



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 17 AUGUST 2023

CONTENTS

STATE GOVERNMENT INSTRUMENTS	
Building Work Contractors Act 1995.....	3030
Fisheries Management (General) Regulations 2017.....	3030
Grants Commission Act 1992	3032
Historic Shipwrecks Act 1981.....	3032
Housing Improvement Act 2016	3033
Land Acquisition Act 1969	3033
Mining Act 1971	3035
Planning, Development and Infrastructure Act 2016	3036
Roads (Opening and Closing) Act 1991.....	3040
LOCAL GOVERNMENT INSTRUMENTS	
Barunga West Council	3041
Kangaroo Island Council.....	3041
Lower Eyre Council.....	3042
PUBLIC NOTICES	
National Electricity Law	3043
National Energy Retail Law	3043
Sale of Property.....	3043
Trustee Act 1936.....	3044

All instruments appearing in this gazette are to be considered official, and obeyed as such

STATE GOVERNMENT INSTRUMENTS

BUILDING WORK CONTRACTORS ACT 1995

Exemption

Take notice that, pursuant to Section 45 of the *Building Work Contractors Act 1995*, I, Zoe Thomas as a delegate for the Minister for Consumer and Business Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

SCHEDULE 1

ANDREY JAMES GECI (BLD 41695)

SCHEDULE 2

Construction of a 3 room addition to an existing dwelling and a freestanding garage at Allotment 43 in Deposited Plan 7050 being a portion of the land described in Certificate of Title Volume 6134 Folio 11, more commonly known as 16 Brownlow Road, Kingscote SA 5223.

SCHEDULE 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to the building work described in Schedule 2.
2. This exemption does not apply to any domestic building work the licensee contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.
3. That the licensee does not transfer his interest in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of Consumer and Business Services (CBS). Before giving such authorisation, CBS may require the licensee to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:
 - Providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;
 - Providing evidence of an independent expert inspection of the building work the subject of this exemption;
 - Making an independent expert report available to prospective purchasers of the property;
 - Giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated: 8 August 2023

ZOE THOMAS
Assistant Director, Licensing
Delegate for the Minister for Consumer and Business Affairs

FISHERIES MANAGEMENT (GENERAL) REGULATIONS 2017

SECTION 115

Ministerial Exemption ME9903271

Take notice that pursuant to Section 115 of the *Fisheries Management Act 2007*, Professor Gavin Begg, Executive Director Fisheries and Aquaculture, delegate of the Minister for Primary Industries and Regional Development, hereby exempt Professor Luciana Moller of the School of Biological Sciences, Flinders University, GPO Box 2100, Adelaide SA 5001 (the 'exemption holder') or a person acting as her agent, from Sections 71(1)(b) and 71(2) of the *Fisheries Management Act 2007* but only insofar as their activities form part of the research project described in Schedule 1, subject to the conditions set out in Schedule 2, from 12 August 2023 for a period of 12 months, unless varied or revoked earlier.

SCHEDULE 1

Research activities associated with the project '*Immunogenetic health and infectious disease surveillance of Australian cetaceans*' in all South Australian marine waters including marine parks with the exception of restricted area zones (unless authorised by a permit under the *Marine Parks Act 2007*).

SCHEDULE 2

1. The exempted activity is permitted in South Australian marine coastal waters including marine parks excluding restricted area zones (unless authorised by a permit under the *Marine Parks Act 2007*) and including aquatic reserves as authorised by Ministerial Permit MP0212 under the *Fisheries Management Act 2007*.
2. The exemption holder will be deemed responsible for the conduct of all persons conducting the exempted activities under this notice. Any person conducting activities under this exemption must be provided with a copy of this notice, which they must have signed as an indication that they have read and understood the conditions under it.
3. The taking of skin swabs, skin biopsy and exhaled breath samples from cetaceans under this notice is limited to:
 - 20 Common bottlenose dolphins (*Tursiops truncatus*)
 - 20 Indo-Pacific bottlenose dolphins (*Tursiops aduncus*)
 - 20 Common dolphins (*Delphinus delphis*)
 - 20 Killer whales (*Orcinus orca*)
 - 20 Pilot whales (*Globicephala spp.*)
 - 20 Sperm whales (*Physeter macrocephalus*)
 - 10 Blue whales (*Balaenoptera musculus*)
 - 10 Southern right whales (*Eubalaena australis*)
 - 10 Humpback whales (*Megaptera novaeangliae*)
 - 10 any rare cetacean species.
4. Samples required for the research project must only be taken using the following methods:
 - 1 Paxarms remote biopsy system
 - 1 drone, Mavic or DJI Phantom
 - 1 telescopic pole.

5. The exemption holder must make all reasonable attempts to minimise interference with the animals' natural activities and must take all reasonable steps to minimise the extent of injury, damage or harm to the cetaceans in undertaking the research activity.
6. No cetacean may be removed from the water when undertaking the exempted activity.
7. No skin biopsies of any dolphins may be undertaken within the Adelaide Dolphin Sanctuary.
8. Any unexpected deaths, injuries or other complications that impact on the wellbeing of any species while undertaking the exempted activity must be reported to the Department of Primary Industries and Regions (PIRSA) Fisheries and Aquaculture on 1800 065 522 as soon as practicable.
9. The exemption holder must ensure that any equipment used in the Port River, Section Bank or Barker Inlet—St Kilda Aquatic Reserve pursuant to this permit must be appropriately decontaminated prior to and after undertaking the research activities to reduce the risk of spreading disease.
10. The following persons are authorised to act as agents under this exemption:
 - A/Prof Guido Parra, Flinders University School of Biological Sciences
 - A/Prof Lucy Woolford, Adelaide University Veterinary School
 - Dr Claire Charlton, 18 Kirby St, Encounter Bay SA 5211.
11. Before undertaking the exempted activity, the exemption holder or a person acting as an agent must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of 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.
12. 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 Fisheries Officer immediately upon request.
13. The exemption holder must provide a report in writing detailing the outcomes of the research and collection of organisms pursuant to this notice to PIRSA, Fisheries and Aquaculture (GPO Box 1625, Adelaide SA 5001) within 30 days of the final collection (the exempted activity) with the following details:
 - the date, time and location of sampling;
 - the number and description of all species sampled; and
 - any other information deemed relevant or of interest that is able to be volunteered.
14. 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.

