



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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

GOVERNOR'S INSTRUMENTS

APPOINTMENTS

Department of the Premier and Cabinet
Adelaide, 9 November 2023

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Health Performance Council, pursuant to the provisions of the Health Care Act 2008:

Member: from 1 December 2023 until 30 November 2027

Jeremy Wellwood
Melanie Louise Smith
Monique Bareham

By command,

BLAIR INGRAM BOYER, MP
For Premier

HEAC-2023-00052

Department of the Premier and Cabinet
Adelaide, 9 November 2023

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Bushfire Coordination Committee, pursuant to the provisions of the Fire and Emergency Services Act 2005:

Member: from 14 November 2023 until 13 November 2026

Peter David Button
Cameron James Devey
Robert Andrew Cadd
Stuart Vaughan McLean
Fiona Jane Gill
Monique Julie Blason
Ana Glavinic
Vlora Dzeladini
Sarah Louise Elding
Michael James Garrod
Laura Copeland
Brooke Aily Swaffer
Kylie Marie Egan
Paul Anthony Yeomans
Marilyn Henderson
Janice Dawn Ferguson
Simon Maddocks
Cherrie De Leiuén
Kirsty Bevan

Deputy Member: from 14 November 2023 until 13 November 2026

Philip Leslie Kilsby (Deputy to Button)
Alison Jayne May (Deputy to Devey)
Jonathan David Lindner (Deputy to Cadd)
John De Candia (Deputy to McLean)
Damon Aivars Ezis (Deputy to Gill)
Peter David Merry (Deputy to Blason)
Karen Narelle Lee-Jones (Deputy to Glavinic)
Ali Morton Walsh (Deputy to Dzeladini)
Jeffery William Sewart (Deputy to Elding)
William James Durack (Deputy to Garrod)
Elena-Gaye Petrenas (Deputy to Copeland)
James Scott Crocker (Deputy to Swaffer)
Jonathan Ray Fischer (Deputy to Egan)
Heidi Lee Greaves (Deputy to Yeomans)
Anthony Ross Vaughan (Deputy to Ferguson)
Benedict James Browne (Deputy to Maddocks)
Toby James Forde (Deputy to De Leiuén)
Tessa Nicole Bignell Roberts (Deputy to Bevan)

By command,

BLAIR INGRAM BOYER, MP
For Premier

23MES0006CS

Department of the Premier and Cabinet
Adelaide, 9 November 2023

Her Excellency the Governor in Executive Council has been pleased to appoint the Honourable Dr Susan Elizabeth Close MP to be Acting Premier from 12.01am on 16 November 2023 until 11.59pm on 29 November 2023, during the absence of the Honourable Peter Bryden Malinauskas MP.

By command,

BLAIR INGRAM BOYER, MP
For Premier

DPC23/066CS

Department of the Premier and Cabinet
Adelaide, 9 November 2023

Her Excellency the Governor in Executive Council has been pleased to appoint Judge David Woodroffe and Magistrate Melita Jennifer Medcalf as cross-border magistrates for a term of five years, from 9 November 2023 and expiring on 8 November 2028 - pursuant to section 5A(1) of the Magistrates Act 1983.

By command,

BLAIR INGRAM BOYER, MP
For Premier

AGO0197-23CS

Department of the Premier and Cabinet
Adelaide, 9 November 2023

Her Excellency the Governor in Executive Council has been pleased to appoint Jennifer Nolan and Alan Rumsby as part-time sessional Commissioners of the Environment, Resources and Development Court of South Australia for a term of three years, from 9 November 2023 and expiring on 8 November 2026 - pursuant to section 10 and the Schedule to the Environment, Resources and Development Court Act 1993.

By command,

BLAIR INGRAM BOYER, MP
For Premier

AGO0197-23CS

PROCLAMATIONS

South Australia

Youth Court (Designation and Classification of Cross-border Magistrates) Proclamation 2023

under section 9 of the *Youth Court Act 1993*

1—Short title

This proclamation may be cited as the *Youth Court (Designation and Classification of Cross-border Magistrates) Proclamation 2023*.

2—Commencement

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

3—Designation and classification of magistrates

The magistrates named in Schedule 1 (being cross-border magistrates within the meaning of section 5A of the *Magistrates Act 1983*) are—

- (a) designated as magistrates of the Youth Court of South Australia; and
- (b) classified as members of the Court's ancillary judiciary.

Schedule 1—Magistrates of the Court

David Woodroffe

Melita Jennifer Medcalf

Made by the Governor

with the advice and consent of the Executive Council
on 9 November 2023

REGULATIONS

South Australia

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Environment Protection Regulations 2023*.

2—Commencement

These regulations come into operation on 1 April 2024.

3—Interpretation

- (1) In these regulations—

accreditation, in relation to a site contamination auditor, means accreditation under Part 5 Division 2;

accreditation committee means a committee established by the Board under section 17 of the Act to advise the Authority in relation to accreditation of site contamination auditors;

accredited activity means a prescribed activity of environmental significance carried on by a licensee in respect of which accreditation is granted under regulation 34;

Act means the *Environment Protection Act 1993*;

Adelaide airshed means the area described in Schedule 2 clause 2;

agriculture includes horticulture;

approved estimation or monitoring technique for an activity means—

- (a) an estimation technique set out in an EET manual for the activity; or
- (b) a technique or method approved by the Authority for the activity by condition of licence or otherwise;

approved weighbridge means a weighbridge—

- (a) that is operated in accordance with a licence issued under the *National Measurement Act 1960* of the Commonwealth; or
- (b) that is approved by the Authority under regulation 69;

asbestos includes unbound or friable asbestos and bound or non-friable asbestos;

assessable site—see subregulation (2);

assessable vehicle—each vehicle approved by the Authority for the transport of waste under a licence that authorises a waste transport business is to be taken to be an assessable vehicle;

copper means copper and its compounds;

designated air pollutant means sulphur dioxide, nitrogen oxides, particulates, volatile organic compounds or lead, but does not include ethanol emitted in the course of a prescribed activity of environmental significance specified in Schedule 1 clause 6(2) or (11) of the Act (breweries, wineries and distilleries);

designated water pollutant means—

- (a) heat, suspended solids, nitrogen, phosphorus, organic matter, zinc, lead or copper discharged in the course of any prescribed activity of environmental significance; or
- (b) salt discharged in the course of a desalination plant;

dredging means the prescribed activity of environmental significance specified in Schedule 1 clause 7(4) of the Act;

earthworks drainage means the prescribed activity of environmental significance specified in Schedule 1 clause 7(6) of the Act;

EET manual for an activity means a manual setting out techniques for making estimates in relation to the activity published by the Commonwealth for the purposes of the National Pollutant Inventory—see www.npi.gov.au;

environment management component means the environment management component of an annual authorisation fee for a licence (see regulation 28 and Schedule 2 Part 2);

EPA odour criteria means the criteria specified in *Ambient air quality assessment* as published by the Authority in August 2016;

fee unit—see Schedule 4 clause 1;

flat fee component means the flat fee component of an annual authorisation fee for a licence (see regulation 27);

green waste means waste comprised of plants or plant matter, including leaves, twigs, branches, tree trunks, prunings, grass clippings, fruit, vegetables and fruit or vegetable scraps;

inert waste means solid waste that has no active chemical or biological properties and is not subject to biological or chemical breakdown;

lead means lead and its compounds;

licence period, in relation to a licence, means the period of 12 months from the first anniversary of the grant or renewal of the licence and each subsequent period of 12 months;

Note—

This is to be distinguished from the term of the licence (which is a period determined by the Authority under section 43 of the Act).

liquid organic chemical substances means oil, petroleum or biofuels, other than when stored in the fuel tank of a motor vehicle for the purposes of powering the vehicle;

listed substance means a substance listed in Schedule 3 clause 4;

marine environment means—

- (a) marine waters; or
- (b) land that is covered with marine waters (whether permanently or from time to time);

metropolitan Adelaide means Metropolitan Adelaide as defined by GRO Plan 639/93;

metropolitan coastal waters means the body of waters extending 3 nautical miles seaward from the coastline forming the western boundary of metropolitan Adelaide;

Mount Gambier airshed means the area described in Schedule 2 clause 3;

Mount Lofty Ranges Water Protection Area means the Mount Lofty Ranges Water Protection Area as declared under Part 8 of the Act;

National Pollutant Inventory means the inventory established as a result of the *National Environment Protection (National Pollutant Inventory) Measure*;

nitrogen means total nitrogen;

organic matter—see subregulation (3);

particulates means particulate matter 10 micrometres or less in diameter, and includes red dust particulates;

pesticides includes herbicides and fungicides;

phosphorous means total phosphorus;

pollutant load-based component means the pollutant load-based component of the resource efficiency component of an annual authorisation fee for a licence (see regulation 29);

Port Pirie airshed means the area described in Schedule 2 clause 4;

Port River region means the area described in Schedule 2 clause 5;

prescribed activity of environmental significance means an activity specified in Schedule 1 Part A of the Act;

red dust particulates means haematite or goethite;

reporting period means—

- (a) for a licence authorising an activity in respect of which a report is provided to the Authority for the purposes of the National Pollutant Inventory—the period to which the report relates; or
- (b) for any other licence—the 12 month period approved by the Authority for the licence by condition of the licence or by notice in writing to the licensee;

resource efficiency component—the resource efficiency component of the annual authorisation fee for a licence is comprised of the pollutant load-based component and the water reuse component (see regulation 27);

responsible auditor, in relation to a site contamination audit, means the site contamination auditor who personally carried out or directly supervised the work involved in the audit;

septic tank effluent means effluent that is ordinarily collected by means of a septic tank, waterless composting toilet, aerated wastewater treatment system or similar on-site waste collection system;

South East Water Protection Area means the South East Water Protection Area as declared under Part 8 of the Act;

underground waters means waters occurring naturally under the ground or introduced to an aquifer or other area under the ground;

Upper Spencer Gulf means the waters described in Schedule 2 clause 6;

waste fill means waste consisting of clay, concrete, rock, sand, soil or other inert mineralogical matter in pieces not exceeding 100 millimetres in length and containing chemical substances in concentrations (calculated in a manner determined by the Authority) less than the concentrations for those substances set out in the following table (but does not include waste consisting of or containing asbestos or bitumen):

Chemical substance	Concentration (milligrams per kilogram of waste fill)	Chemical substance	Concentration (milligrams per kilogram of waste fill)
Aldrin/dieldrin (total)	2	Ethylbenzene	3.1
Arsenic	20	Heptachlor	2
Barium	300	Lead	300
Benzene	1	Manganese	500
Benzo(a)pyrene	1	Mercury	1
Beryllium	20	Nickel	60
Cadmium	3	Petroleum hydrocarbons TPH C6-C9 (total)	65
Chlordane	2	Petroleum hydrocarbons TPH>C9	1000
Chromium (III)	400	Phenolic compounds (total)	0.5
Chromium (VI)	1	Polychlorinated biphenyls (PCBs)	2
Cobalt	170	Polycyclic aromatic hydrocarbons (PAH) (total)	5
Copper	60	Toluene	1.4
Cyanides (total)	500	Xylene (total)	14
DDT	2	Zinc	200

waste transport business (category A) means the prescribed activity of environmental significance specified in Schedule 1 clause 3(6) of the Act;

waste transport business (category B) means the prescribed activity of environmental significance specified in Schedule 1 clause 3(6) of the Act;

wastewater includes—

- (a) sewage, and septic tank effluent, whether treated or untreated; and
- (b) water containing commercial or industrial waste;

water reuse component means the water reuse component of the resource efficiency component of an annual authorisation fee for a licence (see regulation 30);

Whyalla airshed means the area described in Schedule 2 clause 7;

zinc means zinc and its compounds.

- (2) For the purposes of these regulations, the following principles apply in relation to an **assessable site**:
 - (a) each location specified in a licence at which a prescribed activity of environmental significance may be undertaken is to be taken to be an assessable site;
 - (b) if various places are specified in a licence as a single location, then the various premises are together to be taken to be an assessable site;
 - (c) if a licence authorises a prescribed activity of environmental significance to be undertaken by means of mobile works, then the various premises at which the mobile works are used are together to be taken to be an assessable site;
 - (d) the prescribed activities of dredging, earthworks drainage and a waste transport business are not to be regarded as being undertaken at an assessable site.
- (3) A reference in these regulations to an amount of **organic matter** is—
 - (a) in the case of organic matter discharged to waters in the course of a desalination plant—a reference to the amount of total organic carbon so discharged (expressed in kilograms); and
 - (b) in any other case—a reference to the biochemical oxygen demand of the organic matter (expressed in kilograms),determined in accordance with an approved estimation or monitoring technique for the activity that produces the organic matter.
- (4) A reference in these regulations to the discharge of a pollutant in the course of a desalination plant is a reference to the discharge of the pollutant in the course of a prescribed activity of environmental significance specified in Schedule 1 Part A clause 8(6a) of the Act (desalination plant).

Part 2—General provisions supporting Act

4—Prescribed national scheme laws (section 3)

- (1) For the purpose of paragraph (a) of the definition of **the prescribed national scheme laws** in section 3(1) of the Act, the *National Environment Protection Council Act 1994* of the Commonwealth is the prescribed law of the Commonwealth.
- (2) For the purpose of paragraph (b) of the definition of **the prescribed national scheme laws** in section 3(1) of the Act, the *National Environment Protection Council (South Australia) Act 1995* is the prescribed law of this State.

5—Prescribed bodies (sections 3, 4 and 5)

- (1) For the purposes of paragraph (d) of the definition of *pollutant* in section 3(1) of the Act, and for the purposes of section 5(1)(b) of the Act, the following bodies are prescribed:
 - (a) Australian Conservation Foundation Inc;
 - (b) Business Council for Sustainable Development Australia;
 - (c) Conservation Council of South Australia Incorporated;
 - (d) Environmental Defenders Office (SA) Incorporated;
 - (e) Environmental Health Australia;
 - (f) Local Government Association of South Australia Incorporated;
 - (g) National Environmental Law Association Limited (SA Branch);
 - (h) Primary Producers SA Incorporated;
 - (i) Royal Australian Chemical Institute Inc.;
 - (j) SA Unions;
 - (k) South Australian Chamber of Mines and Energy Incorporated;
 - (l) South Australian Employers' Chamber of Commerce and Industry Incorporated (trading as Business SA);
 - (m) South Australian Fire and Emergency Services Commission (established under Part 2 Division 1 of the *Fire and Emergency Services Act 2005*);
 - (n) The Australian Industry Group;
 - (o) The Nature Conservation Society of South Australia Incorporated;
 - (p) Waste Management and Resource Recovery Association of Australia Ltd.
- (2) For the purposes of section 4(1)(b) of the Act, the following bodies are prescribed:
 - (a) Conservation Council of South Australia Incorporated;
 - (b) Local Government Association of South Australia Incorporated;
 - (c) South Australian Employers' Chamber of Commerce and Industry Incorporated (trading as Business SA);
 - (d) The Australian Industry Group;
 - (e) Waste Management and Resource Recovery Association of Australia Ltd.

6—Board of Authority (section 14B)

- (1) For the purposes of section 14B(4) of the Act, the Minister must, in relation to the selection of persons for appointment to the Board, consult with the following bodies:
 - (a) in relation to the selection for appointment of a person with practical knowledge of, and experience in, industry, commerce or economic development—
 - (i) Primary Producers SA Incorporated; and
 - (ii) South Australian Chamber of Mines and Energy Incorporated; and
 - (iii) South Australian Employers' Chamber of Commerce and Industry Incorporated (trading as Business SA); and
 - (iv) The Australian Industry Group;

- (b) in relation to the selection for appointment of a person with practical knowledge of, and experience in, environmental conservation and advocacy on environmental matters on behalf of the community—
 - (i) Conservation Council of South Australia Incorporated; and
 - (ii) Environmental Defenders Office (SA) Incorporated;
 - (c) in relation to the selection for appointment of a person with practical knowledge of, and experience in, the reduction, reuse, recycling and management of waste or the environmental management industry—
 - (i) Business Council for Sustainable Development Australia; and
 - (ii) Consult Australia; and
 - (iii) Waste Management and Resource Recovery Association of Australia Ltd;
 - (d) in relation to the selection for appointment of a person with legal qualifications and experience in environmental law—
 - (i) Environmental Defenders Office (SA) Incorporated; and
 - (ii) National Environmental Law Association Limited (SA Branch);
 - (e) in relation to the selection for appointment of a person with practical knowledge of, and experience in, local government—Local Government Association of South Australia Incorporated.
- (2) A body consulted by the Minister under subregulation (1) must, within a reasonable period of time specified by the Minister, nominate a panel of up to 3 persons, including at least 1 woman and 1 man, from which selection for appointment may be made.

7—Environment Protection Fund (section 24)

- (1) For the purposes of section 24(3)(a) of the Act, the prescribed percentage of fees (other than expiation fees) to be paid into the Environment Protection Fund is 5%.
- (2) For the purposes of section 24(3)(b) of the Act, the prescribed percentage of penalties recovered in respect of offences (other than expiation fees or penalties to which a council is entitled) to be paid into the Environment Protection Fund is 100%.
- (3) For the purposes of section 24(3)(ba) of the Act, the prescribed percentage of amounts recovered by the Authority, by negotiation or as a result of civil proceedings, in respect of contraventions to be paid into the Environment Protection Fund is 100%.
- (4) For the purposes of section 24(3)(e) of the Act, the prescribed percentage of levy payments under Part 15 of the Act to be paid into the Environment Protection Fund is 5%.

8—Normal procedure for making policies (section 28)

For the purposes of section 28 of the Act, the following bodies are prescribed:

- (a) Australian Conservation Foundation Inc;
- (b) Business Council for Sustainable Development Australia;
- (c) Conservation Council of South Australia Incorporated;
- (d) Environmental Defenders Office (SA) Incorporated;
- (e) Environmental Health Australia;
- (f) Local Government Association of South Australia Incorporated;

- (g) National Environmental Law Association Limited (SA Branch);
- (h) Primary Producers SA Incorporated;
- (i) Royal Australian Chemical Institute Inc.;
- (j) SA Unions;
- (k) South Australian Chamber of Mines and Energy Incorporated;
- (l) South Australian Employers' Chamber of Commerce and Industry Incorporated (trading as Business SA);
- (m) South Australian Fire and Emergency Services Commission (established under Part 2 Division 1 of the *Fire and Emergency Services Act 2005*);
- (n) The Australian Industry Group;
- (o) The Nature Conservation Society of South Australia Incorporated;
- (p) Waste Management and Resource Recovery Association of Australia Ltd.

9—Simplified procedure for making certain policies (section 29)

For the purposes of section 29 of the Act, the following bodies are prescribed:

- (a) a body (however described) that consists of the Minister of the Commonwealth, and the Minister of each State and Territory, who is responsible, or principally responsible, for matters relating to any of the following:
 - (i) climate change;
 - (ii) energy;
 - (iii) environment;
 - (iv) health;
 - (v) heritage;
 - (vi) mining and petroleum;
 - (vii) natural resource management;
 - (viii) planning;
- (b) Department of Climate Change, Energy, the Environment and Water (Commonwealth);
- (c) Department of Environment and Science (Queensland);
- (d) Department of Environment, Food and Rural Affairs (United Kingdom);
- (e) Department of Energy, Environment and Climate Action (Victoria);
- (f) Department of Environment, Parks and Water Security (Northern Territory);
- (g) Department of Natural Resources and Environment (Tasmania);
- (h) Department of Planning and Environment (New South Wales);
- (i) Department of Water and Environmental Regulation (Western Australia);
- (j) enHealth (Commonwealth);
- (k) Environment Agency (United Kingdom);
- (l) Environment, Planning and Sustainable Development Directorate (Australian Capital Territory);

- (m) Environmental Protection Agency (Ireland);
- (n) Environmental Protection Agency (United States);
- (o) Environment Protection Authority (Northern Territory);
- (p) Environment Protection Authority (Victoria);
- (q) European Environment Agency;
- (r) International Organization for Standardization;
- (s) National Health and Medical Research Council;
- (t) Scottish Environment Protection Agency;
- (u) Standards Australia;
- (v) United Nations Environment Programme;
- (w) World Health Organisation.

10—Certain matters to be referred to Water Resources Minister (section 64)

- (1) For the purposes of section 64(2) of the Act, the period allowed for a response from the Water Resources Minister in respect of an application for an environmental authorisation referred to that Minister is 2 months.
- (2) Pursuant to section 64(6) of the Act, the Authority must not make a decision on an application referred to the Water Resources Minister without having regard to the response of that Minister.

11—Powers of authorised officers (section 87)

For the purposes of section 87(3)(a) of the Act, the following are prescribed as vehicles in relation to which an authorised officer may exercise powers of entry and inspection:

- (a) a vehicle used to carry waste or other matter;
- (b) a vehicle used in the course of or in connection with an activity authorised or required to be authorised by an environmental authorisation;
- (c) a vehicle reasonably suspected of being a vehicle referred to in paragraph (a) or (b).

12—Issue of warrants (section 88)

For the purposes of section 88(7)(a) of the Act, the prescribed form of a notice to be prepared by an authorised officer who executes a warrant is the form set out in Schedule 1 clause 1.

13—Authority may recover civil penalty in respect of contravention (section 104A)

For the purposes of section 104A(3)(a) of the Act, the prescribed form of a notice to be served by the Authority is the form set out in Schedule 1 clause 2.

14—Public register (section 109)

- (1) For the purposes of section 109(3)(l) of the Act, the following information must be recorded in the register:
 - (a) if an environmental authorisation is subject to a condition requiring compliance with an environment improvement programme under section 44 of the Act—details of the environment improvement programme;

- (b) such information as the Authority considers appropriate as to the results of tests or monitoring or evaluation undertaken in compliance with conditions of an environmental authorisation under section 52 of the Act;
- (c) such information as the Authority considers appropriate relating to any determination of the Authority under section 58 of the Act;
- (d) details of each environment performance agreement entered into under section 59 of the Act;
- (e) details of each report of an environmental assessment carried out in relation to land for the purposes of—
 - (i) an approved voluntary site contamination assessment proposal under section 103I of the Act; or
 - (ii) an approved voluntary site remediation proposal under section 103K of the Act;
- (f) details of each report of an environmental assessment carried out, for any other purpose and at any time in relation to land, by or on behalf of the Authority;
- (g) details of each report known as a "Health Commission Report" prepared on behalf of the South Australian Health Commission (under the repealed *South Australian Health Commission Act 1976*) in relation to pollution of land or contamination of land by chemical substances;
- (h) copies of each written warning issued by the Authority in relation to an alleged contravention of the Act;
- (i) details of each pre-1 July 2009 site audit report carried out in relation to land;
- (j) details of licences to operate a waste depot issued under the repealed *South Australian Waste Management Commission Act 1979* or the repealed *Waste Management Act 1987*;
- (k) details of licences issued under the repealed *South Australian Waste Management Commission Act 1979* to produce waste of a prescribed kind (within the meaning of that Act);
- (l) details of licences issued under the repealed *Waste Management Act 1987* to produce prescribed waste (within the meaning of that Act);
- (m) details of any records that the former South Australian Waste Management Commission held under the repealed *Waste Management Act 1987* of waste (within the meaning of that Act) being deposited on land between 1 January 1983 and 30 April 1995.

(2) In this regulation—

environmental assessment, in relation to land, means an assessment of the existence or nature or extent of—

- (a) site contamination (as defined in the Act) 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;

pre-1 July 2009 site audit, in relation to land, means a review (carried out by a person recognised by the Authority 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 in the Act) 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.

Part 3—Environmental authorisations

Division 1—General provisions supporting Part 6 of Act

15—Notice and submissions in respect of applications for environmental authorisations (section 39)

For the purposes of section 39(4) of the Act, notice is not required to be given to an owner or occupier of adjacent land in circumstances in which—

- (a) the owner or occupier is the applicant; or
- (b) the owner or occupier has previously received notice in relation to the same activity at the land albeit as part of a works approval application.

16—Time limit for determination of applications (section 42)

For the purposes of section 42 of the Act, the prescribed period is—

- (a) in the case of an application that is required to be referred to the Water Resources Minister under Part 8 Division 1 of the Act—3 months; or
- (b) in the case of an application in respect of which public notice is not required under section 39 of the Act—1 month; or
- (c) in any other case—2 months unless the Authority determines that the application involves matters of special complexity or requires an extended period for consideration of submissions from interested persons, in which case, the period may be extended by the Authority to a period, not exceeding 4 months, determined by the Authority.

17—Term and renewal of environmental authorisations (section 43)

For the purposes of section 43(3) of the Act, an application for renewal of an environmental authorisation must be made—

- (a) if the Authority has specified a number of days for that purpose by condition of the authorisation—not less than that number of days before the date of expiry of the authorisation; or
- (b) in any other case—not less than 60 days before the date of expiry of the authorisation.

18—Conditions (section 45)

For the purposes of section 45(6) of the Act, the penalty for a failure by the holder of an environmental authorisation to comply with a reporting-deadline condition is—

- (a) in the case of an environmental authorisation granted for a term of 2 years or more—the higher of \$300 or 5% of the holder's annual authorisation fee for each month (or part of a month) for which the default continues; or
- (b) in the case of an environmental authorisation granted for a term of less than 2 years—the higher of \$300 or 5% of the holder's authorisation fee (paid on the grant of authorisation under section 40 of the Act) for each month (or part of a month) for which the default continues.

19—Notice and submissions in respect of proposed variations of conditions (section 46)

For the purposes of section 46 of the Act, notice of a proposed variation of a condition of an environmental authorisation is not required to be given to an owner or occupier of adjacent land if—

- (a) the owner or occupier is the holder of the environmental authorisation; or
- (b) the proposed variation consists of the revocation of an obsolete condition of the environmental authorisation.

20—Criteria for grant and conditions of environmental authorisations (section 47)

For the purposes of section 47(4) of the Act—

- (a) the following South Australian Acts are prescribed:
 - (i) *Adelaide Dolphin Sanctuary Act 2005*;
 - (ii) *Aquaculture Act 2001*;
 - (iii) *Development Act 1993* (repealed);
 - (iv) *Green Industries SA Act 2004*;
 - (v) *Landscape South Australia Act 2019*;
 - (vi) *Mining Act 1971*;
 - (vii) *Natural Resources Management Act 2004* (repealed);
 - (viii) *Petroleum and Geothermal Energy Act 2000*;
 - (ix) *Planning, Development and Infrastructure Act 2016*;
 - (x) *Protection of Marine Waters (Prevention of Pollution from Ships) Act 1987*;
 - (xi) *Radiation Protection and Control Act 1982* (repealed);
 - (xii) *Radiation Protection and Control Act 2021*;
 - (xiii) *River Murray Act 2003*;
 - (xiv) *Water Resources Act 1997* (repealed); and
- (b) the following Acts of other States and Territories are prescribed:
 - (i) *Environmental Management and Pollution Control Act 1994* of Tasmania;
 - (ii) *Environment Protection Act 1970* (repealed) of Victoria;

- (iii) *Environment Protection Act 1997* of the Australian Capital Territory;
 - (iv) *Environment Protection Act 2017* of Victoria;
 - (v) *Environmental Offences and Penalties Act 1989* (repealed) of New South Wales;
 - (vi) *Environmental Protection Act 1986* of Western Australia;
 - (vii) *Environmental Protection Act 1994* of Queensland;
 - (viii) *Protection of the Environment Operations Act 1997* of New South Wales;
 - (ix) *Waste Management and Pollution Control Act 1998* of the Northern Territory;
 - (x) *Western Australian Marine (Sea Dumping) Act 1981* (repealed) of Western Australia; and
- (c) the following Acts of the Commonwealth are prescribed:
- (i) *Environment Protection and Biodiversity Conservation Act 1999*;
 - (ii) *Environment Protection (Sea Dumping) Act 1981*;
 - (iii) *Hazardous Waste (Regulation of Exports and Imports) Act 1989*;
 - (iv) *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

21—Annual fees and returns (section 48)

- (1) For the purposes of section 48(2)(a) of the Act, the date in each year before which the holder of an environmental authorisation must lodge an annual return with the Authority is—
- (a) if the Authority has fixed a date for that purpose by condition of the authorisation—that date; or
 - (b) in any other case—no later than 90 days before the anniversary of the grant or renewal of the authorisation.
- (2) For the purposes of section 48(2)(b) of the Act, the date in each year before which the holder of an environmental authorisation must pay the annual authorisation fee to the Authority is—
- (a) if a date is specified for the purpose in the authorisation—that date; or
 - (b) in any other case—the date falling 1 month after each anniversary of the grant of the authorisation.
- (3) For the purposes of section 48(4) of the Act, the penalty for—
- (a) a failure to lodge an annual return; or
 - (b) a failure to pay an annual authorisation fee,
- is \$300 or 5% of the annual authorisation fee (whichever is higher) for each month (or part of a month) for which the default continues.

22—Transfer of environmental authorisations (section 49)

For the purposes of section 49(3) of the Act—

- (a) the following South Australian Acts are prescribed:
 - (i) *Adelaide Dolphin Sanctuary Act 2005*;

- (ii) *Aquaculture Act 2001*;
 - (iii) *Development Act 1993* (repealed);
 - (iv) *Green Industries SA Act 2004*;
 - (v) *Landscape South Australia Act 2019*;
 - (vi) *Mining Act 1971*;
 - (vii) *Natural Resources Management Act 2004* (repealed);
 - (viii) *Petroleum and Geothermal Energy Act 2000*;
 - (ix) *Planning, Development and Infrastructure Act 2016*;
 - (x) *Protection of Marine Waters (Prevention of Pollution from Ships) Act 1987*;
 - (xi) *Radiation Protection and Control Act 1982* (repealed);
 - (xii) *Radiation Protection and Control Act 2021*;
 - (xiii) *River Murray Act 2003*;
 - (xiv) *Water Resources Act 1997* (repealed); and
- (b) the following Acts of other States and Territories are prescribed:
- (i) *Environmental Management and Pollution Control Act 1994* of Tasmania;
 - (ii) *Environment Protection Act 1970* (repealed) of Victoria;
 - (iii) *Environment Protection Act 1997* of the Australian Capital Territory;
 - (iv) *Environment Protection Act 2017* of Victoria;
 - (v) *Environmental Offences and Penalties Act 1989* (repealed) of New South Wales;
 - (vi) *Environmental Protection Act 1986* of Western Australia;
 - (vii) *Environmental Protection Act 1994* of Queensland;
 - (viii) *Protection of the Environment Operations Act 1997* of New South Wales;
 - (ix) *Waste Management and Pollution Control Act 1998* of the Northern Territory;
 - (x) *Western Australian Marine (Sea Dumping) Act 1981* (repealed) of Western Australia; and
- (c) the following Acts of the Commonwealth are prescribed:
- (i) *Environment Protection and Biodiversity Conservation Act 1999*;
 - (ii) *Environment Protection (Sea Dumping) Act 1981*;
 - (iii) *Hazardous Waste (Regulation of Exports and Imports) Act 1989*;
 - (iv) *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

23—Conditions requiring financial assurance (section 51)

For the purposes of section 51(5)(b) of the Act, the interest payable in respect of an amount representing a pecuniary sum or part of a pecuniary sum that is to be repaid to the holder of an environmental authorisation is to be calculated at a rate 1% less than the rate earned from investment of the Environment Protection Fund (or the relevant part of the Fund) during the period that the amount has been credited to the Fund.

Division 2—Application and authorisation fees

Subdivision 1—Works approvals

24—Works approvals—Application fee for grant, authorisation fee on grant or renewal and annual authorisation fee

- (1) The application fee payable under section 38(1) of the Act for a works approval is the sum of—
 - (a) a lodgement fee of 10 fee units; and
 - (b) an assessment fee of 20% of the amount determined by the Authority at the time of lodgement of the application to be the expected authorisation fee for the grant of the works approval (assuming the grant of a works approval on the basis of the application).
- (2) However, if public notice is to be given under section 39(1), or section 39(1) and (2), of the Act in respect of the application, the amount otherwise payable under subregulation (1) is increased by the amount determined by the Authority to be the cost of publication of the notice but not exceeding—
 - (a) if the notice and other similar notices are to be published together by the Authority—5 fee units; or
 - (b) in any other case—20 fee units.
- (3) The application fee for the renewal of a works approval payable under section 43(2) of the Act is 10 fee units.
- (4) The authorisation fee payable under section 40 or 43(5) of the Act, and the annual authorisation fee payable under section 48 of the Act, for a works approval is the number of fee units determined according to the estimated cost at the time of the grant of the works approval of the proposed works as follows:

Estimated cost of proposed works	Fee units
Up to and including \$10 000	10
More than \$10 000 but not more than \$50 000	20
More than \$50 000 but not more than \$500 000	40
More than \$500 000 but not more than \$5 million	60
More than \$5 million but not more than \$50 million	100
More than \$50 million	200

- (5) In this regulation, a reference to the estimated cost of proposed works is a reference to the amount estimated by the Authority to be the total cost of the works to which the approval relates excluding any part of the costs determined by the Authority to be attributable to—
 - (a) the purchase of land; or
 - (b) building or other work that will not contribute directly or substantially to the prescribed activity of environmental significance to which the application relates.

Note—

An annual authorisation fee is only payable for a works approval granted or renewed for a term of 2 or more years (see section 48 of the Act).

Subdivision 2—Exemptions

25—Exemptions—Application fee for grant, authorisation fee for grant or renewal and annual authorisation fee

- (1) The application fee for an exemption payable under section 38(1) of the Act is 43 fee units.
- (2) However, if public notice is to be given under section 39(1), or section 39(1) and (2), of the Act in respect of the application, the amount otherwise payable under subregulation (1) is increased by the amount determined by the Authority to be the cost of publication of the notice but not exceeding—
 - (a) if the notice and other similar notices are to be published together by the Authority—5 fee units; or
 - (b) in any other case—20 fee units.
- (3) The application fee for the renewal of an exemption payable under section 43(2) of the Act is 10 fee units.
- (4) The authorisation fee payable under section 40 or 43(5) of the Act, and the annual authorisation fee payable under section 48 of the Act, for an exemption will be at 1 of the following levels:
 - (a) 10 fee units;
 - (b) a multiple of 10 fee units up to 100 units;
 - (c) 100 fee units;
 - (d) a multiple of 100 fee units up to 2 500 units.
- (5) The level of the authorisation fee and annual authorisation fee for an exemption is to be determined by the Authority at its discretion having regard to the following:
 - (a) the factors specified in section 25(2) of the Act;
 - (b) any relevant environment protection policy;
 - (c) whether the applicant will be bound by an environment improvement programme;
 - (d) the time of the day and the period for which the exemption will operate;
 - (e) the number of people affected by, or the extent of any other environmental impact of, the activity to which the exemption will relate;
 - (f) any relevant matter arising under any of the following in relation to the location of the activity to which the exemption will relate:
 - (i) the *Development Act 1993* or a Development Plan or development authorisation under that Act;
 - (ii) the *Planning, Development and Infrastructure Act 2016*, the Planning and Design Code or a development authorisation under that Act;
 - (g) any other matter considered relevant by the Authority.

Note—

An annual authorisation fee is only payable for an exemption granted or renewed for a term of 2 or more years (see section 48 of the Act).

Subdivision 3—Licences

26—Licences—Application fee for grant and authorisation fee for grant or renewal

- (1) The application fee payable under section 38(1) of the Act for a licence is the sum of—
 - (a) a lodgement fee of 10 fee units; and
 - (b) an assessment fee of—
 - (i) in the case of a licence to undertake a waste transport business (category A)—4 fee units; or
 - (ii) in the case of a licence to undertake a waste transport business (category B)—2 fee units; or
 - (iii) in the case of a licence to undertake dredging or earthworks drainage—34 fee units; or
 - (iv) in any other case—20% of the amount determined by the Authority at the time of lodgement of the application to be the expected authorisation fee for the grant of the licence (assuming the grant of a licence on the basis of the application) minus the flat fee component.
- (2) Amounts determined under subregulation (1)(b)(iv) are not subject to adjustment under regulation 31.
- (3) However, if public notice is to be given under section 39(1), or section 39(1) and (2), of the Act in respect of the application, the amount otherwise payable under subregulation (1) is increased by the amount determined by the Authority to be the cost of publication of the notice but not exceeding—
 - (a) if the notice and other similar notices are to be published together by the Authority—5 fee units; or
 - (b) in any other case—20 fee units.
- (4) The application fee for the renewal of a licence payable under section 43(2) of the Act is 10 fee units.
- (5) The authorisation fee payable under section 40 of the Act for the grant of a licence is the amount determined by the Authority to be the ***applicant's projected annual authorisation fee***, being the amount of the annual authorisation fee (excluding the resource efficiency component) that would be payable by the applicant if the applicant were the holder of a licence liable to pay an annual authorisation fee under section 48 of the Act in respect of the projected licence period, calculated by reference to the Authority's reasonable assumptions as to what would be the nature and level of the applicant's activities if carried on for the whole of the period to which the calculations relate.
- (6) The authorisation fee payable under section 43(5) of the Act for renewal of a licence is the amount determined by the Authority to be the ***applicant's projected annual authorisation fee***, being the amount of the annual authorisation fee that would be payable by the applicant if the applicant were the holder of a licence liable to pay an annual authorisation fee under section 48 of the Act in respect of the projected licence period, calculated by reference to the Authority's reasonable assumptions as to what would be the nature and level of the applicant's activities if carried on for the whole of the periods to which the calculations relate.

- (7) For the purposes of determining the applicant's projected annual authorisation fee—
- (a) a reference in regulation 27 to an annual authorisation fee is to be read as if it were a reference to the projected annual authorisation fee; and
 - (b) subject to subregulation (8), a reference in these regulations to the current licence period is to be read as if it were a reference to the projected licence period; and
 - (c) a reference in these regulations to activities authorised by the licence is to be read as if it were a reference to activities to be authorised by the licence.
- (8) If the projected licence period is less than or more than 12 months—
- (a) a pro rata adjustment is to be made to the amount of the environment management component, and, in the case of renewal, the resource efficiency component, by applying the proportion that the length of the projected licence period bears to 12 months; and
 - (b) the pro rata adjustment is to be made on the basis of months, parts of a month being counted as a full month; and
 - (c) for the purposes of determining the environment management component, if the number of fee units specified in Schedule 2 Part 2 depends on an indicator of the level of activity during the licence period, the indicator is to be determined by the Authority on the basis of the Authority's estimates in relation to the activity during a period of 12 months rather than during the projected licence period.

Examples—

- 1 If the term of the licence is 3 months, the proportion that the length of the projected licence period bears to 12 months would be $\frac{1}{4}$.
- 2 If the term of the licence is $3\frac{1}{2}$ months, the proportion that the length of the projected licence period bears to 12 months would be $\frac{1}{3}$.

- (9) In this regulation—

projected licence period means—

- (a) in the case of a licence for which the holder is not liable to pay an annual authorisation fee under section 48 of the Act (by reason of the fact that the term of the licence is less than 2 years or that it is an environmental authorisation of a prescribed class)—the term of the licence; or
- (b) in the case of a licence for which the holder is liable to pay an annual authorisation fee under section 48 of the Act—the period between the grant or renewal of the licence and the commencement of the first licence period for which an annual authorisation fee will be payable.

27—Licences—Annual authorisation fee

- (1) The annual authorisation fee payable under section 48 of the Act for a licence is the sum of—
- (a) the flat fee component of 1 fee unit; and
 - (b) the environment management component determined for the current licence period in accordance with regulation 28; and
 - (c) the resource efficiency component comprising—

- (i) if the pollutant threshold is exceeded for a designated air pollutant or a designated water pollutant in the reporting period immediately preceding the current licence period—the pollutant load-based component for the pollutant determined in accordance with regulation 29; and
- (ii) if the low salinity water threshold is exceeded in the reporting period immediately preceding the current licence period—the water reuse component determined in accordance with regulation 30.

Note—

An annual authorisation fee is only payable for a licence granted or renewed for a term of 2 or more years (see section 48 of the Act).

(2) The ***pollutant threshold*** is exceeded in a reporting period—

- (a) for a designated air pollutant if—
 - (i) in the case of sulphur dioxide or nitrogen oxides—more than 10 000 kilograms of the pollutant are emitted to air during the period from an assessable site specified in the licence; or
 - (ii) in the case of particulates or volatile organic compounds—more than 1 000 kilograms of the pollutant are emitted to air during the period from an assessable site specified in the licence; or
 - (iii) in the case of lead—more than 100 kilograms of lead are emitted to air during the period from an assessable site specified in the licence; or
- (b) for a designated water pollutant if—
 - (i) in the case of heat—more than 10 megawatts of heat are discharged to waters during the period from an assessable site specified in the licence (in the course of any prescribed activity of environmental significance); or
 - (ii) in the case of suspended solids, nitrogen, phosphorus, organic matter or zinc—more than 1 000 kilograms of the pollutant are discharged to waters during the period from an assessable site specified in the licence (in the course of any prescribed activity of environmental significance); or
 - (iii) in the case of copper or lead—more than 100 kilograms of the pollutant are discharged to waters during the period from an assessable site specified in the licence (in the course of any prescribed activity of environmental significance); or
 - (iv) in the case of salt discharged in the course of a desalination plant—
 - (A) more than 75 000 tonnes of the salt are discharged to the marine environment during the period from an assessable site specified in the licence; or
 - (B) any amount of the salt is discharged during the period from an assessable site specified in the licence to other waters of the State that have a background concentration of salt of 13 000 milligrams of total dissolved solids per L or less (when measured during the period by a method approved by the Authority),

in each case, assessed in accordance with an approved estimation or monitoring technique for the activity that produces the pollutant.

- (3) The **low salinity water threshold** is exceeded in a reporting period if 10 megalitres or more of water is discharged to the marine environment during that period (whether directly or indirectly through pipes or channels) from an assessable site specified in the licence and the average salinity of water so discharged is less than 1 500 milligrams of total dissolved solids per litre (assessed in accordance with an approved estimation or monitoring technique for the activity that produces the water).
- (4) The pollutant threshold or low salinity water threshold is to be taken to have been exceeded in the reporting period immediately preceding the current licence period (the **relevant reporting period**) if—
- (a) the Authority is satisfied that the threshold has been exceeded in the relevant reporting period on the basis of information reported to the Authority in relation to the activities authorised by the licence (for the purposes of the National Pollutant Inventory, conditions of licence or otherwise); or
 - (b) the Authority has not received information for the relevant reporting period or has not had an opportunity to determine whether it is satisfied as to the accuracy of information reported to the Authority for the relevant reporting period, but is satisfied that the threshold has been exceeded in the reporting period immediately preceding the relevant reporting period on the basis of information reported to the Authority in relation to the activities authorised by the licence (for the purposes of the National Pollutant Inventory, conditions of licence or otherwise); or
 - (c) the Authority is satisfied on the basis of its reasonable assumptions as to the nature and level of the activities authorised by the licence that the threshold would be exceeded if the activities were to be carried on over a 12 month period (whether or not they have in fact been carried on over such a period).
- (5) If discharges of liquid pollutants from 2 or more activities authorised by separate licences (whether or not held by the same person) are mixed by use of the same pipe or channel or otherwise so as to constitute a single discharge to waters, the Authority is to—
- (a) determine the annual authorisation fee payable for the licence as if the discharge to waters were the result of activities authorised by a single licence; and
 - (b) apportion the amount so determined between the separate licences concerned—
 - (i) on such basis as may be nominated by the holder of the licences, or, if there is more than 1 holder, on such basis as may be agreed by the holders; or
 - (ii) in the absence of such a nomination or agreement, on a basis determined by the Authority having regard to the respective environmental impacts of the discharges resulting from the activities authorised by the separate licences.

