05'35"E AGD66, south to latitude 28°24'25"S AGD66, west to longitude 140°05'30"E AGD66, south to latitude 28°24'25"S GDA94, west to longitude 140°05'05"E GDA94, north to latitude 28°24'15"S GDA94, west to longitude 140°05'00"E GDA94, north to latitude 28°24'00"S GDA94, west to longitude 140°04'50"E AGD66, north to latitude 28°23'50"S AGD66, west to longitude 140°04'40"E AGD66, north to latitude 28°23'25"S GDA94, east to longitude 140°04'50"E GDA94, north to latitude 28°23'20"S GDA94, east to longitude 140°04'55"E GDA94, north to latitude 28°23'05"S GDA94, east to longitude 140°05'00"E GDA94, north to latitude 28°23'00"S GDA94, east to longitude 140°05'00"E AGD66 and north to point of commencement.

Area: 4.83 km² approximately.

PPL 190

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

Commencing at a point being the intersection of latitude 28°19'00"S Clarke1858 and longitude 140°13'40"E GDA94, thence east to longitude 140°15'10"E GDA94, south to latitude 28°19'15"S GDA94, west to longitude 140°15'00"E GDA94, south to latitude 28°19'35"S GDA94, west to longitude 140°14'40"E GDA94, south to latitude 28°19'45"S GDA94, west to longitude 140°14'20"E GDA94, south to latitude 28°19'50"S GDA94, west to longitude 140°14'05"E GDA94, south to latitude 28°19'55"S GDA94, west to longitude 140°13'25"E GDA94, north to latitude 28°19'05"S GDA94, east to longitude 140°13'40"E GDA94 and north to point of commencement.

Area: 4.31 km² approximately.

PPL 193

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

Commencing at a point being the intersection of latitude 27°33'50"S AGD66 and longitude 140°04'30"E AGD66, thence east to longitude 140°06'00"E Clarke1858, south to latitude 27°34'20"S AGD66, west to longitude 140°05'40"E AGD66, south to latitude 27°34'30"S AGD66, west to longitude 140°05'20"E AGD66, south to latitude 27°34'40"S AGD66, west to longitude 140°04'50"E AGD66, south to latitude 27°34'50"S AGD66, west to longitude 140°04'20"E AGD66, south to latitude 27°35'00"S AGD66, west to longitude 140°04'10"E AGD66, south to latitude 27°35'10"S AGD66, west to longitude 140°03'55"E GDA94, north to latitude 27°34'50"S GDA94, west to longitude 140°03'50"E GDA94, north to latitude 27°34'30"S GDA94, east to longitude 140°03'55"E GDA94, north to latitude 27°34'10"S AGD66, east to longitude 140°04'20"E AGD66, north to latitude 27°34'00"S AGD66, east to longitude 140°04'30"E AGD66 and north to point of commencement.

Area: 5.17 km² approximately.

PPL 195

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

Commencing at a point being the intersection of latitude 27°32'40"S AGD66 and longitude 140°23'20"E AGD66, thence east to longitude 140°23'40"E AGD66, south to latitude 27°32'50"S AGD66, east to longitude 140°24'00"E GDA94, south to latitude 27°32'55"S GDA94, east to longitude 140°24'00"E AGD66, south to latitude 27°33'20"S AGD66, west to longitude 140°23'50"E AGD66, south to latitude 27°33'35"S AGD66, west to longitude 140°23'45"E AGD66, south to latitude 27°33'50"S AGD66, west to longitude 140°23'40"E AGD66, south to latitude 27°33'55"S AGD66, west to longitude 140°23'35"E AGD66, south to latitude 27°34'00"S AGD66, west to longitude 140°23'30"E AGD66, south to latitude 27°34'10"S AGD66, west to longitude 140°23'25"E AGD66, south to latitude 27°34'20"S AGD66, west to longitude 140°23'20"E AGD66, south to latitude 27°34'25"S AGD66, west to longitude 140°23'15"E AGD66, south to latitude 27°34'30"S AGD66, west to longitude 140°23'10"E AGD66, south to latitude 27°34'35"S AGD66, west to longitude 140°23'05"E AGD66, south to latitude 27°34'40"S AGD66, west to longitude 140°23'00"E AGD66, south to latitude 27°34'50"S AGD66, west to longitude 140°22'50"E AGD66, south to latitude 27°34'55"S AGD66, west to longitude 140°22'35"E AGD66, south to latitude 27°35'00"S AGD66, west to longitude 140°22'30"E AGD66, south to latitude 27°35'05"S AGD66, west to longitude 140°22'25"E AGD66, south to latitude 27°35'10"S AGD66, west to longitude 140°22'15"E AGD66, north to latitude 27°34'50"S AGD66, east to longitude 140°22'20"E AGD66, north to latitude 27°34'45"S AGD66, east to

longitude 140°22'25"E AGD66, north to latitude 27°34'40"S AGD66, east to longitude 140°22'30"E AGD66, north to latitude 27°33'35"S AGD66, east to longitude 140°22'40"E AGD66, north to latitude 27°33'20"S AGD66, east to longitude 140°22'50"E AGD66, north to latitude 27°33'05"S AGD66, east to longitude 140°23'00"E AGD66, north to latitude 27°32'55"S AGD66, east to longitude 140°23'10"E AGD66, north to latitude 27°32'45"S AGD66, east to longitude 140°23'20"E AGD66 and north to point of commencement.

Area: 6.52 km² approximately.

PPL 182

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

Commencing at a point being the intersection of latitude 26°48'26"S GDA94 and longitude 140°50'41"E GDA94, thence east to longitude 140°50'54"E GDA94, south to latitude 26°48'30"S AGD66, east to longitude 140°50'55"E AGD66, south to latitude 26°48'40"S AGD66, east to longitude 140°51'01"E GDA94, south to latitude 26°48'43"S GDA94, west to longitude 140°51'00"E GDA94, south to latitude 26°48'50"S GDA94, west to longitude 140°50'58"E GDA94, south to latitude 26°48'52"S GDA94, west to longitude 140°50'55"E GDA94, south to latitude 26°48'54"S GDA94, east to longitude 140°50'57"E GDA94, south to latitude 26°48'56"S GDA94, east to longitude 140°50'59"E GDA94, south to latitude 26°48'58"S GDA94, east to longitude 140°51'00"E GDA94, south to latitude 26°49'01"S GDA94, west to longitude 140°50'54"E GDA94, north to latitude 26°48'56"S GDA94, west to longitude 140°50'48"E GDA94, south to latitude 26°49'02"S GDA94, west to longitude 140°50'38"E GDA94, north to latitude 26°49'00"S GDA94, west to longitude 140°50'36"E GDA94, north to latitude 26°48'57"S GDA94, west to longitude 140°50'34"E GDA94, south to latitude 26°48'55"S GDA94, west to longitude 140°50'32"E GDA94, north to latitude 26°48'53"S GDA94, west to longitude 140°50'30"E GDA94, north to latitude 26°48'40"S GDA94, east to longitude 140°50'32"E GDA94, north to latitude 26°48'37"S GDA94, east to longitude 140°50'34"E GDA94, north to latitude 26°48'35"S GDA94, east to longitude 140°50'38"E GDA94, north to latitude 26°48'32"S GDA94, east to longitude 140°50'39"E GDA94, north to latitude 26°48'29"S GDA94, east to longitude 140°50'41"E GDA94 and north to the point of commencement.

Area: 0.75 km² approximately.

PPL 187

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

Commencing at a point being the intersection of latitude 27°20'00"S AGD66 and longitude 140°23'10"E AGD66, thence east to longitude 140°24'00"E GDA94, south to latitude 27°20'00"S GDA94, east to longitude 140°24'25"E GDA94, south to latitude 27°20'10"S GDA94, east to longitude 140°24'40"E GDA94, south to latitude 27°21'05"S GDA94, west to longitude 140°24'35"E GDA94, south to latitude 27°21'30"S GDA94, west to longitude 140°24'25"E GDA94, south to latitude 27°21'45"S GDA94, west to longitude 140°24'10"E GDA94, south to latitude 27°21'55"S GDA94, west to longitude 140°24'00"E GDA94, south to latitude 27°22'05"S GDA94, west to longitude 140°23'50"E GDA94, south to latitude 27°22'15"S GDA94, west to longitude 140°22'40"E GDA94, south to latitude 27°22'30"S AGD66, west to longitude 140°22'10"E AGD66, north to latitude 27°21'40"S GDA94, east to longitude 140°22'30"E GDA94, north to latitude 27°21'15"S GDA94, east to longitude 140°22'45"E GDA94, north to latitude 27°21'00"S GDA94, east to longitude 140°22'55"E GDA94, north to latitude 27°20'45"S GDA94, east to longitude 140°23'05"E GDA94, north to latitude 27°20'30"S GDA94, east to longitude 140°23'10"E AGD66 and north to point of commencement.

Area: 12.2 km² approximately.

PPL 194

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

Commencing at a point being the intersection of latitude 27°14'07"S GDA94 and longitude 140°57'13"E GDA94, thence east to longitude 140°57'23"E GDA94, south to latitude 27°14'10"S GDA94, east to longitude 140°57'31"E GDA94, south to latitude 27°14'13"S GDA94, east to longitude 140°57'40"E GDA94, south to latitude 27°14'26"S GDA94, east to longitude 140°57'43"E GDA94, south to latitude 27°14'36"S GDA94, west to longitude 140°57'37"E GDA94, north to latitude 27°14'30"S GDA94, west to longitude 140°57'20"E GDA94, south to latitude 27°14'35"S GDA94, west to longitude 140°57'05"E GDA94, south to latitude 27°14'40"S GDA94, west to longitude 140°57'00"E GDA94, south to latitude 27°14'43"S GDA94, west to longitude 140°56'40"E GDA94, south to latitude 27°14'45"S GDA94, west to longitude 140°56'10"E AGD66, north to latitude 27°14'30"S GDA94, east to longitude 140°56'23"E GDA94, north to latitude 27°14'23"S GDA94, east to longitude 140°56'25"E GDA94, north to latitude 27°14'20"S GDA94, east to longitude 140°56'28"E GDA94, north to latitude 27°14'17"S GDA94, east to longitude 140°56'44"E GDA94, south to latitude 27°14'35"S GDA94, east to longitude 140°56'53"E GDA94, north to latitude 27°14'22"S GDA94, east to longitude 140°56'56"E GDA94, north to latitude 27°14'12"S GDA94, east to longitude 140°57'10"E GDA94, north to latitude 27°14'10"S GDA94, east to longitude 140°57'13"E GDA94 and north to the point of commencement.

Area: 1.61 km² approximately.

Dated 21 July 2009.

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

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

BY Road Process Order made on 5 June 2009, the Adelaide Hills Council ordered that:

1. The whole of the unnamed public road situate adjacent to Downers Road and dividing allotment 4 in Filed Plan 8823 from section 4091, Hundred of Onkaparinga, more particularly delineated and lettered 'A' in Preliminary Plan No. 08/0095 be closed.

2. The whole of the land subject to closure be transferred to Bendarra (Management) Pty Ltd in accordance with agreement for transfer dated 3 October 2008 entered into between the Adelaide Hills Council and Bendarra (Management) Pty Ltd.

On 15 July 2009 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 81364 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 23 July 2009.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Booleroo-Jamestown Road and Tarcowie Road
Appila*

BY Road Process Order made on 21 April 2009, The District Council of Mount Remarkable ordered that:

1. Portions of sections 178 and 179, Hundred of Appila, more particularly delineated and numbered '1' and '2' in the Preliminary Plan No. 08/0083 be opened as road, forming a widening of the intersection of Booleroo-Jamestown Road, Tarcowie Road and Appila-Laura Road.

2. The whole of the unnamed public road between Booleroo-Jamestown Road and Tarcowie Road adjoining the northern boundaries of sections 178 and 179, Hundred of Appila, more particularly lettered 'A' and 'B' in the Preliminary Plan No. 08/0083 be closed.

3. The whole of the land subject to closure be transferred to Kenneth John Burroughs and Joanne Burroughs in accordance with agreement for exchange dated 20 November 2008 entered into between The District Council of Mount Remarkable and K. J. and J. Burroughs

On 3 July 2009 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 80787 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 23 July 2009.

P. M. KENTISH, Surveyor-General

SUPPORTED RESIDENTIAL FACILITIES ACT 1992,
SECTION 4 (3) (b): EXEMPTION BY THE MINISTER*Preamble*

Section 4 (3) of the Supported Residential Facilities Act 1992, allows the Minister to whom the administration of that Act is committed to confer exemptions from that Act in relation to specified classes of facilities.

NOTICE

PURSUANT to section 4 (3) (b) of the Supported Residential Facilities Act 1992, I exempt from the Supported Residential Facilities Act 1992, Recovery Support Incorporated accommodation located at 19 Carroll Avenue, Kilburn, on the condition that the following requirements are complied with:

That Recovery Support Incorporated:

- (a) continues to manage the accommodation located at 19 Carroll Avenue, Kilburn;
- (b) has an executed Master Agreement with Disability SA;
- (c) provides services in accordance with the terms of that Master Agreement;
- (d) be an approved Disability SA, Disability Support Services Provider; and
- (e) provide accommodation for people with a Client Services Agreement with Disability SA.

I declare that this exemption will come into operation on the date of its *Gazetta*.

Dated 17 July 2009.

JENNIFER RANKINE, Minister for Families
and Communities

NOTICE TO MARINERS

NO. 37 OF 2009

*South Australia—Thevenard—Daphne Rock—Navigation
Structure Washed Away*

FOLLOWING recent adverse weather conditions, the structure mounted on top of Daphne Rock in position latitude 32°09.544'S, longitude 133°38.478'E, has broken and is washed away.

Weather permitting, a new structure will be installed in due course. Mariners are advised to exercise extreme caution when navigating in the area.

Charts affected: Aus 120.

Publication affected: Australia Pilot, Volume 1 (Seventh Edition 2008), page 346.

Adelaide, 17 July 2009.

PATRICK CONLON, Minister for Transport

DTEI 2009/00683

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 23 July 2009

WATER MAINS LAID

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

ADELAIDE WATER DISTRICT

CITY OF BURNSIDE

In and across Sturdee Street, Linden Park. p9
Warrego Crescent, Linden Park. p9
Austral Avenue, Linden Park. p9

CITY OF CHARLES STURT

Across Torrens Road, Pennington and Cheltenham. p1
In and across Stroud Street North, Cheltenham. p1
Gawler Avenue, West Hindmarsh. p10

CITY OF MARION

Pildappa Avenue, Park Holme. p6

CITY OF NORWOOD PAYNEHAM AND ST PETERS
Seventh Avenue, St Peters. p2

CITY OF ONKAPARINGA
Gulf Parade, Maslin Beach. p7

CITY OF PORT ADELAIDE ENFIELD
South Road, Angle Park. p3
In and across Grant Avenue, Gilles Plains. p4

CITY OF UNLEY
In and across Park Street, Hyde Park. p5
Clarence Street, Hyde Park. p5
Russell Street, Hyde Park. p5

ENCOUNTER BAY COUNTRY LANDS WATER DISTRICT

ALEXANDRINA COUNCIL
Airport Road, Middleton. p16

PORT GERMEIN WATER DISTRICT

DISTRICT COUNCIL OF MOUNT REMARKABLE
Seventh Street, Port Germein. p11

TANUNDA WATER DISTRICT

THE BAROSSA COUNCIL
Across Magnolia Street, Tanunda. p15
Easements in lot 25 in LTRO DP 64224, Magnolia Street, Tanunda. p15
Across Menge Road, Tanunda. p15

WILLIAMSTOWN WATER DISTRICT

THE BAROSSA COUNCIL
Grovermann Street, Williamstown. p8

WATER MAINS ABANDONED

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

ADELAIDE WATER DISTRICT

CITY OF BURNSIDE
In and across Sturdee Street, Linden Park. p9
Warrego Crescent, Linden Park. p9
Austral Avenue, Linden Park. p9

CITY OF CHARLES STURT
Across Torrens Road, Pennington and Cheltenham. p1
In and across Stroud Street North, Cheltenham. p1
Clare Street, Athol Park. p12
Easement in lot 500 in LTRO DP 78959, Clare Street, Athol Park. p12

CITY OF MARION
Pildappa Avenue, Park Holme. p6

CITY OF NORWOOD PAYNEHAM AND ST PETERS
Seventh Avenue, St Peters. p2

CITY OF PORT ADELAIDE ENFIELD
South Road, Angle Park. p3
In and across Grant Avenue, Gilles Plains. p4

CITY OF UNLEY
In and across Park Street, Hyde Park. p5
Clarence Street, Hyde Park. p5
Russell Street, Hyde Park. p5

ENCOUNTER BAY COUNTRY LANDS WATER DISTRICT

ALEXANDRINA COUNCIL
Airport Road, Middleton. p16

PORT GERMEIN WATER DISTRICT

DISTRICT COUNCIL OF MOUNT REMARKABLE
Seventh Street, Port Germein. p11

WATER MAINS LAID

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

TOD RIVER COUNTRY LANDS WATER DISTRICT

DISTRICT COUNCIL OF TUMBY BAY
Lincoln Highway, Tumby Bay. This main is available for 5 litres per minute connection by agreement only. p13
Bawdens Road, Tumby Bay. This main is available for 5 litres per minute connection by agreement only. p13

SEWERS LAID

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

ADELAIDE DRAINAGE AREA

CITY OF ONKAPARINGA
Lancewood Place, Huntfield Heights. FB 1184 p42-44
Across and in Yeltana Avenue, Huntfield Heights. FB 1184 p42-44
Easements in lot 215 in LTRO DP 77594, Yeltana Avenue and lot 221 in LTRO DP 77594, Goodenia Close, Huntfield Heights. FB 1184 p42-44
Easement in lot 301 in LTRO DP 77594, Yeltana Avenue, Huntfield Heights. FB 1184 p42-44
In and across Auldstone Place, Huntfield Heights. FB 1184 p42-44
In and across Goodenia Close, Huntfield Heights. FB 1184 p42, 43 and 45
Easement in lots 240 and 239 in LTRO DP 77594, Auldstone Place, Huntfield Heights. FB 1184 p42-44
Easements in lot 257 in LTRO DP 77594, Yeltana Avenue and lots 254-252 in LTRO DP 77594, Auldstone Place, Huntfield Heights. FB 1184 p42-44
Easement in lots 205 and 206 in LTRO DP 77594, Lancewood Place, Huntfield Heights. FB 1184 p42, 43 and 45
In and across Auldstone Place, Huntfield Heights. FB 1184 p46-48
Woodrose Court, Huntfield Heights. FB 1184 p46, 47 and 49
Easements in lots 234-231 in LTRO DP 77594, Auldstone Place, Huntfield Heights. FB 1184 p46, 47 and 49
Easement in lots 252-249 in LTRO DP 77594, Auldstone Place, Huntfield Heights. FB 1184 p46-48
Yeltana Avenue, Huntfield Heights. FB 1184 p46-48
Grey Box Avenue, Noarlunga Centre. FB 1184 p52, 53 and 55
Easements in lot 3 in LTRO DP 73499, Goldsmith Drive, Noarlunga Centre. FB 1184 p52-55

CITY OF PLAYFORD
Easement in lot 1004 in LTRO DP 76859, Petheron Road, Andrews Farm. FB 1184 p36, 37 and 39
In and across East Parkway, Andrews Farm. FB 1184 p36-39
Griffin Drive, Andrews Farm. FB 1184 p36-39

In and across Saint Lawrence Avenue, Andrews Farm. FB 1184 p36, 38 and 40

Easements in lot 1052 in LTRO DP 80758, Mendota Avenue, Andrews Farm. FB 1184 p36, 38 and 40

In and across Jindabyne Street, Andrews Farm. FB 1184 p36, 38 and 40

Saint Germain Avenue, Andrews Farm. FB 1184 p36, 38, 40 and 41

Meretta Lane, Andrews Farm. FB 1184 p36, 38 and 40

Kerang Street, Andrews Farm. FB 1184 p36, 38 and 40

Across Lakeland Road, Munno Para West. FB 1184 p50 and 51

Easements in lot 4 in LTRO DP 67541, Lakeland Road, Munno Para West. FB 1184 p50 and 51

CITY OF SALISBURY

Easements in reserves (lot 61 in LTRO DP 36381 and lot 202 in LTRO DP 76303), Saint Alfred Drive, and lot 1023 in LTRO DP 79214, Lake Street, Parafield Gardens. FB 1184 p56-58

Across and in Lake Street, Parafield Gardens. FB 1184 p56-58

Brooke Street, Parafield Gardens. FB 1184 p56-58

Wood Street, Parafield Gardens. FB 1184 p56, 57 and 59

ALDINGA DRAINAGE AREA

CITY OF ONKAPARINGA

Easement in lot 941 in LTRO DP 79384, Lacy Coral Avenue, Aldinga Beach. FB 1184 p30-32

Across and in Lacy Coral Avenue, Aldinga Beach. FB 1184 p30-32

Coast Lane, Aldinga Beach. FB 1184 p30-32

Coast Lane, Aldinga Beach. FB 1184 p33-35

Across and in Seagull Street, Aldinga Beach. FB 1184 p33-35

Lichen Walk, Aldinga Beach. FB 1184 p33-35

Across and in Dover Street, Aldinga Beach. FB 1184 p33-35

MOUNT GAMBIER COUNTRY DRAINAGE AREA

CITY OF MOUNT GAMBIER

Across and in John Powell Drive, Mount Gambier. FB 1163 p55 and 56

Cottage Grove Court, Mount Gambier. FB 1163 p55 and 56

Easement in lot 1020 in LTRO DP 78626, John Powell Drive, Mount Gambier. FB 1163 p55 and 56

SEWERS LAID

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

ADELAIDE DRAINAGE AREA

CITY OF ONKAPARINGA

Across Goldsmith Drive, Noarlunga Centre. FB 1184 p52-54

Easements in lot 3 in LTRO DP 73499, Goldsmith Drive, Noarlunga Centre. FB 1184 p52-54

CORRECTION

Correction to notices in "Government Gazette" of 9 July 2009

"ADELAIDE DRAINAGE AREA"

"CITY OF WEST TORRENS"

"James Congdon Drive, Mile End. FB 1184 p1 and 2"

"VICTOR HARBOR COUNTRY DRAINAGE AREA"

"ALEXANDRIA COUNCIL"

"In and across Port Elliot Road, Hayborough. FB 1184 p5"

"Easements in lot 731 in LTRO FP 165980 and lot 730 in LTRO FP 165979, Fourth Avenue and lot 312 in LTRO DP 3207, Albatross Avenue, Hayborough. FB 1184 p5"

"CITY OF VICTOR HARBOR"

"Beaumont Street, McCracken. FB 1184 p3"

"Easement in lots 170 and 169 in LTRO DP 6092, Cakebread Road, Encounter Bay. FB 1184 p4"

For "FB 1184" read "FB 1185"

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

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2009

	\$		\$
Agents, Ceasing to Act as.....	42.75	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	28.50
Incorporation	21.70	Discontinuance Place of Business	28.50
Intention of Incorporation	53.50	Land—Real Property Act:	
Transfer of Properties	53.50	Intention to Sell, Notice of.....	53.50
Attorney, Appointment of.....	42.75	Lost Certificate of Title Notices	53.50
Bailiff's Sale.....	53.50	Cancellation, Notice of (Strata Plan)	53.50
Cemetery Curator Appointed.....	31.75	Mortgages:	
Companies:		Caveat Lodgement.....	21.70
Alteration to Constitution	42.75	Discharge of.....	22.70
Capital, Increase or Decrease of	53.50	Foreclosures.....	21.70
Ceasing to Carry on Business	31.75	Transfer of.....	21.70
Declaration of Dividend.....	31.75	Sublet.....	10.90
Incorporation	42.75	Leases—Application for Transfer (2 insertions) each	10.90
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	31.75
First Name.....	31.75	Licensing.....	63.50
Each Subsequent Name.....	10.90	Municipal or District Councils:	
Meeting Final.....	35.75	Annual Financial Statement—Forms 1 and 2	598.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	425.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name.....	85.00
First Name.....	42.75	Each Subsequent Name.....	10.90
Each Subsequent Name.....	10.90	Noxious Trade.....	31.75
Notices:		Partnership, Dissolution of.....	31.75
Call.....	53.50	Petitions (small).....	21.70
Change of Name	21.70	Registered Building Societies (from Registrar-	
Creditors.....	42.75	General).....	21.70
Creditors Compromise of Arrangement.....	42.75	Register of Unclaimed Moneys—First Name.....	31.75
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	10.90
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	53.50	Rate per page (in 8pt)	272.00
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South Australia

Southern State Superannuation Act (Commencement) Proclamation 2009

1—Short title

This proclamation may be cited as the *Southern State Superannuation Act (Commencement) Proclamation 2009*.

2—Commencement of Act

The *Southern State Superannuation Act 2009* (No 27 of 2009) will come into operation on 1 August 2009.

Made by the Governor

with the advice and consent of the Executive Council
on 23 July 2009

T&F07/027CS

South Australia

Administrative Arrangements (Administration of Southern State Superannuation Act) Proclamation 2009

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Administration of Southern State Superannuation Act) Proclamation 2009*.

2—Commencement

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

3—Administration of Act committed to Treasurer

The administration of the *Southern State Superannuation Act 2009* is committed to the Treasurer.

Made by the Governor

with the advice and consent of the Executive Council
on 23 July 2009

T&F07/027CS

South Australia

Highways (Road Closure—Old Port Wakefield Road adjacent to CT 5439/680, Virginia) Proclamation 2009

under section 27AA of the *Highways Act 1926*

1—Short title

This proclamation may be cited as the *Highways (Road Closure—Old Port Wakefield Road adjacent to CT 5439/680, Virginia) Proclamation 2009*.

2—Commencement

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

3—Road closure

The portion of public road delineated as allotment 21 in approved Plan No FP 52193 lodged in the Lands Titles Registration Office is closed.

Made by the Governor

on the recommendation of the Commissioner of Highways and with the advice and consent of the Executive Council

on 23 July 2009

MTR09/062

South Australia

Highways (Road Closure—Old Port Wakefield Road adjacent to CT 5685/708, Virginia) Proclamation 2009

under section 27AA of the *Highways Act 1926*

1—Short title

This proclamation may be cited as the *Highways (Road Closure—Old Port Wakefield Road adjacent to CT 5685/708, Virginia) Proclamation 2009*.

2—Commencement

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

3—Road closure

The portion of public road delineated as allotment 20 in approved Plan No FP 52156 lodged in the Lands Titles Registration Office is closed.

Made by the Governor

on the recommendation of the Commissioner of Highways and with the advice and consent of the Executive Council

on 23 July 2009

MTR09/062

South Australia

Highways (Road Closure—Princes Highway, Stirling) Proclamation 2009

under section 27AA of the *Highways Act 1926*

1—Short title

This proclamation may be cited as the *Highways (Road Closure—Princes Highway, Stirling) Proclamation 2009*.

2—Commencement

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

3—Road closure

The portion of public road delineated as allotment 10 in approved Plan No FP 52629 lodged in the Lands Titles Registration Office is closed.

Made by the Governor

on the recommendation of the Commissioner of Highways and with the advice and consent of the Executive Council

on 23 July 2009

MTR09/061

RELEASED UNDER FOIA ACT

South Australia

Marine Parks Variation Proclamation 2009

under section 10 of the *Marine Parks Act 2007*

Preamble

- 1 By proclamation made on 29 January 2009 (*Gazette 29.1.2009 p481*) certain marine parks were established and assigned names under the *Marine Parks Act 2007*.
 - 2 Following completion of a process under section 10(7) and (8) of the Act, it is now intended that that proclamation be varied so as to alter the boundaries of the following parks:
 - (a) Far West Coast Marine Park (area removed from park);
 - (b) Nuyts Archipelago Marine Park (areas added to and removed from park);
 - (c) Upper Spencer Gulf Marine Park (areas removed from park);
 - (d) Lower Yorke Peninsula Marine Park (areas removed from park);
 - (e) Upper Gulf St Vincent Marine Park (area removed from park);
 - (f) Upper South East Marine Park (areas added to and removed from park);
 - (g) Lower South East Marine Park (areas added to and removed from park).
-

Part 1—Preliminary

1—Short title

This proclamation may be cited as the *Marine Parks Variation Proclamation 2009*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Marine Parks Proclamation 2009 (Gazette 29.1.2009 p481)*

4—Variation of Schedule 1—Marine parks

- (1) Schedule 1, table, item 1—delete "Rack Plan No 1913" and substitute:

Rack Plan No 936
- (2) Schedule 1, table, item 2—delete "Rack Plan No 1914" and substitute:

Rack Plan No 937

- (3) Schedule 1, table, item 10—delete "Rack Plan No 1922" and substitute:
Rack Plan No 938
- (4) Schedule 1, table, item 13—delete "Rack Plan No 1925" and substitute:
Rack Plan No 939
- (5) Schedule 1, table, item 14—delete "Rack Plan No 1926" and substitute:
Rack Plan No 940
- (6) Schedule 1, table, item 18—delete "Rack Plan No 1930" and substitute:
Rack Plan No 941
- (7) Schedule 1, table, item 19—delete "Rack Plan No 1931" and substitute:
Rack Plan No 942

Made by the Governor

on the recommendation of the Minister for Environment and Conservation and with the advice and consent of the Executive Council

on 23 July 2009

EHCS09/0018

RELEASED UNDER FOIACT

South Australia

First Home Owner Grant Variation Regulations 2009

under the *First Home Owner Grant Act 2000*

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- 4 Insertion of regulation 7
 - 7 Disclosure of confidential information (section 41)
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *First Home Owner Grant Variation Regulations 2009*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *First Home Owner Grant Regulations 2000*

4—Insertion of regulation 7

After regulation 6 insert:

7—Disclosure of confidential information (section 41)

Pursuant to section 41(3)(d) of the Act, protected information may be disclosed in connection with the administration or enforcement of the *First Home Saver Accounts Act 2008* of the Commonwealth.

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 23 July 2009

No 207 of 2009

T&F08/066CS

RELEASED UNDER FOI ACT

South Australia

Southern State Superannuation Regulations 2009

under the *Southern State Superannuation Act 2009*

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-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Southern State Superannuation Regulations 2009*.

2—Commencement

These regulations will come into operation on 1 August 2009.

3—Interpretation

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

Act means the *Southern State Superannuation Act 2009*;

approved form means a form approved by the Board;

basic invalidity/death insurance means invalidity/death insurance to which a member is entitled by virtue of his or her membership of the scheme;

basic invalidity/death insurance benefits means benefits payable in respect of basic invalidity/death insurance;

contributions means contributions made pursuant to section 20 of the Act;

deferred superannuation contributions surcharge in relation to a member means the amount that the member is liable to pay the Commissioner of Taxation under section 15(6) or (6AA) of the Superannuation Contributions Tax Act;

employee contribution account means the division of a member's contribution account to which employee contributions are being or have been credited pursuant to regulation 16(4);

employer contribution account means the division of a member's contribution account to which employer contributions are being or have been credited pursuant to regulation 16(2);

invalidity/death insurance benefits means basic or voluntary invalidity/death insurance benefits;

notional salary in relation to a member who is entitled to a disability pension means the salary that the member would be receiving if he or she had not become incapacitated and had continued in active employment in the same position and at the same grade as were applicable immediately before the commencement of his or her incapacity and, if the member was not then in full-time employment, the notional salary will be calculated on the basis of the member's average hours of employment (excluding overtime) over the period (not exceeding the last 3 years) of his or her employment;

preservation age has the same meaning as in Part 6 of the *Superannuation Industry (Supervision) Regulations 1994* of the Commonwealth under the SIS Act;

PSESS Scheme means the superannuation scheme known as the Public Sector Employees Superannuation Scheme established pursuant to a deed of arrangement dated 27 September 1989 between the Treasurer and the secretary of the United Trades and Labor Council;

retirement age means—

- (a) in the case of a member who is a police officer—the age of 50 years; and
- (b) in the case of any other member or a spouse member—the age of 55 years;

retrenchment in relation to a member means the termination of the member's employment by his or her employer for any reason except on account of—

- (a) invalidity in the circumstances referred to in regulation 58(11) or (12); or
- (b) the unsatisfactory performance by the member of his or her duties (including the member's failure to meet performance standards); or
- (c) the loss by the member of a qualification that is necessary for the proper performance of his or her duties; or
- (d) the member's bankruptcy or insolvency; or
- (e) the fact that the member has engaged in remunerative employment or an occupation or business outside the duties of his or her position; or
- (f) any other conduct that justifies termination of the member's employment;

SIS Act means the *Superannuation Industry (Supervision) Act 1993* of the Commonwealth;

special deposit account means a special deposit account established under section 8 of the *Public Finance and Audit Act 1987*;

Superannuation Contributions Tax Act means the *Superannuation Contributions Tax (Members of Constitutionally Protected Superannuation Funds) Assessment and Collection Act 1997* of the Commonwealth;

surcharge notice means a notice issued by the Commissioner of Taxation under section 15(7) of the *Superannuation Contributions Tax Act*;

visiting medical officer means a person appointed to a hospital incorporated under the *Health Care Act 2008* as a senior visiting medical specialist or a visiting medical specialist by the administrative unit of the public service that is primarily responsible for assisting a Minister in the administration of that Act;

voluntary invalidity/death insurance means invalidity/death insurance granted by the Board under Part 3 Division 2 Subdivision 2, Part 3 Division 3 or Part 3 Division 4;

voluntary invalidity/death insurance benefits means benefits payable in respect of voluntary invalidity/death insurance.

- (2) For the purposes of these regulations, an amount of money rolled over for payment into the Fund under the provisions of an Act that operate in conjunction with Part VIIIB of the *Family Law Act 1975* of the Commonwealth will, subject to these regulations, be taken to be money rolled over from a superannuation scheme to the Triple S scheme.

- (3) If—
- (a) a person became a member of the scheme or made an election under a provision of the repealed Act (the *earlier provision*); and
 - (b) a provision of these regulations corresponds to the earlier provision,

the person will be taken, for the purposes of these regulations, to be a member of the scheme by virtue of, or to have made an election under, (as the case may be) that corresponding provision.

Examples—

A person who became a member of the scheme under section 14(9) of the repealed Act will be taken to be a member of the scheme by virtue of regulation 9(5).

A person who made an election under section 15B(1) of the repealed Act will be taken to have made an election under regulation 12(1).

4—Police members

Pursuant to section 19(3)(b) of the Act, a *police member* of the scheme is a police officer or police cadet who is a member of the scheme other than by virtue of regulation 9(5) or (7).

5—Spouse members

Pursuant to section 19(3)(c) of the Act, a *spouse member* of the scheme is a person who becomes a spouse member of the scheme by virtue of regulation 24(1).

6—Matters relating to employment

- (1) A reference in these regulations to resignation from, or termination of, employment will be read subject to the qualification that resignation from a particular position so that the member can take up some other position in employment to which the Act applies, or so that he or she can take up employment in the same position but on a different basis, will be ignored unless there is an interval of more than 1 month between the time the resignation or termination of employment takes effect and the commencement of the new employment.
- (2) If a member is employed—
 - (a) pursuant to a contract for a fixed term; or
 - (b) pursuant to an arrangement of the kind referred to in subregulation (5); or
 - (c) on a temporary basis for a particular period or until the occurrence of a particular event,

and the employment is not renewed at the end of the term or period, the member's employment will be taken to have been terminated by retirement or resignation (depending on the member's age).

- (3) Despite subregulation (2), if—
 - (a) a member is employed pursuant to a contract for a fixed term; and
 - (b) the member is, within the period of 3 months after the end of the term of the contract, employed under a new contract for a fixed term in the same or similar employment,

the member will, for the purposes of the Act and these regulations, be taken to have remained in the relevant employment during the period between the end of the term of the first contract and the beginning of the term of the second contract.

- (4) Subject to subregulations (5) and (7), the following provisions apply for the purposes of these regulations to and in relation to a member who is employed on a casual basis pursuant to an arrangement under which he or she is to work for 9 or more hours each week or for periods that average, over a 3 month period, 9 or more hours each week:
- (a) subject to this subclause, the member will be taken to remain in employment for a period of 12 months after the last time that he or she performed work for the employer and accordingly—
 - (i) if the member is incapacitated during that 12 month period, he or she may be entitled to benefits under regulation 58 on account of invalidity if the Board is satisfied that the member's incapacity for all kinds of work is 60% or more of total incapacity and is likely to be permanent, and for that purpose—
 - (A) the member's employment will be taken to have been terminated on account of invalidity by the employer on the date of incapacity; and
 - (B) subregulations (11), (12) and (13) of regulation 58 will not apply; and
 - (C) the member must, within 2 years after the day on which he or she becomes incapacitated to the extent envisaged by this subparagraph, give written notice to the Board claiming that the member is entitled to benefits under regulation 58; and
 - (ii) if the member dies during that period his or her spouse or estate will be entitled to benefits under these regulations;
 - (b) at the expiration of that period of 12 months the member's employment will be taken to have been terminated (if not terminated by invalidity or death) by retirement or resignation (depending on the member's age).
- (5) Subregulation (4) does not apply where the member is employed pursuant to an arrangement under which the member is to work for 3 or more separate periods during a designated period or a period determined by the occurrence of a particular event.
- (6) The time limit of 2 years referred to in subregulation (4)(a)(i)(C) may not be extended under any circumstances.
- (7) A member may at any time reduce the period of 12 months referred to in subregulation (4) by notice in writing to the Board specifying the reduced period.

7—Employer contribution percentage

- (1) For the purposes of section 5(1) of the Act, the *employer contribution percentage* applicable in respect of a member (other than a member referred to in section 5(3) of the Act) is as follows:
- (a) in the case of a member whose conditions of employment are specified in a contract negotiated between the member and his or her employer and which includes an agreement between the member and the employer as to the value of the employer contribution percentage—the number representing that value;
 - (b) in the case of a person referred to in regulation 9(2) or (3)—the amount required to reduce the charge percentage under the Commonwealth Act in respect of the member to zero;

- (c) in the case of a visiting medical officer—a percentage determined by reference to and in accordance with the *Department of Health Visiting Medical Specialists Agreement 2006* (or its successor);
 - (d) in the case of a member referred to in regulation 9(8)—3%;
 - (e) in the case of a person who has elected to become a member under regulation 12(1) or 13(1), or is taken to have elected to become a member under regulation 13(1)—zero.
- (2) If a member and his or her employer enter into an agreement as to the value of the employer contribution percentage, the employing authority must give the Board written notice of the agreement.

Part 2—Membership, accounts and contributions

Division 1—Members

Subdivision 1—Membership

8—Purpose of Subdivision

Pursuant to section 19(3) of the Act, the purpose of this Subdivision is to make provision in relation to membership of the scheme.

9—Membership

- (1) Subject to subregulations (2), (3) and (8), the following persons are not members of the scheme:
- (a) a person employed pursuant to a fixed term contract that—
 - (i) requires the employer to provide for or contribute towards benefits for the employee in a scheme of superannuation other than the Triple S scheme; and
 - (ii) does not expressly state that the provision or contribution by the employer referred to in subparagraph (i) is in addition to the employee's membership of the Triple S scheme;
 - (b) a person employed by the Electoral Commissioner pursuant to section 12(2) of the *Electoral Act 1985* whose remuneration in respect of that employment does not exceed \$450 per month;
 - (c) a person who is a member of a Board or Committee that is an agency or instrumentality of the Crown and whose remuneration in respect of membership of the Board or Committee does not exceed \$450 per month;
 - (d) a person employed to do work of a non recurring nature or to do seasonal work and whose remuneration in respect of that employment does not exceed \$450 per month;
 - (e) a medical practitioner in respect of employment by a hospital incorporated under the *Health Care Act 2008* where the medical practitioner is paid on a "fee for service" basis.

- (2) A member of—
- (a) the State Scheme or of any other scheme established by or under an Act; or
 - (b) a scheme of superannuation established for the benefit of employees of an agency or instrumentality of the Crown,
- becomes a member of the Triple S scheme whenever an entitlement to benefits needs to accrue to the member under the Triple S scheme to satisfy the requirements of the Commonwealth Act.
- (3) If the employer contributions pursuant to a contract referred to in subregulation (1)(a) are not sufficient to reduce the charge percentage under the Commonwealth Act to zero, the employee is a member of the Triple S scheme.
- (4) A person who has made an election under regulation 10 is a member of the Triple S scheme.
- (5) A person who has made an election under regulation 12(1) or 13(1), or is taken to have made an election under regulation 13(1), is a member of the Triple S scheme.
- (6) If—
- (a) a person who is not a member of the Triple S scheme has an entitlement to a lump sum under Part 5 or under the provisions of an Act that correspond to that Part; and
 - (b) that entitlement is to be retained in the Fund, or rolled over for payment into the Fund (as the case may be),
- then that person becomes a member of the Triple S scheme by force of this subregulation.
- (7) If a co-contribution or benefit rolled over from another superannuation fund or scheme is paid to the Board for a person who is a member of the State Scheme or the Police Superannuation Scheme but not, at the time of the payment, a member of the Triple S scheme, the person becomes a member of the Triple S scheme by virtue of this subregulation when the payment is received by the Board.
- (8) The following persons are members of the Triple S scheme in order to provide them with superannuation benefits in place of benefits that would have accrued to them under the PSESS Scheme if that scheme had continued for their benefit after 30 June 1992:
- (a) PSS 1 members of the superannuation scheme established by the *Parliamentary Superannuation Act 1974* who are sitting members of the Legislative Council or the House of Assembly;
 - (b) members of a superannuation scheme established by a hospital incorporated under the *Health Care Act 2008*;

Exception—

This paragraph does not apply to former members of—

- (a) the Bordertown Memorial Hospital Incorporated Superannuation Fund; or
 - (b) the Kingston Soldiers' Memorial Hospital Incorporated Superannuation Fund; or
 - (c) the Mothers' and Babies' Health Association Superannuation Fund.
- (c) those members of the SAHC Visiting Medical Officers Superannuation Fund established by a trust deed dated 24 February 1983 who were appointed as visiting medical specialists on or before the commencement of paragraph (c) of regulation 11(1) of the revoked *Southern State Superannuation Regulations 1995*;

- (d) those members of the State Scheme referred to in clause 15(1)(c) of Schedule 1 of the *Superannuation Act 1988*;
- (e) an employee of the Adelaide Festival Centre Trust who is a member of a scheme of superannuation established for the benefit of the employee;
- (f) those contributors to the State Scheme who are employees of TransAdelaide and whose names appear in Schedule 1 of the *Superannuation (STA Employees) Regulations 2005* made under the *Superannuation Act 1988*;
- (g) those persons whose names appear in the Schedule to the *Superannuation (Lyell McEwin Employees) Regulations 1999*;
- (h) those persons whose names appear in Schedule 1 of the *Superannuation (Julia Farr Services Employees) Regulations 2003*.

