



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, TUESDAY, 16 MAY 2017

CONTENTS

Acts Assented To.....	1204	REGULATIONS (CONTINUED)	
Appointments, Resignations, Etc.....	1204	Construction Industry Long Service Leave Act 1987—	
Botanic Gardens and State Herbarium Act 1978—Notice.....	1204	(No. 41 of 2017).....	1263
Compulsory Third Party Insurance Premium Schedule		Courts Administration Act 1993 (No. 42 of 2017).....	1264
—Notice	1214	Education Act 1972 (No. 43 of 2017).....	1265
Corporations and District Councils—Notices.....	1297	Evidence Act 1929 (No. 44 of 2017).....	1268
Development Act 1993—Notices.....	1205	Fair Work Act 1994—	
Fisheries Management Act 2007—Notices	1208	(No. 45 of 2017).....	1269
Fisheries Management (Prawn Fisheries)		(No. 46 of 2017).....	1271
Regulations 2006—Notice.....	1208	(No. 47 of 2017).....	1273
Housing Improvement Act 2016—Notice	1216	Long Service Leave Act 1987 (No. 48 of 2017).....	1276
Liquor Licensing Act 1997—Notice.....	1217	Police Act 1998 (No. 49 of 2017).....	1278
Mining Act 1971—Notices.....	1209	Public Sector Act 2009 (No. 50 of 2017).....	1280
Petroleum and Geothermal Energy Act 2000		Return to Work Act 2014 (No. 51 of 2017).....	1282
—Notices	1213, 1220	Sheriff's Act 1978 (No. 52 of 2017).....	1284
Proclamation.....	1221	South Australian Employment Tribunal Act 2014—	
Public Trustee Office—Administration of Estates.....	1310	(No. 53 of 2017).....	1285
Recreational Greenways Act 2000—Notice	1213	(No. 54 of 2017).....	1287
REGULATIONS		Summary Procedure Act 1921 (No. 55 of 2017).....	1290
Work Health and Safety Act 2012 (No. 35 of 2017).....	1222	Supreme Court Act 1935 (No. 56 of 2017).....	1291
Harbors and Navigation Act 1993 (No. 36 of 2017).....	1224	TAFE SA Act 2012 (No. 57 of 2017).....	1292
Motor Vehicles Act 1959—		Work Health and Safety Act 2012 (No. 58 of 2017).....	1295
(No. 37 of 2017).....	1230	Remuneration Tribunal—Determination and Report.....	1204
(No. 38 of 2017).....	1242	Roads (Opening and Closing) Act 1991—Notice.....	1213
Passenger Transport Act 1994 (No. 39 of 2017).....	1246		
Marine Safety (Domestic Commercial Vessel)			
National Law (Application) Act 2013—			
(No. 40 of 2017).....	1250		

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

Department of the Premier and Cabinet
Adelaide, 16 May 2017

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

No. 15 of 2017—Industrial Hemp Act 2017. An Act to authorise and regulate the cultivation of industrial hemp; to make a related amendment to the Controlled Substances Act 1984; and for other purposes.

By command,

IAN KEITH HUNTER, for Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 16 May 2017

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

Panel Member: (from 16 May 2017 until 15 May 2020)
Anthony Dean Dellosio
Rebecca Antonia Hussey
Stavroula Kondopoulos
Christopher Ashleigh John Pilkington
Allan Peter Targett

By command,

IAN KEITH HUNTER, for Premier

HEAC-2017-00016

Department of the Premier and Cabinet
Adelaide, 16 May 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Tourism Commission Board, pursuant to the provisions of the South Australian Tourism Commission Act 1993:

Director: (from 16 May 2017 until 30 September 2017)
John Irving

By command,

IAN KEITH HUNTER, for Premier

17MTOUR0002

Department of the Premier and Cabinet
Adelaide, 16 May 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Carrick Hill Trust, pursuant to the provisions of the Carrick Hill Trust Act 1985:

Member: (from 16 May 2017 until 15 May 2020)
Peter Kennedy
Kylie Kerrigan
Kenneth Brian Lloyd
Deborah Alexandra Schultz

Presiding Member: (from 16 May 2017 until 15 May 2020)
Peter Kennedy

By command,

IAN KEITH HUNTER, for Premier

ASACAB005-02

BOTANIC GARDENS AND STATE HERBARIUM ACT 1978

Appointments

PURSUANT to Part 2 of Section 8 of the Botanic Gardens and State Herbarium Act 1978, I, the Hon Ian Hunter MLC, Minister for Sustainability, Environment and Conservation, Minister of the Crown to whom the administration of the Botanic Gardens and State Herbarium Act 1978 is committed, am pleased to appoint the following persons as members of the Board of the Botanic Gardens and State Herbarium:

Judith Potter (re-appointed from 1 July 2017 to 30 June 2019)

Jeffrey Roy Ellison (appointed from 1 July 2017 to 30 June 2020)

Dated 20 April 2017.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

DETERMINATION OF THE REMUNERATION TRIBUNAL

NO. 3 OF 2017

*Alternative Lease Vehicle for the
Honourable Justice Anne Bampton*

Determination

The Remuneration Tribunal hereby makes the following Determination:

1. Having considered the request, and having regard to Justice Bampton's family circumstances, as submitted, the Tribunal makes this specific Determination to allow Justice Bampton to be supplied with a Volkswagen Tiguan 110TSI Comfortline vehicle from Lease Plan (Fleet SA).
2. If the annual charge payable for a Volkswagen Tiguan 110TSI Comfortline vehicle is greater than the annual charge payable by Executives for a Holden Calais VF II V-Series Sedan, then Justice Bampton will be required to pay the difference between the amount determined from time to time by Fleet SA as the annual charge payable by Executives for a Holden Calais VF II V-Series Sedan, less the sum of \$758, and the amount determined from time to time by Fleet SA as the annual charge payable for a Volkswagen Tiguan 110TSI Comfortline vehicle, less the sum of \$758.
3. All other conditions of Determination No. 9 of 2016, as amended from time to time, will continue to apply.

Dated 11 May 2017.