28—Determining environment management component

- (1) The environment management component is comprised of—
- (a) a separate amount payable for each assessable site specified in the licence as follows:
 - (i) if the licence authorises only 1 prescribed activity of environmental significance to be carried on at the site during the licence period—the number of fee units specified in Schedule 2 Part 2 for the activity;
 - (ii) if the licence authorises 2 or more prescribed activities of environmental significance to be carried on at the site during the licence period—the highest number of fee units specified in Schedule 2 Part 2 for any of the activities (or the higher number, in the case of only 2 such activities); and

- (b) if the licence authorises a waste transport business—the number of fee units determined as follows:
 - (i) the number of fee units specified in Schedule 2 Part 2 for the activity for each vehicle that is an assessable vehicle during the licence period adjusted, if the vehicle is not an assessable vehicle for the whole of the licence period, by applying the proportion that the number of months during the licence period for which the vehicle is an assessable vehicle bears to 12 months;
 - (ii) for the purposes of the adjustment, part of a month is to be counted as a full month;
 - (iii) if the same vehicle is an assessable vehicle for the purposes of both a waste transport business (category A) and a waste transport business (category B) and a different number of fee units is specified in Schedule 2 Part 2 for the vehicle in those different businesses—the number of fee units for the vehicle is the higher number of fee units so specified adjusted, if the vehicle is not an assessable vehicle for the whole of the licence period, as set out in subparagraphs (i) and (ii); and
 - (c) if the licence authorises dredging—the number of fee units specified in Schedule 2 Part 2 for the activity for each day on which the activity is undertaken during the licence period; and
 - (d) if the licence authorises earthworks drainage—the number of fee units specified in Schedule 2 Part 2 for the activity for each day on which the activity is undertaken during the licence period.
- (2) If the number of fee units specified in Schedule 2 Part 2 depends on an indicator of the level of activity during the licence period, the indicator is to be determined by the Authority on the basis of the Authority's estimates in relation to the activity during the licence period.
 - (3) Amounts determined under this regulation are subject to any necessary adjustment under regulation 31 after the end of the licence period.

29—Determining pollutant load-based component

- (1) The pollutant load-based component is comprised of a separate amount payable for each assessable site specified in the licence.
- (2) The amount payable for an assessable site is the sum of—
 - (a) the fee units for each designated air pollutant emitted to air from the site in the course of a prescribed activity of environmental significance during the designated reporting period determined in accordance with subregulation (3); and
 - (b) the fee units for each designated water pollutant—
 - (i) in the case of a designated water pollutant discharged to waters (including underground waters) from the site (whether directly or indirectly through pipes or channels) in the course of a desalination plant during the designated reporting period—determined in accordance with subregulation (4); or

- (ii) in the case of a designated water pollutant discharged to waters (other than underground waters) from the site (whether directly or indirectly through pipes or channels) in the course of any other prescribed activity of environmental significance during the designated reporting period—determined in accordance with subregulation (5).
- (3) The number of fee units for a designated air pollutant is to be determined in accordance with the following formula:

$$DAP = T \times N \times Z$$

where—

DAP is the number of fee units for the designated air pollutant

T is the weight (in tonnes rounded to the nearest 0.1 tonne) of the pollutant emitted to air during the reporting period, assessed—

- (a) in accordance with an approved estimation or monitoring technique for the activity that resulted in the emission; or
- (b) if the pollutant threshold is taken to be exceeded under regulation 27(4)(c)—on the basis of the Authority's own estimates and reasonable assumptions as to the nature and level of the licensee's activities

N is the number of fee units for the pollutant specified in Table 1

Z is the zone weighting determined in accordance with Table 1 by reference to the pollutant and the location of the assessable site from which the pollutant is emitted (and if the site is located in 2 areas listed in the table, the higher zone weighting applies).

Table 1—Fee units and zone weightings for designated air pollutants

Pollutant	Fee units	Location of assessable site	Zone weighting
sulphur dioxide	1	All areas	1
nitrogen oxides	1	Adelaide airshed	2
		Other areas	1
particulates	10	Mount Gambier airshed	2
		In the case of red dust particulates—Whyalla airshed	4
		Other areas	1
volatile organic compounds	10	Adelaide airshed	1.5
		Areas outside the Adelaide airshed that are within a council area	1
		Other areas	0.5
lead	100	Port Pirie airshed	15
		Other areas	1

- (4) The number of fee units for a designated water pollutant discharged to waters in the course of a desalination plant is to be determined in accordance with the following formula:

$$DWP = T \times N \times Z$$

where—

DWP is the number of fee units for the designated water pollutant

T is—

- (a) in the case of a designated water pollutant other than heat—
 - (i) the weight (in tonnes rounded to the nearest 0.1 tonne) of the pollutant discharged to waters during the reporting period; or
 - (ii) if the licensee satisfies the Authority that the pollutant has been discharged back into the same waters from which it was taken—the weight (in tonnes rounded to the nearest 0.1 tonne) of the pollutant so discharged during the reporting period (calculated by subtracting the background concentration of the pollutant in the receiving waters from the concentration of the pollutant in the wastewater conveying the pollutant, in each case measured in grams per L, and multiplying that result by the total number of megalitres of the wastewater discharged to the waters during the reporting period); or
- (b) in the case of heat—the number of megawatts (rounded to the nearest megawatt) of the heat discharged to waters during the reporting period,

assessed—

- (c) in accordance with an approved estimation or monitoring technique for the activity resulting in the discharge; or
- (d) if the pollutant threshold is taken to be exceeded under regulation 27(4)(c)—on the basis of the Authority's own estimates and reasonable assumptions as to the nature and level of the licensee's activities

N is the number of fee units for the pollutant specified in Table 2

Z is the zone weighting determined in accordance with Table 2 by reference to the pollutant and the location of the waters into which the pollutant is discharged (and if the pollutant is discharged into 2 areas listed in the table, the higher zone weighting applies).

Table 2—Fee units and zone weightings for designated water pollutants—desalination plants

Pollutant	Fee units	Location of waters	Zone weighting
salt	0.00177	Marine environment	1
		All other waters of the State	50
heat	1	All waters of the State	1
suspended solids	10	Metropolitan coastal waters	2
		All other waters of the State	1
nitrogen	10	Port River region or Metropolitan coastal waters	3
		All other waters of the State	1
phosphorus	10	Port River region	2
		All other waters of the State	1
organic matter	10	Lake Bonney (South East)	2
		All other waters of the State	1
zinc	10	Upper Spencer Gulf	2
		All other waters of the State	1

Pollutant	Fee units	Location of waters	Zone weighting
copper, lead	100	Upper Spencer Gulf	2
		All other waters of the State	1

- (5) The number of fee units for a designated water pollutant (other than when discharged to waters in the course of a desalination plant) is to be determined in accordance with the following formula:

$$DWP = T \times N \times Z$$

where—

DWP is the number of fee units for the designated water pollutant

T is—

- (a) the weight (in tonnes rounded to the nearest 0.1 tonne); or
- (b) in the case of heat—the number of megawatts (rounded to the nearest megawatt),

of the pollutant discharged to waters during the reporting period, assessed—

- (c) in accordance with an approved estimation or monitoring technique for the activity resulting in the discharge; or
- (d) if the pollutant threshold is taken to be exceeded under regulation 27(4)(c)—on the basis of the Authority's own estimates and reasonable assumptions as to the nature and level of the licensee's activities

N is the number of fee units for the pollutant specified in Table 3

Z is the zone weighting determined in accordance with Table 3 by reference to the pollutant and the location of the waters into which the pollutant is discharged (and if the pollutant is discharged into 2 areas listed in the table, the higher zone weighting applies).

Table 3—Fee units and zone weightings for designated water pollutants—activities other than desalination plants

Pollutant	Fee units	Location of waters	Zone weighting
heat	1	All waters of the State	1
suspended solids	10	Metropolitan coastal waters	2
		All other waters of the State	1
nitrogen	10	Port River region or Metropolitan coastal waters	3
		All other waters of the State	1
phosphorus	10	Port River region	2
		All other waters of the State	1
organic matter	10	Lake Bonney (South East)	2
		All other waters of the State	1
zinc	10	Upper Spencer Gulf	2
		All other waters of the State	1
copper, lead	100	Upper Spencer Gulf	2
		All other waters of the State	1

- (6) If the pollutant threshold is taken to be exceeded under regulation 27(4)(b) or regulation 27(4)(c), the pollutant load-based component is subject to any necessary adjustment under regulation 31 after the end of the licence period.
- (7) In this regulation—
designated reporting period means—
- if the pollutant threshold is taken to be exceeded under regulation 27(4)(a)—the reporting period immediately preceding the current licence period; or
 - if the pollutant threshold is taken to be exceeded under regulation 27(4)(b)—the reporting period immediately preceding the reporting period referred to in paragraph (a); or
 - if the pollutant threshold is taken to be exceeded under regulation 27(4)(c)—a hypothetical reporting period of 12 months.
- (8) For the purposes of subregulation (4), a designated water pollutant will be taken to have been discharged back into the same waters from which it was taken if the pollutant was—
- taken from the marine environment and discharged back into the marine environment; or
 - taken from an aquifer and discharged back into the same aquifer; or
 - taken from a watercourse and discharged back into the same watercourse; or
 - taken from some other body of waters and discharged back into the same body of waters.

30—Determining water reuse component

- (1) The water reuse component is comprised of a separate amount payable for each assessable site specified in the licence.

- (2) The water reuse component is 1 fee unit for each megalitre (rounded to the nearest megalitre) of wastewater discharged to the marine environment (whether directly or indirectly through pipes or channels) in the course of a prescribed activity of environmental significance during the designated reporting period—
 - (a) measured in accordance with an approved estimation or monitoring technique for the activity; or
 - (b) if the low salinity water threshold is taken to be exceeded under regulation 27(4)(c)—estimated by the Authority on the basis of its reasonable assumptions as to the nature and level of the licensee's activities.
- (3) If the low salinity water threshold is taken to be exceeded under regulation 27(4)(b) or regulation 27(4)(c), the water reuse component is subject to any necessary adjustment under regulation 31 after the end of the licence period.
- (4) In this regulation—
designated reporting period means—
 - (a) if the low salinity water threshold is taken to be exceeded under regulation 27(4)(a)—the reporting period immediately preceding the current licence period; or
 - (b) if the low salinity water threshold is taken to be exceeded under regulation 27(4)(b)—the reporting period immediately preceding the reporting period referred to in paragraph (a); or
 - (c) if the low salinity water threshold is taken to be exceeded under regulation 27(4)(c)—a hypothetical reporting period of 12 months.

31—Adjustment of annual authorisation fee or projected annual authorisation fee after end of licence period or projected licence period

- (1) If the Authority is satisfied after the end of a licence period that the annual authorisation fee determined for the period (as based on estimates made by the Authority under this Division) was an amount less than the amount calculated by reference to the activity as actually undertaken during the licence period or the reporting period immediately preceding the licence period, the Authority may, by notice in writing to the holder of the licence or by conditions of the licence, require the holder of the licence to pay to the Authority, within a specified period, the amount determined by the Authority to represent the difference between those 2 amounts.

Note—

If no resource efficiency component was payable because the pollutant threshold or low salinity water threshold was determined in accordance with regulation 27(4)(b) or (c) as not having been exceeded but information subsequently reported to the Authority shows that the threshold would have been exceeded under regulation 27(4)(a) if that information had then been available and the Authority had been satisfied as to its accuracy, this subregulation will apply and a resource efficiency component will become payable.

- (2) If the holder of a licence satisfies the Authority (by such evidence as the Authority may require) after the end of a licence period that the annual authorisation fee paid for the period (as based on estimates made by the Authority under this Division) was more than the amount calculated by reference to the activity as actually undertaken during the licence period or the reporting period immediately preceding the licence period, the Authority must refund to the holder of the licence the amount determined by the Authority to represent the difference between those 2 amounts.

(3) In this regulation—

annual authorisation fee includes a projected annual authorisation fee under regulation 26;

licence period includes a projected licence period under regulation 26.

32—Cessation of activity

Despite regulation 27, the following provisions apply in the case of the cessation of a prescribed activity of environmental significance carried on pursuant to a licence:

- (a) if—
 - (i) the licence has been renewed under section 3(6) of the Act or is subject to conditions under section 52A or 56(2)(b) of the Act; and
 - (ii) the activity ceased before the commencement of the current licence period, no environment management component or flat fee component is payable for that period;
- (b) in the case of an activity for which the amount of the environment management component does not depend on an indicator of the level of activity during the licence period—
 - (i) if the licence is subject to conditions under section 52A or 56(2)(b) of the Act and the holder of the licence satisfies the Authority that the activity is to cease during the current licence period, a pro rata adjustment is to be made to the amount of the environment management component for that period by applying the proportion that the number of months in that period before the activity is to cease bears to 12 months; and
 - (ii) if conditions are imposed on the licence under section 52A or 56(2)(b) of the Act during the current licence period and the activity ceases during that period, the Authority must, no later than the end of that period, refund to the holder of the licence a proportion of the environment management component for that period, being the proportion that the number of months remaining in that period after the cessation of the activity or the imposition of the conditions (whichever is the later) bears to 12 months; and
 - (iii) for the purposes of this paragraph, a part of a month is to be counted as a full month.

Division 3—Discounts and other benefits for accredited licensees

33—Benefits of accreditation

An accredited licensee is entitled to—

- (a) a 50% reduction in the environment management component of—
 - (i) the authorisation fee otherwise payable under section 40 or 43 of the Act in relation to the accredited activity; or
 - (ii) the annual authorisation fee otherwise payable under section 48 of the Act in relation to the accredited activity; and
- (b) any other variations to the licence conditions favourable to the licensee considered appropriate by the Authority.

34—Accredited licences

- (1) A licensee may apply to the Authority to be accredited as an accredited licensee in respect of a particular prescribed activity of environmental significance carried on at premises occupied by the licensee.
- (2) An application for accreditation must be made in a manner and form approved by the Authority and accompanied by any information required by the Authority.
- (3) Subject to this regulation, the Authority may grant accreditation if satisfied that—
 - (a) the activity is being carried on at the premises to a high level of environmental performance; and
 - (b) that performance can be maintained for the duration of the term of the licence.
- (4) In determining the level of environmental performance for the purposes of subregulation (3), the Authority may take into consideration the following:
 - (a) the licensee's record of compliance with the Act and statutory instruments under the Act;
 - (b) whether the licensee has an environment improvement programme in place in respect of the activity;
 - (c) any other matter it considers relevant.
- (5) The Authority must not grant accreditation unless satisfied that the licensee has in place in respect of the activity the following:
 - (a) an environment management system approved by the Authority;
 - (b) an environmental audit and compliance program approved by the Authority.
- (6) The Authority must, within 14 days of granting an application for accreditation, publish a notice in the Gazette specifying the name of the accredited licensee, the premises at which the accredited activity is carried on and the nature of that activity.
- (7) An accreditation may, with the approval of the Authority, be transferred simultaneously with the transfer of a licence under section 49 of the Act.

35—Performance reports

- (1) An accredited licensee must submit a performance report to the Authority within 60 days after the end of each financial year or such further period as the Authority may approve containing details of environmental performance at the premises at which the accredited activity is carried on during the financial year.
- (2) A performance report must—
 - (a) be prepared in a form approved by the Authority; and
 - (b) contain information or details required by the Authority; and
 - (c) be authorised by the licensee.

36—Review of accreditation

- (1) The Authority may, at any time, review the accreditation of an accredited licensee.
- (2) The Authority must give the licensee notice of its intention to conduct a review under this regulation.

- (3) The Authority may cancel an accreditation if of the opinion that—
- (a) the accredited activity is no longer being carried on at the premises to a high level of environmental performance; or
 - (b) the licensee has contravened the Act or a statutory instrument under the Act; or
 - (c) the licensee no longer has in place or is implementing in respect of the accredited activity—
 - (i) an environment management system approved by the Authority; or
 - (ii) an environment improvement programme approved by the Authority; or
 - (iii) an environmental audit and compliance program approved by the Authority.
- (4) If a licensee's accreditation is cancelled, the licensee must pay to the Authority an amount equal to the licence fee reduction resulting from the accreditation multiplied by the proportion that the number of days in the remainder of the current licence period bears to the number of days in the licence period.

Division 4—Miscellaneous fees relating to environmental authorisations

37—Late application for renewal (section 43(4))

For the purposes of section 43(4) of the Act, the fee for late application for renewal of an environmental authorisation is \$300 or 5% of the authorisation fee (whichever is higher) payable on renewal for each month (or part of a month) for which the application is late.

38—Renewal without application (section 43(6))

If an environmental authorisation under which activities continue to be undertaken is renewed under section 43(6) of the Act (without application), the holder of the authorisation must pay the Authority the authorisation fee that would have been payable under section 43(5) of the Act had the authorisation been renewed on application.

39—Conditions requiring approval of certain works and processes (section 54C)

- (1) The prescribed fee payable for an application for an approval required by conditions of an environmental authorisation imposed under section 54C(2) of the Act in relation to—
- (a) the construction or alteration of a building or structure, or the installation or alteration of plant or equipment, for use for an activity carried on under the authorisation (*works*); or
 - (b) a change in process undertaken under the authorisation,
- is the number of fee units determined according to the cost of the works or change in process estimated by the Authority as follows:

Estimated cost of works or change in process	Fee units
Up to and including \$10 000	10
More than \$10 000 but not more than \$50 000	20
More than \$50 000 but not more than \$500 000	40
More than \$500 000 but not more than \$5 million	60
More than \$5 million but not more than \$50 million	100
More than \$50 million	200

(2) If the application relates to both works and a change in process, the prescribed fee payable for the application will be determined as if separate applications had been made, 1 in relation to the works and the other in relation to the change in process.

(3) In this regulation, a reference to the estimated cost of works is a reference to the amount estimated to be the total cost of the works to which the application relates excluding any part of the costs determined by the Authority to be attributable to—

- (a) the purchase of land; or
- (b) building or other work that will not contribute directly or substantially to the prescribed activity of environmental significance to which the application relates.

Part 4—Beverage containers

40—Beverage (section 65)

The following liquids are excluded from the ambit of the definition of *beverage* in section 65 of the Act:

- (a) concentrated fruit or vegetable juice, or concentrated fruit and vegetable juice, intended to be diluted before consumption;
- (b) a health tonic that is—
 - (i) included on the Australian Register of Therapeutic Goods under the *Therapeutic Goods Act 1989* of the Commonwealth; and
 - (ii) supplied with a label or other accompanying document specifying—
 - (A) that the tonic is for medicinal purposes; and
 - (B) a recommended maximum dosage; and
- (c) a cordial comprised of a concentrated syrup that—
 - (i) contains the following ingredients (whether or not it also contains other ingredients):
 - (A) water;
 - (B) a sweetener (whether natural or artificial);
 - (C) colouring or flavouring, or both (whether natural or artificial); and
 - (ii) is intended to be diluted before consumption.

41—Collection depot (section 65)

For the purposes of the definition of *collection depot* in section 65 of the Act, a reverse vending machine is a facility of a prescribed kind.

42—Refund amount (section 65)

For the purposes of the definition of *refund amount* in section 65 of the Act, the following refund amounts are prescribed:

- (a) for category A containers—\$0.10;
- (b) for category B containers—\$0.10.

43—Exemption of certain containers by regulation (section 67)

- (1) Pursuant to section 67 of the Act, the following classes of containers are exempt from the application of Part 8 Division 2 of the Act:

- (a) containers used for the purpose of containing milk or milk substitute (other than flavoured milk or flavoured milk substitute);
- (b) containers used for the purpose of containing 1 litre or more of flavoured milk or flavoured milk substitute;
- (c) containers used for the purpose of containing 1 litre or more of pure juice (comprising at least 90% fruit juice or vegetable juice or a mixture of fruit and vegetable juices);
- (d) containers used for the purpose of containing more than 3 litres of beverage;
- (e) containers constructed of cardboard and plastic, cardboard and foil, or cardboard, plastic and foil (commonly known as casks or aseptic packs) used for the purpose of containing 1 litre or more of wine, wine-based beverage or water (including mineral or spring water);
- (f) containers constructed of plastic or foil or plastic and foil (commonly known as sachets) used for the purpose of containing 250 millilitres or more of wine.

- (2) In this regulation—

flavoured milk means milk to which flavouring has been added;

flavoured milk substitute means milk substitute to which flavouring has been added and which is marketed as a flavoured product;

milk means cow's milk or the milk of any other animal and, without limiting that meaning, includes milk that is 1 or more of the following:

- (a) ultra heat treated or reconstituted milk;
- (b) reduced fat milk;
- (c) milk with added protein, milk fat, calcium, vitamins, minerals or other supplements;

milk substitute means a liquid substitute for milk derived from a plant or part of a plant and, without limiting that meaning, includes milk substitute that is 1 or more of the following:

- (a) ultra heat treated or reconstituted milk substitute;
- (b) reduced fat milk substitute;
- (c) milk substitute with added protein, fat, calcium, vitamins, minerals or other supplements;

wine-based beverage means a pre-mixed beverage that contains—

- (a) wine and another beverage that is not a grape product; and
- (b) less than 10% alcohol by volume at 20° Celsius.

44—Annual returns for collection depots and super collectors (section 69A)

- (1) For the purposes of section 69A(1) of the Act, the date before which the holder of an approval to operate a collection depot or carry on business as a super collector must lodge an annual return with the Authority, or pay the annual fee to the Authority, is, unless some other date is fixed by the Authority by condition of the approval, 30 September in each year.
- (2) For the purposes of section 69A(2) of the Act, the penalty for failure to lodge an annual return or pay the annual fee is \$300 or 5% of the annual fee (whichever is higher) for each month (or part of a month) for which the default continues.

Note—

If there has been a failure to lodge an annual return and pay the annual fee, the penalty for default is payable in respect of each failure.

45—Offence to claim refund on beverage containers purchased outside State or corresponding jurisdiction (section 69C)

For the purposes of section 69C(2) of the Act, a declaration to be completed by a person presenting containers must include the following:

- (a) the full name and address of the person;
- (b) proof of identity of the person in the form of—
 - (i) the person's driver's licence number; or
 - (ii) if the person is unable to produce the person's driver's licence—a passport, credit or debit card, concession card, gas, electricity or telephone account or similar document or card that has been issued to the person;
- (c) if the person has delivered the containers by vehicle—the registration number of the vehicle and the State or Territory of registration;
- (d) the signature of the person.

46—Certain containers prohibited (section 72)

For the purposes of paragraph (b) of the definition of *prohibited container* in section 72(1) of the Act, a sealed glass container (commonly known as a plasti-shield container) that—

- (a) is designed to contain more than 500 millilitres of beverage; and
- (b) is not designed to be refilled; and
- (c) is covered on the outside with a plastic sheath or coating,

is a sealed glass container of a prescribed kind.

Part 5—Site contamination**Division 1—General provisions supporting Part 10A of Act****47—Occupier (section 103A)**

- (1) For the purposes of the definition of *occupier* in section 103A of the Act, a person is to be taken to be an occupier of land if the person owns, or has operational control of, a tank or pipeline, or any works or structure, that—
 - (a) is installed on or traverses the land, whether below or above the ground; and

- (b) is used to store or convey chemical substances or for some process employing chemical substances.
- (2) For the purposes of subregulation (1), a person has operational control over a tank, pipeline, works or a structure if the person has the authority to introduce and implement environmental or health and safety policies or any other operating policies for the tank, pipeline, works or structure.

48—Potentially contaminating activities (sections 103C and 103H)

- (1) For the purposes of sections 103C and 103H of the Act, the following activities are prescribed as potentially contaminating activities:
 - (a) an activity of a kind set out in Schedule 3 clause 2, undertaken in the course of a business;
 - (b) any other activity (other than an activity of a kind excluded under Schedule 3 clause 2 from the ambit of potentially contaminating activities) undertaken in the course of a business involving—
 - (i) the manufacture, production (including as a by-product or waste) or recycling of a listed substance or a product containing a listed substance; or
 - (ii) the storage at a discrete premises of the business of—
 - (A) 500 litres or more of a liquid listed substance; or
 - (B) 500 kilograms or more of a listed substance other than a liquid;
 - (c) a domestic activity of a kind set out in Schedule 3 clause 3.
- (2) However—
 - (a) the Authority may determine that an activity of a kind referred to in subregulation (1)(a) is not a potentially contaminating activity if the Authority is satisfied that the activity has been carried on in such a manner or on such a scale as to present a negligible risk of site contamination; and
 - (b) the Authority may determine that an activity of a kind referred to in subregulation (1)(b) is not a potentially contaminating activity if the Authority is satisfied that the relevant listed substance has, at all times while at the premises of the business, been contained or incorporated in a product (other than a product that itself is or comprises a listed substance) or container—
 - (i) in insignificant concentrations; or
 - (ii) in such a way as to present a negligible risk of escape of the substance to the environment.
- (3) For the purposes of this regulation, a reference to a discrete premises of a business is, in the case of activities authorised by a licence—
 - (a) a reference to each location specified in the licence at which activities authorised by the licence may be undertaken; or
 - (b) if various places are specified in the licence as a single location at which activities authorised by the licence may be undertaken—a reference to the various places taken together.
- (4) To avoid doubt, an activity of a kind referred to in subregulation (1)(a) or (b) is not precluded from being undertaken in the course of a business merely because it is undertaken for the purposes of research.

- (5) In this regulation—
recycling includes reprocessing, recovery and purification.

49—Causing site contamination (section 103D)

- (1) Subject to this regulation, the commencement or revival of a particular use of a site is a prescribed change of use for the purposes of section 103D(2) of the Act if—
- (a) the use supersedes a previous use of the site; or
 - (b) the commencement of the use or the revival of the use follows upon a period of non-use; or
 - (c) the use is additional to a previously established use of the site which continues despite the commencement of the new use.
- (2) The revival of a use of a site after a period of discontinuance will be regarded as the continuation of an existing use unless—
- (a) the period intervening between the discontinuance and revival of the use exceeds two years; or
 - (b) during the whole or a part of the period intervening between its discontinuance and revival, the use was superseded by some other use.

50—Liability for property damage etc caused by person entering land—exemptions (section 103M)

- (1) A person is exempt from the application of section 103M(2) of the Act if the person enters or does anything on land on behalf of the occupier of the land in order to carry out—
- (a) the requirements of a site contamination assessment order or site remediation order that has been issued to the occupier; or
 - (b) a voluntary site contamination assessment proposal or voluntary site remediation proposal that has been approved by the Authority on the application of the occupier.
- (2) A person is exempt from the application of section 103M(3) of the Act if the person enters or does anything on land on behalf of the owner of the land in order to carry out—
- (a) the requirements of a site contamination assessment order or site remediation order that has been issued to the owner; or
 - (b) a voluntary site contamination assessment proposal or voluntary site remediation proposal that has been approved by the Authority on the application of the owner.

Division 2—Site contamination auditors

Subdivision 1—Accreditation

51—Eligibility for accreditation

- (1) A person is eligible for accreditation as a site contamination auditor if the person—
- (a) has the qualifications, experience, knowledge, understanding and ability set out in subregulation (2); and
 - (b) is a fit and proper person to be accredited.
- (2) An applicant for accreditation must—
- (a) have a tertiary qualification approved by the Authority in a relevant discipline; and

- (b) have a total of at least 8 years of experience in the assessment and remediation of site contamination; and
 - (c) have knowledge and understanding at a level satisfactory to the Authority of—
 - (i) the provisions of the Act and these regulations relating to site contamination assessment, remediation, audits and auditors; and
 - (ii) codes of practice, guidelines and standards prepared or approved by the Authority that apply to site contamination assessment, remediation, audits and auditors; and
 - (iii) the field of site contamination assessment and remediation; and
 - (d) have a demonstrated ability to put the knowledge and understanding referred to in paragraph (c) into practice, to a degree satisfactory to the Authority.
- (3) For the purposes of determining whether a person is eligible for accreditation under subregulation (1), the Authority may, without limitation, take into account the following:
- (a) any recommendations made in relation to the person by an accreditation committee;
 - (b) any offence committed by the person against the Act, these regulations or legislation similar to these regulations in force in another State or a Territory of the Commonwealth;
 - (c) any offence punishable by imprisonment committed by the person;
 - (d) the cancellation or suspension of accreditation or similar authority held by the person, or the disqualification of the person from practising as a site contamination auditor, under these regulations or under legislation similar to these regulations in force in another State or a Territory of the Commonwealth;
 - (e) whether, during the period of 10 years preceding the application for accreditation, the person has been an undischarged bankrupt or subject to a composition or deed or scheme of arrangement with or for the benefit of creditors.

52—Application for accreditation

- (1) An application for accreditation must—
- (a) be made to the Authority in the manner and form approved by the Authority; and
 - (b) be signed by the applicant and completed in accordance with the instructions contained in the form; and
 - (c) subject to subregulation (2), be accompanied by the fee for an application for accreditation as set out in Schedule 4.
- (2) The application fee referred to in subregulation (1)(c) is not payable in respect of a person entitled under the *Mutual Recognition Act 1992* of the Commonwealth, as adopted by the *Mutual Recognition (South Australia) Act 1993*, to be registered (as defined in that Commonwealth Act) in this State as a site contamination auditor.
- (3) An applicant for accreditation must—
- (a) consent to the conduct by the Authority of inquiries relating to any accreditation or similar authority held at any time by the person under these regulations or under legislation similar to these regulations in force in another State or Territory of the Commonwealth; and

- (b) provide the Authority with any information required by the Authority (verified, if the Authority so requires, by statutory declaration) for the purposes of determining the application including (without limitation) criminal record checks relating to the applicant; and
 - (c) supply the Authority with 1 or more digital photographs of the applicant as specified by the Authority.
- (4) The Authority may, on receipt of an application for accreditation under this regulation, refer the application to an accreditation committee and request the committee's written recommendations in relation to the application within a period specified in the notice (being not less than 14 days after referral of the application to the committee).

53—Grant of accreditation

- (1) The Authority may refuse an application for accreditation if—
 - (a) the person has not made due application for accreditation under this Division; or
 - (b) the applicant has not complied with a requirement of this Part or a requirement of the Authority made in connection with the application; or
 - (c) the Authority is not satisfied that the applicant is eligible for accreditation.
- (2) The Authority is not required, if it has assessed a person's qualifications, experience, knowledge, understanding or ability to be appropriate for accreditation, to assess the person's qualifications, experience, knowledge, understanding or ability again on a subsequent application by the person for accreditation (or renewal of accreditation).
- (3) The Authority may decline to grant accreditation unless or until the fee for the grant of accreditation as set out in Schedule 4 is paid.

54—Conditions of accreditation

- (1) The Authority may impose—
 - (a) a condition requiring the person to undertake ongoing professional development; and
 - (b) any other conditions the Authority thinks fit.
- (2) Without limiting the effect of subregulation (1), the Authority must make it a condition of every accreditation that—
 - (a) the holder of the accreditation will, when acting as a site contamination auditor, act diligently, impartially and conscientiously; and
 - (b) the holder of the accreditation will maintain arrangements enabling the holder to have access, from time to time as necessary in the course of carrying out site contamination audits, to a team of persons, constituted in a manner approved by the Authority, to provide technical expertise in fields outside the holder's personal expertise; and
 - (c) the holder of the accreditation will not, when acting as a site contamination auditor, fail to comply with any guidelines issued from time to time by the Authority (insofar as they may be relevant in the circumstances of any particular case); and
 - (d) the holder of the accreditation will hold or be covered by a professional indemnity insurance policy approved by the Authority; and

- (e) the holder of the accreditation will have an identity card issued by the Authority available for inspection at all times when present as a site contamination auditor at a site the subject of site contamination assessment or remediation; and
 - (f) if the holder of the accreditation is charged with or convicted of—
 - (i) an offence against the Act, this Part or legislation similar to this Part in force in another State or a Territory of the Commonwealth; or
 - (ii) an offence punishable by imprisonment,the person will, within 14 days, give written notice of the charge or conviction to the Authority containing details of the offence; and
 - (g) if the holder of the accreditation—
 - (i) is dismissed from employment in response to allegations of misconduct; or
 - (ii) resigns from employment following allegations of misconduct,the person will, within 14 days, give written notice of that fact to the Authority.
- (3) The Authority may, by written notice, vary or revoke a condition, or impose a condition, of a person's accreditation as a site contamination auditor.
- (4) A condition may only be imposed or varied—
- (a) on application by the site contamination auditor or with the auditor's agreement; or
 - (b) after giving the site contamination auditor reasonable notice of the proposed condition or variation and allowing the auditor at least 14 days within which to make submissions to the Authority in relation to the proposed condition or variation.

55—Offence to contravene certain conditions of accreditation

If a site contamination auditor contravenes a condition of the person's accreditation that requires the Authority to be notified of a matter or imposes a restriction on the work undertaken by the person, the person is guilty of an offence.

Maximum penalty: \$4 000.

Expiation fee: \$300.

56—Annual fee

- (1) A site contamination auditor must, on or before the date falling 1 month after each anniversary of the grant of accreditation (other than in a year in which the accreditation is due to expire), pay to the Authority the annual fee for accreditation as set out in Schedule 4.
- (2) If an accredited site contamination auditor fails to pay a fee in accordance with this regulation, the Authority may, by written notice, require the auditor to make good the default and, in addition, to pay to the Authority as a penalty for default \$20 plus 1% of the annual accreditation fee for the first month (or part of a month) for which the default continues and 2% of the annual fee for accreditation for each further month (or part of a month) for which the default continues.

57—Term and renewal of accreditation

- (1) Subject to this Part, accreditation remains in force for a term not exceeding 5 years determined by the Authority and specified in the accreditation on its grant or renewal.

- (2) An application for renewal of accreditation must—
 - (a) be made not less than 90 days before the expiry of the accreditation; and
 - (b) be made to the Authority in the manner and form approved by the Authority; and
 - (c) be signed by the applicant and completed in accordance with the instructions contained in the form; and
 - (d) be accompanied by the fee for renewal of accreditation as set out in Schedule 4.
- (3) The Authority may, at the Authority's discretion, determine a late application for renewal provided that the applicant pays, in addition to the fee for renewal of accreditation, a late fee comprised of \$20 plus 1% of the fee for renewal of accreditation for the first month (or part of a month) for which the application is late and 2% of the fee for renewal of accreditation for each further month (or part of a month) for which the application is late.
- (4) The Authority may, on receipt of an application for renewal under this Division—
 - (a) refer the application to an accreditation committee and request the committee's written recommendations in relation to the application within a period specified in the notice (being not less than 14 days after referral of the application to the committee); and
 - (b) require the applicant to provide any information required by the Authority (verified, if the Authority so requires, by statutory declaration) for the purposes of determining the application including (without limitation) criminal record checks relating to the applicant; and
 - (c) refuse to renew the applicant's accreditation on any ground on which an application for accreditation may be refused under regulation 53 or on which accreditation may be cancelled under regulation 58.

58—Disciplinary action against site contamination auditors and voluntary suspension

- (1) The Authority may, if satisfied that there is cause for disciplinary action against a site contamination auditor, do 1 or more of the following:
 - (a) suspend any accreditation held by the person;
 - (b) cancel any accreditation held by the person;
 - (c) disqualify the person from obtaining accreditation.
- (2) There is cause for disciplinary action against a site contamination auditor if the Authority is satisfied that—
 - (a) the person—
 - (i) obtained accreditation improperly; or
 - (ii) has contravened the Act or this Part; or
 - (iii) has contravened a condition of accreditation; or
 - (iv) has ceased to undertake the activities authorised by accreditation; or
 - (v) has not paid fees or charges payable under this Part to the Authority within the required time; or
 - (b) events have occurred such that the person would not, if the person were to apply for accreditation, be eligible for accreditation.

- (3) A suspension under this regulation—
 - (a) may be for a specified period, or until the fulfilment of specified conditions, or until further order of the Authority; and
 - (b) may be expressed to have effect at a specified future time, or to have effect at a specified future time unless a specified condition is fulfilled.
- (4) A disqualification under this regulation may disqualify a person from obtaining accreditation—
 - (a) permanently; or
 - (b) for a specified period or until the fulfilment of specified conditions; or
 - (c) until further order of the Authority.
- (5) The Authority must, before acting under this regulation—
 - (a) give written notice to the site contamination auditor of the proposed action specifying the reasons for the proposed action; and
 - (b) allow the site contamination auditor at least 14 days within which to make submissions to the Authority in relation to the proposed action.
- (6) The Authority may, on application by a site contamination auditor, suspend the auditor's accreditation for a specified period of not less than 3 months and not more than 2 years or the term of the accreditation, whichever is the shorter period, if the Authority is satisfied that the auditor does not intend to undertake site contamination audits during that period.
- (7) A person whose accreditation is suspended is taken not to hold accreditation for the period of the suspension.
- (8) However—
 - (a) the person is taken to continue to hold accreditation for the purposes of the requirements of section 103Y of the Act (relating to furnishing the Authority with an annual return and notifying the Authority of a change in the person's particulars); and
 - (b) the date of expiry of the person's accreditation remains unchanged despite the suspension.
- (9) In this regulation—

site contamination auditor means—

 - (a) a person who is the holder of accreditation; or
 - (b) a person who was formerly the holder of accreditation; or
 - (c) a person who, although not the holder of accreditation, engaged in an activity for which accreditation was required (under section 103U of the Act).

59—Surrender of accreditation

A person may, with the approval of the Authority, surrender the person's accreditation.

60—Return of certificate of accreditation and identity card

- (1) If accreditation of a person as a site contamination auditor is surrendered, suspended or cancelled, the person must, within 14 days, return the certificate of accreditation and any identity card to the Authority.
Maximum penalty: \$2 500.
Expiation fee: \$160.
- (2) If, on an application under regulation 52, a certificate of accreditation or identity card has been issued to a person but the fee payable in respect of the person's application or accreditation has not been paid (whether because of the dishonouring of a cheque or otherwise), the person must, at the direction of the Authority, return the certificate or card to the Authority.
Maximum penalty: \$2 500.
Expiation fee: \$160.
- (3) The Authority may issue to the holder of accreditation, on payment by the person of the fee for replacement of the certificate of accreditation or identity card as set out in Schedule 4, a certificate of accreditation or identity card in replacement of a current certificate of accreditation or identity card if satisfied that—
 - (a) the current certificate or card has been lost, destroyed or damaged; or
 - (b) any particulars appearing on the current certificate or card are incorrect.
- (4) If the Authority issues a replacement certificate of accreditation or identity card to a person, the person must, at the direction of the Authority, return any original (or previous duplicate) certificate of accreditation or identity card in the person's possession to the Authority.
Maximum penalty: \$2 500.
Expiation fee: \$160.

61—Reviews (section 103V(2)(i))

- (1) A person may seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* of a decision of the Authority—
 - (a) refusing to grant an application by the person for accreditation or renewal of accreditation; or
 - (b) determining the term of the person's accreditation; or
 - (c) imposing or varying a condition of the person's accreditation or determining a matter in relation to such a condition; or
 - (d) suspending or cancelling the person's accreditation or imposing a disqualification on the person.
- (2) Subject to this regulation, an application for review must be made within 1 month after the making of the decision.
- (3) The Authority must, if so required by the person, state in writing the reasons for the Authority's decision.
- (4) If the reasons of the Authority are not given in writing at the time of making the decision and the person to whom the decision relates (within 1 month of the making of the decision) requires the Authority to state the reasons in writing, the time for making an application for review runs from the time at which the person receives the written statement of those reasons.

62—Register of site contamination auditors

- (1) The Authority must keep a register of persons accredited under this Division.
- (2) The register must include, in relation to each accredited person—
 - (a) the person's full name, personal address and business address (if any); and
 - (b) the qualifications for accreditation held by the person; and
 - (c) details of any specialist qualifications held by the person and determined by the Authority to be appropriate for inclusion on the register; and
 - (d) details of any condition of the person's accreditation requiring supervision of the person or restricting the scope or type of work the person may undertake as site contamination auditor; and
 - (e) the expiry date of the person's accreditation; and
 - (f) the person's accreditation number; and
 - (g) details concerning any disciplinary action taken against the person by the Authority under regulation 58,

and may include other information as the Authority thinks fit.

- (3) The Authority may remove or correct an entry in the register as required without giving notice to any person.
- (4) The Authority must—
 - (a) make a record of the full name of each site contamination auditor and the information entered in the register under subregulation (2)(b), (c), (d), (e) and (f) in relation to the auditor available for inspection on application to the Authority; and
 - (b) make a record of the full name of each site contamination auditor and the information entered in the register under subregulation (2)(e) and (f) in relation to the auditor available for inspection on a website established by the Authority.
- (5) An apparently genuine document purporting to be signed by the Authority stating that, at a specified date, or during a specified period—
 - (a) a specified person was accredited under this Division unconditionally or subject to specified conditions; or
 - (b) a specified person was not accredited under this Division,

will, in any legal proceedings, constitute proof of the matters stated in the document in the absence of proof to the contrary.

Subdivision 2—Requirements applying to auditors**63—Annual returns by auditors (section 103Y(2))**

For the purposes of section 103Y(2) of the Act, an annual return relating to site contamination audits for which a site contamination auditor is or was the responsible auditor must be in the form set out in Schedule 3 clause 5.

**64—Notifications by auditors after commencement or termination of audit
(section 103Z(3))**

For the purposes of section 103Z(3) of the Act—

- (a) a notification by a site contamination auditor after the commencement of a site contamination audit for which the auditor is or was the responsible auditor must be in the form set out in Schedule 3 clause 6; and
- (b) a notification by a site contamination auditor of the termination before completion of a site contamination audit for which the auditor is or was the responsible auditor must be in the form set out in Schedule 3 clause 7.

65—Site contamination audit report summary and statement (section 103Z(4))

- (1) A site contamination audit report required under section 103Z(4)(a) and (b)(i) of the Act must include a summary of the findings of the site contamination audit to which it relates that—
 - (a) is in the form set out in Schedule 3 clause 8 for site contamination audit statements; and
 - (b) is certified by the responsible auditor in accordance with the directions contained in the form set out in Schedule 3 clause 8.
- (2) A site contamination audit statement required under section 103Z(4)(b)(ii) of the Act in relation to a site contamination audit must comprise—
 - (a) a copy of the summary in the site contamination audit report relating to the audit and itself be certified by the responsible auditor in accordance with the directions contained in the form set out in Schedule 3 clause 8; or
 - (b) a photocopy, faxed copy or electronic copy of the summary as certified by the responsible auditor in accordance with the directions contained in the form set out in Schedule 3 clause 8.

**66—Site contamination audit statements to be provided to prescribed bodies
(section 103Z(4))**

For the purposes of section 103Z(4)(b)(ii) of the Act, if—

- (a) an application for development authorisation under either the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016* relates to land the subject of a site contamination audit; and
- (b) a body other than the council for the area in which the land is situated is a relevant authority for the purposes of assessment of the proposed development under the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016* (as the case requires),

that body is a prescribed body to which a site contamination audit statement must be provided in relation to that audit.

Part 6—Waste depot levy, records, reports and measurement of waste etc

Division 1—Preliminary

67—Interpretation

- (1) In this Part—

approved operational use—see regulation 70(1);

approved operational use declaration—see regulation 70(2);

Approved Operational Use Standard means the document of that name published by the Authority, as in force from time to time;

licensee, in relation to a waste depot, means the holder of the licence to conduct the waste depot;

mass balance report—see regulation 74(2);

operational purpose, in relation to the use of waste or other matter at a waste depot, means the use of waste or other matter at the depot (whether on a temporary or permanent basis) for the purpose of—

- (a) aesthetic or amenity value; or
- (b) environmental management; or
- (c) vehicle access (including internal road construction and maintenance); or
- (d) interim cover of landfill where no additional waste or matter will be placed for at least 30 days; or
- (e) final capping of landfill cells; or
- (f) other operational needs,

but does not include the stockpiling or disposal of waste or other matter, or the use of waste or other matter as cover of landfill at the depot on a daily or more frequent basis;

operational use, in relation to waste or other matter, means the use of that waste or other matter for an operational purpose;

Waste Reporting, Record Keeping and Measurement Standard means the document of that name published by the Authority, as in force from time to time.

- (2) For the purposes of this Part, the *waste and matter type* of waste and matter is to be determined in accordance with the *Waste Reporting, Record Keeping and Measurement Standard*.
- (3) For the purposes of this Part, the *waste and matter stream* of waste and matter is a reference to the waste and matter stream and waste and matter sub-stream (if applicable) that best describes the source of the waste and matter and is to be determined in accordance with the *Waste Reporting, Record Keeping and Measurement Standard*.