10—Election by contributor to State Scheme

- (1) A contributor within the meaning of the *Superannuation Act 1988* may elect to become a member of the Southern State Superannuation Scheme if the employment on which his or her status as such a contributor is based has not terminated.
- (2) An election takes effect on a date fixed by the Board being a date occurring within 2 months after the election was made.
- (3) For the purposes of the *Superannuation Act 1988*, a contributor who has made an election under subregulation (1) will be taken—
 - (a) to have resigned from employment and to have preserved his or her accrued superannuation benefits (whether he or she has reached the age of 55 years or not); and
 - (b) not to reach the age of 55 years until he or she reaches that age and ceases to be employed in employment to which that Act applies.
- (4) An election under this regulation—
 - (a) must be made in writing to the Board; and
 - (b) may specify the rate (if any) at which the member elects to contribute to the scheme.

11—Contributors to State Scheme

- (1) This regulation applies to a contributor within the meaning of the *Superannuation Act 1988* who is a member of the Triple S scheme by virtue of regulation 9(2) if—
 - (a) he or she elects to make contributions to the Treasurer under regulation 17; or
 - (b) his or her employer pays an amount in respect of him or her to the Treasurer under section 21(2) of the Act.
- (2) For the purposes of the *Superannuation Act 1988*, a contributor to whom this regulation applies will be taken—
 - (a) to have resigned from employment and to have preserved his or her accrued superannuation benefits (whether he or she has reached the age of 55 years or not); and
 - (b) not to reach the age of 55 years until he or she reaches that age and ceases to be employed in employment to which the Act applies.

12—Salary sacrifice by members of certain schemes

- (1) A prescribed person may elect, by notice in writing to the Board, to become a member of the Triple S scheme in order to establish an entitlement to the employer component of benefits under Part 4 by sacrificing part of his or her salary in accordance with an agreement or arrangement that entitles the person to sacrifice all or part of his or her salary.
- (2) Subject to subregulation (3), if a person has elected to become a member of the Triple S scheme under subregulation (1), the employer must, within 7 days after salary is paid to the member, pay to the Treasurer an amount (or arrange for the payment within that period to the Treasurer of an amount) equivalent to the member's non-monetary salary that is allocated for the purpose of the employer component of benefits under Part 4 in accordance with the agreement or arrangement.
- (3) Subregulation (2) does not apply to, or in relation to, a member who is a contributor to the State Scheme during a period in which he or she is not an active contributor to that scheme except where the member is not an active contributor because of section 23(7) of the *Superannuation Act 1988*.
- (4) A person who has elected to become a member of the Triple S scheme under subregulation (1)—
 - (a) is not entitled to make contributions under section 20(1)(a) of the Act; and
 - (b) is entitled to the employer component of benefits under Part 4 but is not entitled to any other benefit under the Act or these regulations in his or her capacity as a member under this regulation other than any voluntary invalidity/death insurance taken out under Part 3 Division 2 Subdivision 2.
- (5) In this regulation—

prescribed person means—

 - (a) a person who is an active contributor to the State Scheme; or
 - (b) a person who—
 - (i) is employed by an incorporated hospital within the meaning of the *Health Care Act 2008*; and
 - (ii) is an active member of the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme; or
 - (c) a Judge (within the meaning of the *Judges' Pensions Act 1971*).

13—Salary sacrifice by members of Police Superannuation Scheme

- (1) A police officer who is a contributor to the Police Superannuation Scheme may elect, by notice in writing to the Board, to become a member of the Triple S scheme in order to establish an entitlement to the employer component of benefits under Part 4 by sacrificing part of his or her salary in accordance with an agreement or arrangement that entitles the person to sacrifice all or part of his or her salary.
- (2) If a person has elected, or is taken to have elected, to become a member of the Triple S scheme under this regulation, the employer must, within 7 days after salary is paid to the member, pay to the Treasurer an amount (or arrange for the payment within that period to the Treasurer of an amount) equivalent to the member's non-monetary salary that is allocated for the purposes of the employer component of benefits under Part 4 in accordance with the agreement or arrangement.

- (3) A person who has elected, or is taken to have elected, to become a member of the Triple S scheme under subregulation (1) is entitled to—
- (a) payment, in accordance with Part 4, of the balance of each account maintained for the person by the Board as required by section 12 of the Act; and
 - (b) voluntary invalidity/death insurance taken out under Part 3 Division 2 Subdivision 2 (if any),

but is not entitled to make contributions under section 20(1)(a) of the Act and is not entitled to any other benefits under the Act or these regulations in his or her capacity as a member under this regulation.

14—Duration of membership

- (1) A person who fulfils the requirements for membership of the scheme under section 19 of the Act, or under this Division, remains a member of the scheme until benefits payable under the Act or these regulations to, on behalf of, or in respect of, the member have been paid even though the member may have subsequently ceased to fulfil the requirements for membership under this Division.
- (2) However, a member to whom benefits payable under the Act or these regulations have been paid under regulation 58(1)(b) because the member is suffering from a terminal illness remains a member of the scheme until the employment of the member terminates.
- (3) If a member becomes a member of a scheme of superannuation established for the benefit of the employees of an agency or instrumentality of the Crown, his or her membership of the Triple S scheme that is attributable to his or her employment by the agency or instrumentality is terminated and an amount equivalent to the balance standing to the credit of each account maintained by the Board in the name of the member is to be carried over to the other superannuation scheme.
- (4) If an employer contribution has not accrued to a member under the Act or the repealed Act for a period of 3 years or more because the member has been an active contributor during that period under the *Superannuation Act 1988*, an amount equivalent to the balance standing to the credit of the member's contribution account and the member's rollover account (if any) may be paid by the Treasurer to the credit of the member's rollover account under the *Superannuation Act 1988* and in that event the member ceases to be a member of the Triple S scheme.
- (5) However, if the Board is maintaining a co-contribution account on behalf of a member of the State Scheme because of co-contribution payments received in respect of that membership, the member does not cease to be a member of the Triple S scheme by virtue of the operation of subregulation (4).
- (6) If—
 - (a) a person is a member of the scheme solely by virtue of being a member of the State Scheme in respect of whom a co-contribution has been paid to the Board; and
 - (b) the person becomes entitled to the payment of benefits under the *Superannuation Act 1988* and to the payment of the amount standing to the credit of the person's co-contribution account,

then the person ceases to be a member of the Triple S scheme on the payment of the balance of the co-contribution account.

- (7) If—
- (a) a person is a member of the scheme solely by virtue of being a member of the Police Superannuation Scheme—
 - (i) in respect of whom a co-contribution or a benefit rolled over from another fund or scheme has been paid to the Board; or
 - (ii) who has made an election, or is taken to have made an election, under regulation 13; and
 - (b) the person becomes entitled to the payment of benefits under the *Police Superannuation Act 1990* and Part 4 of these regulations,

then the person ceases to be a member of the Triple S scheme on the payment of the balance of each account maintained by the Board in his or her name.

15—Members to whom section 21 does not apply

Pursuant to section 21(4)(b) of the Act, that section does not apply in relation to a person who is a member of the scheme by virtue of regulation 9(6).

Subdivision 2—Accounts

16—Contribution, co-contribution and rollover accounts

- (1) A contribution account maintained by the Board in the name of a member is to consist of—
 - (a) if contributions are being or have been made in relation to the member by the member's employer—an employer contribution account; and
 - (b) if the member is making or has made monetary contributions to the scheme—an employee contribution account.
- (2) A member's employer contribution account must be credited with—
 - (a) amounts that are equivalent to the amounts paid or payable by the member's employer to the Treasurer under section 21 of the Act in respect of salary paid to the member; and
 - (b) in the case of the employer contribution account of a member referred to in section 21(2) of the Act—amounts that are equivalent to the amounts paid or payable by, or on behalf of, the member's employer to the Treasurer under that subsection in respect of the member; and
 - (c) in the case of the employer contribution account of a person who has elected to become a member of the Triple S scheme under regulation 12 or 13, or is taken to have elected to become a member under regulation 13—amounts that are equivalent to the amounts paid or payable by, or on behalf of, the member's employer to the Treasurer under regulation 12(2) or 13(2) in respect of the member.
- (3) A member's employer contribution account must be debited with—
 - (a) in the case of a member other than a member referred to in paragraph (b)—
 - (i) an administrative charge to be fixed by the Board; and
 - (ii) the amount of the premium fixed by or under these regulations in respect of the basic invalidity/death insurance and the voluntary invalidity/death insurance (if any) for the member; and

- (iii) a disability pension premium which, subject to subregulation (12), will be an amount fixed by the Board; and
 - (b) in the case of a person who has elected to become a member of the Triple S scheme under regulation 12 or 13, or is taken to have elected to become a member under regulation 13—
 - (i) an administrative charge to be fixed by the Board; and
 - (ii) the amount of the premium fixed by or under these regulations in respect of the voluntary invalidity/death insurance (if any) for the member; and
 - (c) any other payment that is to be charged against the account under the Act or these regulations,
- to the extent that the charge, premium or other payment can be charge or debited to the account.
- (4) A member's employee contribution account must be credited with the amount of contributions made by the member.
 - (5) A member's rollover account must be credited with the amount of any money rolled over from another superannuation fund or scheme for the benefit of the member and must be debited with any payment that is to be charged against the account under the Act or these regulations.
 - (6) A member's co-contribution account must be credited with the amount of any co-contribution paid to the Board in respect of the member and must be debited with any payment that is to be charged against the account under the Act or these regulations.
 - (7) The Board may, in an appropriate case, debit against—
 - (a) a member's rollover account; or
 - (b) a member's co-contribution account,(or both of the above), an administrative charge fixed by the Board.
 - (8) However, an administrative charge may not be debited against a member's co-contribution account if the credit balance of the member's employer contribution account or rollover account (if any) is sufficient to pay the administrative charge.
 - (9) The Board may, in fixing administrative charges to be debited against members' accounts under this regulation, fix different charges depending on the balance of members' accounts or any other relevant factor.
 - (10) Despite a preceding subregulation, if a member whose only account in the scheme is a co-contribution account satisfies the Board that he or she is unlikely to receive any further co-contributions that will be payable to the Board in respect of the member, the Board may allow the member to carry over the balance of the account to some other superannuation fund or scheme approved by the Board (and when the balance has been carried over by the Board the person will cease to be a member of the Triple S scheme).
 - (11) The Board must keep a record of the aggregate of the amounts debited against contribution accounts under subregulation (3)(a)(ii) and (b)(ii).
 - (12) A disability pension premium is not payable under subregulation (3)(a)(iii) in relation to—
 - (a) a member who is not entitled to a disability pension under regulation 36 under any circumstances; or
 - (b) a member who is exempted under regulation 37 from the ambit of regulation 36.

Subdivision 3—Contributions

17—Contributions (section 20)

- (1) For the purposes of section 20(1)(a) of the Act, but subject to this regulation, a member may elect to make contributions to the Treasurer as a deduction from salary at a whole number percentage, or at 4.5%, of the combined value of the monetary and non-monetary salary (if any) to which the member is entitled in each period in respect of which salary is paid to the member.
- (2) A person who is a member of the scheme by virtue only of regulation 9(3), (5), (6), (7) or (8) (including any combination of these provisions) is not entitled to make contributions under section 20(1)(a) of the Act.
- (3) For the purposes of section 20(1)(b) of the Act, the prescribed percentage is 4.5%.
- (4) A police cadet is not obliged to contribute but may elect to do so.
- (5) Subject to this regulation, a member who has elected to contribute may subsequently elect to contribute at a different rate or to cease contributing.
- (6) An election under this regulation must be made to the Board in writing and will operate from a date to be fixed by the Board.
- (7) If, following a change in a member's salary, it will be difficult for an employer to determine the amount of the member's contribution for the first payment period to which the new contribution applies, the Board may, by notice in writing to the employer, specify a date from which the new contribution amount will apply.
- (8) A notice under subregulation (7) may be varied or revoked by the Board by subsequent notice served on the employer.
- (9) If over a particular period a member receives (while remaining in employment) weekly workers compensation payments for total or partial incapacity for work, contributions will be payable as if the weekly payments were salary or a component of salary (as the case requires).
- (10) Contributions are payable from the member's monetary salary on the days on which monetary salary is paid to the member.
- (11) A member whose membership of the scheme commences on the commencement of the member's employment will commence making contributions on a date fixed by the Board.

18—Prescribed rate of contributions (section 20)

Pursuant to section 20(2)(b) of the Act, a member employed by SA Ambulance Service Inc—

- (a) who was a contributory member of the SA Ambulance Service Superannuation Scheme (the *ambulance scheme*) before electing to become a member of the Triple S Scheme and has not reached his or her normal retirement date for the purposes of the ambulance scheme; or
- (b) who—
 - (i) commenced his or her employment with SA Ambulance Service Inc on or after 1 July 2008; and
 - (ii) is classified as an operations employee under the *SA Ambulance Service Award*; and

- (iii) is employed other than on a casual basis in the provision of ambulance services (within the meaning of the *Health Care Act 2008*),

is required to contribute at a rate of at least 4.5% of salary.

19—Other contributions (section 20)

A monetary contribution under section 20(1)(c) or (d) of the Act must be equal to or exceed \$50.

Division 2—Spouse members

20—Purpose of Division

Pursuant to sections 19(3)(c) and 20(2)(d) of the Act, the purpose of this Division is to make provision for—

- (a) spouses of members to become spouse members of the scheme; and
- (b) contributions to be made by or on behalf of spouse members.

21—Interpretation

In this Division—

eligible member means a member in respect of whom payments are being made to the Treasurer under section 20 of the Act, regulation 12 or regulation 13;

prescribed payment means payment of an amount that is a contributions-splitting superannuation benefit within the meaning of Division 6.7 of the *Superannuation Industry (Supervision) Regulations 1994* of the Commonwealth;

voluntary death insurance means death insurance granted by the Board under regulation 40;

voluntary death insurance benefits means benefits payable in respect of voluntary death insurance.

22—Spouse contributions splitting (section 20)

- (1) Pursuant to section 20(2)(d) of the Act, but subject to this regulation, an eligible member may apply to the Board, in the approved form, to make a prescribed payment from the member's contribution account into a rollover account established in the name, and for the benefit, of the member's spouse.
- (2) An application under subregulation (1), and the making of a prescribed payment following the acceptance of an application, are subject to, and must comply with—
 - (a) Division 6.7 of the *Superannuation Industry (Supervision) Regulations 1994* of the Commonwealth (as if the provisions of that Division apply to, and in relation to, the scheme); and
 - (b) such terms and conditions as may be specified by the Board.
- (3) The Board may fix administrative charges payable in respect of applications under this regulation.
- (4) Any charge payable under subregulation (3) may be deducted by the Board from—
 - (a) the applicant's contribution account; or

- (b) if there are insufficient funds in that account—a spouse account established in the name of the applicant's spouse.

23—Other contributions for spouse members (section 20)

- (1) Pursuant to section 20(2)(d) of the Act, an eligible member may make monetary contributions to the Treasurer under this regulation for crediting to a contribution account in the name of the member's spouse.
- (2) A spouse member may, while the spouse member is the spouse of a member, make monetary contributions to the Treasurer under this regulation.
- (3) The amount of each contribution under this regulation must be equal to or exceed \$50.

24—Spouse members and spouse accounts (section 19)

- (1) If a prescribed payment, or a monetary contribution under regulation 23(1), is made by a member for the benefit of a spouse in respect of whom neither a prescribed payment nor a contribution under regulation 23(1) has previously been made, the spouse becomes a *spouse member* of the Triple S scheme by virtue of this subregulation.
- (2) A spouse member's contribution account must—
 - (a) be credited with the amount of contributions made by or on behalf of the spouse member; and
 - (b) be debited with any payment that is to be charged against the account under the Act or these regulations.
- (3) In addition to maintaining a rollover account in the name of a spouse member as required under section 12(1)(b)(i) of the Act, the Board must maintain a rollover account in the name of a spouse member for the benefit of whom a prescribed payment has been made.
- (4) A spouse member's rollover account must—
 - (a) be credited with the amount of any prescribed payment made, or money rolled over, for the spouse member; and
 - (b) be debited with any payment that is to be charged against the account under the Act or these regulations.
- (5) A spouse member's co-contribution account must—
 - (a) be credited with the amount of any co-contribution paid to the Board in respect of the spouse member; and
 - (b) be debited with any payment that is to be charged against the account under the Act or these regulations.
- (6) The Board may, in an appropriate case, debit against a spouse account an administrative charge fixed by the Board.
- (7) However, an administrative charge may not be debited against a spouse member's co-contribution account if the Board is maintaining a contribution account or rollover account in the name of the spouse member and the credit balance (if any) of either or both of those accounts is sufficient to pay the administrative charge.
- (8) The Board may, for the purposes of subregulation (6), fix different charges depending on the balance of spouse members' accounts or any other relevant factor.

25—Amalgamation of accounts

- (1) If a person who is a spouse member is, or becomes, a member of the scheme, the Board may transfer the amounts standing to the credit of the person's spouse accounts to a contribution account, rollover account or co-contribution account, as appropriate, maintained by the Board in the name of the person (and the Board may, if necessary for the purposes of this subregulation, establish such an account in the name of the person).
- (2) If all amounts standing to the credit of the person's spouse accounts are transferred from those accounts under this regulation—
 - (a) the person ceases to be a spouse member of the scheme; and
 - (b) the person's voluntary death insurance under Part 3 Division 3 (if any) is taken to be voluntary invalidity/death insurance under Part 3 Division 2 Subdivision 2.

Part 3—Insurance and investment

Division 1—Preliminary

26—Purpose of Part

Pursuant to section 22 of the Act, this Part continues the scheme of invalidity and death insurance established under the repealed Act.

27—Interpretation

In this Part—

prescribed member means—

- (a) a police member; or
- (b) a member employed by SA Ambulance Service Inc—
 - (i) who was a contributory member of the SA Ambulance Service Superannuation Scheme (the *ambulance scheme*) before electing to become a member of the Triple S Scheme and has not reached his or her normal retirement date for the purposes of the ambulance scheme; or
 - (ii) who—
 - (A) commenced his or her employment with SA Ambulance Service Inc on or after 1 July 2008; and
 - (B) is classified as an operations employee under the *SA Ambulance Service Award*; and
 - (C) is employed other than on a casual basis in the provision of ambulance services (within the meaning of the *Health Care Act 2008*).

Division 2—Members

Subdivision 1—Basic invalidity/death insurance

28—Basic invalidity/death insurance

- (1) Subject to this regulation, each member of the scheme is entitled to basic invalidity/death insurance regardless of the state of health of the member.
- (2) The following are not entitled to basic invalidity/death insurance:
 - (a) a person who is a member of the scheme by virtue only of regulation 9(3), (5), (6), (7) or (8) (including any combination of these provisions);
 - (b) a spouse member of the scheme, unless the spouse member is also a member of the scheme (other than by virtue of a provision mentioned in paragraph (a));
 - (c) a person who is—
 - (i) employed or engaged for a specified period of time; and
 - (ii) remunerated solely by a fee, allowance or commission;
 - (d) a member to whom invalidity insurance benefits have been paid under regulation 58(1)(b) because the member is suffering from a terminal illness.
- (3) A member who has received invalidity insurance benefits under the Act, the repealed Act or these regulations (or a benefit in the nature of invalidity insurance benefits under any other Act that provides for the payment of benefits by the Treasurer) and is subsequently employed in employment to which the Act applies is not entitled to basic invalidity insurance in respect of his or her subsequent employment.

Subdivision 2—Voluntary invalidity/death insurance

29—Interpretation

In this Subdivision—

fixed insurance cover—see regulation 34;

standard insurance cover—see regulation 34.

30—Application for voluntary invalidity/death insurance

- (1) Subject to this regulation, a member (other than a prescribed member) may apply to the Board for voluntary invalidity/death insurance under this regulation.
- (2) A person who is employed on a casual basis can only apply for voluntary invalidity/death insurance if he or she is employed pursuant to an arrangement under which he or she is to work for 9 or more hours each week or for periods that average, over a 3 month period, 9 or more hours each week.
- (3) A person who is not entitled to basic invalidity/death insurance under regulation 28(2)(c) or (d) cannot apply for voluntary invalidity/death insurance.
- (4) A person who is a member of the scheme by virtue only of regulation 9(3), (6) or (7) (including any combination of these provisions) cannot apply for voluntary invalidity/death insurance.

- (5) If within 3 months after electing to become a member of the Triple S scheme, a contributor under the *Superannuation Act 1988* applies to the Board under this regulation for voluntary invalidity/death insurance that will entitle the applicant to benefits that will not, in the Board's opinion, exceed the benefits in the nature of invalidity and death insurance to which the applicant would have been entitled under the *Superannuation Act 1988*—
 - (a) regulation 49(2) does not apply to the applicant; and
 - (b) the Board must accept the application and the only conditions that it can impose on its acceptance are the conditions (if any) to which the applicant's membership of the State Scheme is subject or conditions to which the applicant agrees.
- (6) If the Board grants an application for voluntary invalidity/death insurance or for an increase or decrease in the level of voluntary insurance, the Board must fix the date for the commencement of the insurance or of the increase or decrease in the level of insurance.

31—Variation of voluntary insurance

A member who has voluntary invalidity/death insurance under regulation 30 may apply to the Board to increase or decrease the level of the insurance.

32—Voluntary invalidity/death insurance—prescribed members

- (1) A prescribed member who has not taken out fixed insurance cover has voluntary invalidity/death insurance benefits at least equal in value to 4 units of standard insurance cover, determined according to his or her current age, and is liable for premiums in respect of that insurance fixed by or under regulation 34.
- (2) A prescribed member who has taken out fixed insurance cover has the number of units of fixed insurance cover necessary to provide the member with invalidity/death insurance benefits at least equal in value to 6 units of standard insurance cover (taking into account the member's basic invalidity/death insurance cover), determined according to his or her current age, and is liable for premiums in respect of that insurance fixed by or under regulation 34.

33—Variation of voluntary insurance—prescribed members

- (1) A prescribed member may apply to the Board, in the approved form, to increase or decrease the level of his or her voluntary invalidity/death insurance.
- (2) However, a prescribed member cannot apply to reduce his or her voluntary invalidity/death insurance below the level specified in regulation 32.
- (3) If the Board grants an application for voluntary invalidity/death insurance or for an increase or decrease in the level of voluntary insurance, the Board must fix the date for the commencement of the insurance or of the increase or decrease in the level of insurance.

Subdivision 3—Amount of insurance, premiums and suspension

34—Amount of invalidity/death insurance benefits and amount of premiums

- (1) A reference in this regulation to Table 1 or Table 2 is a reference to the table so designated in Schedule 1.
- (2) There will be 2 classes of invalidity/death insurance:
 - (a) *standard insurance cover* under Table 1 where—
 - (i) the value of a unit of cover, as designated in column 2, is determined on the basis of the member's age; and

- (ii) the amount of corresponding premium per unit of cover is fixed at the price designated in column 3;
- (b) **fixed insurance cover** under Table 2 where—
 - (i) the value of a unit of cover is fixed at the amount designated in column 2; and
 - (ii) the amount of corresponding premium per unit of cover, as designated in column 3, is determined on the basis of the member's age at the time the insurance cover commences.
- (3) The amount of basic invalidity/death insurance benefit is—
 - (a) in the case of a member who has taken out fixed insurance cover—1 unit of fixed insurance cover; and
 - (b) in the case of a member who has made an election under Schedule 3 clause 1(1) of the repealed regulations and has not subsequently taken out fixed insurance cover (whether under these regulations or the repealed regulations)—1 unit of standard insurance cover; and
 - (c) in any other case—2 units of standard insurance cover.
- (4) However, if the amount of basic invalidity/death insurance benefit to which a person who—
 - (a) was a member of the scheme immediately before 1 July 2002; and
 - (b) is under the age of 60,is entitled would, but for this subregulation, be less than \$20 000, the amount of basic invalidity/death insurance benefit to which the person is entitled is \$20 000.
- (5) The premium for basic invalidity/death insurance is—
 - (a) in the case of basic invalidity/death insurance that is fixed insurance cover—the appropriate premium fixed under column 3 of Table 2; and
 - (b) in any other case—\$0.75 per unit per week.
- (6) An applicant for voluntary invalidity/death insurance may apply for either standard insurance cover or fixed insurance cover.
- (7) The aggregate value of units of cover granted to a member employed other than on a casual basis must not exceed \$1 500 000 (inclusive of the member's basic cover).
- (8) The aggregate value of units of cover granted to a member employed on a casual basis must not exceed \$750 000 (inclusive of the member's basic cover).
- (9) In this regulation—

repealed regulations means the *Southern State Superannuation Regulations 1995*.

35—Voluntary suspension of invalidity/death insurance

- (1) A person who is employed on a casual basis and who does not have voluntary invalidity/death insurance may, by notice in writing to the Board, suspend his or her basic invalidity/death insurance.
- (2) Subject to subregulation (3), an employee (not being an employee referred to in subregulation (1)) may, by notice in writing to the Board, suspend his or her basic invalidity/death insurance and his or her voluntary invalidity/death insurance (if any).

- (3) An employee can only suspend insurance under subregulation (2) if the Board is satisfied that he or she will not be in receipt of any income from his or her employer during the period of suspension (and any such period of suspension will cease when the employee next receives income from his or her employer).
- (4) An employee may at any time, by notice in writing to the Board, reinstate his or her suspended insurance.
- (5) Basic and voluntary invalidity/death insurance benefits are only payable to or in respect of an employee whose employment terminates on account of invalidity or death within 1 year after his or her insurance is reinstated if the invalidity or death was caused by accidental injury.
- (6) Subregulation (5) does not apply in relation to an employee who is a prescribed member.

Subdivision 4—Disability pension

36—Disability pension

- (1) Pursuant to section 22(1) of the Act, but subject to this Subdivision and regulation 39(3), a member who—
 - (a) is temporarily or permanently incapacitated for work; and
 - (b) is no longer engaged in work in respect of employment to which the Act applies on account of the incapacity; and
 - (c) has not reached the age of 60 years,is entitled to a disability pension unless the member—
 - (d) is exempted from the ambit of this regulation under regulation 37; or
 - (e) is not entitled to a disability pension under this regulation by virtue of regulation 38.
- (2) An application for a disability pension must be made within 6 months of the day on which the member ceases to be engaged in work in respect of employment to which the Act applies.
- (3) For the purposes of subregulation (2), a period during which a police member receives salary or wages pursuant to an arrangement under which employees forego part of their annual recreation leave in return for the grant of additional sick leave is to be taken to be a period during which the member is engaged in work.

Note—

The Commissioner of Police may make and carry out such an arrangement with employees under regulation 51 of the *Police Regulations 1999*.

- (4) The amount of a disability pension will be 75% of the member's notional salary.
- (5) A member who becomes incapacitated for work in a particular position will not be regarded as incapacitated for work for the purposes of this regulation if some other position, carrying a salary of at least 80% of the salary applicable to the former position, is available to the member and the member could reasonably be expected to take that other position.
- (6) A disability pension is not payable in respect of—
 - (a) the period of 30 days following the day on which the member ceases work on account of the disability; or

- (b) a period in respect of which the member is entitled to weekly payments of workers compensation; or
 - (c) a period for which the member is on recreation leave, long service leave or paid sick leave.
- (7) The Board will not authorise the payment of a disability pension in respect of a period of incapacity of less than 1 week and may decline to authorise a disability pension if it appears that the duration of the incapacity is likely to be less than 6 months.
- (8) A disability pension cannot be paid for a continuous period of more than 24 months.
- (9) A disability pension cannot be paid (whether under these regulations or the repealed Act), in respect of the same incapacity, for an aggregate period of more than 24 months in any 1 period of 48 months.
- (10) A person who—
 - (a) is a member of the scheme by virtue of an election under regulation 10; and
 - (b) was aged 55 years or over when he or she made the election,is not entitled, during the first 24 months of his or her membership of the scheme, to a disability pension in respect of an incapacity attributable to a medical condition existing before the day on which that membership commenced.
- (11) A person who is a contributor within the meaning of the *Superannuation Act 1988* to whom regulation 11 applies is not entitled, during the period of 24 months commencing on the day on which regulation 11 first applies to the person, to a disability pension in respect of an incapacity attributable to a medical condition existing before that day.
- (12) A member who returns to work in employment to which the Act applies after being on leave without pay for 12 months or more is not entitled, during the period of 24 months commencing on the day on which he or she returns to work, to a disability pension in respect of a condition that was known to the member on that day.
- (13) A member is not required to make a contribution over a period for which the member receives a disability pension.
- (14) A right to a disability pension under this regulation cannot be assigned.
- (15) Subregulation (14) does not prevent the making of a garnishee order in relation to a pension.
- (16) If a person who is a member of the scheme by virtue of regulation 9(2) becomes entitled to a benefit under this regulation, the person is not entitled to a benefit under section 30 or 36 of the *Superannuation Act 1988*.
- (17) Despite subregulation (1), a member may receive a disability pension under this regulation while engaged in remunerative activities if the Board is satisfied that the member is engaged in the activities for the purposes of a rehabilitation or return to work arrangement.
- (18) However, if at any time during a financial year a member who is receiving or would, but for this subregulation, be entitled to receive, a pension under this regulation is also receiving income from remunerative activities, the pension will be reduced by the amount by which the pension and income exceed, when aggregated, the amount that the member would be entitled to receive if he or she were in receipt of his or her notional salary and if those payments equal or exceed that amount, the pension will be suspended.

- (19) A person in receipt of a disability pension whose employment terminates, or is taken to have been terminated under regulation 6(4), ceases to be entitled to the pension from the day immediately following the day on which the employment terminates or is taken to have been terminated.
- (20) The Board must consult with the Police Superannuation Board before authorising the payment of a disability pension to a police officer.

37—Exemption from ambit of regulation 36

- (1) A member (other than a prescribed member), may elect, in the approved form, to be exempted from the ambit of regulation 36.
- (2) An election under subregulation (1) will take effect from a date determined by the Board.
- (3) Subject to subregulation (4), a casual member is exempted from the ambit of regulation 36.
- (4) A member who is exempted from the ambit of regulation 36 under subregulation (1) or (3) may apply to the Board to be brought within the ambit of that regulation.
- (5) An application under subregulation (4) must be in the approved form.
- (6) The applicant must provide the Board with the following information as to the state of the applicant's health:
 - (a) information relating to medical advice, examination or treatment received by the applicant;
 - (b) information as to any other treatment received by the applicant for any illness, condition or disability suffered by the applicant;
 - (c) information as to any illness, condition or disability suffered by the applicant or any symptoms suffered by the applicant that may indicate an illness, condition or disability;
 - (d) information as to any drugs or other substances (whether legal or illegal and whether medicinal or not) taken by the applicant or to which the applicant has been exposed,

and the Board may require an applicant to provide satisfactory evidence of the state of the applicant's health.

- (7) The cost of any medical examination to which an applicant is required to submit for the purposes of subregulation (6) is to be borne by the applicant.
- (8) If it appears to the Board—
 - (a) that an applicant's state of health is such as to create a risk of incapacity for work; or
 - (b) that an applicant has in the past engaged in a prescribed activity that increases the risk of incapacity for work; or
 - (c) that an applicant is likely in the future to engage in an activity of a kind referred to in paragraph (b),

the Board may grant the application on authorised conditions.

- (9) Subject to subregulation (10), if it appears to the Board that an applicant withheld information required in relation to his or her application under this regulation, the Board may withhold or reduce the pension that the applicant would otherwise have been entitled to.

- (10) If—
- (a) it appears to the Board that an applicant withheld information required in relation to his or her application under this regulation; and
 - (b) the withheld information relates to a medical condition to which the applicant's incapacity for work is attributable,

the Board must withhold the pension that the applicant would otherwise have been entitled to in respect of that incapacity.

- (11) If the Board grants an application under subregulation (4), the applicant ceases to be exempted from the ambit of regulation 36 from a date determined by the Board.

- (12) In this regulation—

authorised condition, in relation to the granting of an application to be brought within the ambit of regulation 36, means—

- (a) a condition providing that a disability pension is not payable if the applicant's incapacity for work is caused wholly or partly by—
 - (i) a pre-existing illness, condition or disability; or
 - (ii) an illness, condition or disability arising out of a pre-existing illness, condition or disability; or
 - (iii) a prescribed activity; or
- (b) a condition that a pension is only to be payable in respect of an incapacity for work arising from—
 - (i) accidental causes; or
 - (ii) an illness or condition that is not related to or associated with a medical condition of a kind specified by the Board;

casual member means a member employed on a casual basis who was not entitled to a disability pension in the event of incapacity for work under section 33A of the repealed Act immediately before the repeal of that Act;

prescribed activity means the smoking, chewing or sucking of a tobacco product or any other activity involving the consumption of a tobacco product;

tobacco product means—

- (a) a cigarette; or
- (b) a cigar; or
- (c) cigarette or pipe tobacco; or
- (d) tobacco prepared for chewing or sucking; or
- (e) snuff.

38—Persons not entitled to disability pension

The following are not entitled to a disability pension under this Subdivision under any circumstances:

- (a) a spouse member, unless the spouse member is also a member of the scheme;
- (b) a person who is a member of the scheme solely by virtue of regulation 9(3), (5), (6), (7) or (8) (or any combination of these provisions);

- (c) a member to whom invalidity insurance benefits have been paid under regulation 58(1)(b) because the member is suffering from a terminal illness;
- (d) a person who is—
 - (i) employed or engaged for a specified period of time; and
 - (ii) remunerated solely by a fee, allowance or commission.

Subdivision 5—Payment of premiums

39—Payment of premiums by members

- (1) Premiums payable by a member, including the disability pension premium, will be debited against the member's employer contribution account in accordance with regulation 16.
- (2) If the debiting of a premium for invalidity/death insurance under subregulation (1) would result in a debit balance in the account—
 - (a) the premium will be debited against the account to the extent of the credit balance in the account; and
 - (b) the member's basic and voluntary invalidity/death insurance is suspended from the expiration of the month following the month in which the premium was debited until the account is again sufficiently in credit to enable the debiting of premiums without resulting in a debit balance.
- (3) If the debiting of a disability pension premium under subregulation (1) would result in a debit balance in the account—
 - (a) the premium will be debited against the account to the extent of the credit balance in the account; and
 - (b) the member's entitlement to a disability pension in the event of incapacity for work is suspended from the expiration of the month following the month in which the premium was debited until the account is again sufficiently in credit to enable the debiting of the disability pension premium without resulting in a debit balance.

Division 3—Spouse members—voluntary death insurance

40—Application for voluntary death insurance

- (1) A spouse member may, if the spouse member is the spouse of a member, apply to the Board for voluntary death insurance.
- (2) A spouse member who is not the spouse of a member is not entitled to death insurance cover and any such cover enjoyed by a spouse member will cease if the spouse member ceases to be the spouse of a member.
- (3) If the Board grants an application for voluntary death insurance or for an increase or decrease in the level of voluntary death insurance, the Board must fix the date for the commencement of the insurance or of the increase or decrease in the level of the insurance.

41—Variation of voluntary death insurance

A spouse member who has voluntary death insurance may apply to the Board to increase or decrease the level of the insurance.

42—Amount of voluntary death insurance benefits and amount of premiums

- (1) A reference in this regulation to Table 1 or Table 2 is a reference to the table so designated in Schedule 2.
- (2) There will be 2 classes of death insurance:
 - (a) *standard insurance cover* under Table 1 where—
 - (i) the value of a unit of cover, as designated in column 2, is determined on the basis of the spouse member's age; and
 - (ii) the amount of corresponding premium per unit of cover is fixed at the price designated in column 3;
 - (b) *fixed insurance cover* under Table 2 where—
 - (i) the value of a unit of cover is fixed at the amount designated in column 2; and
 - (ii) the amount of corresponding premium per unit of cover, as designated in column 3, is determined on the basis of the spouse member's age at the time the insurance cover commences.
- (3) An applicant for voluntary death insurance may apply for either standard insurance cover or fixed insurance cover.
- (4) The aggregate value of units of cover granted to a spouse member must not exceed \$1 500 000.

43—Payment of premiums by spouse members

- (1) Premiums payable by a spouse member may be debited against any of the spouse member's spouse accounts.
- (2) If the debiting of a premium against a particular spouse account under subregulation (1) would result in a debit balance in the account—
 - (a) the premium may be debited against the account to the extent of the credit balance in the account; and
 - (b) if there is another spouse account in the name of the spouse member, the premium will be debited against that account to the extent of the credit balance in the account; and
 - (c) the spouse member's voluntary death insurance is suspended from the expiration of the month following the month in which the last premium was debited until a spouse account in the name of the spouse member is again sufficiently in credit to enable the debiting of premiums without resulting in a debit balance.

Division 4—Post retirement investment and invalidity/death insurance

Subdivision 1—Preliminary

44—Interpretation

In this Division—

public sector superannuation beneficiary means a person who is a member of, or has received a benefit under, a public sector superannuation scheme (but does not include a person who has received a benefit under a public sector superannuation scheme solely by virtue of being the spouse of a member of such a scheme);

public sector superannuation scheme means a scheme of superannuation—

- (a) established under the Act or under another Act; or
- (b) established for the benefit of employees of an agency or instrumentality of the Crown.

Subdivision 2—Post retirement investment

45—Post retirement investment

- (1) The Board may offer to accept money from public sector superannuation beneficiaries or the spouses of public sector superannuation beneficiaries for investment with the Superannuation Funds Management Corporation of South Australia.
- (2) The Board may, in relation to a particular type of investment, offer to accept money only from public sector superannuation beneficiaries, or the spouses of public sector superannuation beneficiaries, who have received a benefit under a public sector superannuation scheme.
- (3) An offer will be on terms and conditions determined by the Board following consultation with the Corporation about matters relevant to the terms and conditions for which the Corporation is responsible under the *Superannuation Funds Management Corporation of South Australia Act 1995*.
- (4) Money accepted by the Board under subregulation (1)—
 - (a) will be held in a fund established by the Board for the purposes of this regulation (the assets of which do not belong to the Crown); and
 - (b) will, subject to the terms and conditions of the offer referred to in subregulation (3), be invested by the Corporation in a manner determined by it; and
 - (c) may, if a public sector superannuation beneficiary so requests, be invested for the benefit of the spouse of the beneficiary.
- (5) The Corporation may enter into transactions affecting that money—
 - (a) for the purposes of investment; or
 - (b) for purposes incidental, ancillary or otherwise related to investment.
- (6) Money that may be invested by public sector superannuation beneficiaries or their spouses under this regulation is not limited to money received by the investor from a public sector superannuation scheme.
- (7) The Board may deduct an administrative charge, to be fixed by the Board, from money accepted under subregulation (1).

- (8) The Board must, in respect of each financial year—
 - (a) keep proper accounts of receipts and payments in relation to money accepted by it under this regulation; and
 - (b) prepare financial statements in relation to those receipts and payments.

Subdivision 3—Post retirement invalidity and death insurance

46—Post retirement invalidity/death insurance

- (1) Subject to this Subdivision—
 - (a) a public sector superannuation beneficiary may apply to the Board for invalidity/death insurance; and
 - (b) the spouse of a public sector superannuation beneficiary may apply to the Board for death insurance,and the Board may provide such insurance, subject to the terms and conditions specified in regulation 48.
- (2) A person who is aged 65 years or over cannot apply for, and is not entitled to, invalidity or death insurance.
- (3) If the Board grants an application for insurance or for an increase or decrease in the level of insurance, the Board must fix the date for the commencement of the insurance or of the increase or decrease in the level of insurance.

47—Amount of benefits and premiums

- (1) A public sector superannuation beneficiary may apply for standard insurance cover or fixed insurance cover within the meaning of regulation 34, and the amount of invalidity/death insurance benefits, and the amount of premiums in respect of those benefits, are the amounts fixed by that regulation.
- (2) The spouse of a public sector superannuation beneficiary may apply for standard insurance cover or fixed insurance cover within the meaning of regulation 42, and the amount of death insurance benefits, and the amount of premiums in respect of those benefits, are the amounts fixed by that regulation.

48—Terms and conditions

- (1) A public sector superannuation beneficiary may be provided with invalidity/death insurance if, and only if, the beneficiary has an investment of money with the Superannuation Funds Management Corporation of South Australia under regulation 45.
- (2) The spouse of a public sector superannuation beneficiary may be provided with death insurance if, and only if, the spouse has an investment of money with the Superannuation Funds Management Corporation of South Australia under regulation 45.
- (3) Premiums will be debited against the insured's investment account.
- (4) If the debiting of a premium under subregulation (3) would result in a debit balance in the account—
 - (a) the premium will be debited against the account to the extent of the credit balance in the account; and

- (b) the insurance is suspended from the expiration of the month following the month in which the premium was debited until the account is again sufficiently in credit to enable the debiting of premiums without resulting in a debit balance.
- (5) Insurance ceases on payment to the insured of his or her investment under regulation 45.
- (6) Death insurance cover provided to the spouse of a public sector superannuation beneficiary is not affected by payment to the public sector superannuation beneficiary of his or her investment under regulation 45.
- (7) The following provisions apply to a public sector superannuation beneficiary who has, within 60 days of ceasing to be engaged in employment to which the Act applies, invested money with the Superannuation Funds Management Corporation of South Australia under regulation 45:
- (a) the beneficiary is, on application, covered, and taken to have been covered since ceasing to be engaged in employment to which the Act applies, by the invalidity/death insurance that applied to the beneficiary at the time of that cessation, subject to the same terms, conditions and restrictions;
- (b) regulation 49—
- (i) does not apply to an application under paragraph (a); but
- (ii) applies to any application by the beneficiary to increase the level of his or her invalidity/death insurance cover.
- (8) An insurance benefit will be payable on account of invalidity if the Board is satisfied that the insured's incapacity for all kinds of work is 60% or more of total incapacity and is likely to be permanent.
- (9) However, an insured is not entitled to payment of a benefit on account of invalidity—
- (a) if—
- (i) the insured ceased to be engaged in employment to which the Act applies as a condition of accepting a voluntary separation package; and
- (ii) the insured's incapacity for work was known to the insured at the time of ceasing to be engaged in that employment; and
- (b) unless the insured has engaged in employment for an average of 20 or more hours per week in the 12 month period before making a claim in respect of the invalidity.
- (10) Death benefits payable in respect of an insured will be paid to the spouse of the insured or, if he or she has no spouse, to the insured's estate.
- (11) The aggregate value of units of cover provided to a person under regulation 46 and any other provision of the Act or these regulations must not exceed \$1 500 000.
- (12) In this regulation—

voluntary separation package means an agreement between a member and his or her employer pursuant to which the member resigns from employment.