J. LEWIN, President
P. ALEXANDER, Member
P. MARTIN, Member

REMUNERATION TRIBUNAL

REPORT RELATING TO DETERMINATION NO. 3 OF 2017

1. The Remuneration Tribunal ('the Tribunal') has received an application from the Honourable Justice Anne Bampton of the Supreme Court of South Australia to obtain a motor vehicle not listed in the Schedule of Judicial Remuneration Vehicles attached to Determination 9 of 2016¹ ('the Conveyance Allowance Determination'). Justice Bampton's application is made on the basis of family circumstances.

2. Justice Bampton is entitled to a Conveyance Allowance, payable at the rate provided for by Clause 2.1.1 of the Conveyance Allowance Determination. That amount of money is the higher of:

- (a) \$17 541; and
- (b) the amount determined from time to time by Fleet SA as the annual charge payable by Executives for a Holden Calais VF II V-Series Sedan, less the sum of \$758.

3. The Conveyance Allowance is provided to meet the costs of obtaining a lease vehicle provided by Fleet SA. A judicial officer may select a vehicle from the list of judicial vehicles, as updated from time to time by Fleet SA.

4. A judicial officer, court officer or statutory officer is able to make a request to put their Conveyance Allowance towards the cost of leasing a vehicle which is not featured on the list of judicial vehicles, as published by Fleet SA. Those requests are provided for by Clause 3.2 of the Tribunal's current Conveyance Allowance Determination, which is set out as follows:

3.2 *Alternative Vehicle*

'An alternative vehicle may be supplied where appropriate on the basis of environmental sustainability, a medical disability or the family circumstances of a Judge, Court Officer or Statutory Officer, but only where approved by the Remuneration Tribunal. The annual charge for the use of the vehicle will be calculated

on the same basis as the calculation made by Fleet SA for annual charges for use of motor vehicles by Executives.’

5. Having considered the request, and having regard to Justice Bampton’s family circumstances, as submitted, the Tribunal has no objection to the proposal. The Tribunal therefore makes the accompanying Determination 3 of 2017 to allow Justice Bampton to be supplied with a Volkswagen Tiguan 110TSI Comfortline vehicle from Lease Plan (Fleet SA).

¹. *Determination No. 9 of 2016—Conveyance Allowance for Judges, Court Officers and Statutory Officers.*

Dated 11 May 2017.

J. LEWIN, President
P. ALEXANDER, Member
P. MARTIN, Member

DEVELOPMENT ACT 1993, SECTION 25 (17): MOUNT BARKER DISTRICT COUNCIL NAIRNE AND ENVIRONS DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Nairne and Environs Development Plan Amendment (the Amendment) by the Mount Barker District Council has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Planning has decided to approve the Amendment.

NOTICE

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

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

Dated 11 May 2017.

JOHN RAU, Deputy Premier,
Minister for Planning

DEVELOPMENT ACT 1993: SECTION 48

Decision by the Governor

Preamble

1. On 26 November 2015, the Chief Executive, as delegate of the Minister for Planning, published in the *South Australian Government Gazette* a declaration under section 46 of the *Development Act 1993* (the Act) in respect of any development of a kind listed in Schedule 1 of that notice in the parts of the State listed in Schedule 2 of that notice.

2. A variation to the declaration was made and subsequently another notice was published in the *South Australian Government Gazette* on 15 September 2016.

3. On 22 September 2016, the Development Assessment Commission re-endorsed a Development Report as the appropriate level of assessment and re-endorsed guidelines with minor administrative amendments, to reflect the varied proposal.

4. A development proposed by Peregrine Corporation for a mixed use development at 270 The Parade, Kensington, consisting of a new mixed-use Peregrine head office with ground level retail/café spaces and lobby, office spaces including meeting rooms and a training theatre, a public restaurant and member’s lounge, gymnasium with pool and spa, up to fifteen short-stay accommodation suites for corporate guests, car parking, storage and associated landscaping, is the subject of a development application lodged in November 2016.

5. In accordance with the declaration referred to in paragraph 1 of this Preamble, the proposed development has been under consideration under Division 2 of Part 4 of the Act. The proposed development has been the subject of a Development Report and an Assessment Report under sections 46 and 46 C of the Act, and is hereafter referred to as the ‘proposed Major Development’.

6. I am satisfied that the Development Report and Assessment Report prepared in relation to the proposed Major Development

are appropriate and have had regard, when considering the proposed Major Development, to all relevant matters under section 48(5).

7. I have decided to grant a development authorisation to the proposed Major Development.

Decision

PURSUANT to section 48 of the *Development Act 1993* and with the advice and consent of the Executive Council, and having due regard to the matters set out in section 48(5) and all other relevant matters, I:

- (a) grant development authorisation in relation to the proposed Major Development under section 48(2)(b)(i), subject to the conditions set out below
- (b) specify under section 48(7)(b)(i) all matters which are the subject of conditions herein as matters in respect of which the conditions of this authorisation may be varied or revoked, or new conditions attached, and
- (c) specify for the purposes of section 48(11)(b) the period of three (3) years from the date of this development authorisation as the time within which substantial work must be commenced on site, failing which I may cancel this authorisation under section 48(11).

CONDITIONS OF DEVELOPMENT AUTHORISATION

General

1. The proponent shall carry out the development generally in accordance with:

- (a) Development application, prepared by Peregrine Corporation, dated 30 November 2015
- (b) Development Report, prepared by Fyfe Pty Ltd on behalf of Peregrine Corporation, dated 15 August 2016 (with supplementary covering letters dated 27 September 2016 and 16 August 2016), and
- (c) Response Document, prepared by Fyfe Pty Ltd on behalf of Peregrine Corporation, dated 10 February 2017.

2. For the purposes of section 48(11)(b) of the *Development Act 1993*, the proponent shall commence the development by substantial work on the site of the development within three (3) years of the date of this authorisation, failing which the authorisation may be cancelled.

3. The proponent shall have completed the development within six (6) years of the date of this authorisation, failing which the authorisation may be cancelled.

4. Should the project cease during the period between the commencement of earthworks and final completion the proponent will undertake all necessary steps to reinstate the land and make good.