This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the *Marine Parks Act 2007* and the *Adelaide Dolphin Sanctuary Act 2005*. The exemption holder and agents must comply with any relevant regulations, permits, requirements and directions from the Department for Environment and Water when undertaking activities within a marine park.

Dated: 10 August 2023

PROFESSOR GAVIN BEGG
Executive Director
Fisheries and Aquaculture

Delegate of the Minister for Primary Industries and Regional Development

FISHERIES MANAGEMENT (GENERAL) REGULATIONS 2017

SECTION 115

Ministerial Exemption ME9903272

Take notice that pursuant to Section 115 of the *Fisheries Management Act 2007* (the Act), Mr Adam Harman of Lateral Environmental Pty Ltd, ACN: 643 816 782 (the 'exemption holder') and the nominated agents, are exempt from Section 71(1) of the *Fisheries Management Act 2007* (The Act), and Section 70 of the Act, specifically Clauses 74 and 75 of Schedule 6 of the *Fisheries Management (General) Regulations 2017*, but only insofar as they may use the fishing gear specified in Schedule 1 to undertake environmental studies involving the catch and release of fish, including protected species, in the waters specified in Schedule 2, subject to the conditions specified in Schedule 3, from 10 August 2023 to 9 August 2024, unless varied or revoked earlier.

SCHEDULE 1

- 1 x Backpack electrofisher—Smith Root LR24b
- 1 x Seine net—20 metres x 2 metres
- 4 x Gill nets—10 metres in length, mesh sizes 10mm, 13mm, 19mm and 25mm

SCHEDULE 2

Inland waters near Manunda Creek within an area bounded by the following coordinates (GDA2020):

- 32°49'53.58"S, 139°23'49.83"E
- 32°49'53.58"S, 140°14'40.18"E
- 32°58'57.31"S, 140°14'40.18"E
- 32°58'57.31"S, 139°23'49.83"E

SCHEDULE 3

1. The exemption holder will be deemed responsible for the conduct of all persons conducting the exempted activities under this notice. Any person conducting activities under this exemption must be provided with a copy of this notice, which they must have signed as an indication that they have read and understand the conditions under it.
2. The nominated agents of the exemption holder are the following employees or subcontractors of Lateral Environmental Pty Ltd:
 - Andre Siebers
 - Jake Daviot
 - Dr Nick Stevens
3. All native fish, including protected species taken pursuant to the exempted activity must be returned to the water in the locations where they were captured immediately upon being measured.

4. Noxious fish captured during the exempted activity must not be returned to the water and must be humanely destroyed.
5. Gill nets must be removed from the water and cleared at least once every 30 minutes.
6. Any equipment used to collect fish during the exempted activity must be decontaminated prior to and after undertaking the research activities.
7. At least 1 hour before conducting activities under this exemption, the exemption holder or nominated agent must contact the Department of Primary Industries and Regions (PIRSA) Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The caller will need to have a copy of this notice in their possession at the time of making the call and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of persons assisting with undertaking the exempted activity and other related questions.
8. The exemption holder must provide a report in writing detailing the activities carried out pursuant to this notice to the Executive Director, Fisheries and Aquaculture (GPO Box 1625, Adelaide SA 5001) within 30 days of the expiry of this exemption that includes the following details:
 - the date and location of sampling;
 - the gear used;
 - the number and description of all species collected;
 - any interactions with protected species and marine mammals; and
 - other information regarding size, breeding or anything deemed relevant or of interest that is able to be volunteered.
9. While engaging in the exempted activity, the exemption holder must be in possession of a copy of this exemption and the exemption 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: 10 August 2023

PROFESSOR GAVIN BEGG
Executive Director
Fisheries and Aquaculture

Delegate of the Minister for Primary Industries and Regional Development

GRANTS COMMISSION ACT 1992

Notice by the Minister

I, Honourable Anastasios Tom Koutsantonis MP, Acting Minister for Local Government, being the Minister responsible for the administration of the *South Australian Local Government Grants Commission Act 1992*, hereby state pursuant to Section 6 of the Act that:

- (a) the total amount available for payment of grants pursuant to this Act for 2023-24 is \$203,270,622;
- (b) the amount available for payment of general purpose grants within the total amount for 2023-24 is \$150,699,915;
- (c) the amount available for payment of identified local road grants within the total amount for 2023-24 is \$52,570,707;
- (d) an amount of \$9,145,293 relating to the underpayment of grants for 2022-23 will be added from the funds to be paid to councils during 2023-24, using the grant relativities applied in 2022-23; and
- (e) an amount of \$202,884,468 relating to the payment of grants for 2023-24 brought forward and paid in June 2023 will be deducted from the funds to be paid to councils during 2023-24.

Dated: 10 August 2023

HONOURABLE ANASTASIOS TOM KOUTSANTONIS MP
Acting Minister for Local Government

HISTORIC SHIPWRECKS ACT 1981

Removal of a Protected Zone

I, Susan Elizabeth Close, the Minister for Climate, Environment and Water and the Minister for the time being administering the Act, being of the opinion that the protected zone on the historic shipwreck described in the Schedule, being the remains of a ship that is situated in territorial waters of the State, no longer achieves the objectives for which it was declared, hereby revoke the declaration of the protected zone pursuant to Section 7(3) of the *Historic Shipwrecks Act 1981*.