68—Sharing of information with other persons or bodies

- (1) The Authority may disclose information collected by, or provided to, the Authority under this Part to—
 - (a) Green Industries SA for the purposes of assisting or supporting the proper performance of its functions under the *Green Industries SA Act 2004*; and
 - (b) an agency or instrumentality of this State for the purposes of supporting and facilitating market development for waste management and resource recovery; and
 - (c) an agency or instrumentality of the Commonwealth or another State or Territory of the Commonwealth for the purposes of—
 - (i) national waste reporting; or
 - (ii) supporting and facilitating market development for waste management and resource recovery.
- (2) For the avoidance of doubt, and without limiting the circumstances in which information received directly or indirectly pursuant to subregulation (1) may be disclosed to another person or body, a person or body who receives such information (the **recipient**) may disclose the information to another person or body if the disclosure is made for a purpose for which the information was received by the recipient and is required to assist the recipient in the proper performance of official functions or duties.
- (3) This regulation does not limit disclosure of statistical or other data that is not of a commercially sensitive nature or that could not reasonably be expected to lead to the identification of any person to whom it relates.
- (4) Nothing in this regulation affects the operation of the *Public Sector (Data Sharing) Act 2016*.

69—Approval of weighbridges

- (1) The Authority may, on application, or on its own initiative, approve a weighbridge by notice in writing subject to such conditions as it thinks fit.
- (2) The Authority may, on its own initiative at any time, or on application by the holder of the approval, vary or revoke an approval by further notice in writing (including by varying or revoking any conditions of the approval, or by imposing new conditions).
- (3) Without limiting the generality of subregulation (1), the conditions may specify requirements as to—
 - (a) maintenance of the weighbridge; and
 - (b) certification of the accuracy of the weighbridge.
- (4) The holder of an approval of a weighbridge must not contravene a condition of the approval.
Maximum penalty: \$4 000.
Expiation fee: \$300.

70—Approved operational use

- (1) For the purposes of this Part, an **approved operational use**, in relation to the use of waste or other matter at a waste depot, means—
 - (a) an operational use of a kind approved in relation to specified waste or matter under the *Approved Operational Use Standard*, and that is carried out in accordance with the requirements specified in that Standard; or

- (b) an operational use that is approved by a declaration made under subregulation (2) (as in force in respect of the depot), and that is carried out in accordance with the conditions or requirements specified in the declaration,

but does not include the use of waste or other matter as cover of landfill at the depot on a daily or more frequent basis.
- (2) The Authority may, on application by the holder of a licence to conduct a waste depot or on its own initiative, make a declaration (an ***approved operational use declaration***) that a use of waste or other matter at the depot is an approved operational use only if satisfied that—
 - (a) the use of waste or other matter at the depot in the manner proposed is necessary for an operational or environmental management purpose (or purposes); and
 - (b) the type of waste or other matter proposed to be used for the operational use is suitable for that purpose (or those purposes).
- (3) In determining whether to make an approved operational use declaration under this regulation, the Authority must also—
 - (a) have regard to, and seek to further, the objects of the Act; and
 - (b) have regard to—
 - (i) the general environmental duty; and
 - (ii) any relevant environment protection policy; and
 - (iii) the waste strategy for the State adopted under the *Green Industries SA Act 2004* (if relevant); and
 - (iv) any relevant reports, assessments, environmental impact statement, public environmental report, Assessment Report, development authorisation or other document or requirement under the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016*; and
 - (v) any relevant environment improvement programme or agreement.
- (4) A declaration under this regulation—
 - (a) must be by notice in writing; and
 - (b) must specify—
 - (i) the type and amount of the waste or other matter to which the declaration applies; and
 - (ii) the purpose and location of the operational use; and
 - (c) may be subject to the following conditions, as specified in the declaration:
 - (i) a condition requiring the operational use to occur in a specified manner or within a specified time frame;
 - (ii) a condition requiring that the waste or other matter to which the declaration applies meets specified chemical or physical properties or complies with specified standards or specifications;
 - (iii) a condition requiring plans, specifications or reports in connection with the operational use to be prepared by a person with specified qualifications;
 - (iv) a condition requiring works in connection with the operational use to be carried out by a person with specified qualifications;

- (v) a condition requiring records relating to the operational use to be kept in a specified manner or form or for a specified period;
 - (vi) a condition requiring such records to be available for inspection by an authorised officer;
 - (vii) such other conditions as the Authority thinks fit; and
- (d) may be varied or revoked by the Authority at any time, by notice in writing to the licence holder, if the Authority is satisfied—
 - (i) that a condition of the declaration has been contravened; or
 - (ii) there is potential for environmental harm (or further environmental harm) to occur if an operational use to which the declaration relates were to continue; or
 - (iii) that the declaration was improperly obtained; or
 - (iv) that other circumstances exist, which in the opinion of the Authority, make it necessary or appropriate to do so.

71—Authority may require further information

A person who makes an application under this Division must provide the Authority with any information required by the Authority in connection with the determination of the application, verified, if the Authority so requires, by statutory declaration.

Division 2—Waste depot levy

72—Waste depot levy (section 113)

- (1) The amount of the waste depot levy is set out in Schedule 4 Part 2.
- (2) Pursuant to section 113(4) of the Act, the penalty for a failure to pay the levy as required under that section is—
 - (a) in a case where the licensee satisfies the Authority that all reasonable and practicable measures were taken to prevent the default from occurring—the higher of \$200 or 2% of the amount due for each month (or part of a month) for which the default continues; or
 - (b) in a case where the default is identified and voluntarily reported to the Authority by the licensee before the Authority has notified the licensee of the default—the higher of \$200 or 2% of the amount due for each month (or part of a month) for which the default continues; or
 - (c) in a case where both paragraphs (a) and (b) apply—the higher of \$150 or 1.5% of the amount due for each month (or part of a month) for which the default continues; or
 - (d) in any other case—the higher of \$350 or 3.5% of the amount due for each month (or part of a month) for which the default continues.

Division 3—Reporting, measurement and verification of waste and other matter at waste depots

73—Interpretation

In this Division—

prescribed waste depot means—

- (a) a waste depot that has, in the preceding 12 month period, received 20 000 tonnes or more of solid waste and other matter; or
- (b) if the holder of a licence to conduct a waste depot conducts more than 1 waste depot at the same site and the total amount of solid waste and other matter received by all the waste depots at that site in the preceding 12 month period was 20 000 tonnes or more—each waste depot conducted at the site; or
- (c) if the holder of a licence to conduct a waste depot conducts 1 or more waste depots at adjacent sites and the total amount of solid waste and other matter received together at the sites of the waste depot or depots (as the case requires) in the preceding 12 month period was 20 000 tonnes or more—each such waste depot or depots; or
- (d) if more than 1 waste depot is conducted at the same site by different licence holders who are associates of each other and the total amount of solid waste and other matter received by those waste depots at that site in the preceding 12 month period was 20 000 tonnes or more—each of those waste depots conducted at the site; or
- (e) if waste depots are conducted at adjacent sites by different licence holders who are associates of each other and the total amount of solid waste and other matter received at the adjacent sites of the waste depots in the preceding 12 month period was 20 000 tonnes or more—each of those waste depots;

waste depot means any depot, facility or works as described in Schedule 1 Part A clause 3 of the Act.

74—Provision of monthly returns by waste depots

- (1) Subject to regulation 82, a person licensed to conduct a waste depot must, no later than 28 days after the last day of each month, provide the Authority with a return (in the manner and form approved by the Authority) that contains the following information:
 - (a) in respect of solid waste disposed of at the depot (including any waste used as cover for landfill)—
 - (i) the total mass (in tonnes) of waste disposed of during each day of the month to which the return relates; and
 - (ii) the total mass (in tonnes) of waste disposed of during the whole of the month to which the return relates; and
 - (iii) if the depot is situated outside of metropolitan Adelaide—the total mass (in tonnes) of waste disposed of during the whole of the month to which the return relates brought to the depot by or on behalf of premises where the waste was generated situated outside of metropolitan Adelaide; and
 - (iv) if the depot is situated within metropolitan Adelaide—the total mass (in tonnes) of waste disposed of during the whole of the month to which the return relates brought to the depot by or on behalf of a council the area of which lies wholly outside of metropolitan Adelaide; and

- (v) if the mass of the waste disposed of is determined in accordance with regulation 75(3)(b)(i)(B), details relating to the classes and numbers of vehicles on or in which waste was carried during each day of the month and during the whole of the month to which the return relates;
- (b) in respect of liquid waste—the total volume (in kilolitres) of waste disposed of at the depot—
 - (i) during each day of the month to which the return relates; and
 - (ii) during the whole of the month to which the return relates.

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (2) Subject to regulations 76 and 82, if a person is licensed to conduct a waste depot that is—
- (a) a prescribed waste depot; or
 - (b) a waste depot that has, in the preceding 12 month period, received 5000 tonnes or more, but less than 20 000 tonnes, of solid waste and other matter, and the Authority has directed, by notice in writing to the licence holder, that the requirements of this subregulation are to apply to and in respect of that depot; or
 - (c) any other waste depot that receives waste or other matter of a kind determined in accordance with the requirements specified in the *Waste Reporting, Record Keeping and Measurement Standard*,

then the person must (in addition to information required to be provided under subregulation (1)) no later than 28 days after the last day of each month, provide the Authority with a return (a **mass balance report**), in the manner and form approved by the Authority, that contains the information referred to in subregulation (3).

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (3) A mass balance report must contain the following information:
- (a) the total mass (in tonnes) of waste and other matter received at the depot during the month to which the report relates in respect of—
 - (i) each waste and matter stream received; and
 - (ii) each waste and matter type received;
 - (b) if the depot is situated outside of metropolitan Adelaide—the total mass (in tonnes) of waste and other matter brought to the depot by or on behalf of premises where the waste was generated situated outside of metropolitan Adelaide during the month to which the report relates in respect of—
 - (i) each waste and matter stream received; and
 - (ii) each waste and matter type received;
 - (c) if the depot is situated within metropolitan Adelaide—the total mass (in tonnes) of waste and other matter brought to the depot by or on behalf of a council the area of which lies wholly outside of metropolitan Adelaide during the month to which the report relates in respect of—
 - (i) each waste and matter stream received; and
 - (ii) each waste and matter type received;

- (d) the total mass (in tonnes) of waste and other matter, in respect of each waste and matter type, transported from the depot during the month to which the report relates, and in relation to that waste and other matter—
 - (i) whether it is material recovered as a result of resource recovery processes or is being transported to another waste depot for further treatment; and
 - (ii) whether it is to be transported to a place within the State, interstate or overseas;
- (e) the total mass (in tonnes) of waste and other matter, in respect of each waste and matter type, used at the depot for operational purposes during the month to which the report relates;
- (f) the total mass (in tonnes) of waste and other matter stockpiled at the depot on the final day of the month to which the report relates;
- (g) information relating to the method used to measure or calculate the amount of waste and other matter for the purposes of the report;
- (h) in accordance with the requirements specified in the *Waste Reporting, Record Keeping and Measurement Standard*—details of any change in the mass of waste and other matter at the depot that occurred during the month to which the report relates (including the reasons for the change and how the amount of change was determined).

75—Measurement of waste and other matter for purposes of monthly returns

- (1) Subject to regulation 82, for the purposes of a return under regulation 74(1) and (2), the mass or volume of waste and other matter—
 - (a) received at a waste depot; or
 - (b) used at a waste depot for operational purposes; or
 - (c) disposed of at a waste depot (including waste used as cover for landfill); or
 - (d) transported from a waste depot,

must be determined in accordance with this regulation.

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (2) The mass or volume of waste and other matter received, used or disposed of at, or transported from, a waste depot (as the case requires), is to be calculated as the aggregate of the mass or volume of waste and other matter comprised of—
 - (a) waste and other matter received at the waste depot; or
 - (b) waste and other matter used for operational purposes at the depot; or
 - (c) waste and other matter disposed of at the depot (including waste used as cover for landfill); or
 - (d) waste and other matter transported from the waste depot.

- (3) The mass of solid waste and other matter must be determined as follows:
- (a) in the case of a landfill depot with an approved weighbridge (installed in accordance with regulation 77)—the mass of the waste and other matter received at the depot must, on its receipt and prior to its disposal (including waste used as cover for landfill), be determined by use of the approved weighbridge unless the Authority has, in accordance with the *Waste Reporting, Record Keeping and Measurement Standard*, determined otherwise;
 - (b) if paragraph (a) does not apply—
 - (i) in the case of waste and other matter specified in the *Waste Reporting, Record Keeping and Measurement Standard*—the mass—
 - (A) may be determined by use of an approved weighbridge; or
 - (B) if not so determined—will be taken to be the average net mass of waste and other matter, as determined for a relevant class of vehicle or if relevant, the type of waste or other matter, in accordance with the *Waste Reporting, Record Keeping and Measurement Standard*; and
 - (ii) in any other case—the mass must, subject to regulation 78, be determined by use of an approved weighbridge.
- (4) If a weighbridge is used under this regulation to measure waste and other matter, it is to be measured—
- (a) in the case of waste weighed on a weighbridge installed before 1 September 2009—to the highest level of weighing accuracy for the particular design of weighbridge; or
 - (b) in any other case—to the nearest 0.02 tonnes or kilolitres.
- (5) The volume of liquid waste disposed of at a waste depot—
- (a) may be determined by use of a dipstick pre-calibrated for the liquid waste container used to hold the liquid waste to be disposed of; or
 - (b) may be measured by means of a volume measuring device, which has been approved in writing by the Authority, installed at the depot; or
 - (c) may be calculated—
 - (i) by measuring the net mass of the liquid waste by use of an approved weighbridge; and
 - (ii) by dividing that measurement by the predetermined mass per kilolitre of the particular liquid waste; or
 - (d) may be taken to be that certified, in a cartnote signed by both the producer and transporter of the waste, to be the volume of liquid waste to be delivered to the depot; or
 - (e) if a liquid waste container used to hold the liquid waste to be disposed of is full—
 - (i) may be calculated from the dimensions of the container; or
 - (ii) in the case of a container the capacity of which has been predetermined by a volume calibration method (approved in writing by the Authority) and marked on the container—may be taken to be that capacity.

76—Exemption from requirements relating to mass balance report

- (1) The Authority may, on application by the holder of a waste depot licence or on its own initiative, exempt the holder from compliance with any (or all) of the requirements of, or relating to, a mass balance report under regulation 74.
- (2) Before issuing an exemption under subregulation (1), the Authority may consider—
 - (a) the scale or location of the relevant waste depot; and
 - (b) the nature of the business or operation conducted at the waste depot by the licence holder; and
 - (c) any other matters or circumstances the Authority considers relevant.
- (3) An exemption issued by the Authority under this regulation—
 - (a) must be by notice in writing; and
 - (b) may be subject to conditions; and
 - (c) may be varied or revoked by the Authority, by further notice in writing, at any time (including by varying or revoking any conditions of the exemption, or by imposing new conditions).

77—Certain depots must have approved weighbridge

- (1) Subject to this regulation and regulation 78, if a waste depot has, in a financial year—
 - (a) received at the depot 20 000 tonnes or more of solid waste and other matter; or
 - (b) disposed of at the depot 10 000 tonnes or more of solid waste (including waste used as cover for landfill),

the holder of the waste depot licence must ensure that an approved weighbridge is installed at the depot no later than 4 months after the end of that financial year, for weighing solid waste and other matter received, used or disposed of at, or transported from, the depot.

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (2) The Authority may, on application by the holder of a waste depot licence within the relevant 4 month period referred to in subregulation (1), extend the period within which an approved weighbridge must be installed at the depot by a further period of 2 months.
- (3) Despite subregulation (1), the holder of a waste depot licence is not required to comply with the requirement to have a weighbridge installed at the depot if—
 - (a) —
 - (i) a weighbridge located at a place other than the depot was used by the licence holder before 1 October 2000 for the purpose of weighing waste received for disposal at the depot; and
 - (ii) the licence holder currently owns and operates the weighbridge for that purpose; or
 - (b) the depot conducted by the licence holder is not a landfill depot and—
 - (i) a weighbridge located at a place other than that depot was used by the licence holder before 1 July 2021 for the purpose of weighing waste received for resource recovery at the depot; and

- (ii) the licence holder currently owns and operates the weighbridge for that purpose.

78—Exemptions from approved weighbridge requirements

- (1) The Authority may, on application by the holder of a waste depot licence, exempt the holder from compliance with the requirement in regulation 75(3)(b)(ii) that the mass of solid waste and other matter is to be determined by use of an approved weighbridge if satisfied—
 - (a) that—
 - (i) the depot will receive less than 10 000 tonnes of solid waste and other matter for disposal at the depot in each financial year; and
 - (ii) the depot uses adequate alternative methods of measuring the mass of solid waste and other matter; or
 - (b) that—
 - (i) the depot satisfies circumstances or requirements specified in, or determined in accordance with, the *Waste Reporting, Record Keeping and Measurement Standard*; and
 - (ii) the depot uses an alternative method of measuring the mass of solid waste and other matter in accordance with the requirements of the *Waste Reporting, Record Keeping and Measurement Standard*.
- (2) The Authority may, on application by the holder of a waste depot licence, exempt the holder from compliance with the requirement in regulation 77(1) that an approved weighbridge is to be installed at the depot if satisfied that—
 - (a) the depot will cease operating within 12 months; or
 - (b) suitable arrangements are in place for the waste to be weighed at an approved weighbridge located at a place other than the depot.
- (3) An exemption issued by the Authority under this regulation—
 - (a) must be by notice in writing; and
 - (b) may be subject to conditions; and
 - (c) may be varied or revoked by the Authority, by further notice in writing, at any time (including by varying or revoking any conditions of the exemption, or imposing new conditions).

79—Results of baseline survey or stocktake by holder of waste depot licence must be kept and made available

- (1) The holder of a waste depot licence who was required to provide to the Authority a survey of the depot or a stocktake of waste and other matter at the depot in accordance with regulation 74(1) of the revoked regulations must—
 - (a) ensure that the results of the survey or stocktake are kept for at least 5 years after the survey or stocktake was carried out; and
 - (b) make the results available for inspection and copying by an authorised officer on request.

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (2) In this regulation—

revoked regulations means the *Environment Protection Regulations 2009* as in force immediately before the commencement of these regulations.

80—Verification of returns by survey

- (1) The holder of a waste depot licence must—

- (a) in the case of a landfill depot that has, during a preceding financial year, disposed of at the depot 10 000 tonnes or more of solid waste (including any waste used as cover for landfill); or

- (b) in any other case, if requested in writing by the Authority during a financial year, provide the Authority with a survey (as determined, subject to this regulation, in accordance with the *Waste Reporting, Record Keeping and Measurement Standard*) within the prescribed period for the licence that falls in the next financial year.

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (2) A survey under this regulation must—

- (a) include a topographic and volumetric survey of the whole depot site; and
- (b) in relation to the month in which the survey is conducted, include a report on the movement of waste and other matter at the depot (including, to the extent relevant, the volume of waste and other matter that has been received, disposed of or used for operational purposes or as cover for landfill at the depot, or transported from the depot) during the period of that month immediately preceding the day on which the survey is conducted; and
- (c) include information on the change in the total volume of waste and other matter that has occurred at the depot since the preceding survey; and
- (d) subject to this subregulation, be undertaken in accordance with any other requirements of, and contain any other information specified in, the *Waste Reporting, Record Keeping and Measurement Standard* (which may, for example, require or specify the type of survey and the related elements, such as details regarding material type, to be included); and
- (e) be prepared by a licensed or registered surveyor under the *Survey Act 1992* or a person, or person of a class, specified in the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (3) The holder of a waste depot licence must—

- (a) ensure that the results of a survey under this regulation are kept for at least 5 years after the survey was carried out; and
- (b) make the results available for inspection and copying by an authorised officer on request.

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (4) The Authority may, on application by the holder of a waste depot licence or on its own initiative, exempt the holder from compliance with any (or all) of the requirements of this regulation.
- (5) An exemption issued by the Authority under this regulation—
 - (a) must be by notice in writing; and
 - (b) may be subject to conditions; and
 - (c) may be varied or revoked by the Authority, by further notice in writing, at any time (including by varying or revoking any conditions of the exemption, or by imposing new conditions).
- (6) In this regulation—

prescribed period, in relation to a licence, means the period of time that is less than 6 months, but more than 3 months, before the first anniversary, and each subsequent anniversary, of the grant or renewal of the licence.

81—Verification of returns by stocktake

- (1) The holder of a waste depot licence who is required to provide a mass balance report under regulation 74(2) must, if the licence holder is not required to undertake a survey under regulation 80 in a given financial year, cause a stocktake of waste and other matter at the depot to be carried out and the results provided to the Authority within the prescribed period for the licence that falls in the next financial year.

Maximum penalty: \$4 000.
Expiation fee: \$300.
- (2) The Authority may, at any time in a financial year, by notice in writing to the holder of a waste depot licence who is required to provide a mass balance report under regulation 74(2), require that the licence holder cause a stocktake of waste and other matter at the depot to be carried out, and the results provided to the Authority, at such intervals (which may not be less than on a monthly basis), or within the period or periods, specified by the notice.
- (3) To avoid doubt, a stocktake (or stocktakes) carried out in accordance with subregulation (2) may be in addition to a stocktake required under subregulation (1) and may, if so specified in the notice, be required on an ongoing basis.
- (4) The holder of a waste depot licence must comply with a notice under subregulation (2).

Maximum penalty: \$4 000.
Expiation fee: \$300.
- (5) A stocktake under this regulation must—
 - (a) in relation to the month in which the stocktake is conducted, include a report on the movement of waste and other matter at the depot (including, to the extent relevant, the volume of waste and other matter that has been received, disposed of or used for operational purposes or as cover for landfill at the depot, or transported from the depot) during the period of that month immediately preceding the day on which the stocktake is conducted; and
 - (b) subject to this regulation, in the case of a stocktake under subregulation (1)—be carried out in accordance with any other requirements of, and contain any other information specified in, the *Waste Reporting, Record Keeping and Measurement Standard*; and

- (c) subject to this regulation, in the case of a stocktake under subregulation (2)—be carried out in accordance with any other requirements of, and contain any other information specified in, the notice (and if the notice so specifies, in accordance with the *Waste Reporting, Record Keeping and Measurement Standard*); and
 - (d) be carried out by a person who holds the qualifications, or otherwise meets the requirements, specified in the *Waste Reporting, Record Keeping and Measurement Standard*.
- (6) The holder of a waste depot licence must—
 - (a) ensure that the results of a stocktake under this regulation are kept for at least 5 years after the stocktake was carried out; and
 - (b) make the results available for inspection and copying by an authorised officer on request.

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (7) The Authority may, on application by the holder of a waste depot licence or on its own initiative, exempt the holder from compliance with any (or all) of the requirements of this regulation.
- (8) An exemption issued by the Authority under this regulation—
 - (a) must be by notice in writing; and
 - (b) may be subject to conditions; and
 - (c) may be varied or revoked by the Authority, by further notice in writing, at any time (including by varying or revoking any conditions of the exemption, or by imposing new conditions).
- (9) In this regulation—

prescribed period, in relation to a licence, means the period of time that is less than 6 months, but more than 3 months, before the first anniversary, and each subsequent anniversary, of the grant or renewal of the licence.

82—Special provision for certain councils for waste fees

- (1) This regulation only applies to a council if—
 - (a) the whole of the council area is outside of metropolitan Adelaide; and
 - (b) all of the waste disposed of at depots operated by the council has been brought to the depots from premises situated outside of metropolitan Adelaide; and
 - (c) each depot operated by the council disposes of less than 10 000 tonnes of solid waste at the depot in any financial year.
- (2) For the purpose of determining the levy payable by a council under section 113 of the Act in respect of solid waste received at all depots operated by the council, the council may elect, by written notice to the Authority—
 - (a) not to comply with regulations 74 and 75 in respect of solid waste disposed of at those depots; and
 - (b) to take the mass of solid waste received during each month at those depots to be the mass determined in accordance with the following formula:

$$M = \frac{P \times 0.4}{12}$$

where—

M is the mass of solid waste in tonnes

P is the population of the area of the council as at the previous 30 June as given by the Australian Bureau of Statistics in its publication "Regional Population Growth, Australia" (Catalogue No. 3218.0).

- (3) If a council makes an election under this regulation, regulations 74 and 75 do not apply in respect of solid waste and other matter received, used or disposed of at, or transported from, any depot operated by that council.
- (4) If a council satisfies the Authority that recycling is operating in a council area so that waste disposed of to landfill is reduced by a certain proportion, the levy payable by the council is reduced by subtracting that proportion from the levy that would otherwise be payable by the council as determined in accordance with this regulation.

83—Presumptions and estimates if records are inadequate

- (1) If the Authority is of the opinion that records that relate to waste or other matter received or present at a waste depot during any period (being records required for determining the waste depot levy payable under this Part) are inadequate, and as a result, the Authority is of the opinion it is necessary in order to determine the levy payable, the Authority is entitled to make presumptions and estimates in relation to the waste or matter in accordance with this regulation.
- (2) For the purposes of subregulation (1), without limiting the circumstances in which records will be taken to be inadequate, records relating to a period will be taken to be inadequate if—
 - (a) there are no records relating to waste or other matter received or present at the depot during the period; or
 - (b) the records relating to waste or other matter received or present at the depot during the period are incomplete, inaccurate or inconsistent with other records (whether kept by the licensee, the occupier of the waste depot or another person or body); or
 - (c) the information contained in the records relating to waste or other matter received or present at the depot during the period has not been obtained by methods that, in the opinion of the Authority, are appropriate.
- (3) The Authority is entitled to presume 1 or more of the following in relation to any waste or other matter at the waste depot (subject to the licensee establishing the contrary):
 - (a) that the waste or matter is waste or matter that has been received at the depot;
 - (b) that the waste or matter is waste or matter that has been disposed of to landfill at the depot;
 - (c) that the waste or matter has been used at the depot for an operational use other than an approved operational use;
 - (d) that unauthorised stockpiling of the waste or matter has occurred at the depot;
 - (e) that the waste or matter was stockpiled in an area of the depot, or in any manner, in contravention of the relevant licence;

- (f) that any matters referred to in a preceding paragraph commenced or occurred on the date on which the Authority first became aware that the relevant records were inadequate;
 - (g) that the waste or matter at the waste depot is waste or matter of a specified kind;
 - (h) that the waste or matter has been—
 - (i) generated within metropolitan Adelaide; or
 - (ii) generated from waste or other matter generated in metropolitan Adelaide.
- (4) In estimating the tonnage of waste or other matter received at the waste depot during the period, the Authority must have regard to the following:
- (a) details of any volumetric survey of the depot;
 - (b) details of any stockpile volume assessment at the depot (made using assessment or modelling methodologies approved by the Authority);
 - (c) available records in respect of the depot;
 - (d) any information provided by an authorised officer who has seen or inspected the depot;
 - (e) any information available to the Authority, including images and data from cameras and GPS devices and information from persons not involved with the operation of the depot;
 - (f) any other details provided to the Authority in relation to the depot under regulation 84.

84—Authority may require reports of volumetric surveys or tests or monitoring

- (1) If the Authority has formed an opinion under regulation 83 that records that relate to waste or other matter received or present at a waste depot during any period are inadequate, the Authority may, by notice in writing, for the purposes of determining the amount of the waste depot levy payable by the licensee of the depot, require the licensee to provide the Authority with 1 or more of the following (as specified in the notice), within a reasonable period of time specified in the notice:
- (a) details of a volumetric survey (that complies with the requirements of this regulation) of—
 - (i) landfill at the depot; or
 - (ii) any other waste or matter that has been abandoned, stockpiled or used at the depot,prepared by a licensed or registered surveyor under the *Survey Act 1992* or a person, or person of a class, approved by the Authority;
 - (b) reports of specified tests or monitoring of—
 - (i) landfill at the depot; or
 - (ii) any other waste or matter that has been abandoned, stockpiled or used at the depot,including, if the Authority considers it necessary, reports prepared, or tests or monitoring undertaken, by a person with specified qualifications;

- (c) any other information required by the Authority in connection with the determination of the amount of the waste depot levy, verified, if the Authority so requires, by statutory declaration.
- (2) A volumetric survey provided to the Authority under subregulation (1) must be in accordance with any other requirements specified by the Authority in the notice.
- (3) It is an offence for a licensee to contravene or fail to comply with the requirements of a notice given by the Authority to the licensee.
Maximum penalty: \$4 000.
Expiation fee: \$300.

Division 4—Record keeping

85—Records on measurement of waste by method other than weighbridge

For the purposes of this Division, a person licensed to conduct a waste depot who is not required to have installed an approved weighbridge under Division 3, or uses a method other than an approved weighbridge to measure and record the amount of waste and other matter received, used or disposed of at, or transported from, the depot in accordance with that Division, must record any information in relation to the method used by the licence holder in accordance with the requirements specified in the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: \$4 000.

Expiation fee: \$300.

86—Records on measurement of waste by use of approved weighbridge

- (1) A person licensed to conduct a waste disposal depot who is required to have installed or use an approved weighbridge under Division 3 must record the following information in relation to the waste and other matter measured by the weighbridge for the purposes of that Division:
 - (a) the date and time the load is measured;
 - (b) the registration number of the vehicle on or in which the load is carried;
 - (c) the business name of the person carrying the waste (if relevant);
 - (d) the weight of the waste and other matter (in tonnes);
 - (e) the waste levy rate applied in respect of the waste and other matter in accordance with the waste or matter type and the source of the waste or other matter (for example, whether from within or outside of metropolitan Adelaide);
 - (f) the name of the operator of the weighbridge.

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (2) In this regulation—

waste disposal depot means a depot referred to in Schedule 1 Part A clause 3(3) of the Act.

87—Records of waste and other matter received at waste depot

A person licensed to conduct a waste depot who is required to provide a mass balance report under regulation 74(2) must record the following information in relation to each delivery of waste and other matter received at the depot:

- (a) the amount of any waste and other matter delivered, its waste and matter stream and, to the extent that it is reasonably practicable, its waste and matter type;
- (b) whether the source of the waste and other matter is from premises situated outside metropolitan Adelaide or premises situated in metropolitan Adelaide;
- (c) the amount of any waste and other matter delivered arising from a biological outbreak or natural or other disaster determined by the Authority;
- (d) the date and time the delivery of waste and other matter is made;
- (e) in the case of waste transported to the waste depot from another waste depot—the name and address of the other depot;
- (f) any other information required under the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: \$4 000.

Expiation fee: \$300.

88—Records of waste and other matter transported from waste depot for use, recovery, recycling, processing or disposal

A person licensed to conduct a waste depot who is required to provide a mass balance report under regulation 74(2) must record the following information in relation to each load of waste and other matter transported from the depot for use, recovery, recycling, processing or disposal at another place:

- (a) the amount of any waste contained in the load and its waste type;
- (b) the amount of any other matter contained in the load and a description of the nature of that other matter;
- (c) the amount of any waste and other matter in the load that arose from a biological outbreak or natural or other disaster determined by the Authority;
- (d) the date and time the load is transported from the depot;
- (e) if the waste and other matter must, under the Act or any other Act or law, be transported to a particular place—
 - (i) whether it is material recovered as a result of resource recovery processes or is being transported to another waste depot for further treatment; and
 - (ii) the name and address or location of the place to which the load is being transported;
- (f) any other information required under the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: \$4 000.

Expiation fee: \$300.

89—Records in relation to vehicles

- (1) A person licensed to conduct a waste depot who is required to provide a mass balance report under regulation 74(2) must record the following particulars in relation to vehicles that enter the depot for a purpose directly related to the operation of the depot (whether or not the vehicle is being, or is intended to be, used to deliver or transport waste or other matter):
- (a) the date on which the vehicle enters and leaves the depot;
 - (b) the time at which the vehicle enters and leaves the depot;
 - (c) in the case of a vehicle used by the holder of a licence to conduct a waste transport business—the registration number of the vehicle;
 - (d) the weight of the vehicle on entering and on leaving the depot;
 - (e) any other information required under the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (2) Subregulation (1) does not apply to—
- (a) a vehicle used by an authorised officer in the course of the officer's duties; or
 - (b) a vehicle, or vehicle of a class declared by the Authority or specified in the *Waste Reporting, Record Keeping and Measurement Standard* for the purposes of this subregulation.

90—Records of waste and other matter used for operational purposes

A person licensed to conduct a waste depot who is required to provide a mass balance report under regulation 74(2) must record the following information in relation to any waste and other matter used for operational purposes:

- (a) the amount of the waste and other matter and its waste and matter type;
- (b) the location within the depot at which, and the purpose for which, the waste or other matter is used;
- (c) the date the waste or other matter is used;
- (d) the particulars of any approval of the Authority in relation to the use of the waste or other matter for operational purposes;
- (e) any other information required under the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: \$4 000.

Expiation fee: \$300.

91—Additional requirements in relation to making, retention and availability of records

A person licensed to conduct a waste depot who is required to record information under this Division must—

- (a) record and keep the information in the manner and form required under the *Waste Reporting, Record Keeping and Measurement Standard* or as approved by the Authority by notice in writing; and
- (b) ensure that each record is kept for at least 5 years after the record was made; and

- (c) make any of the records available for inspection and copying by an authorised officer on request.

Maximum penalty: \$4 000.

Expiation fee: \$300.

92—Exemption from record keeping requirements

- (1) The Authority may, on application by the holder of a waste depot licence or on its own initiative, exempt the holder from compliance with any (or all) of the record keeping requirements under this Division.
- (2) Before issuing an exemption under subregulation (1), the Authority may consider—
 - (a) the scale or location of the relevant waste depot; and
 - (b) the nature of the business or operation conducted at the depot by the licence holder; and
 - (c) any other matters or circumstances the Authority considers relevant.
- (3) An exemption issued by the Authority under this regulation—
 - (a) must be by notice in writing; and
 - (b) may be subject to conditions; and
 - (c) may be varied or revoked by the Authority at any time by further notice in writing (including by varying or revoking any conditions of the exemption, or by imposing new conditions).

Division 5—Video monitoring

93—Video monitoring systems

- (1) Subject to regulation 94, the holder of a licence to conduct a landfill depot must, if the depot has, in the preceding 12 month period, received 20 000 tonnes or more of solid waste and other matter, within such reasonable period as specified by the Authority by notice in writing to the licence holder—
 - (a) install, operate and maintain a video monitoring system at the landfill depot in accordance with the requirements specified in the notice or the *Waste Reporting, Record Keeping and Measurement Standard*; and
 - (b) operate the video monitoring system during the times specified in the notice (which may be at all times).

Maximum penalty: \$4 000.

Expiation fee: \$300.

- (2) The Authority may, for any reasonable purpose connected with the administration or enforcement of the Act, direct the holder of a licence to conduct a waste depot (other than a depot to which subregulation (1) applies) by notice in writing, within such reasonable period as specified in the notice—
 - (a) to install, operate and maintain a video monitoring system at the waste depot in accordance with the requirements specified in the notice or the *Waste Reporting, Record Keeping and Measurement Standard* for such period specified in the notice (which must not exceed 5 years); and

- (b) to operate the video monitoring system during the times specified in the notice (which may be at all times).
- (3) A video monitoring system under subregulations (1) and (2) must comply with the specifications specified in the notice or the *Waste Reporting, Record Keeping and Measurement Standard* (as the case requires).
Maximum penalty: \$4 000.
Expiation fee: \$300.
- (4) A licence holder must comply with the requirements of a notice under subregulation (2).
Maximum penalty: \$4 000.
Expiation fee: \$300.
- (5) The licence holder must—
 - (a) ensure that video monitoring records under this regulation are kept—
 - (i) for at least 12 months after being made; or
 - (ii) for any reasonable purpose connected with the administration or enforcement of the Act—
 - (A) for such longer period as the Authority may direct by notice in writing to the licence holder; or
 - (B) if the Authority directs by notice in writing to the licence holder—until further notice; and
 - (b) make video monitoring records under this regulation available for inspection and copying by an authorised officer on request.
Maximum penalty: \$4 000.
Expiation fee: \$300.
- (6) The Authority may, at any time by notice in writing to the licence holder, vary or revoke a notice under this regulation (including by varying or revoking any requirements or specifications specified in the notice or imposing new requirements or specifications).

94—Exemption from video monitoring system requirements

- (1) The Authority may, on application of the holder of a waste depot licence or on its own initiative, exempt the holder from compliance with any (or all) of the requirements under regulation 93.
- (2) Before issuing an exemption under subregulation (1), the Authority may consider—
 - (a) the scale or location of the relevant waste depot; and
 - (b) the nature of the business or operation conducted at the depot by the licence holder; and
 - (c) any other matters or circumstances the Authority considers relevant.
- (3) An exemption issued by the Authority under this regulation—
 - (a) must be by notice in writing; and
 - (b) may be subject to conditions; and
 - (c) may be varied or revoked by the Authority, by further notice in writing, at any time (including by varying or revoking any conditions of the exemption, or by imposing new conditions).

Division 6—Vehicle flow plans

95—Vehicle flow plans

A person licensed to conduct a waste depot who is required to provide a mass balance report under regulation 74(2) must—

- (a) if required by the Authority by notice in writing to the licence holder, within the time specified in the notice, prepare a vehicle flow plan in relation to vehicle movement at the depot in accordance with the requirements specified in the *Waste Reporting, Record Keeping and Measurement Standard*; and
- (b) make the plan available for inspection and copying by an authorised officer on request.

Maximum penalty: \$4 000.

Expiation fee: \$300.

Part 7—Other fees and charges

96—Registration or cancellation of registration of environment protection order (section 95)

For the purposes of section 95(4a) of the Act—

- (a) the prescribed amount recoverable in respect of the registration of an environment protection order in relation to land from the person to whom the order was issued is—
 - (i) for the first entry made by the Registrar-General in registering the order—18 fee units; and
 - (ii) for each subsequent entry made by the Registrar-General in registering the order—5 fee units; and
- (b) the prescribed amount recoverable in respect of the cancellation of registration of an environment protection order in relation to land from the person to whom the order was issued is—
 - (i) for the first endorsement made by the Registrar-General in cancelling the registration of the order—13 fee units; and
 - (ii) for each subsequent endorsement made by the Registrar-General in cancelling the registration of the order—1 fee unit.

97—Registration or cancellation of registration of clean-up order or clean-up authorisation (section 103)

For the purposes of section 103(2a) of the Act—

- (a) the prescribed amount recoverable in respect of the registration of a clean-up order or clean-up authorisation from the person whose contravention gave rise to the issuing of the order or authorisation is—
 - (i) for the first entry made by the Registrar-General in registering the order or authorisation—18 fee units; and
 - (ii) for each additional entry made by the Registrar-General in registering the order or authorisation—5 fee units; and

- (b) the prescribed amount recoverable in respect of the cancellation of registration of a clean-up order or clean-up authorisation from the person whose contravention gave rise to the issuing of the order or authorisation is—
 - (i) for the first endorsement made by the Registrar-General in cancelling the registration of the order or authorisation—13 fee units; and
 - (ii) for each subsequent endorsement made by the Registrar-General in cancelling the registration of the order or authorisation—1 fee unit.

98—Registration or cancellation of site contamination assessment order or site remediation order (section 103R)

For the purposes of section 103R(2) of the Act—

- (a) the prescribed amount recoverable in respect of the registration of a site contamination assessment order or site remediation order in relation to land from the person to whom the order was issued is—
 - (i) for the first entry made by the Registrar-General in registering the order—18 fee units; and
 - (ii) for each subsequent entry made by the Registrar-General in registering the order—5 fee units; and
- (b) the prescribed amount recoverable in respect of the cancellation of registration of a site contamination assessment order or site remediation order in relation to land from the person to whom the order was issued is—
 - (i) for the first endorsement made by the Registrar-General in cancelling the registration of the order—13 fee units; and
 - (ii) for each subsequent endorsement made by the Registrar-General in cancelling the registration of the order—1 fee unit.

99—Prescribed fee for emergency authorisation (section 105)

- (1) Subject to this regulation, the prescribed fee in respect of an emergency authorisation for the purposes of section 105(2)(a) of the Act is 37 fee units.
- (2) If the Authority is satisfied that—
 - (a) the circumstances giving rise to the issuing of the authorisation were within the control of the person to whom it is issued; and
 - (b) there is no need for inspection by an authorised officer of the place or vehicle in respect of which the authorisation is to apply,the prescribed fee is 26 fee units.
- (3) If the Authority is satisfied that the circumstances giving rise to the issuing of the authorisation were beyond the control of the person to whom it is issued, the prescribed fee is 0 fee units.

100—Recovery of administrative and technical costs associated with contraventions (section 135)

- (1) For the purposes of section 135(1)(c) of the Act, the fee payable in respect of action taken to investigate a contravention of the Act is—
 - (a) in the case of action commenced during business hours, the sum of—
 - (i) 11 fee units; and

- (ii) if the action exceeds 2 hours in duration—
 - (A) 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and
 - (B) 8 fee units for each subsequent hour or part of an hour for action taken outside of business hours; and
 - (b) in the case of action commenced outside of business hours, the sum of—
 - (i) 21 fee units; and
 - (ii) if the action exceeds 2 hours in duration—
 - (A) 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and
 - (B) 8 fee units for each subsequent hour or part of an hour for action taken outside of business hours.
- (2) For the purposes of section 135(1)(c) of the Act, the fee payable in respect of action taken to issue an order under Part 10 of the Act in respect of a contravention of the Act is 11 fee units.
- (3) In this regulation—

business hours means the hours between 8.45 am and 5 pm on any day other than a Saturday, Sunday or public holiday.

101—Recovery of administrative and technical costs associated with action under Part 10A (section 135A)

- (1) For the purposes of section 135A(2) of the Act, the fee payable in respect of action taken in accordance with section 135A of the Act is the sum of—
 - (a) the reasonable costs incurred by the Authority to engage a site contamination auditor or site contamination consultant to take action in accordance with that section; and
 - (b) —
 - (i) in the case of action commenced during business hours, the sum of—
 - (A) 11 fee units; and
 - (B) if the action exceeds 2 hours in duration—
 - 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and
 - 8 fee units for each subsequent hour or part of an hour for action taken outside of business hours; or
 - (ii) in the case of an action commenced outside of business hours, the sum of—
 - (A) 21 fee units; and
 - (B) if the action exceeds 2 hours in duration—
 - 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and

- 8 fee units for each subsequent hour or part of an hour for action taken outside of business hours.

(2) In this regulation—

business hours means the hours between 8:45 am and 5 pm on any day other than a Saturday, Sunday or public holiday;

reasonable costs include (but are not limited to) the cost of the following:

- (a) taking a sample;
- (b) conducting tests, examinations or analyses;
- (c) undertaking a site investigation;
- (d) undertaking a risk assessment;
- (e) undertaking a remediation options assessment;
- (f) preparing a site remediation plan;
- (g) preparing a remediation validation report;
- (h) preparing a site management plan.

102—Interest on amounts recoverable by Authority under sections 64D, 95, 103 and 103R

For the purposes of sections 64D(1)(a), 95(5)(a), 103(3)(a) and 103R(4)(a) of the Act, the prescribed rate of interest per annum on an amount recoverable by the Authority but not paid within the period fixed by the Authority is 24% calculated in respect of each month (or part of a month) for which the amount remains unpaid.

103—Further fees

Further fees are payable for the purposes of the Act as set out in Schedule 4.

Part 8—Miscellaneous

104—Payment of fees by instalments and recovery of fees

- (1) The Authority may, in allowing the payment of a fee under the Act or these regulations by instalments, add to each amount payable as an instalment a charge by way of interest, or an administrative fee, as determined by the Authority with the approval of the Minister.
- (2) The Authority may recover any instalment of a fee or other amount payable by a person under the Act or these regulations—
 - (a) as a debt by action in a court of competent jurisdiction; or
 - (b) by adding the amount so payable to a fee otherwise payable under the Act or these regulations by that person.
- (3) If the Authority allows a fee to be paid by instalments, the fee is the amount that would be payable under the Act or these regulations apart from this regulation plus, for each instalment that is not paid by the date for payment \$300 or 5% of the instalment (whichever is higher) for each month (or part of a month) for which the default continues.

105—Authority may require copy of decision on development applications

If an application for development authorisation is referred to the Authority under the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016*, the relevant authority that determines the application under the relevant Act must, if required by the Authority by notice in writing, furnish the Authority with a full copy of the relevant authority's decision on the application as soon as practicable (but not later than 1 month) after the decision is made.

106—Exemption from requirement for licence for transportation of controlled waste

- (1) A person will be exempt from the requirement under section 36 of the Act to hold a licence in respect of the transportation of controlled waste into or through South Australia from another participating State, or from South Australia to another participating State if—
 - (a) the person holds a licence or other similar authority that—
 - (i) has been granted by a participating State other than South Australia; and
 - (ii) is the same as or has a similar effect to an environmental authorisation that authorises the activities specified in clause 3(5) or clause 3(6) (or both) of Schedule 1 Part A of the Act; and
 - (b) the person ensures that a copy of the consignment authorisation obtained in relation to the controlled waste being transported is carried in the vehicle transporting the waste; and
 - (c) the person ensures that the conditions to which the consignment authorisation is subject (if any) are complied with to the extent that those conditions apply to the transportation of the controlled waste; and
 - (d) the person complies with the conditions of the person's licence or other authority granted by the participating State, to the extent that those conditions apply to the transportation of the controlled waste.