5. That, except where minor amendments may be required by other relevant Acts or by conditions imposed by this application, the proposed Major Development for the Peregrine Corporation Mixed Use Major Development and associated infrastructure must be carried out in accordance with the details and following plans submitted:

Prior to obtaining compliance with the Building Rules

The following information shall be submitted for further assessment and approval by the Minister for Planning (or his delegate), prior to obtaining compliance with the Building Rules, consistent with the submitted plans:

6. Design development in consultation with the South Australian Government Architect (Department of Planning, Transport and Infrastructure) and State Heritage Unit (Department of Environment, Water and Natural Resources) to provide:

- (a) façade detailing, signage and materials selection, including a full materials board, to demonstrate how the ambition for the façade treatments as outlined in the design statement is achieved in practice, and
- (b) details of the façade construction including detailed engineering plans, to demonstrate how the ambition for the façade treatments as outlined in the design statement is achieved in practice.

Prior to the Commencement of Construction Works

All works shall be undertaken in accordance with the approved plans, drawings, specifications and other documentation provided (and approved by the Minister for Planning (or his delegate) where required) in accordance with condition 6 listed above.

The following information shall be submitted for further assessment and approval by the Minister for Planning (or his delegate), prior to the commencement of construction works at each individual stage:

7. Building Rules compliance, following assessment and certification by a private certifier, the City of Norwood, Payneham and St Peters or by a person determined by the Minister for Planning (or his delegate), as complying with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the *Development Regulations 2008*). For the purposes of this condition 'building work' does not include plant and equipment or temporary buildings that are not permanently attached to the land (refer to relevant Advisory Notes below).

8. Final detailed plans for all structures on site and of each component of the development (including site plans, floor plans, elevations, cross-sections, and other relevant specifications) and car parking configuration.

9. In consultation with the Government Architect, a detailed landscaping plan which demonstrates the maintenance and access strategies for the landscaping scheme.

10. Any excavation adjacent to roads shall be designed and undertaken in a manner that does not impact on the structural stability or safety of the roads. Any damage to road assets caused by the development shall be repaired to the satisfaction of the relevant road authority at the applicant's cost.

11. In consultation with the City of Norwood, Payneham and St Peters and the Department of Planning, Transport and Infrastructure, Planning and Transport Policy section (where appropriate), a Construction Environmental Management Plan developed in accordance with the Environment Protection Authority guideline 'Construction environmental management plans' 2016 (see http://www.epa.sa.gov.au/business_and_industry/environmental_planning/position-statements-and-guidelines).

The Construction Environmental Management Plan must incorporate measures to address (but not be limited to) the following matters:

- (a) a traffic management plan for the duration of demolition and construction that ensures the National Highway traffic on Portrush Road is not adversely impacted including:
 - (i) the retention of two lanes of vehicular traffic in each direction on Portrush Road at all times
 - (ii) the retention of pedestrian facilities on the eastern footpath of Portrush Road at all times
- (b) pedestrian safety and access around the site including site security, fencing, and maintenance of access to adjacent footpaths and bus stops
- (c) sequencing of development (including construction timelines for works on site and periods and hours of construction)
- (d) occupational health and safety matters
- (e) management of noise to ensure compliance with the *Environment Protection (Noise) Policy 2007*
- (f) management of air quality (including odour and dust) to ensure compliance with the *Environment Protection (Air Quality) Policy 2016*
- (g) management of groundwater and stormwater to ensure compliance *Environment Protection (Water Quality) Policy 2015* including identification of existing contamination, any required remedial works, and prevention of new contamination / pollution
- (h) management of soils including fill importation, stockpiling, identification of existing contamination, any required remedial works, and prevention of new soil contamination / pollution (such as from chemical use and storage, pest plants and pathogens)

- (i) waste management for all waste streams and overall site clean-up to ensure compliance with the *Environment Protection (Waste to Resources) Policy 2010*, and
- (j) use and storage of chemicals, oil, construction-related hazardous substances and other materials that have the potential to contaminate the environment (including proposed emergency responses).

During Construction Works and Prior to Operation of the Development

All works shall be undertaken in accordance with the approved plans, drawings, specifications and other documentation provided in accordance with conditions 7 to 11 listed above.

The following information shall be submitted for further assessment and approval by the Minister for Planning (or his delegate), prior to the operation of the development:

12. That the landscaping shown on the approved plans as required by Condition 9 shall be substantially installed prior to the operation of the development.

13. That all external lighting of the site, including pedestrian walkways, car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no unreasonable nuisance or loss of amenity is caused to any person beyond the site.

14. That all vehicle car parks, loading and unloading areas, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with the relevant Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks (or other such material as agreed to by the Minister for Planning (or his delegate)), in accordance with sound engineering practice and appropriately line marked. All vehicles shall be able to enter and exit the subject site in a forward direction.

15. That all stormwater design and construction shall be in accordance with Australian Standards to ensure that stormwater does not adversely affect any adjoining property or public road.

16. That all Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc.) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.

17. All road works on arterial roads, including any associated road drainage infrastructure, shall be designed and constructed to the satisfaction of the Department of Planning, Transport and Infrastructure with all costs (including design, construction, project management and any road lighting or stormwater upgrades) being borne by the applicant. The applicant shall enter into a Developer Agreement with the Department of Planning, Transport and Infrastructure regarding these works and is required to contact the Department of Planning, Transport and Infrastructure, Traffic Operations, Network Integrity Engineer, Mrs Christina Canatselis via 8226 8262 or christina.canatselis@sa.gov.au to progress this. All road works shall be completed prior to operation of the development.

18. The Parade access shall be limited to left turn in and left turn out movements only. This shall be achieved by the extension of the solid median on The Parade from the Portrush Road/The Parade intersection to Bowen Street at the cost of the proponent.

During Operation of the Development

19. Operations on the site shall be undertaken in accordance with all plans and details submitted as part of the Major Development Application in accordance with conditions 12-18 as listed above.

20. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.

21. All waste collection services and use of the loading areas by service vehicles should be limited to the following hours of operation:

- (a) 9 a.m. to 7 p.m. Sundays and public holidays, and
- (b) 7 a.m. to 7 p.m. all other days.