Division 5—General

49—Application for insurance

- (1) An application for insurance under this Part, including an application to increase the level of the applicant's insurance, must be in the approved form and must specify the voluntary invalidity or death insurance that the applicant is applying for.
- (2) An applicant must provide the Board with the following information as to the state of the applicant's health:
 - (a) information relating to medical advice, examination or treatment received by the applicant;
 - (b) information as to any other treatment received by the applicant for any illness, condition or disability suffered by the applicant;
 - (c) information as to any illness, condition or disability suffered by the applicant or any symptoms suffered by the applicant that may indicate an illness, condition or disability;
 - (d) information as to any drugs or other substances (whether legal or illegal and whether medicinal or not) taken by the applicant or to which the applicant has been exposed,

and the Board may require an applicant to provide satisfactory evidence of the state of the applicant's health.

- (3) The cost of any medical examination to which an applicant is required to submit for the purposes of subregulation (2) is to be borne by the applicant.
- (4) If it appears to the Board—
 - (a) that an applicant's state of health is such as to create a risk of invalidity or premature death; or
 - (b) that an applicant has in the past engaged in a prescribed activity that increases the risk of invalidity or premature death; or
 - (c) that an applicant is likely in the future to engage in an activity of a kind referred to in paragraph (b),

the Board may grant the application on authorised conditions.

- (5) A condition on which an application has been granted (whether under the repealed Act or these regulations) may be varied or removed by the Board if the Board considers it appropriate to do so following consideration of medical evidence provided by the applicant (but a condition may not be removed unless the Board is satisfied that none of the circumstances specified in subregulation (4)(a), (b) or (c) apply in relation to the applicant).
- (6) Subject to subregulation (7), if it appears to the Board that an applicant withheld information required in relation to his or her application under this regulation, the Board may withhold or reduce insurance benefits that the applicant would otherwise have been entitled to.
- (7) If—
 - (a) it appears to the Board that an applicant withheld information required in relation to his or her application under this regulation; and

- (b) the withheld information relates to an illness, condition or disability suffered by the applicant that caused or is connected with the applicant's invalidity or death,

the Board must withhold insurance benefits that the applicant or another person would otherwise have been entitled to in respect of that invalidity or death.

- (8) In this regulation—

authorised condition, in relation to voluntary invalidity/death insurance or voluntary death insurance in respect of a person, means—

- (a) a condition providing that insurance is not payable if the person's invalidity or death is caused wholly or partly by—
- (i) a pre-existing illness, condition or disability; or
 - (ii) an illness, condition or disability arising out of a pre-existing illness, condition or disability; or
 - (iii) a prescribed activity; or
- (b) a condition that insurance cover is to be provided only in respect of incapacity or death arising from—
- (i) accidental causes; or
 - (ii) an illness or condition that is not related to or associated with a medical condition of a kind specified by the Board;

prescribed activity means the smoking, chewing or sucking of a tobacco product or any other activity involving the consumption of a tobacco product;

tobacco product means—

- (a) a cigarette; or
- (b) a cigar; or
- (c) cigarette or pipe tobacco; or
- (d) tobacco prepared for chewing or sucking; or
- (e) snuff.

50—Application to decrease level of insurance

An application to decrease the level of the applicant's insurance must be in the approved form.

51—Financial statements

Pursuant to section 15(2) of the Act, financial statements prepared by the Board as required by that section must set out the aggregate of the amounts debited against contribution accounts and spouse accounts in respect of premiums for insurance.

Part 4—Superannuation benefits

Division 1—Members

52—Interpretation

In this Division—

co-contribution component in relation to a member means the amount standing to the credit of the member's co-contribution account;

employee component in relation to a member means the amount standing to the credit of the member's employee contribution account;

employer component in relation to a member means the amount standing to the credit of the member's employer contribution account;

rollover component in relation to a member means the amount standing to the credit of the member's rollover account.

53—Early access to superannuation benefits

- (1) For the purposes of this regulation, the *basic threshold* is \$30 000.
- (2) Subject to this regulation, a member may apply to the Board for the benefit of this regulation if—
 - (a) the member has reached—
 - (i) the age of 55 years; and
 - (ii) his or her preservation age; and
 - (b) in the case of the first application by the member under this regulation—the combined balance of his or her eligible contribution accounts equal or exceed the basic threshold.
- (3) An application under this regulation may be made for the payment of the whole, or a specified proportion, of the balance of the member's eligible contribution accounts but, in the case of the first application by a member under this regulation, the application must seek the payment of an amount that is at least equal to the basic threshold.
- (4) Once a member has made an application under this regulation, a second or subsequent application cannot be made—
 - (a) unless at least 12 months have elapsed from any preceding application; and
 - (b) unless the combined balance of his or her eligible contribution accounts equals or exceeds \$30 000.
- (5) The Board may require that an application under this regulation be made in such manner, and comply with such requirements, as the Board thinks fit.
- (6) The payment will, according to an election made by the member as part of his or her application, be invested by the Board (on behalf of and in the name of the member)—
 - (a) with the Superannuation Funds Management Corporation of South Australia; or
 - (b) with another entity that will provide a non-commutable income stream for the member while the member continues to be employed in the workforce,

so that the member receives (and only receives) a payment in the form of a pension or annuity (a *drawn down payment*).

- (7) An investment under subregulation (6) will be on terms and conditions determined by the Board.
- (8) A member who has—
 - (a) retired from employment; or
 - (b) reached the age of 65 years,may commute an entitlement to a draw down payment so that the investment is brought to an end and the balance paid to the member.
- (9) The value of an investment may also be redeemed in due course under subregulation (13).
- (10) When the Board makes a payment on an application under this regulation—
 - (a) any account from which the payment, or a part of the payment, has been drawn will be immediately adjusted to take into account the payment; and
 - (b) section 18(2) of the Act will apply with respect to the relevant components constituting the payment.
- (11) When a member retires from employment (and is thus entitled to a benefit under regulation 54), the member's entitlement under regulation 54 will be adjusted to take into account an entitlement provided under this regulation (and that regulation will then have effect accordingly).
- (12) If a member's employment is terminated on account of invalidity or by the member's death, or the member is suffering from a terminal illness, any entitlement under regulation 58 or 59 (as the case requires) will be adjusted to take into account an entitlement provided under this regulation (and the relevant regulation will then have effect accordingly).
- (13) When a member retires, has his or her employment terminated on account of invalidity or dies (whichever first occurs), an investment being held under subregulation (6) may be redeemed (subject to any rules or requirements applicable to the exercise of a power of redemption).
- (14) The making of a payment under this regulation must take into account the operation of any provision under Part 5.
- (15) In this regulation—

eligible contribution accounts of a member means—

 - (a) the member's employee contribution account; and
 - (b) the member's employer contribution account; and
 - (c) the member's rollover account; and
 - (d) the member's co-contribution account.

54—Retirement

- (1) A member who retires from employment is entitled to—
 - (a) payment of the employee component and the employer component; and
 - (b) payment of—
 - (i) the rollover component (if any); and

- (ii) the co-contribution component (if any),
to the extent that payment of the component can be made in accordance with the SIS Act.
- (2) A rollover component, or the part of a rollover component, or a co-contribution component, that cannot be paid in accordance with the SIS Act must be preserved and regulation 55(7) and (8) apply to and in relation to it.
- (3) For the purposes of this regulation, a member retires from employment if—
 - (a) the member has reached the retirement age; and
 - (b) the member's employment terminates or is terminated for any reason (except the member's death).

55—Resignation

- (1) If a member resigns from employment before reaching the retirement age the member may elect—
 - (a) to take immediately the employee component; or
 - (b) to preserve the employee component; or
 - (c) to carry the employee component over to some other superannuation fund or scheme approved by the Board.
- (2) If a member resigns from employment before reaching the retirement age the member may elect—
 - (a) if the balance of the member's employer contribution account is less than \$200—to take immediately the employer component; or
 - (b) to preserve the employer component; or
 - (c) to carry the employer component over to some other superannuation fund or scheme approved by the Board.
- (3) If a member resigns from employment before reaching the retirement age the member may elect—
 - (a) to take immediately the rollover component (if any) to the extent that payment of that component can be made in accordance with the SIS Act; or
 - (b) to preserve the rollover component; or
 - (c) to carry the rollover component over to some other superannuation fund or scheme approved by the Board.
- (4) If a member resigns from employment before reaching the retirement age, the member may elect—
 - (a) to take immediately the co-contribution component (if any) to the extent that payment of the component can be made in accordance with the SIS Act; or
 - (b) to preserve the co-contribution component; or
 - (c) to carry the co-contribution component over to some other superannuation fund or scheme approved by the Board.

- (5) A member who fails to inform the Board in writing of his or her election under subregulation (1), (2), (3) or (4) within 3 months after resignation will be taken to have elected to preserve the employee, employer, rollover or co-contribution component, as the case requires.
- (6) If the Board is of the opinion that the limitation period referred to in subregulation (5) would unfairly prejudice a member, the Board may extend the period as it applies to the member.
- (7) If the member elects to preserve the employee, employer, rollover or co-contribution component, the following provisions apply subject to subregulation (8):
 - (a) the member may at any time after reaching 55 years of age require the Board to authorise payment of the component and, if no such requirement has been made on or before the date on which the member reaches 65 years of age, the Board will authorise payment of the component to the member;
 - (b) if the member has become incapacitated and satisfies the Board that his or her incapacity for all kinds of work is 60% or more of total incapacity and is likely to be permanent, the Board will authorise payment of the component to the member;
 - (c) if the member dies, the component will be paid to the spouse of the deceased member or, if he or she left no surviving spouse, to the member's estate,(and a payment under any of the above paragraphs excludes further rights so that a claim cannot be subsequently made under some other paragraph).
- (8) Subregulation (7) applies to a rollover component or a co-contribution component subject to restrictions imposed by the SIS Act.
- (9) A member who has elected, or has been taken to have elected, to preserve his or her employee component, employer component, rollover component or co-contribution component and to whom the component has not been paid under subregulation (7), may elect to withdraw that election and to elect to carry the component over to some other superannuation fund or scheme approved by the Board.
- (10) If 2 or more components have been preserved, a member cannot make an election under subregulation (9) unless the member elects to carry both or all of the components over.
- (11) If the member elects to carry over the employee, employer, rollover or co-contribution component to an approved superannuation fund or scheme, the following provisions apply:
 - (a) the member must satisfy the Board by such evidence as it may require that he or she has been admitted to membership of the fund or scheme;
 - (b) on being so satisfied the Board will authorise payment of the component on behalf of the member to the fund or scheme.
- (12) If a member has resigned from employment and has elected to preserve the employee, employer, rollover or co-contribution component but has subsequently been re-employed in employment by virtue of which he or she becomes a member of the scheme, the Board may maintain separate contribution accounts or rollover accounts or co-contribution accounts or a combined contribution account or rollover account or co-contribution account in the name of the member.
- (13) For the purposes of this regulation, and subject to any other provision of the Act or these regulations, a member who has not reached the retirement age will be taken to resign if the member's employment terminates or is terminated for any reason except invalidity (in circumstances entitling the member to benefits under the Act or these regulations), retrenchment or death.

- (14) This regulation operates subject to regulation 56.

56—Benefits payable to overseas residents

If a member who has resigned from employment before reaching the retirement age satisfies the Board that he or she—

- (a) was the holder of an eligible temporary resident visa (within the meaning of Part 6 of the *Superannuation Industry (Supervision) Regulations 1994* of the Commonwealth) that has expired or been cancelled; and
 - (b) is residing out of Australia and will continue to do so on a permanent basis,
- the member may elect to take immediately the balances of any 1 or more of his or her accounts (including any amount that has been preserved under regulation 55).

57—Retrenchment

- (1) Subject to subregulation (2), if a member's employment is terminated by retrenchment the member is entitled to—
 - (a) payment of the employee component and the employer component; and
 - (b) payment of—
 - (i) the rollover component (if any); and
 - (ii) the co-contribution component (if any),to the extent that the payment can be made in accordance with the SIS Act.
- (2) The member may elect to preserve his or her employee, employer, rollover or co-contribution component or to carry it over to some other superannuation fund or scheme and in the event of such an election the provisions of regulation 55 will apply as if the member had resigned from employment.

58—Invalidity or terminal illness

- (1) If—
 - (a) a member's employment terminates on account of invalidity before the member reaches the age of 65 years; or
 - (b) the Board is satisfied that a member is suffering from a terminal illness,the member is entitled to benefits made up of the following components:
 - (c) the employee component;
 - (d) the employer component;
 - (e) the rollover component (if any);
 - (f) the co-contribution component (if any);
 - (g) subject to this regulation and regulation 49(6) and (7)—the basic invalidity insurance benefit and the voluntary invalidity insurance benefit (if any).
- (2) For the purposes of assessing whether or not a member is suffering from a terminal illness, the Board—
 - (a) must consider written medical reports provided by at least 2 medical practitioners, 1 of whom must have specialist expertise in the relevant field of medicine; and

- (b) may require the member to submit himself or herself for a medical examination by a medical practitioner nominated by the Board.
- (3) The cost of—
 - (a) a report obtained from a medical practitioner at the request of the Board for the purposes of subregulation (2)(a); or
 - (b) a medical examination to which the member is required to submit under subregulation (2)(b),is to be borne by the Board.
- (4) The basic and voluntary invalidity insurance benefits are not payable to a member entitled to benefits under subregulation (1)(a) unless the Board is satisfied that the member's incapacity for all kinds of work is 60% or more of total incapacity and is likely to be permanent.
- (5) The Board may require a member seeking benefits under subregulation (1)(a) to provide evidence of his or her incapacity.
- (6) The cost of any medical examination to which a member is required to submit for the purposes of subregulation (5) is to be borne by the member.
- (7) The basic and voluntary invalidity insurance benefits are not payable—
 - (a) to a member who terminates his or her employment in connection with the acceptance of a voluntary separation package; or
 - (b) to a member entitled to benefits under subregulation (1)(a) whose employment is terminated after he or she has been engaged in work in respect of employment to which the Act applies for a period that does not exceed 6 months on account of invalidity attributable to a medical condition existing before the commencement of his or her membership of the scheme; or
 - (c) to a member entitled to benefits under subregulation (1)(b) in respect of a terminal illness attributable to a medical condition existing before the commencement of his or her membership of the scheme, unless (subject to paragraphs (d) and (e)) the member has been engaged in work in respect of employment to which the Act applies for a period that exceeds 6 months; or
 - (d) to a member entitled to benefits under subregulation (1)(a) or (b) who is a member of the scheme by virtue of an election under regulation 10 in respect of invalidity or a terminal illness attributable to a medical condition existing before the commencement of his or her membership of the scheme, unless the member has been a member of the scheme for a period that exceeds 24 months; or
 - (e) to a member entitled to benefits under subregulation (1)(a) or (b) who is a contributor within the meaning of the *Superannuation Act 1988* to whom regulation 11 applies in respect of invalidity or a terminal illness attributable to a medical condition existing before regulation 11 first applied to the member, unless regulation 11 has applied to the member for a period that exceeds 24 months.
- (8) If—
 - (a) a member entitled to benefits under subregulation (1)(a) was, immediately before termination of his or her employment, a police officer; and
 - (b) the member's incapacity resulted from injuries received in the course of duty,

the member is entitled to benefits under subregulation (1) or to payment of an amount calculated as follows, whichever is the greater:

$$A = 3 \times S$$

Where—

A is the amount

S is—

- (a) if the member—
 - (i) held the rank of senior sergeant or a lower rank immediately before termination of his or her employment; and
 - (ii) was at any time during his or her membership of South Australia Police rostered to work on day, afternoon and night shifts, or on any 2 of those shifts, on a rotating basis; and
 - (iii) was not, immediately before termination of his or her employment, employed on a permanent basis on special duties at a salary level greater than that payable to a senior sergeant,

the member's actual or attributed salary as defined by the *Police Superannuation Act 1990* (expressed as an annual amount) increased by 10%;
 - (b) in any other case—the member's actual or attributed salary as defined by the *Police Superannuation Act 1990* (expressed as an annual amount).
- (9) When determining for the purposes of subregulation (8) whether a member is entitled to benefits under subregulation (1) or to a payment under subregulation (8), the rollover component (if any) and the co-contribution component (if any) will be disregarded (the member is entitled to payment of the rollover component and the co-contribution component in addition to a payment under subregulation (8)).
- (10) Subregulation (8) does not apply to a police officer who is a member of the scheme by virtue only of regulation 9(5) or (7) (or both).
- (11) Subject to subregulation (12), a member's employment will be taken to have terminated on account of invalidity if—
- (a) the employer terminates the employment on the ground of the member's invalidity; or
 - (b) the employer or the member satisfies the Board (before termination of employment) that the member is incapacitated for work in the member's present position and that there is no other position, carrying a salary of at least 80% of the salary applicable to the member's present position, which the member could reasonably be expected to take, available to the member.
- (12) A member's employment will be taken to have terminated on account of invalidity if—
- (a) —
 - (i) at the time when the member is totally or partially incapacitated for work in the member's present position the member's employment is terminated by the employer—
 - (A) in circumstances that would, but for this subregulation, constitute retrenchment of the member; or

- (B) on account of the unsatisfactory performance by the member of his or her duties (including the member's failure to meet performance standards) caused by the member's incapacity; or
 - (ii) the member's employment is terminated by the member for any reason that is caused by or is the direct result of the member's incapacity; and
 - (b) the Board is satisfied that the member has been incapacitated for all kinds of work for a period of at least 6 months since terminating his or her employment and that the incapacity is likely to be permanent.
- (13) A member referred to in subregulation (12) who claims to be entitled to benefits under this regulation, or a person acting on his or her behalf, must within 2 years after the termination of the member's employment, give written notice to the Board claiming that the member is entitled to benefits under this regulation.
- (14) The time limit of 2 years referred to in subregulation (13) may not be extended under any circumstances.
- (15) If the employment of a member terminates (or is terminated) in circumstances that will result in—
- (a) the member being entitled to a benefit under the Act or these regulations; or
 - (b) the member ceasing to be liable with respect to a payment under the Act or these regulations,

the member's employer at the time of the termination must give the Board written notice of the termination within 14 days after the date of the termination.

- (16) The Board must consult with the Police Superannuation Board before authorising the payment of a benefit to a police officer under this regulation.
- (17) In this regulation—

terminal illness means an illness or condition that is likely, in the opinion of 2 medical practitioners, to result in death of a member within 12 months of the day on which the opinion is given;

voluntary separation package means an agreement between a member and his or her employer pursuant to which the member resigns from employment.

59—Death of member

- (1) If a member's employment is terminated by the member's death—
- (a) if the deceased member is survived by a spouse—a payment will be made to the spouse;
 - (b) if the deceased member is not survived by a spouse—a payment will be made to the member's estate.
- (2) The amount of the payment under subregulation (1)(a) or (b) is the aggregate of the following amounts:
- (a) the employee component;
 - (b) the employer component;
 - (c) the rollover component (if any);

- (d) the co-contribution component (if any);
 - (e) subject to this regulation and regulation 49(6) and (7)—the basic death insurance benefit and the voluntary death insurance benefit (if any).
- (3) However, a surviving spouse will not be entitled to a benefit under this regulation if regulation 69 applies to the spouse.
- (4) The basic and voluntary death insurance benefits are not payable in respect of the death of a member that occurs within 6 months of the commencement of his or her membership of the scheme if the death is attributable to a medical condition existing before that commencement.
- (5) Subject to subregulation (6), if a member takes his or her life—
- (a) within 1 year after the commencement of his or her membership of the scheme; or
 - (b) within 1 year after the commencement of, or increase in the level of, voluntary invalidity/death insurance,

the following provisions apply:

- (c) if death occurs within 1 year after the commencement of membership of the scheme or commencement of voluntary invalidity/death insurance—neither basic nor voluntary death insurance benefits are payable;
 - (d) if death occurs within 1 year after an increase in the level of voluntary invalidity/death insurance—voluntary death insurance benefits are not payable in respect of the increased insurance.
- (6) Subregulation (5)(c) does not apply in relation to a member who was a member of the State Scheme or any other scheme of superannuation established for the benefit of the employees of an agency or instrumentality of the Crown immediately before becoming a member of the Triple S scheme if his or her death occurred on or after the first anniversary of the commencement of his or her membership of the State Scheme or other scheme.
- (7) If—
- (a) the member was, immediately before his or her death, a police officer; and
 - (b) the member died from injuries received in the course of duty,

the member's spouse or estate is entitled to benefits under subregulation (2) or to payment of an amount calculated as follows, whichever is the greater:

$$A = 3 \times S$$

Where—

A is the amount

S is—

- (a) if the member—
 - (i) held the rank of senior sergeant or a lower rank immediately before his or her death; and
 - (ii) was at any time during his or her membership of South Australia Police rostered to work on day, afternoon and night shifts, or on any two of those shifts, on a rotating basis; and

- (iii) was not, immediately before his or her death, employed on a permanent basis on special duties at a salary level greater than that payable to a senior sergeant,
the member's actual or attributed salary as defined by the *Police Superannuation Act 1990* (expressed as an annual amount) increased by 10%;
 - (b) in any other case—the member's actual or attributed salary as defined by the *Police Superannuation Act 1990* (expressed as an annual amount).
- (8) When determining for the purposes of subregulation (7) whether a member's spouse or estate is entitled to benefits under subregulation (2) or to a payment under subregulation (7), the rollover component (if any) and the co-contribution component (if any) will be disregarded (the spouse or estate is entitled to payment of the rollover component and the co-contribution component in addition to a payment under subregulation (7)).
- (9) Subregulation (7) does not apply to a police officer who is a member of the scheme by virtue only of regulation 9(5) or (7) (or both).
- (10) If a member who has died is not survived by a spouse and probate or letters of administration in relation to the deceased's estate have not been granted to any person, the Board may use the amount payable under this regulation, or such part of it as is required, to pay the funeral expenses of the deceased member or to reimburse a person who has paid those expenses.
- (11) If—
- (a) a member's employment terminates or is terminated for any reason (except the member's death); and
 - (b) the member dies within 1 month after the termination of his or her employment,
- the member's spouse or estate is entitled to the basic death insurance benefit and the voluntary death insurance benefit (if any) that the spouse or estate would have been entitled to if the member's employment had been terminated by the member's death.

60—Commutation to pay deferred superannuation contributions surcharge

- (1) A member who is liable for a deferred superannuation contributions surcharge as a result of a benefit becoming payable to the member may apply to the Board, in accordance with this regulation—
- (a) to receive part of the benefit in the form of a commutable pension; and
 - (b) to fully commute the pension.
- (2) A member who has become entitled to a benefit, or will shortly become entitled to a benefit, may—
- (a) estimate the amount of the surcharge the member will become liable to pay (the *estimated surcharge amount*); and
 - (b) request the Board, in the approved form, to—
 - (i) withhold from the member's benefit an amount equal to the estimated surcharge amount (the *withheld amount*); and
 - (ii) pay the balance of the benefit to the member (being, in the case of a benefit to which the member is yet to become entitled, a payment after the entitlement arises),

and the Board must, subject to subregulation (5), comply with the member's request.

- (3) If a member has made a request under subregulation (2)(b), the member must, before the expiration of 2 months following the issue of a surcharge notice in respect of the member, advise the Board in the approved form that the notice has been issued and the Board must, within 7 days of receiving that advice—
- (a) convert into a pension—
 - (i) if the amount of the surcharge payable by the member is less than the withheld amount—a portion of the withheld amount equal to the amount payable; or
 - (ii) in any other case—the whole of the withheld amount; and
 - (b) immediately after converting the withheld amount, or a portion of the withheld amount, into a pension under paragraph (a)—commute the pension; and
 - (c) pay to the member—
 - (i) the lump sum resulting from the commutation of the pension; and
 - (ii) the balance (if any) of the withheld amount.
- (4) If a member who has become entitled to a benefit but has not yet received a surcharge notice provides the Board with satisfactory evidence of the amount of the surcharge he or she will become liable to pay (the *surcharge amount*) and requests the Board, in the approved form, to apply, or facilitate the application of, an amount of the member's benefit in payment of the surcharge, the Board must, within 7 days of the request—
- (a) convert into a pension an amount of the member's benefit that is equal to the surcharge amount; and
 - (b) immediately after converting the amount into a pension under paragraph (a)—commute the pension; and
 - (c) pay the lump sum resulting from the commutation to the member or the Commissioner of Taxation (at the option of the member); and
 - (d) following payment under paragraph (c)—reduce the member's remaining benefits by an amount equal to the surcharge amount.
- (5) The Board may reject an application under subregulation (1) if—
- (a) it is not satisfied that, if the application were accepted, the resulting lump sum will be applied in payment of the surcharge; or
 - (b) the member fails to satisfy the Board that the member has, or will have, a surcharge liability to the Commissioner of Taxation.
- (6) The factors to be applied in—
- (a) the conversion of a withheld amount (or part of a withheld amount) into a pension; and
 - (b) the commutation of a pension,
- will be determined by the Treasurer on the recommendation of an actuary.

61—Commutation to pay deferred superannuation contributions surcharge following death

- (1) If a member who is liable for a deferred superannuation contributions surcharge dies—
 - (a) having made a request of the Board under regulation 60 for part of his or her benefit to be withheld but before receiving a surcharge notice; or
 - (b) having received a surcharge notice but before requesting commutation of his or her pension under regulation 60,

the member's spouse or, if the member is not survived by a spouse, the member's legal representative, may, before the expiration of the period of 2 months immediately following the member's death or the issue of the surcharge notice (whichever is the later), apply to the Board—

- (c) to receive the amount withheld by the Board on behalf of the deceased member under regulation 60 in the form of a commutable pension; and
 - (d) to fully commute the pension.
- (2) The Board must, on receipt of an application under subregulation (1)—
 - (a) convert into a pension—
 - (i) if the amount of the surcharge payable by the spouse or estate is less than the withheld amount—a portion of the withheld amount equal to the amount payable; or
 - (ii) in any other case—the whole of the withheld amount; and
 - (b) immediately after converting the withheld amount, or a portion of the withheld amount, into a pension under paragraph (a)—commute the pension; and
 - (c) pay to the spouse or estate—
 - (i) the lump sum resulting from the commutation of the pension; and
 - (ii) the balance (if any) of the withheld amount.
- (3) If a member dies without having made a request under regulation 60, the member's spouse or, if the member is not survived by a spouse, the member's legal representative, may—
 - (a) estimate the amount of the surcharge the spouse or estate will become liable to pay (the *estimated surcharge amount*); and
 - (b) request the Board, in the approved form, to—
 - (i) withhold from the spouse's benefit or the benefit payable to the estate an amount equal to the estimated surcharge amount (the *withheld amount*); and
 - (ii) pay the balance of the benefit to the spouse or estate,and the Board must, subject to subregulation (6), comply with the request.
- (4) An application under subregulation (3) must be made in writing to the Board before payment of the benefit to the spouse or legal representative.
- (5) The spouse or legal representative must, before the expiration of 2 months following the issue of a surcharge notice in respect of the member, advise the Board in the approved form that the notice has been issued and the Board must, within 7 days of receiving that advice—
 - (a) convert into a pension—

- (i) if the amount of the surcharge payable by the spouse or estate is less than the withheld amount—a portion of the withheld amount equal to the amount payable; or
 - (ii) in any other case—the whole of the withheld amount; and
 - (b) immediately after converting the withheld amount, or a portion of the withheld amount, into a pension under paragraph (a)—commute the pension; and
 - (c) pay to the spouse or estate—
 - (i) the lump sum resulting from the commutation of the pension; and
 - (ii) the balance (if any) of the withheld amount.
- (6) The Board may reject an application under subregulation (1) or (3) if it is not satisfied that, if the application were accepted, the resulting lump sum will be applied in payment of the surcharge or be used to reimburse the deceased member's estate, or the spouse or other person who has paid the surcharge on behalf of the estate.
- (7) The factors to be applied in—
- (a) the conversion of a withheld amount (or part of a withheld amount) into a pension; and
 - (b) the commutation of a pension,
- will be determined by the Treasurer on the recommendation of an actuary.
- (8) In this regulation—
- legal representative**, in relation to a deceased member, means a person—
- (a) holding office as executor of the will of the deceased member where probate of the will has been granted or resealed in South Australia or any other State or a Territory; or
 - (b) holding office in South Australia or any other State or a Territory as administrator of the estate of the deceased member.

62—Withheld amount

An amount withheld under regulation 60 or 61—

- (a) must be retained in the Fund; and
- (b) will be adjusted from time to time by the Board, in accordance with section 13 of the Act, to reflect investment earnings on the amount; and
- (c) may be paid to the member (or the member's spouse or legal representative)—
 - (i) in accordance with regulation 60 or 61; or
 - (ii) at the direction of the Board if the Board—
 - (A) has not, within 2 years of withholding the amount, received advice that a surcharge notice has been issued in respect of the member; or
 - (B) considers, at any time, there is other good reason for doing so.

Division 2—Spouse members

63—Benefits for spouse members

- (1) Subject to this regulation, the following provisions apply in respect of an amount standing to the credit of a spouse member's spouse account:
- (a) if—
 - (i) the spouse member—
 - (A) has reached his or her preservation age; and
 - (B) is the spouse of the relevant member; and
 - (ii) the relevant member has taken the benefit of regulation 53,
payment of the amount may be made to the spouse member subject to restrictions (if any) imposed by the SIS Act;
 - (b) if—
 - (i) the spouse member—
 - (A) has reached the retirement age; and
 - (B) is the spouse of the relevant member; and
 - (ii) the employment of the relevant member has terminated,
payment of the amount may be made to the spouse member subject to restrictions (if any) imposed by the SIS Act;
 - (c) if—
 - (i) the spouse member—
 - (A) has not reached the retirement age; and
 - (B) is the spouse of the relevant member; and
 - (ii) the employment of the relevant member has terminated,
the amount must be preserved;
 - (d) if the spouse member—
 - (i) is not the spouse of the relevant member; and
 - (ii) has not reached the retirement age,
the amount must be preserved;
 - (e) if the spouse member—
 - (i) is not the spouse of the relevant member; and
 - (ii) has reached the retirement age,
payment of the amount may be made to the spouse member subject to restrictions (if any) imposed by the SIS Act.
- (2) If an amount standing to the credit of a spouse member's spouse account is preserved under subregulation (1)—
- (a) the spouse member may elect to carry the amount over to some other fund or scheme approved by the Board; or

- (b) subject to restrictions (if any) imposed by the SIS Act, the spouse member may at any time after reaching the retirement age require the Board to authorise payment of the amount and, if no such requirement has been made on or before the date on which the spouse member reaches 65 years of age, the Board will authorise payment of the amount to the spouse member.
- (3) If—
- (a) a spouse member suffers physical or mental incapacity; and
- (b) the Board is satisfied that the spouse member's incapacity for all kinds of work is 60% or more of total incapacity and is likely to be permanent,
- the spouse member is entitled to benefits made up of the amount (if any) standing to the credit of each of the spouse member's spouse accounts.
- (4) If a spouse member dies, the amount (if any) standing to the credit of each of the spouse member's spouse accounts, and the voluntary death insurance benefit (if any), will be paid to—
- (a) if the deceased spouse member is survived by a spouse—the spouse; and
- (b) if the deceased spouse member is not survived by a spouse—the spouse member's estate.
- (5) However, a surviving spouse will not be entitled to a benefit under subregulation (4) if regulation 69 applies to the spouse.
- (6) A payment under subregulation (2), (3) or (4) excludes further rights so that a claim cannot subsequently be made under another of those subregulations.
- (7) In this regulation—
- relevant member**, in relation to a spouse member, means the member who, by making a prescribed payment (within the meaning of Part 2 Division 2), or a contribution under regulation 23(1), for the benefit of the spouse member, caused the spouse member to become a spouse member of the scheme.

Part 5—Family Law Act provisions

64—Purpose of this Part

Pursuant to section 30(2) of the Act, the purpose of this Part is to facilitate the division under the *Family Law Act 1975* of the Commonwealth of superannuation interests between spouses who have separated.

65—Interpretation

In this Part, unless the contrary intention appears—

Commonwealth regulations means the *Family Law (Superannuation) Regulations 2001* (No. 303 as amended) of the Commonwealth;

eligible person, in relation to a superannuation interest of a member, has the same meaning as in section 90MZB of the *Family Law Act 1975* of the Commonwealth;

flag lifting agreement has the same meaning as in Part VIII B of the *Family Law Act 1975* of the Commonwealth;

member includes a spouse member;

member spouse has the same meaning as in Part VIII B of the *Family Law Act 1975* of the Commonwealth;

non-member spouse has the same meaning as in Part VIII B of the *Family Law Act 1975* of the Commonwealth;

operative time has the same meaning as in Part VIII B of the *Family Law Act 1975* of the Commonwealth;

payment split has the same meaning as in Part VIII B of the *Family Law Act 1975* of the Commonwealth;

splitting instrument means—

- (a) a superannuation agreement; or
- (b) a flag lifting agreement that provides for a payment split; or
- (c) a splitting order;

splitting order has the same meaning as in Part VIII B of the *Family Law Act 1975* of the Commonwealth;

superannuation agreement has the same meaning as in Part VIII B of the *Family Law Act 1975* of the Commonwealth.

66—Non-member spouse entitlement

- (1) The Board must, on service of a splitting instrument, create an interest for the non-member spouse named in the instrument in accordance with the provisions of the instrument, with effect from the operative time.
- (2) The value of the non-member spouse's interest will be determined by reference to the provisions of the instrument but in any event may not exceed the value of the member spouse's interest.

67—Payment of lump sum

- (1) The interest of a non-member spouse under regulation 66 will, according to the election of the non-member spouse—
 - (a) be paid out to the extent (if any) that payment can be made in accordance with the SIS Act; or
 - (b) be retained to the credit of the non-member spouse in an account in the name of the non-member spouse in the Fund; or
 - (c) be rolled over or transferred to some other superannuation fund or scheme approved by the Board.
- (2) The Board must, if necessary, establish a member's contribution account so as to provide for the requirements of subregulation (1)(b).
- (3) The Board must ensure that the money constituting the interest of the non-member spouse continues to be invested in the class of investments, or the combination of classes of investments, that the money was invested in before the creation of the interest unless or until the non-member spouse makes a nomination under section 14(1) of the Act for his or her accounts to be invested in a different class of investments or combination of classes of investments.
- (4) The Board must take the action required under subregulation (1) within 28 days after receiving the relevant election.

- (5) However, if an election is not made by the non-member spouse before the end of 28 days after the Board gives notice to the non-member spouse, the Board must, subject to this regulation, transfer the interest to the credit of the non-member spouse under subregulation (1)(b).
- (6) A notice under subregulation (5) must—
 - (a) be in writing; and
 - (b) notify the non-member spouse that the interest may be retained in the Triple S scheme; and
 - (c) advise the non-member spouse of—
 - (i) his or her option to make an election and the consequences of a failure to do so within 28 days; and
 - (ii) the value of his or her interest; and
 - (iii) the basis of any adjustments that have been, or will be, applied to the interest.
- (7) If the interest of a non-member spouse is transferred to the credit of the non-member spouse in the Triple S scheme because an election has not been made, the Board must, within 14 days of the interest being rolled over—
 - (a) advise the non-member spouse that his or her interest has been retained in the Triple S scheme; and
 - (b) provide the non-member spouse with a membership identification number, a copy of the most recent annual report prepared in respect of the Triple S scheme and any other information that, according to a determination of the Board, may be of assistance to the non-member spouse.

68—Effect on member's entitlement

- (1) Despite the other provisions of the Act and these regulations, if a payment split is payable with respect to the superannuation interest of a member, there is a corresponding reduction in the entitlement of the member under the Act or these regulations.
- (2) A reduction in the entitlement of a member will be given effect on the basis that the member's contribution account, rollover account, and co-contribution account (insofar as they exist) will be subject to a charge that takes effect by reducing the balance of each of those accounts at the operative time (insofar as a balance exists) by a percentage equal to the percentage that the non-member spouse's share in the relevant superannuation interest bears to the total value of the contributor's accrued superannuation benefit at the operative time (subject to any relevant method or factor adopted or applied by the regulations and to the extent necessary to take into account the full value of the entitlement of the non-member spouse).
- (3) A reduction in the entitlement of a member will not extend to any superannuation benefit that is not a splittable payment under Part VIIIIB of the *Family Law Act 1975* of the Commonwealth.
- (4) If 2 or more reductions must be made with respect to an entitlement of a member because 2 or more splitting instruments have been served on the Board, the Board may determine to apply the reductions separately, or in aggregate.

- (5) If a member has received a draw down benefit under regulation 53—
- (a) the superannuation interest of the member will be taken to include the balance of any draw down benefit that is being held under regulation 53(6) and (7); and
 - (b) any entitlement under regulation 53 will be adjusted to take into account the effect of a payment split under this Part.

69—Lump sum not payable to spouse on death of member if split has occurred

If a member dies and is survived by a spouse who—

- (a) has received, is receiving or is entitled to receive a benefit under a splitting instrument; or
- (b) is, under the terms of a splitting instrument, not entitled to any amount arising out of the member's superannuation interest under the Act or these regulations (or any proportion of such an interest),

the spouse is not entitled to a benefit under the Act or these regulations in respect of the deceased member (except in accordance with the instrument) and will not be considered to be a spouse of the deceased member for the purposes of regulation 74 (if relevant).

70—Board to comply with Commonwealth requirements

The Board must comply with the requirements imposed on the Board under Part VIIIIB of the *Family Law Act 1975* of the Commonwealth.

71—Provision of information

In addition to any other information that may be provided by the Board in connection with this Part, the Board may, on application, provide to an eligible person a statement of the value of a superannuation interest of a member spouse, as at a particular date specified in the application.

72—Payment from contribution account in name of non-member spouse

If the interest of a spouse (or former spouse) is paid into a contribution account under regulation 67(1)(b), or is rolled over for payment into an account under the Act or these regulations or under the provisions of another Act or of regulations that correspond to this Part, the amount paid into the account will be taken to be a rollover component that may be paid out in accordance with regulation 55(7).

73—Fees

- (1) The Board may fix fees in respect of matters in relation to which fees may be charged under regulation 59 of the Commonwealth regulations.
- (2) Any fee under subregulation (1) that is payable by a member spouse or a non-member spouse and has not been paid within 1 month of the amount becoming payable may be deducted by the Board—
 - (a) if the outstanding fee is payable by a member spouse—
 - (i) from the member spouse's contribution account; or
 - (ii) from any benefit payable to the member spouse under the Act or these regulations; or

- (b) if the outstanding fee is payable by a non-member spouse—
 - (i) from any interest that is to be rolled over or transferred to a fund for the benefit of the non-member spouse; or
 - (ii) from any other benefit payable to the non-member spouse under the Act or these regulations.

Part 6—Miscellaneous

74—Division of benefit where deceased member or spouse member is survived by lawful and putative spouse

- (1) If a deceased member or spouse member is survived by a lawful spouse and a putative spouse, any benefit to which a surviving spouse is entitled under the Act or these regulations will be divided between them in a ratio determined by reference to the relative length of the periods for which each of them cohabited with the deceased as his or her spouse.
- (2) If a number of periods of cohabitation are to be aggregated for the purpose of determining an aggregate period of cohabitation for the purpose of subregulation (1), any separate period of cohabitation of less than 3 months will be disregarded.
- (3) A surviving spouse must, at the request of the Board, furnish it with any information that it requires for the purposes of making a division under subregulation (1).
- (4) A putative spouse is not entitled to any benefit under this regulation, unless the deceased member or spouse member and that spouse were putative spouses as at the date of the death of the member or spouse member.
- (5) If—
 - (a) a deceased member or spouse member is survived by a lawful and a putative spouse; and
 - (b) a benefit is paid to 1 of them on the assumption that he or she is the sole surviving spouse of the deceased,

the other spouse has no claim on the benefit insofar as it has been already paid unless that spouse gave the Board notice of his or her claim before the date of payment.

75—Payment in case of death

- (1) Subject to subregulation (2), if a person to whom a payment is to be made under the Act or these regulations dies, the Board may, in its discretion, make the payment to—
 - (a) the personal representative of the deceased; or
 - (b) the spouse of the deceased; or
 - (c) the children of the deceased.
- (2) The Board may use the amount payable, or such part of it as is required, to pay the funeral expenses of the person who has died or to reimburse a person who has paid those expenses.

76—Liabilities may be set off against benefits

A liability of a member or spouse member arising under the Act or these regulations may be set off against a payment that is to be made to, on behalf of, or in respect of the member or spouse member under the Act or these regulations.

77—Annuities

- (1) The Board may, with the Minister's approval, provide annuities on terms and conditions fixed by the Board.
- (2) The Board can only undertake to provide an annuity to a person who is, or has been—
 - (a) a member of the Triple S scheme or some other scheme of superannuation established by an Act; or
 - (b) a member of some other scheme of superannuation established for the benefit of employees of an agency or instrumentality of the Crown.

78—Information to be given to certain members

- (1) The Board must provide members of the scheme who do not contribute or who are not entitled to voluntary invalidity/death insurance with information as to the benefits of contributing or applying for voluntary invalidity/death insurance.
- (2) When a person becomes a member of the Triple S scheme by virtue of regulation 9(5) or (7), the Board must advise the person in writing of his or her membership of the scheme and provide the person with information as to the management and investment of his or her payments and the benefits to which he or she is entitled under the Act.