SCHEDULE

Name by which remains commonly known:

HMAS Hobart

Parallel of Latitude and meridian of Longitude at the intersection of which remains are located:

35°28'51.6"S; 138°09'26.0"E

Description of Protected Zone:

A circular area of sea having a radius of 550 metres centred on the location of the remains as set out in this schedule.

Dated: 17 August 2023

SUSAN CLOSE
Minister for Climate, Environment and Water

HOUSING IMPROVEMENT ACT 2016

Rent Control

The Minister for Human Services Delegate in the exercise of the powers conferred by the *Housing Improvement Act 2016*, does hereby fix 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 shall come into force on the date of this publication in the *Gazette*.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio	Maximum Rental per week payable
66 Wills Street, Peterhead SA 5016	Allotment 147 Filed Plan 4704 Hundred of Port Adelaide	CT6115/488	\$125.00

Dated: 17 August 2023

CRAIG THOMPSON
Housing Regulator and Registrar
Housing Safety Authority, SAHA
Delegate of Minister for Human Services

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

Whereas the Minister for Human Services Delegate is satisfied that each of the houses described hereunder has ceased to be unsafe or unsuitable for human habitation for the purposes of the *Housing Improvement Act 2016*, notice is hereby given that, in exercise of the powers conferred by the said Act, the Minister for Human Services Delegate does hereby revoke the said Rent Control in respect of each property.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
15 Daisy Street, Solomontown SA 5540	Allotment 9 Deposited Plan 1491 Hundred of Pirie	CT5503/596

Dated: 17 August 2023

CRAIG THOMPSON
Housing Regulator and Registrar
Housing Safety Authority, SAHA
Delegate of Minister for Human Services

LAND ACQUISITION ACT 1969

SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 8 in Deposited Plan 14388 comprised in Certificate of Title Volume 5747 Folio 419 and being the whole of the land identified as Allotment 2130 in D132580 lodged in the Lands Titles Office.

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

2. Compensation

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

2A. Payment of professional costs relating to acquisition (Section 26B)

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of up to \$10,000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

3. Inquiries

Inquiries should be directed to:

Philip Cheffirs
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 7133 2395

Dated: 14 August 2023

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO
Manager, Property Acquisition (Authorised Officer)
Department for Infrastructure and Transport

DIT 2021/12962/01

LAND ACQUISITION ACT 1969

SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 9 in Deposited Plan 14388 comprised in Certificate of Title Volume 5112 Folio 431 and being the whole of the land identified as Allotment 2120 in D132040.

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

2. Compensation

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

2A. Payment of professional costs relating to acquisition (Section 26B)

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of up to \$10,000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

3. Inquiries

Inquiries should be directed to:

Daniel Tuk
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 7133 2479

Dated: 14 August 2023

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO
Manager, Property Acquisition (Authorised Officer)
Department for Infrastructure and Transport

DIT 2021/12963/01

LAND ACQUISITION ACT 1969

SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Unit 3 in Strata Plan 13681 comprised in Certificate of Title Volume 5301 Folio 3.

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

2. Compensation

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

2A. Payment of professional costs relating to acquisition (Section 26B)

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of up to \$10,000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

3. Inquiries

Inquiries should be directed to:

Petrula Pettas
GPO Box 1533
Adelaide SA 5001
Telephone: 08 7133 2457

Dated: 16 August 2023

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO
Manager, Property Acquisition
(Authorised Officer)
Department for Infrastructure and Transport

2022/02982/01

LAND ACQUISITION ACT 1969

SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

First: Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment comprising Pieces 1 and 2 in Filed Plan 106645 comprised in Certificate of Title Volume 6281 Folio 482 and being the whole of the land identified as Allotment 445 in D132280 lodged in the Lands Titles Office and expressly excluding the easement(s) over the land marked 'A' on F106645 (T4771132).

Secondly: Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 3 in Filed Plan 106645 comprised in Certificate of Title Volume 6281 Folio 482 and being the whole of the land identified as Allotment 446 in D132280 lodged in the Lands Titles Office and expressly excluding the easement(s) over the land marked 'A' on F106645 (T4771132).

Thirdly: Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 4 in Filed Plan 106645 comprised in Certificate of Title Volume 6281 Folio 482 and being the whole of the land identified as Allotment 448 in D132280 lodged in the Lands Titles Office and expressly excluding the easement(s) over the land marked 'A' on F106645 (T4771132).

Fourthly: Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 10 in Deposited Plan 36296 comprised in Certificate of Title Volume 6281 Folio 482 and being the whole of the land identified as Allotment 441 in D132280 lodged in the Lands Titles Office.

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

2. Compensation

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

2A. Payment of professional costs relating to acquisition (Section 26B)

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of up to \$10,000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

3. Inquiries

Inquiries should be directed to:

Philip Cheffirs
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 7133 2395

Dated: 16 August 2023

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

ROCCO CARUSO
Manager, Property Acquisition (Authorised Officer)
Department for Infrastructure and Transport

DIT 2022/09509/01

MINING ACT 1971

Application for a Mining Lease

Notice is hereby given in accordance with Section 56H of the *Mining Act 1971*, that an application for a Mining Lease over the undermentioned mineral claim has been received:

Applicant: Steven John Childs
Claim Number: 4560
Location: CT 6268/546, Karatta area—approximately 80km west-southwest of Kingscote.
Area: 148.88 hectares approximately
Purpose: Extractive Minerals (Laterite Gravels)
Reference: 2023/000137

To arrange an inspection of the proposal at the Department for Energy and Mining, please call the Department on (08) 8463 3103.