22. All waste bins shall be located within the designated bin presentation zone on Bowen Street. Bins shall be transported to the bin presentation zone prior to bin collection times, and then moved back to the waste enclosure as soon as practicable following bin collection.

Advisory Notes

1. Pursuant to Development Regulation 64, the applicant is advised that the City of Norwood, Payneham and St Peters or private certifier conducting a Building Rules assessment must:

- (a) provide to the Minister (or his delegate) a certification in the form set out in Schedule 12A of the *Development Regulations 2008* in relation to the building works in question, and
- (b) to the extent that may be relevant and appropriate:
 - (i) issue a Schedule of Essential Safety Provisions under Division 4 of Part 12,
 - (ii) assign a classification of the building under these regulations, and
 - (iii) ensure that the appropriate levy has been paid under the *Construction Industry Training Fund Act 1993*.

Regulation 64 of the *Development Regulations 2008* provides further information about the type and quantity of all Building Rules certification documentation for Major Developments required for referral to the Minister for Planning (or his delegate).

2. The City of Norwood, Payneham and St Peters or a private certifier undertaking Building Rules assessments must ensure the assessment and certification are consistent with this provisional development authorisation (including any Conditions or Advisory Notes that apply in relation to this provisional development authorisation).

3. Should the applicant wish to vary the Major Development or any of the components of the Major Development, an application may be submitted, provided that the development application variation remains within the ambit of the Development Report and Assessment Report referred to in this provisional development authorisation. If an application variation involves substantial changes to the proposal, pursuant to section 47 of the Development Act 1993, the applicant may be required to prepare an amended Development Report for public inspection and purchase. An amended Assessment Report may also be required to assess any new issues not covered by the original Assessment Report and a decision made by the Governor pursuant to section 48 of the Development Act 1993.

4. The applicant's Construction Environmental Management Plan should be prepared taking into consideration (and with explicit reference to) relevant Environment Protection Authority policies and guideline documents, including, but not limited to (and as amended from time to time):

- (a) the *Environment Protection (Air Quality) Policy 2016*
- (b) the *Environment Protection (Noise) Policy 2007*
- (c) the *Environment Protection (Water Quality) Policy 2015*
- (d) the *Environment Protection (Waste to Resources) Policy 2010*
- (e) the *Environment Protection (National Pollutant Inventory) Policy 2008*
- (f) the Standard for the Production and Use of Waste Derived Fill (2013) if applicable
- (g) the Bunding and Spill Management Guidelines (2012)
- (h) the Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry (1999)
- (i) Handbooks for Pollution Avoidance, and
- (j) any other legislative requirements, Guidelines and Australian Standards requiring compliance.

5. The Applicant is reminded that the operation of the development must be in accordance with the relevant Environment Protection Authority policies, including, but not limited to (and as amended from time to time):

- (a) the *Environment Protection (Air Quality) Policy 2016*
- (b) the *Environment Protection (Noise) Policy 2007*

- (c) the *Environment Protection (Water Quality) Policy 2015*, and
- (d) the *Environment Protection (Waste to Resources) Policy 2010*.

6. All works and activities must be undertaken in accordance with the General Environmental Duty as defined in Part 4, section 25(1) of the *Environment Protection Act 1993* (which requires that a person must not undertake any activity, which pollutes, or may pollute; without taking all reasonable and practical measures to prevent or minimise harm to the environment), relevant Environment Protection Policies made under Part 5 of the *Environment Protection Act 1993* and other relevant publications and guidelines.

7. The applicant is reminded of its obligations under the *Aboriginal Heritage Act 1988*, whereby any 'clearance' work that may require permission to disturb, damage or destroy Aboriginal Sites, must be undertaken with the full authorisation of the Minister for Aboriginal Affairs and Reconciliation, according to section 23 of the Act.

8. The applicant, and all agents, employees and contractors, such as construction crews, must be conversant with the provisions of the *Aboriginal Heritage Act 1988*, particularly the requirement to immediately contact the Department of Aboriginal Affairs and Reconciliation in the event that archaeological items (especially skeletal material) are uncovered during earthmoving.

9. The Minister for Planning (or his delegate) has a specific power to require testing, monitoring, auditing and reporting under section 48C of the *Development Act 1993*.

10. Signage on this site must be in accordance with the 'Advertising Signs Assessment Guidelines for Road Safety'.

11. The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from the Portrush Road frontage of this site for future upgrading of the Portrush Road/The Parade intersection, together with additional land at the Portrush Road/The Parade and Portrush Road/High Street corners. The consent of the Commissioner of Highways under the *Metropolitan Adelaide Road Widening Plan Act 1972* is required to all new building works located on or within 6.0 metres of the possible requirement.

As the development encroaches within the above requirements, the applicant will need to apply for consent for these under the *Metropolitan Adelaide Road Widening Plan Act 1972*. The applicant should fill out the necessary consent form and return it to the Department of Planning, Transport and Infrastructure with 3 copies of the approved plans and a copy of the Governor's Authorisation.

Given under my hand at Adelaide, 16 May 2017.

HIEU VAN LE, Governor

DEVELOPMENT ACT 1993: SECTION 48

Delegation of Power by the Governor

Preamble

1. I have granted a development authorisation pursuant to section 48 of the *Development Act 1993* for the development of the Peregrine Corporation mixed used development at 270 The Parade, Kensington which authorisation is published in the *South Australian Government Gazette* of 16 May 2017.

2. I wish to delegate certain of my powers under section 48 to the Minister for Planning.

Delegation

PURSUANT to section 48(8) of the *Development Act 1993* and with the advice and consent of the Executive Council, I delegate to the Minister for Planning:

- (a) my power under section 48(7a) to vary the development authorisation granted for the Peregrine Corporation's mixed used development at 270 The Parade, Kensington under section 48
- (b) in relation to the said development authorisation, or any variation thereof- my power to vary or revoke conditions, or to attach new conditions, under section 48(7)(b), and

- (c) my power to cancel the development authorisation under section 48(11) or in accordance with the terms of any of the conditions of the authorisation providing a right to cancel the authorisation.

Given under my hand at Adelaide, 16 May 2017.