Schedule 1—Invalidity/death insurance benefits**Table 1—Standard insurance cover**

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

Age last birthday	One unit \$	Cost/week \$
53	20 000	0.75
54	18 000	0.75
55	16 000	0.75
56	14 000	0.75
57	12 500	0.75
58	11 000	0.75
59	10 000	0.75
60	9 000	0.75
61	8 000	0.75
62	7 000	0.75
63	6 000	0.75
64	5 000	0.75
65 or over	0	not applicable

Table 2—Fixed insurance cover

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

Age last birthday	One unit \$	Cost/week \$
42	75 000	2.70
43	75 000	2.90
44	75 000	3.10
45	75 000	3.30
46	75 000	3.50
47	75 000	3.70
48	75 000	3.90
49	75 000	4.10
50	75 000	4.40
51	75 000	4.70
52	75 000	5.10
53	75 000	5.50
54	75 000	6.00
55	75 000	6.50
56	75 000	7.10
57	75 000	7.70
58	75 000	8.40
59	75 000	9.20
60	75 000	10.10
61	75 000	11.00
62	75 000	12.00
63	75 000	13.00
64	75 000	14.10
65 or over	0	not applicable

Schedule 2—Death insurance benefits

Table 1—Standard insurance cover

Age last birthday	One unit \$	Cost/week \$
Up to 34	75 000	0.50
35	72 000	0.50
36	69 000	0.50
37	66 000	0.50
38	63 000	0.50
39	60 000	0.50
40	57 000	0.50
41	54 000	0.50
42	51 000	0.50

Age last birthday	One unit	Cost/week
	\$	\$
43	48 000	0.50
44	45 000	0.50
45	42 000	0.50
46	39 000	0.50
47	36 000	0.50
48	33 000	0.50
49	30 000	0.50
50	27 000	0.50
51	24 000	0.50
52	22 000	0.50
53	20 000	0.50
54	18 000	0.50
55	16 000	0.50
56	14 000	0.50
57	12 500	0.50
58	11 000	0.50
59	10 000	0.50
60	9 000	0.50
61	8 000	0.50
62	7 000	0.50
63	6 000	0.50
64	5 000	0.50
65 or over	0	not applicable

Table 2—Fixed insurance cover

Age last birthday	One unit	Cost/week
	\$	\$
20 and under	75 000	0.55
21	75 000	0.55
22	75 000	0.55
23	75 000	0.55
24	75 000	0.60
25	75 000	0.60
26	75 000	0.65
27	75 000	0.70
28	75 000	0.75
29	75 000	0.80
30	75 000	0.85

Age last birthday	One unit	Cost/week
	\$	\$
31	75 000	0.90
32	75 000	0.95
33	75 000	1.00
34	75 000	1.10
35	75 000	1.10
36	75 000	1.20
37	75 000	1.30
38	75 000	1.40
39	75 000	1.50
40	75 000	1.60
41	75 000	1.70
42	75 000	1.80
43	75 000	1.90
44	75 000	2.00
45	75 000	2.00
46	75 000	2.20
47	75 000	2.40
48	75 000	2.60
49	75 000	2.80
50	75 000	3.00
51	75 000	3.00
52	75 000	3.50
53	75 000	3.50
54	75 000	4.00
55	75 000	4.50
56	75 000	5.00
57	75 000	5.50
58	75 000	6.00
59	75 000	6.50
60	75 000	7.00
61	75 000	7.50
62	75 000	7.50
63	75 000	8.00
64	75 000	8.00
65 or over	0	not applicable

Schedule 3—Revocation and transitional provisions

Part 1—Revocation of *Southern State Superannuation Regulations 1995*

1—Revocation of Regulations

The *Southern State Superannuation Regulations 1995* are revoked.

Part 2—Transitional provisions

2—Members previously entitled to future service benefit

- (1) Subject to this clause, a member of the scheme who was, immediately before the commencement of the *Southern State Superannuation (Invalidity/Death Insurance) Amendment Act 2001* (the **amending Act**), a member—
 - (a) who would have been entitled to a basic future service benefit in the circumstances referred to in section 34 of the repealed Act as in force immediately before the commencement of the amending Act; or
 - (b) in respect of whom a basic future service benefit would have been payable in the circumstances referred to in section 35 of the repealed Act as in force immediately before the commencement of the amending Act,

but who was not a supplementary future service benefit member is entitled to a level of basic invalidity/death insurance that, in the opinion of the Board, will give the member invalidity and death insurance equivalent to or greater than the level of basic insurance that he or she was entitled to immediately before the commencement of the amending Act.

- (2) A person who was, immediately before the commencement of the amending Act, a supplementary future service benefit member of the scheme is entitled to a level of basic and voluntary invalidity/death insurance the combined value of which will, in the opinion of the Board, give the member invalidity and death insurance equivalent to or greater than the combined level of basic and supplementary insurance that he or she was entitled to immediately before the commencement of the amending Act.
- (3) A member referred to in subclause (1) may, by application in the approved form, reduce the level of basic invalidity/death insurance to which he or she is entitled under that subclause to the level permitted by these regulations.
- (4) The entitlement of a person to voluntary invalidity/death insurance under subclause (2) is subject to the same conditions (if any) that his or her entitlement to supplementary future service benefits was subject immediately before the commencement of the amending Act.
- (5) If a member referred to in subclause (1) had, before the repeal of the *Southern State Superannuation Act 1994*, reduced the level of basic invalidity/death insurance to which he or she was entitled under that Act—
 - (a) subclause (1) does not operate in relation to the member; and
 - (b) the member is entitled, on the commencement of this clause, to the level of basic invalidity/death insurance he or she enjoyed immediately before that repeal.

3—Visiting medical officers

- (1) Subject to this clause, a transferred visiting medical officer is entitled (without being required to undergo a medical examination) to maintain the insurance cover the member enjoyed under the VMO Fund immediately prior to the repeal of the *Superannuation (Visiting Medical Officers) Act 1993* (subject to any adjustments that would have occurred from time to time under the terms of that insurance).
- (2) The insurance cover to which a transferred visiting medical officer is entitled under subclause (1)—
 - (a) will be in substitution for invalidity/death insurance under Part 3 of these Regulations (and that Part will not apply while the insurance cover under subclause (1) is maintained); and
 - (b) will, if the transferred visiting medical officer had attained the age of 60 at the time he or she became a member of the scheme (but had not yet attained the age of 65)—
 - (i) be available to the member despite the fact that he or she has attained the age of 60; and
 - (ii) continue to be available to the member until he or she attains the age of 65; and
 - (c) will be subject to premiums, determined by the Board, being premiums that do not exceed the premiums the member was paying under the VMO Fund immediately before 1 July 2003.
- (3) If a transferred visiting medical officer suffers from a medical condition or restriction relevant to the determination of his or her entitlements under the VMO Fund, any insurance cover to which he or she is entitled under subclause (1) may be subject to such authorised conditions as the Board thinks fit to impose.
- (4) A transferred visiting medical officer may apply to the Board to cancel or vary the insurance cover provided by subclause (1) but, in such a case, the transferred visiting medical officer will then be subject to the operation of Part 3 of these regulations.
- (5) This clause does not apply in relation to a transferred visiting medical officer who has, before the commencement of this clause, applied to the Board to cancel or vary the insurance cover provided by Schedule 3 Part 1 clause 12(1) of the repealed Act.
- (6) In this clause—

authorised condition has the same meaning as in regulation 49;

transferred visiting medical officer means a visiting medical officer who, immediately before 1 July 2003, was a member of the VMO Fund;

VMO Fund means the SAHC Visiting Medical Officers Superannuation Fund established by a trust deed dated 24 February 1983.

4—Transitional arrangement for certain police members (Schedule 1 clause 12)

For the purposes of subclause (2)(d) of clause 12 of Schedule 1 of the Act, the benefits to which a police member may be entitled under that subclause on his or her retirement in lieu of benefits under regulation 54 are to be determined in accordance with the following formula:

$$LS = 5.4545 \times A \times FS \times \left(1 + \frac{0.1667 \times X}{100}\right) \times \left(1 + \frac{0.2778 \times Y}{100}\right) + Pn \times \frac{FS \times 1.36 \times M}{480}$$

where—

LS is the minimum benefit

FS is the member's actual or attributed salary as defined by the *Police Superannuation Act 1990* (expressed as an annual amount)

X is the number of months (if any) by which the member's age at retirement exceeds 50 years, with a maximum value of 60

Y is the number of months (if any) by which the member's age at retirement exceeds 55 years

Pn is—

- (a) in the case of a member who was employed on a full-time basis throughout his or her membership of the Police Superannuation Scheme and the Triple S scheme—1; and
- (b) in any other case—

$$\frac{Pn8 \times M8 + PnTS \times (M - M8)}{M}$$

A is the lesser of the following:

- (a) unity;
- (b)

$$\frac{Pn \times M}{D}$$

M is the number of completed months between the day on which the member commenced service and the day of his or her retirement

D is—

- (a) if the age of the member at retirement is less than 55—360;
- (b) if the age of the member at retirement is 55 or greater but less than 60—360 plus Y;
- (c) if the age of the member at retirement is 60 or greater—420

Pn8 is, for the period of the member's membership of the Police Superannuation Scheme—

- (a) in the case of a member who was employed on a full-time basis throughout his or her membership of that Scheme—1; and

- (b) in any other case—the numerical value arrived at by expressing the member's employment for the period beginning on the day on which he or she became a member of that Scheme and ending on the day immediately before he or she became a member of the Triple S scheme as a proportion of full-time employment during that period

M8 is the number of completed months between the day the member commenced service and the day immediately before the day on which he or she became a member of the Triple S scheme

PnTS is, for the period of the member's membership of the Triple S scheme—

- (a) in the case of a member who was employed on a full-time basis throughout his or her membership of that scheme—1; and
- (b) in any other case—the numerical value arrived at by expressing the member's employment for the period beginning on the day on which he or she became a member of that scheme and ending on the day of his or her retirement as a proportion of full-time employment during that period.

5—Application for disability pension

The following provisions apply in relation to any application for a disability pension made under section 33A of the repealed Act that was not determined by the Board before the repeal of that Act:

- (a) the application will be taken to have been made under regulation 36;
- (b) if the application was made by a person who—
 - (i) was not exempted from the ambit of section 33A of the repealed Act; but
 - (ii) is exempted from the ambit of regulation 36 by virtue of being a casual member (within the meaning of regulation 37),

the member will, for the purposes of that application, be taken to have been brought within the ambit of regulation 36 on and from the day on which these regulations come into operation.

6—Restrictions on payment of disability pension for certain members

- (1) This clause applies to a member (other than a prescribed member within the meaning of Part 3) who—
 - (a) was not entitled to obtain a benefit in the event of incapacity for work under section 33A of the repealed Act immediately before the repeal of that Act; but
 - (b) would, but for this clause, be entitled to obtain a benefit in the event of incapacity for work under regulation 36 on the commencement of that regulation.
- (2) Regulation 36 will operate in relation to a member to whom this clause applies on and from, but not before, 31 October 2009.
- (3) However, if a member to whom this clause applies elects before 31 October 2009, by written notice to the Board, to be exempted from the ambit of regulation 36, the member will be taken to have made an election under regulation 37(1).
- (4) An election under subclause (3) will take effect from 31 October 2009.

(5) A member to whom this clause applies who was employed in employment to which the Act applies for a period of at least 3 months prior to the commencement of the Act is not entitled during the relevant period to a disability pension under regulation 36 in respect of incapacity attributable to a medical condition existing before the day of that commencement.

(6) In subclause (5)—

relevant period means the 2 year period commencing on the day in which the Act comes into operation.

7—Continuation of disability pension for certain members

Regulation 36(19) does not apply in relation to a disability pension if payment of the pension commenced before the commencement of these regulations.

8—Post retirement investment

Funds held under section 47B of the repealed Act will continue as funds held under regulation 45.

9—Conditions of insurance

If an application for invalidity or death insurance under the repealed Act was granted on conditions, the conditions continue to apply in relation to the insurance under these regulations unless varied or removed by the Board under regulation 49(5).

Note—

As required by section 30(8)(f) of the *Southern State Superannuation Act 2009*, the Minister has certified that the Minister is satisfied that it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

following consultation by the Treasurer with the South Australian Superannuation Board and with the advice and consent of the Executive Council
on 23 July 2009

No 208 of 2009

T&F07/027CS

South Australia

Land and Business (Sale and Conveyancing) (Site Contamination) Variation Regulations 2009

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

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Land and Business (Sale and Conveyancing) (Site Contamination) Variation Regulations 2009*.

2—Commencement

- (1) Subject to subregulations (2) and (3), these regulations will come into operation on 1 September 2009, immediately after the commencement of Schedule 1 clause 2 of the *Land and Business (Sale and Conveyancing) Variation Regulations 2009*.
- (2) The following provisions will come into operation on 1 March 2010:
 - (a) Part 3 of these regulations;
 - (b) Schedule 1 Part 1 clause 3 of these regulations.
- (3) The following provisions will come into operation on 31 August 2010:
 - (a) Part 4 of these regulations;
 - (b) Schedule 1 Part 1 clause 4 of these regulations.

3—Variation provisions

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

Part 2—Variation of *Land and Business (Sale and Conveyancing) Regulations 1995* to take effect on 1 September 2009

4—Variation of Schedule 1—Contracts for sale of land or businesses—forms

- (1) Schedule 1, Form 1, Schedule, Division 1—after the item relating to section 93 of the *Environment Protection Act 1993* insert:

section 93A—Environment protection order relating to cessation of activity that is registered in relation to the land	*YES/NO	Date of issue: Compliance date(s) specified in the order:
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- (2) Schedule 1, Form 1, Schedule, Division 1—after the item relating to section 100 of the *Environment Protection Act 1993* insert:

section 103H—Site contamination assessment order that is registered in relation to the land	*YES/NO	Date of issue: Compliance date(s) specified in the order: Amount of charge on the land (if known):
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section 103J—Site remediation order that is registered in relation to the land	*YES/NO	Date of issue: Compliance date(s) specified in the order: Amount of charge on the land (if known):
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section 103N—Notice of declaration of special management area in relation to the land (due to possible existence of site contamination)	*YES/NO	Date of notice: Date of Gazette in which notice published: Description of area or areas to which the notice relates:
section 103P—Notation of site contamination audit report in relation to the land	*YES/NO	Date of notation: Note— Site contamination audit reports are kept by the EPA in the public register under section 109 of the <i>Environment Protection Act 1993</i> .
section 103S—Notice of prohibition or restriction on taking water affected by site contamination in relation to the land	*YES/NO	Date of notice: Date of Gazette in which notice published: Description of the water to which the notice relates: Particulars given in the notice of the site contamination affecting the water:

- (3) Schedule 1, Form 1, Schedule, Division 2, items headed "**†Particulars relating to environment protection**"—delete the items and heading and substitute:

†Particulars relating to environment protection

1—Interpretation

- (1) In this and the following items (items 1 to 6 inclusive)—

domestic activity has the same meaning as in the *Environment Protection Act 1993*;

environmental assessment, in relation to land, means an assessment of the existence or nature or extent of—

- (a) site contamination (within the meaning of the *Environment Protection Act 1993*) at the land; or
- (b) any other contamination of the land by chemical substances,

and includes such an assessment in relation to water on or below the surface of the land;

EPA means the Environment Protection Authority established under the *Environment Protection Act 1993*;

pre-1 July 2009 site audit, in relation to land, means a review (carried out by a person recognised by the EPA as an environmental auditor) that examines environmental assessments or remediation of the land for the purposes of determining—

- (a) the nature and extent of contamination of the land by chemical substances present or remaining on or below the surface of the land; and
- (b) the suitability of the land for a particular use; and
- (c) what remediation is or remains necessary for a particular use,

but does not include a site contamination audit (as defined below) completed on or after 1 July 2009;

pre-1 July 2009 site audit report means a detailed written report that sets out the findings of a pre-1 July 2009 site audit;

prescribed commercial or industrial activity—see item 1(2);

prescribed fee means the fee prescribed under the *Environment Protection Act 1993* for inspection of, or obtaining copies of information on, the public register;

public register means the public register kept by the EPA under section 109 of the *Environment Protection Act 1993*;

site contamination audit has the same meaning as in the *Environment Protection Act 1993*;

site contamination audit report has the same meaning as in the *Environment Protection Act 1993*.

- (2) For the purposes of this and the following items (items 1 to 6 inclusive), each of the following activities (as defined in Schedule 1 Part 1 of the *Environment Protection (Site Contamination) Regulations 2008*) is a prescribed commercial or industrial activity:

abrasive blasting	acid sulphate soil generation	agricultural activities
airports, aerodromes or aerospace industry	animal burial	animal dips or spray race facilities
animal feedlots	animal saleyards	asbestos disposal
asphalt or bitumen works	battery manufacture, recycling or disposal	breweries
brickworks	bulk shipping facilities	cement works
ceramic works	charcoal manufacture	coal handling or storage
coke works	compost or mulch production or storage	concrete batching works
curing or drying works	defence works	desalination plants
dredge spoil disposal or storage	drum reconditioning or recycling works	dry cleaning
electrical or electronics component manufacture	electrical substations	electrical transformer or capacitor works

electricity generation or power plants	explosives or pyrotechnics facilities	fertiliser manufacture
fibreglass manufacture	fill or soil importation	fire extinguisher or retardant manufacture
fire stations	fire training areas	foundry
fuel burning facilities	furniture restoration	gasworks
glass works	glazing	hat manufacture or felt processing
incineration	iron or steel works	laboratories
landfill sites	lime burner	metal coating, finishing or spray painting
metal forging	metal processing, smelting, refining or metallurgical works	mineral processing, metallurgical laboratories or mining or extractive industries
mirror manufacture	motor vehicle manufacture	motor vehicle racing or testing venues
motor vehicle repair or maintenance	motor vehicle wrecking yards	mushroom farming
oil recycling works	oil refineries	paint manufacture
pest control works	plastics manufacture works	printing works
pulp or paper works	railway operations	rubber manufacture or processing
scrap metal recovery	service stations	ship breaking
spray painting	tannery, fellmongery or hide curing	textile operations
transport depots or loading sites	tyre manufacture or retreading	vermiculture
vessel construction, repair or maintenance	waste depots	wastewater treatment, storage or disposal
water discharge to underground aquifer	wetlands or detention basins	wineries or distilleries
wood preservation works	woolscouring or wool carbonising works	works depots (operated by councils or utilities)

2—Pollution and site contamination on the land—questions for vendor

- (1) Is the vendor aware of any of the following activities ever having taken place at the land:
 - (a) storage, handling or disposal of waste or fuel or other chemicals (other than in the ordinary course of domestic activities)?

- (b) importation of soil or other fill from a site at which—
- (i) an activity of a kind listed in paragraph (a) has taken place; or
 - (ii) a prescribed commercial or industrial activity (see item 1(2) above) has taken place?

*YES/NO

If YES, give details of all activities that the vendor is aware of and whether they have taken place before or after the vendor acquired an interest in the land:

- (2) Is the vendor aware of any prescribed commercial or industrial activities (see item 1(2) above) ever having taken place at the land?

*YES/NO

If YES, give details of all activities that the vendor is aware of and whether they have taken place before or after the vendor acquired an interest in the land:

- (3) Is the vendor aware of any dangerous substances ever having been kept at the land pursuant to a licence under the *Dangerous Substances Act 1979*?

*YES/NO

If YES, give details of all dangerous substances that the vendor is aware of and whether they were kept at the land before or after the vendor acquired an interest in the land:

- (4) Is the vendor aware of the sale or transfer of the land or part of the land ever having occurred subject to an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies?

*YES/NO

If YES, give details of each sale or transfer and agreement that the vendor is aware of:

- (5) Is the vendor aware of an environmental assessment of the land or part of the land ever having been carried out or commenced (whether or not completed)?

*YES/NO

If YES, give details of all environmental assessments that the vendor is aware of and whether they were carried out or commenced before or after the vendor acquired an interest in the land:

Note—

These questions relate to details about the land that may be known by the vendor. A "YES" answer to the questions at items 2(1) or 2(2) may indicate that a **potentially contaminating activity** has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

A "YES" answer to any of the questions in this item may indicate the need for the purchaser to seek further information regarding the activities, for example, from the council or the EPA.

3—Licences and exemptions recorded by EPA in public register

Does the EPA hold any of the following details in the public register:

- (a) details of a current licence issued under Part 6 of the *Environment Protection Act 1993* to conduct, at the land—
- (i) a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or
 - (ii) activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act)?

*YES/NO

- (b) details of a licence no longer in force issued under Part 6 of the *Environment Protection Act 1993* to conduct, at the land—
- (i) a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or
 - (ii) activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act)?

*YES/NO

- (c) details of a licence issued under the repealed *South Australian Waste Management Commission Act 1979* to operate a waste depot at the land?

*YES/NO

- (d) details of a licence issued under the repealed *Waste Management Act 1987* to operate a waste depot at the land?

*YES/NO

- (e) details of a licence issued under the repealed *South Australian Waste Management Commission Act 1979* to produce waste of a prescribed kind (within the meaning of that Act) at the land?

*YES/NO

- (f) details of a licence issued under the repealed *Waste Management Act 1987* to produce prescribed waste (within the meaning of that Act) at the land?

*YES/NO

Note—

These questions relate to details about licences and exemptions required to be recorded by the EPA in the public register. If the EPA answers "YES" to any of the questions—

- in the case of a licence or exemption under the *Environment Protection Act 1993*—
 - the purchaser may obtain a copy of the licence or exemption from the public register on payment of the prescribed fee; and
 - the purchaser should note that transfer of a licence or exemption is subject to the conditions of the licence or exemption and the approval of the EPA (see section 49 of the *Environment Protection Act 1993*); and

- in the case of a licence under a repealed Act—the purchaser may obtain details about the licence from the public register on payment of the prescribed fee.

A "YES" answer to any of these questions may indicate that a *potentially contaminating activity* has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

The EPA will not provide details about licences to conduct the following prescribed activities of environmental significance (within the meaning of Schedule 1 Part A of the *Environment Protection Act 1993*): waste transport business (category A), waste transport business (category B), dredging, earthworks drainage, any other activities referred to in Schedule 1 Part A undertaken by means of mobile works, helicopter landing facilities, marinas and boating facilities or discharges to marine or inland waters.

The EPA will not provide details about exemptions relating to—

- the conduct of any of the licensed activities in the immediately preceding paragraph in this Note; or
- noise.

4—Pollution and site contamination on the land—details recorded by EPA in public register

Does the EPA hold any of the following details in the public register in relation to the land or part of the land:

- (a) details of serious or material environmental harm caused or threatened in the course of an activity (whether or not notified under section 83 of the *Environment Protection Act 1993*)?
*YES/NO
- (b) details of site contamination notified to the EPA under section 83A of the *Environment Protection Act 1993*?
*YES/NO
- (c) a copy of a report of an environmental assessment (whether prepared by the EPA or some other person or body and whether or not required under legislation) that forms part of the information required to be recorded in the public register?
*YES/NO
- (d) a copy of a site contamination audit report?
*YES/NO
- (e) details of an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies?
*YES/NO
- (f) details of an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*?
*YES/NO

- (g) details of an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*?
*YES/NO
- (h) details of a notification under section 103Z(1) of the *Environment Protection Act 1993* relating to the commencement of a site contamination audit?
*YES/NO
- (i) details of a notification under section 103Z(2) of the *Environment Protection Act 1993* relating to the termination before completion of a site contamination audit?
*YES/NO
- (j) details of records, held by the former South Australian Waste Management Commission under the repealed *Waste Management Act 1987*, of waste (within the meaning of that Act) having been deposited on the land between 1 January 1983 and 30 April 1995?
*YES/NO

Note—

These questions relate to details required to be recorded by the EPA in the public register. If the EPA answers "YES" to any of the questions, the purchaser may obtain those details from the public register on payment of the prescribed fee.

5—Pollution and site contamination on the land—other details held by EPA

Does the EPA hold any of the following details in relation to the land or part of the land:

- (a) a copy of a report known as a "Health Commission Report" prepared by or on behalf of the South Australian Health Commission (under the repealed *South Australian Health Commission Act 1976*)?
*YES/NO
- (b) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*?
*YES/NO
- (c) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*?
*YES/NO
- (d) a copy of a pre-1 July 2009 site audit report?
*YES/NO
- (e) details relating to the termination before completion of a pre-1 July 2009 site audit?
*YES/NO

Note—

These questions relate to details that the EPA may hold. If the EPA answers "YES" to any of the questions, the purchaser may obtain those details from the EPA (on payment of any fee fixed by the EPA).

6—Further information for purchasers**Note—**

The purchaser is advised that other matters under the *Environment Protection Act 1993* (that is, matters other than those referred to in this Statement) that may be relevant to the purchaser's further enquiries may also be recorded in the public register. These include:

- details relating to environmental authorisations such as applications, applicants, locations of activities, conditions, suspension, cancellation or surrender of authorisations, disqualifications, testing requirements and test results;
- details relating to activities undertaken on the land under licences or other environmental authorisations no longer in force;
- written warnings relating to alleged contraventions of the *Environment Protection Act 1993*;
- details of prosecutions and other enforcement action;
- details of civil proceedings;
- other details prescribed under the *Environment Protection Act 1993* (see section 109(3)(1)).

Details of these matters may be obtained from the public register on payment to the EPA of the prescribed fee.

If—

- an environment performance agreement, environment protection order, clean-up order, clean-up authorisation, site contamination assessment order or site remediation order has been registered on the certificate of title for the land; or
- a notice of declaration of special management area in relation to the land has been gazetted; or
- a notation has been made on the certificate of title for the land that a site contamination audit report has been prepared in respect of the land; or
- a notice of prohibition or restriction on taking water affected by site contamination in relation to the land has been gazetted,

it will be noted in the items under the heading *Environment Protection Act 1993* under the Table of Particulars in this Statement. Details of any registered documents may be obtained from the Lands Titles Registration Office.

- (4) Schedule 1, Form 2, Schedule 2, Division 1—after the item relating to section 93 of the *Environment Protection Act 1993* insert:

section 93A—Environment *YES/NO
protection order relating to
cessation of activity that is
registered in relation to the
land

Date of issue:
Compliance date(s)
specified in the order:

- (5) Schedule 1, Form 2, Schedule 2, Division 1—after the item relating to section 100 of the *Environment Protection Act 1993* insert:

section 103H—Site contamination assessment order that is registered in relation to the land	*YES/NO	Date of issue: Compliance date(s) specified in the order: Amount of charge on the land (if known):
section 103J—Site remediation order that is registered in relation to the land	*YES/NO	Date of issue: Compliance date(s) specified in the order: Amount of charge on the land (if known):
section 103N—Notice of declaration of special management area in relation to the land (due to possible existence of site contamination)	*YES/NO	Date of notice: Date of Gazette in which notice published: Description of area or areas to which the notice relates:
section 103P—Notation of site contamination audit report in relation to the land	*YES/NO	Date of notation: Note— Site contamination audit reports are kept by the EPA in the public register under section 109 of the <i>Environment Protection Act 1993</i> .
section 103S—Notice of prohibition or restriction on taking water affected by site contamination in relation to the land	*YES/NO	Date of notice: Date of Gazette in which notice published: Description of the water to which the notice relates: Particulars given in the notice of the site contamination affecting the water:

- (6) Schedule 1, Form 2, Schedule 2, Division 2, items headed "†Particulars relating to environment protection"—delete the items and heading and substitute:

†Particulars relating to environment protection

1—Interpretation

- (1) In this and the following items (items 1 to 6 inclusive)—

domestic activity has the same meaning as in the *Environment Protection Act 1993*;

environmental assessment, in relation to land, means an assessment of the existence or nature or extent of—

- (a) site contamination (within the meaning of the *Environment Protection Act 1993*) at the land; or
- (b) any other contamination of the land by chemical substances,

and includes such an assessment in relation to water on or below the surface of the land;

EPA means the Environment Protection Authority established under the *Environment Protection Act 1993*;

pre-1 July 2009 site audit, in relation to land, means a review (carried out by a person recognised by the EPA as an environmental auditor) that examines environmental assessments or remediation of the land for the purposes of determining—

- (a) the nature and extent of contamination of the land by chemical substances present or remaining on or below the surface of the land; and
- (b) the suitability of the land for a particular use; and
- (c) what remediation is or remains necessary for a particular use,

but does not include a site contamination audit (as defined below) completed on or after 1 July 2009;

pre-1 July 2009 site audit report means a detailed written report that sets out the findings of a pre-1 July 2009 site audit;

prescribed commercial or industrial activity—see item 1(2);

prescribed fee means the fee prescribed under the *Environment Protection Act 1993* for inspection of, or obtaining copies of information on, the public register;

public register means the public register kept by the EPA under section 109 of the *Environment Protection Act 1993*;

site contamination audit has the same meaning as in the *Environment Protection Act 1993*;

site contamination audit report has the same meaning as in the *Environment Protection Act 1993*.

- (2) For the purposes of this and the following items (items 1 to 6 inclusive), each of the following activities (as defined in Schedule 1 Part 1 of the *Environment Protection (Site Contamination) Regulations 2008*) is a prescribed commercial or industrial activity:

abrasive blasting	acid sulphate soil generation	agricultural activities
airports, aerodromes or aerospace industry	animal burial	animal dips or spray race facilities
animal feedlots	animal saleyards	asbestos disposal
asphalt or bitumen works	battery manufacture, recycling or disposal	breweries

brickworks	bulk shipping facilities	cement works
ceramic works	charcoal manufacture	coal handling or storage
coke works	compost or mulch production or storage	concrete batching works
curing or drying works	defence works	desalination plants
dredge spoil disposal or storage	drum reconditioning or recycling works	dry cleaning
electrical or electronics component manufacture	electrical substations	electrical transformer or capacitor works
electricity generation or power plants	explosives or pyrotechnics facilities	fertiliser manufacture
fibreglass manufacture	fill or soil importation	fire extinguisher or retardant manufacture
fire stations	fire training areas	foundry
fuel burning facilities	furniture restoration	gasworks
glass works	glazing	hat manufacture or felt processing
incineration	iron or steel works	laboratories
landfill sites	lime burner	metal coating, finishing or spray painting
metal forging	metal processing, smelting, refining or metallurgical works	mineral processing, metallurgical laboratories or mining or extractive industries
mirror manufacture	motor vehicle manufacture	motor vehicle racing or testing venues
motor vehicle repair or maintenance	motor vehicle wrecking yards	mushroom farming
oil recycling works	oil refineries	paint manufacture
pest control works	plastics manufacture works	printing works
pulp or paper works	railway operations	rubber manufacture or processing
scrap metal recovery	service stations	ship breaking
spray painting	tannery, fellmongery or hide curing	textile operations
transport depots or loading sites	tyre manufacture or retreading	vermiculture
vessel construction, repair or maintenance	waste depots	wastewater treatment, storage or disposal
water discharge to underground aquifer	wetlands or detention basins	wineries or distilleries
wood preservation works	woolscouring or wool carbonising works	works depots (operated by councils or utilities)

2—Pollution and site contamination on the land—questions for vendor

- (1) Is the vendor aware of any of the following activities ever having taken place at the land:
- (a) storage, handling or disposal of waste or fuel or other chemicals (other than in the ordinary course of domestic activities)?
 - (b) importation of soil or other fill from a site at which—
 - (i) an activity of a kind listed in paragraph (a) has taken place; or
 - (ii) a prescribed commercial or industrial activity (see item 1(2) above) has taken place?

*YES/NO

If YES, give details of all activities that the vendor is aware of and whether they have taken place before or after the vendor acquired an interest in the land:

- (2) Is the vendor aware of any prescribed commercial or industrial activities (see item 1(2) above) ever having taken place at the land?

*YES/NO

If YES, give details of all activities that the vendor is aware of and whether they have taken place before or after the vendor acquired an interest in the land:

- (3) Is the vendor aware of any dangerous substances ever having been kept at the land pursuant to a licence under the *Dangerous Substances Act 1979*?

*YES/NO

If YES, give details of all dangerous substances that the vendor is aware of and whether they were kept at the land before or after the vendor acquired an interest in the land:

- (4) Is the vendor aware of the sale or transfer of the land or part of the land ever having occurred subject to an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies?

*YES/NO

If YES, give details of each sale or transfer and agreement that the vendor is aware of:

- (5) Is the vendor aware of an environmental assessment of the land or part of the land ever having been carried out or commenced (whether or not completed)?

*YES/NO

If YES, give details of all environmental assessments that the vendor is aware of and whether they were carried out or commenced before or after the vendor acquired an interest in the land:

Note—

These questions relate to details about the land that may be known by the vendor. A "YES" answer to the questions at items 2(1) or 2(2) may indicate that a *potentially contaminating activity* has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

A "YES" answer to any of the questions in this item may indicate the need for the purchaser to seek further information regarding the activities, for example, from the council or the EPA.

3—Licences and exemptions recorded by EPA in public register

Does the EPA hold any of the following details in the public register:

- (a) details of a current licence issued under Part 6 of the *Environment Protection Act 1993* to conduct, at the land—
- (i) a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or
 - (ii) activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act)?

*YES/NO

- (b) details of a licence no longer in force issued under Part 6 of the *Environment Protection Act 1993* to conduct, at the land—
- (i) a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or
 - (ii) activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act)?

*YES/NO

- (c) details of a licence issued under the repealed *South Australian Waste Management Commission Act 1979* to operate a waste depot at the land?

*YES/NO

- (d) details of a licence issued under the repealed *Waste Management Act 1987* to operate a waste depot at the land?

*YES/NO

- (e) details of a licence issued under the repealed *South Australian Waste Management Commission Act 1979* to produce waste of a prescribed kind (within the meaning of that Act) at the land?

*YES/NO

- (f) details of a licence issued under the repealed *Waste Management Act 1987* to produce prescribed waste (within the meaning of that Act) at the land?

*YES/NO

Note—

These questions relate to details about licences and exemptions required to be recorded by the EPA in the public register. If the EPA answers "YES" to any of the questions—

- in the case of a licence or exemption under the *Environment Protection Act 1993*—
 - the purchaser may obtain a copy of the licence or exemption from the public register on payment of the prescribed fee; and
 - the purchaser should note that transfer of a licence or exemption is subject to the conditions of the licence or exemption and the approval of the EPA (see section 49 of the *Environment Protection Act 1993*); and
- in the case of a licence under a repealed Act—the purchaser may obtain details about the licence from the public register on payment of the prescribed fee.

A "YES" answer to any of these questions may indicate that a **potentially contaminating activity** has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

The EPA will not provide details about licences to conduct the following prescribed activities of environmental significance (within the meaning of Schedule 1 Part A of the *Environment Protection Act 1993*): waste transport business (category A), waste transport business (category B), dredging, earthworks drainage, any other activities referred to in Schedule 1 Part A undertaken by means of mobile works, helicopter landing facilities, marinas and boating facilities or discharges to marine or inland waters.

The EPA will not provide details about exemptions relating to—

- the conduct of any of the licensed activities in the immediately preceding paragraph in this Note; or
- noise.

4—Pollution and site contamination on the land—details recorded by EPA in public register

Does the EPA hold any of the following details in the public register in relation to the land or part of the land:

- (a) details of serious or material environmental harm caused or threatened in the course of an activity (whether or not notified under section 83 of the *Environment Protection Act 1993*)?
*YES/NO
- (b) details of site contamination notified to the EPA under section 83A of the *Environment Protection Act 1993*?
*YES/NO
- (c) a copy of a report of an environmental assessment (whether prepared by the EPA or some other person or body and whether or not required under legislation) that forms part of the information required to be recorded in the public register?
*YES/NO
- (d) a copy of a site contamination audit report?
*YES/NO

- (e) details of an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies?
*YES/NO
- (f) details of an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*?
*YES/NO
- (g) details of an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*?
*YES/NO
- (h) details of a notification under section 103Z(1) of the *Environment Protection Act 1993* relating to the commencement of a site contamination audit?
*YES/NO
- (i) details of a notification under section 103Z(2) of the *Environment Protection Act 1993* relating to the termination before completion of a site contamination audit?
*YES/NO
- (j) details of records, held by the former South Australian Waste Management Commission under the repealed *Waste Management Act 1987*, of waste (within the meaning of that Act) having been deposited on the land between 1 January 1983 and 30 April 1995?
*YES/NO

Note—

These questions relate to details required to be recorded by the EPA in the public register. If the EPA answers "YES" to any of the questions, the purchaser may obtain those details from the public register on payment of the prescribed fee.

5—Pollution and site contamination on the land—other details held by EPA

Does the EPA hold any of the following details in relation to the land or part of the land:

- (a) a copy of a report known as a "Health Commission Report" prepared by or on behalf of the South Australian Health Commission (under the repealed *South Australian Health Commission Act 1976*)?
*YES/NO
- (b) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*?
*YES/NO

- (c) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*?
*YES/NO
- (d) a copy of a pre-1 July 2009 site audit report?
*YES/NO
- (e) details relating to the termination before completion of a pre-1 July 2009 site audit?
*YES/NO

Note—

These questions relate to details that the EPA may hold. If the EPA answers "YES" to any of the questions, the purchaser may obtain those details from the EPA (on payment of any fee fixed by the EPA).

6—Further information for purchasers

Note—

The purchaser is advised that other matters under the *Environment Protection Act 1993* (that is, matters other than those referred to in this Statement) that may be relevant to the purchaser's further enquiries may also be recorded in the public register. These include:

- details relating to environmental authorisations such as applications, applicants, locations of activities, conditions, suspension, cancellation or surrender of authorisations, disqualifications, testing requirements and test results;
- details relating to activities undertaken on the land under licences or other environmental authorisations no longer in force;
- written warnings relating to alleged contraventions of the *Environment Protection Act 1993*;
- details of prosecutions and other enforcement action;
- details of civil proceedings;
- other details prescribed under the *Environment Protection Act 1993* (see section 109(3)(1)).

Details of these matters may be obtained from the public register on payment to the EPA of the prescribed fee.

If—

- an environment performance agreement, environment protection order, clean-up order, clean-up authorisation, site contamination assessment order or site remediation order has been registered on the certificate of title for the land; or
- a notice of declaration of special management area in relation to the land has been gazetted; or
- a notation has been made on the certificate of title for the land that a site contamination audit report has been prepared in respect of the land; or

- a notice of prohibition or restriction on taking water affected by site contamination in relation to the land has been gazetted,

it will be noted in the items under the heading *Environment Protection Act 1993* under the Table of Particulars in this Statement. Details of any registered documents may be obtained from the Lands Titles Registration Office.

5—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Contracts for sale of land or businesses— inquiries

Table 1—Mortgages, charges and prescribed encumbrances

Column 1 Mortgage, charge or prescribed encumbrance specified as item in Form 1 Schedule Division 1 and Form 2 Schedule 2 Division 1	Column 2 Body to whom inquiry is to be made
--	--

- | | |
|---|---|
| (1) All items under the following headings (except where otherwise specified):

<i>Development Act 1993</i>
(section 71 only)

<i>Fire and Emergency Services Act 2005</i>

<i>Local Government Act 1934</i>

<i>Local Government Act 1999</i> | The council |
| (2) All items under the following headings (except where otherwise specified):

<i>Development Act 1993</i>
(other than section 60 and section 71)

<i>Food Act 2001</i>

<i>Housing Improvement Act 1940</i>

<i>Public and Environmental Health Act 1987</i>
(other than section 36)

Repealed Act conditions | Department for Transport, Energy and Infrastructure and the council |
| (3) All other items (other than <i>Development Act 1993</i> section 60 and <i>Fences Act 1975</i> section 5) | Department for Transport, Energy and Infrastructure |

Table 2—Matters affecting land

Column 1 Matters specified in Form 1 Schedule Division 2 and Form 2 Schedule 2 Division 2	Column 2 Body to whom inquiry is to be made
Particulars of building indemnity insurance (all items under that heading)	The council
Particulars of water allocation for irrigation purposes (all items under that heading)	Department for Transport, Energy and Infrastructure
Particulars relating to environment protection (items 3, 4 and 5 under that heading)	Department for Transport, Energy and Infrastructure
Particulars relating to <i>Livestock Act 1997</i> (the following items under that heading: a notice under section 33, 37 or 72 of the Act or an order under section 38 of the Act, in relation to the land or a building on the land)	Department for Transport, Energy and Infrastructure or Department of Primary Industries and Resources

Part 3—Variation of *Land and Business (Sale and Conveyancing) Regulations 1995* to take effect on 1 March 2010

6—Variation of Schedule 1—Contracts for sale of land or businesses—forms

- (1) Schedule 1, Form 1, Schedule, Division 2, items headed "**†Particulars relating to environment protection**", item 3(a)—after subparagraph (ii) but before "***YES/NO**" insert:
 - (iii) any other prescribed activity of environmental significance under Schedule 1 of that Act?
- (2) Schedule 1, Form 1, Schedule, Division 2, items headed "**†Particulars relating to environment protection**", item 3—after paragraph (b) insert:
 - (ba) details of a current exemption issued under Part 6 of the *Environment Protection Act 1993* from the application of a specified provision of that Act in relation to an activity carried on at the land?
*YES/NO
- (3) Schedule 1, Form 2, Schedule 2, Division 2, items headed "**†Particulars relating to environment protection**", item 3(a)—after subparagraph (ii) but before "***YES/NO**" insert:
 - (iii) any other prescribed activity of environmental significance under Schedule 1 of that Act?
- (4) Schedule 1, Form 2, Schedule 2, Division 2, items headed "**†Particulars relating to environment protection**", item 3—after paragraph (b) insert:
 - (ba) details of a current exemption issued under Part 6 of the *Environment Protection Act 1993* from the application of a specified provision of that Act in relation to an activity carried on at the land?
*YES/NO

Part 4—Variation of *Land and Business (Sale and Conveyancing) Regulations 1995* to take effect on 31 August 2010

7—Variation of Schedule 1—Contracts for sale of land or businesses—forms

- (1) Schedule 1, Form 1, Schedule, Division 2, items headed "†Particulars relating to environment protection", item 3(b)—after subparagraph (ii) but before "*YES/NO" insert:
 - (iii) any other prescribed activity of environmental significance under Schedule 1 of that Act?
- (2) Schedule 1, Form 1, Schedule, Division 2, items headed "†Particulars relating to environment protection", item 3—after paragraph (ba) insert:
 - (bb) details of a current exemption issued under Part 6 of the *Environment Protection Act 1993* from the application of a specified provision of that Act in relation to an activity carried on at the land?
*YES/NO
- (3) Schedule 1, Form 1, Schedule, Division 2, items headed "†Particulars relating to environment protection"—after item 5 insert:

5A—Further information held by councils

Does the council hold details of any development approvals relating to—

- (a) commercial or industrial activity at the land; or
- (b) a change in the use of the land or part of the land (within the meaning of the *Development Act 1993*)?