An electronic copy of the proposal can be found on the Department for Energy and Mining website:

<https://www.energymining.sa.gov.au/industry/minerals-and-mining/mining/community-engagement-opportunities>

Written submissions in relation to this application are invited to be received at the Department for Energy and Mining, Mining Regulation, Attn: Business Support Officer, GPO Box 320, Adelaide SA 5001 or dem.miningregrehab@sa.gov.au by no later than **30 August 2023**.

The delegate of the Minister for Energy and Mining is required to have regard to these submissions in determining whether to grant or refuse the application and, if granted, the terms and conditions on which it should be granted.

When you make a written submission, that submission becomes a public record. Your submission will be provided to the applicant and may be made available for public inspection.

Dated: 17 August 2023

C. ANDREWS
Acting Mining Registrar as delegate for the Minister for Energy and Mining
Department for Energy and Mining


PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

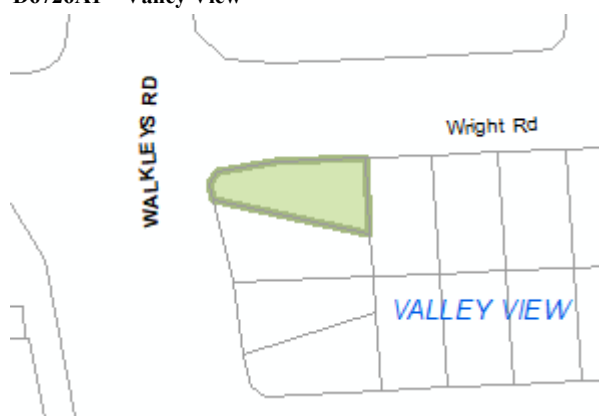
SECTION 76

*Amendment to the Planning and Design Code**Preamble*

It is necessary to amend the Planning and Design Code (the Code) in operation at 3 August 2023 (Version 2023.11) in order to make changes of form relating to the Code's spatial layers and their relationship with land parcels. NOTE: There are no changes to the application of zone, subzone or overlay boundaries and their relationship with affected parcels or the intent of policy application as a result of this amendment.

1. Pursuant to Section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make changes of form (without altering the effect of underlying policy), correct errors and make operational amendments as follows:
 - a. Undertake minor alterations to the geometry of the spatial layers and data in the Code to maintain the current relationship between the parcel boundaries and Code data as a result of the following:
 - i. New plans of division deposited in the Land Titles Office between 26 July 2023 and 8 August 2023 affecting the following spatial and data layers in the Code:
 - A. Zones and subzones
 - B. Technical and Numeric Variations
 - Building Heights (Levels)
 - Building Heights (Metres)
 - Concept Plan
 - Gradient Minimum Frontage
 - Gradient Minimum Site Area
 - Minimum Dwelling Allotment Size
 - Minimum Frontage
 - Minimum Site Area
 - Minimum Primary Street Setback
 - Minimum Side Boundary Setback
 - Future Local Road Widening Setback
 - C. Overlays
 - Affordable Housing
 - Dwelling Excision
 - Future Local Road Widening
 - Future Road Widening
 - Heritage Adjacency
 - Limited Land Division
 - Local Heritage Place
 - Noise and Air Emissions
 - Significant Landscape Protection
 - State Heritage Place
 - Stormwater Management
 - Urban Tree Canopy
 - ii. Improved spatial data for existing land parcels in the following locations (as described in Column A) that affect data layers in the Code (as shown in Column B):

Location (Column A)	Layers (Column B)
F151083A28 and F151082A27—Flagstaff Hill 	Overlays - Heritage Adjacency - State Heritage Place

Location (Column A)	Layers (Column B)
<p>D6726A1—Valley View</p> 	<p>Technical and Numeric Variations</p> <ul style="list-style-type: none"> - Future Local Road Widening Setback <p>Overlays</p> <ul style="list-style-type: none"> - Future Local Road Widening

- b. In Part 13 of the Code—Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the ‘Table of Planning and Design Code Amendments’ to reflect the amendments to the Code as described in this Notice.
2. Pursuant to Section 76(5)(a) of the Act, I further specify that the amendments to the Code as described in this Notice will take effect upon the date those amendments are published on the SA planning portal.

Dated 10 August 2023

GREG VAN GAANS
Director, Land and Built Environment,
Department for Trade and Investment
Delegate of the Minister for Planning

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 76

Amendment to the Planning and Design Code

Preamble

It is necessary to amend the Planning and Design Code (the Code) in operation at 3 August 2023 (Version 2023.11) in order to make the following minor or operational amendments:

- to correct errors relating to:
 - the drafting of Table 2—Off-Street Car Parking Requirements in Designated Areas within the City of Adelaide
 - the misapplication of the Local Heritage Place Overlay over incorrect properties at American River, Maslin Beach, and Adelaide
 - missing accepted development policy criteria (building encroachment on sewerage or waste control systems) for ‘agricultural building’ in the Rural Zone and Productive Rural Landscape Zone
 - missing application of the Local Heritage Place Overlay over properties at Walkerville.
 - to remove irrelevant material relating to the misapplication of the State Heritage Area Overlay to multiple properties within Burra
 - to include two State Heritage Places that are provisionally on the South Australian Heritage Register.
1. Pursuant to Section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make the following minor or operational amendments as follows:
- In Part 4—General Development Policies—Transport, Access and Parking, amend Table 2—Off-Street Car Parking Requirements in Designated Areas by removing ‘Business Neighbourhood Zone in the City of Adelaide’ from the ‘Designated Areas’ column for Class of Development ‘Non-residential development excluding tourist accommodation’.
 - Amend the spatial layer of the Local Heritage Place Overlay so that it:
 - does not apply to 51 and 55 Scenic Drive, American River (Lot 100, CT 6098/250 and Lot 101, CT 6098/251)
 - applies instead to 31 Scenic Drive, American River (Lot 703, CT 6093/412) and is linked to Heritage ID 20611—Shop (former General Store).

and update the spatial layer of the Heritage Adjacency Overlay to reflect these changes.
 - Amend the spatial layer of the State Heritage Area Overlay in Burra so that it is not applied over the allotments shaded green in the map in **Attachment A**.