HIEU VAN LE, Governor

FISHERIES MANAGEMENT ACT 2007: SECTION 78

Variation

TAKE notice that the Ministerial Permit MP0054 issued to Estuary Care Foundation, pursuant to Section 78 of the Fisheries Management Act 2007, dated 24 April 2017, is hereby varied by replacing the provisions for agents with the following provision.

Agents: Persons who are members or approved volunteers of the Estuary Care Foundation or members of the Port Adelaide Residents Environment Protection Group.

Date 5 May 2017.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT ACT 2007: SECTION 115

Variation

TAKE notice that the Ministerial Exemption ME9902928 issued to Associate Professor Simon Goldsworthy pursuant to Section 115 of the Fisheries Management Act 2007, dated 31 March 2017, is hereby varied by adding Blythe Island, Spencer Gulf, Longitude 136°29', Latitude -34°57' to Schedule 1.

Dated 11 May 2017.

S. SLOAN, Director,
Fisheries and Aquaculture Policy,

FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2006

Fishing Run for the Spencer Gulf Prawn Fishery

TAKE notice that pursuant to Regulation 9A of the Fisheries Management (Prawn Fisheries) Regulations 2006, the notice dated 21 March 2017, prohibiting fishing activities in the Spencer Gulf Prawn Fishery is hereby varied such that it will not be unlawful for a person fishing, pursuant to a Spencer Gulf Prawn Fishery licence to use prawn trawl nets in the areas specified in Schedule 1, during the period specified in Schedule 2 and under the conditions specified in Schedule 3.

SCHEDULE 1

The waters of the Spencer Gulf Prawn Fishery:

- (a) Except the Northern area, which is defined as the area north of the following index points:

1.	33°27.00'S	137°18.00'E
2.	33°27.00'S	137°28.50'E
3.	33°32.00'S	137°28.50'E
4.	33°32.00'S	137°31.00'E
5.	33°27.00'S	137°31.00'E
6.	33°27.00'S	137°33.00'E
7.	33°34.00'S	137°35.00'E
8.	33°37.00'S	137°33.00'E
9.	33°46.00'S	137°44.00'E

- (b) Except in the Southern Closure area, which is defined as the area of waters within the following index points:

1.	33°41.00'S	137°06.00'E
2.	33°52.00'S	137°15.00'E
3.	33°54.00'S	137°09.00'E
4.	33°59.00'S	137°12.00'E
5.	34°11.00'S	136°58.00'E
6.	34°14.00'S	136°58.00'E
7.	34°14.00'S	136°54.50'E

8.	34°18.00'S	136°54.50'E
9.	34°27.00'S	136°48.00'E
10.	34°27.00'S	136°54.00'E
11.	34°38.00'S	136°46.00'E
12.	34°38.00'S	136°33.00'E
13.	34°16.00'S	136°52.00'E
14.	34°16.00'S	136°42.00'E
15.	34°05.00'S	136°48.00'E
16.	34°05.00'S	136°41.20'E
17.	34°02.00'S	136°46.40'E
18.	34°02.50'S	136°46.70'E
19.	34°00.50'S	136°50.65'E
20.	33°50.00'S	136°42.00'E

- (c) Except the Wardang Closure area, which is defined as the waters within the following closure index points:

1.	34°10.00'S	137°28.28'E
2.	34°21.00'S	137°12.00'E
3.	34°45.00'S	137°15.00'E
4.	34°48.53'S	137°09.45'E
5.	34°48.53'S	137°06.00'E
6.	34°50.75'S	137°06.00'E
7.	34°54.00'S	137°01.00'E

SCHEDULE 2

Commencing at sunset on 25 April 2017 and ending at sunrise on 4 May 2017.

SCHEDULE 3

1. The co-ordinates in Schedule 1 are defined as degrees decimal minutes and based on the World Geodetic System 1984 (WGS 84).

2. No fishing activity may be undertaken between prescribed times of sunrise and sunset for Adelaide (as published in the *South Australian Government Gazette*, pursuant to the requirements of the Proof of Sunrise and Sunset Act 1923) during the period specified in Schedule 2.

3. Fishing must cease:

- (a) in the area north of the fishing area known as the 'Mid/North Gulf' (as described on page 48 of the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery) if the average catch per vessel, per night (based on the best information available to the committee at sea) drops below 500 kg.

- (b) in the area known as the 'Southern Gulf' area (as described on page 48 in the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery) if the average catch per vessel, per night (based on the best information available to the committee at sea) drops below 350 kg for two nights.

4. Fishing must cease in an area in the Mid/North Gulf if the average prawn bucket count for all vessels (based on the best information available to the committee at sea) exceeds 260 prawns per 7 kg; or in an area in the Southern gulf if the average bucket count for all vessels exceeds 260 prawns per 7 kg (based on the best information available to the committee at sea).

5. No fishing activity may occur without the authorisation of the Co-ordinator at Sea, Greg Palmer, or another Co-ordinator at Sea appointed by the Spencer Gulf and West Coast Prawn Fishermen's Association.

6. The authorisation of the Co-ordinator at Sea must be in writing, signed and record the day, date and permitted fishing area within the waters of Schedule 1 in the form of a notice sent to the fishing fleet or vary an earlier authorisation issued by the Co-ordinator at Sea.

7. The Co-ordinator at Sea must cause a copy of any authorisation for fishing activity or variation of the same, made under this notice to be emailed to the Prawn Fisheries Manager immediately after it is made.

8. The Co-ordinator at Sea must keep records of all authorisations issued pursuant to this notice.

Dated 25 April 2017.