*YES/NO

Note—

The question relates to information that the council for the area in which the land is situated may hold. If the council answers "YES" to the question, it will provide a description of the nature of each development approved in respect of the land. The purchaser may then obtain further details from the council (on payment of any fee fixed by the council). However, it is expected that the ability to supply further details will vary considerably between councils.

A "YES" answer to paragraph (a) of the question may indicate that a *potentially contaminating activity* has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

It should be noted that—

- the approval of development by a council does not necessarily mean that the development has taken place;
- the council will not necessarily be able to provide a complete history of all such development that has taken place at the land.

- (4) Schedule 1, Form 2, Schedule 2, Division 2, items headed "†Particulars relating to environment protection", item 3(b)—after subparagraph (ii) but before "*YES/NO" insert:
 - (iii) any other prescribed activity of environmental significance under Schedule 1 of that Act?

- (5) Schedule 1, Form 2, Schedule 2, Division 2, items headed "†**Particulars relating to environment protection**", item 3—after paragraph (ba) insert:
- (bb) details of a current exemption issued under Part 6 of the *Environment Protection Act 1993* from the application of a specified provision of that Act in relation to an activity carried on at the land?
*YES/NO
- (6) Schedule 1, Form 2, Schedule 2, Division 2, items headed "†**Particulars relating to environment protection**"—after item 5 insert:

5A—Further information held by councils

Does the council hold details of any development approvals relating to—

- (a) commercial or industrial activity at the land; or
(b) a change in the use of the land or part of the land (within the meaning of the *Development Act 1993*)?

*YES/NO

Note—

The question relates to information that the council for the area in which the land is situated may hold. If the council answers "YES" to the question, it will provide a description of the nature of each development approved in respect of the land. The purchaser may then obtain further details from the council (on payment of any fee fixed by the council). However, it is expected that the ability to supply further details will vary considerably between councils.

A "YES" answer to paragraph (a) of the question may indicate that a *potentially contaminating activity* has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

It should be noted that—

- the approval of development by a council does not necessarily mean that the development has taken place;
- the council will not necessarily be able to provide a complete history of all such development that has taken place at the land.

8—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

**Schedule 2—Contracts for sale of land or businesses—
inquiries**

Table 1—Mortgages, charges and prescribed encumbrances

Column 1 Mortgage, charge or prescribed encumbrance specified as item in Form 1 Schedule Division 1 and Form 2 Schedule 2 Division 1	Column 2 Body to whom inquiry is to be made
(1) All items under the following headings (except where otherwise specified): <i>Development Act 1993</i> (section 71 only) <i>Fire and Emergency Services Act 2005</i> <i>Local Government Act 1934</i> <i>Local Government Act 1999</i>	The council
(2) All items under the following headings (except where otherwise specified): <i>Development Act 1993</i> (other than section 60 and section 71) <i>Food Act 2001</i> <i>Housing Improvement Act 1940</i> <i>Public and Environmental Health Act 1987</i> (other than section 36) Repealed Act conditions	Department for Transport, Energy and Infrastructure and the council
(3) All other items (other than <i>Development Act 1993</i> section 60 and <i>Fences Act 1975</i> section 5)	Department for Transport, Energy and Infrastructure

Table 2—Matters affecting land

Column 1 Matters specified in Form 1 Schedule Division 2 and Form 2 Schedule 2 Division 2	Column 2 Body to whom inquiry is to be made
Particulars of building indemnity insurance (all items under that heading)	The council

Column 1 Matters specified in Form 1 Schedule Division 2 and Form 2 Schedule 2 Division 2	Column 2 Body to whom inquiry is to be made
Particulars of water allocation for irrigation purposes (all items under that heading)	Department for Transport, Energy and Infrastructure
Particulars relating to environment protection (items 3, 4 and 5 under that heading)	Department for Transport, Energy and Infrastructure
Particulars relating to environment protection (item 5A under that heading)	The council
Particulars relating to <i>Livestock Act 1997</i> (the following items under that heading: a notice under section 33, 37 or 72 of the Act or an order under section 38 of the Act, in relation to the land or a building on the land)	Department for Transport, Energy and Infrastructure or Department of Primary Industries and Resources

Schedule 1—Transitional provisions

Part 1—Transitional provisions

1—Interpretation

- (1) In this Part—

Act means the *Land and Business (Sale and Conveyancing) Act 1994*;

earlier amending regulations means the *Land and Business (Sale and Conveyancing) Variation Regulations 2009* (see *Gazette 30.04.2009 p1557*);

principal regulations means the *Land and Business (Sale and Conveyancing) Regulations 1995*.

- (2) A reference in this Part to the date of service of a vendor's statement is, where a notice of amendment to the statement is served for the purposes of section 10 of the Act, a reference to the presumed date of service of the statement under that section.

2—Transitional provision relating to Part 4 of earlier amending regulations and Part 2 of these regulations

- (1) A vendor's statement for the purposes of section 7 of the Act prepared before the commencement of Part 4 of the earlier amending regulations and Part 2 of these regulations will be taken to comply with the principal regulations as varied by Part 4 of the earlier amending regulations and Part 2 of these regulations if the statement—
- was prepared not more than 2 months before the commencement of Part 4 of the earlier amending regulations; and
 - complies with the Act and regulations as in force—
 - if prepared before the commencement of Part 3 of the earlier amending regulations—immediately before the commencement of Part 3 of the earlier amending regulations;

- (ii) if prepared after the commencement of Part 3 of the earlier amending regulations—immediately before the commencement of Part 4 of the earlier amending regulations; and
 - (c) is accurate as at the date of service of the statement on the purchaser.
- (2) A vendor's statement for the purposes of section 8 of the Act prepared before the commencement of Part 4 of the earlier amending regulations and Part 2 of these regulations will be taken to comply with the principal regulations as varied by Part 4 of the earlier amending regulations and Part 2 of these regulations if the statement—
 - (a) was prepared not more than 2 months before the commencement of Part 4 of the earlier amending regulations; and
 - (b) complies with the Act and regulations as in force—
 - (i) if prepared before the commencement of Part 3 of the earlier amending regulations—immediately before the commencement of Part 3 of the earlier amending regulations;
 - (ii) if prepared after the commencement of Part 3 of the earlier amending regulations—immediately before the commencement of Part 4 of the earlier amending regulations; and
 - (c) is accurate as at the date of service of the statement on the purchaser.

3—Transitional provision relating to Part 3 of these regulations

- (1) A vendor's statement for the purposes of section 7 of the Act prepared before the commencement of Part 3 of these regulations will be taken to comply with the principal regulations as varied by Part 3 if the statement—
 - (a) was prepared not more than 2 months before the commencement of that Part; and
 - (b) complies with the Act and regulations as in force immediately before the commencement of that Part; and
 - (c) is accurate as at the date of service of the statement on the purchaser.
- (2) A vendor's statement for the purposes of section 8 of the Act prepared before the commencement of Part 3 of these regulations will be taken to comply with the principal regulations as varied by Part 3 if the statement—
 - (a) was prepared not more than 2 months before the commencement of that Part; and
 - (b) complies with the Act and regulations as in force immediately before the commencement of that Part; and
 - (c) is accurate as at the date of service of the statement on the purchaser.

4—Transitional provision relating to Part 4 of these regulations

- (1) A vendor's statement for the purposes of section 7 of the Act prepared before the commencement of Part 4 of these regulations will be taken to comply with the principal regulations as varied by Part 4 if the statement—
 - (a) was prepared not more than 2 months before the commencement of that Part; and
 - (b) complies with the Act and regulations as in force immediately before the commencement of that Part; and
 - (c) is accurate as at the date of service of the statement on the purchaser.

- (2) A vendor's statement for the purposes of section 8 of the Act prepared before the commencement of Part 4 of these regulations will be taken to comply with the principal regulations as varied by Part 4 if the statement—
- (a) was prepared not more than 2 months before the commencement of that Part; and
 - (b) complies with the Act and regulations as in force immediately before the commencement of that Part; and
 - (c) is accurate as at the date of service of the statement on the purchaser.

Part 2—Permitted form of items relating to environment protection in vendor's statement (pending commencement of all provisions of these regulations)

5—Permitted form of items relating to environment protection in vendor's statement

The portion of a vendor's statement comprising the items under the heading "†Particulars relating to environment protection" in Schedule 1, Form 1, Schedule, Division 2 or Schedule 1, Form 2, Schedule 2, Division 2 of the principal regulations will be taken to be in the form required by the principal regulations as varied by Part 2 of these regulations (and as subsequently varied by Part 3 and Part 4 of these regulations) if the items and heading are in the following form:

†Particulars relating to environment protection

1—Interpretation

- (1) In this and the following items (items 1 to 6 inclusive)—

domestic activity has the same meaning as in the *Environment Protection Act 1993*;

environmental assessment, in relation to land, means an assessment of the existence or nature or extent of—

- (a) site contamination (within the meaning of the *Environment Protection Act 1993*) at the land; or
 - (b) any other contamination of the land by chemical substances,
- and includes such an assessment in relation to water on or below the surface of the land;

EPA means the Environment Protection Authority established under the *Environment Protection Act 1993*;

pre-1 July 2009 site audit, in relation to land, means a review (carried out by a person recognised by the EPA as an environmental auditor) that examines environmental assessments or remediation of the land for the purposes of determining—

- (a) the nature and extent of contamination of the land by chemical substances present or remaining on or below the surface of the land; and
- (b) the suitability of the land for a particular use; and
- (c) what remediation is or remains necessary for a particular use,

but does not include a site contamination audit (as defined below) completed on or after 1 July 2009;

pre-1 July 2009 site audit report means a detailed written report that sets out the findings of a pre-1 July 2009 site audit;

prescribed commercial or industrial activity—see item 1(2);

prescribed fee means the fee prescribed under the *Environment Protection Act 1993* for inspection of, or obtaining copies of information on, the public register;

public register means the public register kept by the EPA under section 109 of the *Environment Protection Act 1993*;

site contamination audit has the same meaning as in the *Environment Protection Act 1993*;

site contamination audit report has the same meaning as in the *Environment Protection Act 1993*.

- (2) For the purposes of this and the following items (items 1 to 6 inclusive), each of the following activities (as defined in Schedule 1 Part 1 of the *Environment Protection (Site Contamination) Regulations 2008*) is a prescribed commercial or industrial activity:

abrasive blasting	acid sulphate soil generation	agricultural activities
airports, aerodromes or aerospace industry	animal burial	animal dips or spray race facilities
animal feedlots	animal saleyards	asbestos disposal
asphalt or bitumen works	battery manufacture, recycling or disposal	breweries
brickworks	bulk shipping facilities	cement works
ceramic works	charcoal manufacture	coal handling or storage
coke works	compost or mulch production or storage	concrete batching works
curing or drying works	defence works	desalination plants
dredge spoil disposal or storage	drum reconditioning or recycling works	dry cleaning
electrical or electronics component manufacture	electrical substations	electrical transformer or capacitor works
electricity generation or power plants	explosives or pyrotechnics facilities	fertiliser manufacture
fibreglass manufacture	fill or soil importation	fire extinguisher or retardant manufacture
fire stations	fire training areas	foundry
fuel burning facilities	furniture restoration	gasworks

glass works	glazing	hat manufacture or felt processing
incineration	iron or steel works	laboratories
landfill sites	lime burner	metal coating, finishing or spray painting
metal forging	metal processing, smelting, refining or metallurgical works	mineral processing, metallurgical laboratories or mining or extractive industries
mirror manufacture	motor vehicle manufacture	motor vehicle racing or testing venues
motor vehicle repair or maintenance	motor vehicle wrecking yards	mushroom farming
oil recycling works	oil refineries	paint manufacture
pest control works	plastics manufacture works	printing works
pulp or paper works	railway operations	rubber manufacture or processing
scrap metal recovery	service stations	ship breaking
spray painting	tannery, fellmongery or hide curing	textile operations
transport depots or loading sites	tyre manufacture or retreading	vermiculture
vessel construction, repair or maintenance	waste depots	wastewater treatment, storage or disposal
water discharge to underground aquifer	wetlands or detention basins	wineries or distilleries
wood preservation works	woolscouring or wool carbonising works	works depots (operated by councils or utilities)

2—Pollution and site contamination on the land—questions for vendor

- (1) Is the vendor aware of any of the following activities ever having taken place at the land:
- (a) storage, handling or disposal of waste or fuel or other chemicals (other than in the ordinary course of domestic activities)?
 - (b) importation of soil or other fill from a site at which—
 - (i) an activity of a kind listed in paragraph (a) has taken place; or

- (ii) a prescribed commercial or industrial activity (see item 1(2) above) has taken place?

*YES/NO

If YES, give details of all activities that the vendor is aware of and whether they have taken place before or after the vendor acquired an interest in the land:

- (2) Is the vendor aware of any prescribed commercial or industrial activities (see item 1(2) above) ever having taken place at the land?

*YES/NO

If YES, give details of all activities that the vendor is aware of and whether they have taken place before or after the vendor acquired an interest in the land:

- (3) Is the vendor aware of any dangerous substances ever having been kept at the land pursuant to a licence under the *Dangerous Substances Act 1979*?

*YES/NO

If YES, give details of all dangerous substances that the vendor is aware of and whether they were kept at the land before or after the vendor acquired an interest in the land:

- (4) Is the vendor aware of the sale or transfer of the land or part of the land ever having occurred subject to an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies?

*YES/NO

If YES, give details of each sale or transfer and agreement that the vendor is aware of:

- (5) Is the vendor aware of an environmental assessment of the land or part of the land ever having been carried out or commenced (whether or not completed)?

*YES/NO

If YES, give details of all environmental assessments that the vendor is aware of and whether they were carried out or commenced before or after the vendor acquired an interest in the land:

Note—

These questions relate to details about the land that may be known by the vendor. A "YES" answer to the questions at items 2(1) or 2(2) may indicate that a **potentially contaminating activity** has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

A "YES" answer to any of the questions in this item may indicate the need for the purchaser to seek further information regarding the activities, for example, from the council or the EPA.

3—Licences and exemptions recorded by EPA in public register

Does the EPA hold any of the following details in the public register:

- (a) details of a current licence issued under Part 6 of the *Environment Protection Act 1993* to conduct, at the land—
 - (i) a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or
 - (ii) activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act); or
 - (iii) any other prescribed activity of environmental significance under Schedule 1 of that Act?

*YES/NO

Note—

Subparagraph (iii) must be completed if the form is prepared on or after 1 March 2010.

- (b) details of a licence no longer in force issued under Part 6 of the *Environment Protection Act 1993* to conduct, at the land—
 - (i) a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or
 - (ii) activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act); or
 - (iii) any other prescribed activity of environmental significance under Schedule 1 of that Act?

*YES/NO

Note—

Subparagraph (iii) must be completed if the form is prepared on or after 31 August 2010.

- (ba) details of a current exemption issued under Part 6 of the *Environment Protection Act 1993* from the application of a specified provision of that Act in relation to an activity carried on at the land?

*YES/NO

Note—

Paragraph (ba) must be completed if the form is prepared on or after 1 March 2010.

- (bb) details of an exemption no longer in force issued under Part 6 of the *Environment Protection Act 1993* from the application of a specified provision of that Act in relation to an activity carried on at the land?

*YES/NO

Note—

Paragraph (bb) must be completed if the form is prepared on or after 31 August 2010.

- (c) details of a licence issued under the repealed *South Australian Waste Management Commission Act 1979* to operate a waste depot at the land?
*YES/NO
- (d) details of a licence issued under the repealed *Waste Management Act 1987* to operate a waste depot at the land?
*YES/NO
- (e) details of a licence issued under the repealed *South Australian Waste Management Commission Act 1979* to produce waste of a prescribed kind (within the meaning of that Act) at the land?
*YES/NO
- (f) details of a licence issued under the repealed *Waste Management Act 1987* to produce prescribed waste (within the meaning of that Act) at the land?
*YES/NO

Note—

These questions relate to details about licences and exemptions required to be recorded by the EPA in the public register. If the EPA answers "YES" to any of the questions—

- in the case of a licence or exemption under the *Environment Protection Act 1993*—
 - the purchaser may obtain a copy of the licence or exemption from the public register on payment of the prescribed fee; and
 - the purchaser should note that transfer of a licence or exemption is subject to the conditions of the licence or exemption and the approval of the EPA (see section 49 of the *Environment Protection Act 1993*); and
- in the case of a licence under a repealed Act—the purchaser may obtain details about the licence from the public register on payment of the prescribed fee.

A "YES" answer to any of these questions may indicate that a ***potentially contaminating activity*** has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

The EPA will not provide details about licences to conduct the following prescribed activities of environmental significance (within the meaning of Schedule 1 Part A of the *Environment Protection Act 1993*): waste transport business (category A), waste transport business (category B), dredging, earthworks drainage, any other activities referred to in Schedule 1 Part A undertaken by means of mobile works, helicopter landing facilities, marinas and boating facilities or discharges to marine or inland waters.

The EPA will not provide details about exemptions relating to—

- the conduct of any of the licensed activities in the immediately preceding paragraph in this Note; or
- noise.

4—Pollution and site contamination on the land—details recorded by EPA in public register

Does the EPA hold any of the following details in the public register in relation to the land or part of the land:

- (a) details of serious or material environmental harm caused or threatened in the course of an activity (whether or not notified under section 83 of the *Environment Protection Act 1993*)?
*YES/NO
- (b) details of site contamination notified to the EPA under section 83A of the *Environment Protection Act 1993*?
*YES/NO
- (c) a copy of a report of an environmental assessment (whether prepared by the EPA or some other person or body and whether or not required under legislation) that forms part of the information required to be recorded in the public register?
*YES/NO
- (d) a copy of a site contamination audit report?
*YES/NO
- (e) details of an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies?
*YES/NO
- (f) details of an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*?
*YES/NO
- (g) details of an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*?
*YES/NO
- (h) details of a notification under section 103Z(1) of the *Environment Protection Act 1993* relating to the commencement of a site contamination audit?
*YES/NO

- (i) details of a notification under section 103Z(2) of the *Environment Protection Act 1993* relating to the termination before completion of a site contamination audit?
*YES/NO
- (j) details of records, held by the former South Australian Waste Management Commission under the repealed *Waste Management Act 1987*, of waste (within the meaning of that Act) having been deposited on the land between 1 January 1983 and 30 April 1995?
*YES/NO

Note—

These questions relate to details required to be recorded by the EPA in the public register. If the EPA answers "YES" to any of the questions, the purchaser may obtain those details from the public register on payment of the prescribed fee.

5—Pollution and site contamination on the land—other details held by EPA

Does the EPA hold any of the following details in relation to the land or part of the land:

- (a) a copy of a report known as a "Health Commission Report" prepared by or on behalf of the South Australian Health Commission (under the repealed *South Australian Health Commission Act 1976*)?
*YES/NO
- (b) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*?
*YES/NO
- (c) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*?
*YES/NO
- (d) a copy of a pre-1 July 2009 site audit report?
*YES/NO
- (e) details relating to the termination before completion of a pre-1 July 2009 site audit?
*YES/NO

Note—

These questions relate to details that the EPA may hold. If the EPA answers "YES" to any of the questions, the purchaser may obtain those details from the EPA (on payment of any fee fixed by the EPA).

5A—Further information held by councils

Does the council hold details of any development approvals relating to—

- (a) commercial or industrial activity at the land; or
- (b) a change in the use of the land or part of the land (within the meaning of the *Development Act 1993*)?

*YES/NO

Note—

The question relates to information that the council for the area in which the land is situated may hold. If the council answers "YES" to the question, it will provide a description of the nature of each development approved in respect of the land. The purchaser may then obtain further details from the council (on payment of any fee fixed by the council). However, it is expected that the ability to supply further details will vary considerably between councils.

A "YES" answer to paragraph (a) of the question may indicate that a *potentially contaminating activity* has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

It should be noted that—

- (a) the approval of development by a council does not necessarily mean that the development has taken place;
- (b) the council will not necessarily be able to provide a complete history of all such development that has taken place at the land.

6—Further information for purchasers

Note—

The purchaser is advised that other matters under the *Environment Protection Act 1993* (that is, matters other than those referred to in this Statement) that may be relevant to the purchaser's further enquiries may also be recorded in the public register. These include:

- details relating to environmental authorisations such as applications, applicants, locations of activities, conditions, suspension, cancellation or surrender of authorisations, disqualifications, testing requirements and test results;
- details relating to activities undertaken on the land under licences or other environmental authorisations no longer in force;
- written warnings relating to alleged contraventions of the *Environment Protection Act 1993*;
- details of prosecutions and other enforcement action;
- details of civil proceedings;
- other details prescribed under the *Environment Protection Act 1993* (see section 109(3)(l)).

Details of these matters may be obtained from the public register on payment to the EPA of the prescribed fee.

If—

- (a) an environment performance agreement, environment protection order, clean-up order, clean-up authorisation, site contamination assessment order or site remediation order has been registered on the certificate of title for the land; or

- (b) a notice of declaration of special management area in relation to the land has been gazetted; or
- (c) a notation has been made on the certificate of title for the land that a site contamination audit report has been prepared in respect of the land; or
- (d) a notice of prohibition or restriction on taking water affected by site contamination in relation to the land has been gazetted,

it will be noted in the items under the heading *Environment Protection Act 1993* under the Table of Particulars in this Statement. Details of any registered documents may be obtained from the Lands Titles Registration Office.

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 23 July 2009

No 209 of 2009

RELEASED UNDER FOIA ACT

South Australia

Supported Residential Facilities Regulations 2009

under the *Supported Residential Facilities Act 1992*

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Part 1—Interpretation

1—Short title

These regulations may be cited as the *Supported Residential Facilities Regulations 2009*.

2—Commencement

These regulations will come into operation on 1 September 2009.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Supported Residential Facilities Act 1992*;

Building Code of Australia means the Building Code of Australia published by the Australian Building Codes Board, as in force from time to time, and as modified from time to time by the variations, additions or exclusions for South Australia contained in the code;

health service provider has the same meaning as in section 47 of the Act;

manager of a supported residential facility means—

- (a) if section 34 of the Act applies in relation to the facility—a person approved under that section;
- (b) in any other case—a proprietor of the facility;

night shift means the period of time beginning at 10 pm and ending at 7 am on the next day;

nursing home means a supported residential facility where nursing care is provided or offered on a continuing basis;

premises, in relation to a supported residential facility, includes the buildings, grounds, fixtures and fittings of the facility;

registered nurse means a registered nurse under the *Nurses Act 1999*.

Part 2—Licensing scheme

4—Licencing scheme

- (1) Pursuant to section 24(6) of the Act, the time within which a licensing authority should decide an application for a licence is 8 weeks after the application is made.
- (2) Pursuant to section 25(1)(f) of the Act, the relevant licensing authority must, in considering an application for a licence in respect of the use of premises (or proposed premises) as a supported residential facility, take into account the extent to which the premises (or proposed premises) accord with the standards prescribed by or under the Building Code of Australia.
- (3) Pursuant to section 27(2) of the Act, an application for the renewal of a licence must be made not less than 84 days (12 weeks) before the date of expiry of the licence.
- (4) For the purposes of section 36 of the Act, the prescribed notice that must be displayed by the proprietor of a facility in respect of which a licence has been issued is the notice set out in Schedule 2.

Part 3—Documentation

5—Prospectus

- (1) A prospectus relating to a supported residential care facility and the personal care services provided or offered at the facility must contain the following information:
 - (a) a general description of the nature of the facility according to the type or types of accommodation available at the facility;
 - (b) a general description of the types of services directly provided or offered at or by the facility, and the current fees or charges for those services;
 - (c) if the services offered at the facility include the management of personal finances—details of—
 - (i) the various options available for the management of money held on behalf of residents; and
 - (ii) the kinds of records and accounts that are kept by the facility; and
 - (iii) the arrangements observed at the facility for the provision of information to a resident whose finances are managed by the facility;
 - (d) details of any rules or policies that apply to residents;
 - (e) details of the rights and responsibilities of residents;
 - (f) the number of residents who can be accommodated at the facility;
 - (g) details of—
 - (i) any amount payable on becoming a resident; and
 - (ii) recurrent fees or charges payable by a resident; and
 - (iii) to the extent that an amount, fee or charge is not a fixed sum—the nature of the amount, fee or charge, its purpose and its method of calculation; and
 - (iv) any provision for the variation of an amount, fee or charge;
 - (h) the procedures by which a resident who makes a financial contribution to the facility can obtain information on the financial management of the facility;

- (i) any amount payable to or by a person when he or she ceases to be a resident.
- (2) A copy of the prospectus, and a copy of any alteration to the prospectus, must—
 - (a) be lodged by the proprietor of the facility with the relevant licensing authority within 14 days after the prospectus or alteration is brought into effect; and
 - (b) be accompanied by a written statement, signed by the proprietor, setting out—
 - (i) the date on which the prospectus or alteration came into effect; and
 - (ii) if the prospectus or alteration relates to an existing facility—details of any consultation or discussions that have occurred with residents in relation to the matter.

6—Resident contracts and service plans

- (1) A proprietor of a supported residential facility may enter into a resident contract with a resident at any time before personal care services are provided to the resident.
- (2) A proprietor of a supported residential facility must enter into a resident contract with a resident within 7 days after personal care services are first provided to the resident.
- (3) Before a person enters into a resident contract, the proprietor must ensure that—
 - (a) the person is given a copy of each of the following documents:
 - (i) a statement in the form of Schedule 3 containing the information as required under that Schedule;
 - (ii) a service plan that complies with the requirements of subregulation (4) prepared for the person;
 - (iii) the rules and policies that will apply to the person as a resident of the facility; and
 - (b) a checklist against which the person may ensure that he or she—
 - (i) has been given a copy of each of the documents referred to in paragraph (a); and
 - (ii) has been informed—
 - (A) of his or her rights and responsibilities under the contract; and
 - (B) of the procedure for making a complaint about the management of the facility; and
 - (c) the person (or his or her representative) understands the nature and effect of the contract, and the rights and responsibilities of the person under the contract.
- (4) A service plan for a resident of a facility must be prepared in consultation with the resident and his or her representatives, and must include the following information:
 - (a) the exact details of the personal care services to be provided to the resident, including the nature, extent and frequency of the provision of those services;
 - (b) instructions to members of the staff of the facility relating to the provision of those services;
 - (c) the name, address and telephone number of the resident's chosen medical practitioner;

- (d) current information on the general state of health of the resident, and any instructions or information relating to the health or care of the resident given to a staff member by the resident's medical practitioner or other health service provider who is directly involved in the care of the resident;
 - (e) any other information required to be included in the service plan under these regulations.
- (5) The resident contract must—
- (a) include the following information:
 - (i) whether the resident will be accommodated in a single room or share room (and, if a share room, the number of other residents with whom he or she will be sharing);
 - (ii) how often the resident's room is to be cleaned;
 - (iii) the rights of the resident under the contract;
 - (iv) the responsibilities of the resident under the contract and the consequences of any failure of the resident to fulfil those responsibilities; and
 - (b) include a provision to the effect that if the resident is absent from the facility for a period specified in the contract (which must not exceed 14 days), the fees and charges payable by the resident under the contract on a recurrent or ongoing basis will be reduced to the extent specified in the contract (which must be not less than 30%) for the period of the absence; and
 - (c) have attached to it a copy of the service plan (as revised from time to time in accordance with subregulation (7)) for the resident detailing the personal care services that are to be provided to the resident.
- (6) The proprietor must ensure that—
- (a) a copy of the contract (with the service plan attached) is given to the resident at the time the resident becomes a party to the contract; and
 - (b) any inconsistency between the terms and conditions of the contract and the prospectus for the facility is expressly noted in the contract and acknowledged by the parties to the contract by specific endorsement on the contract; and
 - (c) a fully executed copy of the contract and attached service plan is kept in a secure and confidential place at the facility at all times; and
 - (d) the contract and service plan are made available at any reasonable time, on request, to—
 - (i) the resident and his or her representative; and
 - (ii) a medical practitioner or other health service provider involved in providing care to the resident.
- (7) A service plan for a resident of a facility must, in consultation with the resident (or, if appropriate, a representative of the resident)—
- (a) be reviewed and, if necessary, revised each time the resident experiences or suffers a significant occurrence or deterioration that adversely affects the resident's health or well-being; and
 - (b) in any case—be reviewed at least once every 12 months and, if necessary, revised.

7—Visitors book and other records

- (1) The proprietor of a supported residential facility must ensure that a book is kept at the facility's main office or some other convenient place at the facility in which a record containing the following information is kept of each visitor to the facility:
 - (a) the name of the visitor;
 - (b) the name of the resident to be visited;
 - (c) the purpose of the visit;
 - (d) the time of arrival;
 - (e) the time of departure.
- (2) The proprietor of a supported residential facility must ensure (whether as part of a service plan or otherwise) that the following records are maintained in an appropriate manner at the facility in respect of each resident:
 - (a) the resident's full name, age, gender, and date of admission;
 - (b) the name and address of the resident's next of kin and of any representative;
 - (c) the resident's medical records;
 - (d) details of any visit to or examination of the resident undertaken at the facility by a medical practitioner or other health service provider, including any results, directions and instructions provided in relation to the resident by the medical practitioner or other health service provider;
 - (e) details of any special procedure or precaution that must be taken to protect the resident's personal safety, and the safety of others;
 - (f) details of any direction or instruction given by the resident to the proprietor or a member of the staff of the facility;
 - (g) the date on which the resident is discharged from or leaves the facility, or the date of his or her death.
- (3) The proprietor must ensure that records in respect of a resident required under subregulation (2) to be maintained—
 - (a) are kept in a secure and confidential place at the facility; and
 - (b) are made available at any reasonable time, on request, to the resident or his or her representative (if any), or to a medical practitioner or other health service provider; and
 - (c) are retained for at least 5 years—
 - (i) if the resident dies while still a resident of the facility—after the date of his or her death; or
 - (ii) after the date on which the resident leaves the facility.

Part 4—Standards of care

8—Privacy, dignity and respect

The proprietor of a supported residential facility must ensure that the following standards are observed in relation to the provision of personal care services to residents, and the operation, of the facility:

- (a) assistance must be offered and provided discreetly and sensitively and, if appropriate, with a reasonable degree of privacy;
- (b) a resident must, so far as is reasonably practicable, be able to display, or to store safely (according to the resident's choice), his or her personal effects;
- (c) the personal property of a resident must not be used by another person without the resident's permission;
- (d) a resident must not be required to observe unreasonable routines with regard to meal times, bed times, bathing and dressing;
- (e) personal information relating to a resident must be treated on a confidential basis;
- (f) a resident must not be expected or required to share clothing, other items of a personal nature, or toiletries, with another person;
- (g) a resident must be afforded privacy, if he or she so desires, when engaged in conversation with a visitor, a medical practitioner or other health service provider, or another resident;
- (h) a resident must be afforded a reasonable degree of privacy when bathing, showering, toileting or dressing (whether alone or with assistance).

9—Personal hygiene

The proprietor of a supported residential facility must ensure that a resident of the facility is able (or assisted) to maintain personal hygiene in a manner consistent with the resident's needs and preferences.

10—Nutrition

The proprietor of a supported residential facility must ensure that the following standards are observed in relation to the nutrition of a resident of the facility:

- (a) the resident must receive suitable and sufficient food and drink, taking into account the resident's particular dietary needs and cultural background;
- (b) steps must be taken to ensure that food has reasonable nutritional value and that a variety of food is made available to the resident over a reasonable period of time;
- (c) adequate supplies of potable water must always be available;
- (d) special dietary requirements and eating difficulties that require assistance must be recorded in the resident's service plan;
- (e) meals must be provided at appropriate intervals, and at an appropriate temperature, to the resident;
- (f) tea and coffee making facilities, and cool drink storage facilities, must be made available to the resident during the day.

11—Mobility

The proprietor of a supported residential facility must ensure that both of the following standards are observed in relation to the mobility of a resident of the facility:

- (a) the resident must be provided with reasonable assistance to facilitate mobility and independence of movement (if required);
- (b) steps must be taken to ensure that a mobility aid or equipment used by the resident is in good working order,

(but a proprietor is not responsible by virtue of these regulations for the provision of a mobility aid or equipment, or for any costs associated with the maintenance of a mobility aid or equipment).

12—Activities

The proprietor of a supported residential facility must ensure that a resident of the facility is not prevented from participating in an activity within or outside the facility, provided that the resident does not unreasonably infringe on the rights, peace, comfort or privacy of another person.

13—Medication

The proprietor of a supported residential facility must ensure that the following standards are observed in relation to the management of the medication of a resident of the facility:

- (a) the resident's medication must be—
 - (i) clearly identified; and
 - (ii) stored separately from the medication of other residents in a secure place—
 - (A) in the container in which the medication was dispensed or supplied; or
 - (B) if appropriate—in a dose administration container bearing a label that includes—
 - the resident's name; and
 - the generic name and strength of the drug; and
 - the dosage instructions for the resident; and
- (b) —
 - (i) if appropriate—the resident must be encouraged to manage his or her own medication;
 - (ii) if there is doubt about the resident's ability to manage his or her own medication or uncertainty about the resident's medication—the advice of the resident's medical practitioner, or of a registered nurse, must be obtained;
- (c) information about arrangements, instructions or directions for the proper management or administration of medication to the resident must be recorded in the resident's service plan and be readily available to the staff of the facility;
- (d) if the resident—
 - (i) experiences an adverse reaction to medication; or
 - (ii) fails to respond to medication in an appropriate manner; or

- (iii) fails to comply with an instruction or direction relevant to the management or administration of medication,

a report must be made to the resident's medical practitioner or to a registered nurse.

14—Notification of certain events

- (1) The proprietor of a supported residential facility must ensure that the following notifications are made in respect of a resident of the facility:
 - (a) if there is any significant deterioration in or other event adversely affecting (or that could adversely affect) the health or well-being of the resident—
 - (i) the resident's chosen medical practitioner and representative (if any) must be informed of the situation; and
 - (ii) details of the situation and reporting must be included in the resident's service plan;
 - (b) if any untoward medical event occurs in relation to the resident—the relevant licensing authority must be informed of the event;
 - (c) if the resident dies (whether at the facility or elsewhere)—the coroner must be informed of the resident's death.
- (2) If it appears that a resident of a supported residential facility is failing to comply with the advice or recommendations of a medical practitioner or other health service provider, the proprietor of the facility must ensure that reasonable steps are taken to discuss the matter with the resident or his or her representative (if any) and, if appropriate, with the medical practitioner or health service provider.

15—Personal finances

- (1) The proprietor of a supported residential facility must ensure that the following standards are observed in relation to the management of the personal finances of a resident of the facility:
 - (a) —
 - (i) if appropriate—the resident must be encouraged to manage his or her own personal finances;
 - (ii) if the resident is incapable of managing his or her own personal finances—an appropriate person or authority must be contacted about the appointment of an administrator, agent or representative for the resident;
 - (b) any amount received on behalf of the resident must be kept in a special account;
 - (c) accurate and complete financial records must be maintained in respect of any aspect of the resident's financial affairs managed at the facility.
- (2) The proprietor must ensure that records in respect of a resident required under subregulation (1)(c) to be maintained—
 - (a) are kept in a secure and confidential place at the facility; and
 - (b) are made available at any reasonable time, on request, to the resident or his or her representative (if any); and

- (c) are retained for at least 5 years—
 - (i) if the resident dies while still a resident of the facility—after the date of his or her death; or
 - (ii) after the date on which the resident leaves the facility.

Part 5—Staffing arrangements

Division 1—Management requirements

16—Responsibilities of manager

- (1) The manager of a supported residential facility must take overall responsibility for the day to day management of the facility and, in particular, must—
 - (a) ensure that the proper oversight and care of the residents of the facility and personal care services are provided in accordance with each resident's needs; and
 - (b) ensure that the facility, and furnishings, fittings and equipment within the facility, are kept clean and safe, and in good repair; and
 - (c) maintain such records as are required for the purposes of the Act and these regulations; and
 - (d) be in attendance at the facility for at least 25 hours in each week; and
 - (e) ensure, at all times when he or she is not in attendance, that the facility is under the supervision of an acting manager or some other person who is competent to supervise the day to day management of the facility; and
 - (f) maintain a register of staff that includes, in relation to each member of the staff—
 - (i) his or her full name and contact details; and
 - (ii) the qualifications (if any) held by the staff member; and
 - (g) maintain a staff roster (to be kept at the facility's main office or some other convenient place at the facility) that—
 - (i) specifies the staff members rostered for duty during a particular roster period; and
 - (ii) provides details of the name and telephone number of the person to be contacted during a particular roster period in the event of an emergency or other significant event at the facility; and
 - (h) without limiting any other requirement concerning minimum staffing levels—
 - (i) if there are 30 or more residents of the facility—ensure that the staff includes both a cook and a cleaner in addition to the members of the staff who provide personal care services to residents of the facility; and
 - (ii) in any case—ensure that the facility is staffed so as to ensure, at all times, the proper care and safety of residents; and
- (i) comply with any other requirements placed on the manager under these regulations.

Penalty: Division 7 fine.

Expiation fee: Division 7 fee.

- (2) The proprietor of a supported residential facility must ensure that sufficient resources are provided at the facility to enable the manager to comply with the requirements of these regulations.

17—Acting managers

- (1) If, for a period exceeding 7 days, a manager is absent from the duties of office, or the position of manager is temporarily vacant and a resident of the facility is in need of personal care services, an acting manager must be appointed or otherwise assume the duties of the office of manager.
- (2) An acting manager must be approved by the relevant licensing authority for the purposes of this regulation.
- (3) A facility must not have an acting manager for a period exceeding 3 consecutive months.

18—Management of nursing homes

- (1) The proprietor of a nursing home must ensure that the provision of nursing care at the facility is overseen by a registered nurse who is approved by the relevant licensing authority as being a person who has appropriate qualifications, skills and experience to perform that function at the facility.
- (2) If there is a change in the type or level of services provided at a nursing home, the relevant licensing authority may, by notice in writing to the proprietor, revoke an approval under subregulation (1) and require that a new appointment be made to ensure that the person who oversees the provision of nursing care at the facility has the qualifications, skills and experience appropriate to the facility.
- (3) A person who is approved by the relevant licensing authority for the purposes of this regulation will hold the title "Director of Nursing" (and the Director of Nursing may, but need not, be the manager of the relevant facility).
- (4) A person who, immediately before the commencement of this regulation, held the office of Director of Nursing at a nursing home will be taken to have been granted an approval for the purposes of subregulation (1).

Division 2—Staffing requirements

19—Staffing levels—nursing homes

- (1) The proprietor of a nursing home where not more than 16 persons who require nursing care reside must ensure that the following prescribed minimum staffing levels are maintained at the nursing home:
 - (a) subject to paragraph (b), a registered nurse must be on duty and another nursing staff member must be on close call at all times; and
 - (b) a registered nurse need not be on duty on the premises during the night shift if—
 - (i) he or she is on close call; and
 - (ii) there is another nursing staff member on duty during that time;
 - (c) an adequate number of nursing staff members and therapists must be employed to ensure the proper care of the residents; and

- (d) there must be sufficient domestic staff members on duty—
- (i) to maintain the premises in a clean condition; and
 - (ii) to prepare, serve and clear away meals; and
 - (iii) to maintain adequate laundry and linen services.
- (2) The proprietor of a nursing home where more than 16 persons who require nursing care reside must ensure that the following prescribed minimum staffing levels are maintained at the nursing home:
- (a) 2 nursing staff members (at least 1 of whom must be a registered nurse) must be on duty at all times;
 - (b) an adequate number of nursing staff members and therapists must be employed to ensure the proper care of the residents;
 - (c) there must be sufficient domestic staff members on duty—
 - (i) to maintain the premises in a clean condition; and
 - (ii) to prepare, serve and clear away meals; and
 - (iii) to maintain adequate laundry and linen services.

- (3) In this regulation—

domestic staff means persons involved with housekeeping functions in a nursing home and includes a cook, cleaner, laundry worker, gardener or maintenance person;

general nurse (supervised) means a person enrolled as a general nurse (supervised) under the *Nurses Act 1999*;

nursing home assistant means a person who is not a registered nurse or a general nurse (supervised), but whose work is concerned with the personal care of individual residents at a nursing home;

nursing staff member includes a registered nurse, a general nurse (supervised) or a nursing home assistant;

therapist means an occupational therapist, speech therapist, physiotherapist, podiatrist, recreational therapist or other person whose profession or occupation involves assisting in the rehabilitation of patients.

- (4) For the purposes of this regulation, a person is **on close call** at a nursing home if—
- (a) the person is on the premises of the nursing home and can be summoned to attend immediately by a nursing staff member on duty; or
 - (b) the person is on premises within close proximity to the nursing home and has a means by which he or she can be summoned to attend immediately by a nursing staff member on duty.

20—Staffing levels—other facilities that provide nursing care

If a supported residential facility that is not a nursing home nevertheless provides nursing care, the proprietor of the facility must ensure that the staff of the facility includes a registered nurse.