- (2) In this regulation—

Commonwealth Act means the *National Environment Protection Council Act 1994* of the Commonwealth, as in force from time to time;

consignment authorisation has the same meaning as in the Controlled Waste Transport Measure;

controlled waste has the same meaning as in the Controlled Waste Transport Measure;

Controlled Waste Transport Measure means the National Environment Protection (Movement of Controlled Waste Between States and Territories) Measure made on 26 June 1998 and as in force from time to time under the Commonwealth Act;

participating State means a participating State, or a participating Territory, within the meaning of the Controlled Waste Transport Measure.

107—Exemption from Act—Maralinga nuclear test site

- (1) The following classes of persons are exempt from the application of the Act in respect of site contamination or any other matter caused by, or related to, the British Nuclear Test Program and minor trials conducted at the Maralinga nuclear test site:
 - (a) the Crown in right of the State;

- (b) so far as the Act binds the Crown in its other capacities—the Crown in those other capacities;
 - (c) Maralinga Tjarutja.
- (2) An activity undertaken in accordance with the Maralinga nuclear test site handback deed, or the management plan for the Maralinga nuclear test site, is exempt from the application of the Act.
- (3) In this regulation—

British Nuclear Test Program, minor trials, Maralinga nuclear test site, Maralinga nuclear test site handback deed and ***Maralinga Tjarutja*** have the same meaning as in the *Maralinga Tjarutja Land Rights Act 1984*;

management plan, for the Maralinga nuclear test site, has the same meaning as in Part 3 Division 1B of the *Maralinga Tjarutja Land Rights Act 1984*.

108—Cultana Training Area

- (1) An activity undertaken within the Cultana Training Area by or on behalf of, or with the authority or permission of, the Commonwealth Department of Defence or an arm of the Australian Defence Force is exempt from the application of the Act.
- (2) In this regulation—

Cultana Training Area means the land comprised by the following:

 - (a) the Allotment comprising Pieces 81, 82 and 83 in Deposited Plan 85852 Out of Hundreds (Port Augusta);
 - (b) Allotment 6 in Deposited Plan 88907 Hundred of Handyside County of Manchester and Out of Hundreds (Port Augusta);
 - (c) Sections 4, 13, 14 and 15, Hundred of Jenkins County of Manchester;
 - (d) Allotment 7 in Deposited Plan 29397 Out of Hundreds (Port Augusta);
 - (e) the Allotment comprising the Pieces 8, 9, 10 and 11 in Deposited Plan 29397 Out of Hundreds (Port Augusta);
 - (f) Allotment 68 in Deposited Plan 85851 Hundred of Cultana County of York;
 - (g) Allotment 72 in Deposited Plan 85851 Hundred of Cultana County of York;
 - (h) the Allotment comprising Pieces 30, 31 and 32 in Deposited Plan 85850 Out of Hundreds (Whyalla), Out of Hundreds (Port Augusta) and Hundred of Cultana County of York;
 - (i) Allotment 67 in Deposited Plan 93251, Hundred of Cultana County of York and Out of Hundreds (Port Augusta).

109—SA Motorsport Park

- (1) The conduct of—
 - (a) a motor sport activity on a motor racing circuit; or
 - (b) a motor sport event on a motor racing circuit, or a recreational, artistic, cultural or other similar activity, including a street party, associated with the motor sport event,

within the SA Motorsport Park is exempt from the application of the general environmental duty under section 25 of the Act in relation to noise and Part 4 of the *Environment Protection (Commercial and Industrial Noise) Policy 2023* if the activity or event (as the case requires) is conducted in accordance with any guidelines in relation to noise approved by the Authority.

- (2) In this regulation—

SA Motorsport Park means the land within the shaded area in the map set out in Schedule 5 and described as the "SA Motorsport Park Development Site".

110—Transitional provisions relating to bodies corporate under repealed Acts

- (1) In this regulation—

former body corporate means—

- (a) the Environmental Protection Council established under the *Environmental Protection Council Act 1972*; and
 - (b) the South Australian Waste Management Commission continued in existence under the *Waste Management Act 1987*.
- (2) Pursuant to section 140(5) of the Act, the following provisions apply in relation to a former body corporate:
- (a) a reference to a former body corporate in an instrument or in a judgment, order or process of a court will be taken to be a reference to the Authority;
 - (b) legal proceedings commenced by or against a former body corporate may be continued by or against the Authority;
 - (c) the Registrar-General will, on application by the Authority and on being furnished with such duplicate certificates of title or other documents as the Registrar-General may require, register the Authority as the proprietor of an interest in land vested in the Authority by this regulation.

Schedule 1—Forms

1—Form of notice of execution of warrant (regulation 12)

Notice of execution of warrant

Environment Protection Act 1993—section 88(7)

*TO: The occupier of *[insert address or description of place]*

*TO: The person apparently in charge of *[insert description of vehicle]*

TAKE NOTICE that—

- *[insert name of magistrate]*, a magistrate, did at *[insert time]* on *[insert date]* issue a warrant to break into or open any part of, or anything in or on—
 - * the place described above.
 - * the vehicle described above.
- I *[insert name of authorised officer]*, an authorised officer under the *Environment Protection Act 1993* did execute the warrant on *[insert date]*.
- - * No property was seized.
 - * The following items of property were seized:
[insert details]

Date:

Signature of authorised officer:

**Strike out whichever is inapplicable*

2—Form of notice of right to elect to be prosecuted (regulation 13)

Civil penalty for contravention—notice of right to elect to be prosecuted for contravention

Environment Protection Act 1993—section 104A(3)

File Number:

Issued by:

Date:

To: *[insert title and full name, company name (if applicable), postal address and any other information relevant for service of the notice]*

Notice to alleged offender

- 1 The Environment Protection Authority (the Authority) is satisfied that you have committed an offence by contravening a provision of the *Environment Protection Act 1993* as follows:
Provision contravened:
Address or location of contravention:
Details of contravention:

- 2 The purpose of this notice is to advise you that you may, by written notice to the Authority, elect to be prosecuted for the contravention (see section 104A(3) of the Act).

If you do not elect to be prosecuted, the Authority may commence civil penalty proceedings under section 104A of the Act for the purpose of obtaining an order from the Court that you pay an amount as a civil penalty in respect of the contravention.

In these civil proceedings, any contravention of the Act would only need to be proved on the balance of probabilities.

- 3 **If you elect to be prosecuted, rather than negotiating a civil penalty with the Authority or facing civil penalty proceedings, you must serve a written notice on the Authority within 21 days after service of this notice.**

- 4 The following matters are relevant to the provision of a notice of election to the Authority:

- (1) The notice must be addressed to the Authority as follows:
[insert relevant information]
- (2) You may choose to use the Attachment (below) or you may inform the Authority by your own letter, quoting your name and the File Number shown at the top of this document.
- (3) Section 104A of the Act may be found at www.legislation.sa.gov.au and additional information about the Act can be obtained from www.epa.sa.gov.au. Information concerning this notice can also be obtained by telephoning the Manager, Investigations Branch on *[insert telephone number]*.

- (4) If you do not, within 21 days after service of this notice, give notice to the Authority of election to be prosecuted, proceedings may be commenced to recover a civil penalty in the Environment, Resources and Development Court.

Attachment—Notice to Authority of election to be prosecuted

To: Environment Protection Authority

[insert address]

File number of notice under section 104A(3) of the *Environment Protection Act 1993*:

[insert file number]

*** Individual**

I elect to be prosecuted for the alleged contravention specified in the notice of the file number set out above.

Name in full:

Contact details:

Date:

Signed:

*** Company**

I, having authority to act for and on behalf of the company in this matter, give notice that the company elects to be prosecuted for the alleged contravention specified in the notice of the file number set out above.

Name of company:

Name in full of person with authority to act:

Contact details:

Date:

Signed:

**Strike out whichever is inapplicable*

Schedule 2—Environmental authorisations—application and authorisation fees

Part 1—Descriptions and maps of areas (regulation 3)

1—Interpretation

- (1) In this Schedule—

Geocentric Datum of Australia 2020 or ***GDA2020*** has the same meaning as in the determination under section 8A of the *National Measurement Act 1960* of the Commonwealth for the recognised-value standard of measurement of position;

Map Grid of Australia 2020 or ***MGA2020*** means the system of rectangular coordinates derived from a Universal Transverse Mercator projection of latitudes and longitudes based on the Geocentric Datum of Australia 2020.

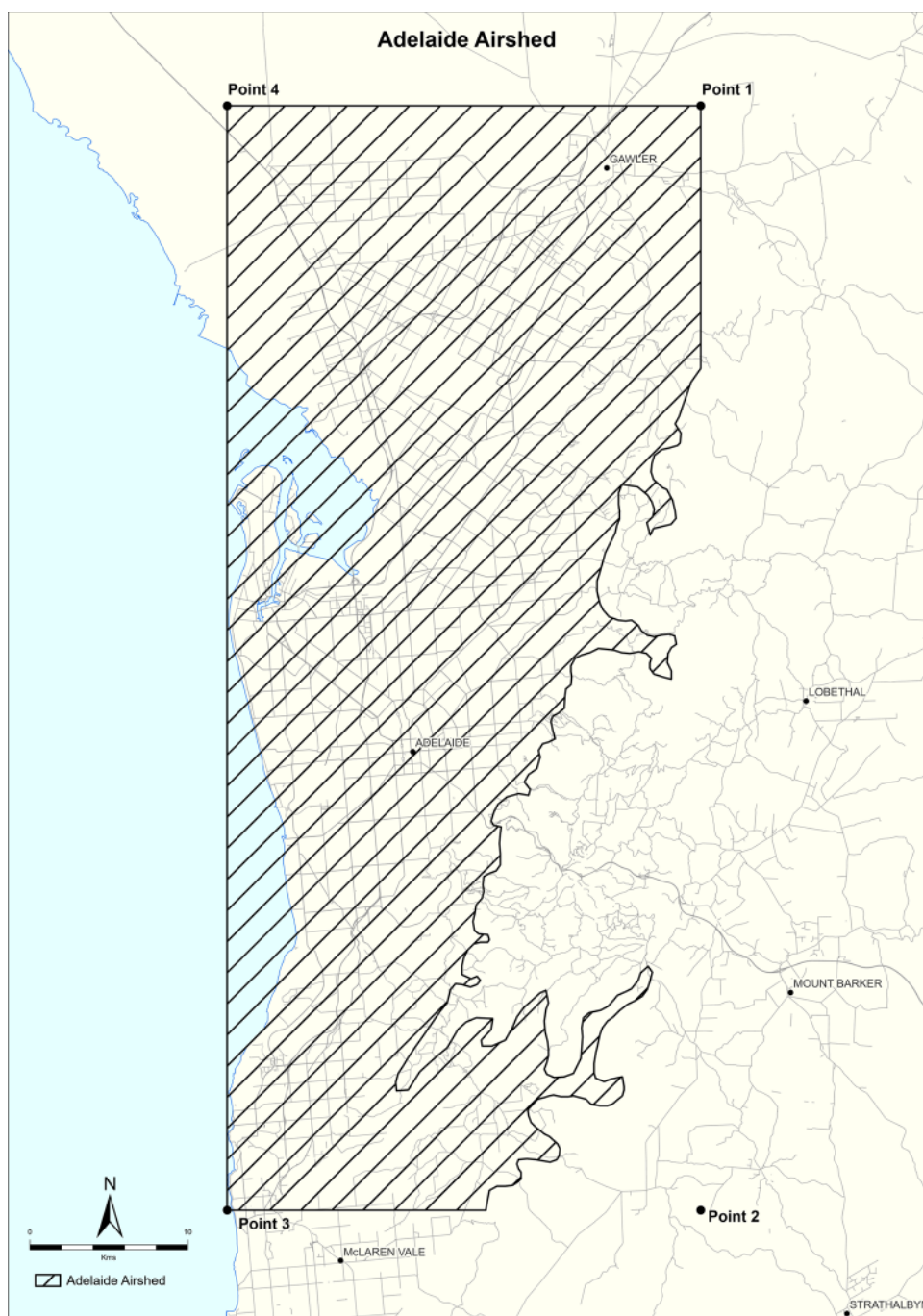
- (2) For the purposes of the descriptions in this Schedule—

- (a) all lines are geodesics based on the Geocentric Datum of Australia 2020; and
- (b) all coordinates are given according to the Map Grid of Australia 2020.

- (3) The point references given in a description in this Schedule are references to the corresponding points in the map that follows the description.
- (4) The maps included in this Schedule are provided for convenience of reference only.

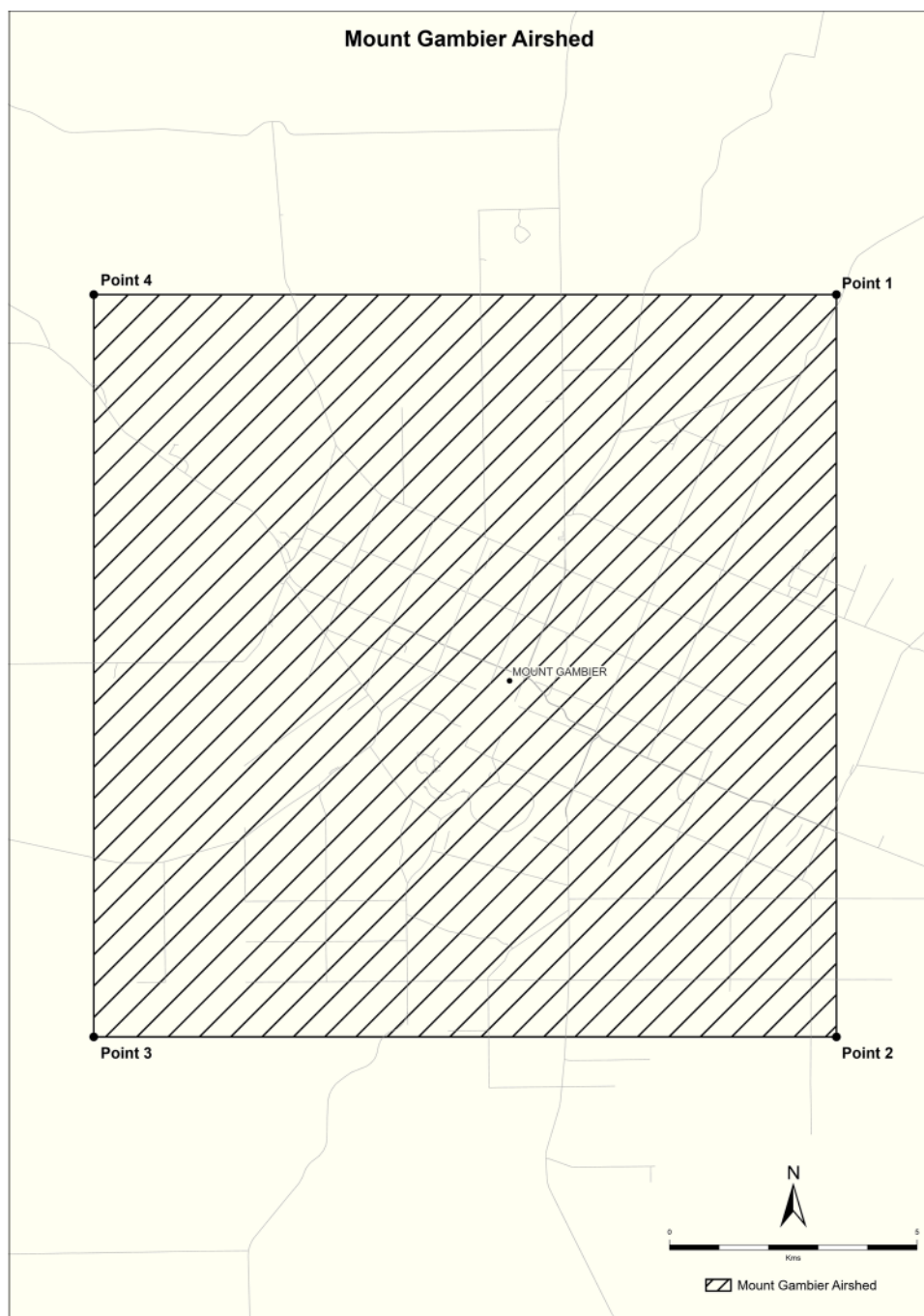
2—Adelaide airshed

The Adelaide airshed is comprised of the area contained within and bounded by a line commencing (in zone 54) at East 299122m, North 6173180m (point 1), then southerly to East 299122m, North 6103180m (point 2), then westerly to East 269122m, North 6103180m (point 3), then northerly to East 269122m, North 6173180m (point 4), then easterly to the point of commencement, but excluding that part of the area that is more than 300 metres above sea level.



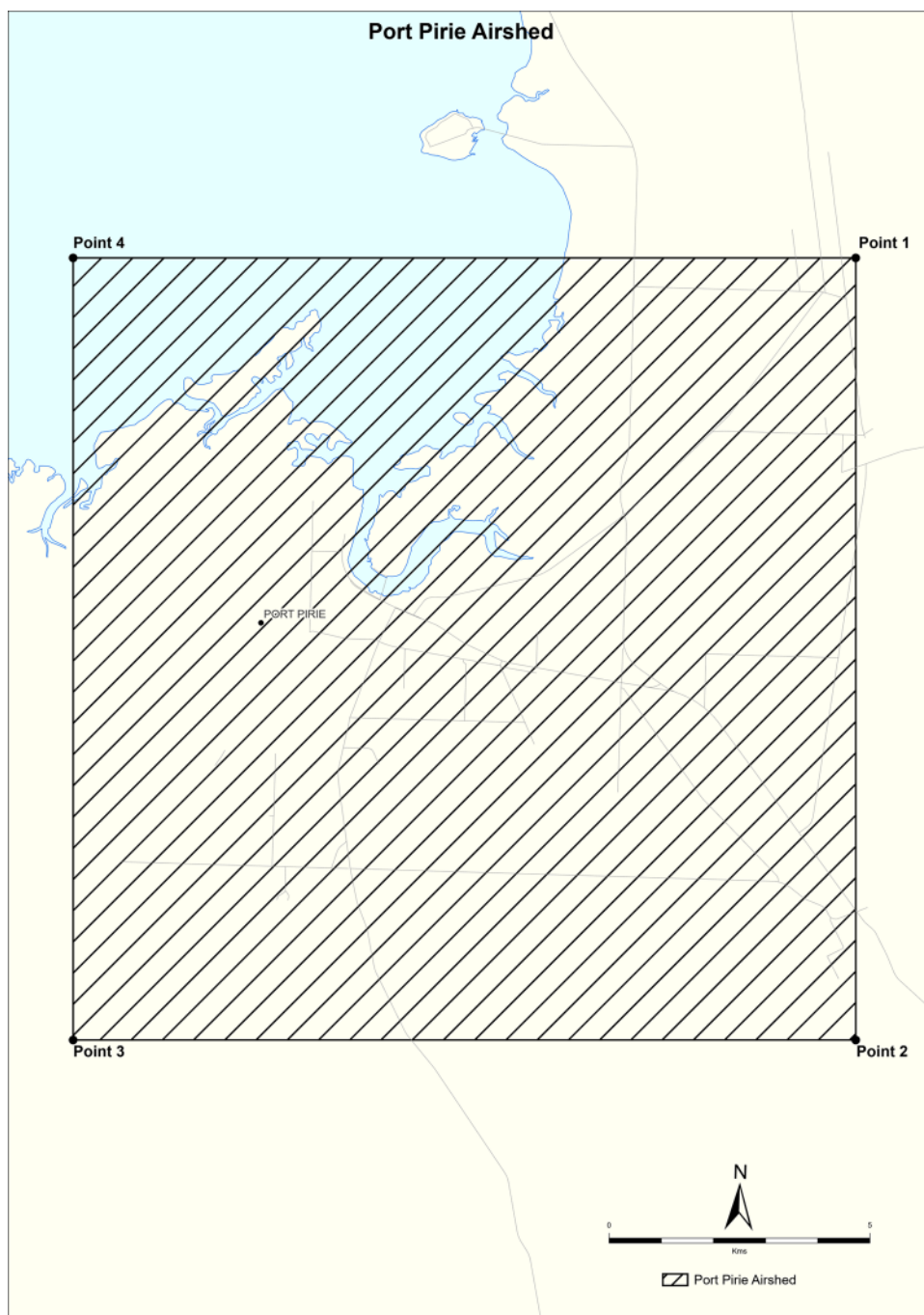
3—Mount Gambier airshed

The Mount Gambier airshed is comprised of the area contained within and bounded by a line commencing (in zone 54) at East 487223m, North 5821478m (point 1), then southerly to East 487223m, North 5806478m (point 2), then westerly to East 472223m, North 5806478m (point 3), then northerly to East 472223m, North 5821478m (point 4), then easterly to the point of commencement.



4—Port Pirie airshed

The Port Pirie airshed is comprised of the area contained within and bounded by a line commencing (in zone 54) at East 230703m, North 6331481m (point 1), then southerly to East 231563m, North 6316507m (point 2), then westerly (in zone 53) to East 775530m, North 6315872m (point 3), then northerly to East 775530m, North 6330872m (point 4), then easterly to the point of commencement.



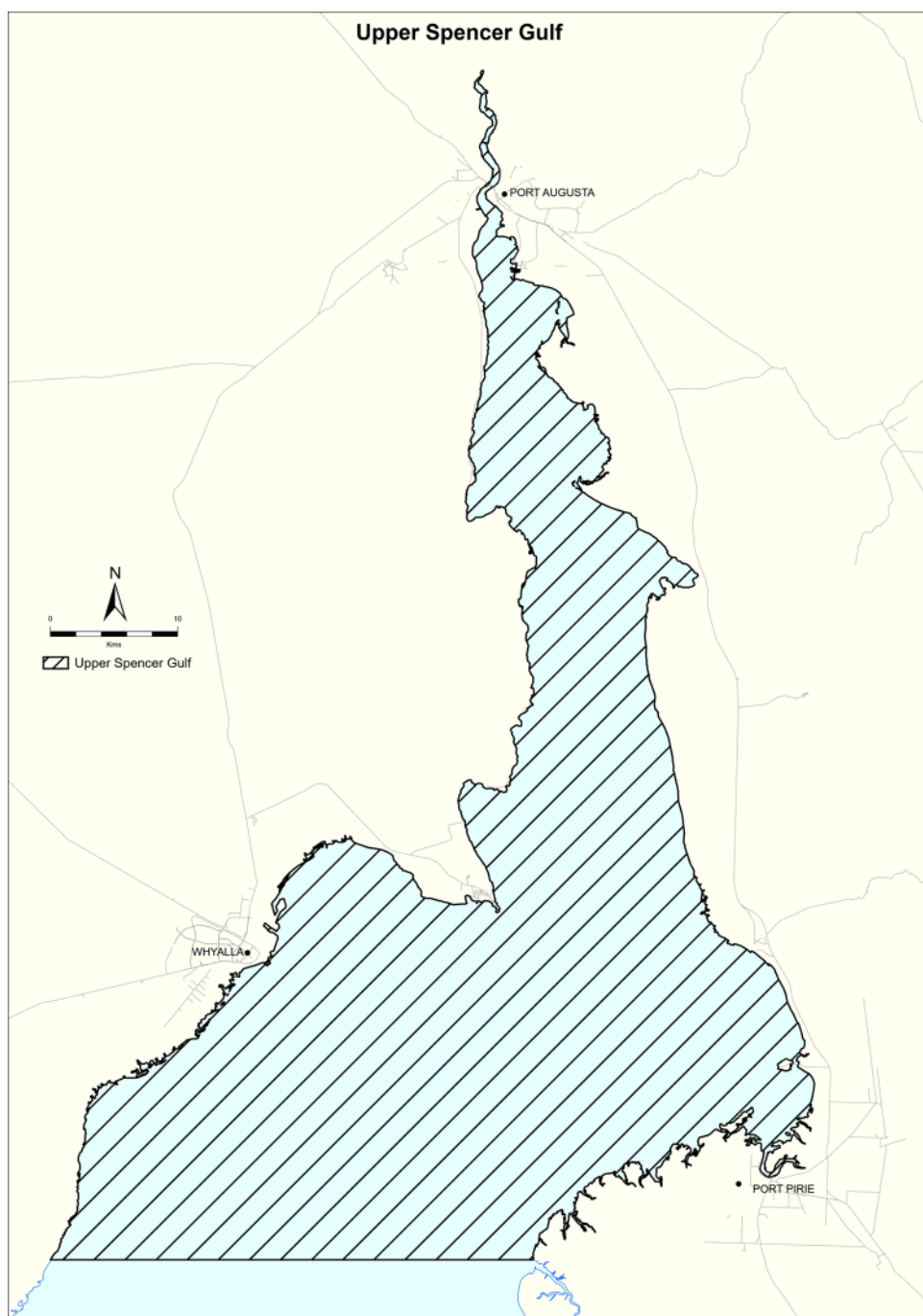
5—Port River region

The Port River region comprises the waters (within the limits of the State and vested in the Crown) of the Adelaide Dolphin Sanctuary established by the *Adelaide Dolphin Sanctuary Act 2005*.



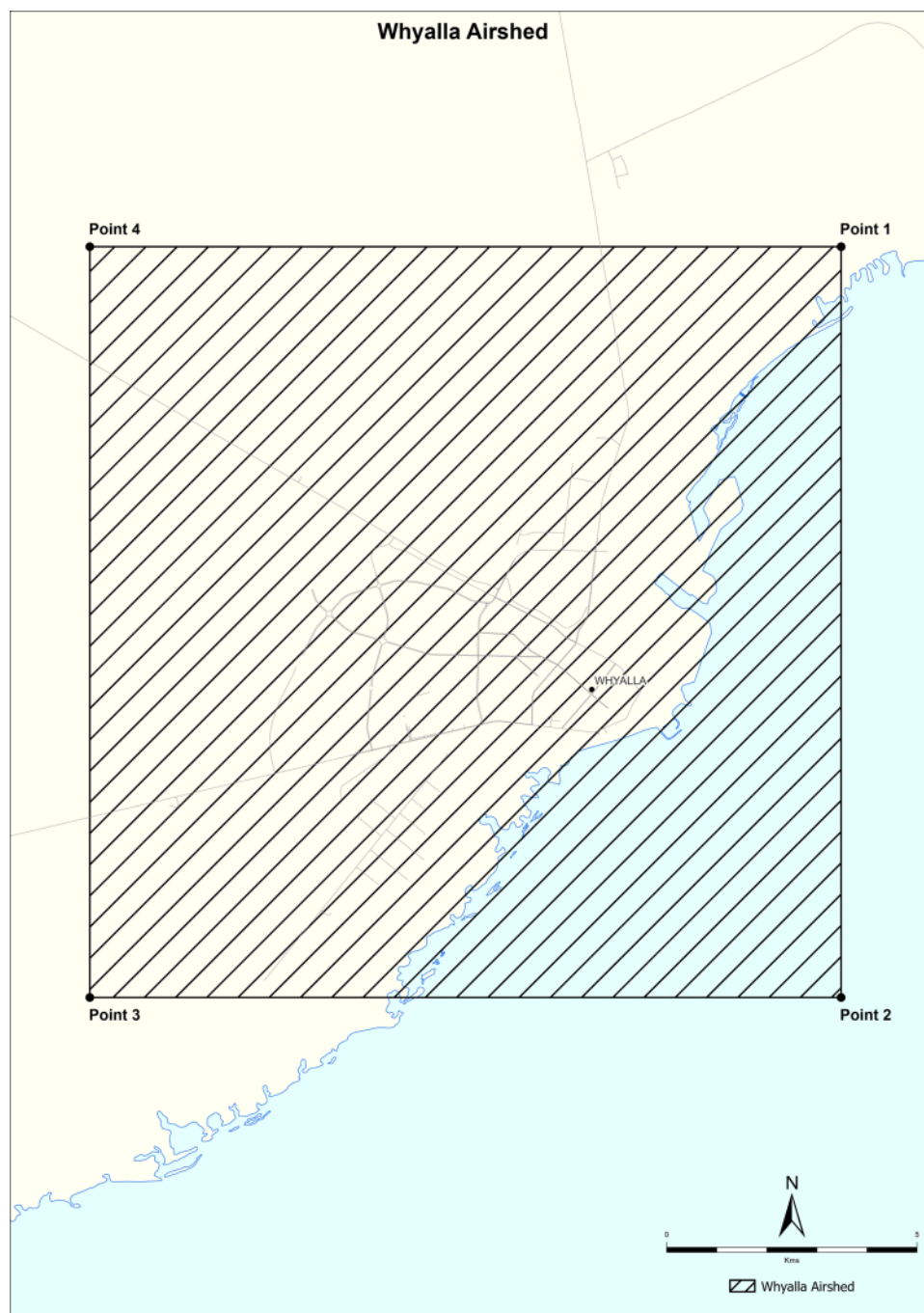
6—Upper Spencer Gulf

The Upper Spencer Gulf is comprised of the waters north of a line (in zone 53) at North 6317894m and bounded by mean high water springs.



7—Whyalla airshed

The Whyalla airshed is comprised of the area contained within and bounded by a line commencing (in zone 53) at East 745530m, North 6350872m (point 1), then southerly to East 745530m, North 6335872m (point 2), then westerly to East 730530m, North 6335872m (point 3), then northerly to East 730530m, North 6350872m (point 4), then easterly to the point of commencement.



Part 2—Environment management component (regulation 28)

8—Interpretation

- (1) A reference in this Part to a *prescribed activity of environmental significance* is to be taken to be a reference to the corresponding activity specified in Schedule 1 Part A of the Act.

- (2) A reference in this Part to a ***prescribed environmental measure*** means a reference to the following measures in place during the licence period:
- (a) for an activity specified in clause 1(6) of Schedule 1 Part A of the Act (timber preservation works)—a system for the on-site containment of the preservatives used in the works and for monitoring whether groundwater is contaminated by a preservative used in the works;
 - (b) for an activity specified in clause 3(4) of Schedule 1 Part A of the Act (wastewater treatment works)—a system for the disposal of wastewater collected or otherwise managed in the works involving the sustainable reuse of the wastewater or disposal of the wastewater to an evaporation lagoon;
 - (c) for an activity specified in clause 3(3)(a) of Schedule 1 Part A of the Act (landfill depot)—a leachate and landfill gas management system that complies with the guidelines entitled *Environmental management of landfill facilities—Solid waste disposal* as issued by the Authority in April 2019;
 - (d) for an activity specified in clause 6(1) of Schedule 1 Part A of the Act (meat processing works)—measures that result in wastewater produced at the works complying with each of the following levels:
 - (i) less than 100 milligrams per litre of biochemical oxygen demand averaged over the licence period;
 - (ii) an oil and grease level that is at least 99% less than that of the untreated wastewater;
 - (iii) less than 50 milligrams per litre of suspended solids averaged over the licence period,assessed in accordance with an approved estimation or monitoring technique for the activity;
 - (e) for an activity specified in clause 3(2)(a) of Schedule 1 Part A of the Act (composting works)—a system for preventing the contamination of groundwater by chemical substances in the compost, by means, for example, of a suitable lining under the compost;
 - (f) for an activity specified in clause 6(7) of Schedule 1 Part A of the Act (rendering or fat extraction works)—measures that result in wastewater produced at the works complying with each of the following levels:
 - (i) less than 100 milligrams per litre of biochemical oxygen demand averaged over the licence period;
 - (ii) an oil and grease level that is at least 99% less than that of the untreated wastewater;
 - (iii) less than 50 milligrams per litre of suspended solids averaged over the licence period,assessed in accordance with an approved estimation or monitoring technique for the activity;
 - (g) for an activity specified in clause 6(11) of Schedule 1 Part A of the Act (a winery or distillery)—measures that result in wastewater produced at the winery or distillery complying with each of the following levels:
 - (i) an electrical conductivity or total dissolved solids load that is at least 50% lower than that of the untreated wastewater;

- (ii) less than 100 milligrams per litre of biochemical oxygen demand averaged over the licence period;
 - (iii) less than 50 milligrams per litre of suspended solids averaged over the licence period,assessed in accordance with an approved estimation or monitoring technique for the activity;
- (h) for an activity specified in clause 8(6a) of Schedule 1 Part A of the Act (desalination plants)—
 - (i) if wastewater is discharged from a desalination plant to a wastewater lagoon—
 - (A) in the case of a class 1 prescribed environmental measure for the lagoon—a system for the disposal of the wastewater into the lagoon involving the sustainable reuse of the wastewater; and
 - (B) in the case of a class 2 prescribed environmental measure for the lagoon—a lining system for the lagoon (for example, HDPE lining or a lining with an equivalent level of impermeability) for preventing the contamination of land and waters from wastewater discharged from the desalination plant into the lagoon; and
 - (C) in the case of a class 3 prescribed environmental measure for the lagoon—a system enabling the detection of leakage, from the lagoon into surrounding land or waters, of wastewater discharged from the desalination plant into the lagoon; and
 - (ii) if wastewater is discharged from a desalination plant to land other than a wastewater lagoon, in the case of a class 4 prescribed environmental measure for the discharge—a system for the disposal of the wastewater involving the sustainable reuse of the wastewater;
- (i) for an activity specified in clause 8(9) of Schedule 1 Part A of the Act (Pumped hydroelectricity production works) both of the following measures:
 - (i) a lining system for the water reservoir at the works or facility (for example, high density polyethylene lining or a lining with an equivalent level of impermeability) for preventing the contamination of surrounding land and waters from the storage of water used in the production of hydroelectricity;
 - (ii) a system enabling the detection of leakage of water into surrounding land or waters from the water reservoir at the works or facility used to store water used in the production of hydroelectricity.
- (3) For the purposes of the item relating to clause 8(9) of the Act in the table in clause 9 of this Part—

category 1 pumped hydroelectricity works or facility means a pumped hydroelectricity works or facility—

- (a) at which the water used in the hydroelectricity production process has a salinity of 1 200 milligrams of total dissolved solids per litre or more; and
- (b) in respect of which the Authority has determined, in accordance with guidelines issued by the Authority, that there is, or is reasonable potential for, acid rock drainage into nearby underground, surface or marine waters as a result of the hydroelectricity production process at the works or facility;

category 2 pumped hydroelectricity works or facility means a pumped hydroelectricity works or facility—

- (a) at which the water used in the hydroelectricity production process has a salinity of less than 1 200 milligrams of total dissolved solids per litre; and
 - (b) in respect of which the Authority has determined, in accordance with guidelines issued by the Authority, that there is, or is reasonable potential for, acid rock drainage into nearby underground, surface or marine waters as a result of the hydroelectricity production process at the works or facility.
- (4) In subclause (3)—

surface waters means waters other than underground waters;

underground waters means—

- (a) waters occurring naturally under the ground; or
- (b) waters introduced to an aquifer or other area under the ground including water pumped, diverted or released into a well for storage underground.

9—Environment management component

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
Clause 1	Petroleum and chemical	
cl 1(1)	Chemical storage and warehousing facilities	3
cl 1(2)(a)(i)	Chemical works (inorganic) comprising—	
	(a) a soda ash plant	80
	(b) works associated with a uranium plant (where the main or a significant product is uranium)	20
	(c) works of any other kind	8
cl 1(2)(a)(ii)	Chemical works (organic) comprising—	
	(a) works emitting less than 100 tonnes of volatile organic compounds during the licence period	8
	(b) works emitting 100 tonnes or more of volatile organic compounds during the licence period	12
cl 1(2)(b)	Chemical works (salt production)	3
cl 1(2)(c)	Chemical works (hydrogen production)	8
cl 1(3)	Coke works	80
cl 1(5a)	Petrol stations	3
cl 1(5)(a)	Hydrocarbon storage works	10
cl 1(5)(b)	Hydrocarbon production works comprising—	
	(a) works or facilities emitting less than 500 tonnes of volatile organic compounds during the licence period	8
	(b) works or facilities emitting 500 tonnes or more but less than 1 000 tonnes of volatile organic compounds during the licence period	50
	(c) works or facilities emitting 1 000 tonnes or more of volatile organic compounds during the licence period	80

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
cl 1(6)	Timber preservation works comprising—	
	(a) works using, during the licence period, boron or other light organic solvents approved by the Authority as preservatives presenting a low environmental risk	8
	(b) works using, during the licence period, other preservatives (eg preservatives containing heavy metals or creosote)—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	20
	(ii) in any other case	50
Clause 2	Manufacturing and mineral processing	
cl 2(1)	Abrasive blasting comprising—	
	(a) mobile works	3
	(b) works other than mobile works	2
cl 2(2)	Hot mix asphalt preparation comprising—	
	(a) mobile works	12
	(b) works other than mobile works	8
cl 2(3)	Cement works comprising—	
	(a) works emitting less than 100 tonnes of particulates during the licence period	20
	(b) works emitting 100 tonnes or more of particulates during the licence period	50
cl 2(4)	Ceramic works comprising—	
	(a) glass works emitting 25 tonnes or more of particulates during the licence period	50
	(b) brick works emitting 2 tonnes or more of fluorides during the licence period	12
	(c) other glass works or brick works	8
	(d) works of any other kind (eg pottery works)	2
cl 2(5)	Concrete batching works (whether or not mobile)	2
cl 2(6)	Drum reconditioning or treatment works	3
cl 2(7)	Ferrous and non-ferrous metal melting works comprising—	
	(a) works producing emissions of more than 2 500 kilograms of volatile organic compounds during the licence period in respect of which—	
	(i) the Authority is satisfied of compliance by the licensee with the EPA odour criteria	12
	(ii) the Authority is satisfied of non-compliance by the licensee with the EPA odour criteria	50

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(b) works producing emissions of 2 500 kilograms or less of volatile organic compounds during the licence period	4
cl 2(8)	Metallurgical works	80
cl 2(9)	Mineral works	12
cl 2(10)	Pulp or paper works	80
cl 2(12)(a)	Surface coating works (metal finishing)	8
cl 2(12)(b)	Surface coating works (hot dip galvanizing) comprising—	
	(a) works producing emissions to air during the licence period of 1 000 kilograms or more of zinc	12
	(b) works producing emissions to air during the licence period of 100 kilograms or more but less than 1 000 kilograms of zinc	8
	(c) works producing emissions to air during the licence period of less than 100 kilograms of zinc	4
cl 2(12)(c)	Surface coating works (spray painting or powder coating)	3
cl 2(13)	Timber processing works comprising—	
	(a) works producing emissions to air during the licence period of 50 tonnes or more of particulates	12
	(b) works producing emissions to air during the licence period of less than 50 tonnes of particulates	3
cl 2(14)	Maritime construction works	3
cl 2(15)	Vehicle production works	20
Clause 3	Resource recovery, waste disposal and related activities	
cl 3(1)	Waste recovery facility comprising a depot, facility or works that, during the licence period, receives for preliminary treatment (or has the capacity for preliminary treatment of)—	
	(a) more than 200 000 tonnes of waste or other matter	77
	(b) more than 100 000 tonnes but not more than 200 000 tonnes of waste or other matter	38
	(c) more than 50 000 tonnes but not more than 100 000 tonnes of waste or other matter	20
	(d) more than 20 000 tonnes but not more than 50 000 tonnes of waste or other matter	12
	(e) more than 5 000 tonnes but not more than 20 000 tonnes of waste or other matter	5
	(f) more than 2 000 tonnes but not more than 5 000 tonnes of waste or other matter	3
	(g) more than 1 000 tonnes but not more than 2 000 tonnes of waste or other matter	2
	(h) 1 000 tonnes or less of waste or other matter	1

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
cl 3(2)(a)	Composting works comprising—	
	(a) depot, facility or works producing or capable of producing, during the licence period, compost from green waste only—	
	(i) in the case of depot, facility or works the floor of which is 15 metres or less above groundwater—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works	2
	(B) in any other case	4
	(ii) in the case of depot, facility or works the floor of which is more than 15 metres above groundwater	2
	(b) depot, facility or works producing or capable of producing, during the licence period, compost from only animal manure or from only animal manure and green waste—	
	(i) in the case of depot, facility or works the floor of which is 15 metres or less above groundwater—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works	3
	(B) in any other case	8
	(ii) in the case of depot, facility or works the floor of which is more than 15 metres above groundwater	3
	(c) depot, facility or works producing or capable of producing, during the licence period, compost from waste of any other kind (whether or not in addition to animal manure or green waste)—	
	(i) in the case of depot, facility or works the floor of which is 15 metres or less above groundwater—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works	4
	(B) in any other case	12
	(ii) in the case of depot, facility or works the floor of which is more than 15 metres above groundwater	4
cl 3(2)(b)	Scrap metal treatment works	3

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
cl 3(2)(c)	Tyre waste treatment works comprising a depot, facility or works, that has, during the licence period, the capacity to treat—	
	(a) more than 200 000 tonnes of tyre waste	77
	(b) more than 100 000 tonnes but not more than 200 000 tonnes of tyre waste	38
	(c) more than 50 000 tonnes but not more than 100 000 tonnes of tyre waste	20
	(d) more than 20 000 tonnes but not more than 50 000 tonnes of tyre waste	12
	(e) more than 5 000 tonnes but not more than 20 000 tonnes of tyre waste	5
	(f) more than 2 000 tonnes but not more than 5 000 tonnes of tyre waste	3
	(g) more than 1 000 tonnes but not more than 2 000 tonnes of tyre waste	2
	(h) 1 000 tonnes or less of tyre waste	1
cl 3(2)(d)	Waste lead acid battery treatment works	1
cl 3(2)(e)	Any other waste reprocessing facility comprising a depot, facility or works that, during the licence period, receives or has the capacity to treat—	
	(a) more than 200 000 tonnes of waste or other matter	77
	(b) more than 100 000 tonnes but not more than 200 000 tonnes of waste or other matter	38
	(c) more than 50 000 tonnes but not more than 100 000 tonnes of waste or other matter	20
	(d) more than 20 000 tonnes but not more than 50 000 tonnes of waste or other matter	12
	(e) more than 5 000 tonnes but not more than 20 000 tonnes of waste or other matter	5
	(f) more than 2 000 tonnes but not more than 5 000 tonnes of waste or other matter	3
	(g) more than 1 000 tonnes but not more than 2 000 tonnes of waste or other matter	2
	(h) 1 000 tonnes or less of waste or other matter	1
cl 3(3)(a)	Landfill depot comprising—	
	(a) a depot, facility or works receiving more than 200 000 tonnes of solid waste (other than waste fill) during the licence period—	

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(i) if—	50
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works	
	(ii) in any other case	80
(b)	a depot, facility or works receiving more than 100 000 tonnes but not more than 200 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	20
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works	
	(ii) in any other case	50
(c)	a depot, facility or works receiving more than 50 000 tonnes but not more than 100 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	12
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works	
	(ii) in any other case	20
(d)	a depot, facility or works receiving more than 20 000 tonnes but not more than 50 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	8
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works	
	(ii) in any other case	12
(e)	a depot, facility or works receiving more than 5 000 tonnes but not more than 20 000 tonnes of solid waste (other than waste fill) during the licence period—	

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(i) if—	4
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works	
	(ii) in any other case	8
(f)	a depot, facility or works receiving more than 2 000 tonnes but not more than 5 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	3
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works	
	(ii) in any other case	4
(g)	a depot, facility or works receiving more than 1 000 tonnes but not more than 2 000 tonnes of solid waste (other than waste fill) during the licence period—	
	(i) if—	2
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works	
	(ii) in any other case	3
(h)	a depot, facility or works receiving 1 000 tonnes or less of solid waste (other than waste fill) during the licence period—	
	(i) if—	1
	(A) the waste is inert waste; or	
	(B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works	
	(ii) in any other case	2
cl 3(3)(b)	Liquid waste depot comprising—	
	(a) a depot, facility or works receiving more than 100 000 kilolitres of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	50
	(ii) involving disposal other than to a sewer	80