S. SHANKS, Prawn Fisheries Manager

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Cu-River Mining Australia Pty Limited
 Location: Warrina area—Approximately 40 km north-east of Coober Pedy.
 Pastoral Leases: Mount Barry, Anna Creek
 Term: 2 years
 Area in km²: 565
 Reference number: 2017/00003

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices
 or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information
 or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: GMS Drilling Pty Ltd and Mikka Custodians Pty Ltd.
 Location: Coomooroo area—Approximately 15 km north-west of Orroroo.
 Term: 1 year
 Area in km²: 278
 Reference number: 2017/00010

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices
 or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information
 or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Southern Coal Holdings Pty Ltd
 Location: Lake Woorong area—Approximately 80 km south-west of Coober Pedy.
 Pastoral Leases: Mabel Creek
 Term: 2 years
 Area in km²: 493
 Reference number: 2017/00045

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices
 or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information
 or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Southern Coal Holdings Pty Ltd
 Location: Wirrida Outstation area—Approximately 80 km south-south-west of Coober Pedy.
 Pastoral Leases: Ingomar, Commonwealth Hill
 Term: 2 years
 Area in km²: 256
 Reference number: 2017/00046

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices
 or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information
 or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Rex Minerals (SA) Pty Ltd
 Location: Weetulla area—Approximately 20 km south of Moonta.
 Term: 2 years
 Area in km²: 122
 Reference number: 2017/00048

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices
 or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information
 or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Kelpie Exploration Pty Ltd and Rockwell Resources Pty Ltd

Location: Sherlock area—Approximately 30 km south-east of Tailem Bend.

Term: 2 years

Area in km²: 67

Reference number: 2017/00054

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices

or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
Department of the Premier and Cabinet,
Delegate of the Minister for Mineral
Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: OZ Exploration Pty Ltd

Location: Trimmer Inlet area—Approximately 80 km north-east of Woomera.

Pastoral Leases: Bosworth

Term: 3 years

Area in km²: 32

Reference number: 2017/00056

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices

or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
Department of the Premier and Cabinet,
Delegate of the Minister for Mineral
Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Cu-River Mining Australia Pty Limited

Location: Mount Brady area—Approximately 35 km south-east of Coober Pedy.

Pastoral Leases: Ingomar

Term: 2 years

Area in km²: 62

Reference number: 2017/00057

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices

or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
Department of the Premier and Cabinet,
Delegate of the Minister for Mineral
Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Trafford Resources Pty Ltd

Location: Irria Outstation area—Approximately 110 km south-west of Coober Pedy.

Pastoral Leases: Commonwealth Hill, Mobella, Mulgathing

Term: 2 years

Area in km²: 711

Reference number: 2017/00058

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices

or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
Department of the Premier and Cabinet,
Delegate of the Minister for Mineral
Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Trafford Resources Pty Ltd

Location: Garford Outstation West area—Approximately 120 km south-west of Coober Pedy.

Pastoral Leases: Mobella, Commonwealth Hill

Term: 2 years

Area in km²: 480

Reference number: 2017/00059

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices

or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
Department of the Premier and Cabinet,
Delegate of the Minister for Mineral
Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Trafford Resources Pty Ltd
 Location: Garford Outstation East area—Approximately 110 km southwest of Coober Pedy.
 Pastoral Leases: Commonwealth Hill, Mobella, Mabel Creek
 Term: 2 years
 Area in km²: 403
 Reference number: 2017/00060

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Curnamona Energy Limited
 Location: Frome area—Approximately 130 km north of Olary.
 Pastoral Leases: Frome Downs
 Term: 2 years
 Area in km²: 53
 Reference number: 2017/00061

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Havilah Resources Limited
 Location: Cutana area—Approximately 15 km east of Olary.
 Pastoral Leases: Bindarra, Bulloo Creek, Oulnina, Tikalina, Wiawera
 Term: 2 years
 Area in km²: 363
 Reference number: 2017/00062

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Trafford Resources Pty Ltd
 Location: Commonwealth Hill area—Approximately 115 km south-west of Coober Pedy.
 Pastoral Leases: Bulgunnia, Commonwealth Hill, Mulgathing
 Term: 2 years
 Area in km²: 624
 Reference number: 2017/00064

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Southern Exploration Pty Ltd
 Location: Commonwealth Hill area—Approximately 100 km north of Tarcoola.
 Pastoral Leases: Commonwealth Hill
 Term: 2 years
 Area in km²: 143
 Reference number: 2017/00066

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Daktyloi Metals Pty Ltd
 Location: Mount Havelock area—Approximately 130 km north-east of Port Augusta.
 Pastoral Leases: Mount Havelock
 Term: 2 years
 Area in km²: 20
 Reference number: 2017/00068

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Daktyloi Metals Pty Ltd
 Location: Arkaba Hill area—Approximately 115 km north-east of Port Augusta.
 Term: 2 years
 Area in km²: 108
 Reference number: 2017/00069

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Challenger Gold Operations Pty Ltd
 Location: Blowout area—Approximately 160 km north-west of Tarcoola.
 Pastoral Leases: Mobella
 Term: 2 years
 Area in km²: 110
 Reference number: 2017/00071

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: South Australian Iron Ore Group Pty Ltd
 Location: Mount Hill—Koppio area—Approximately 50 km north-north-east of Port Lincoln.
 Term: 2 years
 Area in km²: 403
 Reference number: 2017/00074

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

MINING ACT 1971

Notice is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Daktyloi Metals Pty Ltd
 Location: Alberrie Creek area—Approximately 55 km west of Marree.
 Pastoral Leases: Stuart Creek
 Term: 2 years
 Area in km²: 304
 Reference number: 2017/00075

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar,
 Department of the Premier and Cabinet,
 Delegate of the Minister for Mineral
 Resources and Energy

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Suspension of Petroleum Exploration Licence—PEL 81

PURSUANT to Section 90 of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that the abovementioned Petroleum Exploration Licence has been suspended for the period from and including 1 April 2017 until 31 March 2018, under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 31 March 2017.

The expiry date of PEL 81 is now determined to be 24 June 2019.

Dated 11 May 2017.

B. A. GOLDSTEIN,
Executive Director,
Energy Resources Division,
Department of the Premier and Cabinet,
Delegate of the Minister for Mineral Resources and Energy

RECREATIONAL GREENWAYS ACT 2000

Proposed Greenways Locations

I, LEON WILLIAM KENNEDY BIGNELL, Minister for Recreation and Sport, propose to use the Recreational Greenways Act 2000 to establish greenways through the Bundaleer and Wirrabara Forests as described below, that are proposed to be sold to private interests. A greenway is land set aside as a trail under the Act and includes land established as camping ground, land on which a hut, hostel or other facility is established for use in conjunction with the trail.