Part 6—Facilities, hygiene and safety

21—Facilities, hygiene, maintenance, etc

- (1) The proprietor of a supported residential facility must ensure that—
 - (a) the facility, and all furniture, fixtures and fittings at the facility, are maintained—
 - (i) in a clean, safe and hygienic condition; and
 - (ii) in good and safe repair; and
 - (b) except as otherwise approved by the relevant licensing authority—the facility is fitted with a kitchen that has—
 - (i) adequate lighting and ventilation; and
 - (ii) reasonable space; and
 - (iii) appropriate equipment; and
 - (c) each resident of the facility is provided at each meal with eating and drinking utensils that are clean and of good quality; and
 - (d) each resident of the facility is provided with clean bed linen or a clean mattress as often as is reasonably appropriate to the resident's personal needs and comfort; and
 - (e) adequate and reasonable bathing facilities are provided at the facility for each resident of the facility; and
 - (f) adequate laundry facilities or services are provided for each resident of the facility; and
 - (g) the facility is designed, constructed and fitted in a manner that facilitates reasonable movement about the facility; and
 - (h) rooms and passages within the facility, and the grounds of the facility, are reasonably lighted; and
 - (i) the facility is reasonably ventilated; and
 - (j) the facility contains a communal area the temperature of which is maintained (by heating or cooling) at an appropriate level for use by residents and visitors; and
 - (k) rooms occupied by residents of the facility are, so far as is reasonably practical, maintained at a temperature that is reasonably comfortable for the residents; and
 - (l) a reasonable number of appropriate waste receptacles are readily available throughout the facility; and
 - (m) sufficient storage facilities are provided at the facility for appliances, surplus furniture and equipment, residents' baggage, and other surplus items, so that—
 - (i) the facility can be maintained in a clean and tidy condition; and
 - (ii) persons can move safely about the facility; and
 - (n) the grounds of the facility are provided with adequate areas of shade and suitable outdoor furniture so as to enable residents of the facility to spend a reasonable period of time outdoors in a comfortable and pleasant environment.
- (2) The proprietor of a nursing home, or other supported residential facility that provides accommodation for disoriented residents, must ensure that the facility has an area within its grounds that can be used safely by those residents.

- (3) Without limiting subregulation (1)—
- (a) a grab rail must be fitted in each shower cubicle, water closet and bathroom in accordance with *Australian Standard AS1428 - 2001*; and
 - (b) hand washing facilities must be easily accessible for residents and staff; and
 - (c) a reasonable supply of hot water—
 - (i) for the residents' bathing purposes—must be provided at a temperature that does not cause scalding; and
 - (ii) must be available for use—
 - (A) by the residents at any reasonable time; and
 - (B) in washing machines at the facility or laundry service provider; and
 - (d) bedding that is soiled by urine or faeces must be washed separately and in hot water; and
 - (e) handrails, ramps and (for a multi-storey building) lifts must be fitted if required by the relevant licensing authority.

22—Bedrooms

- (1) The proprietor of a supported residential facility must ensure that—
- (a) each resident in the facility is allocated a bedroom and his or her own bed; and
 - (b) before a resident is allocated to another bedroom in the facility—the resident, or his or her representative, is consulted; and
 - (c) a floor plan of the bedrooms at the facility (including the names of the residents who sleep in each room) is maintained at the facility's main office or at some other convenient location at the facility.
- (2) The proprietor of a supported residential facility established after the commencement of this regulation must ensure that each bedroom in the facility is—
- (a) designed for single occupancy; and
 - (b) contains a bed.
- (3) Nothing in this regulation prevents a resident of a supported residential facility that is, on the commencement of this regulation, licensed from being allocated a bedroom on a share basis, provided the resident is allocated his or her own bed.

23—Fire safety

- (1) The proprietor of a supported residential facility must ensure that reasonable precautions are taken to protect the safety of residents of the facility from fire.
- (2) Without limiting subregulation (1) and other statutory requirements—
- (a) reasonable means of emergency exit for residents must be available at all times; and
 - (b) the facility must be maintained and managed in accordance with any recommendation of the relevant fire authority; and
 - (c) a sprinkler system that complies with *Australian Standard AS 2118 Part 4* must be installed and maintained in the facility; and

- (d) fire fighting equipment must be installed and maintained at the facility in accordance with any recommendation of the relevant fire authority; and
 - (e) emergency exits must be clearly marked and kept free of impediments; and
 - (f) an evacuation procedure for residents of the facility must be established at the facility and known to all staff and residents; and
 - (g) regular evacuation drills must be undertaken at the facility; and
 - (h) a floor plan or plans that show fire exits and emergency evacuation routes must be kept in an accessible place at the facility at all times.
- (3) Subregulation (2)(c) does not apply to a supported residential facility—
- (a) that is, on the commencement of this regulation, licensed; or
 - (b) if, at all times during the night shift, there are at least 2 members of the staff (who may not be residents of the facility) in attendance at the facility.

24—Communication facility

- (1) The proprietor of a supported residential facility must, at the direction of the relevant licensing authority, ensure that a communication system is installed at the facility.
- (2) The proprietor of a supported residential facility must ensure that—
 - (a) any communication system installed at the facility is maintained in a fully functional state; and
 - (b) reasonable steps are taken to ensure that each resident of the facility understands how to operate the system.

Part 7—Miscellaneous

25—Disputes

- (1) The proprietor of a supported residential facility must ensure that—
 - (a) a procedure for the resolution of disputes within the facility is established at the facility; and
 - (b) the procedure includes the following provisions:
 - (i) a provision that allows for the involvement of an independent person to assist or represent a resident who requests or needs assistance in a situation of dispute;
 - (ii) if there is a significant dispute—a provision that allows for the involvement of an authorised officer to assist in the resolution of the dispute; and
 - (c) the procedure is incorporated in the rules of the facility; and
 - (d) a complaint made by a resident of the facility to the proprietor or a staff member is dealt with in a prompt and reasonable manner and, if appropriate, on a confidential basis.

Penalty: Division 7 fine.

Expiation fee: Division 7 fee.

- (2) In this regulation—

significant dispute means a dispute at the facility which is reported to a police officer.

26—Indemnity fund

- (1) Pursuant to section 56(4) of the Act, the prescribed percentage of licensing fees, expiation fees and fines to be paid to the Supported Residential Facilities Indemnity Fund (the *fund*) is 10%.

Note—

See clause 3 of Schedule 1 for the licensing fees.

- (2) The amounts payable to the fund under section 56(4) of the Act must be remitted to the Fund Manager within 28 days after the end of the financial year in which they are received by the relevant authority.
- (3) A claim for payment from the fund must be made, assessed and determined in accordance with the following procedures:
- the claim must be made in writing and addressed to the Fund Manager;
 - the claim must be accompanied or supported by information required by the Fund Manager;
 - the Fund Manager may require the claimant to attend before the Fund Manager to answer questions, or to provide additional information, reasonably required by the Fund Manager to determine the claim;
 - the Fund Manager should seek to assess and determine the claim as expeditiously as possible and, in any event, within 8 weeks after the receipt of the information supplied to the Fund Manager in accordance with this regulation;
 - the Fund Manager must ensure that written notice of his or her determination is served on the claimant.

27—False advertising

A person must not promote or advertise, or cause to be promoted or advertised, a supported residential facility as a nursing home unless—

- the facility is approved as a nursing home under the *National Health Act 1953* of the Commonwealth; or
- the facility complies with the requirements of these regulations that specifically relate to nursing homes.

Penalty: Division 7 fine.

Expiation fee: Division 7 fee.

28—Offences

If a provision of Part 3, Part 4, Part 5 or Part 6 of these regulations is not observed, the proprietor of the relevant supported residential facility is guilty of an offence.

Penalty: Division 7 fine.

Expiation fee: Division 7 fee.

Schedule 1—Fees

- 1 Inspection fee for inspection of premises (section 22(1)(a)(iii) of the Act) \$180
- Note—**
- This fee must be paid by the proprietor of the premises within 7 days after the completion of the inspection.
- 2 Application fees—
- Note—**
- The fee for an application must be paid at the time the application is lodged.
- (a) on lodging an application for a licence (section 24(2) of the Act) \$75
- (b) on lodging an application for the renewal of a licence (section 27(1)(b) of the Act) \$75
- (c) on lodging a late application for the renewal of a licence (section 27(3) of the Act) \$45
- Note—**
- The fee under this paragraph is in addition to the fee under paragraph (b)
- (d) on lodging an application for the transfer of a licence (section 30(2)(b) of the Act) \$75
- (e) on lodging an application in relation to a dispute (section 43(5)(c) of the Act) \$45
- 3 Licensing fees—
- (a) on a decision to grant a licence \$350
- Notes—**
- (1) This fee must be paid within 7 days after the applicant receives written notification from the licensing authority that the application for a licence has been approved.
- (2) If the term of the licence is less than 12 months, the licence fee is a proportion of the fee under this paragraph, being the proportion that the number of whole months in the period of the licence bears to 12.
- (b) if the term of a licence exceeds 12 months, an annual licence fee is payable on the anniversary of the granting of the licence \$350
- Notes—**
- (1) This fee must be paid within 7 days after the anniversary of the granting of the licence.
- (2) If the licence is due to expire before the second anniversary of the granting of the licence, the annual licence fee is a proportion of the fee under this paragraph, being the proportion that the number of whole months in the period between the first anniversary of the granting of the licence and the date on which the licence is due to expire bears to 12.
- (c) on a decision to renew a licence \$350
- Notes—**
- (1) This fee must be paid within 7 days after the applicant receives written notification from the licensing authority that the application for renewal has been approved.
- (2) If the term of a licence on renewal is less than 12 months, the licence fee is a proportion of the fee under this paragraph, being the proportion that the number of whole months in the period of the licence bears to 12.

Schedule 2—Form of notice to be displayed

Supported Residential Facilities Act 1992 (section 36)

These premises are licensed under the *Supported Residential Facilities Act 1992*.

The licence was issued on _____ (*insert relevant date*) and the relevant licensing authority for the facility is _____ (*insert relevant details*)

The proprietor(s) of the facility is/are: _____ (*insert full name, address and telephone number*)

The manager of the facility is: _____ (*insert full name of manager*)

The licence will expire on: _____ (*insert relevant date*)

Signature of Authorised Officer:

Date:

Schedule 3—Statement to be provided to a person before the execution of a resident contract

Supported Residential Facilities Act 1992 (section 38)

You should seek independent legal advice if you are unsure about any aspect of—

- this document; or
- any document which you are required to sign or which is provided to you,

in relation to your residency at a supported residential facility.

You have a period of 15 business days after—

- the date of any contract which you may sign; or
- the date of the supply of—
 - this statement; and
 - the rules and policies; and
 - your service plan,

(whichever is the later), in which you may withdraw from the contract.

You are advised to read and carefully consider any documents provided to you.

The following information is provided to you in relation to the facility and services:

1 The facility

1.1 The facility is situated at:

(*insert address*)

1.2 The name(s) and contact address(es) and telephone number(s) of the proprietor(s) of the facility is/are as follows:

(*insert details*)

2 Your accommodation

2.1 The type of accommodation that is available to you is as follows:

(*specify*)

- 2.2 A layout of the accommodation is attached to this document.
(attach a plan of the layout)
- 2.3 The location of the accommodation within the facility is noted on the attached plan.
(attach a plan of the facility showing location of the accommodation)

3 Services that may be provided to you

- 3.1 You will be provided with the following personal care services by the facility:
(provide details of the personal care services that will be provided)
- 3.2 The following services will also be available at the facility:
(specify other services that are available to residents of the facility)
- 3.3 The following equipment will be available to you at the facility:
(specify equipment available at the facility)
- 3.4 The following special (and additional) arrangements are being made for you, or on your behalf:
(provide details of any such arrangements)
- 3.5 The following restrictions may affect the provision of the above services:
(provide details of any such restrictions)

4 Your payments

- 4.1 You are required to pay the following amounts on the commencement of the resident contract (or on or before you commence to reside at the facility):
(insert a table containing a brief description of each such payment and the amount payable)

4.2 Recurrent charges

The following fees and charges are payable while you remain a resident of the facility:

(insert a brief description of each such fee or charge and the amounts payable)

This covers the following services/items:

(insert a list providing details of those services/items covered by the payments)

The fee or charge was last adjusted on the following date: *(insert relevant date)*

when it was adjusted by: *(insert amount in dollars)*

In respect of the last adjustment, residents were given *(insert relevant number of days, weeks or months)*

days/weeks/months *(delete whatever is not relevant)* notice of the adjustment.

The estimated date of the next adjustment will be on the following date:

(insert date)

- 4.3 The following fees or charges (not mentioned above) may become payable in the future:
(insert a brief description of each such fee or charge and the amount, if known, that may become payable)
- 4.4 You are entitled to the following amounts when you cease to be a resident of the facility:
(insert amounts to be refunded)
- 4.5 Before an amount is paid under 4.4, the following conditions must be met:
(insert details of the conditions)

5 Routines and times

5.1 The following routines apply at the facility:

(insert brief description)

5.2 You will be expected to observe the following time requirements while you are a resident of the facility:

(insert brief description)

6 Complaints

You may wish to make a complaint about the accommodation or services provided at the facility, or about any other aspect of the facility. If so, the following procedures should be observed:

(set out the procedures)

7 Your future position

7.1 Your contract must be terminated in writing. The contract requires you to take the following action to terminate the contract:

(set out the action)

7.2 It is proposed that the contract may require review or renegotiation in the following circumstances:

(insert brief description)

8 Your future obligations

You may be required to observe certain rules and policies. Please ensure that you read a copy of any rules or policies before you agree to sign any documents

Note—

In all sections, delete comments where not applicable and add comments where required.

For facilities under construction

It is not always possible for the proprietor to provide accurate information regarding the future of a facility that is under construction.

If necessary, the proprietor of the facility should provide the best available information and best estimates regarding work to be completed. Prospective residents considering residing in a facility that is not yet completed should treat the matter with caution.

In addition to facilities already completed at the time of this document, the following facilities are under construction or planned:

1 Facilities

1.1 Accommodation

Development Stage No: *(if applicable)*

Independent units—

No of units: Est completion date:

No of units: Est completion date:

No of units: Est completion date:

Serviced apartments (Hostel units)—

No of units: Est completion date:

No of units: Est completion date:

No of units: Est completion date:

Other *(specify)*

1.2 Communal facilities:

(specify the proposed communal facilities and the estimated completion date)

Development Stage No: (if applicable)

1.3 Gardens: (insert brief description)

1.4 Outdoor facilities: (insert brief description)

2 Proposed services

(insert information)

3 Development consents

The following information describes any conditions or requirements of development consent affecting the construction and/or services to be provided by the proprietor:

(insert information)

Note—

In all sections, delete comments where not applicable and add comments where required.

Schedule 4—Revocation of *Supported Residential Facilities Regulations 1994*

The *Supported Residential Facilities Regulations 1994* 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 23 July 2009

No 210 of 2009

DFCCS/08/018

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CITY OF BURNSIDE

Results of Supplementary Election for Councillor in Rose Park and Toorak Gardens Ward Conducted on Monday, 13 July 2009

Formal Ballot Papers: 1 498
Informal Ballot Papers: 3

Quota: 750

Candidates	First Preference Votes	Result after Distribution of Preferences
Henderson, Maurice	529	Elected
Wilkins, Di	293	
Green, Ron	270	
Hasenohr, Robert	224	
Lord, Felicity Anne	182	

K. MOUSLEY, Returning Officer

CITY OF CHARLES STURT

Change of Road Name

NOTICE is hereby given that the Council of the City of Charles Sturt at its meeting held on 13 July 2009, resolved that pursuant to section 219 (1) of the Local Government Act 1999, that the name of the section of St Johns Avenue, Renown Park between McQuillan Avenue and Gosport Street, be changed from St Johns Avenue, to St Johns Avenue South, Renown Park.

A plan which delineates the section of road which is subject to the change of name, together with a copy of the Council's resolution is available for inspection at the Council's Civic Centre, 72 Woodville Road, Woodville, S.A. 5011, during the hours of 9 a.m. and 5 p.m. on week days.

M. WITHERS, Chief Executive Officer

THE RURAL CITY OF MURRAY BRIDGE

Revocation of Land from Classification as Community Land

NOTICE is hereby given that the Rural City of Murray Bridge at its meeting held on 29 June 2009, resolved, pursuant to section 193 (4) of the Local Government Act 1999, to exclude the following parcel of land from Classification as Community Land:

Allotment A in the Road Plan 3037, commonly known as a portion of Murray Lane, Hundred of Mobilong.

D. MOLONEY, Chief Executive Officer

CITY OF NORWOOD PAYNEHAM & ST PETERS

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the Council of the Corporation of the City of Norwood, Payneham & St Peters, at a meeting held on 6 July 2009 and for the 2009-2010 financial year:

- (1) adopted, for rating purposes and effective from 1 July 2009, the Valuer-General's valuation of capital values in the Council area totalling \$9 605 300 800;
- (2) declared differential general rates on rateable land within its area as follows:
 - for residential land use, 0.235210 cents in the dollar on the capital value of the land subject to the rate; and
 - for Commercial—Shop, Commercial—Office, Commercial—Other, Industrial—Light, Industrial—Other, Primary Production, Vacant Land and Other land uses, 0.282252 cents in the dollar on the capital value of the land subject to the rate;
- (3) fixed a minimum amount payable by way of general rates of \$694 in respect of all rateable land within its area;
- (4) declared a separate rate of 0.007384 cents in the dollar on the capital value of rateable land in its area within the area of the Adelaide and Mount Lofty Ranges Natural Resources Management Board to recover the levy payable to the Board; and

- (5) declared a differential separate rate of 0.05104 cents in the dollar on the capital value of all land classified as Category 2 (Commercial—Shop), Category 3 (Commercial—Office), Category 4 (Commercial—Other) and Category 5 (Industrial—Light) within the area defined to constitute the 'Parade Precinct' for these purposes.

M. BARONE, Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

ERRATUM

Adoption of Valuations and Declaration of Rates

IN *Government Gazette* dated 16 July 2009 on page 3218, first notice appearing, Finnis Water Scheme *should* read as follows:

(2) Water Schemes:

(a) Finnis Water Scheme:

- (i) An access charge of \$160 for properties connected to the Scheme with an additional charge of \$1.60 per kilolitre for consumption.

J. COOMBE, Chief Executive Officer

[*]

DISTRICT COUNCIL OF BARUNGA WEST

PUBLIC CONSULTATION

Periodical Review of Elector Representation

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 that:

- The principal member of Council be chosen by the elected members of Council from amongst their own number and the office bear the title of Mayor, pursuant to the provisions of section 51 of the Local Government Act 1999.
- The Council area not be divided into wards (i.e. retain 'no wards').
- The elected Council will comprise nine area councillors, to be elected at Council-wide elections by the community, (down from the current 10 members).

Report

Council has prepared a report which details the review process, public consultation undertaken and the proposal Council considers should be carried into effect. A copy of this report is available from the Council Offices, Bay Street, Port Broughton and Railway Terrace, Bute, and at Council's website at www.barungawest.sa.gov.au or by contacting Nigel Hand, District Manager.

Written Submissions

Written submissions are invited from interested persons and should be directed to Nigel Hand, District Manager, P.O. Box 3, Port Broughton, S.A. 5522, fax (08) 8635 2596 or email barunga@barungawest.sa.gov.au by Friday, 14 August 2009.

Any person(s) making a written submission will be given the opportunity to appear before a meeting of Council or Council Committee to be heard in support of their submission.

N. HAND, District Manager

DISTRICT COUNCIL OF THE COPPER COAST

ERRATUM

Renaming of Roads

IN *Government Gazette* on Thursday, 16 July 2009 at page 3220, under the heading 'DISTRICT COUNCIL OF THE COPPER COAST—Renaming of Roads' Jessica Court to Jessica Street *should* read Jessica Place to Jessica Street.

P. DINNING, Chief Executive Officer

THE FLINDERS RANGES COUNCIL

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given at a meeting of the Council held on Tuesday, 14 July 2009 and for the year ending 30 June 2010, it resolved:

Adoption of Capital Valuations

In accordance with section 167 (2) (a) of the Local Government Act 1999 (the Act), adopts for rating purposes for the year ending 30 June 2010, the valuations made by the Valuer-General of capital values in relation to all land in the area of the Council, and hereby specifies 13 July 2009, as the day as and from which such valuations shall become and be the valuations of the Council with the total of the valuations being \$230 547 480 comprising \$221 747 240 in respect of rateable land and \$8 800 240 in respect of non-rateable land before alteration.

Declaration of Differential General Rates

Declares, having taken into account the general principles of rating contained in section 150 of the Act and the requirements of section 153 (2) of the Act, that pursuant to sections 152 (1) (a), 153 (1) (b) and 156 (1) (c) of the Act, and Regulation 10 (2) of the Local Government (General) Regulations 1999 (the Regulations), the following differential general rates based on the assessed capital values of all rateable land within the Council area for the year ending 30 June 2010, the said differential general rates to vary by reference to the predominant land use of the rateable land and the locality of the land.

The said differential general rates declared are as follows:

Locality of Quorn Township:

- (1) A differential general rate of 0.3900 cents in the dollar on rateable land in the Council's area of Category 1 (Residential) land use.
- (2) A differential general rate of 0.4800 cents in the dollar on rateable land in the Council's area of Category 2 (Commercial—Shop) land use.
- (3) A differential general rate of 0.5450 cents in the dollar on rateable land in the Council's area of Category 3 (Commercial—Office) land use.
- (4) A differential general rate of 0.5675 cents in the dollar on rateable land in the Council's area of Category 4 (Commercial—Other) land use.
- (5) A differential general rate of 0.5900 cents in the dollar on rateable land in the Council's area of Category 5 (Industry—Light) land use.
- (6) A differential general rate of 0.5350 cents in the dollar on rateable land in the Council's area of Category 6 (Industry—Other) land use.
- (7) A differential general rate of 0.5800 cents in the dollar on rateable land in the Council's area of Category 7 (Primary Production) land use.
- (8) A differential general rate of 0.3600 cents in the dollar on rateable land in the Council's area of Category 8 (Vacant Land) land use.
- (9) A differential general rate of 0.3800 cents in the dollar on rateable land in the Council's area of Category 9 (Other) land use.

Locality of Quorn Rural Area:

- (10) A differential general rate of 0.3500 cents in the dollar on rateable land in the Council's area of Category 1 (Residential) land use.
- (11) A differential general rate of 0.5050 cents in the dollar on rateable land in the Council's area of Category 2 (Commercial—Shop) land use.
- (12) A differential general rate of 0.5450 cents in the dollar on rateable land in the Council's area of Category 3 (Commercial—Office) land use.
- (13) A differential general rate of 0.5275 cents in the dollar on rateable land in the Council's area of Category 4 (Commercial—Other) land use.

- (14) A differential general rate of 0.5900 cents in the dollar on rateable land in the Council's area of Category 5 (Industry—Light) land use.
- (15) A differential general rate of 0.5350 cents in the dollar on rateable land in the Council's area of Category 6 (Industry—Other) land use.
- (16) A differential general rate of 0.5300 cents in the dollar on rateable land in the Council's area of Category 7 (Primary Production) land use.
- (17) A differential general rate of 0.3500 cents in the dollar on rateable land in the Council's area of Category 8 (Vacant Land) land use.
- (18) A differential general rate of 0.4050 cents in the dollar on rateable land in the Council's area of Category 9 (Other) land use.

Locality of Hawker Township:

- (19) A differential general rate of 0.4300 cents in the dollar on rateable land in the Council's area of Category 1 (Residential) land use.
- (20) A differential general rate of 0.5600 cents in the dollar on rateable land in the Council's area of Category 2 (Commercial—Shop) land use.
- (21) A differential general rate of 0.5100 cents in the dollar on rateable land in the Council's area of Category 3 (Commercial—Office) land use.
- (22) A differential general rate of 0.6000 cents in the dollar on rateable land in the Council's area of Category 4 (Commercial—Other) land use.
- (23) A differential general rate of 0.5350 cents in the dollar on rateable land in the Council's area of Category 5 (Industry—Light) land use.
- (24) A differential general rate of 0.6500 cents in the dollar on rateable land in the Council's area of Category 6 (Industry—Other) land use.
- (25) A differential general rate of 0.5800 cents in the dollar on rateable land in the Council's area of Category 7 (Primary Production) land use.
- (26) A differential general rate of 0.5300 cents in the dollar on rateable land in the Council's area of Category 8 (Vacant Land) land use.
- (27) A differential general rate of 0.4000 cents in the dollar on rateable land in the Council's area of Category 9 (Other) land use.

Locality of Hawker Rural Area:

- (28) A differential general rate of 0.4400 cents in the dollar on rateable land in the Council's area of Category 1 (Residential) land use.
- (29) A differential general rate of 0.6225 cents in the dollar on rateable land in the Council's area of Category 2 (Commercial—Shop) land use.
- (30) A differential general rate of 0.5450 cents in the dollar on rateable land in the Council's area of Category 3 (Commercial—Office) land use.
- (31) A differential general rate of 0.4950 cents in the dollar on rateable land in the Council's area of Category 4 (Commercial—Other) land use.
- (32) A differential general rate of 0.5900 cents in the dollar on rateable land in the Council's area of Category 5 (Industry—Light) land use.
- (33) A differential general rate of 0.6500 cents in the dollar on rateable land in the Council's area of Category 6 (Industry—Other) land use.
- (34) A differential general rate of 0.5400 cents in the dollar on rateable land in the Council's area of Category 7 (Primary Production) land use.
- (35) A differential general rate of 0.5300 cents in the dollar on rateable land in the Council's area of Category 8 (Vacant Land) land use.

- (36) A differential general rate of 0.3800 cents in the dollar on rateable land in the Council's area of Category 9 (Other) land use.

Residential General Rates Cap

Pursuant to section 153 (3) of the Act, that it is determined not to fix a maximum increase in the general rate to be charged on the principal place of residence of a principal ratepayer for the year ending 30 June 2010, because relief in the nature of a general maximum increase for all rateable land is provided by the Council pursuant to section 166 (1) (l) of the Act.

Declaration of Minimum Rate

Pursuant to section 158 (1) (a) of the Act, to fix a minimum amount of \$420 payable by way of rates for the year ending 30 June 2010.

Declaration of Garbage Annual Service Charge

Pursuant to and in accordance with section 155 of the Act, declares an Annual Service Charge for the year ending 30 June 2010, based on the level of usage of the service upon the land to which it provides the prescribed service of the collection and disposal of domestic and commercial waste. The said Annual Service Charge declared are as follows:

- (1) \$155 for occupied residential properties in Quorn.
- (2) \$155 for occupied residential properties in Hawker.
- (3) \$200 for occupied commercial properties in Quorn.
- (4) \$200 for occupied commercial properties in Hawker.
- (5) \$900 for the Hawker Memorial Hospital.
- (6) \$900 for the Minister for Education and Children's Services (Hawker Area School).
- (7) \$1 350 for the Quorn and District Memorial Hospital.
- (8) \$1 350 for the Minister for Education and Children's Services (Quorn Area School).

Declaration of Community Wastewater Management Systems Annual Service Charge

Pursuant to and in accordance with section 155 of the Act and in accordance with the Community Wastewater Management System Property Unit Code as provided at Regulation 9A of the Regulations declares an Annual Service Charge for the year ending 30 June 2010, based on the nature of the service and varying according to whether the land is vacant or occupied upon the land to which it provides or makes available the prescribed service of a Community Wastewater Management System, of:

- (a) \$390 per unit in respect of each piece of occupied land serviced by the Quorn Community Wastewater Management System;
- (b) \$360 per unit in respect of each piece of vacant land serviced by the Quorn Community Wastewater Management System;
- (c) \$240 per unit in respect of each piece of occupied land serviced by the Hawker Community Wastewater Management System; and
- (d) \$220 per unit in respect of each piece of vacant land serviced by the Hawker Community Wastewater Management System.

Declaration of Separate Rates (Regional Natural Resources Management Levy)

Pursuant to section 95 of the Natural Resources Management Act 2004 and section 154 of the Act and in order to reimburse the Council for amounts contributed to the Northern and Yorke Natural Resources Management Board, being \$28 945, declares a separate rate of 0.0131 cents in the dollar, based on the capital value of all rateable properties in the area of the Council and of the Northern and Yorke Natural Resources Management Board.

Declaration of Payment of Rates

Pursuant to section 181 (1) and (2) of the Act, declares that all rates for the year ending 30 June 2010, be payable by four equal or approximately equal instalments, with the:

- first instalment payable on 1 September 2009;
- second instalment payable on 1 December 2009;
- third instalment payable on 1 March 2010; and
- fourth instalment payable on 1 June 2010.

C. J. DAVIES, Chief Executive Officer

KANGAROO ISLAND COUNCIL

Councillor Casual Vacancy

NOTICE is hereby given in accordance with section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Councillor for Kangaroo Island, due to the death of Councillor Milton Turner, to take effect from 8 July 2009.

D. ROWLEY, Acting Chief Executive Officer

DISTRICT COUNCIL OF KAROONDA EAST MURRAY

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that the District Council of Karoonda East Murray at its meeting held on Tuesday, 14 July 2009, resolved the following:

Adoption of Valuations

That in accordance with provision of section 167 (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 2010, being capital valuation totalling \$220 905 720 of which \$212 593 120 represents rateable land.

Adoption of 2009-2010 Annual Business Plan

That in accordance with section 123 of the Local Government Act 1999, the Council adopt the 2009-2010 Annual Business Plan.

Adoption of 2009-2010 Council Budget

That pursuant to section 123 of the Local Government Act 1999 and Regulation 5B of the Local Government (Financial Management) Regulations 1999, the Council adopt the Budget for the 2009-2010 financial year.

The Budget operating expenses including full cost attribution and depreciation for the 2009-2010 financial year total \$2 773 340 with income being \$2 809 780, net \$36 440. Total Net Capital Expenditure for 2009-2010 is \$1 679 500.

Declaration of General Rates

Pursuant to section 153 of the Local Government Act 1999, the Council declare a general rate of 0.3990 cents in the dollar on the capital value of all rateable land within the area for the 2009-2010 financial year.

Minimum Amount Payable

Pursuant to section 158 (1) (a) of the Local Government Act 1999, the Council declare a minimum rate of \$145 to be fixed for rateable land within the whole of the Council area for the 2009-2010 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 \$200 per unit and \$175 for vacant allotment in Karoonda, for properties serviced by the system for the 2009-2010 financial year.

Payment of Rates

Pursuant to section 181 (2) (a) of the Local Government Act 1999, the Council declare that the Council rates for the financial year ending 30 June 2010, shall be payable in four equal instalments with instalments falling due on 18 September 2009, 18 December 2009, 18 March 2010 and 18 June 2010.

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 \$12 651, the District Council of Karoonda East Murray declare a separate rate of 0.0594 cents in the dollar, based on the capital value of all rateable land for the 2009-2010 financial year.

P. SMITHSON, Chief Executive Officer

DISTRICT COUNCIL OF LOXTON WAIKERIE

Adoption of Valuation, Annual Business Plan and Budget and Declaration of Rates for 2009-2010

NOTICE is hereby given that at its meeting held on 17 July 2009, the District Council of Loxton Waikerie for the financial year ending 30 June 2010 and in exercise of the powers contained in Chapter 10 of the Local Government Act 1999, resolved as follows:

Adoption of Valuation

1. To adopt, 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 \$1 574 045 060.

Declaration of the Differential General Rates

2. To declare differential general rates by reference to both the locality and the land use of the rateable land, as follows:

(1) For all land uses located within the township of Loxton within the following planning zones under the Loxton Waikerie (DC) Development Plan:

- Residential;
- Town Centre;
- Public Purpose;
- Industry,

a rate of 0.4233 cents in the dollar.

(2) For all land uses located within the township of Waikerie within the following planning zones under the Loxton Waikerie (DC) Development Plan:

- Residential;
- Town Centre;
- Public Purpose;
- Industry,

a rate of 0.4233 cents in the dollar.

(3) For all other land of any land use in the Council area a rate of 0.4021 cents in the dollar.

Fixed Charge

3. To impose a fixed charge of \$175 as part of the general rate upon each separate piece of rateable land.

Service Charges

4. Declared the following annual service charges on rateable and non-rateable land where a common effluent connection point is provided:

- for the Waikerie Community Wastewater Management System—\$450 per unit on each occupied allotment and \$430 per unit on each vacant allotment.
- for the Loxton Community Wastewater Management System—\$400 per unit on each occupied allotment and \$380 per unit on each vacant allotment.
- for the Moorook Community Wastewater Management System—\$375 per unit on each occupied allotment and \$355 per unit on each vacant allotment.

- for the Kingston on Murray Community Wastewater Management System—\$400 per unit on each occupied allotment and \$380 per unit on each vacant allotment.

Separate Rate

5. In order to raise the amount of \$93 258 payable to the SA Murray Darling Basin Natural Resources Management Board declared a separate rate of 0.00702 cents in the dollar, on all rateable land in the Council area.

P. SELLAR, Acting Chief Executive Officer

DISTRICT COUNCIL OF TUMBAY BAY

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that the District Council of Tumby Bay at its meeting held on 13 July 2009, for the financial year ending 30 June 2010, in exercise of its powers contained in Chapters 8, 9 and 10 of the Local Government Act 1999 and the Natural Resources Management Act 2004, resolved as follows:

Adoption of Valuations

That the District Council of Tumby Bay in accordance with section 167 (2) (a) of the Local Government Act 1999, adopts for the financial year ending 30 June 2010, the most recent site valuations made by the Valuer-General and available to Council in respect of land within the area of Council totalling \$453 205 680 and hereby specifies 4 July 2009, as the day from which such valuations shall become and be the valuations of the Council.

General Rate

That having taken into account the general principles of rating in section 150 of the Local Government Act 1999 and the requirements of section 153 (2) of the Local Government Act 1999 and pursuant to section 152 (1) (c) of the Local Government Act 1999, Council declares that the General Rate for the financial year ending 30 June 2010, will be a rate that consists of two components as follows:

- (i) one being based on the value of the land subject to the rate; and
- (ii) the other being a fixed charge.

Differential General Rate

That pursuant to sections 153 (1) (b) and 156 (1) (b) of the Local Government Act 1999, Council declares Differential General Rates for the financial year ending 30 June 2010, based on the site value of rateable land varying according to the locality of the land as follows:

- 0.298856 cents in the dollar in respect of rateable land within the defined townships of Tumby Bay, Port Neill, Lipson and Ungarra other than rateable land within the Commercial Bulk Handling Zone, within the Ungarra Township as defined in Council's Development Plan.
- 7.576117 cents in the dollar in respect of rateable land within the Commercial Bulk Handling Zones as defined in Council's Development Plan.
- 0.376643 cents in the dollar for all other rateable land within the Council area.

Fixed Charge

That pursuant to section 152 (1) (c) (ii) of the Local Government Act 1999 and in accordance with the provisions of section 152 of the Local Government Act 1999, Council declares a fixed charge of \$345 in respect of all rateable land in the Council area for the financial year ending 30 June 2010.

Separate Rate

That pursuant to section 154 of the Local Government Act 1999, Council declares a Separate Rate for the financial year ending 30 June 2010 in respect of rateable land in the following parts of the Council area based on the site value of the land:

(a) For the purpose of making available and maintaining the Port Neill Soldiers Memorial Hall in respect of rateable land:

Within the Port Neill Township—0.015130 cents in the dollar;

Outside the Port Neill Township and within the Hundred of Dixon—0.013333 cents in the dollar.

- (b) For the purpose of making available and maintaining the Tumby Bay Oval in respect of rateable land:

Within the Tumby Bay Township—0.003523 cents in the dollar;

Outside the Tumby Bay Township and within the Hundred of Hutchison and Louth—0.001557 cents in the dollar.

Natural Resources Management Levy

That pursuant to section 95 of the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, Council declares a fixed charge of \$60.50 in respect of rateable land in the area of the Eyre Peninsula Natural Resources Management Board ('the Board') in order to reimburse the Council the amount contributed to the Board for the financial year ending 30 June 2010.

Annual Service Charge—Refuse Collection

That pursuant to section 155 of the Local Government Act 1999, Council declares an Annual Service Charge based on the nature of the service for the collection and disposal of waste in respect of all land within the townships of Tumby Bay, Port Neill, Lipson and Ungarra to which it provides or makes available that service of \$135 per 140 litre Bin and \$230 per 240 litre Bin for the financial year ending 30 June 2010.

Tumby Bay CWMS Annual Service Charge

That pursuant to section 155 of the Local Government Act 1999 and Regulation 9A (3) (b) of the Local Government (General) Regulations 1999, Council declares an annual service charge based on the level of usage of the service in respect of all land to which it provides or makes available the Tumby Bay Common Effluent Drainage Scheme of \$405 per property unit for the financial year ending 30 June 2010.

Instalment Payment Dates

That pursuant to section 181 (1) of the Local Government Act 1999, Council declares that payment of all rates imposed in respect of the financial year ending 30 June 2010 shall fall due in four equal or approximately equal instalments on 11 September 2009, 11 December 2009, 12 March 2010 and 11 June 2010.

E. A. ROBERTS, District Clerk

WAKEFIELD REGIONAL COUNCIL

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at its meeting held on 8 July 2009, Wakefield Regional Council, in exercise of its powers contained in Chapter 10 of the Local Government Act 1999, made the following resolutions:

Adoption of Valuation

In accordance with the provisions of section 167 of the Local Government Act 1999, Council adopts for the year ending 30 June 2010, the most recent valuation made by the Valuer-General of capital value in relation to the area of the Council, that being the valuation listing of 25 June 2009, showing a total assessment for the district of \$1 560 008 660.

Fixed Charge

In accordance with the provisions of sections 151 and 152 of the Local Government Act 1999, Council declares a fixed charge of \$280 on rateable property within its area for the financial year ending 30 June 2010.

Declaration of Differential General Rates

Pursuant to the provisions of sections 151 and 156 of the Local Government Act 1999, Council declares differential general rates on property within its area for the financial year ending 30 June 2010, based on land use as follows:

- 0.2336 cents in the dollar on rateable land of Category 1 (Residential), Category 7 (Primary Production) and Category 9 (Other);
- 0.3901 cents in the dollar on rateable land of Category 2 (Commercial—Shop), Category 3 (Commercial—Office), Category 4 (Commercial—Other), Category 5 (Industry—Light) and Category 6 (Industry—Other);

- 0.6494 cents in the dollar on rateable land of Category 8 (Vacant) use,

and further that pursuant to the provisions of section 166 (1) (l) of the Local Government Act 1999, rebates shall be granted to provide relief against what would otherwise amount to a substantial change in rates payable by individual ratepayers due to rapid changes in valuations or anomalies in valuations to the extent that the general rate raised on each assessment shall not incur an increase of greater than 20% on the previous year's (2008-2009) general rate amount so raised, except where an increase is the result of changes in rebates or concessions or is the result of valuation increases as a result of new building work or development activity or where a change of ownership has occurred in the previous 18 months or where there have been changes to adjoining properties or Single Farm Enterprise arrangements..

Community Wastewater Management Schemes Service Charges

Pursuant to the provisions of section 155 of the Local Government Act 1999, Council declares service charges for the year ending 30 June 2010, for the purposes of recovering from ratepayers who will be benefited by the authorised Community Wastewater Management Schemes for the disposal of sewerage effluent, the capital cost of the work and the cost of the maintenance and operation thereof, of \$300 for each occupied unit and \$240 for each unoccupied unit.

Waste Collection Charge

Pursuant to the provisions of section 155 of the Local Government Act 1999, Council declares a service charge for the year ending 30 June 2010, of \$220 for the purpose of recovering from ratepayers who will be benefited by the collection of waste, the full cost of providing that service.

Natural Resources Management Levy

In accordance with the provisions of section 154 of the Local Government Act 1999, Council declares a separate rate of 0.0150 cents in the dollar on rateable land within its area for the financial year ending 30 June 2010, for the purpose of raising its contribution to the Natural Resources Management Levy.

Payment of Rates

In accordance with the provisions of section 181 of the Local Government Act 1999, Council hereby determines that all rates imposed in respect of the year ending 30 June 2010, will fall due in four instalments and further that Council determines that the instalments will fall due on:

- Friday, 4 September 2009;
- Friday, 4 December 2009;
- Friday, 5 March 2010; and
- Friday, 4 June 2010.

P. J. BARRY, Chief Executive Officer

WATTLE RANGE COUNCIL

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that at a meeting of Wattle Range Council held on 7 July 2009, the Council in exercise of the powers contained in Part 1 of Chapter 10 of the Local Government Act, 1999:

Valuations

1. Adopted the valuations that are to apply in its area for rating purposes for the 2009-2010 financial year, being the capital valuations of the Valuer-General, totalling \$3 357 068 280 comprising \$3 281 043 300 in respect of rateable land and \$76 024 980 in respect of non-rateable land before alteration.

Differential Rates

2. Declared differential general rates on rateable land within its area for the year ending 30 June 2010 as follows:

Millicent:

In respect of land within the township of Millicent:

- (i) for land assigned land use Category 7 (Primary Production)—0.3914 cents in the dollar;
- (ii) for all other land—0.5321 cents in the dollar.

Rural Living:

For land outside the township of Millicent and within the Rural Living (Millicent) Zone:

- (i) for land assigned land use Category 7 (Primary Production)—0.3914 cents in the dollar;
- (ii) for all other land—0.4755 cents in the dollar.

Light Industry:

For land outside the township of Millicent and within the Light Industry Zone—0.5321 cents in the dollar.

General Industrial:

For land outside the township of Millicent and within the General Industrial Zone:

- (i) for land assigned land use Category 7 (Primary Production)—0.3914 cents in the dollar;
- (ii) for all other land—0.5321 cents in the dollar.

Penola:

In respect of land within the township of Penola:

- (i) for land assigned land use Category 7 (Primary Production)—0.3914 cents in the dollar;
- (ii) for all other land—0.5321 cents in the dollar.

Beachport:

In respect of land within the township of Beachport—0.5321 cents in the dollar.

Rural Living Zone and Light Industry Zone:

For land outside the township of Beachport and within the Rural Living Zone and Light Industry Zone—0.4755 cents in the dollar.

Coonawarra:

In respect of land within the township of Coonawarra—0.5321 cents in the dollar.

Kalangadoo:

In respect of land within the township of Kalangadoo—0.5321 cents in the dollar.

General Industry Zone:

For land outside the township of Kalangadoo and within the General Industry (Kalangadoo) Zone:

- (i) for land assigned land use Category 6 (Industrial—Other)—0.5321 cents in the dollar;
- (ii) for all other land—0.3914 cents in the dollar.

Nangwarry:

In respect of land within the township of Nangwarry—0.5321 cents in the dollar.

Southend:

In respect of land within the township of Southend—0.5321 cents in the dollar.

Rendelsham:

In respect of land within the township of Rendelsham—0.5321 cents in the dollar.

Tantanoola:

In respect of land within the township of Tantanoola—0.5321 cents in the dollar.

Mount Burr:

In respect of land within the township of Mount Burr—0.5321 cents in the dollar.