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(b) a depot, facility or works receiving more than 50 000 kilolitres but not more than 100 000 kilolitres of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	20
	(ii) involving disposal other than to a sewer	50
	(c) a depot, facility or works receiving more than 20 000 kilolitres but not more than 50 000 kilolitres of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	12
	(ii) involving disposal other than to a sewer	20
	(d) a depot, facility or works receiving more than 5 000 kilolitres but not more than 20 000 kilolitres of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	8
	(ii) involving disposal other than to a sewer	12
	(e) a depot, facility or works receiving more than 2 000 kilolitres but not more than 5 000 kilolitres of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	4
	(ii) involving disposal other than to a sewer	8
	(f) a depot, facility or works receiving more than 1 000 kilolitres but not more than 2 000 kilolitres of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	3
	(ii) involving disposal other than to a sewer	4
	(g) a depot, facility or works receiving 1 000 kilolitres or less of liquid waste during the licence period—	
	(i) involving disposal to a sewer or other off-site wastewater treatment plant subject to a licence	2
	(ii) involving disposal other than to a sewer	3
cl 3(3)(c)	Incineration depot, facility or works—	
	(a) for disposal of chemical waste	50
	(b) for disposal of medical waste, cytotoxic waste and quarantine waste	50
	(c) for disposal of solid municipal waste	50
	(d) for disposal of solid trade waste	50

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
cl 3(4)(a)	Wastewater treatment works located wholly or partly within the Mount Lofty Ranges Water Protection Area involving—	
	(a) the discharge of 500 megalitres or more of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	50
	(ii) in any other case	80
	(b) the discharge of 100 megalitres or more but less than 500 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	20
	(ii) in any other case	50
	(c) the discharge of 50 megalitres or more but less than 100 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	8
	(ii) in any other case	12
	(d) the discharge of 20 megalitres or more but less than 50 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	4
	(ii) in any other case	8
	(e) the discharge of less than 20 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	3
	(ii) in any other case	4
cl 3(4)(b)	Wastewater treatment works located wholly outside of the Mount Lofty Ranges Water Protection Area or any other water protection area involving—	
	(a) the discharge of 1 000 megalitres or more of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	50
	(ii) in any other case	80

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(b) the discharge of 500 megalitres or more but less than 1 000 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	20
	(ii) in any other case	50
	(c) the discharge of 100 megalitres or more but less than 500 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	8
	(ii) in any other case	12
	(d) the discharge of 50 megalitres or more but less than 100 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	4
	(ii) in any other case	8
	(e) the discharge of 20 megalitres or more but less than 50 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	3
	(ii) in any other case	4
	(f) the discharge of less than 20 megalitres of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme	2
	(ii) in any other case	3
cl 3(5)(a)	Activity producing listed waste comprising—	
	(a) an activity producing medical waste and no other listed waste during the licence period	1
	(b) in any other case—	
	(i) an activity producing more than 250 tonnes of listed waste during the licence period	8
	(ii) an activity producing more than 100 tonnes but not more than 250 tonnes of listed waste during the licence period	3

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(iii) an activity producing more than 5 tonnes but not more than 100 tonnes of listed waste during the licence period	2
	(iv) an activity producing 5 tonnes or less of listed waste during the licence period	1
cl 3(5)(b)	Reception or storage of listed waste comprising—	
	(a) a depot, facility or works receiving more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	77
	(b) a depot, facility or works receiving more than 100 000 tonnes but not more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	38
	(c) a depot, facility or works receiving more than 50 000 tonnes but not more than 100 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	20
	(d) a depot, facility or works receiving more than 20 000 tonnes but not more than 50 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	12
	(e) a depot, facility or works receiving more than 5 000 tonnes but not more than 20 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	5
	(f) a depot, facility or works receiving more than 2 000 tonnes but not more than 5 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	3
	(g) a depot, facility or works receiving more than 1 000 tonnes but not more than 2 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	2
	(h) a depot, facility or works receiving 1 000 tonnes or less of listed waste during the licence period for resource recovery or transfer to another location	1
cl 3(5)(c)	Treatment of listed waste comprising—	
	(a) a depot, facility or works receiving more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	77
	(b) a depot, facility or works receiving more than 100 000 tonnes but not more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	38

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(c) a depot, facility or works receiving more than 50 000 tonnes but not more than 100 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	20
	(d) a depot, facility or works receiving more than 20 000 tonnes but not more than 50 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	12
	(e) a depot, facility or works receiving more than 5 000 tonnes but not more than 20 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	5
	(f) a depot, facility or works receiving more than 2 000 tonnes but not more than 5 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	3
	(g) a depot, facility or works receiving more than 1 000 tonnes but not more than 2 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location	2
	(h) a depot, facility or works receiving 1 000 tonnes or less of listed waste during the licence period for resource recovery or transfer to another location	1
cl 3(6)(a)	Waste transport business (category A)—	
	(a) for each vehicle that is an assessable vehicle during the licence period and is not used other than to collect and transport medical waste not exceeding 40 litres at any 1 time	0.3
	(b) for each vehicle that is an assessable vehicle during the licence period other than a vehicle referred to in paragraph (a)	0.9
cl 3(6)(b)	Waste transport business (category B)—for each vehicle that is an assessable vehicle during the licence period	0.3
Clause 4	Activities in specified areas	
cl 4(1)	Brukung mine site and associated acid neutralisation plant	30
cl 4(2)(a)	Discharge during the licence period of stormwater to underground aquifers by means other than a stormwater drainage system from land or premises situated in the area of the City of Mount Gambier	12
cl 4(2)(b)	Discharge during the licence period of stormwater to underground aquifers from a stormwater drainage system situated in the City of Mount Gambier	12
cl 4(2)(c)	Discharge during the licence period of stormwater to underground aquifers from a stormwater drainage system situated in metropolitan Adelaide—	
	(a) if 50 megalitres or more is discharged during the licence period	4

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(b) if 10 megalitres or more but not more than 50 megalitres is discharged during the licence period	3
	(c) if less than 10 megalitres is discharged during the licence period	2
Clause 5	Animal husbandry, aquaculture and other activities	
cl 5(1)	Cattle feedlots	4
cl 5(3)	Saleyards comprising—	
	(a) a saleyard located within the South East Water Protection Area—	
	(i) if 20 megalitres or more of effluent is produced at the saleyard during the licence period	12
	(ii) if less than 20 megalitres is produced at the saleyard during the licence period	4
	(b) a saleyard located outside the South East Water Protection Area—	
	(i) if 20 megalitres or more of effluent is produced at the saleyard during the licence period	8
	(ii) if less than 20 megalitres is produced at the saleyard during the licence period	3
cl 5(4)	Piggeries comprising—	
	(a) a piggery producing more than 200 000 kilograms of nitrogen during the licence period	12
	(b) a piggery producing more than 100 000 kilograms but not more than 200 000 kilograms of nitrogen during the licence period	8
	(c) a piggery producing more than 50 000 kilograms but not more than 100 000 kilograms of nitrogen during the licence period	4
	(d) a piggery producing more than 20 000 kilograms but not more than 50 000 kilograms of nitrogen during the licence period	3
	(e) a piggery producing not more than 20 000 kilograms of nitrogen during the licence period	2
cl 5(5)	Poultry farm comprising a broiler farm—	
	(a) where the total area of the sheds or structures used to keep the poultry is 13 500 square metres or more but less than 27 000 square metres	2
	(b) where the total area of the sheds or structures used to keep the poultry is 27 000 square metres or more but less than 54 000 square metres	3
	(c) where the total area of the sheds or structures used to keep the poultry is 54 000 square metres or more	4

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
Clause 6	Food production and animal and plant product processing	
cl 6(1)	Meat processing works comprising—	
	(a) an abattoir and rendering plant producing 100 megalitres or more of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the plant or that all the wastewater is discharged to a sewer or to some other off-site wastewater treatment works that are licensed or carried on under a licence	12
	(ii) in any other case	20
	(b) an abattoir and rendering plant producing less than 100 megalitres of wastewater during the licence period	12
	(c) works not associated with a rendering plant producing 100 megalitres or more of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority that all the wastewater is discharged to a sewer or to some other off-site wastewater treatment works that are licensed or carried on under a licence	3
	(ii) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	4
	(iii) in any other case	8
	(d) works not associated with a rendering plant producing less than 100 megalitres of wastewater during the licence period	3
cl 6(2)	Breweries comprising—	
	(a) a brewery producing 20 megalitres or more of wastewater during the licence period	20
	(b) a brewery producing less than 20 megalitres of wastewater during the licence period	4
	(c) a brewery disposing of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence during the licence period	3
cl 6(4)	Fish processing works comprising—	
	(a) works disposing of wastewater to land (and not to marine or inland waters) during the licence period	4
	(b) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence or works not disposing of wastewater at all during the licence period	3

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
cl 6(5)	Milk processing works comprising—	
	(a) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence	8
	(b) works of any other kind	12
cl 6(6)(a)	Produce processing works (deep fat frying, roasting or drying)	4
cl 6(6)(b)	Produce processing works (disposing, during the licence period, of wastewater otherwise than to a sewer or community wastewater management system) comprising—	
	(a) olive processing works	12
	(b) works of any other kind	8
cl 6(7)	Rendering or fat extraction works comprising—	
	(a) works producing 100 megalitres or more of wastewater during the licence period—	
	(i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or that all the wastewater is discharged to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence	12
	(ii) in any other case	20
	(b) works producing less than 100 megalitres of wastewater during the licence period	12
cl 6(8)	Curing or drying works	3
cl 6(9)	Tanneries or fellmongeries comprising—	
	(a) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence	3
	(b) works of any other kind—	
	(i) if the works produce more than 10 megalitres of wastewater during the licence period	12
	(ii) if the works produce 10 megalitres or less of wastewater during the licence period	3
cl 6(10)	Woolscouring or wool carbonising works comprising—	
	(a) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence	3
	(b) works of any other kind	8

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
cl 6(11)(a)	Wineries or distilleries (works outside the Mount Lofty Ranges Water Protection Area) comprising—	
	(a) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence	3
	(b) works of any other kind (ie works not disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence)—	
	(i) in the case of works producing 20 megalitres or less of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	3
	(B) in any other case	4
	(ii) in the case of works producing more than 20 megalitres but no more than 60 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	12
	(B) in any other case	20
	(iii) in the case of works producing more than 60 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	20
	(B) in any other case	50
cl 6(11)(b)	Wineries or distilleries (works within the Mount Lofty Ranges Water Protection Area) comprising—	
	(a) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence	4
	(b) works not disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence—	
	(i) in the case of works producing 10 megalitres or less of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	4
	(B) in any other case	8

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(ii) in the case of works producing more than 10 megalitres but no more than 60 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	12
	(B) in any other case	20
	(iii) in the case of works producing more than 60 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works	20
	(B) in any other case	50
Clause 7	Materials handling and transportation	
cl 7(1)	Bulk shipping facilities	8
cl 7(2)	Railway operations	8
cl 7(3)(a)	Crushing, grinding or milling works (chemicals or rubber)	4
cl 7(3)(b)	Crushing, grinding or milling works (agricultural crop products) comprising—	
	(a) olive processing works (whether or not mobile)—	
	(i) in the case of works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence	3
	(ii) in any other case	12
	(b) mobile works other than olive processing works	8
	(c) works of any other kind	4
cl 7(3)(c)	Crushing, grinding or milling works (rock, ores or minerals)	4
cl 7(4)	Dredging—for each day on which dredging occurs during the licence period	1
cl 7(5)	Coal handling and storage	3
cl 7(6)	Earthworks drainage—for each day on which earthworks drainage is carried on during the licence period	0.25
cl 7(7)	Extractive industries—	
	(a) within the Mount Lofty Ranges Water Protection Area	4
	(b) in any other area	3
Clause 8	Other	
cl 8(1)	Aerodromes	3
cl 8(2)(a)	Fuel burning comprising—	
	(a) the burning of coal or timber—	

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(i) at premises within the Adelaide airshed—	
	(A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period	80
	(B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period	50
	(C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period	12
	(ii) at premises in any other area—	
	(A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period	50
	(B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period	12
	(C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period	4
	(b) the burning of diesel in internal combustion engines for a total of less than 25 hours during the licence period	1
	(c) the burning of diesel in any other circumstances or for any other purpose or the burning of any fuel other than coal, timber or diesel—	
	(i) at premises within the Adelaide airshed—	
	(A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period	50
	(B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period	20
	(C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period	8
	(ii) at premises in any other area—	
	(A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period	20
	(B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period	8
	(C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period	3

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
cl 8(2)(b)	Fuel burning comprising the burning of fuel to stove enamel or to bake or dry substances releasing dust or air impurities	3
cl 8(3)	Helicopter landing facilities	1
cl 8(4)(a)	Marinas and boating facilities (moorings or dry storage)	2
cl 8(4)(b)	Marinas and boating facilities (repair and maintenance facilities)	3
cl 8(5)	Motor racing or testing venues	3
cl 8(6)	Shooting ranges	1
cl 8(6a)	Desalination plants comprising—	
	(a) a desalination plant that discharges wastewater to the marine environment—	
	(i) for discharges of more than 2 megalitres but not more than 1 000 megalitres of wastewater during the licence period	5
	(ii) for discharges of more than 1 000 megalitres but not more than 10 000 megalitres of wastewater during the licence period	12
	(iii) for discharges of more than 10 000 megalitres during the licence period	30
	(b) a desalination plant that discharges wastewater to a wastewater lagoon—	
	(i) for discharges of more than 2 megalitres but not more than 50 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of effective class 1, class 2 and class 3 prescribed environmental measures for the lagoon	1
	(B) if the licensee satisfies the Authority of the existence of effective class 2 and class 3 prescribed environmental measures for the lagoon	2
	(C) if the licensee satisfies the Authority of the existence of an effective class 1 prescribed environmental measure for the lagoon	3
	(D) in any other case	4
	(ii) for discharges of more than 50 megalitres but not more than 500 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of effective class 1, class 2 and class 3 prescribed environmental measures for the lagoon	3
	(B) if the licensee satisfies the Authority of the existence of effective class 2 and class 3 prescribed environmental measures for the lagoon	4

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(C) if the licensee satisfies the Authority of the existence of an effective class 1 prescribed environmental measure for the lagoon	5
	(D) in any other case	6
	(iii) for discharges of more than 500 megalitres of wastewater during the licence period—	
	(A) if the licensee satisfies the Authority of the existence of effective class 1, class 2 and class 3 prescribed environmental measures for the lagoon	9
	(B) if the licensee satisfies the Authority of the existence of effective class 2 and class 3 prescribed environmental measures for the lagoon	10
	(C) if the licensee satisfies the Authority of the existence of an effective class 1 prescribed environmental measure for the lagoon	11
	(D) in any other case	12
	(c) a desalination plant that discharges wastewater to inland waters or land (other than to a wastewater lagoon)—	
	(i) for discharges of more than 2 megalitres but not more than 50 megalitres of wastewater during the licence period—	
	(A) if, in the case of the discharge of the wastewater to land, the licensee satisfies the Authority of the existence of an effective class 4 prescribed environmental measure for the discharge	3
	(B) in any other case	4
	(ii) for discharges of more than 50 megalitres but not more than 500 megalitres of wastewater during the licence period—	
	(A) if, in the case of the discharge of the wastewater to land, the licensee satisfies the Authority of the existence of an effective class 4 prescribed environmental measure for the discharge	5
	(B) in any other case	6
	(iii) for discharges of more than 500 megalitres of wastewater during the licence period—	
	(A) if, in the case of the discharge of the wastewater to land, the licensee satisfies the Authority of the existence of an effective class 4 prescribed environmental measure for the discharge	11
	(B) in any other case	12

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
cl 8(7)	Discharges to marine or inland waters (heat, or antibiotic or chemical water treatments)—	
	(a) for discharges of 100 megalitres or more during the licence period	20
	(b) for discharges of 10 megalitres or more but less than 100 megalitres during the licence period	8
	(c) for discharges of less than 10 megalitres during the licence period	4
cl 8(8)	Cremation or incineration of human or animal remains	2
cl 8(9)	Pumped hydroelectricity production works comprising—	
	(a) works or a facility located in whole or in part in a water protection area—	
	(i) in the case of a category 1 pumped hydroelectricity works or facility—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	26
	(B) in any other case	37
	(ii) in the case of a category 2 pumped hydroelectricity works or facility—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	23
	(B) in any other case	34
	(iii) in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of 1 200 milligrams of total dissolved solids per litre or more—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	15
	(B) if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility	15
	(C) in any other case	26
	(iv) in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of less than 1 200 milligrams of total dissolved solids per litre—	

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	12
	(B) if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility	12
	(C) in any other case	23
	(b) works or a facility located outside a water protection area—	
	(i) in the case of a category 1 pumped hydroelectricity works or facility—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	23
	(B) in any other case	34
	(ii) in the case of a category 2 pumped hydroelectricity works or facility—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	20
	(B) in any other case	31
	(iii) in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of 1 200 milligrams of total dissolved solids per litre or more—	
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	12
	(B) if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility	12
	(C) in any other case	23
	(iv) in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of less than 1 200 milligrams of total dissolved solids per litre—	

Schedule 1 of Act (clause reference)	Prescribed activity of environmental significance (including indicator of level of activity if applicable)	Fee units
	(A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility	9
	(B) if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility	9
	(C) in any other case	20

Schedule 3—Site contamination

Part 1—Potentially contaminating activities (regulation 48)

1—Interpretation

In this Part—

recycling includes reprocessing, recovery and purification.

2—Activities undertaken in course of business

Activity	Definition
Abrasive blasting	Operation of works for abrasive blast cleaning or disposal of abrasive blasting material (including mobile abrasive blasting works and abrasive blast cleaning carried out in fully enclosed booths but excluding abrasive blast cleaning undertaken for residential purposes)
Acid sulphate soil generation	Oxidation of iron sulphide in potential acid sulphate soil material (sulphidic material) resulting in formation of actual acid sulphate soil material or sulphuric material
Agricultural activities	Any of the following activities undertaken in the course of agriculture: <ul style="list-style-type: none"> (a) burial of animals or parts of animals; (b) burial of other waste; (c) irrigation using wastewater; (d) intensive application or administration of a listed substance to animals, plants, land or water (excluding routine spraying, in accordance with manufacturers' instructions, of pesticides used in broad-acre farming)
Airports, aerodromes or aerospace industry	Operation of premises for commercial or charter aircraft take-off and landing or manufacture, repair or maintenance of commercial or charter aircraft or aircraft equipment
Animal burial	Burial of animals or parts of animals other than in the course of agriculture
Animal dips or spray race facilities	Operation of animal dips or spray race facilities
Animal feedlots	Operation of confined yards or areas for holding of animals and feeding of animals principally by mechanical means or by hand

Activity	Definition
Animal saleyards	Operation of yards at which cattle, sheep or other animals are gathered and confined for the purpose of their sale, auction or exchange (including associated transport loading facilities and associated wastewater disposal)
Asbestos disposal	Disposal of asbestos or asbestos products
Asphalt or bitumen works	Operation of works for manufacture of asphalt or bitumen
Battery manufacture, recycling or disposal	Assembly, disassembly, manufacture or recycling of batteries (excluding storage of batteries for sale)
Breweries	Production of beer by infusion, boiling or fermentation
Brickworks	Production of bricks (including glazing of bricks)
Bulk shipping facilities	Operation of facilities for bulk handling of agricultural crop products, rock, ores, minerals or liquid organic chemical substances to or from wharf or wharfside facility (including sea-port grain terminals)
Cement works	Operation of works for production of cement clinker or grinding of cement clinker using argillaceous and calcareous materials
Ceramic works	Operation of works for manufacture of tiles, pipes, pottery goods, refractories or other ceramic products
Charcoal manufacture	Manufacture of charcoal
Coal handling or storage	Handling of coal, coke or carbonaceous material by any means or storage of coal, coke or carbonaceous reject material
Coke works	Production, quenching, cutting, crushing or grading of coke
Compost or mulch production or storage	Production or storage of compost, mulch or garden soils
Concrete batching works	Operation of works for production of concrete or concrete products manufactured by inclusion of cement, sand, rock, aggregate or similar materials
Curing or drying works	Operation of works for smoking, drying or curing meat, fish or other edible products by application of heat or smoke
Defence works	Operation of military defence establishments (including training areas)
Desalination plants	Operation of desalination plants
Dredge spoil disposal or storage	Disposal of dredge spoil onto land or storage of dredge spoil
Drum reconditioning or recycling works	Operation of works for reconditioning or recycling of metal or plastic drums
Dry cleaning	Operation of premises for dry cleaning
Electrical or electronics component manufacture	Manufacture of electrical or electronics components
Electrical substations	Operation of electrical substations
Electrical transformer or capacitor works	Operation of works for manufacture, repair, storage or disposal of electrical transformers, capacitors or associated equipment or fluids
Electricity generation or power plants	Operation of electricity generation or power plants

Activity	Definition
Explosives or pyrotechnics facilities	Operation of facilities for manufacture of explosives or pyrotechnics
Fertiliser manufacture	Manufacture of agricultural fertiliser
Fibreglass manufacture	Manufacture of fibreglass products
Fill or soil importation	Importation, to premises of a business, of soil or other fill originating from a site at which another potentially contaminating activity has taken place
Fire extinguisher or retardant manufacture	Manufacture of fire extinguishers or fire retardants
Fire stations	Underground storage of fuel at fire stations
Fire training areas	Operation of premises for fire training involving the use of liquid fuel, fire accelerants, aqueous film forming foam or similar substances
Foundry	Manufacture of metal products by injecting or pouring molten metal into moulds
Fuel burning facilities	Burning of solid or liquid fuel (including for generation of power or steam at rate of heat release exceeding 1MW)
Furniture restoration	Restoration of furniture
Gasworks	Operation of gasworks or gas holders
Glass works	Operation of works for manufacture of glass products
Glazing	Glazing of ceramics or pottery
Hat manufacture or felt processing	Manufacture of hats or processing of felt
Incineration	Incineration within the meaning of Schedule 1 Part A clause 3(1) of the Act
Iron or steel works	Operation of works for manufacture of iron or steel
Laboratories	Operation of laboratories
Landfill sites	Operation of sites for disposal of waste onto or into land
Lime burner	Manufacture (by means of kiln) of cement or lime from limestone (including associated storage of waste)
Metal coating, finishing or spray painting	Finishing, treating or coating of metal (including anodising, galvanising, pickling, electroplating, heat treatment, powder coating, enamelling and spray painting)
Metal forging	Forging of metal products
Metal processing, smelting, refining or metallurgical works	Operation of works for melting (by means of furnace) of ferrous or non-ferrous metal or smelting or reduction of ores to produce metal
Mineral processing, metallurgical laboratories or mining or extractive industries	Chemical or physical extraction or processing of metalliferous ores, storage of mining or exploration waste (for example, in tailings dams, overburden or waste rock dumps) mining or processing of minerals or operation of laboratories or pilot facilities for processing or testing of minerals
Mirror manufacture	Manufacture of mirrors
Motor vehicle manufacture	Manufacture of motor vehicles

Activity	Definition
Motor vehicle racing or testing venues	Operation of facilities designed and used for motor vehicle competitions or motor vehicle speed or performance trials
Motor vehicle repair or maintenance	Operation of premises for repair or maintenance of motor vehicles or parts of motor vehicles (including engine reconditioning works)
Motor vehicle wrecking yards	Operation of yards for wrecking or dismantling of motor vehicles or parts of motor vehicles
Mushroom farming	Farming of mushrooms
Oil recycling works	Operation of works for recycling of oil
Oil refineries	Operation of works for refining of crude petroleum oil or shale
Paint manufacture	Manufacture (including blending, mixing and formulation) of paint
Pest control works	Operation of premises for storage of pesticides or filling or washing of tanks used in pest control operations
Plastics manufacture works	Operation of works for manufacture (including blending, mixing and formulation) of plastics or plastic components (excluding processing and moulding of plastics manufactured elsewhere)
Printing works	Operation of printing works
Pulp or paper works	Operation of works for manufacture of timber pulp or paper
Railway operations	Railway operations within the meaning of Schedule 1 Part A clause 7(2) of Act
Rubber manufacture or processing	Manufacture or processing of rubber or rubber products
Scrap metal recovery	Recovery (including cleaning) of scrap metal
Service stations	Operation of retail fuel outlets
Ship breaking	Wrecking or dismantling of ships
Spray painting	Spray painting other than spray painting of metal
Tannery, fellmongery or hide curing	Operation of works for preservation or treatment of animal skins or hides
Textile operations	Manufacture or dyeing of fabrics or materials
Transport depots or loading sites	Operation of transport depots or loading sites
Tyre manufacture or retreading	Manufacture or retreading of tyres
Vermiculture	Cultivation of earthworms for production of earthworms or earthworm castings
Vessel construction, repair or maintenance	Operation of works or facilities (whether on water or land) for construction, repair or maintenance of vessels
Waste depots	Reception, storage or treatment (including recycling) of waste or disposal of waste to land or water
Wastewater storage, treatment or disposal	Storage (including in tanks, lagoons and ponds) or treatment (including recycling) of wastewater or disposal of wastewater to land or water
Water discharge to underground aquifer	Direct discharge of water from surface of land to underground aquifer

Activity	Definition
Wetlands or detention basins	Operation of bodies of water less than 6 metres deep for collection and management of stormwater or other wastewater for urban amenity, flood mitigation or ecological or other environmental purposes
Wineries or distilleries	Operation of works for processing grapes or other produce to make wine or spirits
Wood preservation works	Operation of works involving treatment or preservation of timber using chemicals
Woolscouring or wool carbonising works	Operation of works involving cleaning or carbonising of wool other than in course of handicraft business where wool is further processed for retail sale
Works depots	Operation of works depots by councils or utilities

3—Domestic activities

Activity	Definition
Fill or soil importation	Importation, to domestic premises, of soil or other fill originating from a site at which another potentially contaminating activity has taken place
Liquid organic chemical substances—storage	Storage of more than 500 litres of liquid organic chemical substances in underground or aboveground tanks or vessels at a discrete premises (excluding storage of oil for domestic heating at the premises)

4—Listed substances

Acidic solutions
 Acids
 Adhesives (excluding solid inert polymeric materials)
 Alkali metals
 Alkaline earth metals
 Alkaline solutions
 Alkalis
 Antimony
 Antimony compounds
 Antimony solutions
 Arsenic
 Arsenic compounds
 Arsenic solutions
 Asbestos
 Barium compounds
 Barium solutions
 Beryllium
 Beryllium compounds
 Boron
 Boron compounds
 Cadmium
 Cadmium compounds
 Cadmium solutions
 Calcium carbide
 Carbon disulphide
 Carcinogens

Chlorates
Chromium compounds
Chromium solutions
Copper compounds
Copper solutions
Cyanide complexes
Cyanides
Cyanide solutions
Cytotoxic wastes
Dangerous substances within the meaning of the *Dangerous Substances Act 1979*
Distillation residues
Equipment containing mercury
Fluoride compounds
Halogens
Heterocyclic organic compounds containing oxygen, nitrogen or sulphur
Isocyanate compounds (excluding solid inert polymeric materials)
Laboratory chemicals
Lead compounds
Lead solutions
Lime sludges or slurries
Liquid organic chemical substances
Manganese compounds
Medical waste within the meaning of Schedule 1 Part B of the Act
Mercaptans
Mercury compounds
Mutagens
Nickel compounds
Nickel solutions
Nitrates
Organic halogen compounds (excluding solid inert polymeric materials)
Organic phosphates
Organic solvents
Organometallic residues
Oxidising agents
Paint sludges or residues
Perchlorates
Peroxides
Pesticides
Pharmaceutical wastes or residues
Phenolic compounds (excluding solid inert polymeric materials)
Phosphorus
Phosphorus compounds
Poisons within the meaning of the *Controlled Substances Act 1984*
Polychlorinated biphenyls
Radionuclides
Reactive chemicals
Reducing agents
Selenium
Selenium compounds
Selenium solutions
Silver compounds
Silver solutions

Solvent recovery residues
 Sulphides
 Sulphide solutions
 Surfactants
 Teratogens
 Thallium
 Thallium compounds
 Thallium solutions
 Vanadium compounds
 Zinc compounds
 Zinc solutions

Part 2—Annual returns by auditors (regulation 63)

5—Form of annual return

Annual return by auditor

(under section 103Y of the *Environment Protection Act 1993*)

Period to which annual return relates***:

Name of auditor*:

Auditor's accreditation number:

Term of auditor's accreditation: _____ to _____

Name of auditor's company or business:

Auditor's business address:

Auditor's business telephone number(s):

Auditor's fax number:

Auditor's email address:

Provide details** of each audit undertaken during the period to which the return relates*** for which the auditor was the responsible auditor* including the following details for each audit:

- the EPA reference and site location;
- if the person for whom the audit has been commissioned is different to the person last notified to the EPA, the name of the new person and the person's commissioning authority (eg EPA, owner, occupier, developer or other);
- whether the audit was, during that period, commenced, ongoing, completed or terminated before completion;
- if the audit was commenced, completed or terminated during that period, the date of commencement, completion or termination.

Has the auditor, during the period to which the return relates***, under these regulations or under legislation similar to these regulations in force in another State or Territory of the Commonwealth—

- | | |
|---|--------|
| • been the subject of disciplinary action (or any preliminary investigations preceding such possible action)? | Yes/No |
| • had their accreditation or similar authority suspended or cancelled? | Yes/No |
| • been disqualified from acting as a site contamination auditor? | Yes/No |

- had conditions imposed on their accreditation or similar authority limiting the range of activities that they may undertake? Yes/No
- had an application for such accreditation or similar authority refused? Yes/No

If yes to any of the above questions, provide details**:

What is the amount and the expiry date of the policy of professional indemnity insurance held by the auditor or by which the auditor is covered?

Indicate auditor's current employment status:

Employee	Yes/No
Self employed	Yes/No
Partner	Yes/No
Unemployed	Yes/No

Other [provide details]:

Indicate auditor's current accreditation status under these regulations:

Accredited	Yes/No
Under suspension other than voluntary suspension	Yes/No
Under voluntary suspension	Yes/No
Previously accredited	Yes/No

Other [provide details]:

Indicate details of any professional development or training relating to site contamination undertaken by the auditor during the period to which the return relates***:

Declaration

To the best of my knowledge, all information provided in this form is current and correct at the time of signing and dating.

Signed*:

Dated:

** This form must be completed and signed by the responsible auditor, being, under the Environment Protection Act 1993 and these regulations, the auditor who personally carried out or directly supervised the work involved in the audits.*

*** If insufficient space, details may be annexed to this form.*

**** The period to which the return relates is the 12 month period commencing 8 weeks before the anniversary of the day on which the auditor's accreditation was last renewed or, in the case of an auditor in their first year of accreditation, the period from the day on which the auditor's accreditation was granted to 8 weeks before the anniversary of that day.*

This annual return must be lodged with the EPA in accordance with section 103Y of the Environment Protection Act 1993.

Part 3—Notifications by auditors after commencement or termination of audit (regulation 64)

6—Form of notification by auditor after commencement of audit

Notification by auditor after commencement of audit

(under section 103Z of the *Environment Protection Act 1993*)

Name of auditor*:

Auditor's accreditation number:

Term of auditor's accreditation: _____ to _____

Name of auditor's company or business:

Auditor's project reference:

Name of audit site *[if applicable]*:

Address of audit site:

Name of council for area in which audit site is situated *[if within council area]*:

Provide the following particulars** relating to the relevant land and the audit site:

- certificates of title of all the relevant land and an indication of whether the audit site comprises all or part only of the land shown on or described in the certificates of title;
- details sufficient to identify the location of the land, including section or allotment numbers, area and hundred and coordinates (GDA2020/MGA2020 and associated zone (52, 53 or 54));
- audit plans indicating the location and extent of the audit site (which must comply with the guidelines issued by the EPA from time to time).

Name of owner of audit site:

Name of occupier of audit site:

Name, postal address and position of person who commissioned audit:

Indicate authority of person who commissioned audit:

EPA	Yes/No
-----	--------

Owner	Yes/No
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Occupier	Yes/No
----------	--------

Developer	Yes/No
-----------	--------

Other *[please specify]*:

Indicate reasons for audit *[indicate all reasons]*:

Required under the <i>Development Act 1993</i>	Yes/No
--	--------

Required under the <i>Planning, Development and Infrastructure Act 2016</i>	Yes/No
---	--------

Required under the <i>Environment Protection Act 1993</i>	Yes/No
---	--------

Other *[please specify]*:

If audit is required under the *Environment Protection Act 1993*, provide EPA reference number:

Indicate audit purposes *[indicate all purposes]*:

Determining the nature and extent of any site contamination present or remaining on or below the surface of the site	Yes/No
--	--------

Determining the suitability of the site for a sensitive use or another use or range of uses	Yes/No
---	--------

Determining what remediation is or remains necessary for a specified use or range of uses	Yes/No
---	--------

[NB: An audit may be required for all of the above purposes.]

Date of commencement of audit:

Estimated date of completion of audit:

If this audit is 1 of a series of audits to be undertaken in relation to the audit site, indicate the total number of audits proposed to be undertaken (if known) and the completion or estimated completion dates for those audits (if known)**:

Indicate:

- proposed site use:
- current site use, or, if currently unoccupied, most recent site use:
- any potentially contaminating activities (within the meaning of regulation 48 of these regulations) known to have occurred at the site:

If audit is required under the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016*, indicate:

- relevant authority:
- development application number *[if known]*:
- site zoning:

Declaration

I am not aware of any conflict of interest within the meaning of section 103X of the *Environment Protection Act 1993* that would preclude me from undertaking this audit.

To the best of my knowledge, all information provided in this form is current and correct at the time of signing and dating.

Signed*:

Dated:

** This form must be completed and signed by the "responsible auditor", being, under the Environment Protection Act 1993 and these regulations, the auditor who personally carried out or directly supervised the work involved in the audit.*

*** If insufficient space, details may be annexed to this form.*

This notification must be lodged with the EPA.

Details of this notification will be recorded in the public register kept by the EPA under section 109 of the Environment Protection Act 1993.

7—Form of notification by auditor after termination (before completion) of audit

Notification by auditor after termination (before completion) of audit

(under section 103Z of the *Environment Protection Act 1993*)

Name of auditor*:

Auditor's accreditation number:

Name of auditor's company or business:

EPA reference:

Name of audit site *[if applicable]*:

Address of audit site:

Name, postal address and position of person who terminated audit:

Indicate authority of person who terminated audit:

EPA	Yes/No
Owner	Yes/No
Occupier	Yes/No
Developer	Yes/No
Auditor	Yes/No

Other *[please specify]*:

Date audit terminated:

Reasons for termination**:

Declaration

To the best of my knowledge, all information provided in this form is current and correct at the time of signing and dating.

Signed*:

Dated:

** This form must be completed and signed by the "responsible auditor", being, under the Environment Protection Act 1993 and these regulations, the auditor who personally carried out or directly supervised the work involved in the audit.*

*** If insufficient space, details may be annexed to this form.*

This notification must be lodged with the EPA.

Details of this notification will be recorded in the public register kept by the EPA under section 109 of the Environment Protection Act 1993.

Part 4—Site contamination audit statement (regulation 65)

8—Form of site contamination audit statement

Site contamination audit statement

(under section 103Z of the *Environment Protection Act 1993*)

This statement contains the summary of the findings of the site contamination audit set out in the site contamination audit report titled: *[insert title of site contamination audit report]* (referred to in this form as the **report**) dated: *[insert report date]*

Name of auditor*:

Auditor's accreditation number:

Name of auditor's company or business:

Auditor's project reference:

EPA reference:

Name of audit site *[if applicable]*:

Address of audit site:

Name of council for area in which audit site is situated *[if within council area]*:

Provide the following particulars** relating to the relevant land and the audit:

- certificates of title of all the relevant land and an indication of whether the audit site comprises all or part only of the land shown on or described in the certificates of title;
- details sufficient to identify the location of the land, including section or allotment numbers, area and hundred and coordinates (GDA2020/MGA2020 and associated zone (52, 53 or 54));
- if the audit site comprises part only of the land described in the certificates of title, or if there is no certificate of title for the land comprising the audit site—survey plans prepared by a licensed surveyor;
- audit plans indicating the location and extent of the audit site (which must comply with the guidelines issued by the EPA from time to time).

Name of owner of audit site:

Name of occupier of audit site:

Name, postal address and position of person who commissioned audit:

Indicate authority of person who commissioned audit:

EPA	Yes/No
-----	--------

Owner	Yes/No
-------	--------

Occupier	Yes/No
----------	--------

Developer	Yes/No
-----------	--------

Other *[please specify]*:

Reasons for audit *[indicate all reasons]*:

Required under the <i>Development Act 1993</i>	Yes/No
--	--------

Required under the <i>Planning, Development and Infrastructure Act 2016</i>	Yes/No
---	--------

Required under the <i>Environment Protection Act 1993</i>	Yes/No
---	--------

Other *[please specify]*:

If audit was required under the *Environment Protection Act 1993*, provide EPA reference number:

Audit purposes *[indicate all purposes]*:

Determining the nature and extent of any site contamination present or remaining on or below the surface of the site	Yes/No
--	--------

Determining the suitability of the site for a sensitive use or another use or range of uses	Yes/No
---	--------

Determining what remediation is or remains necessary for a specified use or range of uses Yes/No

[NB: An audit may be required for all of the above purposes.]

If audit was required under the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016*, provide:

- name of relevant authority:
- development application number *[if known]*:
- site zoning:
- proposed site use:

Date of commencement of audit:

Date of notification of commencement of audit to EPA:

Date of completion of audit:

Summary of findings

Provide the summary of the findings of the site contamination audit as set out in the report.

If there is insufficient space on this form, provide the summary as an annexure to this form.

[NB: A site contamination audit report must comply with the guidelines from time to time issued by the EPA.]

Certification of copy of summary of findings

I certify that the summary of findings contained within or annexed to this statement represents a true and accurate summary of the findings of the site contamination audit set out in the report.

Signed*:

Dated:

** This form must be completed and signed by the "responsible auditor", being, under the Environment Protection Act 1993 and these regulations, the auditor who personally carried out or directly supervised the work involved in the audit.*

*** If insufficient space, details may be annexed to this form.*

This site contamination audit statement must be lodged, on completion of the audit, with the council for the area in which the audit site is situated and any prescribed body (see regulation 66 of these regulations).

The report (including the summary of findings) will be recorded in the public register kept by the EPA under section 109 of the Environment Protection Act 1993.

Schedule 4—Fees and levy

Part 1—Fees

1—Fee unit

In these regulations (except Part 2 of this Schedule), the monetary value of a fee unit is—

- (a) for the purposes of the annual authorisation fee for a licence (including a projected annual authorisation fee under regulation 26(5) and (6)—
 - (i) for the flat fee component—\$77.50;

- (ii) for the environment management component—\$866.00;
- (iii) for the pollutant load-based component—\$7.65;
- (iv) for the water reuse component—\$19.20;
- (b) for all other purposes—\$23.80.

2—Miscellaneous fees

- 1 **Application for approval of the transfer of an environmental authorisation** (section 49(5) of the Act)—
 - (a) if the authorisation fee last paid or payable was less than \$1 000 5 fee units
 - (b) if the authorisation fee last paid or payable was not less than \$1 000 but not more than \$1 999 10 fee units
 - (c) if the authorisation fee last paid or payable was not less than \$2 000 but not more than \$4 999 20 fee units
 - (d) if the authorisation fee last paid or payable was not less than \$5 000 but not more than \$9 999 30 fee units
 - (e) if the authorisation fee last paid or payable was not less than \$10 000 but not more than \$49 999 50 fee units
 - (f) if the authorisation fee last paid or payable was \$50 000 or more 100 fee units
- 2 **Beverage container approvals and annual fees** (Part 8 Division 2 of the Act)—
 - (a) application for approval of a class of containers as category A or category B containers (section 68 of the Act)—
 - (i) for 1 class of container 15 fee units
 - (ii) for 2 to 5 classes of container (inclusive) 25 fee units
 - (iii) for 6 to 10 classes of container (inclusive) 37 fee units
 - (iv) for 11 to 20 classes of container (inclusive) 61 fee units
 - (v) for more than 20 classes of container 109 fee units
 - (b) application for approval to operate a collection depot (section 69 of the Act)—
 - (i) for a collection depot other than a reverse vending machine 7 fee units
 - (ii) for a reverse vending machine 18 fee units
 - (c) application for approval to carry on business as a super collector (section 69 of the Act) 43 fee units
 - (d) annual fee for operating a collection depot (section 69A of the Act)—
 - (i) for a collection depot within metropolitan Adelaide 15 fee units
 - (ii) for a collection depot outside metropolitan Adelaide 7.5 fee units
 - (e) annual fee for carrying on business as a super collector (section 69A of the Act) 32 fee units
- 3 **Accreditation as site contamination auditor** (section 103V of the Act and Part 5 Division 2 of the regulations)—
 - (a) application for accreditation (regulation 52) \$584.00
 - (b) grant of accreditation (regulation 53) or renewal of accreditation (regulation 57) \$5 998.00

(c)	annual fee for accreditation (regulation 56)	\$3 471.00
(d)	replacement of certificate of accreditation or identity card (regulation 60)	\$77.50
4	Inspection of the register (section 109(5) of the Act)—	
(a)	each manual inspection	1 fee unit
(b)	each inspection requiring access to a computer—	
(i)	for the first 10 minutes (or part of that 10 minutes) of access	1 fee unit
(ii)	for each additional 10 minutes (or part of that 10 minutes) of access	1 fee unit
5	Copy of part of the register (section 109(6) of the Act)—	
(a)	first page	\$6.10
(b)	each additional page	\$2.20

Part 2—Waste depot levy

3—Waste depot levy

- (1) Pursuant to section 113 of the Act (but subject to Part 6 of these regulations and this clause), the prescribed levy payable by the holder of a licence to conduct a waste disposal depot in respect of waste received at the depot is—

(a)	for solid waste—	
(i)	in the case of a licence holder that is a council that has made an election under regulation 82 (per tonne of solid waste disposed of at the depot)	\$78.00
(ii)	in the case of the holder of a licence to conduct a landfill depot or incineration depot (not being a licence holder referred to in subparagraph (i)) (per tonne of designated solid waste disposed of, used or handled at the depot)—	
(A)	if the depot is situated outside of metropolitan Adelaide and the waste has been brought to the depot by or on behalf of premises where the waste was generated situated outside of metropolitan Adelaide	\$78.00
(B)	if the depot is situated within metropolitan Adelaide and the waste has been brought to the depot by or on behalf of a council the area of which lies wholly outside of metropolitan Adelaide	\$78.00
(C)	in any other case	\$156.00
(b)	for liquid waste (per kilolitre disposed of at the depot)	\$42.50

- (2) If under the licence the waste disposal depot is required to cover landfill at the depot with material on a daily or more frequent basis, the amount of the levy payable in respect of the waste under subclause (1)(a)(ii) is to be subject to a deduction calculated in accordance with the following formula:

$$PCD \times W \times LR$$

where—

PCD is the percentage cover deduction of 10%

W is the total amount of designated solid waste (in tonnes) disposed of (including any waste used as cover for landfill) at the depot in the relevant period

LR is the average levy rate paid per tonne of solid waste disposed of at the depot in the relevant period (excluding any solid waste in respect of which payment of all or part of the levy is waived or refunded under section 116 of the Act).

Note—

To the extent to which the calculation of the levy payable under this clause following the application of the deduction under this subclause results in an amount that is less than \$0, that amount, to the extent that it is less than \$0, is to be disregarded and may not be carried over to another period.

- (3) For the purposes of this clause, ***designated solid waste*** means the following solid waste (including waste fill):
- (a) solid waste disposed of at the depot;
 - (b) solid waste used as cover for landfill at the depot on a daily or more frequent basis;
 - (c) solid waste used at the depot for an operational use, other than an approved operational use;
 - (d) solid waste that is the subject of unauthorised stockpiling at the depot;
 - (e) solid waste that has been stockpiled at the depot in contravention of the relevant licence.