- d. Amend the spatial layer of the State Heritage Place Overlay so that it applies to the following properties:
- Kaurna Country, 544 Glynburn Road, BURNSIDE—St John Vianney’s Catholic Church—CT 6276/148—State Heritage Number 28153
 - Boandik Country, 32047 Princes Highway TANTANOOLA—Tantanoola Caves Complex—CR 5772/853—State Heritage Number 28154

and update the spatial layer of the Heritage Adjacency Overlay to reflect these changes of the State Heritage Place Overlay.

- e. In Part 11—Heritage Places, under ‘State Heritage Place’ within the section applicable to ‘Burnside’, insert the following row in the table of State Heritage Places immediately after the row applying to 486–488 Glynburn Road BURNSIDE:

Kaurna Country, 544 Glynburn Road, BURNSIDE	St John Vianney’s Catholic Church	E	28153
---	-----------------------------------	---	-------

- f. In Part 11—Heritage Places, under ‘State Heritage Place’ within the section applicable to ‘Wattle Range’, insert the following row in the table of Local Heritage Places immediately after the row applying to 136 Wilson Street (Petticoat Lane), PENOLA:

Boandik Country, 32047 Princes Highway TANTANOOLA	Tantanoola Caves Complex	C	28154
---	--------------------------	---	-------

- g. In Part 2—Zones and Subzones, amend ‘Table 1—Accepted Development Classification’ of the Rural Zone by inserting the below criteria within the ‘Accepted Development Classification Criteria’ column for Class of Development ‘agricultural building’:
- The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system.
- h. In Part 2—Zones and Subzones, amend ‘Table 1—Accepted Development Classification’ of the Productive Rural Landscape Zone by inserting the below criteria within the ‘Accepted Development Classification Criteria’ column for Class of Development ‘agricultural building’:
- The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system.
- i. Amend the spatial layer of the Local Heritage Place Overlay so that it:
- does not apply to Lots 19 and 20, CT6069/867, Smith Street, Walkerville
 - applies instead to Lot 200, CT6176/667, Smith Street, Walkerville and is linked to St Andrew’s School original building (Heritage ID 8488)

Update the spatial layer of the Heritage Adjacency Overlay and the Heritage Places Planning Reference layer to reflect this change as well as the correct location of St Andrew’s School, Dove Hall (Heritage ID 8484) on Lots 16 and 17, CT6069/867.

- j. Amend the spatial layer of the Local Heritage Places Overlay so that it:
- does not apply to 102 Thomas Road, Maslin Beach (Lot 258, CT 5403/256)
 - applies instead to 118 Thomas Road, Maslin Beach (Lot 23, CT 5423/28) and is linked to Heritage ID 5596—Farmhouse & former Dairy ‘Kindra’.

and update the spatial layer of the Heritage Adjacency Overlay to reflect this change.

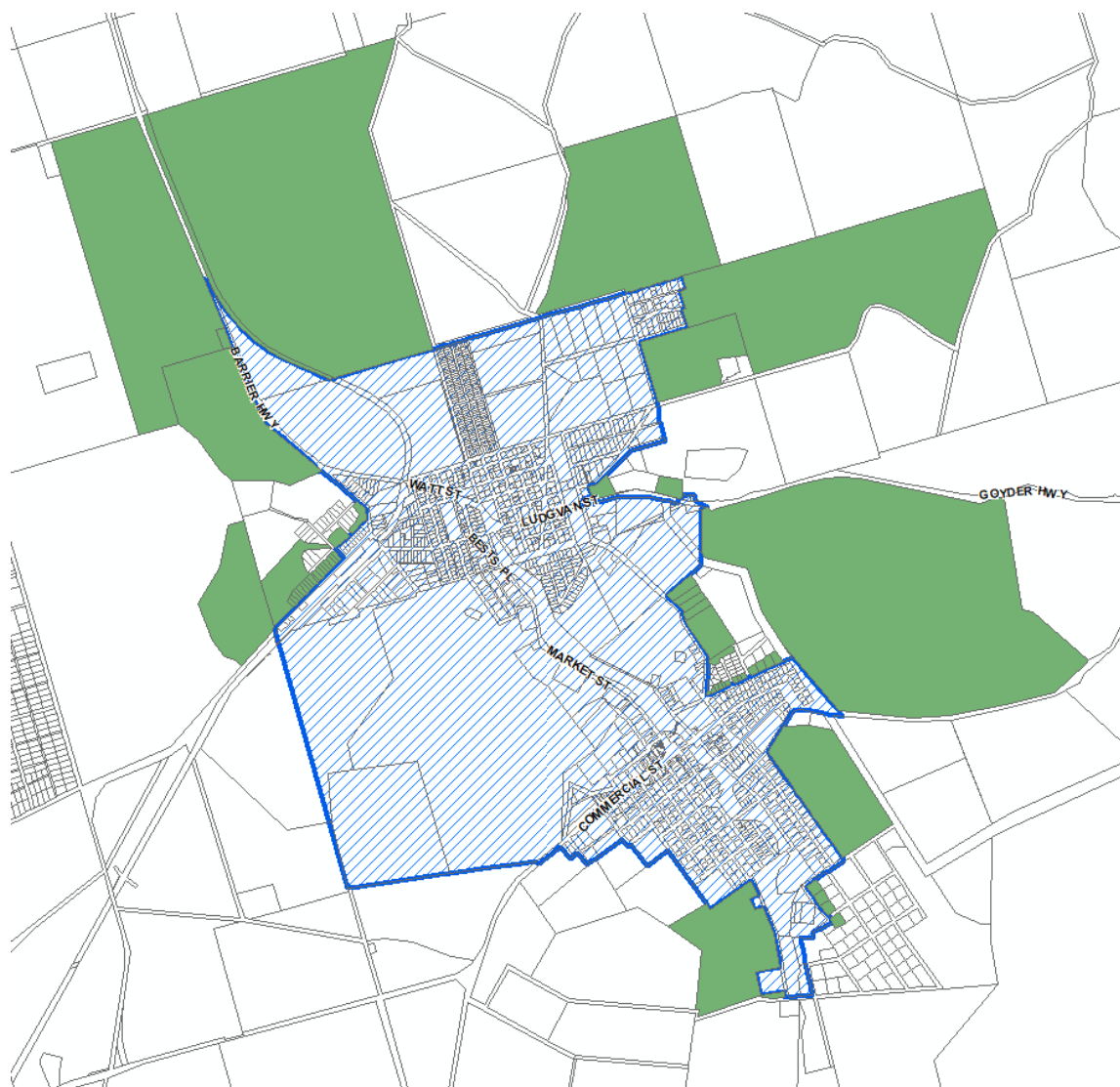
- k. In Part 13—Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the ‘Table of Planning and Design Code Amendments’ to reflect the amendments to the Code as described in this Notice.