All Other Land:

In respect of all other land not hereinbefore referred to in the Council area—0.3914 cents in the dollar.

All Zones are described in Council's Development Plan consolidated 22 March 2007.

Minimum Rate

3. Declared a minimum amount payable by way of general rates on rateable land in its area of \$450.

Service Charges

4. Declared the following service charges:

(a) Garbage Collection Service:

On all occupied land within the Council area to which it provides or makes available a service for the collection, treatment and disposal of waste:

- (i) normal waste, recycling and green organics collection and disposal service of \$241; and
- (ii) normal waste and recycling collection and disposal service of \$184.

(b) Community Wastewater Management Systems:

On all properties serviced by community wastewater management systems within its area (Townships of Penola, Southend and Kalangadoo) as follows:

	\$
(i) Occupied Unit.....	456
(ii) Vacant Unit.....	342

Separate Rates

5. Declared the following separate rates:

(a) South East Natural Resources Management Board Levy:

Separate rate of \$37.40 on all rateable land in the area of the Council.

Discretionary Rebates of Rates

6. Declared that Discretionary Rebates of Rates be granted for the purposes of providing relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to rapid changes in valuations where:

- (a) the general rates increase by more than 3% from the previous year;
- (b) the Valuer-General has not increased the capital value on the assessment due to improvements valued at more than \$30 000 from last year;
- (c) this is not a new assessment;
- (d) the general rates raised this and last financial year are not less than or equal to the minimum general rate raised for that financial year; and
- (e) ownership of the property has not changed since July 2008.

Additional Remission of Rates

7. Declared that an additional remission of General Rates of \$50 be granted to all eligible pensioners and self funded retirees for the purpose of providing relief in recognition of increased costs in living.

Payment of Rates

8. Declared that all rates are payable in four equal or approximately equal instalments with the first instalment payable on or before 3 September 2009, second instalment on or before 3 December 2009, third instalment on or before 4 March 2010 and the fourth instalment on or before 3 June 2010.

F. N. BRENNAN, Chief Executive Officer

DISTRICT COUNCIL OF YORKE PENINSULA

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that at a meeting of the District Council of Yorke Peninsula held on 14 July 2009, the Council resolved for the 2009-2010 financial year:

Adoption of Valuations

The most recent valuations of the Valuer-General available to the Council of the capital value of land within the Council's area totalling \$4 492 450 940 be adopted for rating purposes.

Declaration of Differential General Rates

Differential general rates be declared on rateable land within the Council area as follows:

- (1) on land of Category 7 use (Primary Production), a rate of 0.146 cents in the dollar of the capital value of such land;
- (2) on all other land within the Council area, a rate of 0.172 cents in the dollar of the capital value of such land;
- (3) a fixed charge component of the general rate of \$300 be imposed.

Service Charges

Community Wastewater Management System Service Charges

Service charges be imposed as follows on each assessment of rateable and non-rateable land in the following areas to which land the Council makes available a Community Wastewater Management System:

	Per Unit
Ardrossan area:	\$
• occupied land	305
• vacant allotment	250
Maitland area:	
• occupied land	305
Tiddy Widdy Beach area:	
• occupied land	305
Black Point area:	
• occupied land	305
• vacant allotment	250
Yorke town and Port Victoria areas:	
• occupied land	325
• vacant allotment	260
Port Vincent Marina, Port Vincent Rise and Stansbury areas:	
• occupied land	325
• vacant allotment	260
Sultana Point area:	
• all land	375
Bluff Beach, Hardwicke Bay and Rogues Point areas:	
• all land	375
Chinaman Wells area:	
• all land	375
Foul Bay and Point Turton areas:	
• all land	375

Water Supply Service Charges

Service charges be imposed as follows on each assessment of rateable and non-rateable land in the following areas to which land the Council makes available a water supply service:

	\$
Black Point area	110
Balgowan area	360
Hardwicke Bay area	360

and that in recognition of the contributions of infrastructure and funding for future augmentation at Balgowan received from the developers of allotments created under Deposited Plan Numbers 60463, 64246, 66679, 75581, 75582 and 77943, these allotments be levied at a maintenance only component of \$85.

Waste and Recycling Service Charge

An annual service charge be imposed on both rateable and non-rateable land to which the Council provides the prescribed service of waste collection (the Waste and Recycling Service) which charge is based upon the nature and level of usage of the service and is declared at:

- \$178 for a two bin service; and
- \$193 for a three bin service.

Separate Rate

A separate rate of 0.01477 cents in the dollar be declared on all rateable land in the area of the Council to raise the amount of \$641 495 payable to the Northern and Yorke Natural Resources Management Board.

R. K. BRUHN, Chief Executive Officer

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

Ashton, Lynette Ellen, late of 1 Steele Street, Campbelltown, of no occupation, who died on 12 February 2009.

Breen, Roslyn Fay, late of 21 Marrington Circuit, Morphett Vale, of no occupation, who died on 15 January 2009.

Chiverton, Colin Michael, late of 18 McHarg Road, Happy Valley, retired chief project officer, who died on 17 April 2009.

Hilton, Richard, late of 1 Duffield Street, Gawler East, retired plumber, who died on 21 May 2009.

Jeffery, Elizabeth Mary Ockenden, late of 8 Fletcher Road, Mount Barker, home duties, who died on 28 May 2009.

Lee, Rosslyn Joyce, late of 1 Hospital Road, Quorn, home duties, who died on 24 May 2009.

Milczarek, Bronislaw, late of 26 Flinders Highway, Port Lincoln, retired storeman, who died on 12 May 2009.

Norman, Iris Gwendoline May, late of 50 Gulfview Road, Christies Beach, of no occupation, who died on 11 April 2009.

Pusser, Dennis, late of 55 Coral Sea Road, Fulham, retired seaman, who died on 3 June 2009.

Ross, Donald Stuart, late of 5 Tapp Street, Rosewater, retired merchant seaman, who died on 19 March 2009.

Vukovic, Marija, late of 367-379 Waterloo Corner Road, Burton, of no occupation, who died on 11 July 2008.

Wallace, Cora May, late of 20 Alpha Road, Prospect, widow, who died on 1 June 2009.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 21 August 2009, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 23 July 2009.

M. I. BODYCOAT, Public Trustee

ATTENTION

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

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before 10 a.m. on Thursday**.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

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THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 20 JANUARY 2011

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GOVERNMENT GAZETTE NOTICES

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

Department of the Premier and Cabinet
Adelaide, 20 January 2011

HIS Excellency the Governor in Executive Council has revoked the appointment of Tanya Smith as a Clerk of Executive Council, pursuant to the Letters Patent, Section 68 of the Constitution Act 1934 and the Acts Interpretation Act 1915.

By command,
MICHAEL O'BRIEN, for Premier

DPC10/043CS

Department of the Premier and Cabinet
Adelaide, 20 January 2011

HIS Excellency the Governor in Executive Council has been pleased to appoint Sandra Joy Pitcher as Clerk of Executive Council commencing on 20 January 2011, pursuant to the Letters Patent and Section 68 of the Constitution Act 1934.

By command,
MICHAEL O'BRIEN, for Premier

DPC10/043CS

DEVELOPMENT ACT 1993, SECTION 48

Decision by the Governor

1. On 20 November 2003, pursuant to section 48 of the Development Act 1993, the then Governor granted a development authorisation for the proposal submitted by Trust Power Ltd for the development of a wind farm on the Sellicks Hill Range near Myponga, subject to conditions.

2. The development authorisation gave Trust Power Ltd until 20 November 2005 to commence the development by substantial work.

3. Various amendments to the development authorisation from time to time have been notified in the *Government Gazette* as follows:

- 18 November 2004, page 4333;
- 5 May 2005, page 1104;
- 4 August 2005, page 2952;
- 6 July 2006, page 2179;
- 23 July 2009, page 2179.

4. The most recent amendment dated 23 July 2009 provided that if development was not commenced by substantial work on the site by 26 September 2010 I may cancel the development authorisation by written notice.

5. I am satisfied that the development had not been commenced by substantial work on the site of the development by 26 September 2010 and that in all the circumstances it is appropriate to cancel the development authorisation.

6. Notice is hereby given pursuant to section 48 (10) of the Development Act 1993 that I have decided under section 48 (11) to cancel the said development authorisation and to give the requisite notice in writing thereof to any owner(s) and occupier(s) of the relevant land as well as to the proponent.

Given under my hand at Adelaide, 20 January 2011.

KEVIN SCARCE, Governor

DEVELOPMENT ACT 1993, SECTION 25 (17): DISTRICT COUNCIL OF ORROROO CARRIETON—RURAL LAND DIVISION DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Development Plan Amendment entitled District Council of Orroroo Carrieton—Rural Land Division has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Urban Development and Planning, has decided to approve the 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 5 January 2011.

PAUL HOLLOWAY, Minister for Urban
Development and Planning

DEVELOPMENT ACT 1993, SECTION 22: SECTION TO THE FAR NORTH REGION PLAN—A VOLUME OF THE SOUTH AUSTRALIAN PLANNING STRATEGY

Port Augusta Structure Plan

The Minister for Urban Development and Planning, Paul Holloway MLC, has formally incorporated the document titled '*Port Augusta Structure Plan, January 2011*' as a section of the State Government's Far North Region Plan, pursuant to the provisions of section 22 of the Development Act 1993.

The '*Port Augusta Structure Plan, January 2011*' will guide future development of Port Augusta.

Availability of Document

The Port Augusta Structure Plan is available online at www.dplg.sa.gov.au/go/port-augusta-structure-plan

Copies of the document can also be obtained at the Department of Planning and Local Government, Level 5, 136 North Terrace, Adelaide. Telephone (08) 8303 0724.

For further information Telephone (08) 8303 0673.

Dated 8 January 2011.

PAUL HOLLOWAY, Minister for Urban
Development and Planning

DEVELOPMENT ACT 1993

Planning Strategy for South Australia—Alterations

PURSUANT to section 22 (5) (c) of the Development Act 1993, I declare that:

- (1) an alteration has been made to the 'Planning Strategy—Regional South Australia, January 2003' by deleting Chapter 10 titled 'Kangaroo Island Planning and Development Area' including Figure 10 and pages 77 to 86 inclusive;
- (2) an alteration has been made to the Planning Strategy for the purposes of section 22 by creating a new volume of the strategy titled 'Kangaroo Island Plan, January 2011'.

Copies of the Kangaroo Island Plan are available for inspection and purchase at the Department of Planning and Local Government, Level 5, Roma Mitchell House, 136 North Terrace, Adelaide.

Copies are also available for inspection on the Internet:

www.planning.sa.gov.au/go/kangaroo-island-plan

Dated 5 January 2011.

PAUL HOLLOWAY, Minister for Urban
Development and Planning

DEVELOPMENT ACT 1993

Planning Strategy for South Australia—Alterations

1. Pursuant to section 22 (5) (c) of the Development Act 1993, I, Paul Holloway, Minister for Urban Development and Planning, give notice that a significant alteration has been made to the 'Planning Strategy—Regional South Australia, January 2003' by:

- (a) deleting Chapter 12 titled 'Riverland Planning and Development Area' and Chapter 13 titled 'Murraylands Planning and Development Area' including Figures 12 and 13 and pages 97 to 116 inclusive;
- (b) inserting a new volume entitled 'Murray and Mallee Region Plan, (January 2011)'

2. The significant alteration to the Planning Strategy was made on 20 January 2011.

Copies of the Murray and Mallee Region Plan are available for inspection and purchase at the Department of Planning and Local Government, Level 5, Roma Mitchell House, 136 North Terrace, Adelaide.

Copies are also available for inspection on the Internet:

www.planning.sa.gov.au/go/mid-north-plan

Dated 11 January 2011.

PAUL HOLLOWAY, Minister for Urban Development and Planning

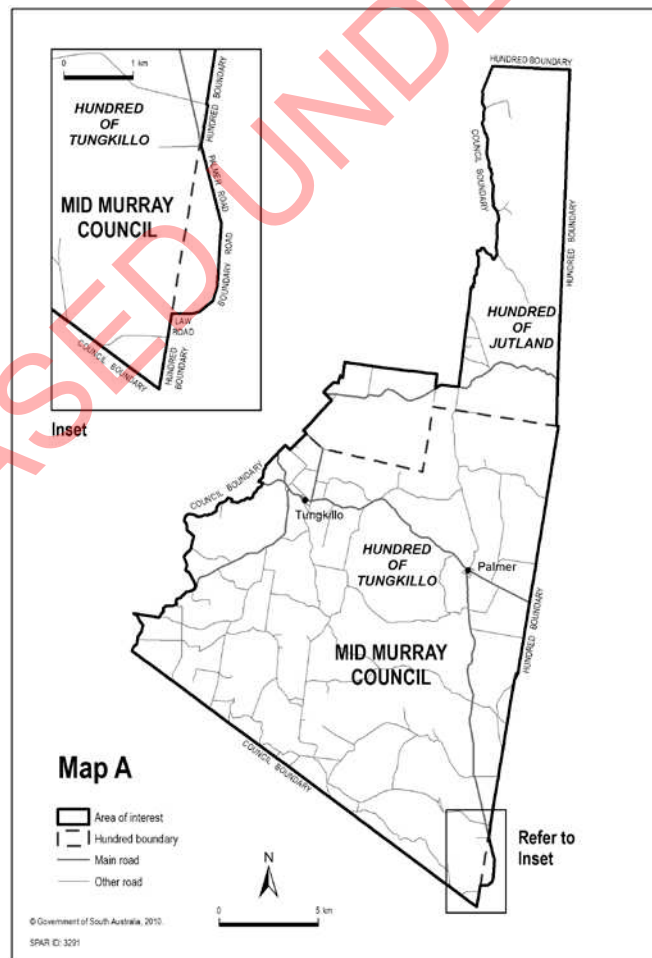
DEVELOPMENT ACT 1993

Alteration to the Planning Strategy

1. Pursuant to section 22 (5) (c) of the Development Act 1993, I, Paul Holloway, Minister for Urban Development and Planning, give notice that a significant alteration has been made to The Planning Strategy by:

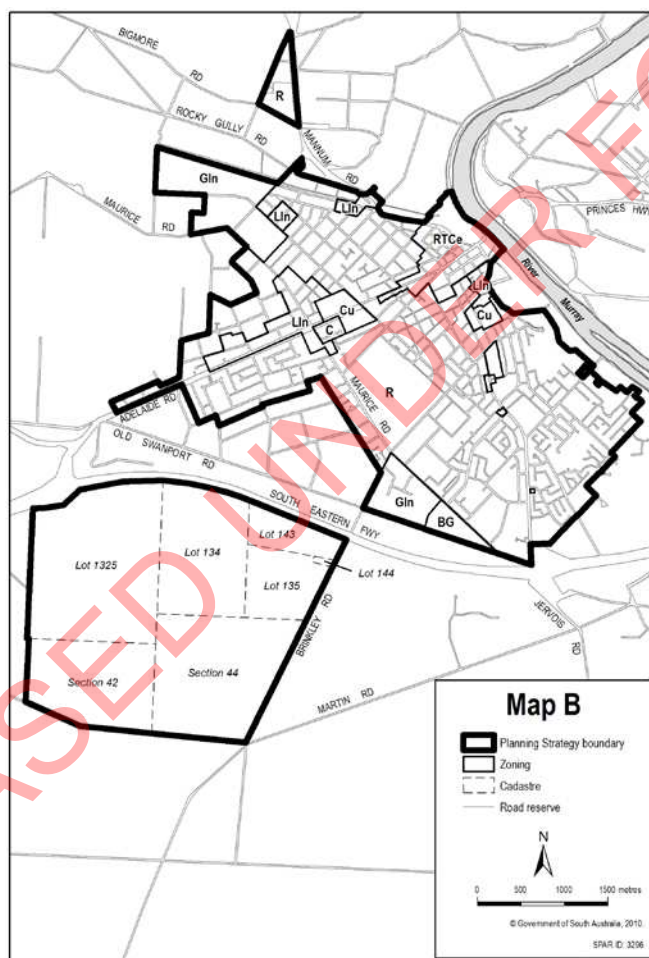
- (1) Including the area described in Map A below (being the area bounded by the Hundred of Jutland, the Hundred of Tungkillo, the alignments of Palmer Road, Boundary Road and Law Road, the Hundred of Tungkillo, and the boundary of the District Council of Mid Murray) as an area to which the Murray and Mallee Region Plan applies.

MAP A



- (2) Deleting the areas described in Map B from the Murray and Mallee Region Plan, being:
- (a) the areas consisting of the following land use zones as described in the Murray Bridge Council Development Plan, consolidated on 17 December 2009—Residential, General Industry, Light Industry, Bulky Goods, Regional Town Centre, Community and Commercial land use zones; and
- (b) the area of land contained within:
- (i) Allotment 1325, Deposited Plan 12357;
 - (ii) Allotment 134, File Plan 167759;
 - (iii) Allotment 143, File Plan 167768;
 - (iv) Allotment 135, File Plan 167760;
 - (v) Allotment 144, File Plan 167769;
 - (vi) Section 42 H170700 Hundred of Mobilong; and
 - (vii) Section 44 H170700 Hundred of Mobilong.

MAP B



- (3) The areas described in Map B above are areas to which the '30-Year Plan for Greater Adelaide' applies.

Copies of the Murray and Mallee Region Plan are available for inspection and purchase at the Department of Planning and Local Government, Level 5, Roma Mitchell House, 136 North Terrace, Adelaide.

Copies are also available for inspection on the Internet:

www.planning.sa.gov.au/go/MurrayandMallee-plan

Dated 11 January 2011.

PAUL HOLLOWAY, Minister for Urban Development and Planning

ELECTORAL ACT 1985

Part 6—Registration of Political Parties

NOTICE is hereby given that the following application for registration as a registered political party under the provisions of Part 6 of the Electoral Act 1985, has been received.

Name of Party: South Australian Fishing & Lifestyle Party

Abbreviation of Party Name: SAFLP

Name of Applicant: Neil Armstrong

Any elector who believes that the party should not be registered:

- because the party does not have as a purpose, the promotion of the election to the State Parliament of its endorsed candidate(s); or
- because the application does not fulfil the technical requirements specified in the Act; or
- because the party's name is likely to be confused with that of another registered party, parliamentary party or prominent public body,

can formally object in writing to the Electoral Commissioner by close of business on 21 February 2011. Objections must contain the postal address and signature of the objector.

Dated 20 January 2011.

K. MOUSLEY, Electoral Commissioner,
Level 6, 60 Light Square, Adelaide,
S.A. 5000

ECSA 29/2011

FIREARMS ACT 1977

Recognised Paint-Ball Operators

PURSUANT to the Firearms Act 1977, I the Honourable Michael Wright, the Minister of the Crown to whom the administration of the Firearms Act 1977, hereinafter referred to as the 'said Act' is for the time being committed by the Governor, do hereby declare Bush Getaway Adventures Pty Ltd, to be a recognised paintball operator, pursuant to section 21D of the Firearms Act 1977.

Dated 11 January 2011.

MICHAEL O'BRIEN, Acting Minister for Police

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Kate Mason of the South Australian Murray-Darling Basin Natural Resource Management Board, P.O. Box 2343, Murray Bridge, S.A. 5253, (the 'exemption holder') or a person acting as her agent, is exempt from the provisions of section 70 of the Fisheries Management Act 2007 and Regulation 7 (a) of the Fisheries Management (General) Regulations 2007, but only insofar as she may engage in the collection of fish (the 'exempted activity') from the waters described in Schedule 1, using the gear specified in Schedule 2, subject to the conditions set out in Schedule 3, from 14 January 2011 until 14 January 2012, unless varied or revoked earlier.

SCHEDULE 1

The tributaries, anabranches, floodplains, estuaries and wetlands of the River Murray System between Lock 1 and the Coorong.

SCHEDULE 2

- 8 fine mesh fyke nets, (3 m single wing with 6 hoops and drawstring cod end, 20 ply mesh)
- 20 shrimp traps, (standard collapsible with 3 mm and 6 mm mesh)
- 2 seine nets (6 m and 3 mm mesh)
- 2 dip nets (hand-held 500 mm width opening, 600 mm handle and 6 mm mesh).

SCHEDULE 3

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

2. Where further identification of fish species is required a maximum of 5 fish species per location may be taken for the purpose of species identification. All other native fish taken pursuant to the exempted activity must be immediately returned to the water.

3. Before conducting the exempted activity, the exemption holder or a person acting as her agent must contact the PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. Your agent or you will need to have a copy of this 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/or boats involved, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902415.

4. The exemption holder must provide a report in writing detailing the outcomes of the research and the collection of organisms pursuant to this notice 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, giving the following details:

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

5. While engaged in the exempted activity the exemption holder must have in their possession copy of this notice and produce that notice to a PIRSA Fisheries Officer 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 14 January 2011.

M. SMALLRIDGE, Acting Executive Director,
Fisheries and Aquaculture

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
4 Charles Street, Wallaroo	Allotment 273 in Filed Plan 190025, Hundred of Wallaroo	5874	770	29.10.98, page 1289	140.00
423 Commercial Road, Moana	Allotment 217 in Deposited Plan 3752, Hundred of Willunga	5298	423	25.11.10, page 5378	155.00
34 Manningford Road, Elizabeth South	Allotment 271 in Deposited Plan 6002, Hundred of Munno Para	5362	905	25.11.10, page 5378	113.00
14 Parcoola Avenue, Hope Valley	Allotment 16 in Deposited Plan 6354, Hundred of Yatala	5624	882	11.11.10, page 5281	282.00
103 Senate Road, Port Pirie West	Allotment 34 in Deposited Plan 1575, Hundred of Pirie	5715	423	25.11.10, page 5378	160.00
12-12A Wilford Avenue, Underdale	Allotments 71 and 72 in Deposited Plan 3427, Hundred of Adelaide	6065 6065	971 973	1.4.10, page 1180	284.00

Dated at Adelaide, 20 January 2011.

R. HULM, Acting Director, Corporate Services, Housing SA

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
3 Augusta Street, Glenelg	Allotment 117 in Filed Plan 3465, Hundred of Noarlunga	5493	616	29.9.88, page 1203
Lot 175 Garden Avenue, Two Wells	Allotment 175 in Filed Plan 162524, Hundred of Port Gawler	5453	691	30.9.93, page 1370
22 Little Sturt Street, Adelaide	Allotment 1 in Filed Plan 106698, Hundred of Adelaide	5175	625	22.12.77, page 2304
46 Railway Terrace, Nuriootpa	Allotment 3 in Deposited Plan 33334, Hundred of Moorooroo	5131	662	25.6.92, page 2054

Dated at Adelaide, 20 January 2011.

R. HULM, Acting Director, Corporate Services, Housing SA

HOUSING IMPROVEMENT ACT 1940

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

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
12 McKay Avenue,	Christies Beach	Allotment 1522 in Deposited Plan 4983, Hundred of Noarlunga	5234	20
43 Zephyr Terrace,	Port Willunga	Allotment 52 in Deposited Plan 4756, Hundred of Willunga	5174	110

Dated at Adelaide, 20 January 2011.

R. HULM, Acting Director, Corporate Services, Housing SA

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that SA National Football League—Encore Group has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at Adelaide Town Hall, 128 King William Street, Adelaide, S.A. 5000 and known as Epicure Catering and to be known as Encore Group.

The application has been set down for hearing on 9 February 2011 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 8 February 2011).

The applicant's address for service is c/o Justin Cavenett, P.O. Box 1, West Lakes, S.A. 5021.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 17 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Trevor Lawrence and Roseanne Lorraine Gill have applied to the Licensing Authority for a variation to an Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at 73 Commercial Road, Port Augusta, S.A. 5700 and known as Hotel Commonwealth.

The application has been set down hearing on 21 February 2011 at 9.30 a.m.

Conditions

The following licence conditions are sought:

- Variation to an Extended Trading Authorisation to include:
 - The Outdoor Areas and Verandah Areas of the premises as per plans lodged.
 - The area in front of and including the Bar Area adjacent to Area 3 as per plans lodged.
- Variation to Entertainment Consent to include the abovementioned areas as per plans lodged.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 14 February 2011).

The applicants' address for service is c/o Darren Searle, 73 Commercial Road, Port Augusta, S.A. 5700.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 17 January 2011.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Grand Willow Development (PTC) Ltd as trustee for Viewgrand Trust G has applied to the Licensing Authority for a variation to Conditions in respect of premises situated at North Terrace, Adelaide, S.A. 5000 and known as Intercontinental Adelaide.

The application has been set down for hearing on 21 February 2011 at 10 a.m.

Conditions

The following licence conditions are sought:

- Variation to Conditions to include the following condition:
 - The Licence will authorise the Licensee to sell liquor from Wine Cellar at Riverside Restaurant for consumption off the licensed premises at any time on any day by guests dining or staying within the premises.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 14 February 2011).

The applicant's address for service is c/o Arnaud Vinel, North Terrace, Adelaide, S.A. 5000.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 17 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Shanker's Authentic Indian Cuisine Pty Ltd as trustee for Sabapathy Family Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 89 Prospect Road, Prospect, S.A. 5082 and known as Shanker's Authentic Indian Cuisine.

The application has been set down for hearing on 22 February 2011 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 15 February 2011).

The applicant's address for service is c/o Premila Wellington, 89 Prospect Road, Prospect, S.A. 5082.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 17 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that LAQ Group Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 12 Currie Street, Adelaide, S.A. 5000 and known as Di Mare.

The application has been set down for hearing on 17 February 2011 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 10 February 2011).

The applicant's address for service is c/o Alex Qian, 24 Vagnoni Avenue, Paradise, S.A. 5075.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 14 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Stonehaven Wines Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Riddoch Highway, Padthaway, S.A. 5271 and to be known as Stonehaven Wines.

The application has been set down for hearing on 16 February 2011 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 9 February 2011).

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

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Arkay Ennis Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Scobie Road, Clare, S.A. 5453 and to be known as Arkay Ennis Pty Ltd.

The application has been set down for hearing on 16 February 2011 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 9 February 2011).

The applicant's address for service is c/o Robert Stephens, Scobie Road, Clare, S.A. 5453.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Stonehaven Wines Pty Ltd of Riddoch Highway, Padthaway, S.A. 5271, has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Stonehaven Wines.

The application has been set down for hearing on 16 February 2011 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 9 February 2011).

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

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Esther Stephens has applied to the Licensing Authority for a Restaurant Licence with Entertainment Consent in respect of premises situated at 59 Dauncey Street, Kingscote, S.A. 5223 and to be known as Yellow Ash 'N' Chili.

The application has been set down for hearing on 16 February 2011 at 10 a.m.

Conditions

The following licence conditions are sought:

- Entertainment consent is sought for the Alfresco Dining Area as per plans lodged, for the following days and times:

Friday and Saturday: 5 p.m. to 9 p.m.

Sunday: 1 p.m. to 3 p.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 9 February 2011).

The applicants' address for service is c/o Esther Stephens, 59 Dauncey Street, Kingscote, S.A. 5223.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Keg Trading Company Pty Ltd as Trustee for the Gustavsson Family Trust has applied to the Licensing Authority for Alterations and variation to Entertainment Consent in respect of premises situated at Duck Ponds Road, Stockwell, S.A. 5355 and known as Stockwell Hotel.

The application has been set down for hearing on 8 February 2011 at 11 a.m.

Conditions

The following licence conditions are sought:

- Alterations to include a verandah in Area 6 as per plans lodged with this office.
- Variation to Entertainment Consent to include Area 6 as per plans lodged with this office and for the following days and times:

Friday to Saturday: 8 p.m. to midnight

New Year's Eve: 8 pm. to midnight

Days preceding other Public Holidays: 8 p.m. to midnight.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 7 February 2011).

The applicants' address for service is c/o Daryl Warner Gustavsson, P.O. Box 51, Stockwell, S.A. 5355.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Colin Best Engineering Services Pty Ltd as Trustee for Colin Best Family Trust of 1 Leicester Street, Parkside, S.A. 5063, has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Hazelwood Estate.

The application has been set down for hearing on 7 February 2011 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, on or before 4 February 2011.

The applicants' address for service is c/o Chris Best, 1 Leicester Street, Parkside, S.A. 5063.

The application and certain documents and material relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 12 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Singlz International Limited of 5 Forresters Road, Hallett Cove, S.A. 5158 has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Singlz International Limited.

The application has been set down for hearing on 15 February 2011 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 8 February 2011).

The applicants' address for service is c/o Luke Raymond, 5 Forresters Road, Hallett Cove, S.A. 5158.

The application and certain documents and material relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 12 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Shirkhund Pty Ltd has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 25 O'Connell Street, North Adelaide, S.A. 5067 and to be known as Chocolatee.

The application has been set down for hearing on 15 February 2011 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 8 February 2011).

The applicants' address for service is c/o Ron Varun Kohli, 3/1 Garfield Avenue, Kurrulta Park, S.A. 5037.

The application and certain documents and material (including plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 12 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Siena Foods Pty Ltd has applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of premises currently situated at 77-79 Ormond Street, Hindmarsh, S.A. 5007 and to be situated at 11-13 Opala Street, Regency Park, S.A. 5010 and known as Siena Foods.

The application has been set down for hearing on 15 February 2011 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 8 February 2011).

The applicants' address for service is c/o Michael Mercuri, 11-13 Opala Street, Regency Park, S.A. 5010.

The application and certain documents and material (including plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 12 January 2011.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Vibeke Bjornlund and Henning Bjornlund have applied to the Licensing Authority for a Producer's Licence in respect of the premises situated at R.S.D. 51 Hamilton, via Kapunda, S.A. 5373 and to be known as Belvedere Range Estate.

The application has been set down for hearing on 15 February 2011 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 8 February 2011).

The applicants' address for service is c/o Vibeke Bjornlund, R.S.D. 51 Hamilton, via Kapunda, S.A. 5373.

The application and certain documents and material (including plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olg@agd.sa.gov.au.

Dated 12 January 2011.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Authenticity Health Retreats Pty Ltd as Trustee for Damaskos Business Discretionary Trust has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 14-30 Watersport Road, Port Elliot, S.A. 5212 and to be known as Authenticity Spa Resort.

The applications have been set down for hearing on 14 February at 10.30 a.m.

Conditions

The following licence conditions are sought:

- The License will authorise the Licensee to sell liquor for consumption on the Licensed Premises including the surrounding gardens, and leisure area to persons:
 - with or ancillary to a meal;
 - seated at a table;
 - attending a function at where food is provided; or
 - attending a conference.

For the following days and times:

Monday to Saturday: 5 a.m. to midnight

Sunday: 11 a.m. to 8 p.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 7 February 2011).

The applicant's address for service is c/o Jeanette Rosadoni, P.O. Box 2, Blackwood, S.A. 5051.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Telephone 8226 8410, Facsimile: 8226 8512. Email: olg@agd.sa.gov.au.

Dated 11 January 2011.

Applicant

MINING ACT 1971

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

Applicant: Golden Cross Operations Pty Ltd

Location: Oolgelima Creek area—Approximately 30 km north-east of Coober Pedy.

Pastoral Lease: Mount Barry

Term: 2 years

Area in km²: 656

Ref.: 2010/00229

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

Dated 20 January 2011.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: AFMECO Mining and Exploration Pty Ltd

Location: Elliston area—Approximately 100 km south-east of Streaky Bay.

Pastoral Leases: Courtabie, Tooligie

Term: 2 years

Area in km²: 994

Ref.: 2010/00368

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

Dated 20 January 2011.

J. MARTIN, Mining Registrar

MINING ACT 1971

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

Applicant: Mark Paech

Claim No.: 4236

Location: in Piece 100 D65127 Hundred of Kanmantoo approximately 500 m south of Harrogate.

Area: 14.77 hectares

Purpose: For the recovery of extractive minerals (quartzite)

Ref.: 2824

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

The Minister for Mineral Resources Development is required to have regard to any representations received from owners of the land (including native title holders) to which the application relates and/or any interested members of the public in determining the application or in fixing the conditions to be attached to the lease if granted.

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000, or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 28 February 2011.

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

J. MARTIN, Mining Registrar

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS)
REGULATIONS 2001

Closure of Brookfield Conservation Park

PURSUANT to Regulations 8 (3) (a) and 8 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife, close to the public, the whole of Brookfield Conservation Park from 6 p.m. on Sunday, 3 April 2011 until 6 a.m. on Thursday, 7 April 2011.

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

Use of Firearms within the Reserve

Pursuant to Regulations 8 (4), 20 (1) and 41 of the National Parks and Wildlife (National Parks) Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife, grant permission to members of the Sporting Shooters Association of Australia Hunting & Conservation Branch (SA) Inc. in possession of both a current Hunting Permit and a firearm to enter and remain in the whole of Brookfield Conservation Park from 6 p.m. on Sunday, 3 April 2011 until 6 a.m. on Thursday, 7 April 2011 for the purpose of taking feral animals.

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

Dated 17 January 2011.

E. LEAMAN, Director of National Parks
and Wildlife

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS)
REGULATIONS 2001

*Closure of Ngarkat Conservation Park and
Carcuma Conservation Park*

PURSUANT to Regulations 8 (3) (d) and 8 (3) (a) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife, close to the public, the whole of Ngarkat Conservation Park and the whole of Carcuma Conservation Park from 6 p.m. on Sunday, 10 April 2011 until 6 a.m. on Friday, 15 April 2011.

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

Dated 17 January 2011.

E. LEAMAN, Director of National Parks
and Wildlife

NOTICE TO MARINERS

NO. 2 OF 2011

South Australia—River Murray, Lock 2

MARINERS are advised that an Aquatic Activity Licence has been issued to SA Water for the management of vessel traffic through the lock chamber at Lock 2 during the period of high water levels through February and March 2011.

Due to uncompleted work on the navigation pass at Lock 2, the pass will not be opened and traffic will be required to navigate through the lock chamber.

When the water level rises to the point where it is no longer safe for navigation through the lock chamber, the Lock Master will direct traffic away from the weir.

At the time the channel is no longer safe a barrier of yellow buoys will be placed across the channel and the 'blocked channel' signal will be displayed.

It is anticipated that when the channel is no longer safe the period of closure will be approximately 2 to 3 weeks. The Aquatic Activity Licence covers the period between 1 February and 31 March 2011.

Dated 13 January 2011.

PATRICK CONLON, Minister for Transport

DTEI 2011/00735

NOTICE TO MARINERS

NO. 3 OF 2011

(former Notice No. 47 of 2010)

*South Australia—Thevenard, Denial Bay, Cardinal
Marker replaced*

MARINERS are advised that the North Cardinal Marker has been replaced in position: Latitude 32°17'52.92"S and longitude 133°31'31.32"E.

Charts affected: Aus 120

Adelaide 18 January 2011.

PATRICK CONLON, Minister for Transport

DTEI 2011/00735

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Temporary Cessation of Suspension of Petroleum
Exploration Licence—PEL 123*

PURSUANT to section 90 of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that the suspension dated 6 September 2010 of the abovementioned Exploration Licence has been temporarily ceased under the provisions of the Petroleum and Geothermal Energy Act 2000, for the period from and including 17 January 2011 until 23 January 2011, pursuant to delegated powers dated 1 October 2010.

The suspension dated 6 September 2010 will resume with effect from 24 January 2011 until 25 January 2011 inclusive.

Dated 13 January 2011.

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

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Licence Condition
Extension of Licence Term*

Petroleum Exploration Licence—PEL 106

PURSUANT to section 76A of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that Condition 1 of Petroleum Exploration Licence PEL 106 has been suspended for the period from and including 9 September 2011 until 8 October 2011, under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 1 October 2009.

The term of PEL 106 has been extended by a period corresponding to the period of suspension, such that the licence will now expire on 8 October 2014.

Dated 12 January 2011.

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

COMMONWEALTH OF AUSTRALIA

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

*Grant of Exploration Permits for Petroleum**EPP 37, EPP 38, EPP 39 and EPP 40*

NOTICE is hereby given that the undermentioned Exploration Permits have been granted with effect from and including 14 January 2011, under the provisions of the Offshore Petroleum and Greenhouse Gas Storage Act 2006, pursuant to delegated powers.

No. of Licence	Licensee	Locality	Date of Expiry	Reference
EPP 37	BP Exploration (Alpha) Limited	Bight Basin	13 January 2017	F2010/000458
EPP 38	BP Exploration (Alpha) Limited	Bight Basin	13 January 2017	F2010/000459
EPP 39	BP Exploration (Alpha) Limited	Bight Basin	13 January 2017	F2010/000460
EPP 40	BP Exploration (Alpha) Limited	Bight Basin	13 January 2017	F2010/000461

In addition to the standard exploration permit terms and conditions, and adherence to the requirements of the Offshore Petroleum and Greenhouse Gas Storage Act 2006, the Environment Protection and Biodiversity Conservation Act 1999, associated regulations, guidelines and Directions throughout the life of the title, the above permits have the following conditions placed upon them:

- Exploration well design: - All well casing and cement design is to be undertaken by an appropriately qualified and experienced engineer, who, along with other such personnel associated with the permit activities, will make themselves available for peer review at the discretion, and to the satisfaction of the Designated Authority or his Delegate.
- Prior to the commencement of drilling, in addition to the standard reporting and monitoring plans required by the legislation, the permittee is required to lodge with the Designated Authority or his Delegate:
 - (a) an approved well design and integrity monitoring plan designed to assure well integrity within each well drilled will be agreed with the Designated Authority or his Delegate, and will include quarterly compliance reporting.
 - (b) independent certification by the original provider, prior to installation that each Blowout Preventer (BOP) to be used has been satisfactorily tested to design pressures.
- Prior to the commencement of drilling activities, the permittee must specify, and have approved by the Designated Authority or his Delegate, the hydrocarbon spill mitigation technologies and risk mitigation processes that it will deploy throughout the drill and maintain for the active life of the well.
- As soon as practicable after the completion of drilling, and prior to the commencement of any other exploration activity the Permittee will conduct and report to the Designated Authority or his Delegate on Cement Bond Logging to demonstrate effectiveness of cement jobs behind well casing.
- The permittee will undertake an annual Environment, Health and Safety Management System self assessment, as per requirements determined by the Designated Authority or his Delegate, in relation to the effectiveness of system elements, including the Management of Change processes & procedures.

Description of Blocks

The reference hereunder is to the name of the map sheets of the 1:1 000 000 series prepared and published for the purposes of the Offshore Petroleum and Greenhouse Gas Storage Act 2006 and to the numbers of graticular sections shown thereon.

EPP 37

Ceduna Sub-basin, Bight Basin
South Australia

Map Sheet—Eyre SI 52

1210	1211	1212	1213	1282	1283
1284	1285	1354	1355	1356	1357
1358	1426	1427	1428	1429	1430
1498	1499	1500	1501	1502	1565
1566	1567	1568	1569	1570	1571
1572	1573	1574	1637	1638	1639
1640	1641	1642	1643	1644	1645
1646	1709	1710	1711	1712	1713
1714	1715	1716	1717	1718	1781
1782	1783	1784	1785	1786	1787
1853	1854	1855	1856	1857	1858
1859	1925	1926	1927	1928	1929
1930	1931	1997	1998	1999	2000
2001	2002	2003	2071	2072	2073
2074	2075				

Assessed to contain 86 graticular blocks.

EPP 38

Ceduna Sub-basin, Bight Basin
South Australia

Map Sheet—Eyre SI 52

1989	1990	1991	1992	1993	1994
1995	1996	2061	2062	2063	2064
2065	2066	2067	2068	2069	2070
2133	2134	2135	2136	2137	2138
2139	2140	2141	2142	2205	2206
2207	2208	2209	2210	2211	2212
2213	2214	2277	2278	2279	2280
2281	2282	2283	2349	2350	2351
2352	2353	2354	2355	2421	2422
2423	2424	2425	2426	2427	2493
2494	2495	2496	2497	2498	2499
2565	2566	2567	2568	2569	2570
2571	2638	2639	2640	2641	2642
2643	2712	2713	2714	2715	2786
2787					

Assessed to contain 85 graticular blocks.

EPP 39

Ceduna Sub-basin, Bight Basin
South Australia

Map Sheet—Eyre SI 52

2143	2144	2145	2146	2147	2148
2215	2216	2217	2218	2219	2220
2284	2285	2286	2287	2288	2289
2290	2291	2292	2356	2357	2358
2359	2360	2361	2362	2363	2364
2428	2429	2430	2431	2432	2433
2434	2435	2500	2501	2502	2503
2504	2505	2506	2507	2572	2573
2574	2575	2576	2577	2578	2579
2644	2645	2646	2647	2648	2649
2650	2651	2716	2717	2718	2719
2720	2721	2722	2723	2788	2789
2790	2791	2792	2793	2794	2795
2860	2861	2862	2863	2864	2865
2866	2867	2936	2937	2938	2939

Assessed to contain 90 graticular blocks.

EPP 40

Ceduna Sub-basin, Bight Basin
South Australia

Map Sheet—Eyre SI 52

2365	2366	2367	2368	2369	2370
2371	2372	2436	2437	2438	2439
2440	2441	2442	2443	2444	2508
2509	2510	2511	2512	2513	2514
2515	2516	2580	2581	2582	2583
2584	2585	2586	2587	2652	2653
2654	2655	2656	2657	2658	2659
2724	2725	2726	2727	2728	2729
2730	2731	2796	2797	2798	2799
2800	2801	2802	2803	2868	2869
2870	2871	2872	2873	2874	2875
2940	2941	2942	2943	2944	2945
2946	2947	3012	3013	3014	3015
3016	3017	3018	3019	3087	3088
3089	3090	3091			

Assessed to contain 87 graticular blocks.

Dated 14 January 2011.

B. GOLDSTEIN,
Delegate of the Designated Authority,
Minerals and Energy Resources, Primary Industry and Resources SA,
for and on behalf of the Commonwealth—South Australia Offshore
Petroleum Joint Authority

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

Road Opening and Closing—Sherwin Road, Mil Lel

BY Road Process Order made on 1 November 2010, the District Council of Grant ordered that:

1. Portion of section 300, Hundred of Gambier, more particularly delineated and numbered '1' on Preliminary Plan No. 09/0065, be opened as road, forming a re-alignment of Sherwin Road.

2. Portion of Sherwin Road situate adjoining Mingbool Road and section 300, Hundred of Gambier, more particularly delineated and lettered 'A' on Preliminary Plan No. 09/0065 be closed.