- (4) In this clause—

approved operational use has the same meaning as in regulation 70;

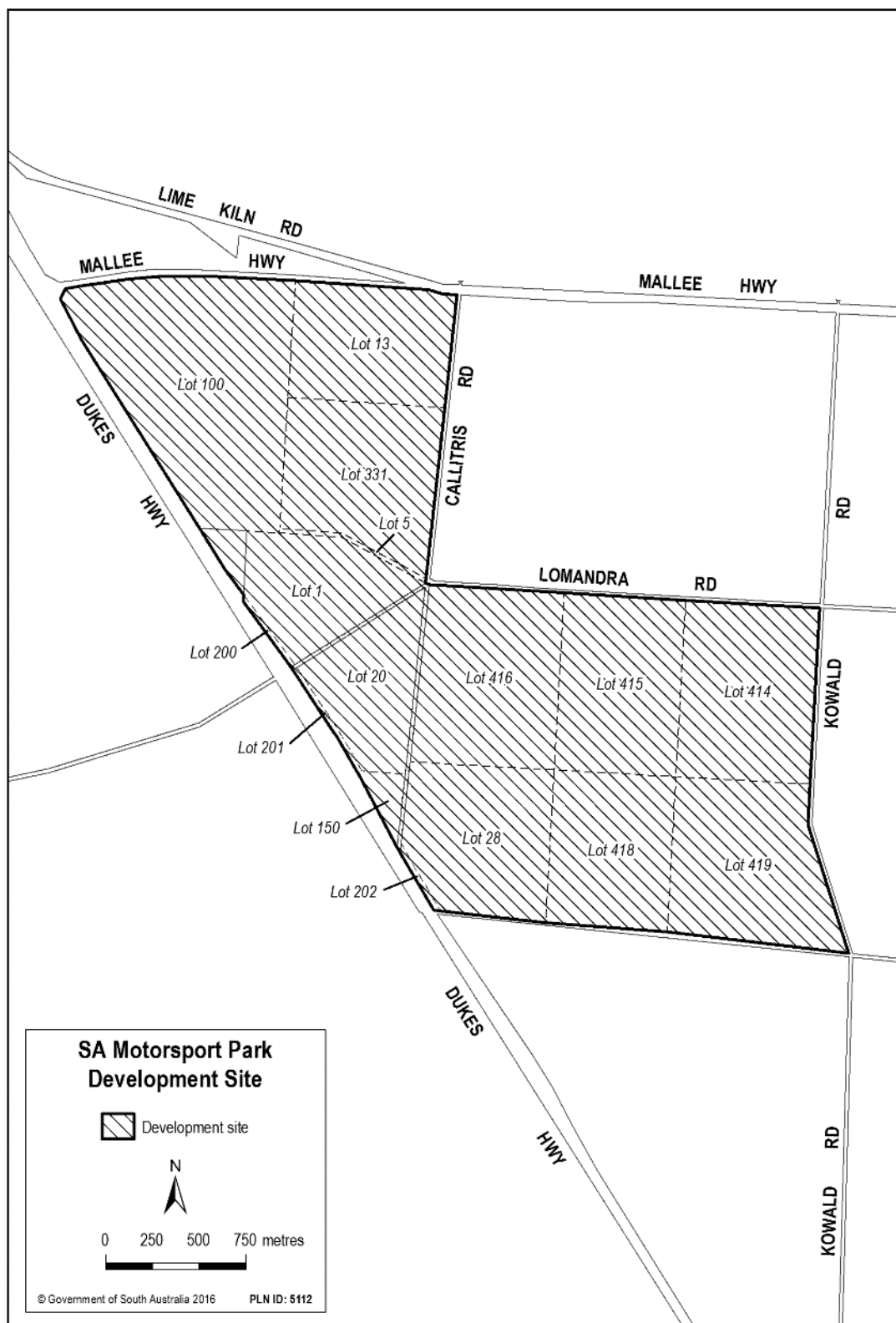
incineration depot means a depot, facility or works referred to in Schedule 1 Part A clause 3(3)(c) of the Act;

landfill depot means a depot, facility or works referred to in Schedule 1 Part A clause 3(3)(a) of the Act;

operational use has the same meaning as in regulation 67(1);

waste disposal depot means a depot, facility or works referred to in Schedule 1 Part A clause 3(3) of the Act.

Schedule 5—SA Motorsport Park Map



Schedule 6—Repeals and transitional provisions

Part 1—Repeal of *Environment Protection Regulations 2009*

1—Repeal of regulations

The *Environment Protection Regulations 2009* are repealed.

Part 2—Transitional provisions

2—Interpretation

In this Part—

repealed regulations means the *Environment Protection Regulations 2009*.

3—Continuation of exemptions

- (1) An exemption issued under regulation 71B of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under regulation 76 of these regulations.
- (2) An exemption issued under regulation 73 of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under regulation 78 of these regulations.
- (3) An exemption issued under regulation 74A(5) of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under regulation 80(4) of these regulations.
- (4) An exemption issued under regulation 74B(8) of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under regulation 81(7) of these regulations.
- (5) An exemption issued under regulation 75H of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under regulation 92 of these regulations.
- (6) An exemption issued under regulation 75J of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under regulation 94 of these regulations.

4—Continuation of accreditation in respect of prescribed activities of environmental significance

An accreditation as an accredited licensee in respect of a particular prescribed activity of environmental significance in force under regulation 36 of the repealed regulations immediately before the commencement of this clause will be taken to be an accreditation granted in respect of the licensee and activity under regulation 34 of these regulations.

5—Continuation of accreditation of site contamination auditors

- (1) An accreditation of a site contamination auditor in force under Part 5 Division 2 of the repealed regulations immediately before the commencement of this subclause will be taken to be an accreditation of the site contamination auditor under Part 5 Division 2 of these regulations.
- (2) The accreditation under Part 5 Division 2 of these regulations is subject to the same conditions as the accreditation under the repealed regulations and will expire on the date on which the accreditation under those regulations would have expired.

6—Application for accreditation and renewal of accreditation as site contamination auditor

- (1) An application for accreditation as a site contamination auditor under regulation 54 of the repealed regulations made but not determined immediately before the commencement of this subclause will be taken to be an application made under regulation 52 of these regulations.
- (2) An application for renewal of accreditation as a site contamination auditor under regulation 59 of the repealed regulations made but not determined immediately before the commencement of this subclause will be taken to be an application made under regulation 57 of these regulations.

7—Continuation of approved weighbridges

An approval of a weighbridge in force under regulation 69 of the repealed regulations immediately before the commencement of this clause will be taken to be an approval of the weighbridge under regulation 69 of these regulations.

8—Continuation of approved operational use declarations

An approved operational use declaration in force under regulation 69A(2) of the repealed regulations immediately before the commencement of this clause will be taken to be an approved operational use declaration under regulation 70(2) of these regulations.

9—Continuation of approved volume measuring devices

An approval of a volume measuring device in force under regulation 71A(5)(b) of the repealed regulations immediately before the commencement of this clause will be taken to be an approval of the volume measuring device under regulation 75(5)(b) of these regulations.

10—Continuation of approved volume calibration methods

An approval of a volume calibration method in force under regulation 71A(5)(e)(ii) of the repealed regulations immediately before the commencement of this clause will be taken to be an approval of the volume calibration method under regulation 75(5)(e) of these regulations.

11—Continuation of video monitoring system notices

A notice in force under regulation 75I(1) or (2) of the repealed regulations immediately before the commencement of this clause will be taken to be a notice issued under regulation 93(1) or (2) (respectively) of these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 9 November 2023

No 109 of 2023

STATE GOVERNMENT INSTRUMENTS

ASSOCIATIONS INCORPORATION ACT 1985

ORDER PURSUANT TO SECTION 42(2)

Dissolution of Association

WHEREAS the CORPORATE AFFAIRS COMMISSION (the Commission) pursuant to section 42(1) of the *Associations Incorporation Act 1985* (the Act) is of the opinion that the undertaking or operations of **AUSTRALIAN STREET ROD FEDERATION INCORPORATED** (the Association) being an incorporated association under the Act are being carried on, or would more appropriately be carried on by a Company Limited by Guarantee incorporated under the *Corporations Act 2001* (Cth) **AND WHEREAS** the Commission was on **11 MAY 2023** requested by the Association to transfer its undertaking to **AUSTRALIAN STREET ROD FEDERATION LIMITED** (Australian Company Number **666 789 215**), the Commission pursuant to section 42(2) of the Act **DOES HEREBY ORDER** that on **9 NOVEMBER 2023**, the Association will be dissolved, the property of the Association becomes the property of **AUSTRALIAN STREET ROD FEDERATION LIMITED** and the rights and liabilities of the Association become the rights and liabilities of **AUSTRALIAN STREET ROD FEDERATION LIMITED**.

Given under the seal of the Commission at Adelaide this 7th day of **November 2023**.

LISA BERRY

A delegate of the Corporate Affairs Commission

ENVIRONMENT PROTECTION ACT 1993

Prohibition on Taking Water affected by Site Contamination

I, REBECCA ANNE HUGHES, Manager Site Contamination and Delegate of the Environment Protection Authority ('the Authority'), being satisfied that site contamination exists that affects or threatens groundwater and that action is necessary pursuant to section 103S of the *Environment Protection Act 1993* to prevent actual or potential harm to human health or safety hereby prohibit the taking of groundwater from the 1st, 2nd and 3rd Quaternary aquifers (as defined below) within the area specified in the map to this notice, other than for environmental assessment or environmental monitoring purposes or as approved in writing by the Authority.

This Notice relates to groundwater in:

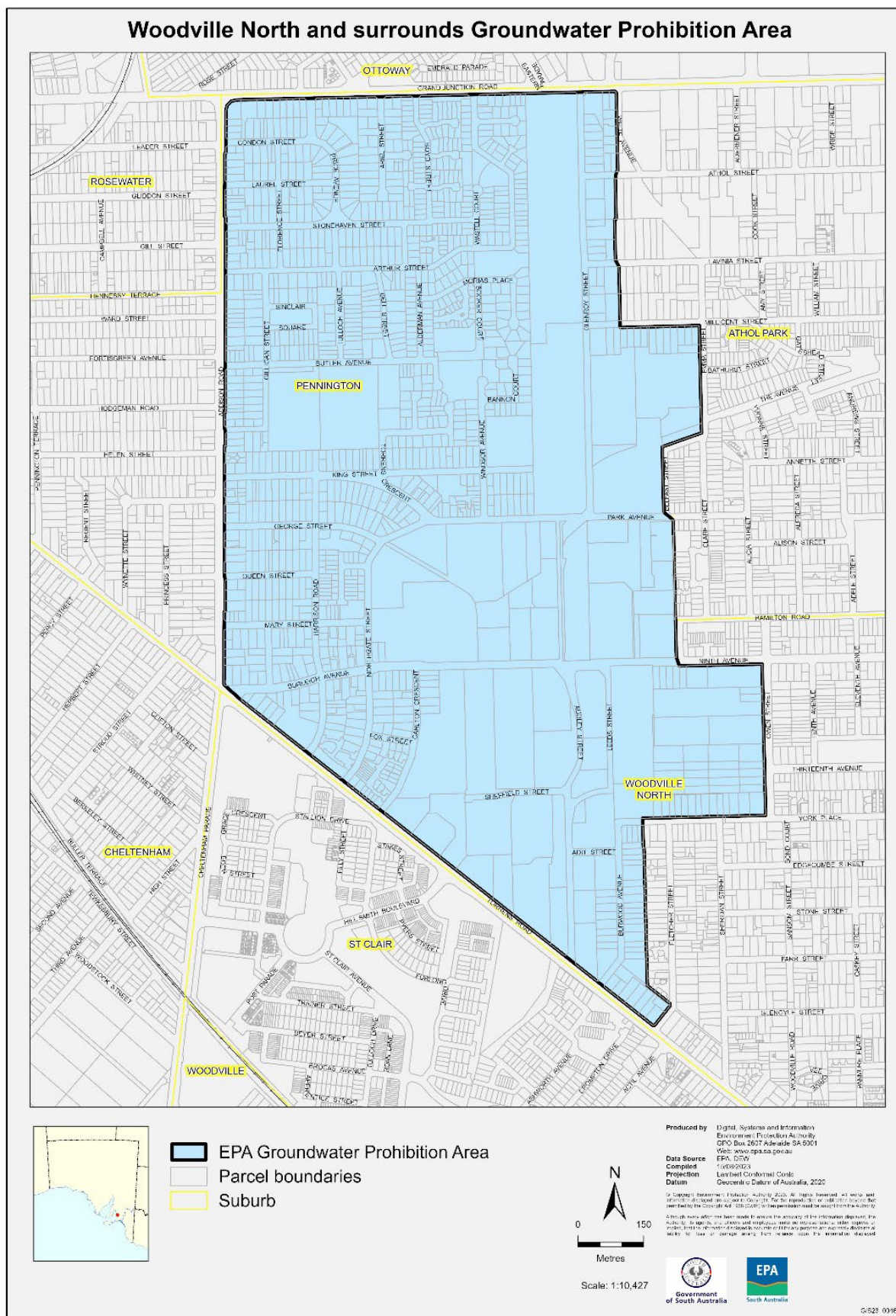
- (i) The Pooraka Formation aquifer and the underlying first and second Hindmarsh Clay aquifer, being the body of groundwater 0 to approximately 20 metres below ground surface within the specified area (see map)

The site contamination affecting the groundwater is in the form of chlorinated hydrocarbons which represent actual or potential harm to human health or safety. This prohibition becomes official upon the gazettal of this notice.

Dated: 9 November 2023

R. HUGHES

Manager Site Contamination
Environment Protection Authority



FISHERIES MANAGEMENT ACT 2007

SECTION 79

Closure of Northern Gulf St Vincent to Prawn Fishing Operations

Pursuant to section 79 of the *Fisheries Management Act 2007*, I Professor Gavin Begg, Executive Director Fisheries and Aquaculture, delegate of the Minister for Primary Industries and Regional Development, hereby declare that it shall be unlawful for any person to engage in the act of taking or an act preparatory to or involved in the taking of King Prawn (*Melicertus latissulcatus*) in waters of the Gulf St Vincent Prawn Fishery specified in Schedule 1, during the period specified in Schedule 2 unless revoked or varied earlier.

SCHEDULE 1

The waters of Gulf St Vincent contained within a polygon bordered by a line between the following coordinate points (WGS84):

1. 34 29.55150713°S 138 05.44679304°E
2. 34 35.29384441°S 137 56.90593163°E
3. 34 45.29444003°S 137 59.26462504°E
4. 34 47.98680715°S 137 55.10847959°E
5. 34 48.72709609°S 138 02.55921680°E
6. 34 49.42741985°S 138 10.37870667°E
7. 34 43.87549166°S 138 19.00852793°E

SCHEDULE 2

From sunset on 9 November 2023 until sunrise on 6 March 2024.

Dated: 9 November 2023

PROF. GAVIN BEGG
Executive Director
Fisheries and Aquaculture

Delegate of the Minister for Primary Industries and Regional Development

FISHERIES MANAGEMENT ACT 2007

SECTION 115

Ministerial Exemption ME9903287

TAKE NOTICE that pursuant to section 115 of the *Fisheries Management Act 2007* (the Act), I Professor Gavin Begg, Executive Director Fisheries and Aquaculture, delegate of the Minister for Primary Industries and Regional Development, hereby exempt Mr Thomas Sankey Robinson of Goolwa Pipi Co of 50 Hill Street Pt Elliot (the 'exemption holder'), and his nominated agents listed in Schedule 1, from Section 70 of the *Fisheries Management Act 2007* and Regulation 3(1), clause 8 of Schedule 2 of the *Fisheries Management (General) Regulations 2017*, in that the exemption holder and his nominated agents shall not be guilty of an offence when taking and releasing Pipi (*Donax* spp) that are less than 3.5 cm (the 'exempted activity') from within the waters described in Schedule 2, but only to the extent that is necessary to undertake research activities in accordance with Miscellaneous Research Fishery Permit MRP016 subject to the conditions specified in Schedule 3 from 12.01 am on 6 November 2023 to 11:59 pm on 30 September 2024, unless varied or revoked earlier.

SCHEDULE 1

The following persons are nominated agents of the exemption holder:

Nominated agent	Licence number
Alistair Scott-Young	L27
Steven Jones	L27
Jacob Jones	L27
Clinton Walker	L27
Darren Hoad	L27
Matt Hoad	L45
Jayce Stephenson	L45

SCHEDULE 2

Coastal waters of the State within Marine Fishing Areas 45 and 46 (10 to 50 kilometres from the Murray Mouth), excluding sanctuary and restricted access zones of marine parks (unless otherwise authorised under the *Marine Parks Act 2007*).

Marine Fishing Area 45 - the waters contained within and bounded by a line commencing at point 35°38'4.773"S, 138°30'0.000"E on the line of Mean High Water Spring, then easterly to point 35°37'3.858"S, 139°0'0.000"E, then southerly to point 36°0'0.000"S, 139°0'0.000"E, then westerly to point 36°0'0.000"S, 138°30'0.000"E, then northerly back up to point 35°38'4.773"S, 138°30'0.000"E (GDA2020).

Marine Fishing Area 46 - the waters contained within and bounded by a line commencing at point 35°37'3.858"S, 139°0'0.000"E on the line of Mean High Water Spring, then south easterly to point 36°0'0.000"S, 139°29'2.272"E, then westerly to point 36°0'0.000"S, 139°0'0.000"E, then northerly back up to point 35°37'3.828"S, 139°0'0.000"E (GDA2020).

SCHEDULE 3

1. The exemption holder or nominated agent may take and possess Pipi that are less than 3.5 cm in length but only when undertaking an activity permitted in accordance with Miscellaneous Research Fishing Permit MRP016.
2. The exemption holder must record all Pipi taken within the terms of this notice using the Deckhand Logbook Software or the Research Data Form provided in conjunction with MRP016 before relocating Pipi from each day fishing occurs. The recorded information must be provided to the Department of Primary Industries and Regions (PIRSA) within 28 days of making the record.
3. While engaging in the exempted activity, the exemption holder and nominated agent must be in possession of a copy of this exemption. The exemption must be produced to a PIRSA Fisheries Officer, if requested.
4. The exemption holder or nominated agent 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 *National Parks and Wildlife Act 1972*. The exemption holder and their nominated agent must comply with any relevant regulations, permits, requirements and directions from the Department for Environment and Water when undertaking activities within a marine park, national park or specially protected area.

Dated: 3 November 2023

PROF. GAVIN BEGG
Executive Director
Fisheries and Aquaculture

Delegate of the Minister for Primary Industries and Regional Development

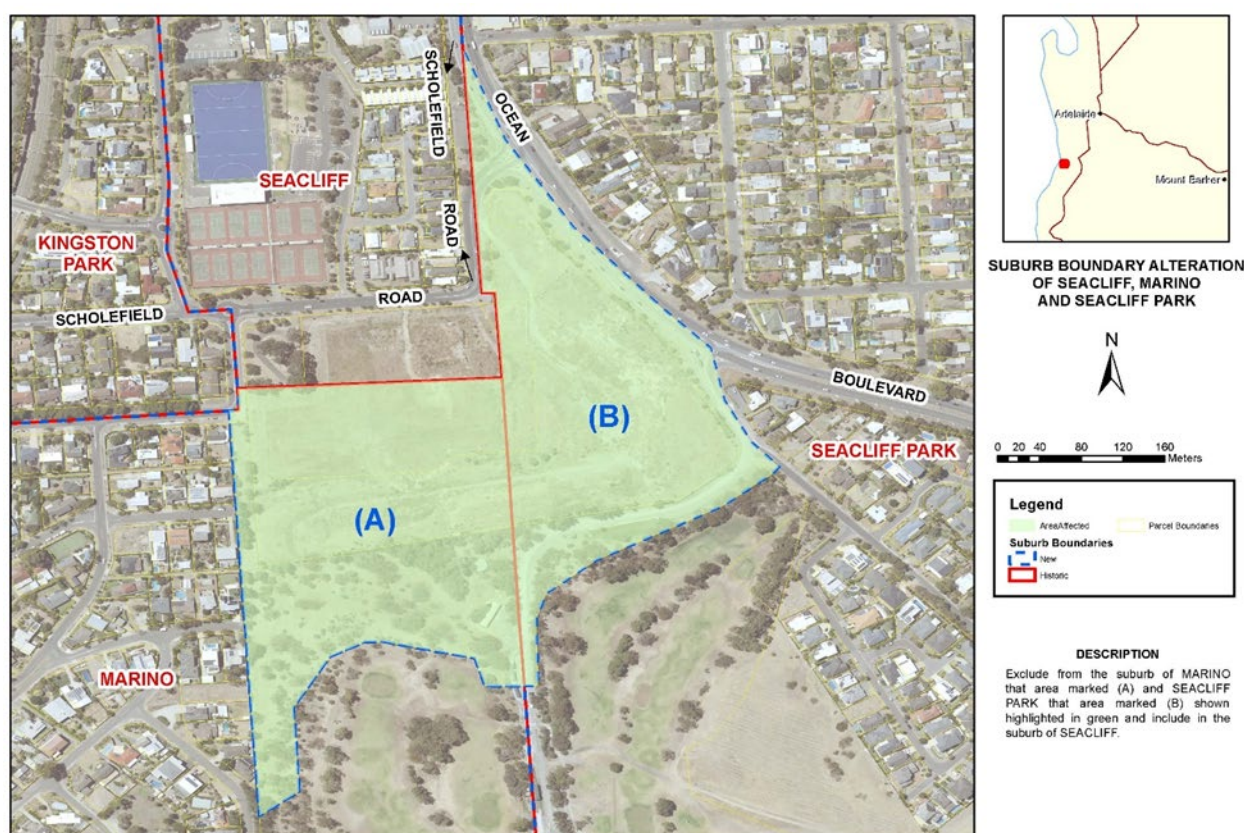
GEOGRAPHICAL NAMES ACT 1991

Notice to Alter the Boundary of a Place

NOTICE is hereby given that, pursuant to section 11B(1)(b) of the *Geographical Names Act 1991*, I, the Honourable Nick Champion MP, Minister for Planning, Minister of the Crown to whom the administration of the *Geographical Names Act 1991* is committed, DO HEREBY;

1. Alter the suburb boundary to exclude from the suburbs of **MARINO** that area marked (A) and **SEACLIFF PARK** that area marked (B) shown highlighted in green, as shown on the location map below, and include that area in the suburb of **SEACLIFF**.

This notice is to take effect immediately upon its publication in the *Government Gazette*.



REF: 2022_Seaclyff_Marino (23632022)

Dated: 9 November 2023

HON NICK CHAMPION MP
Minister for Planning

DTI: 2022/04690/01

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
27 Dyson Road, Port Noarlunga SA 5167	Allotment 24 Deposited Plan 6375 Hundred of Noarlunga	CT 5291/494	\$0.00

Address of Premises	Allotment Section	Certificate of Title Volume/Folio	Maximum Rental per week payable
48 Hookings Terrace, Woodville Gardens SA 5012	Allotment 386 Deposited Plan 3369 Hundred Yatala	CT 5573/246	\$0.00

Dated: 9 November 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
3/ 16 Grundy Terrace, Christies Beach SA 5165	Allotment 43 Deposited Plan 3074 Hundred of Noarlunga	CT5177/436
65 Brandis Road, Munno Para West SA 5115	Allotment 61 Deposited Plan 33421 Hundred of Munno Para	CT5061/31
Lot 21 Dalkeith Road, Munno Para Downs SA 5115	Allotment 21 Deposited Plan 6153 Hundred of Munno Para	CT5124/565
13 Joslin Avenue, Ingle Farm SA 5098	Allotment 24 Deposited Plan 10062 Hundred of Yatala	CT5510/855

Dated: 9 November 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 estate in fee simple in that piece of land being the whole of Unit 3 in Strata Plan 10194 comprised in Certificate of Title Volume 5026 Folio 471, together with free and unrestricted right(s) of way over the land marked A on SP 10194.

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: William Ridgway
GPO Box 1533
Adelaide SA 5001
Telephone: 08 7133 2465

Dated: 3 November 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: 2023/01358/01

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 Allotment 1 in Filed Plan 144429 comprised in Certificate of Title Volume 5663 Folio 27, expressly excluding right(s) of way over Allotment B in RP 6311 (T407302).

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: 7 November 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: 2022/09656/01

LANDSCAPE SOUTH AUSTRALIA ACT 2019

Declaration of Penalty in Relation to the Unauthorised or Unlawful Taking of Water from the River Murray Prescribed Watercourse

PURSUANT to Section 88(1) of the *Landscape South Australia Act 2019* (the Act), I, Sue Hutchings, delegate of the Minister for Climate, Environment and Water and Minister to whom the Act is committed, hereby declare that the following penalties are payable in relation to the unauthorised or unlawful taking or use of water during the consumption period that corresponds to the accounting period defined in Column 1 of Schedule 1:

1. Where a person who is the holder of a water allocation takes water from the River Murray Prescribed Watercourse in excess of the amount available under the allocation, the penalty declared pursuant to Section 88(1)(a) is:
 - a) the corresponding rate in Column 2 of Schedule 1 to this notice for all water taken in excess of the amount available under the allocation endorsed on the relevant instrument under the terms of the water licence to which the allocation is attributable, up to and including 500,000 kilolitres; and
 - b) the corresponding rate in Column 3 of Schedule 1 to this notice for all water taken in excess of the quantity of water referred to in paragraph (a) above 500,000 kilolitres.
2. Where a person who is authorised under section 105 of the Act takes water from the River Murray Prescribed Watercourse that exceeds the amount authorised under the terms of that authorisation the penalty declared pursuant to Section 88(1)(e) is:
 - a) the corresponding rate in Column 2 of Schedule 1 to this notice for all water taken in excess of the amount authorised by a notice under Section 105 of the Act, up to and including 500,000 kilolitres; and
 - b) the corresponding rate in Column 3 of Schedule 1 to this notice for all water taken in excess of the quantity referred to in paragraph (a) above 500,000 kilolitres.
3. Where water is taken from the River Murray Prescribed Watercourse by a person who is not the holder of a water management authorisation or who is not authorised under section 105 of the Act to take the water, the penalty declared under section 88(1)(e) is the corresponding rate in Column 4 of Schedule 1 to this notice per kilolitre of water determined or assessed to have been taken in accordance with section 79 of the Act.
4. Where a person takes water from the River Murray Prescribed Watercourse in excess of the amount authorised for use under section 109 of the Act, the penalty declared pursuant to section 88(1)(f) is:
 - a) the corresponding rate in Column 2 of Schedule 1 to this notice for all water taken in excess of the amount authorised for use by a notice under section 109 of the Act, up to and including 500,000 kilolitres; and
 - b) the corresponding rate in Column 3 of Schedule 1 to this notice for all water taken in excess of the quantity referred to in paragraph (a) above 500,000 kilolitres.
5. Where water is taken from the River Murray Prescribed Watercourse subject to a notice under section 109 of the Act by a person who is not authorised to use the water, the penalty declared under section 88(1)(f) is the corresponding rate in Column 4 of Schedule 1 to this notice per kilolitre of water determined or assessed to have been taken in accordance with section 79 of the Act.
6. Where a person may be subject to more than one penalty under section 88, the penalty that is the greater shall be imposed.

SCHEDULE 1

Penalties for overuse from the River Murray Prescribed Watercourse between 1 October 2023 to 31 December 2023 inclusive:

Column 1	Column 2	Column 3	Column 4
Accounting Period	Penalty for overuse up to and including 500,000 kL (per kL)	Penalty for overuse above 500,000 kL (per kL)	Penalty for unlawful taking or use of water (per kL)
1 October 2023 to 31 December 2023	\$1.221	\$1.628	\$1.628

Unit of measure kL is the abbreviation of kilolitre.

For the purposes of this notice:

‘the River Murray Prescribed Watercourse’ means the watercourses and lakes declared to be the River Murray Proclaimed Watercourse by proclamation under section 25 of the *Water Resources Act 1976* (see *Gazette* 10 August 1978, p. 467).

‘accounting period’ means the period determined by the Minister from time to time by notice in the *Gazette* (with the period not necessarily being the same period as the accounting period under Division 2).

‘consumption period’ in relation to an accounting period means a period of approximately the same length as the accounting period that commences or terminates during the accounting period and during which water is taken or used.

Words used in this notice that are defined in the Act shall have the meanings as set out in the Act.

Dated: 3 November 2023

SUE HUTCHINGS
A/Executive Director, Water and River Murray
Department for Environment and Water
Delegate of the Minister for Climate, Environment and Water

LIQUOR LICENSING ACT 1997

South Australia

Liquor Licensing (Dry Areas) Notice 2023

under section 131(1a) of the *Liquor Licensing Act 1997*

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2023*.

2—Commencement

This notice has effect on the day on which it is published in the *Gazette*.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the *Gazette* on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

(1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.

(2) The prohibition has effect during the periods specified in the Schedule.

(3) The prohibition does not extend to private land in the area described in the Schedule.

(4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—

(a) a person who is genuinely passing through the area if—

- (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or
- (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
- (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

Schedule 1 – Middleton Area 1

1—Extent of prohibition

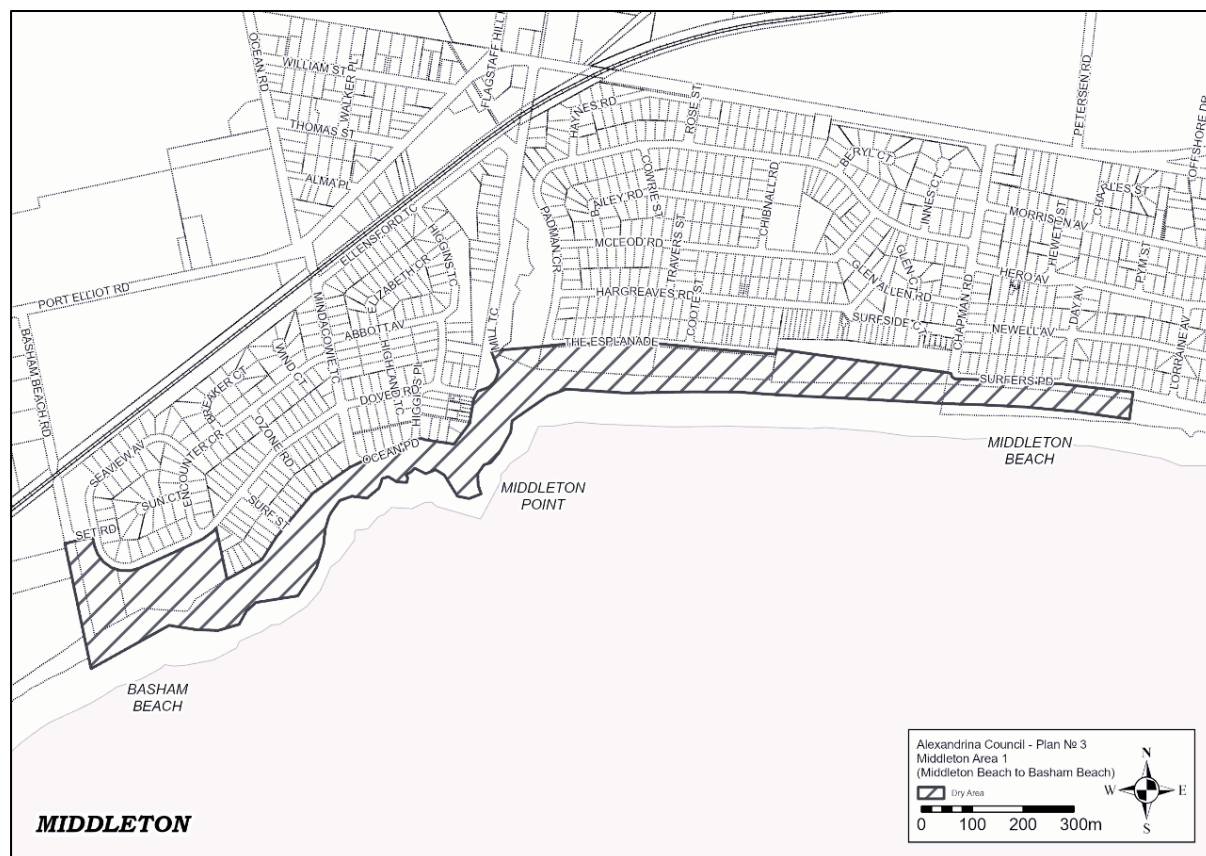
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 8.00am on Friday 17 November 2023 to 10.00am on Monday 20 November 2023.

3—Description of area

The area in and adjacent to Middleton bounded as follows: commencing at Basham Beach Conservation Park car park along to the point at which the prolongation in a straight line of the western boundary of Basham Beach Road intersects the high water mark of Encounter Bay, then north-westerly along that prolongation and boundary to the point at which it is intersected by the prolongation in a straight line of the southern boundary of Set Road, then north-easterly along that prolongation and boundary of Set Road to the western boundary of Seaview Avenue, then generally south-easterly and north-easterly along that boundary of Seaview Avenue to the point at which it meets the eastern boundary of Lot 101 DP 10654, then south-easterly along that boundary of Lot 101 to the south-western corner of Lot 19 DP 3145, then generally north-easterly along the south-eastern boundary of Lot 19, the south-eastern boundaries of the adjoining Lots and the northern boundary of Ocean Parade to the south-eastern corner of Lot 133 FP 166507, then generally north-easterly and northerly along the easternmost boundaries of Lot 133 and the adjoining Lots (including the eastern boundary of Dover Road) to the north-eastern corner of Lot 39 DP 3262, then in a straight line by the shortest route to the north-western corner of Lot 160 DP 9417, then easterly along the southern boundary of the Esplanade to the western boundary of Lot 3 DP 13398, then northerly, easterly and southerly along the western, northern and eastern boundaries of that Lot to its south-eastern corner, then along the northern boundary of Section 345, Hundred of Goolwa, (the southern boundary of Surfer's Parade) to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of Lot 39 DP 6156, then along that prolongation to the point at which it intersects the high water mark of Encounter Bay, then generally westerly and south-westerly along the high water mark to the point of commencement.



Schedule 2 – Port Elliot Area 3

1—Extent of prohibition

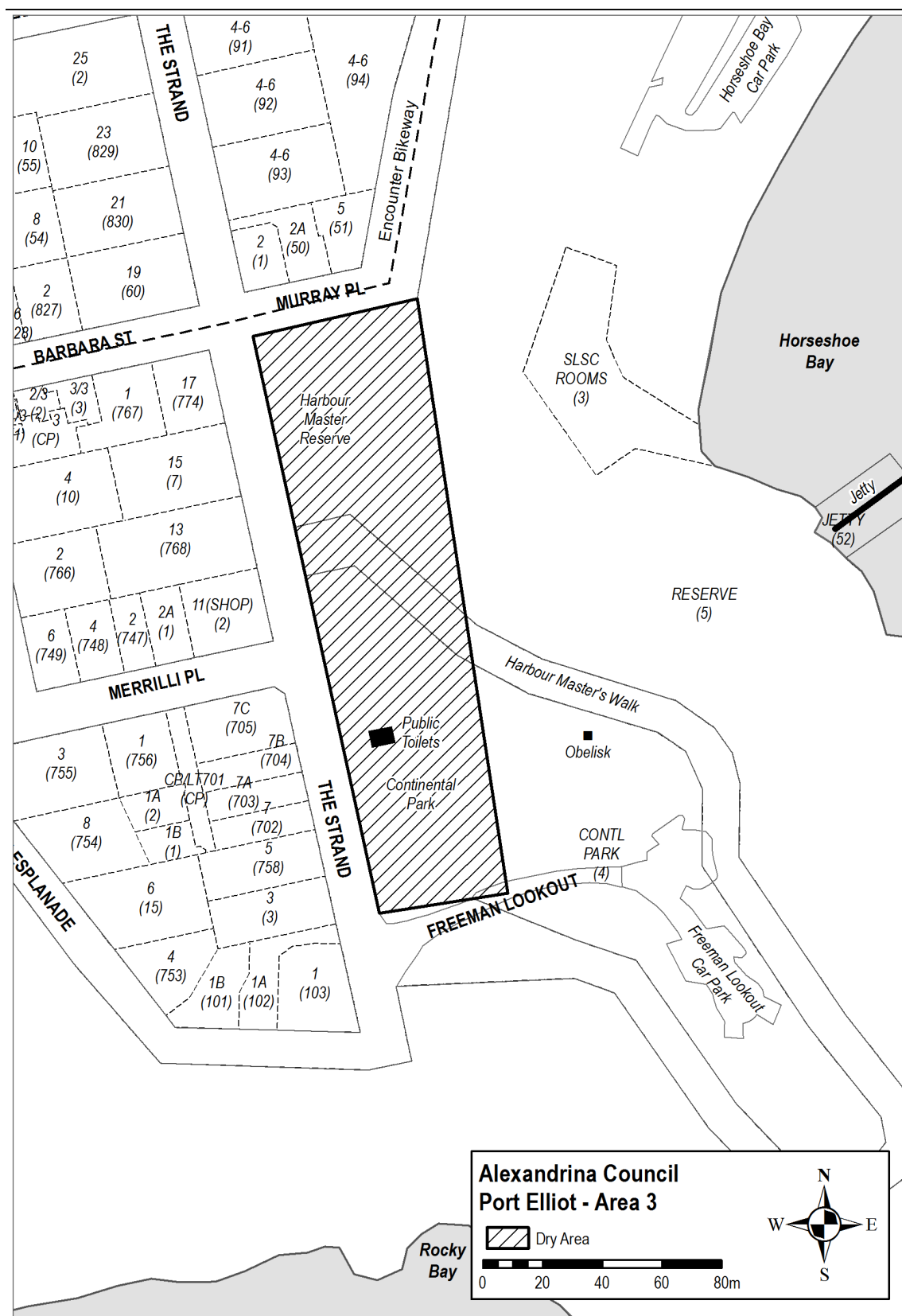
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 8.00am on Friday 17 November 2023 to 10.00am on Monday 20 November 2023.

3—Description of area

Commencing at the South Eastern corner of the intersection of The Strand and Murray Place and then traversing along the Eastern side of The Strand until the North Eastern side of the intersection of The Strand and Freeman Lookout. Then traverse along the Northern side of Freeman Lookout until the Eastern post of the gate into the Obelisk reserve then head West North West along the Western edge of the Soldiers' Memorial Gardens until Murray Place returning to the point of commencement.



Made by the Liquor and Gambling Commissioner
on 6 November 2023

LIQUOR LICENSING ACT 1997

South Australia

Liquor Licensing (Dry Areas) Notice 2023

under section 131(1a) of the *Liquor Licensing Act 1997*

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2023*.

2—Commencement

This notice has effect on the day on which it is published in the Gazette.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

(1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.

(2) The prohibition has effect during the periods specified in the Schedule.

(3) The prohibition does not extend to private land in the area described in the Schedule.

(4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—

(a) a person who is genuinely passing through the area if—

(i) the liquor is in the original container in which it was purchased from licensed premises; and

(ii) the container has not been opened; or

(b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or

(c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

Schedule 1 – Chiton Rocks Area 1

1 – Extent of prohibition

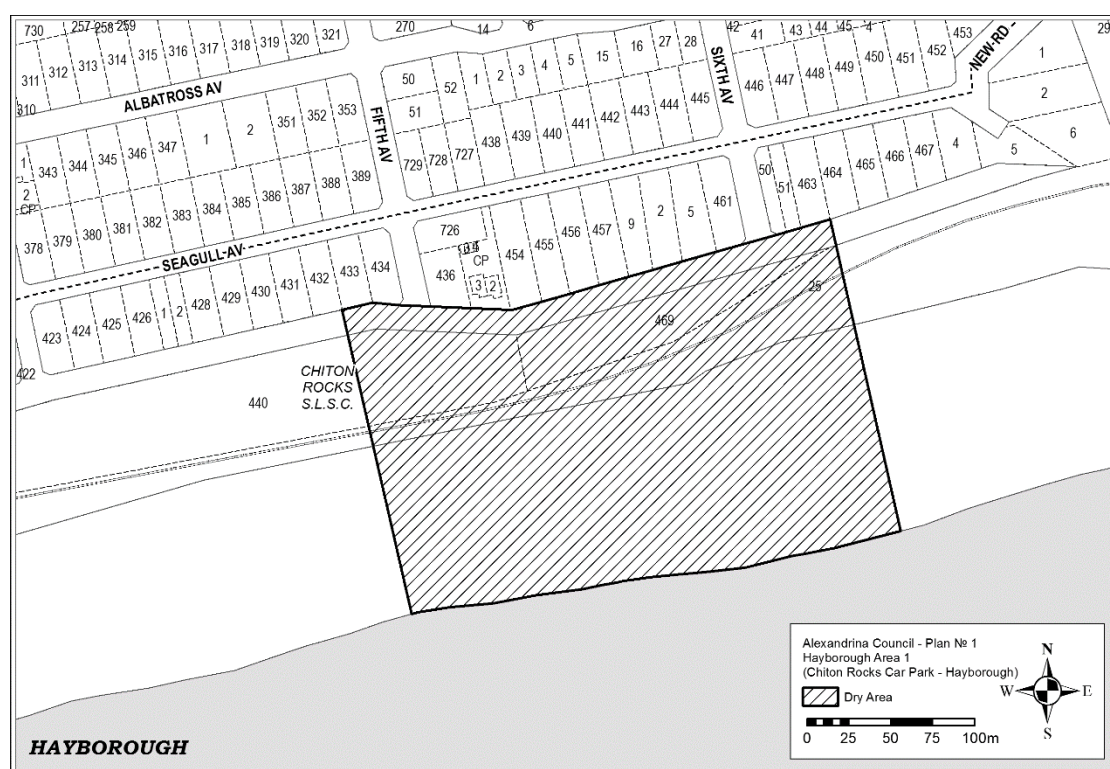
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2 – Period of prohibition

From 6.00pm on 30 December 2023 – 6.00am on 2 January 2024

3 – Description of area

The area adjacent to Victor Harbor generally known as the Chiton Rocks Surf Lifesaving Club car park and the adjacent beach, being the area bounded on the north by the northern boundaries of Lot 469 DP 3482 and Lot 440 DP 3207, on the west by the prolongation in a straight line of the western boundary of Lot 433 DP 3207, on the south by the low water mark on Encounter Bay and on the east by the prolongation in a straight line of the eastern boundary of Lot 463 DP 3482.