2. Pursuant to Section 76(5)(a) of the Act, I further specify that the amendments to the Code as described in this Notice will take effect upon the date those amendments are published on the SA planning portal.

Dated: 13 August 2023

SALLY SMITH
Executive Director, Planning and Land Use Services
Department for Trade and Investment
Delegate of the Minister for Planning

ATTACHMENT A



PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 115

*Decision by the Minister for Planning**Preamble*

1. A development application was lodged in August 2021 on behalf of SA Offshore Windfarm Pty Ltd (the applicant) for an offshore windfarm near Kingston, South Australia.
2. The proposed development is subject to assessment as an Impact Assessed development under the *Planning, Development and Infrastructure Act 2016* by virtue of Regulation 27(a1) of the *Planning, Development and Infrastructure (General) Regulations 2017*.
3. On 3 June 2023 I advised the applicant that I was considering exercising my power in relation to Section 115(2)(a) of the *Planning, Development and Infrastructure Act 2016* to refuse approval to the proposed development and providing an opportunity to make representations for my further consideration before making a decision.
4. On 22 June 2023 I received advice in reply from the applicant, which I have now further considered.

Decision

Pursuant to Section 115(2)(a) of the *Planning, Development and Infrastructure Act 2016*, I will not grant a development authorisation for the development (and thereby no further assessment of the application will take place).

Dated: 7 August 2023

HON NICK CHAMPION MP
Minister for Planning

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

**NOTICE OF CONFIRMATION OF
ROAD PROCESS ORDER***Road Closure—Public Road, Holder*

By Road Process Order made on 28 February 2023, the District Council of Loxton Waikerie ordered that:

1. The whole of the Public Road, Holder, situated adjoining Sections 365, 427, 435, 436, 496, 497 and 530, Hundred of Holder, more particularly delineated and lettered 'A' in Preliminary Plan 22/0035 be closed.
2. Vest in the Crown the whole of the land subject to closure.

On 9 August 2023 that order was confirmed by the Minister for Planning conditionally upon the deposit by the Registrar-General of Deposited Plan 131874 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: 17 August 2023

B. J. SLAPE
Surveyor-General

2022/08458/01

LOCAL GOVERNMENT INSTRUMENTS

BARUNGA WEST COUNCIL

Adoption of Valuations and Declarations of Rates 2023-2024

Notice is hereby given that the Barunga West Council, at a meeting held on 8 August 2023, resolved for the year ending 30 June 2024 as follows:

Adoption of Valuations

Pursuant to Section 167(2)(a) of the *Local Government Act 1999*, to adopt for rating purposes the capital valuations of the Valuer-General, dated 3 July 2023 of the land within the area of the Council totalling \$2,232,324,440, of which \$2,210,716,936 is the capital value of rateable land.

Declaration of Differential General Rates

To declare general rates based upon the capital value:

- On rateable land with a category of Residential, Commercial—Shop, Commercial—Office, Commercial—Other, Industrial—Light and Industrial—Other, a rate of 0.3010 cents in the dollar;
- On rateable land with a category of Primary Production a rate of 0.1632 cents in the dollar;
- On rateable land with a category of Vacant a rate of 0.7300 cents in the dollar;

Declaration of Fixed Charge

Pursuant to Sections 151(1)(c)(ii) and 152(1)(c)(ii) of the *Local Government Act 1999*, a fixed charge of \$415 be imposed on each separate piece of rateable land within the area of Council.

Declaration of a Separate Rate—SA Power Network Power Pole Relocation, Whiting Rd, Fisherman Bay

To declare a separate rate of a fixed amount \$800 in respect to each allotment per certificate of title for the properties located at 22-94 Whiting Road, Fisherman Bay (even numbered properties) to fund the relocation of electricity poles by SA Power Networks.

Adoption of Community Wastewater Management Scheme Annual Service Charges

That pursuant to Section 155 of the *Local Government Act 1999*, Council imposed a service charge on each assessment of rateable and non-rateable land within the Council area to which land Council makes available a Community Wastewater Management System:

- In respect of each effluent unit applying to occupied Port Broughton and Bute allotments a charge of \$525 per unit;
- In respect of each effluent unit applying to occupied Fisherman Bay allotments a charge of \$600 per unit;
- In respect of each vacant allotment, a charge of \$260 per unit.