3. The whole of land subject to closure be transferred to Richard James Crouch and Hayley Suzanne Crouch in accordance with agreement for exchange dated 13 October 2010 entered into between the District Council of Grant and R. J. and H. S. Crouch.

On 22 December 2010 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 85674 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 20 January 2011.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

Road Closure—Darlington Street, Sturt

BY Road Process Order made on 15 November 2010, The Corporation of the City of Marion ordered that:

1. An irregular portion of the public road (Darlington Street) situate west of Main South Road and adjoining the northern boundaries of Strata Plan 694 and Allotment 65 in Deposited Plan 53077, more particularly delineated and lettered 'A' on Preliminary Plan No. 09/0080 be closed.

2. The whole of the land subject to closure be transferred to K. J. Elliss Nominees Pty. Ltd. in accordance with agreement for transfer dated 12 November 2010 entered into between The Corporation of the City of Marion and K. J. Elliss Nominees Pty Ltd.

3. The following easements are granted over the road closed by this order:

Grant to Envestra (SA) Limited an easement for gas supply purposes over the whole of the land.

Grant to Distribution Lessor Corporation (Subject to Lease 8890000) an easement for electricity supply purposes over portion of the land.

Grant to the South Australian Water Corporation easements for water supply and sewerage purposes over the whole of the land.

Grant a free and unrestricted right of way appurtenant to Allotment 235 in Deposited Plan 47769 over portion of the land.

On 6 January 2011 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 85665 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 20 January 2011.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

Road Closure—Chesham Street, Glengowrie/Somerton Park

BY Road Process Order made on 15 November 2010, The Corporation of the City of Marion ordered that:

1. The whole of Chesham Street situate south of York Street and adjoining the western boundary of Allotment 100 in Deposited Plan 73052, more particularly delineated and lettered 'A' on Preliminary Plan No. 10/0030 be closed.

2. The whole of the land subject to closure be transferred to Eldercare Inc. in accordance with agreement for transfer dated 11 November 2010 entered into between The Corporation of the City of Marion and Eldercare Inc.

On 22 December 2010 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 85666 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 20 January 2011.

P. M. KENTISH, Surveyor-General

STATE LOTTERIES ACT 1966
Lotteries (Saturday X Lotto) Rules

1. *Preliminary*

- 1.1 These Rules may be cited as the Lotteries (Saturday X Lotto) Amendment Rules, 2010 (No. 2).
- 1.2 The Lotteries (Saturday X Lotto) Rules made under the State Lotteries Act 1966 and published in the *Government Gazette* on 20 May 2010 are hereinafter referred to as the "Principal Rules".
- 1.3 The Principal Rules are hereby amended effective from 23 January 2011 and these Rules will take effect immediately thereafter, except as provided in these Rules.

2. *Amendment of Rule 7.5*

Rule 7.5 of the Principal Rules is deleted and the following is substituted therefore:

7.5 There will be 6 prize winning divisions in each draw:

Division 1—player(s) who correctly forecast the 6 winning numbers in any one game.

Division 2—player(s) who correctly forecast any 5 of the 6 winning numbers and either one of the supplementary numbers in any one game.

Division 3—player(s) who correctly forecast any 5 of the 6 winning numbers in any one game.

Division 4—player(s) who correctly forecast any 4 of the 6 winning numbers in any one game.

Division 5—player(s) who correctly forecast any 3 of the 6 winning numbers and either one of the supplementary numbers in any one game.

Division 6—player(s) who correctly forecast any 1 of the 6 winning numbers and both of the supplementary numbers in any one game.

3. *Amendment of Rule 9.6*

Rule 9.6 of the Principal Rules is deleted and the following is substituted therefore:

- 9.6 If there is no winner in any of Divisions 2, 3, 4 or 5 of any draw, the prize money allocated to that division will be added to the prize money allocated to the next lower division in which there is a winner.

4. *Amendment of Rule 13.2*

Rule 13.2 of the Principal Rules is amended by deleting Rule 13.2.7 and the following is substituted therefore:

- 13.2.7 the guaranteed or estimated Division 1 prize pool in the next draw.

Dated 28 November 2010.

The Common Seal of the Lotteries Commission of South Australia was affixed pursuant to a resolution of the Commission in the presence of:

A. LINDSAY, Commission Member

S. MACKENZIE, Commission Member

Approved,

GAIL GAGO, Minister for Government Enterprises

SEWERAGE ACT 1929

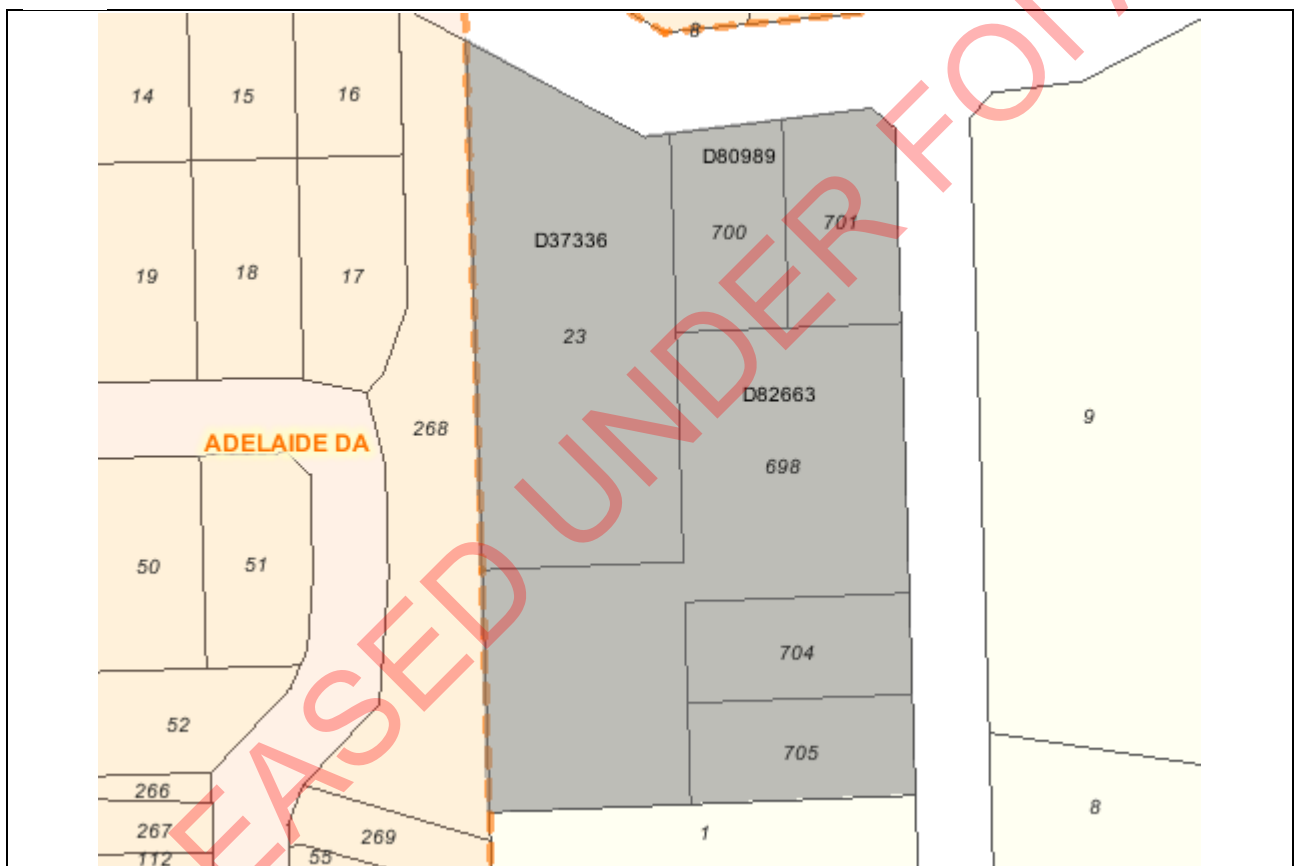
Addition of Land to Adelaide Drainage Area

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

- (a) adds to the Adelaide Drainage Area all the land shown on the plan in the Schedule; and
- (b) declares that this notice will have effect from 1 July 2011.

D1472
SA Water 11/00599
Mapsheet: 662711C

SCHEDULE
WOODCROFT
HUNDRED OF NOARLUNGA



NOT TO SCALE

BOUNDARY OF ADELAIDE DRAINAGE AREA PREVIOUSLY PROCLAIMED SHOWN AS DASHED LINES
ADDITION OF LAND TO BE ADDED TO ADELAIDE DRAINAGE AREA SHOWN AS SHADED AREA

Dated 17 January 2011.

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

A. SCHIRRIPIA, Manager Billing and Collection

In the presence of:

N. GLASS, Team Leader Rating

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 20 January 2011

WATER MAINS LAID

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

ADELAIDE WATER DISTRICT

CITY OF MARION
The Cove Road, Marino. p28

DISTRICT COUNCIL OF MOUNT BARKER
Across Alexandrina Road, Mount Barker. p15
Albert Road, Mount Barker. p15-10
Across and in Hurling Drive, Mount Barker. p10
Across and in Hurling Drive, Mount Barker. p16
Trapper Court, Mount Barker. p16
In and across Laver Street, Mount Barker. p16 and 17
Greenfield Street, Mount Barker. p16
Jordan Street, Mount Barker. p17
Easements in lot 1006 in LTRO DP 84049, Laver Street, Mount Barker. p17
Hurling Drive, Mount Barker. p18
In and across Barker Road, Mount Barker. p18-20
West Parkway, Mount Barker. p20
Biar Street, Mount Barker. p20 and 19
Tilly Street, Mount Barker. p19 and 20
Easement in lot 1001 in LTRO DP 31638, Barker Road, Mount Barker. p20
In and across Jenkinson Drive, Mount Barker. p21
Easements in reserve (lot 510 in LTRO DP 84735), Jenkinson Drive, Mount Barker. p21
Lehmann Court, Mount Barker. p21
Hallett Road, Littlehampton. p33

CITY OF ONKAPARINGA
In and across Rowley Road, Aldinga Beach. p3 and 4
Easement in reserve (lot 1007 in LTRO DP 84929), Lacy Coral Drive, Aldinga Beach. p4
Across and in Bushtail Avenue, Aldinga Beach. p4 and 3
Kaurna Avenue, Aldinga Beach. p3
Easement in reserve (lot 1003 in LTRO DP 84913), Rowley Road, Aldinga Beach. p4
Walnut Street, Old Reynella. p29

CITY OF PLAYFORD
In and across Mayfair Drive, Andrews Farm. p24
Discovery Way, Andrews Farm. p24
Highgrove Court, Andrews Farm. p24
Brandis Road, Munno Para West. p41

CITY OF PORT ADELAIDE ENFIELD
Freebairn Street, Windsor Gardens. p32

CITY OF SALISBURY
In and across Nelson Crescent, Mawson Lakes. p5
Cozumel Street, Mawson Lakes. p5
Victoria Parade, Mawson Lakes. p6 and 7
In and across Wentworth Street, Mawson Lakes. 6 and 7
Chianti Lane, Mawson Lakes. p6
In and across Mowbray Street, Mawson Lakes. p9
Jackson Street, Mawson Lakes. p9

CITY OF TEA TREE GULLY
Burns Street, Tea Tree Gully. p31

COOBOWIE WATER DISTRICT

DISTRICT COUNCIL OF YORKE PENINSULA
Lake Fowler Road, Coobowie. p30

MINLATON WATER DISTRICT

DISTRICT COUNCIL OF YORKE PENINSULA
Depot Road, Minlaton. p34

MOUNT GAMBIER WATER DISTRICT

CITY OF MOUNT GAMBIER
Dolomite Drive, Mount Gambier. p8

MYPONGA WATER DISTRICT

DISTRICT COUNCIL OF YANKALILLA
Across Main South Road, Myponga. p1
Green Way, Myponga. p1
In and across Verde Drive, Myponga. p1 and 2
Shiraz Court, Myponga. p1
Easement in lot 303 in LTRO DP 81774, Main South Road, Myponga. p2

TWO WELLS WATER DISTRICT

DISTRICT COUNCIL OF MALLALA
Kay Avenue, Two Wells. p22
Across and in Walter Avenue, Two Wells. p22 and 23

YORKE PENINSULA COUNTRY LANDS WATER DISTRICT

DISTRICT COUNCIL OF YORKE PENINSULA
Government road north of section 167, hundred of Cunningham, Price. p27
Lake Fowler Road, Coobowie. p30

WATER MAINS ABANDONED

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

ADELAIDE WATER DISTRICT

DISTRICT COUNCIL OF MOUNT BARKER
Across and in Hurling Drive, Mount Barker. p16
Laver Street, Mount Barker. p17

CITY OF PLAYFORD
Brandis Road, Munno Para West. p41

CITY OF SALISBURY
Stock Road, Cavan. p40

YORKE PENINSULA COUNTRY LANDS WATER DISTRICT

DISTRICT COUNCIL OF YORKE PENINSULA
Government road north of section 167, hundred of Cunningham, Price. p27

SEWERS LAID

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

ADELAIDE DRAINAGE AREA**CITY OF HOLDFAST BAY**

Paterson Street, North Brighton. FB 1202 p20

CITY OF MARION

Across Dunrobin Road, Warradale. FB 1202 p21

Kelvin Avenue, Warradale. FB 1202 p21

CITY OF MITCHAM

Newark Road, Torrens Park. FB 1202 p25

CITY OF PLAYFORD

In and across Mayfair Drive, Andrews Farm. FB 1203 p1 and 2

Easements in lot 8000 in LTRO DP 85441, May Street, Andrews Farm. FB 1203 p1 and 2

In and across Discovery Way, Andrews Farm. FB 1203 p1 and 2
Highgrove Court, Andrews Farm. FB 1203 p1 and 2

CITY OF SALISBURY

Wentworth Street, Mawson Lakes. FB 1203 p3 and 4

Chianti Lane, Mawson Lakes. FB 1203 p3 and 4

Mowbray Street, Mawson Lakes. FB 1203 p5 and 6

Cozumel Street, Mawson Lakes. FB 1203 p7 and 8

Across and in Nelson Crescent, Mawson Lakes. FB 1203 p7 and 8

CITY OF TEA TREE GULLY

In and across North East Road, Modbury. FB 1202 p23

Cooke Street, Modbury. FB 1202 p23

CORPORATION OF THE TOWN OF WALKERVILLE

Tonkin Street, Vale Park. FB 1202 p24

ALDINGA DRAINAGE AREA**CITY OF ONKAPARINGA**

Bushtail Avenue, Aldinga Beach. FB 1201 p58-60

Rowley Road, Aldinga Beach. FB 1201 p58-60

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

Across Lumidin Boulevard, Mount Gambier. FB 1202 p18 and 19

Easements in reserve (lot 450 in LTRO DP 82981), Lumidin Boulevard, Mount Gambier. FB 1202 p18 and 19

Across and in Dolomite Drive, Mount Gambier. FB 1202 p18 and 19

Across Howland Street, Mount Gambier. FB 1175 p54

Easement in lot 22 in LTRO DP 74399, Howland Street, Mount Gambier. FB 1175 p54

STIRLING COUNTRY DRAINAGE AREA**ADELAIDE HILLS COUNCIL**

Across Kanyaka Road, Aldgate. FB 1202 p22

Woodland Close, Aldgate. FB 1202 p22

Easement in lot 17 in LTRO FP 129171, Katherine Grove, Crafers. FB 1202 p26

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

WATERWORKS ACT 1932*Addition of Land to Adelaide Water District*

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

- (a) adds to the Adelaide Water District all the land contained in allotment 1 in Deposited Plan 6520; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 17 January 2011.

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

A. SCHIRRIPA, Manager Billing and Collection

In the presence of:

N. GLASS, Team Leader Rating

SAWATER 11/00600 W1473

WATERWORKS ACT 1932

Addition of Land to Adelaide Water District

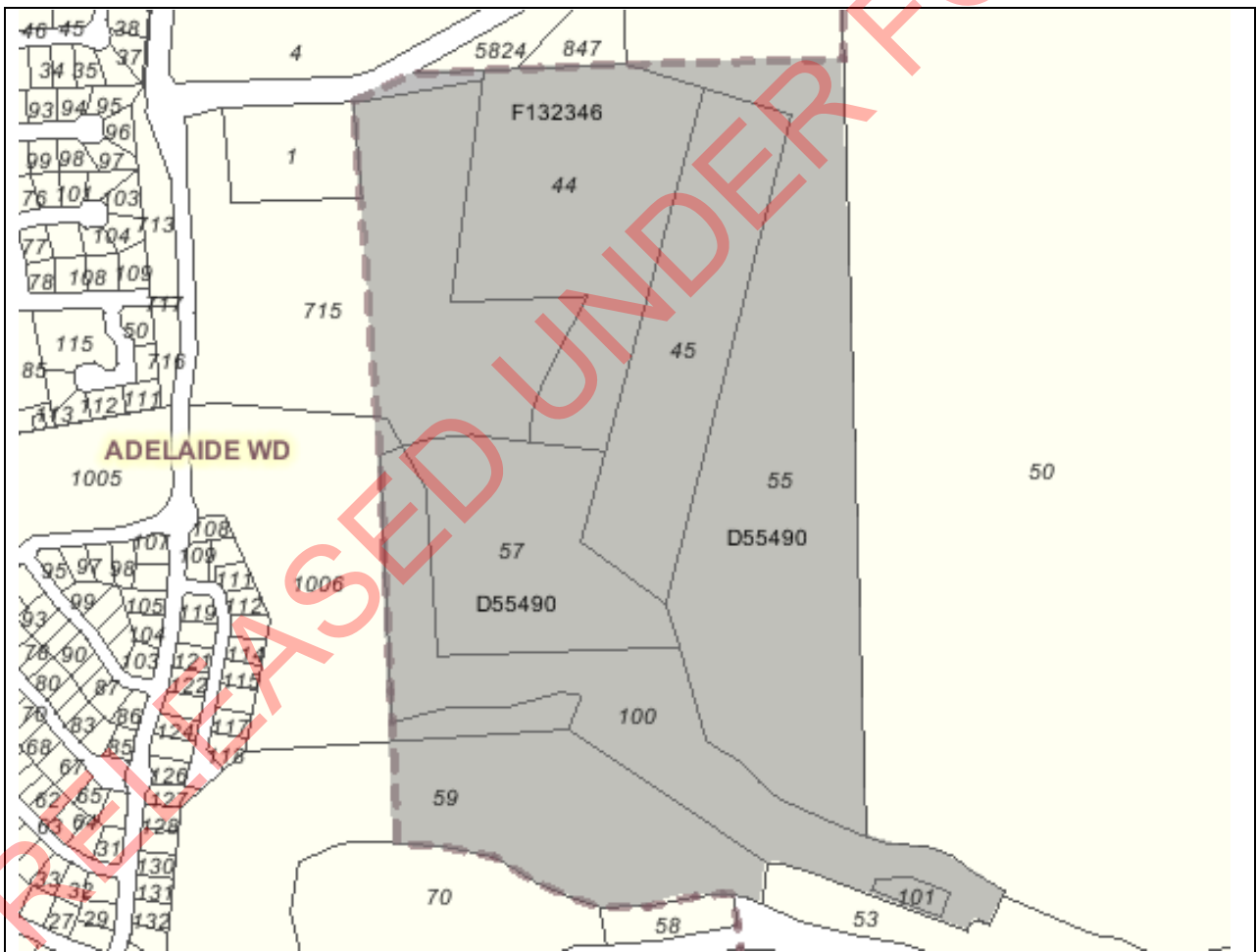
PURSUANT to section 6 of the Waterworks Act 1932, the South Australian Water Corporation:

- (a) adds to the Adelaide Water District the land shown on the plan in the Schedule; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

W1474
 SA Water 11/00601
 Mapsheet: 662838A

SCHEDULE
 MAP 1

HIGHBURY
 HUNDRED OF YATALA



NOT TO SCALE

BOUNDARY OF ADELAIDE WATER DISTRICT PREVIOUSLY PROCLAIMED SHOWN AS DASHED LINES

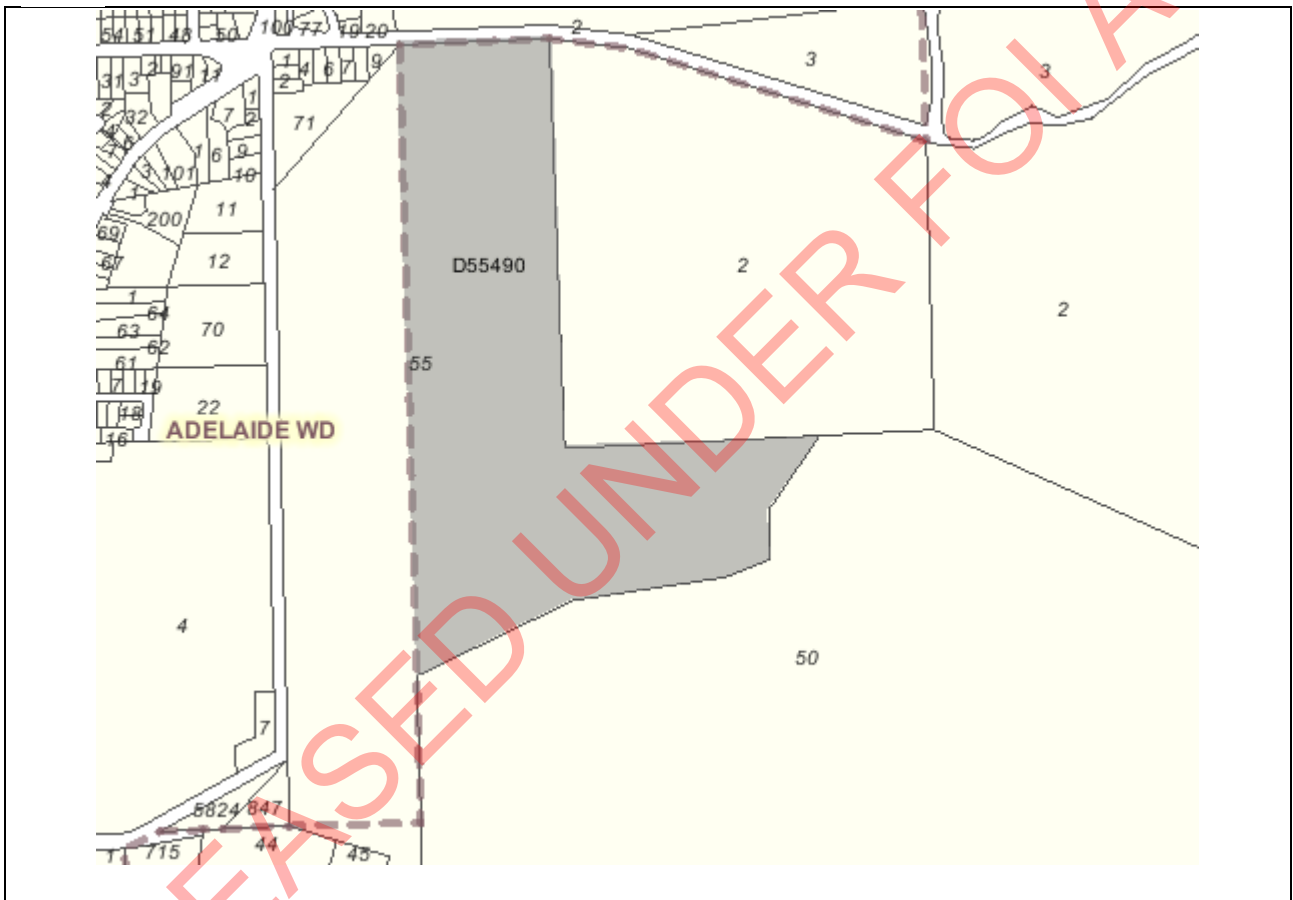
ADDITION OF LAND TO BE ADDED TO ADELAIDE WATER DISTRICT SHOWN AS SHADED AREA

W1474

SA Water 11/00601
Mapsheet: 662838A

SCHEDULE
MAP 2

HIGHBURY
HUNDRED OF YATALA



NOT TO SCALE

BOUNDARY OF ADELAIDE WATER DISTRICT PREVIOUSLY PROCLAIMED SHOWN AS DASHED LINES

ADDITION OF LAND TO BE ADDED TO ADELAIDE WATER DISTRICT SHOWN AS SHADED AREA

Dated 17 January 2011.

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

A. SCHIRRIPA, Manager Billing and Collection

In the presence of:

N. GLASS, Team Leader Rating

IMPORTANT NOTICE
Government Gazette Publication

**Australia Day Holiday Week Publishing
Information**

Government Gazette Notices
Publishing Date: Thursday, 27 January 2011

Closing date for notices for publication will be
4 p.m. on Monday, 24 January 2011

RELEASED UNDER FOIA ACT

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2010

	\$		\$
Agents, Ceasing to Act as.....	44.25	Firms:	
Associations:		Ceasing to Carry on Business (each insertion)	29.50
Incorporation	22.40	Discontinuance Place of Business	29.50
Intention of Incorporation	55.50	Land—Real Property Act:	
Transfer of Properties	55.50	Intention to Sell, Notice of.....	55.50
Attorney, Appointment of.....	44.25	Lost Certificate of Title Notices	55.50
Bailiff's Sale	55.50	Cancellation, Notice of (Strata Plan).....	55.50
Cemetery Curator Appointed.....	32.75	Mortgages:	
Companies:		Caveat Lodgement	22.40
Alteration to Constitution	44.25	Discharge of	23.40
Capital, Increase or Decrease of	55.50	Foreclosures.....	22.40
Ceasing to Carry on Business	32.75	Transfer of	22.40
Declaration of Dividend.....	32.75	Sublet.....	11.30
Incorporation	44.25	Leases—Application for Transfer (2 insertions) each.....	11.30
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	32.75
First Name.....	32.75	Licensing	65.50
Each Subsequent Name	11.30	Municipal or District Councils:	
Meeting Final.....	37.00	Annual Financial Statement—Forms 1 and 2	618.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	439.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	88.00
First Name.....	44.25	Each Subsequent Name.....	11.30
Each Subsequent Name	11.30	Noxious Trade	32.75
Notices:		Partnership, Dissolution of.....	32.75
Call.....	55.50	Petitions (small)	22.40
Change of Name.....	22.40	Registered Building Societies (from Registrar-General).....	22.40
Creditors.....	44.25	Register of Unclaimed Moneys—First Name.....	32.75
Creditors Compromise of Arrangement	44.25	Each Subsequent Name	11.30
Creditors (extraordinary resolution that 'the Com-		Registers of Members—Three pages and over:	
pany be wound up voluntarily and that a liquidator		Rate per page (in 8pt)	281.00
be appointed').....	55.50	Rate per page (in 6pt)	371.00
Release of Liquidator—Application—Large Ad.	88.00	Sale of Land by Public Auction.....	56.00
—Release Granted	55.50	Advertisements	3.10
Receiver and Manager Appointed	51.00	¼ page advertisement	131.00
Receiver and Manager Ceasing to Act	44.25	½ page advertisement	262.00
Restored Name.....	41.25	Full page advertisement.....	514.00
Petition to Supreme Court for Winding Up.....	77.00	Advertisements, other than those listed are charged at \$3.10 per	
Summons in Action.....	65.50	column line, tabular one-third extra.	
Order of Supreme Court for Winding Up Action.....	44.25	Notices by Colleges, Universities, Corporations and District	
Register of Interests—Section 84 (1) Exempt	99.00	Councils to be charged at \$3.10 per line.	
Removal of Office.....	22.40	Where the notice inserted varies significantly in length from	
Proof of Debts	44.25	that which is usually published a charge of \$3.10 per column line	
Sales of Shares and Forfeiture.....	44.25	will be applied in lieu of advertisement rates listed.	
Estates:		South Australian Government publications are sold on the	
Assigned	32.75	condition that they will not be reproduced without prior	
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MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2010

Acts, Bills, Rules, Parliamentary Papers and Regulations

Pages	Main	Amends	Pages	Main	Amends
1-16	2.70	1.25	497-512	37.50	36.50
17-32	3.60	2.25	513-528	38.50	37.25
33-48	4.70	3.35	529-544	39.75	38.50
49-64	5.95	4.55	545-560	40.75	39.75
65-80	6.90	5.75	561-576	41.75	40.75
81-96	8.05	6.65	577-592	43.25	41.25
97-112	9.20	7.85	593-608	44.50	42.75
113-128	10.30	9.05	609-624	45.25	44.25
129-144	11.50	10.20	625-640	46.50	44.75
145-160	12.60	11.30	641-656	47.50	46.50
161-176	13.70	12.40	657-672	48.25	47.00
177-192	15.00	13.50	673-688	50.25	48.25
193-208	16.10	14.90	689-704	51.25	49.25
209-224	17.00	15.70	705-720	52.00	50.50
225-240	18.20	16.80	721-736	53.50	51.50
241-257	19.50	17.80	737-752	54.00	52.50
258-272	20.60	18.90	753-768	55.50	53.50
273-288	21.70	20.40	769-784	56.50	55.50
289-304	22.60	21.30	785-800	57.50	56.50
305-320	24.00	22.50	801-816	59.00	57.00
321-336	25.00	23.60	817-832	60.00	59.00
337-352	26.20	24.90	833-848	61.00	60.00
353-368	27.00	26.00	849-864	62.00	60.50
369-384	28.50	27.00	865-880	63.50	62.00
385-400	29.75	28.25	881-896	64.00	62.50
401-416	30.75	29.25	897-912	65.50	64.00
417-432	32.00	30.50	913-928	66.00	65.50
433-448	33.00	31.75	929-944	67.00	66.00
449-464	33.75	32.50	945-960	68.00	66.50
465-480	34.25	33.50	961-976	71.00	67.50
481-496	36.50	34.25	977-992	72.00	68.00

Legislation—Acts, Regulations, etc:	\$
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 Ground Floor—EDS Centre, 108 North Terrace, Adelaide, S.A. 5000
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 Postal: G.P.O. Box 1707, Adelaide, S.A. 5001

Online Shop: www.shop.service.sa.gov.au

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This creates confusion and may well result in your notice being printed **twice**.

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Please include a contact person, phone number and order number so that we can phone back with any queries we may have regarding the fax copy.

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Documents should be sent as attachments in Word format.

When sending a document via E-mail, please confirm your transmission with a faxed copy of your document, including the date the notice is to be published.

Fax transmission: (08) 8207 1040
Enquiries: (08) 8207 1045

NOTE: Closing time for lodging new copy (fax, hard copy or email) is 4 p.m. on Tuesday preceding the day of publication.

CITY OF ONKAPARINGA

Councillor for Knox Ward

NOTICE is hereby given in accordance with section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Councillor for Knox Ward, due to the passing of Councillor Alan Oakes.

J. TATE, Chief Executive Officer

CITY OF ONKAPARINGA

Close of Roll for Supplementary Election

NOTICE is hereby given that due to the passing of a member of the Council, a supplementary election will be necessary to fill the vacancy of Councillor for Knox Ward.

The voters roll for this supplementary election will close at 5 p.m. on Monday, 31 January 2011.

You are entitled to vote in the election if you are on the State electoral roll. If you have recently turned 18 or changed your residential or postal address you must complete an electoral enrolment form, available from post offices or online at www.ecsa.sa.gov.au.

If you are not eligible to enrol on the State electoral roll you may still be entitled to enrol to vote if you own or occupy a property. Contact the Council to find out how.

Nominations to fill the vacancy will open on Thursday, 24 February 2011 and will be received until 12 noon on Thursday, 10 March 2011.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Monday, 11 April 2011.

K. MOUSLEY, Returning Officer

CITY OF PORT ADELAIDE ENFIELD

Assignment of a Name for a New Road

NOTICE is hereby given that the Council of the City of Port Adelaide Enfield at its meeting held on 14 December 2010, resolved pursuant to section 219 (1) of the Local Government Act 1999, that a certain new road located in the suburb of Dudley Park be assigned the name Islington Court.

A plan that delineates the new road that has been assigned a street name, together with a copy of the Council's resolution are both available for inspection at the Council's principal office, 163 St Vincent Street, Port Adelaide; The Parks—Library Council Office, 2-46 Cowan Street, Angle Park; Enfield Library—Council Office, 1-9 Kensington Crescent, Enfield and Greenacres—Library Council Office, 2 Fosters Road, Greenacres, during their normal business hours.

H. WIERDA, City Manager

CITY OF PORT ADELAIDE ENFIELD

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

NOTICE is hereby given that the Council of the City of Port Adelaide Enfield at its meeting held on 14 December 2010, resolved pursuant to section 219 (1) of the Local Government Act 1999, that the name of a certain public road located in the suburb of Regency Park be changed and that certain new public roads in Regency Park be assigned street names, as detailed below:

- The name of the public road Gallipoli Grove (also referred to as Farm Road on Deposited Plan 58412) be changed to Naweena Road as marked B on the plan; and
- The new public road between the renamed Gallipoli Grove to the intersection of Camira Street be assigned the name Naweena Road as marked B on the plan.

Therefore Naweena Road now becomes a continuous road between Regency Road until its conclusion at Indama Street.

- The new public road between the intersection of Aruma Street/Naweena Road and Grand Junction Road as marked A on the plan be assigned the name Gallipoli Drive.

The plan that delineates the location of public roads that are subject to the change of street name and assignment of street names, together with a copy of the Council's resolution are available for inspection at the Council's principal office, 163 St Vincent Street, Port Adelaide; The Parks—Library Council Office, 2-46 Cowan Street, Angle Park; Enfield Library—Council Office, 1-9 Kensington Crescent, Enfield and Greenacres—Library Council Office, 2 Fosters Road, Greenacres, during their normal business hours.

H. WIERDA, City Manager

CORPORATION OF THE TOWN OF WALKERVILLE

CALL FOR NOMINATIONS

Supplementary Election for One Area Councillor

NOMINATIONS to be a candidate for election as a member of the Corporation of the Town of Walkerville will be received between Thursday, 27 January 2011 and 12 noon on Thursday, 10 February 2011. Candidates must submit a profile of not more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Nomination kits are available from the Council office, 66 Walkerville Terrace, Gilberton.

A briefing session for intending candidates will be held at 6.30 p.m. on Monday, 31 January 2011 at the Walkerville Town Hall, 66 Walkerville Terrace, Gilberton.

K. MOUSLEY, Returning Officer

DISTRICT COUNCIL OF KIMBA

Change of Meeting Date and Time

NOTICE is hereby given that the District Council of Kimba resolved at its meeting held on 12 January 2011 to change the date of the scheduled February Council Meeting from Wednesday, 9 February 2011 commencing at 2 p.m. to Tuesday, 8 February 2011 commencing at noon.

D. CEARNS, Chief Executive Officer

LIGHT REGIONAL COUNCIL

Revocation of Community Land Classification

NOTICE is hereby given that on 9 December 2008, the Light Regional Council, resolved pursuant to section 194 (4) of the Local Government Act 1999, to exclude the following parcel of land from classification as community land:

Proposed part Lot 893 in unapproved deposited plan D85616, formerly part Lot 101, once owned by the Gawler Harness Racing Club to be vested in the ownership of the Light Regional Council.

B. CARR, Chief Executive Officer

DISTRICT COUNCIL OF MALLALA

Appointment

PURSUANT to section 56A (22) of the Development Act 1993, Council appointed the Chief Executive Officer, Charles Mansueto as Public Officer in relation to the Mallala Council Development Assessment Panel. Contact details for the Public Officer are:

Charles Mansueto,
P.O. Box 18, Mallala, S.A. 5502
Telephone: (08) 8527 2006
E-mail: cmansueto@mallala.sa.gov.au

C. MANSUETO, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT BARKER

Exclusion of Vehicles

NOTICE is hereby given that on 17 January 2011, the District Council of Mount Barker resolved that as from the date of publication of this resolution in the *South Australian Government Gazette* and in a newspaper circulating within the Council's area, that item 2 of minute reference 10.13 of 6 August 2007 be amended to read:

'The following classes of vehicles be exempted from Part 1 of this resolution:

- County Fire Service vehicles;
- SA Ambulance vehicles;
- Police vehicles;
- Adjoining landowners vehicles; and
- ElectraNet Pty Ltd vehicles.'

A. STUART, Chief Executive Officer

SOUTHERN MALLEE DISTRICT COUNCIL

CALL FOR NOMINATIONS

Supplementary Election for Two Councillors in Kelly Scales Ward and One Councillor in Bews Ward

NOMINATIONS to be a candidate for election as a member of Southern Mallee District Council will be received between Thursday, 27 January 2011 and 12 noon on Thursday, 10 February 2011. Candidates must submit a profile of not more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Nomination kits are available from the Council office, Day Street, Pinnaroo.

A briefing session for intending candidates will be held at 7 p.m. on Tuesday, 1 February 2011 at the Lameroo Council Chamber.

K. MOUSLEY, Returning Officer

WATTLE RANGE COUNCIL

CALL FOR NOMINATIONS

Supplementary Election for One Councillor in Riddoch Ward

NOMINATIONS to be a candidate for election as a member of Wattle Range Council will be received between Thursday, 27 January and 12 noon on Thursday, 10 February 2011. Candidates must submit a profile of not more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Nomination kits are available from Council offices located at:

- Civic Centre, George Street, Millicent
- Beachport VIC, Millicent Road, Beachport
- Penola Coonawarra VIC, 27 Arthur Street, Penola

A briefing session for intending candidates will be held at 5.30 p.m. on Monday, 31 January 2011 at the Penola Coonawarra Visitor Information Centre, 27 Arthur Street, Penola.

K. MOUSLEY, Returning Officer

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

Ashton, Thelma Ann, late of 53-59 Austral Terrace, Morphettville, of no occupation, who died on 9 September 2010.

Bond, Robert Bruce, late of 17 Military Road, Semaphore South, retired welder, who died on 27 October 2010.

Brown, Ella Daphne Hope, late of 1 Warooka Drive, Smithfield, of no occupation, who died on 8 October 2010.

Byrnes, Noel Norval, late of 7 William Street, Birdwood, retired mechanic, who died on 20 October 2010.

Clark, Jean, late of 24-34 Avenue Road, Glynde, of no occupation, who died on 28 September 2010.

Cotton, Valerie Edith, late of 324 Military Road, Semaphore Park, of no occupation, who died on 2 November 2010.

Davis, Robert William, late of 63-69 Hall Street, Semaphore, of no occupation, who died on 20 October 2010.

Drummond, Brian Frederick, late of 226 Fullarton Road, Glenside, of no occupation, who died on 16 June 2010.

Dunstall, Ray Miller, late of 437 Salisbury Highway, Parafield Gardens, retired bread carter, who died on 5 July 2010.

Field, Constance Joyce, late of 14A Gulf Court, Semaphore Park, widow, who died on 31 October 2010.

Gent, Georgina Emily, late of 12 Township Road, Marion, home duties, who died on 27 August 2010.

Hall, Mark Kenneth, late of 2-16 Pioneer Drive, Roxby Downs, refrigeration and airconditioning mechanic, who died on 9 July 2010.

Hull, Simon, late of 1 Eyre Highway, Ceduna, retired labourer, who died on 30 May 2010.

Laurier, Sophia Johanna, late of 26 Crouch Street South, Mount Gambier, retired shop proprietor, who died on 18 August 2010.

Leek, Alan John, late of 21 Ashbourne Avenue, Kingswood, registered nurse, who died on 12 August 2010.

Maher, Mary Phyllis, late of 95-97 Awoonga Road, Hope Valley, of no occupation, who died on 8 June 2010.

McKenzie, Teresa Phyllis, late of Blamey Road, Elizabeth East, widow, who died on 5 November 2010.

Moon, Edith May, late of 55 Regency Road, Croydon Park, of no occupation, who died on 9 December 1987.

Norman, Glenn Wellesley, late of 243 The Cove Road, Hallett Cove, sheetmetal worker, who died on 3 October 2010.

O'Connor, Mavis Margaret, late of 740 Torrens Road, Rosewater, widow, who died on 28 October 2010.

Ofierski, Jan, late of 1 Goodall Avenue, Croydon Park, retired factory hand, who died on 1 April 2010.

Price, Francis Laurence, late of 46 Seacombe Road, Darlington, retired postman, who died on 31 August 2010.

Pulley, Christmas Anthony, late of 6A Dianne Street, Klemzig, of no occupation, who died on 30 July 2010.

Reilly, Barrie James, late of 150-164 Bay Road, Encounter Bay, retired project manager, who died on 1 November 2010.

Rio, Gwenda Maud, late of 10 Richard Street, Findon, home duties, who died on 12 November 2010.

Saxby, Eileen Lucy, late of 52 Dunrobin Road, Hove, of no occupation, who died on 9 October 2010.

Schilds, Robert Bernard, late of Blamey Road, Elizabeth East, of no occupation, who died on 10 June 2010.

Stone, Robert John, late of 150-164 Bay Road, Encounter Bay, retired railway employee, who died on 28 August 2010.

Summers, Ina Fay, late of 1099 Grand Junction Road, Hope Valley, retired secretary, who died on 4 October 2010.

Tatka, Galina, late of 324 Military Road, Semaphore Park, retired nurse, who died on 25 August 2010.

Tindall, Irene Gwendoline, late of 39 Finnis Street, Marion, of no occupation, who died on 8 November 2010.

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 18 February 2011, 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 20 January 2011.

D. A. CONTALA, Public Trustee

SALE OF PROPERTY

Auction Date: Saturday, 29 January 2011 at 10 a.m.

Location: Government Auctions SA, 47 Transport Avenue, Netley.

NOTICE is hereby given that on the above date at the time and place stated, by virtue of Orders for Sale issued by the Fines Payment Unit of South Australia, Penalty No. EXREG 06/111503-1 and others, are directed to the Sheriff of South Australia in an action wherein Fred Musolino is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Government Auctions SA make sale of the following:

Mazda E2000 Van

Registration No.: WOK 467

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.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

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List of Windfarm Applications

- CERES Windfarm
- Lincoln Gap Windfarm
- Myponga Sellicks Windfarm
- Keyneton Windfarm
- Port Augusta Renewable Energy Park (DP Energy)
- Hornsdale Windfarm
- Twin Creek Windfarm
- Crystal Brook Energy Park
- Waitpinga Windfarm

RELEASED UNDER FOI ACT