Schedule 2 – Port Elliot Area 2

1 – Extent of prohibition

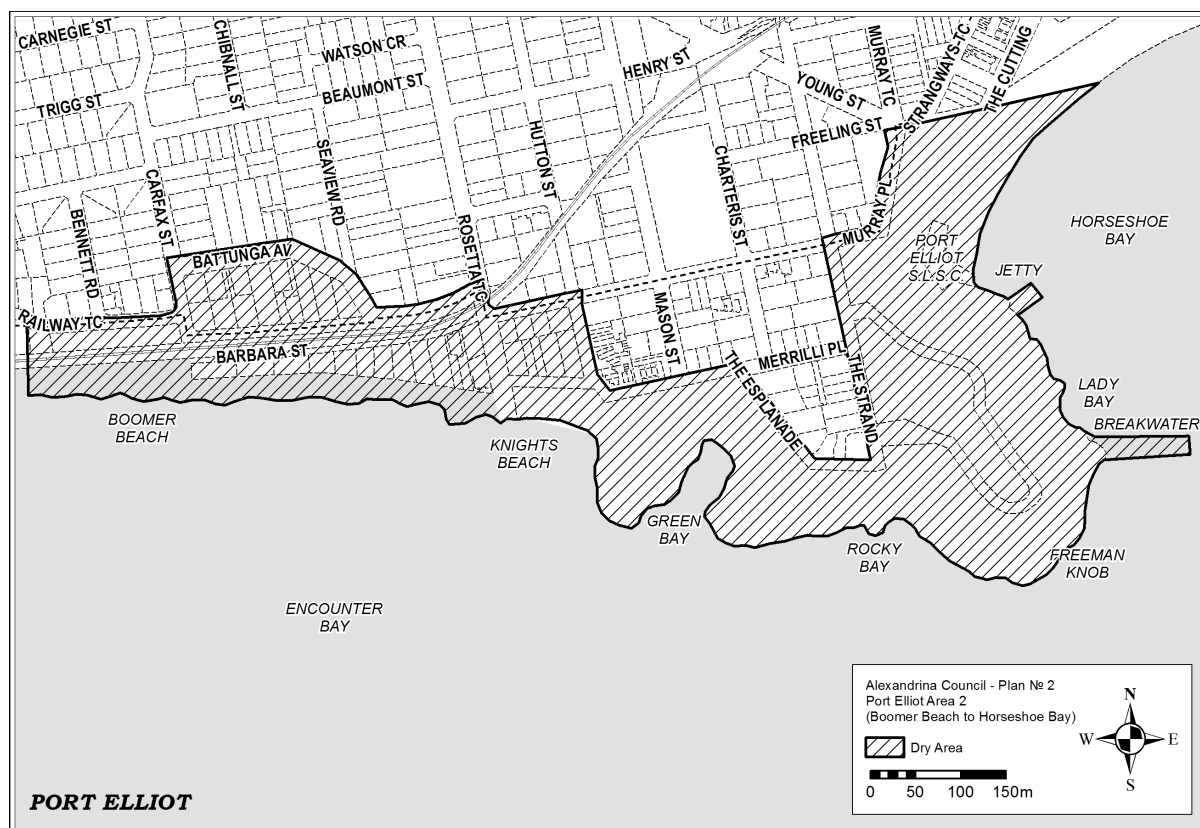
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2 – Period of prohibition

From 6.00pm on 30 December 2023 – 6.00am on 2 January 2024

3 – Description of area

The area in and adjacent to Port Elliot bounded as follows: commencing at the point at which the eastern boundary of Lot 26 of DP 74300 meets the northern boundary of Railway Terrace (approximately 50 metres west of the western boundary of Bennett Road), then easterly along the northern boundary of Railway Terrace to the western boundary of Carfax Street, then northerly along that boundary of Carfax Street to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Battunga Avenue, then generally easterly, south-easterly and easterly along that prolongation and boundary of Battunga Avenue and the prolongation in a straight line of that boundary to the eastern boundary of Rosetta Terrace, then southerly along that boundary of Rosetta Terrace to the northern boundary of Barbara Street, then easterly along that boundary of Barbara Street to the point at which it intersects the eastern boundary of Hutton Street, then southerly along that boundary of Hutton Street to the northern boundary of Merrilli Place, then easterly along that boundary of Merrilli Place to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of The Esplanade, then south-easterly along that prolongation and boundary of The Esplanade to the western boundary of Lot 101 of DP 46201, then south-easterly and easterly along the western and southern boundaries of Lot 101 and the southern boundaries of the adjoining Lots to the western boundary of The Strand, then northerly along that boundary of The Strand to the point at which it intersects the southern boundary of Torrens Street, then in a straight line by the shortest route (across The Strand) to the point at which the southern boundary of Murray Place meets the eastern boundary of The Strand, then easterly and north-easterly along that boundary of Murray Place to the point at which it meets the prolongation in a straight line of the southern boundary of Freeling Street, then north-easterly along that prolongation of the southern boundary of Freeling Street to the point at which it intersects the low water mark of Horseshoe Bay, then generally south-westerly, south-easterly, south-westerly and westerly along the low water mark to the point at which the low water mark is intersected by the prolongation in a straight line of the eastern boundary of Lot 26 of DP 74300, then northerly along that prolongation of the eastern boundary of Lot 26 to the point of commencement. The area includes the whole of any wharf, jetty, boat ramp, breakwater or other structure that projects below the low water mark from within the area described above (as well as any area beneath such a structure).



Schedule 3 – Middleton Area 1

1 – Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

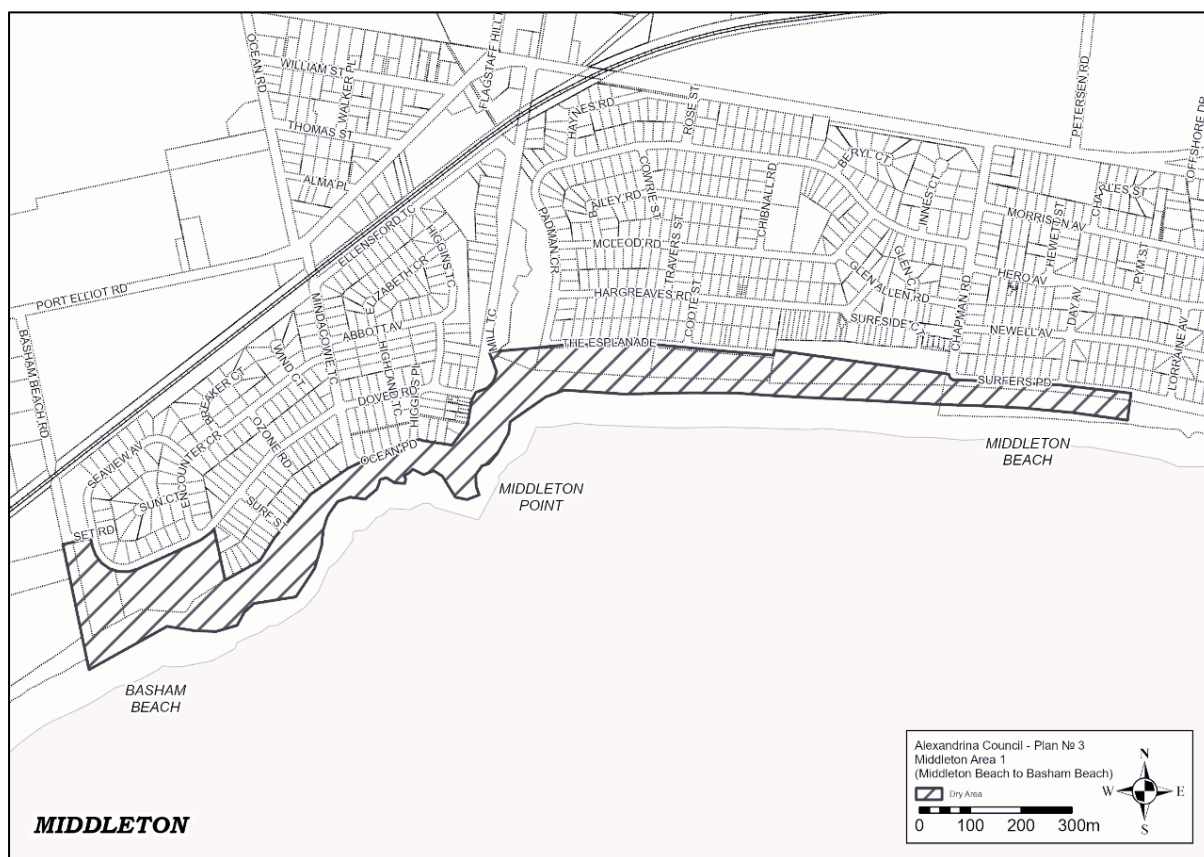
2 – Period of prohibition

From 6.00pm on 30 December 2023 – 6.00am on 2 January 2024

3 – Description of area

The area in and adjacent to Middleton bounded as follows: commencing at Basham Beach Conservation Park car park along to the point at which the prolongation in a straight line of the western boundary of Basham Beach Road intersects the high water mark of Encounter Bay, then north-westerly along that prolongation and boundary to the point at which it is intersected by the prolongation in a straight line of the southern boundary of Set Road, then north-easterly along that prolongation and boundary of Set Road to the western boundary of Seaview Avenue, then generally south-easterly and north-easterly along that boundary of Seaview Avenue to the point at which it meets the eastern boundary of Lot 101 DP 10654, then south-easterly along that boundary of Lot 101 to the south-western corner of Lot 19 DP 3145, then generally north-easterly along the south-eastern boundary of Lot 19, the south-eastern boundaries of the adjoining Lots and the northern boundary of Ocean Parade to the south-eastern corner of Lot 133 FP 166507, then generally north-easterly and northerly along the easternmost boundaries of Lot 133 and the adjoining Lots (including the eastern

boundary of Dover Road) to the north-eastern corner of Lot 39 DP 3262, then in a straight line by the shortest route to the north-western corner of Lot 160 DP 9417, then easterly along the southern boundary of the Esplanade to the western boundary of Lot 3 DP 13398, then northerly, easterly and southerly along the western, northern and eastern boundaries of that Lot to its south-eastern corner, then along the northern boundary of Section 345, Hundred of Goolwa, (the southern boundary of Surfer's Parade) to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of Lot 39 DP 6156, then along that prolongation to the point at which it intersects the high water mark of Encounter Bay, then generally westerly and south-westerly along the high water mark to the point of commencement.



Schedule 4 – Goolwa Area 3

1 – Extent of prohibition

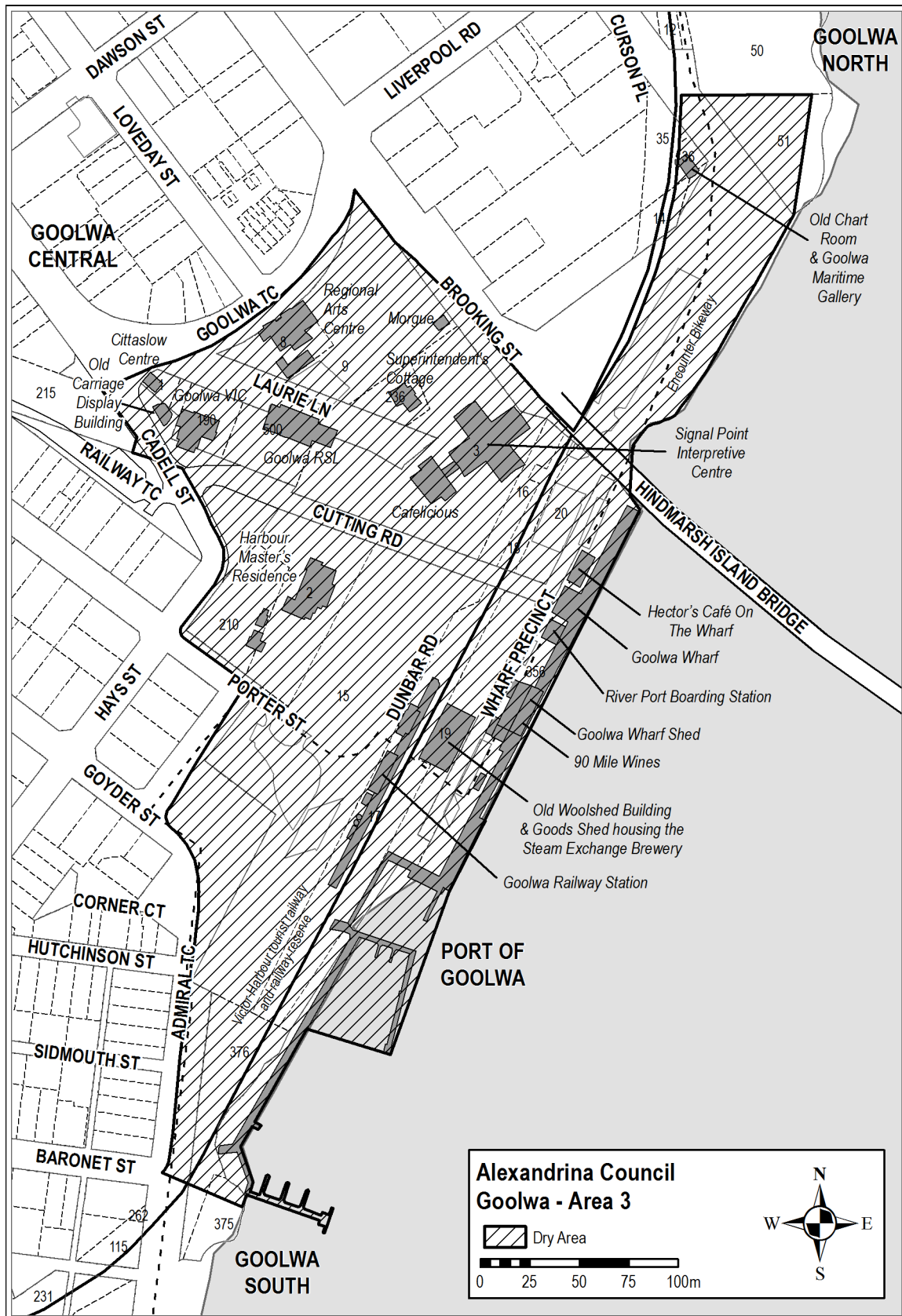
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2 – Period of prohibition

From 6.00pm on 30 December 2023 – 6.00am on 2 January 2024

3 – Description of area

The area in Goolwa Central and Port of Goolwa (generally known as the Wharf Precinct) and to be known as Goolwa Area 3 bounded as follows: Commencing at the north eastern corner of Section 315, Hundred of Goolwa, and then due west to the eastern side of the railway reserve. Then follow the easterly side of the railway reserve until reaching the south western underside of the Goolwa and Hindmarsh Island Bridge. Head in a north westerly direction, along the south western side of Brooking Street, until the round-about intersection of Brooking Street, Liverpool Road and Goolwa Terrace. Follow the south eastern side of Goolwa Terrace until the intersection of Cadell Street and Goolwa Terrace. Traversing the north eastern side of Cadell Street, past the Cadell Street and Cutting Road intersection. Continue along Cadell Street and enter Hayes Street then to the Hayes Street and Porter Street intersection. Head south east to the Porter Street and Admiral Terrace intersection. Then head south west and continue along the eastern side of Admiral Terrace past the intersections of Goyder Street, Hutchinson Street, Sidmouth Street until the Admiral Terrace and Baronet Street intersection. Head east south east and traverse around the jetty and return to the eastern side of the boardwalk. Head north east along the eastern side of the boardwalk then a straight line, by the shortest route, to the southern side of the jetty. Then in a straight line by the shortest route to the south eastern side of the Goolwa Wharf. Traverse the south eastern side of the Goolwa Wharf under the Goolwa and Hindmarsh Island Bridge along the River Murray bank to the south eastern side of Section 315 returning to the point of commencement.



Schedule 5 – Goolwa Beach Area 1

1 – Extent of prohibition

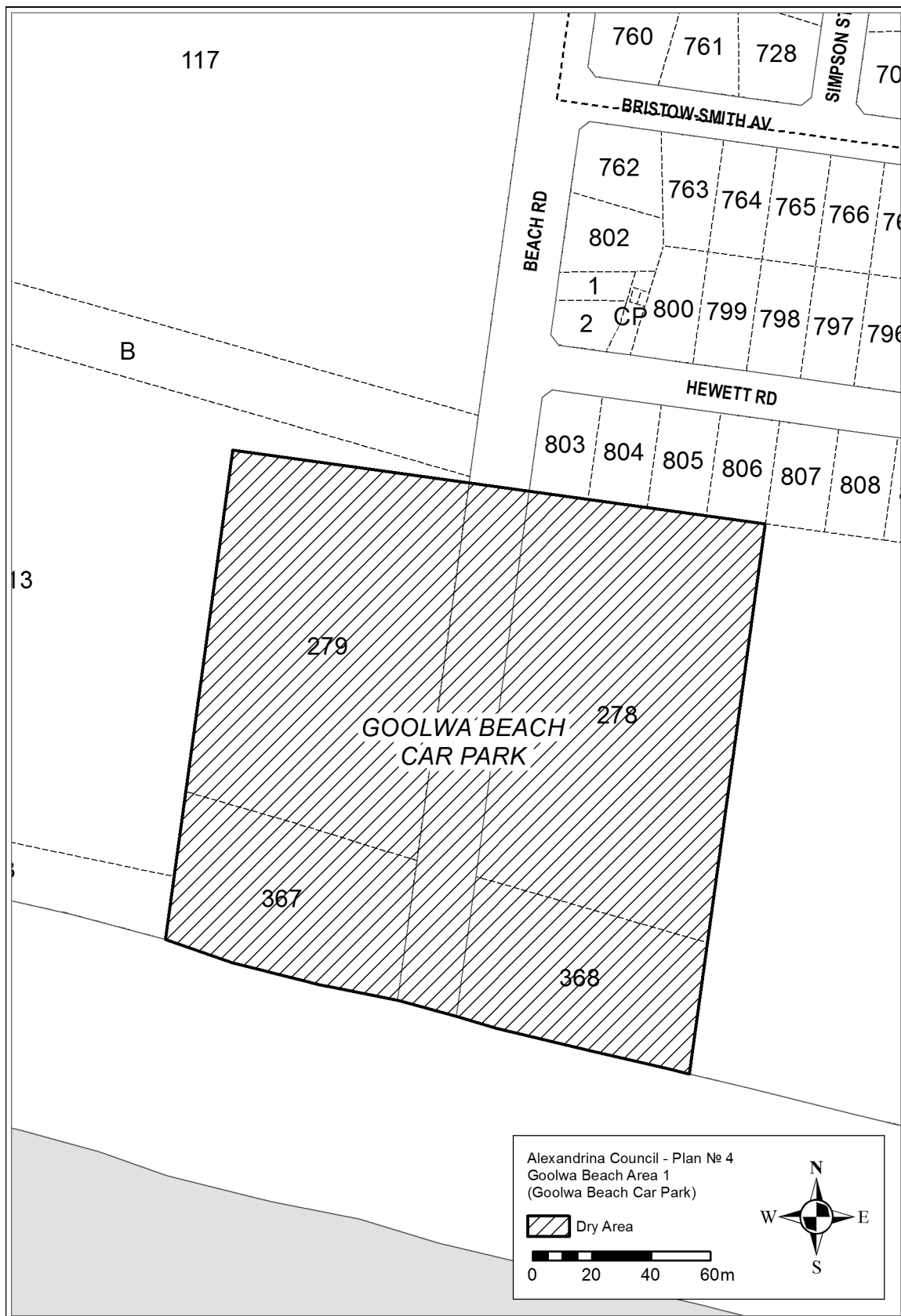
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2 – Period of prohibition

From 6.00pm on 30 December 2023 – 6.00am on 2 January 2024

3 – Description of area

The area in Goolwa Beach and Goolwa South (generally known as the Goolwa Beach car park) bounded as follows: commencing at the north-eastern corner of Section 279, Hundred of Goolwa, then westerly and southerly along the northern and western boundaries of Section 279 to the northern boundary of Section 367, Hundred of Goolwa, then southerly and easterly along the western and southern boundaries of Section 367 to the south-eastern corner of the Section, then in a straight line by the shortest route to the south-western corner of Section 368, Hundred of Goolwa, then easterly and northerly along the southern and eastern boundaries of Section 368 to the southern boundary of Section 278, Hundred of Goolwa, then northerly and westerly along the eastern and northern boundaries of Section 278 to the north-western corner of the Section, then in a straight line by the shortest route across Goolwa Beach Road to the point of commencement.



Schedule 6 – Basham Beach Area 1

1 – Extent of prohibition

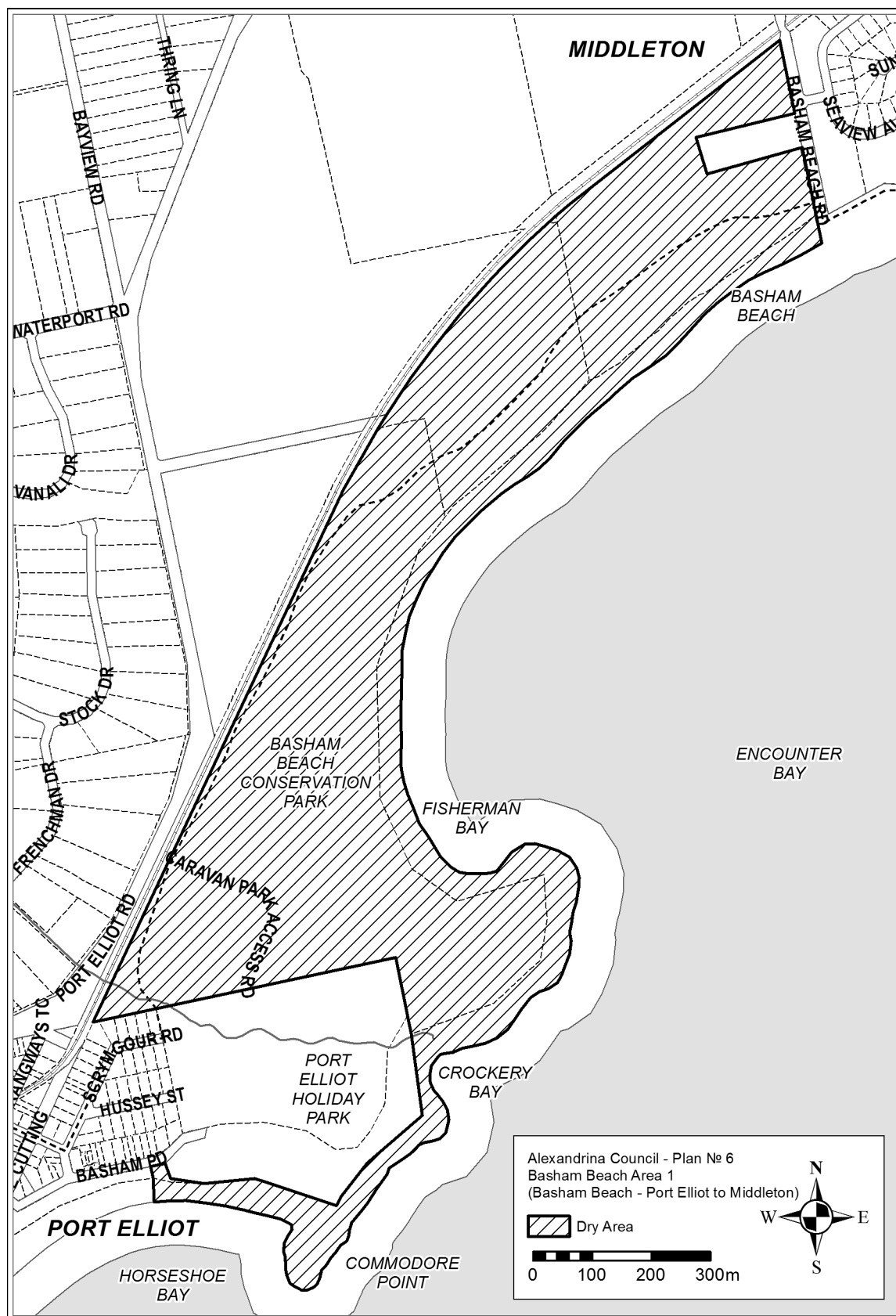
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2 – Period of prohibition

From 6.00pm on 30 December 2023 – 6.00am on 2 January 2024

3 – Description of area

Commencing at the point at which the western boundary of Basham Beach Road, Middleton, intersects the southern boundary of the railway reserve for the Victor Harbor Tourist Railway, then south-easterly along that boundary of Basham Beach Road to the northern boundary of Lot 96 FP 166155, then south-westerly, south-easterly and north-easterly along the northern, western and southern boundaries of Lot 96 to the western boundary of Basham Beach Road, then south-easterly along that boundary of Basham Beach Road and the prolongation in a straight line of that boundary to the low water mark of Encounter Bay, then generally south-westerly, southerly, south-easterly, easterly, southerly, south-westerly and north-westerly along the low water mark to the prolongation in a straight line of the western boundary of Lot 2 DP 52281, then northerly along that prolongation and boundary of Lot 2 to the southern boundary of Lot 1 DP 52281 (the southern boundary of the Port Elliot Caravan Park), then generally easterly, south-easterly, north-easterly and northerly along that boundary of Lot 1 and the eastern boundary of Lot 858 FP 166107 to the northern boundary of Lot 858, then south-westerly along the northern boundary of Lot 858 and the northern boundaries of the adjoining allotments to the eastern boundary of the railway reserve for the Victor Harbor Tourist Railway, then generally north-easterly along that boundary of the railway reserve to the point of commencement.



Made by the Liquor and Gambling Commissioner

on 6 November 2023

LOCAL GOVERNMENT (ELECTIONS) ACT 1999

SECTION 6A

Adelaide Plains Council

A casual vacancy occurred in the office of area councillor in the Adelaide Plains Council, effective Thursday 5 October 2023. The vacancy was filled in accordance with section 6A of the *Local Government (Elections) Act 1999*. As multiple candidates were willing and eligible to be elected to the vacancy, a recount of the votes cast at the November 2022 periodic election was conducted on Wednesday 1 November 2023. At the conclusion, **Carmine DI TROIA** was declared elected to the vacancy.

Formal Ballot Papers – 1942
New Exhaust Ballot Papers – 38
Informal Ballot Papers – 109
Quota – 972

Candidates	First Preference Votes	Elected/Excluded
PARKER, Brian	569	
JONES, Stephen Edward	403	Excluded (1)
DI TROIA, Carmine	541	Elected
LAWRENCE, Mel	429	Excluded (2)

MICK SHERRY
Returning Officer

MOTOR VEHICLES ACT 1959

South Australia

Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2023 No 3

under the *Motor Vehicles Act 1959*

1—Short title

This notice may be cited as the *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2023*.

2—Commencement

This notice will come into operation on the date of publication in this Gazette.

3—Approved motor bikes and motor trikes

For the purposes of Schedules 2 and 3 of the *Motor Vehicles Regulations 2010* and the transitional provisions of the *Motor Vehicles Variation Regulations 2005* (No 233 of 2005), the motor bikes and motor trikes specified in Schedule 1 are approved.

Schedule 1—Approved motor bikes and motor trikes

The following are approved:

- All motor bikes and motor trikes built before December 1960 with an engine capacity not exceeding 660ml
- All motor bikes and motor trikes with an engine capacity not exceeding 260 milliliters and a power to weight ratio not exceeding 150 kilowatts per tonne, except the following:
 - Suzuki RGV250
 - Kawasaki KR250 (KR-1 and KR1s models)
 - Honda NSR250
 - Yamaha TZR250
 - Aprilia RS250
- All motor bikes and motor trikes with electric powered engines, with a power output not in excess of 25 kw

Motor bikes and Motor trikes with electric powered engines listed in the table below are approved:

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
BRAAAP	MotoE	5000w	2022-current	Electric
	MotoE	8000w	2022-current	Electric
	MotoE	10000w	2022-current	Electric
EVOKE	URBAN S		2020-current	Electric
	URBAN CLASSIC		2020-current	Electric
FONZARELLI	125	125	2014-2015	Electric
KAWASAKI	NX011A	NR011A (Ninja e-1)	2023	Electric
		NX011A (Ninja e-1)		
KYBURZ	DXP	KYBURZ	2017	Electric
ZERO	DS	Zero DS	Unit 2015	Electric
	S	Zero S	Until 2015	Electric

Motor trikes with an engine capacity not less than 261ml and not exceeding 660ml listed in the table below are approved:

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
BRP	Can am Ryker	Rotax 600 ACE	2018	599
GILERA	FUOCO 500	FUOCO 500	2007-13	493
LAMBRETTA	All model	Lambretta	pre 2008	under 660
OZ TRIKE	FUN 500	FUN 500	pre 2008	500
METROPOLIS	AA	2018	399	METROPOLIS
PGO	All models	All models under 220	All	220
PIAGGIO	All Models	All models	2010-17	under 350

Motor bikes with an engine capacity not less than 261ml and not exceeding 660ml listed in the table below are approved:

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
AJP	PR7	PR7	2017	600
AJS	MODEL 18	MODEL 18	pre 1963	497
	MODEL 20	MODEL 20	1955-61	498
APRILIA	Moto 6.5	Moto 6.5	1998-99	649
	M35	SR MAX 300	2012	278
	PEGASO 650	DUAL SPORTS	1994-01	652
	PEGASO 650	OUTBACK	2000-01	652
	PEGASO 650	Factory 650	2007-08	660
	PEGASO 650 I.E.	OUTBACK	2001-02	652
	PEGASO 650 I.E.	DUAL SPORTS	2001-06	652
	SCARABEO 300	VRG	2009	278
	SCARABEO 400	SCARABEO 400	2007	399
	SCARABEO 500	SCARABEO 500	2007-08	460
	SPORTCITY300	SPORTCITY300	2010-12	300
	STRADA 650	ROAD	2006-08	659
	STRADA 650	TRAIL	2006-08	659
	VP (RXV 450)	VPV-VPT-VPH 18.3kW	2006-10	449
	VP (RXV 550)	VPZ- VPX- VPL 20kW	2006-10	553
	VS (SXV 450)	SXV 450 (VSR-VSH) 14kW	2006-08	449
	VS (SXV 550)	SXV 550 (VSS-VSL) 14.5kW	2006-08	553
ASIAWING	LD450	ODES MCF450	2011-13	449
ATK	605	605	1995	598
BENELLI	LEON	Leoncino 500	2018-20	500
	P10	BN 302	2015 on	300
	P16	TRK 502X	2018 on	500
	P18	LEONCINO 500	2017 on	500
	P18	LEONCINO 500 TRAIL	2018 on	500
	P18	BENELLI	2017	500
	P16	TRK502	2017	500
	P25	GT600 RESTRICTED	2014-15	600

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	P25	BN 600 RESTRICTED	2013-on	600
	P36	502C	2019	500
	VELVET DUSK	VELVET DUSK	2003-05	383
BETA	BETA	FUPA RR E3	2018	293
	BMA RR	RR350 15	2018	349
	BMA RR	RR390 16	2018	386
	BMA RR	RR430 17	2018	431
	BMA RR	RR480 18	2018	478
	FUPA E5	E5 00	2015	293
	FUPA E5	E8/03	2016/17	293
	FUPA RR E3	RR 2T 300	2012-17	293
	FUPA RR E3	RR350 20 & RR350 15	2016-17	349
	FUPA RR E3	RR390 31 & RR390 16	2016-17	386
	FUPA RR E3	RR430 32 & RR430 17	2016-17	431
	FUPA RR E3	RR480 33 & RR480 18	2016-17	478
	RR E3	RR350	2011	349
	RR E3	RR400	2010-11	398
	RR E3	RR450	2010-11	449
	RR E3	RR520	2010-11	498
	RR300 2T	RR300 2T	2019	293
	RR350 4T	RR350 4T	2019	349
	RR390 4T	RR390 4T	2019	386
	RR430 4T	RR430 4T	2019	431
	RR450	RR450	2008	448
	RR450	RR450	2000-07	448
	RR480 4T	RR480 4T	2019	478
	RR525	RR525	2008	510
	RR525	RR525	2000-07	510
	XTRAINER 300 2T	XTRAINER 300 2T	2019	293
BMW	C400X	0C09/C400X	2018-20	350
	C650	C600 SPORT	ALL	647
	C650	C650 GT/Sport	All	647
	F650	FUNDURO	1995-00	652
	F650	G650 GS	2009-2016	652
	F650	G650 GS Sertao	2012-2016	652
	F650CS	SCARVER	2002-05	652
	F650CS	SE ROAD	2004-06	652
	F650GS	DAKAR	2000-08	652
	F650GS	F650GS	2000-08	652
	F650ST	F650ST	1998	652
	G 450 X	G 450 X	2008-10	450
	G310	G310R-0G01	2016-17	313
	G310GS	G310GS-0G02	2016	313
	G650GS	Sertao	All	650
	R45	R45	All	453
	R50	R50	1969	499
	R60	R60	1967	590
	R65	R65	1981-88	650
	R65LS	R65LS	1982-86	650
	R69	R69	1961	600
BOLWELL	LM25W	FIRENZE	2009	263
BRAAAP	ST	450	2016-17	450
	ST400	Shadow	2022-on	367
BSA	A50	A50	1964-70	500
	A65	A65	1966-69	650
	A7	A7	1961	500
	B40	B40	1969	350
	B44	B44	1967-71	440
	B50	B50	1971	495
	B50SS GOLDSTAR	B50SS GOLDSTAR	1971	498
	GOLD STAR	GOLD STAR	1962	500
	LIGHTNING	LIGHTNING	1964	654
	SPITFIRE MKIII	SPITFIRE MKIII	1967	650
	THUNDERBOLT	THUNDERBOLT	1968	499
BUELL	Blast	STREET FIGHTER	2002-07	491

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
BUG	SEE KYMCO			
BULTACO	ALPINA	ALPINA	1974	350
	FRONTERA	FRONTERA	1974	360
	SHERPA	SHERPA	1974	350
CAGIVA	360WR	360WR	1998-02	348
	410TE	410TE	1996	399
	610TEE	610TEE	1998	576
	650 ALAZZURA	650 ALAZZURA	1984-88	650
	650 ELFANT	650 ELFANT	1985-88	650
	CANYON 500	DUAL SPORTS	1999-06	498
	CANYON 600	DUAL SPORTS	1996-98	601
	RIVER 600	RIVER 600	1995-98	601
	W16 600	W16 600	1995-97	601
CCM	GP Series	GP450-1(A1 30kW)	2015-16	450
	GP Series	GP450-2(A1 30kW)	2015-16	450
CFMOTO	CF300-7F	300CL-X	2023-on	292
	CF 400-6F	450SR	2022-on	449
	CF 650	CF650NK-LAM	2012-16	649
	CF 650	CF650TK-LAM	2013-17	649
	CF 650	650NK-LAM	2016-17	649
	CF 650	650MT	2016-17	649
	CF 650	650GT	2019-on	649
	CF 650 (400NK)	400NK	2016-17	400
CHANGJIANG	CJ650B with sidecar	Nomad, Tourer	2023-on	649
COSSCK	650	Ural	1974	649
DERBI	MULHACEN	MULHACEN	2008	659
	RAMBLA	RA 300	2010	278
DNEPR	K650	K650	1972	650
	K650	K650 DNEPR	1967-74	650
	MT9	MT9	1974	650
DUCATI	400 MONSTER	400 MONSTER	2002	398
	400 SIE	400 S I E monster		398
	400 SS JUNIOR	400 SS	1989-96	398
	400SS	400SS	1992-95	398
	500 DESMO	500 Sport Desmo	1978	497
	500GTL	500GTL	1975-77	497
	500SL	PANTAH	1984	499
	600 MONSTER	600 MONSTER	1994-01	583
	600 MONSTER	DARK	1998-01	583
	600 S	600 SUPERSPORT	1994-97	583
	600M	600M	1994-01	583
	600SL	PANTAH	1980-84	583
	600SS	600SS	1994-98	583
	620 MONSTER LITE	M620 LITE	2003-07	618
	620 MULTISTRADA LITE	MTS620 24.5Kw	2005-07	618
	659 Monster	Monster 659	All	659
	DM 350	350	pre 85	350
	DM 450	450	pre 85	448
	DM450	DM450	1972	450
	DM500	DM500	1981-84	498
	F3	350 F3	1986-1989	349
	F4	400 F4	1986	400
	KA (Scrambler)	00AA Sixty2	2015-16	399
	M4	M620ie LITE	2003-04	620
	M5	Monster 659	2011	659
	MD	02AU	2017	659
ELSTAR SHINERAY	XY400	CAFÉ RACER	2018	397
	XY400	CAFÉ RACER F	2018	397
	XY400	CLASSIC C	2018	397
	XY400	SCRAMBLER C	2018	397
	XY400	WB400 & WB400c	2015-16	397

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
ENFIELD	BULLET	CLASSIC	1993-08	499
	BULLET	DELUXE	1993-08	499
	BULLET	ELECTRA ROAD	2006-08	499
	BULLET 350	DELUXE	1988-01	346
	BULLET 350	SUPERSTAR	1988-95	346
	BULLET 350	CLASSIC	1993-01	346
	BULLET 500	500	1995	499
	BULLET 65	ROAD	2003-04	499
	LIGHTNING	ROAD	2000-08	499
	MILITARY	ROAD	2002-08	499
	TAURUS	DIESEL	2001	325
FANTIC	CA50	Flat Track	2020-current	449
	CA50	Scrambler	2020-current	449
	CA50	Rally	2020-current	449
	TZ	EC300	2011-12	300
	TZ	Gas Gas EC30	2012	300
GAS-GAS	4E	EC 30	2017	299
	4E	EC25	2017	299
	4E (IPA 48807)	EC 30	2018	299
	CONTACT ES	280 ES	2018	272
	EC ENDURO	EC30	2016-17	299
	EC Series	EC300	2001-current	293
	EC Series	EC350F	2021-current	350
	EC400	FSE ENDURO	2002-03	399
	EC450	FSE ENDURO	2003-05	449
	EC450	FSE SUPERMOTARD	2003-08	449
	EC450	FSR ENDURO	2006-08	449
	FS 400	FS40A	2006	398
	FS 450	FS45	2006	443
	FS 500	FS50 (503)	2006-2009	503
	FSE 400	400	2002	398
	FSE 450	450	2003-08	398
	PAMPERA	320 TRAIL	1998-02	333
	PAMPERA	400 TRAIL	2006-08	399
	PAMPERA	450	2007-08	443
	SM400	SUPERMOTARD	2003-08	399
	SM450	SUPERMOTARD	2003-08	443
	TT300	EC300	1998-08	295
GILERA	NEXUS 500	NEXUS 500	2003-08	460
HARLEY DAVIDSON	SS350	Sprint	69-1974	350
	XGS SERIES	Street 500 -XG500 16MY	2014-15	494
	XGS SERIES	Street 500	2015-on	494
	XGS SERIES	XG500 17MY	2016-17	494
HONDA	600V TRANSALP	600V	1988	583
	BROS	BROS	1992	399
	C70	DREAM	pre 1970	305
	CB300 (FA)	CB300FA	2014-17	286
	CB300R	CBF300NA	2018-20	286
	CB350	CB350	1969	348
	CB350F	CB350F	1973	325
	CB360	CB360	1973-75	360
	CB400	CB400	1981 - 2013	395
	CB400 ABS	CB400 ABS	2008 - 2013	399
	CB400F	CB400F	1975-77	408
	CB400N	CB400N	1981	395
	CB400T	CB400T	1977	408
	CB450	CB450	1967-75	450
	CB500 FOUR	CB500-FOUR K,K1,K2	1971-73	498
	CB500 TWIN	CB500T	1974-78	498

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	CB500F	CB500FA/F	2012-19	471
	CB500X	CB500XA	2013-17	471
	CB550	CB550	1974-78	544
	CB650	CB650	All	650
	CB650F	CB650FA-LTD-16ym	2015-2017	649
	CBR300R	CBR300R	2014-15	286
	CBR300R	CBR300RA	2014-15	286
	CBR500R	CBR500RA	2012-19	471
	CBR650F	CBR650F LAMS (CBR650FL)	2015-2019	649
	CBR650R	CBR650R	2019	649
	CBX550	CBX550F	1982-85	572
	CJ360	CJ360	1976	356
	CL450	CL450	1965-77	444
	CL500A	CL500	2023-on	471
	CMX500	CMX500	2017-on	471
	CMX500A	CMX500A	2016-20	471
	CRF150	150R/RB	All	149
	CRF300	CRF300 Rally	2020	286
	CRF300	CRF300L	2020	286
	CRF400R	CRF400R	2013	399
	CRF450L	CRF450L	2018	449
	CRF450L	CRF450L2019YM	2018	449
	CRF450X	CRF450X	2005-09	449
	CX500	CX500	1979	500
	CX500	CX500	1977-82	495
DEAUVILLE		NT650V	2002-06	647
FJS400A		SW-T400	2009	399
Fortza 300		NSS300 Forza	All	279
FT500		FT500	1984	498
FTS600D		SILVERWING	2006-08	582
GB400		GB400	All	399
GB500		GB507	1987-91	498
GL400		GL400	1985	396
NF02		SH300	2009	279
NSS300		NSS300	2013	279
NSS350		NSS350 Forza	2020	330
NT400		NT400	1989-92	400
NT650V		DEAUVILLE	2003-06	647
NTV650		REVERE	1989-92	647
NX650		DOMINATOR	1988-00	644
OBI RVF400		OBI RVF400 Otobai import model only	All	400
VFR400				
PCX150		PCX150	153	
REVERE		REVERE	1990	647
SL350		SL350	1972	348
Steed		steed	2002	398
VT400		VT 400	All	398
VT400C		SHADOW	2009	399
VT500		VT500	1983-87	491
VT600C		VT600C	1993-00	583
VT600C		SHADOW VLX	1988-2008	583
XBR500		XBR500	1986-89	499
XBR500SH		XBR500	1986-89	499
XL350		XL350	1984-87	339
XL500		XL500	1979-84	498
XL600R		XL600R	1984-87	589
XL600RMG		XL600RMG	1986-88	591
XL600VH		TRANSALP	1987-89	583
XL650		TRANSALP	2005	647
XL650V		TRANSALP	2002-08	647
XR250		XR250R	All	
XR350		XR350	1983	339
XR350R		XR350R	1983-84	339
XR350R		XR350R	1985-86	353

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	XR400	XR400	1996-08	397
	XR400 MOTARD	XR400M	1996-08	397
	XR400R	XR400R	1996-08	397
	XR500R	XR500R	1983-84	498
	XR600R	XR600R	1985-00	591
	XR650L	XR650L/ XR650R	2001-06	644
	XR650R	XR650R Kss and Mss (only)	2004-05	649
	XR650R	XR650R (Australian version only)	1999-2001	649
HUNTER	DD350E-2	BOBBER	2011-13	320
	DD350E-6C	DAYTONA	2010-13	320
	DD350E-6C	SPYDER	2010-13	320
HUSABERG	FE01	FE450 MY05 (Ab)	2004	449
	FE01	FS650 MY05 (Db)	2004	628
	FE350	ENDURO	All	350
	FE400	ENDURO	All	399
	FE450	ENDURO	2008-14	449
	FE501	ENDURO	2012-14	510
	FE501E	ENDURO	1997-12	501
	FE570	ENDURO	2008-10	565
	FE600E	ENDURO	1997-00	595
	FE650E	ENDURO	2004-08	628
	FE650E	ENDURO	2000-04	644
	FS450	SUPERMOTARD	2008-10	449
	FS450E	ENDURO	2004	449
	FS570	SUPERMOTARD	2009-10	565
	FS650C/E	SUPERMOTARD	2004-08	628
	FS650E	SUPERMOTARD	2002-04	644
	TE300	TE Series	2010-14	293
HUSQVARNA	300WR	WR300	2008-12	298
	310TE	TE310 A3	2009-13	303
	310TE	TE310 A2	2008-10	298
	350TE	TE350	1995	349
	400SM	SUPERMOTARD	2002-04	400
	400TE	ENDURO	2000-01	400
	410TE	ENDURO	1998-00	400
	410TE	ENDURO	1994-97	415
	450SM/R/RR	SUPERMOTARD	2003-08	449
	450TC	MOTOCROSS	2001-08	449
	450TE	ENDURO	2001-07	449
	450TE-IE	ENDURO	2007-08	449
	450TXC	TRAIL	2007-08	449
	510SM	SUPERMOTARD	2006-10	501
	510TC	MOTOCROSS	2004-07	501
	510TE	ENDURO	1986-2008	510
	510TE-IE	TE510IE	2008	510
	570TE	570TE(RP)	2000	577
	610SM	SUPERMOTARD	2000-08	577
	A6 SMR 449	A600AB	2010-12	450
	A6 SMR 511	A601AB	2010-12	478
	A6 SMR 511	A602AB	2012	478
	A6 TE 449	A600AATE449	2010-13	450
	A6 TE 511	A601AATE511	2010-13	478
	A8	0H11B 35kW	2013	652
	AE430	ENDURO	1986-88	430
	FE	FE350	2014-on	350
	FE	FE450	2014 on	449
	FE	FE450	2016-17	450
	FE	FE501	2014 on	501
	FE	FE501	2016-17	510
	Pilen Series	VP 401	2018-on	373
	Pilen Series	SP 401	2018-on	373
	SMR449	SMR449	2011	449.6
	SMR511	SMR511	2012	447.5
	SMS630	A401AB SMS630	2010-on	600
	TE	TE300	2014 on	298