Pursuant to Section 6 of the Recreational Greenways Act 2000, I invite your feedback on this proposal.

The proposed two greenways will protect the Heysen and Mawson Trail networks for recreational access as applicable in perpetuity and are intended to be used for the purposes as set out below. The greenways are intended to be open to the public for these recreational purposes at all times that the Heysen and Mawson Trail networks in the areas specified below are currently ordinarily open to the public.

Description of proposed greenways locations:

1. *Bundaleer Forest Greenway:*

Located in the Bundaleer Forest, Hundreds of Belalie and Yangya, South Australia, the proposed greenway comprises three portions as described below:

- (a) Commencing at the intersection of Springs Road, Bundaleer Gardens and the Heysen Trail, thence following internal forest trails generally westerly to Curnows Hut, thence generally northerly, westerly, northerly and easterly to Neindorf Road, Bundaleer Gardens.
- (b) Commencing at the Bundaleer Picnic Ground, Bundaleer North, thence following internal forest trails generally northerly and westerly to Conservators Hut, thence generally westerly, northerly, westerly and southerly to the intersection of Brown Track and Bore Track, Bundaleer North
- (c) Commencing at the Bundaleer Picnic Ground, Bundaleer North, thence following internal forest trails generally northerly, westerly northerly and westerly to Range Road, Bundaleer North in the vicinity of the Bundaleer Golf Course.

Uses: The intended public use of the proposed Bundaleer Forest Greenway portions (a) and (b) above will be limited to recreational walking only and the intended public use of the proposed Bundaleer Forest Greenway portion (c) above will be limited to recreational walking and cycling only.

Map: The extent of the Bundaleer Forest Greenway is shown generally on the map and shown in greater detail on GRO Plan 13/2017 available to be viewed at:

www.yoursay.sa.gov.au/greenways.

2. *Wirrabara Forest Greenway:*

Located in the Wirrabara Forest, Hundred of Darling, South Australia, the proposed greenway comprises two portions as described below:

- (a) Commencing at the Ippinitchie Campground, Wirrabara, thence generally in a south-westerly direction north of and parallel to Forest Road, Wirrabara to the vicinity of the Wirrabara Picnic Ground, thence generally westerly along the alignment of Ippinitchie Creek to the vicinity of the Wirrabara Forest Nursery, thence northerly and westerly to the north-western corner of Section 54, Hundred of Darling.
- (b) Commencing at White Park Hut, White Park Road, Wirrabara, thence generally in a north-westerly direction south of and parallel to White Park Road, then, south-westerly and southerly along existing forest tracks to the southern boundary of Section 39, Hundred of Darling, then easterly to Block Nine Road and then generally southerly along the western boundary of Section 9, Hundred of Darling to the point where Section 9, Hundred of Darling directly abuts Section 10, Hundred of Darling.

Uses: The intended public use of the proposed Wirrabara Forest Greenway portions (a) and (b) above will be limited to recreational walking only.

Map: The extent of the Wirrabara Forest Greenway is shown generally on the map and shown in greater detail on GRO Plan 14/2017 available to be viewed at:

www.yoursay.sa.gov.au/greenways.

Submissions:

Feedback is invited in relation to this proposal at: www.yoursay.sa.gov.au/greenways, by email at: DPTI.CommunityRelations@sa.gov.au and by phoning 1300 794 880 by COB Monday, 12 June 2017.

Dated 9 May 2017.

LEON BIGNELL, Minister for Recreation and Sport

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Closure—North Parade, Royal Park*

BY Road Process Order made on 3 February 2017, the City of Charles Sturt ordered that:

1. Portion of the Public Road known as North Parade, situated adjacent to Development Lot 201 in Community Plan 40694, more particularly delineated and lettered 'A' in the Preliminary Plan No. 16/0027 be closed.

2. Transfer the whole of the land subject to closure lettered 'A' to Royal Park No. 1 Pty. Ltd. in accordance with the agreement for transfer dated 7 April 2017, entered into between City of Charles Sturt and Royal Park No. 1 Pty. Ltd.

On 4 May 2017, that order was confirmed by the Minister for Transport and Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 115516 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 16 May 2017.

M. P. BURDETT, Surveyor-General



MR85 05/17

COMPULSORY THIRD PARTY INSURANCE PREMIUM SCHEDULE

Failure to notify the insurer of the correct premium class may incur a penalty. This penalty is in addition to any premium differential payable. It is an offence to provide false information or withhold any information which may be necessary to determine the appropriate insurance premium.

COMPULSORY THIRD PARTY (CTP) INSURANCE – POLICY OF INSURANCE

1. The insurer insures the owner of the motor vehicle and any other person who at any time drives or is a passenger in or on the vehicle, whether with or without the consent of the owner, in respect of all liability that may be incurred by the owner or other person in respect of the death of, or bodily injury to, any person caused by, or arising out of, the use of the vehicle in any part of the Commonwealth.
2. A person so insured warrants that he or she will not-
 - (a) drive the vehicle, or do or omit to do anything in relation to the vehicle, with the intention of causing the death of, or bodily injury to, a person or damage to another's property or with reckless indifference as to whether such death, bodily injury or damage results; or
 - (b) drive the vehicle while so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle; or
 - (c) drive the vehicle while there is present in his or her blood a concentration of .1 grams or more of alcohol in 100 millilitres of blood; or
 - (d) drive the vehicle while not duly licensed or otherwise permitted by law to drive the motor vehicle; or
 - (e) drive the vehicle while the vehicle is overloaded, or in an unsafe, unroadworthy or damaged condition; or
 - (f) use the vehicle otherwise than-
 - (i) for the purposes stated in the application for registration, renewal of registration, exemption from registration or a permit, in respect of the vehicle; or
 - (ii) if trade plates are affixed to the vehicle - for purposes stated in the application for the issuing of those plates; or
 - (iii) for purposes agreed on between the insurer and the registered owner of the vehicle.
 - (g) if the person is the driver of the vehicle when it is involved in an accident in which a person is killed or injured - commit an offence against section 43 of the *Road Traffic Act 1961* (e.g. hit and run offence).
3. The owner of the vehicle warrants that no person will, with his or her knowledge or consent (which will be presumed in any proceedings in the absence of proof to the contrary), drive or use the vehicle, or do or omit to do anything in relation to the vehicle, contrary to any paragraphs of clause 2.
4. This policy of insurance does not extend to liability arising from death of, or bodily injury to, a participant in a road race caused by the act or omission of another participant in the road race.
5. The insurer may at any time and in its sole discretion novate this policy of insurance to a third party who is also an approved insurer under the *Motor Vehicles Act 1959* (SA) (New Insurer). The person insured under a policy of insurance (Insured) agrees to such novation such that no further consent by the Insured is required. In the event of a novation by the insurer under this clause:
 - (a) the insurer and the Insured will be released from their obligations under this agreement, and their respective rights against one another under this agreement will cease;
 - (b) the novated agreement will be on the same terms and conditions as this agreement, such that the New Insurer and the Insured will assume the same obligations toward one another and acquire the identical rights against one another as the rights and obligations discharged under paragraph (a), except that the New Insurer replaces the insurer as the insurer; and
 - (c) the Insured consents to his or her personal information being provided to the New Insurer for the purposes of the novated agreement.