Declaration of Separate Rates—Regional Landscape Levy Valuations

That pursuant to the new *Landscape South Australia Act 2019* formerly the *Natural Resources Management Act 2004* and Section 154 of the *Local Government Act 1999*, the Council declares, in respect of the year ending 30 June 2024 a separate rate of 0.0116 cents in the dollar on all rateable land in the Council's area, to raise an amount of \$252,447 payable to the Northern and Yorke Natural Resources Management Board.

Payment of Rates

That all rates imposed in respect of the year ending 30 June 2024 will fall due in four equal or approximately equal instalments and will fall due as follows:

- 22 September 2023;
- 6 December 2023;
- 6 March 2024; and
- 5 June 2024.

Dated: 14 August 2023

MAREE WAUCHOPE
Chief Executive Officer

KANGAROO ISLAND COUNCIL

Adoption of Valuations and Declaration of Rates 2023-24

Notice is hereby given that at its meeting held on 8 August 2023 and in relation to the 2023-24 financial year, the Council in exercise of the powers contained in Chapter 10 of the *Local Government Act 1999*:

1. Adopted for rating purposes the Valuer-General's valuations of capital values applicable to land within the Council area totalling \$2,767,884,460.
2. Declared differential general rates based upon the use of the land as follows:
 - 2.1. Residential: 0.002623 cents in the dollar;
 - 2.2. Commercial—Shop: 0.002780 cents in the dollar;
 - 2.3. Commercial—Office: 0.002780 cents in the dollar;
 - 2.4. Commercial—Other: 0.002780 cents in the dollar;
 - 2.5. Industry—Light: 0.002780 cents in the dollar;
 - 2.6. Industry—Other: 0.002780 cents in the dollar;
 - 2.7. Primary Production: 0.002623 cents in the dollar;
 - 2.8. Vacant Land: 0.005246 cents in the dollar;
 - 2.9. Other: 0.002780 cents in the dollar; and
3. Imposed a fixed charge of \$340 in respect of each separate piece of rateable land in the Council area.

4. Declared a separate rate of a fixed amount of \$86.40 per assessment on all rateable land in the Council area to recover the amount of \$446,249 payable to the Regional Landscape Board.
5. Imposed annual service charges as follows:
 - 5.1. in respect of land serviced by the Council's waste management (collection and recycling service), \$285 for treatment and disposal and \$124 for collection;
 - 5.2. in respect of land serviced by the Community Wastewater Management System \$679.00 for vacant land and \$679.00 for occupied land within the following townships and settlements schemes: Kingscote and Brownlow, Parndana, Parndana East, American River and Penneshaw.
6. Determined that rates will be payable in four quarterly instalments, with instalments due on 7 September 2023, 7 December 2023, 7 March 2024 and 6 June 2024.

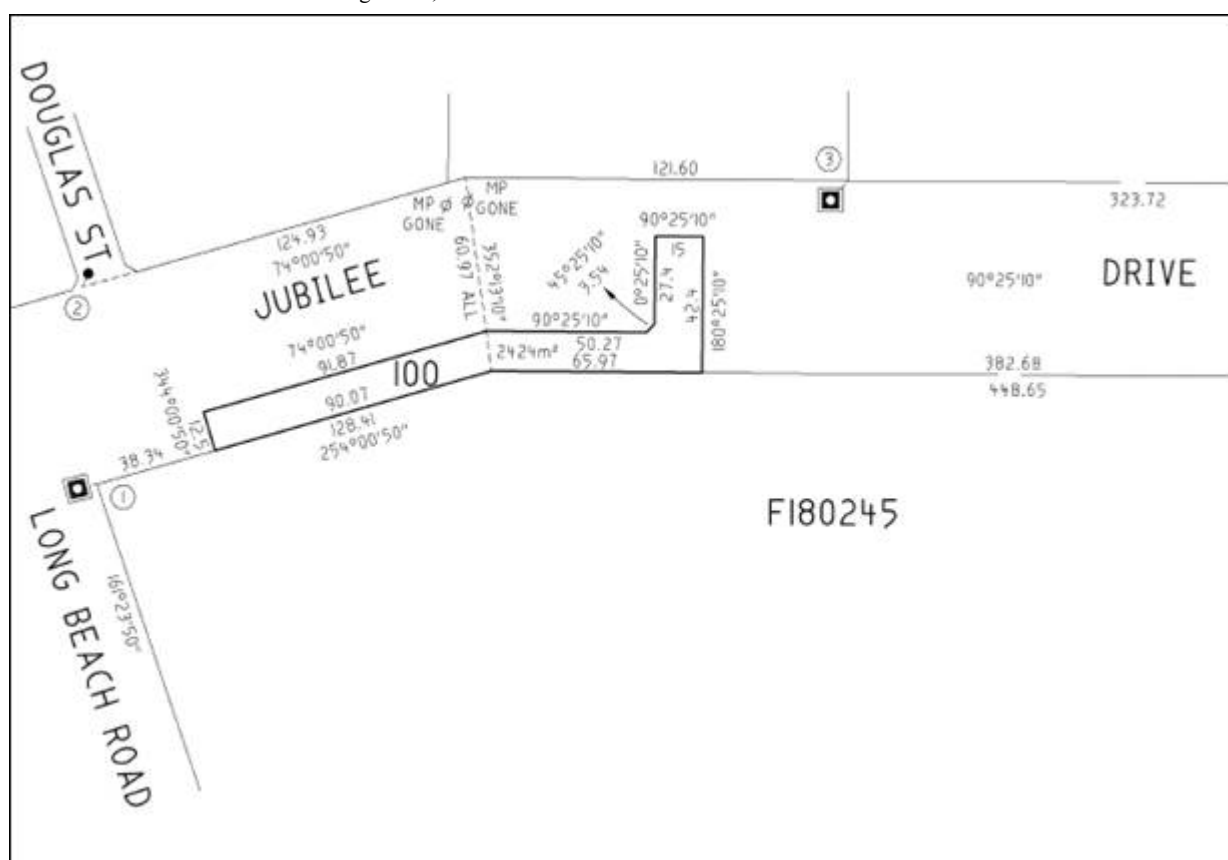
Dated: 8 August 2023

JON HERRON
Acting Chief Executive Officer

LOWER EYRE COUNCIL

Naming of a Road

Notice is hereby given that pursuant to Section 219(1) of the *Local Government Act 1999*, that the service road within the Jubilee Drive road reserve marked 100 in the drawing below, has been named Whitesands Drive:



This road name will come into effect from 17 August 2023. (*Gazette date*)

Dated: 11 August 2023

DELFINA LANZILLI
Chief Executive Officer

PUBLIC NOTICES

NATIONAL ELECTRICITY LAW

Notice of Initiation

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

Under s 95, the Clean Energy Council has requested the *Enhancing investment certainty in the R1 process* (Ref. ERC0363) proposal. The proposal seeks to improve the connections assessment and registration process for new electricity generation and storage projects. Submissions must be received by **28 September 2023**.

Submissions can be made via the [AEMC's website](#). Before making a submission, please review the AEMC's [privacy statement](#) on its website, and consider the AEMC's [Tips for making a submission](#). The AEMC publishes all submissions on its website, subject to confidentiality.

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

Australian Energy Market Commission
Level 15, 60 Castlereagh St
Sydney NSW 2000
Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 17 August 2023

NATIONAL ENERGY RETAIL LAW

Notice of Final Rule

The Australian Energy Market Commission (AEMC) gives notice under the National Energy Retail as follows:

Under ss 259 and 261, the making of the *National Energy Retail Amendment (Electricity Consumption Benchmarks) Rule 2023 No. 1* (Ref. RRC0049) and related final determination. All provisions commence on **17 August 2023**.

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

Australian Energy Market Commission
Level 15, 60 Castlereagh St
Sydney NSW 2000
Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 17 August 2023

SALE OF PROPERTY

Warrant of Sale

Auction Date: Saturday, 2 September 2023 at 12:00pm

Location: 89 Waterfall Gully Road, Waterfall Gully, South Australia 5066

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 Supreme Court of South Australia, Action No: SCCIV 1809 of 2009 directed to the Sheriff of South Australia in an action wherein State of South Australia are the Judgment Creditors and Riccardo Einar Gabrielsen is the Judgment Debtor, I Angela Gransden, Sheriff of the State of South Australia, will by my auctioneers, Harris Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Judgment Debtor, Riccardo Einar Gabrielsen the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Waterfall Gully, being 89 Waterfall Gully Road, Waterfall Gully, Hundred of Adelaide, being the property comprised in Certificate of Title Register Book Volume 5620 Folio 660.

Further particulars from the auctioneers:

Craig Costello
Harris Real Estate
5-9 Rundle Street,
Kent Town SA 5067
Telephone 08 8202 3500

Dated: 17 August 2023

ANGELA GRANDSEN
Sheriff of the State of South Australia

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

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

BEZZOBS Dorothy Ethel late of 102 Ascot Street South Ballarat Retired Nurse who died 5 December 2022
BRANCIS Judith Anne late of 550 Portrush Road Glen Osmond Retired Administration Officer who died 16 November 2022
COLLARD Albert Edward late of 36C Halsey Road Elizabeth East Retired Publican who died 1 March 2023
COTTELL John David late of 7 Kirkham Avenue Pt Augusta Retired Wood Machinist who died 26 December 2022
FOWLER Gail Joan late of 6 Pridham Boulevard Aldinga Beach of no occupation who died 11 August 2022
McCONOCHIE Teresa Doreen late of 7 Salisbury Highway Salisbury Retired Business owner who died 24 January 2023
ROPE Nora late of 30 Shillabeer Road Elizabeth Park of no occupation who died 12 August 2022
SHADWELL Margaret Louise late of 13 Seventh Street Port Pirie West of no occupation who died 13 April 2023
STEVENS Raymond Stanley late of 1215-1217 Grand Junction Road Hope Valley Retired Fitter and Turner who died 25 December 2022
TIEDEMANN Willyam late of 42-46 Murray Street Stockport Retired Security Officer who died 1 July 2022
WILSON Colin James late of 4 Darling Avenue Retired Taxi and Truck Driver who died 14 April 2023

Notice is hereby given pursuant to the *Trustee Act 1936*, 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 at GPO Box 1338, Adelaide SA 5001, full particulars and proof of such claims, on or before the 15 September 2023 otherwise they will be excluded from the distribution of the said estate; 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: 17 August 2023

N. S. RANTANEN
Public Trustee

NOTICE SUBMISSION

The South Australian Government Gazette is published each Thursday afternoon.

Notices must be emailed by 4 p.m. Tuesday, the week of publication.

Submissions are formatted per the gazette style and a proof will be supplied prior to publication, along with a quote if applicable. Please allow one day for processing notices.

Alterations to the proof must be returned by 4 p.m. Wednesday.

Gazette notices must be submitted as Word files, in the following format:

- Title—the governing legislation
- Subtitle—a summary of the notice content
- Body—structured text, which can include numbered lists, tables, and images
- Date—day, month, and year of authorisation
- Signature block—name, role, and department/organisation authorising the notice

Please provide the following information in your email:

- Date of intended publication
- Contact details of the person responsible for the notice content
- Name and organisation to be charged for the publication—Local Council and Public notices only
- Purchase order, if required—Local Council and Public notices only

EMAIL: governmentgazettesa@sa.gov.au

PHONE: (08) 7109 7760

WEBSITE: www.governmentgazette.sa.gov.au

All instruments appearing in this gazette are to be considered official, and obeyed as such