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	TE	TE300	2016-17	293
	TE449	Enduro 2014	2013	449.6
	TE510 (A2)	Enduro 2013	2006-2013	477.5
	TE610	TE610(RP), dual sports	2000 on	577
	TE630	A401AA TE630	2010-on	600
	TR650	TR650 Terra	2013	652
	TR650 Strada	0H11F 35kW	2013-on	652
	TR650 Terra	0H11B 35kW and 0H11D 35kW	2013-on	652
	WR260	ENDURO	1990-91	260
	WR300	ENDURO	2010-13	293
	WR360	ENDURO	1991-03	349
	WR400	ENDURO	1984-88	396
	WR430	ENDURO	1988	430
HYOSUNG	GT650 EFI	GT650EFI Lams	All	647
	GT650R EFI	GT650R EFI Learner	All	647
	GV650C/S	Lams model	All	647
INDIAN	VELO	VELO	1969	500
JAWA	350	350	1974	350
	634 ROAD	634 ROAD	1984-85	343
	638 ROAD	638 ROAD	1985-86	343
JONWAY	MALIBU	MALIBU 320	2012	320
KAWASAKI	BR250E	Z250SL/Z250SL ABS		
	EN400	Vulcan	1986	400
	EN450	450LTD	1985-87	454
	EN500	Vulcan	1990-02	500
	EN650B	Vulcan S ABS/ABS L	2014-current	649
	EN650B	EN650E ABS L 1&2	2016-17	649
	ER300B	ER300B (Z300 ABS)	2015-on	296
	ER-5	ER500	1999-06	498
	ER-650C	ER-6nL	2009	649
	ER-650C	ER-6nL ABS	2009-11	649
	ER650F	ER-6nL ABS learner model	2012-2016	649
	ER650H	ER650H LAMS (Z650L)	2016-17	649
	ER650H	ER659K LAM (Z650L)	2019	649
	ER650H	ER650M LAMS (Z650RS)	2021-on	649
	ER650H	ER650R L	2023-on	649
	ER650H	ER650S L	2021-on	649
	EX300A (Ninja 300)	EX300B Ninja/ special (A&B)	2012-16	296
	EX300B	EX300B	2015-2018	296
	EX400	GPX 400R	1987-94	399
	EX400G	Ninja 400 & EX400G	2018 - on	399
	EX400G	KAWASAKI	2018	399
	EX400G	Z400 and ER400G	2019	399
	EX650F	Ninja 650L (2012)	2011	649
	EX650K	EX650S L	2021-on	649
	EX650K (LAMS)	Ninja 650 L	2016-current	649
	GPZ550	GPZ550	1981-90	553
	GT550	Z550	1984-88	553
	KL600	KLR600	1984-87	564
	KL650	KLR650	1987-99	651
	KL650E	KLR650	2013-2016	651
	KLE300C	KLE300C VERSYS-X 300	2017	295
	KLE500	DUAL SPORTS	1992-08	498
	KLE500	KLE500	1992-2008	498
	KLE650F	Versys 650L ABS	2014-current	649
	KLE650F	KLE650F ABS L & ABS L MY17	2016-current	649
	KLE650F	KLE650H L	2021-current	649
	KLR600	KL600	1984-87	564
	KLR650E	KL650E	1987-2012	651
	KLX150	KLX150E/KLX150 L	All	

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	KLX250S	KLX250S	All	249
	KLX300R	KLX300R	1996-04	292
	KLX400	KLX400	2003	400
	KLX450R	KLX450R	2007-16	449
	KLX650	KLX650	1989-95	651
	KLX650R	ENDURO	1993-04	651
	KZ400	KZ400	1974-84	398
	KZ440	KZ440	1985	443
	KZ500	KZ500	1979	497
	KZ550	KZ550	1986	547
	LE650D	Versys 650L ABS	2010	649
	LE650D	Versys 650L ABS	2011-14	649
	LTD440	LTD440	1982	443
	LX400	LX400 Eliminator	1989	398
	Ninja 650	Ninja 650RL ABS	2009-11	649
	Ninja 650	Ninja 650L ABS	2011-16	649
	Ninja 650 L model	Ninja 650RL	2009	649
	S2	S2	1972	346
	S3	S3	1974	400
	W400	EJ400AE	2006-09	399
	Z400B2	KZ400B2	1979	398
	Z400D	KZ400D	1975	398
	Z500	Z500	1980	498
	ZR550	ZEPHYR	1991-99	553
	ZZR400	ZZR400	1991	399
	ZZR400	ZZR400	1992	399
KTM	125 EXC	125 EXC	All	125
	2T-EXC	300 EXC	2012-2017	293
	300 exc	300exc	All	300
	300EXC	ENDURO	84-2011	293
	300EXC-E	ENDURO	2007-08	293
	300GS	ENDURO	1990-95	280
	350EXC Special-R	ENDURO	2005-06	350
	350EXC-F	ENDURO	2011-on	347
	360EXC	ENDURO	1996-98	360
	380EXC	ENDURO	2000	368
	390 Duke	390 Duke	All	390
	400EXC	ENDURO	2008-11	393
	400GS	ENDURO	1993-99	400
	400SC	400SC	1996-98	400
	400TE	400TE	2001	400
	450EXC	ENDURO	2002-07	448
	450EXC	ENDURO	2005-11	449
	450EXC	ENDURO	2011-on	449
	4T-EXC RACING	350 EXC-F	2012-on	350
	4T-EXC RACING	450 EXC	2012-on	449
	4T-EXC RACING	500 EXC	2012-on	510
	500EXC	ENDURO	2011-on	510
	500GS	ENDURO	1984-91	553
	510EXC	ENDURO	1999-02	510
	520EXC	ENDURO	2000-02	510
	525EXC	ENDURO	2002-05	510
	525EXC-R	ENDURO	2005-07	510
	530EXC	ENDURO	2008-11	510
	600 ENDURO	ENDURO	1987-93	553
	600 ENDURO	ENDURO	1989-90	553
	INCAS			
	625SMC	625SMC	2004	609
	640 4T -EGS	640 LC4-EMY04	2004-05	625
	640 4T -EGS	640 LC4-MY05	2004-05	625
	660 SMC	4T-EGS	2004	654
	Adventure	390 Adventure	2020-on	373
	Freeride	Freeride (MY12 on)	2012	350
	IS DUKE	390 DUKE (C3)	2013	373
	IS RC	RC 390	2016-17	373

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	Rally	450 RALLY	2017-current	449
	Rally	690 RALLY	2017	654
	RC390	RC390	all	390
KYMCO	AGILITY 300	T4 (300)	2020	276
	All model	All models		under 300
	DT Series	DT X360/E70000	2021-on	321
	V2	Downtown 350i (V200010, V20020, V20030, V23010-V23000, C71100))	2015-20	321
	XCITING S 400	D62001 & D62000	2019-20	400
	X-Town	KS60A (300i)	2016-17	276
LAMBRETTA	All model	Lambretta	pre 2008	under 660
LARO	DD350E-6C	Pro Street 350	2011	320
	SPT series	SPT350	2011	320
LAVERDA	500	500	1979	497
LIFAN	All model	All models	2009-10	under 300
LIFENG	Regal Raptor	CRUISER 350	2011	320
MAICO	Enduro	500E	1984-88	488
MATCHLESS	G12	G12	pre 1966	646
	G80	HARRIS	1988-90	494
	G80	G80	pre 1963	497
MCI	All models	All models under 250	all	250
MBK	FALCONE	YAMAHA XT660R/X	2005-08	660
MONTESA	COTA 330	TRIAL	1985-86	328
	COTA 335	TRIAL	1986-88	327
	COTA 348T	TRIAL	1984-87	305
	COTA 350	TRIAL	1984-85	349
MOTO GUZZI	350 GT	350 GT	1992	350
	Falcone	Falcone	1972	498
	V35	V35	1977-90	346
	V50	V50	1977-79	490
	V50	Monza	1980-85	490
	V65	V65	1982-94	643
	V65	Lario	1984-89	643
MOTO MORINI	3.5 ROAD	3.5 ROAD	1984-85	344
	350 SPORT	350 SPORT	1974-85	344
	500 CAMEL	TRAIL	1984-86	479
	500 SEI	500 SEI	1984-85	479
	500 STRADA	500 STRADA	1977-85	479
MUZ	BAGHIRA	ENDURO	1999-02	660
	MASTIFF	SUPERMOTARD	1999-02	660
	SKORPION	REPLICA	1998-02	660
	SKORPION	SPORT	1998-02	660
	SKORPION	TRAVELLER	1998-02	660
	SKORPION	TOUR	1998-02	660
MV AGUSTA	350	350	1972-76	349
NORTON	650SS	650SS	1961-68	650
	ES2	ES2	pre 1963	490
	MANXMAN	b	1961	650
	MODEL 50	MODEL 50	1933-63	348
	MODEL 88	DOMINATOR	pre 1966	497
	NAVIGATOR	NAVIGATOR	1964	350
PANTHER	MODEL 100	600	pre 1963	598
	MODEL 120	650	pre 1966	645
PEUGEOT	GEOPOLIS	AEAA	2007-08	399
	SATELIS	AEAA	2007-08	399
	SATELIS	AFAA	2007-08	493
PGO	All models	All models under 220	All	220
PIAGGIO	All Models	All models	2010-17	under 350
	PSI M59 (MP3 400)	M59101 (400ie RL)	2006-08	399
	PSI M52	M52101 XEVO 400ie	2006-08	399
QJ MOTORCYCLES	BJ60	BJ60	All	600
	P25	BJ600	All	600

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
RICKMAN	650	Triumph	1964	649
RIEJU	MR5E	MR300 ENDURO	2020	293
	MR5E	MR300 ENDURO PRO	2020	293
RIYA	RY300T (RY)	RY300T	2012-15	288
ROYAL ALLOY	GP300	GP300		278
ROYAL ENFIELD	All models under 660	All models under 660	till 2014	
	Classic 350		2016-on	349
	CNEX	CNEG	2018	648
	CNEX	CNEH	2018	648
	CNEX	CNEG (CONTINENTAL GT 650)	2018-19	648
	CNEX	CNEH (INTERCEPTOR GT 650)	2018-19	648
	CNEX	Super Meteor 650	2023-on	648
	CNEX	Super Meteor 650 Touring	2023-on	648
	D4A5C	Himalayan	2016-2019	411
	D4A5C EFI	Himalayan	2019-20	411
	D4A5C or D4A5C EFI	Scram 411	2022-on	411
	Hunter 350		2022-on	349
	Meteor	Meteor 350	2020-current	349
	UMI BULLET	U3S	2015-19	346
	UMI BULLET	BULLET 500 CKE	2015-19	499
	UMI CONTINENTAL	CONTINENTAL GT	2015	535
RS HONDA	XR400M	MOTARD	2005-08	397
RUDGE WHITWORTH	650	Rudge	pre 1961	650
SHERCO	S4	ENDURO 450	2007-2010	448
	S4	ENDURO 510	2007-2010	510
	S4	ENDURO 300	2010	290
	S6	300 2ST	2016-17	293
	S6	300 4ST	2015-on	303
	S6	450 4ST	2015-on	449
	S6	480ST	2021-on	479
SUZUKI	AN400	AN 400	2016-17	400
	AN400	BURGMAN	2008-14	400
	AN400	AN400	2018	400
	AN650	BURGMAN	2002-15	638
	Burgman 400ABS	Burgman 400ABS	All	400
	Burgman 650	Burgman 650	All	638
	DL650	DL650 AUE & DL650X AUE	2016-20	645
	DL650AUE	V Strom	2013-2015	649
	DL650XAUE	V-Strom 650 XT learner approved	2014-15	645
	DR350	All	1991-98	349
	DR400	DR400	1999	400
	DR500	All	1981-84	498
	DR600R	DR600R	1985-90	598
	DR650	All	1990-08	644
	DR650SE	DR650SE	1997-19	644
	DR650SE	DR650SE	2018	644
	DR-Z250	DR-Z250	All	249
	DR-Z400E	DR-Z400E	All	398
	DR-Z400E	DR-Z400E	2018	398
	DR-Z400E	DR-Z400 (2006 MY~)	2018	398
	DR-Z400E	DR-Z400	2018	
	DR-Z400S	DR-Z400S	2005-14	398
	DR-Z400SM	DR-Z400SM	2005-17	398
	GN400	GN400	1980-81	400
	GR650	All	1983-88	651
	GS400	GS400	1976-82	400
	GS450	All	1981-89	450
	GS500	GS500	2000-13	487
	GS500E	GS500E	1976-99	492
	GS500F	GS500F	2003-13	487

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	GS550	All	1977-82	549
	GSR400	GSR400	2006-08	398
	GSX400	F	1981-04	398
	GSX400	E	1981-84	398
	GSX650F	GSX650 /FU	2008-12	656
	GT380	GT380	1973-78	380
	GT500	GT500	1976-78	500
	GT550	GT550	1973-78	550
	KATANA 550	KATANA 550	1981-83	550
	LS650	Boulevard S40	2015-17	652
	LS650	SAVAGE	1986-89	652
	LS650	LS650	2018	652
	LS650	LS650	2018	652
	MY18	SV650	2018	
	MY18	SV650AUL8	2018	
	PE400	PE400	1980-81	400
	RE5	ROTARY	1974	500
	RMX450 (market name RMX450Z)	RMX450	2014-15	449
	SFV650U	SFV650U	2009-17	645
	SP370	ENDURO	1978	370
	SV650-3	SV650 UA	2015-2017	645
	SV650S LAMS	SV650SU LAMs Gladius	2008/2013	645
	SVF650 (Market name- Gladius)	SVF650 U/UA	2009-2014	645
	T500	T500	1970-74	500
	TS400	TS400	1976	400
	XF650	FREEWIND	1997-01	644
SWM	A1	01/AA and 01/AB	2015-2017	600
	A2	01/AA	2016	300
	A2	03/AA and 03/AB	2016	500
	A3	00-01-02	2016	445
	B3	Silver Vase, Gran Milano	2019-20	445
SYM	All Models	All models under 400	2008-12	400
	LN	GTS 300i Sport	2015-16	278
TGB	All Models	All models under 300	2012	300
TM	3002T	ENDURO	2010	297
	300E	ENDURO	2000-08	294
	400E	ENDURO	2002-03	400
	4504T	ENDURO	2010	450
	450E	ENDURO	2003-08	449
	450MX	450MX	2008	449
	5304T	ENDURO	2010	528
	530E	ENDURO	2003-08	528
	530MX	530MX	2008	528
TRIUMPH	21	21	1963	350
	DAYTONA 500	DAYTONA 500	1970	490
	HD Series	HD418MY	2017	660
	L Series	TRIDENT	2020	660
	L Series	TIGER SPORT 660	2022-on	660
	Street triple	LAMs Street Triple 659 L67Ls7	2014	659
	T100	TIGER	pre-1970	498
	T120	BONNEVILLE	1959-1974	649
	TR5	TROPHY	1969	449
	TR6	TROPHY	1961 - 73	649
	TR7	TIGER	1971	649
	TRIBSA	TRIBSA	1960-70	650
UBCO	2018 2X2	UBCO	2018	
URAL	DNEPR	DNIEPNER	1974	650
	K650	K650	1967-74	650
	MT9	MT9	1974	650
	THRUXTON	THRUXTON	1965-67	499

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
VESPA	All Models	All models	until 1/09/2013	50-300
	GTS 300	GTS 300 (Super/Sport/Super Sport/Tech)	2008-on	278
	PSI M45	M45200 300 S/SS	2016-20	278
	PSI M45	M45202 300 ABS	2018-20	278
	PSI M45	M45710 300 S/SS	2018-20	278
	PSI M45	M45715 300 S/TECH	2019-20	278
	PSI M45	M45710 300	2018	278
	PSI M45	M45719 GTS 300 SS HPE	2020	278
	PSI M45	M45724 GTS 300 SG	2020	278
	PSI M45	M45200 300 S/SS M45202 300 ABS	2016-2018	278
	PSI M45	M45202 300 ABS	2018	278
	PSI M45	M452710 300 S/SS	Jul-05	278
	PSI MA3	MA330 300 E4 (GTS/SUPER/SS)	2016-17	278
VOR	400 ENDURO	400 ENDURO	2000	399
	450 ENDURO	450 ENDURO	2002	450
	500 ENDURO	500 ENDURO	2001	503
	530 ENDURO	530 ENDURO	2001	530
	VOR ENDURO	400SM	2000-01	399
	VOR ENDURO	500SM	2000-01	503
XINGYUE	XY400Y	XY400Y	2008-09	400
YAMAHA	CZD300 (X- Max300)	CZD300-A	2016-20	292
	DT400	DT400	1976-77	400
	FZ600	FZ600	All	600
	FZ6R	FZ6R	All	600
	IT426	IT426	1987	426
	IT465	IT465	1987	465
	IT490	IT490	1983	490
	MT 07	MT07 LAMS, MTN660-A	2015-on	655
	MT 07	MT07, MTN660	2015-on	655
	MT-03	MT03	2011 on	660
	MT-07	MT-07 LAMs	2015-19	655
	MTM660	XSR700	2016-on	655
	MTM660	XSR700	2017-20	655
	MTN320	MTN320-A	All	321
	MTT660-A	RM 161	2016-17	655
	MX400	MX400	1976	400
	RD350	RD350	to 1975	350
	RD400	RD400	1976	398
	RT2	RT2	1970	360
	RT350	RT350	1972	347
	SR400	SR400	All	400
	SR500	SR500	1978-1981	499
	SRX400	SRX400	1985-90	400
	SRX600	SRX600	1986-96	608
	SZR660	SZR660	1997	659
	T MAX	Tmax 530	All	530
	Tenere	Tener	All	660
	Tricity 300 (MWD300)	Tricity 300 (MWD300)	2020- current	292
	TT350	TT350	1986-01	346
	TT500	TT500	1975	500
	TT600	TT600	All	595
	TT600E	TT600E	All	595
	TT600R	TT600R	All	595
	TX650	TX650	1976	653
	WR400F	WR400F	1998 - 2000	399
	WR426F	Belgarda import ONLY	2001	426
	WR450F	WR450F	All	450
	WR450F	WR450F (2GC)	All	449
	XJ550	XJ550	1981-82	528
	XJ6	XJ6FL/NL (25kW & 35kW)	All	600
	XJ6	XJ6SL (25kW)	All	600
	XJR400	ZJR400	1999	400

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	XJR400	4HM	2003	399
	XP500	XP500	All	499
	XP500	XP500	All	530
	XS360	XS360	All	359
	XS400	XS400	All	391
	XS650	XS650	1972-1984	653
	XSR700	RM131	2015-17	655
	XT250	XT250	All	249
	XT350	XT350	All	346
	XT500	XT500	All	499
	XT550	XT550	All	552
	XT600	XT600	All	590
	XT660R	XT660R	All	659
	XT660X	XT660X	All	659
	XT660Z T N R	XT660Z	All	660
	XTZ660	XT660Z Tenere	All	659
	XV400	XV400 Virago	1983	399
	XV535	XV535 Virago	All years	535
	XVS400	XVS400 Dragstar	2001-08	399
	XVS650A/custom	XVS650 custom and classic	All years	649
	XZ400	XZ400	1982	399
	XZ550	XZ550	1982-83	550
	YP400	MAJESTY	All	395
	YZF R3	YZF R3A	All	321
	YZF320-A	YZF320-A	2022-on	321
	YZF660		2021-current	649
ZHEJIANG	HT300T	Base	2015	275

An approved motor bike and motor trike must:

- Be the standard model and variant as specified on the above list; and
- Not be modified in any way that increases its power-to-weight ratio.

Schedule 2—Revocation

The *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2023 No 2* made on 4 July 2023.

(Gazette no.50, p.2152) is revoked.

Stuart Gilbert

DEPUTY REGISTRAR OF MOTOR VEHICLES

7 November 2023

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Application for the Renewal of Pipeline Licence—PL 15

Pursuant to section 65(6) of the *Petroleum and Geothermal Energy Act 2000* (the Act) and delegation dated 29 June 2018, notice is hereby given that an application for the renewal of Pipeline Licence PL 15 has been received from:

Santos Limited
Delhi Petroleum Pty Ltd
Santos Petroleum Pty Ltd
Beach Energy (Operations) Limited
Vamgas Pty Ltd
Santos Australian Hydrocarbons P/L

The application for renewal will be determined after 8 December 2023.

Pipeline Licence 15 extends from the South Australia/Queensland border to the Kerna manifold in the far-north of South Australia. It is approximately 3 kilometres in length.

Further information regarding the pipeline and its location can be found on the Department for Energy and Mining website at:
<https://www.energymining.sa.gov.au/industry/energy-resources/licensing-and-land-access/onshore-licensing/registers>

Dated: 7 November 2023

VINCE DUFFY
 A/Chief Executive
 Department for Energy and Mining
 Delegate of the Minister 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 26 October 2023 (Version 2023.15) in order to make the following minor or operational amendments:

- to remove irrelevant material relating to:
 - the Minimum Building Height (Metres) TNV spatial layer which has no policy functionality in the Code
 - the misapplication of the Local Heritage Place Overlay to adjacent parcels to a property at Semaphore following its subdivision.
 - to correct errors relating to:
 - incorrect date references in Historic Area Overlay – Historic Area Statements – City of Norwood, Payneham and St Peters – The Avenues Historic Area Statement (NPSP20)
 - missing performance assessed development policy (built form and character) for ‘outbuilding’ in the Open Space Zone
 - incorrect address details and the missing application of the Local Heritage Place Overlay over properties at Craighburn Farm.
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:
- a. Remove the spatial layer of the Minimum Building Height (Metres) Technical and Numeric Variation (TNV) from wherever it has been spatially applied.
 - b. In Part 6 – index of Technical and Numeric Variations, amend ‘Part 6.3 Building Heights (Metres)’ by deleting the table of minimum building heights (metres) and its associated heading ‘Minimum Building Height (Metres)’.
 - c. In Part 3 – Overlays, amend The Avenues Historic Area Statement (NPSP20) of the Historic Area Overlay by replacing the words ‘Late 1870s and 1900, 1900s and the 1920s, and inter-war’ with the words ‘Between the late 1870s and 1900, between the 1900s and the 1920s, and inter-war’.
 - d. In Part 2 – Zones and Sub Zones, amend ‘Table 3 - Applicable Policies for Performance Assessed Development’ of the Open Space Zone by inserting Open Space Zone ‘Built Form and Character PO 2.1, 2.2’ as applicable ‘Zone’ policy for Class of Development ‘Outbuilding’.
 - e. Amend the spatial layer of the Local Heritage Place Overlay so that it is not applied to 113 Semaphore Road, Semaphore (Lot 107, CT6287/369) and update the spatial layer of the Heritage Adjacency Overlay to reflect this change.
 - f. Amend the spatial layer of the Local Heritage Place Overlay so that it is applied to Lot 1934, Deposited Plan 133000, Craighburn Farm (New allotment, street address not yet available) and is linked to Heritage ID 3482. Update the spatial layer of the Heritage Adjacency Overlay to reflect this change.
 - g. In Part 11 of the Code in the table of Local Heritage Places applying to Mitcham replace the following row

156 Coromandel Parade (off Fergusson Avenue Craighburn Farm) CRAIGBURN FARM	External walls, windows and verandah and roof form of 'Craighburn Cottage', excluding pergola and covered walkway.; External walls, windows and verandah and roof form of 'Craighburn Cottage', excluding pergola and covered walkway. - External walls, windows and roof form of 'Craighburn Homestead', but excluding the rear of the building and front verandah (including roof, pylons and balustrade)	a e	3482
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With (arrange row in alphabetical order):

Lot 1934 Isla Way CRAIGBURN FARM and 47 Blackwood Park Boulevard CRAIGBURN FARM	External walls, windows and verandah and roof form of 'Craighburn Cottage', excluding pergola and covered walkway; External walls, windows and roof form of 'Craighburn Homestead', but excluding the rear of the building and front verandah (including roof, pylons and balustrade).	a e	3482
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- h. 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: 7 November 2023

SALLY SMITH
 Executive Director, Planning and Land Use Services
 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 26 October 2023 (Version 2023.15) 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.

3. 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:

i. 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 18 October 2023 and 31 October 2023 affecting the following spatial and data layers in the Code:

A. Zones and subzones

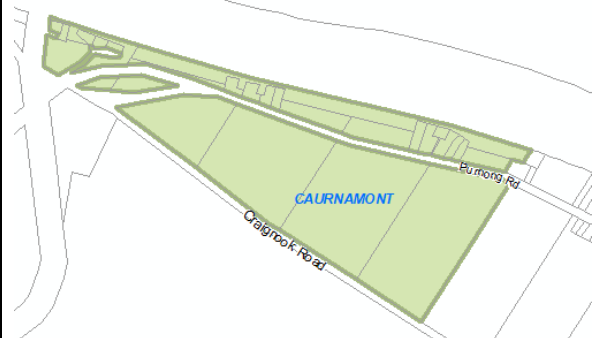
B. Technical and Numeric Variations

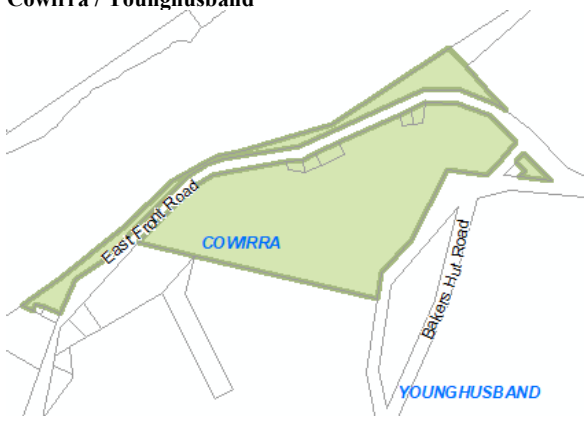
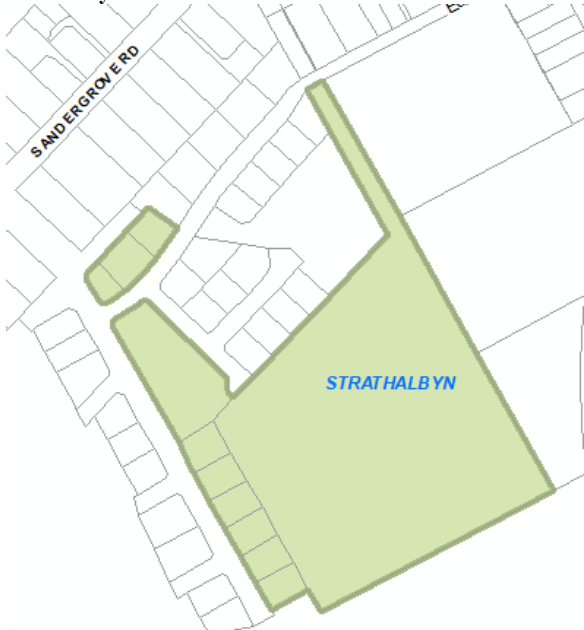
- Building Heights (Levels)
- Building Heights (Metres)
- Concept Plan
- Finished Ground and Floor Levels
- Interface Height
- Minimum Dwelling Allotment Size
- Minimum Frontage
- Minimum Site Area
- Minimum Primary Street Setback
- Minimum Side Boundary Setback
- Future Local Road Widening Setback
- Site Coverage

C. Overlays

- Affordable Housing
- Character Area
- Coastal Areas
- Defence Aviation Area
- Design
- Dwelling Excision
- Environment and Food Production Area
- Future Road Widening
- Hazards (Bushfire - High Risk)
- Hazards (Bushfire - Medium Risk)
- Hazards (Bushfire - General Risk)
- Hazards (Bushfire - Urban Interface)
- Hazards (Bushfire - Regional)
- Hazards (Bushfire - Outback)
- Heritage Adjacency
- Historic Area
- Limited Land Division
- Local Heritage Place
- Major Urban Transport Routes
- Noise and Air Emissions
- 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)
Caurnamont 	Zones Technical and Numeric Variations <ul style="list-style-type: none"> - Building Heights (Metres) - Finished Ground and Floor Levels

Location (Column A)	Layers (Column B)
Cowirra / Younghusband 	Zones and SubZones Technical and Numeric Variations <ul style="list-style-type: none"> - Building Heights (Metres) - Finished Ground and Floor Levels
Strathalbyn 	Zones Overlays <ul style="list-style-type: none"> - Affordable Housing - Environment and Food Production Area - Hazards (Bushfire – Medium Risk) - Hazards (Bushfire – Urban Interface) - Limited Land Division - Major Urban Transport Routes

- j. 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.
4. 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: 8 November 2023

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

ROADS (OPENING AND CLOSING) ACT 1991

SECTIONS 6 AND 34

NOTICE OF CONFIRMATION OF ROAD PROCESS ORDER

Road Closure—Public Road, William Creek

BY Road Process Order made on 1 November 2023, the Minister for Planning ordered that:

1. Portion of the un-named Public Road, situated adjacent Oodnadatta Track and adjoining the western boundary of Allotment 9 in Deposited Plan 32887, Out of Hundreds (Warrina), more particularly delineated and lettered ‘A’ in Preliminary Plan 23/0012 be closed.
2. Issue a Certificate of Title to the Outback Communities Authority for the whole of the land subject to closure in accordance with the Application for Document of Title dated 17 July 2023.

On 1 November 2023 that order was confirmed by the Minister for Planning conditionally upon the deposit by the Registrar-General of Deposited Plan 133009 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: 9 November 2023

B. J. SLAPE
Surveyor-General

2023/04105/01

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

**NOTICE OF CONFIRMATION OF
ROAD PROCESS ORDER**

Road Closure—Grove Road, Beetaloo Valley

BY Road Process Order made on 20 June 2023, the Northern Areas Council ordered that:

1. Portion of Grove Road, Beetaloo Valley, situated adjoining the southern boundary of Section 178, Hundred of Howe, more particularly delineated and lettered 'A' in Preliminary Plan 22/0046 be closed.
2. Transfer the whole of the land subject to closure to Suzanne Vida Scarman and Robert Sydney Scarman in accordance with the Agreement for Transfer dated 19 June 2023 entered into between the Northern Areas Council and Suzanne Vida Scarman and Robert Sydney Scarman.

On 1 November 2023 that order was confirmed by the Minister for Planning conditionally upon the deposit by the Registrar-General of Deposited Plan 132566 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: 9 November 2023

B. J. SLAPE
Surveyor-General

2022/16849/01

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

**NOTICE OF CONFIRMATION OF
ROAD PROCESS ORDER**

Road Closure—Old Port Wakefield Road, Virginia

BY Road Process Order made on 12 May 2023, the City of Playford ordered that:

1. Portion of Old Port Wakefield Road, Virginia, situated adjoining Allotment 20 in Filed Plan 114581, Hundred of Port Adelaide, more particularly delineated and lettered 'A' and 'B' in Preliminary Plan 22/0041 be closed.
2. Transfer the whole of the land subject to closure to Joe's Golden Gasoline Classic Imports Pty Ltd (ACN: 065 311 462) in accordance with the Agreement for Transfer dated 18 May 2023 entered into between the City of Playford and Joe's Golden Gasoline Classic Imports Pty Ltd (ACN: 065 311 462).

On 20 October 2023 that order was confirmed by the Minister for Planning conditionally upon the deposit by the Registrar-General of Deposited Plan 132483 being the authority for the new boundaries.

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

Dated: 9 November 2023

B. J. SLAPE
Surveyor-General

2022/11664/01

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

**NOTICE OF CONFIRMATION OF
ROAD PROCESS ORDER**

Road Closure—Public Road, Rocky Gully & Monarto

BY Road Process Order made on 8 December 2021, the Rural City of Murray Bridge ordered that:

1. The Public Road, Rocky Gully & Monarto, situated in the Hundreds of Mobilong & Monarto, more particularly lettered 'M', 'N', 'P', 'Q', 'T', 'U', 'V', 'W', 'X', 'Y' and 'Z' in Preliminary Plan 17/0006 be closed.
2. Transfer the whole of land subject to closure lettered 'M', 'N', 'P', 'Q' and 'T' to Minister for Climate, Environment and Water in accordance with the Agreement for Transfer dated 18 July 2023 entered into between the Rural City of Murray Bridge and Minister for Climate, Environment and Water.
3. Transfer the whole of land subject to closure lettered 'U', 'V', 'W', 'X', 'Y' and the greater northern portion of 'Z' to Royal Zoological Society of South Australia Inc in accordance with the Agreement for Transfer dated 1 August 2023 entered into between the Rural City of Murray Bridge and Royal Zoological Society of South Australia Inc.
4. Vest the whole of the land subject to closure lettered the lesser southern portion of 'Z' in the Crown.
5. The following easements are to be granted over portion of the land subject to closure:

Grant to the South Australian Water Corporation an easement for water supply purposes over the land marked 'P' in Deposited Plan 122491.

SOUTH AUSTRALIAN MOTOR SPORT REGULATIONS 2014

REGULATION 10

*Opening and Closing Time of the Declared Area***Notice by the Board**

PURSUANT to Regulation 10 of the *South Australian Motor Sport Regulations 2014* I, Mark Warren, Chief Executive of the South Australian Motor Sport Board to whom the administration of that regulation has been committed, hereby fix the following opening and closing times in respect of declared areas for each day of the declared period for the 2023 VAILO Adelaide 500:

Day	Opening Time	Closing Time
Thursday, 23 November 2023	8:00am	12 midnight
Friday, 24 November 2023	8:00am	12 midnight
Saturday, 25 November 2023	8:00am	12 midnight
Sunday, 26 November 2023	8:00am	12 midnight

Dated: 3 November 2023

MARK WARREN
Chief Executive
South Australian Motor Sport Board

SOUTH AUSTRALIAN SKILLS ACT 2008

Part 4—Apprenticeships, traineeships and training contracts

PURSUANT to the provision of the *South Australian Skills Act 2008*, the South Australian Skills Commission (SASC) gives notice that determines the following qualification and training contract conditions for the Higher Education Trade of Software Engineer aligned to the University of SA (UniSA) course titled Bachelor of Software Engineering (Honours), in addition to those published in past *gazette* notices.

*Trade/ Vocation/ Occupation	#Declared Other	Program Code	Program Title	Nominal Term of Training Contract	Probationary Period	Supervision Level Rating
Software Engineer *		LHSW (UniSA)	Bachelor of Software Engineering (Honours)	60	180	Medium

Dated: 6 November 2023

JOHN EVANGELISTA
Director, Traineeship and Apprenticeship Services
Department for Education

LOCAL GOVERNMENT INSTRUMENTS

CITY OF ADELAIDE

LOCAL GOVERNMENT ACT 1999

Conversion of Private Road to Public Road

NOTICE is hereby given pursuant to section 210 of the *Local Government Act 1999* that, at least three (3) months after the date of this notice, Council intends to declare the private road named “Charles Place” on Deposited Plan 13457 (which said private road commences on the eastern side of Charles Street (approximately 35 metres north of Rundle Mall) and runs in an easterly direction for approximately 29 metres) to be public road.

Dated: 3 November 2023

C. MOCKLER
Chief Executive Officer

CITY OF MITCHAM

LOCAL GOVERNMENT ACT 1999

Adoption of amended Community Land Management Plans

NOTICE is hereby given pursuant to Section 198(4) of the *Local Government Act 1999*, that the City of Mitcham at its Full Council Meeting on 12 September 2023 resolved to adopt the proposals for amended Community Land Management Plans for;

- Sport and Recreation Complexes
- Community Centres and Halls
- Windy Point Reserve
- Drainage Reserves
- Car Parks
- Outdoor Court Facilities
- Parks (Playgrounds)
- Landfill Reserves
- Conservation/Biodiversity Reserves
- Passive Reserves
- Active Reserves
- Bushland Reserves
- Screening Reserves
- Laneways and Pathways
- Kindergartens
- Lions Club of Blackwood - Blackwood Bargain Centre

The adopted Community Land Management Plan can be viewed at www.mitchamcouncil.sa.gov.au.

Dated: 2 November 2023

MATTHEW PEARS
Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Portion of Tennyson Street, Clearview

NOTICE is hereby given, pursuant to the *Roads (Opening and Closing) Act 1991*, that the City of Port Adelaide Enfield proposes to make a Road Process Order to close portion of Allotment (Road) 142 in Deposited Plan 2971 contained within Certificate of Title Volume 4206 Folio 278, being a portion of the public road known as ‘Tennyson Street’ at Clearview, that is more particularly delineated and lettered ‘A’ on Preliminary Plan No. 23/0025, and for the closed road to be merged with the adjoining land comprised in Certificate of Title Volume 6242 Folio 671 and described as Allotment 51 in Deposited Plan 124615.

A copy of the Preliminary Plan, and a statement of persons affected, are available for public inspection at the offices of the City of Port Adelaide Enfield, located at the Civic Centre 163 St Vincent Street Port Adelaide between the hours of 8.30am and 5.00pm, Monday to Friday, and at the Adelaide Office of the Surveyor-General located at Level 10, 83 Pirie Street Adelaide during normal office hours. The Preliminary Plan can also be viewed at www.sa.gov.au/roadsactproposals.

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. An 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 that is being applied for, 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.

An objection or an application for easement must be made in writing to the City of Port Adelaide Enfield at PO Box 110, Port Adelaide SA 5015 or via email to service@cityofpae.sa.gov.au WITHIN 28 DAYS OF THE DATE OF THIS NOTICE and a copy must be forwarded to the Surveyor-General at GPO Box 1815, Adelaide SA 5001 or DTI.RoadOpeningClosing@sa.gov.au.

Where an objection or application for an easement is received, the City of Port Adelaide Enfield will give notification of a meeting at which the matter will be considered.

Dated: 9 November 2023

M WITHERS
Chief Executive Officer

ADELAIDE HILLS COUNCIL

LIQUOR LICENCING (LIQUOR REVIEW) AMENDMENT ACT 2017

Short Term Dry Area Declaration (48 hours or less)

I, Natalie Armstrong, Acting Chief Executive Officer, for and on behalf of the Adelaide Hills Council, in accordance with section 131 of the *Liquor Licensing (Liquor Review) Amendment Act 2017* in effect from September 2018, hereby declare a short term dry area of 48 hours or less for the following community events.

Event: Woodside Christmas Pageant 2023

Event date/s: Thursday 14 December 2023

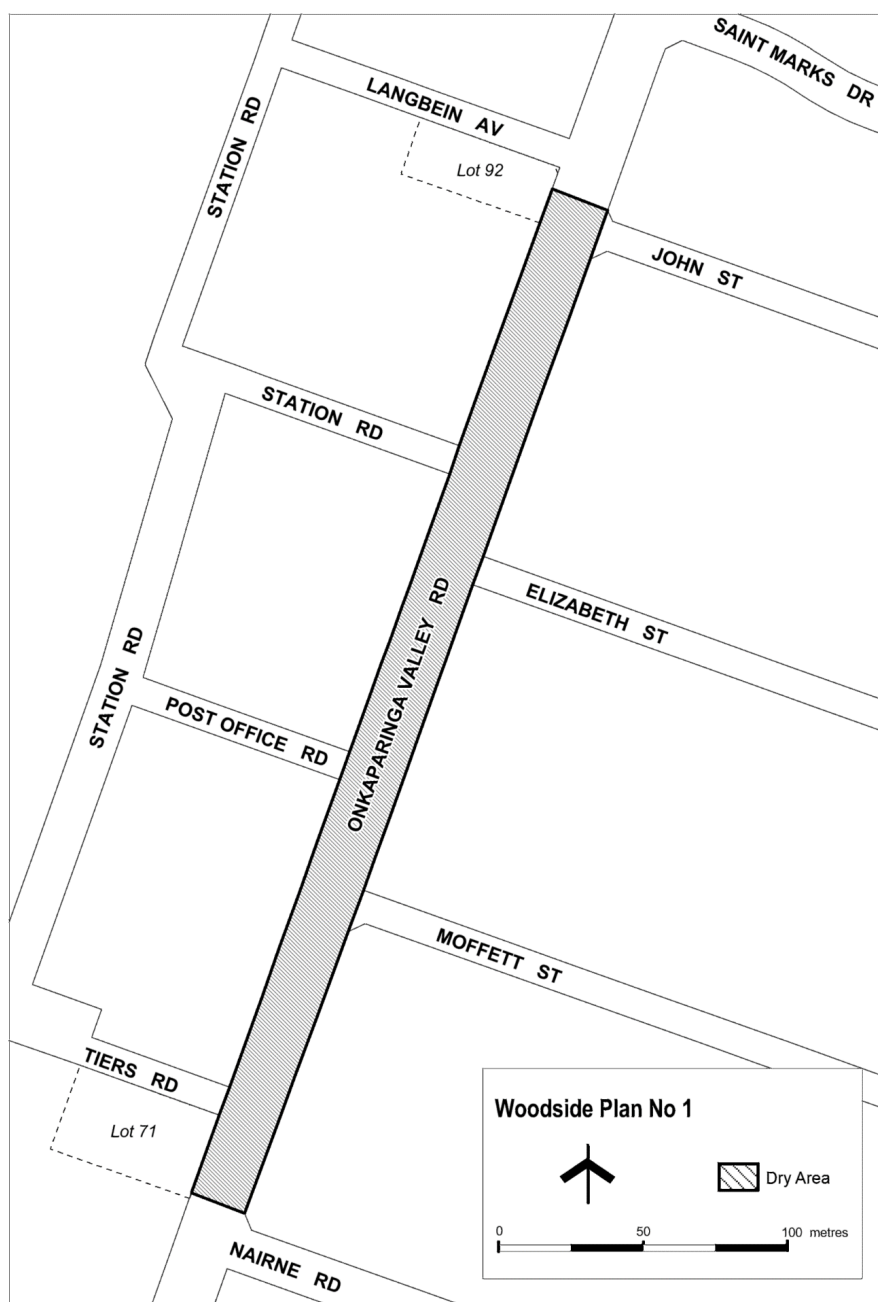
Period of prohibition: 5:00pm – 11:59pm

Extent of temporary dry area: Various roads around the Woodside township as shown in the attached map (written description included).

The Council and event organisers have declared a dry area to ensure the township remains ‘family friendly’ and to enable SA Police to proactively manage potential alcohol-related anti-social behaviour. A temporary dry area has been in place during this December period in recent years. It has been well received and is considered to have been a successful initiative.

Description of area:

The area in Woodside comprising Onkaparinga Valley Road between the prolongation in a straight line of the northern boundary of Nairne Road and the prolongation in a straight line of the northern boundary of John Street.



NATALIE ARMSTRONG
Acting Chief Executive Officer

DISTRICT COUNCIL OF MOUNT REMARKABLE

LOCAL GOVERNMENT ACT 1999

Vacancy in the Office of Willochra Ward Councillor

NOTICE is given in accordance with Section 54(6) of the *Local Government Act 1999* that a vacancy has occurred in the office of Willochra Ward Councillor, due to the resignation of Councillor Lesley Till, effective from 3 November 2023.

Dated: 6 November 2023

SAM JOHNSON OAM
Chief Executive Officer

PUBLIC NOTICES

NATIONAL ELECTRICITY LAW

Notice of Final Rule
Notice of Extension of Final Determination
Notice of Fast Track Rule Initiation
Notice of Extensions of Draft Determinations

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

Under ss 102 and 103, the making of the *National Electricity Amendment (Enhancing community engagement in transmission building) Rule 2023 No. 5* (Ref. ERC0357) and related final determination. All provisions commence on **5 December 2023**.

Under s 107, the time for the making of the final determination on the *Improving security frameworks for the energy transition* (Ref. ERC0290) proposal has been extended to **28 March 2024**.

Under s 95, the Australian Energy Market Operator has requested the *Calculation of system strength quantity* (Ref. ERC0375) proposal. The proposal seeks to change the way system that the strength quantity component of the system strength charge is calculated, so it reflects the adverse system strength impact cause by a new or altered connection. Under s 96A, the AEMC has decided to fast track this proposal.

Under s 107, the time for making the draft determination on the *Accommodating financeability in the regulatory framework* (Ref. ERC0348) proposal has been extended to **14 December 2023**.

Under s 107, the time for making the draft determination on the *Clarifying mandatory primary frequency response obligations for bidirectional plant* (Ref. ERC0364) proposal has been extended to **30 November 2023**.

Under s 107, the time for the making of the draft determination on the *Concessional finance for transmission network service providers* (Ref. ERC0349) proposal has been extended to **14 December 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: 9 November 2023

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

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

BING Jimmie Mark late of 13 Hill Street Elizabeth South Rigger who died 29 August 2022

BROWN Della Emily late of 5-11 Sirius Avenue Hope Valley of no occupation who died 8 April 2023

CHARTRES Raymond Francis late of 6 Irwine Street Wallaroo Retired Motor Mechanic who died 8 August 2023

GEBHARDT Peter Robin late of 1 Lawrie Terrace Waikerie Retired Labourer who died 15 June 2023

GOUGH Peter Edward late of Eleventh Street Port Pirie of no occupation who died 17 December 2021

MCLEAY John Arthur late of 43 High Street Strathalbyn Retired Park Ranger who died 7 December 2022

McLERNON Joan Eileen late of 1099 Grand Junction Road Hope Valley Retired Shop Assistant who died 14 April 2023

MITCHELL Eric William late of 9 East Terrace Windsor Yard Operative who died 27 September 2022

SANSOM Colin Gordon late of 492 Frith Road Cherry Gardens Retired Cabinet Maker who died 14 July 2023

WAKEHAM Agnes Rowley late of 20-36 Gardenia Drive Parafield Gardens of no occupation who died 30 June 2022

WALLACE Wayne Cameron late of 7 Laura Street Stepney of no occupation who died 2 September 2022

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 8 December 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: 9 November 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:

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- Name and organisation to be charged for the publication—Local Council and Public notices only
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All instruments appearing in this gazette are to be considered official, and obeyed as such