For enquiries refer to FAQs at www.ctp.sa.gov.au

Interested persons may enquire as to relevant details of the approved insurer with whom this Policy is or is to be held on or after 1 July 2016, and take any applicable action, by going to www.ctp.sa.gov.au, which webpage forms part of this application for the purposes of Part 4 of the *Motor Vehicles Act, 1959*.

Your personal information is collected by the State, the insurer underwriting your CTP insurance policy and other CTP insurers. For details about how your personal information will be handled see www.ctp.sa.gov.au.

ASSISTANCE IN DETERMINING THE APPROPRIATE PREMIUM CLASS

The premium class has been determined based on information previously supplied. It is advisable to check the insurance class and insurance premium payable shown on the registration renewal notice against the CTP Insurance Schedule shown overleaf. In reviewing the premium class, attention should be given to:

- Type of vehicle
- The input tax credit (ITC) entitlement of the registered owner (see below)
- The postcode area in which it is usually garaged (see below)

If the information shown is incorrect, a Service SA customer service centre should be notified immediately. An 'Application to Change the Compulsory Third Party Insurance Premium Class on a Registration' form (MR82) may be required due to:

- A change of garaging address
- A change in the input tax credit (ITC) entitlement of the registered owner
- A change in the use of the vehicle
- An alteration to the vehicle

IMPORTANT NOTICE FOR CLASSES 1, 7, 41, 47, 51, 57, 91 & 97

In the case of these premium classes, heavy passenger vehicles insurance is available, in addition to the schedule shown overleaf, at 6 and 9 months.

THE INPUT TAX CREDIT (ITC) ENTITLEMENT OF THE REGISTERED OWNER

You must select an 'ITC' Entitled premium class if the vehicle is used for any purpose that entitles you to claim back any part of the GST component of the CTP premium. Under the Commonwealth GST Law*, this is known as 'Input Tax Credit' (ITC).

*GST Law means the *Commonwealth legislation: A New Tax System (Goods and Services Tax) Act 1999*.

A tax invoice will be provided with your registration certificate, detailing the amount of GST you can claim. If you are unsure whether you can claim the GST paid, then you should consult your accountant, financial advisor or the Australian Taxation Office.

Incorrect ITC classification: If the ITC classification details are incorrect, you will need to apply to change these details by completing the 'Application to Change the Compulsory Third Party Insurance Premium Class on a Registration' form (MR82) at your local Service SA customer service centre.

THE POSTCODE AREA IN WHICH THE VEHICLE IS GARAGED

"Insurance Rating District 1" - "District 1" consists of the following postcodes:

All postcodes between 5000 and 5201 inclusive (with the exception of 5001 and 5174) and postcodes, 5231, 5232, 5233, 5240, 5241, 5242, 5243, 5244, 5245, 5250, 5251, 5252, 5942, and 5950.

"Insurance Rating District 2" - "District 2" is any area within the State of South Australia outside the above postcodes, plus the localities listed within the following postcode areas:

5118	Concordia	5157	McHarg Creek	5172	Pages Flat	5173	Aldinga Beach
5118	Kangaroo Flat	5172	Hope Forest	5172	Willunga Hill	5173	Silver Sands
5118	Kingsford	5172	Kuitpo Colony	5172	Willunga South	5244	Harrogate
5120	Buckland Park	5172	Kyeema	5172	Yundi	5252	Kanmantoo
5157	Ashbourne						

CTP INSURANCE PREMIUM SCHEDULE Effective 1 July 2017

Where the Act¹ provides for a vehicle to be registered and insured for a term beyond 12 months, a premium calculated in proportion to the 12 monthly premium applies. *All premiums are inclusive of GST. See over for further information.

ITC=YES Premium Class	DISTRICT 1 Garaged or kept in the postcode area indicated overleaf			DESCRIPTION OF VEHICLE AND USE	ITC=NO Premium Class	DISTRICT 2 Garaged or kept in the postcode area indicated overleaf			ITC=NO Premium Class		
	12 Mths \$	9 Mths \$	6 Mths \$			12 Mths \$	9 Mths \$	6 Mths \$			
41	400.75	-	-	PASSENGER VEHICLES Sedan, station wagon, multi passenger or self-propelled caravan body type with a seating capacity of not more than 12 persons and not for fare or other consideration. Public Passenger Vehicle not for fare or other consideration (i.e. at no cost to the passenger). Hire and Drive Yourself vehicles (excluding buses, motor cycles and trailers). Public Passenger Vehicles: all vehicles (including Hire and Drive Yourself buses) used for carrying passengers for fare or other consideration, but excluding classes 5, 6, 32, 55, 56, 105, 106, 155, 156, 82, 100 and 50. Small (authorised to carry up to 12 seated persons) Medium (authorised to carry between 13 and 35 adult persons) Large (authorised to carry more than 35 adult persons) Public Municipal Omnibuses: all public passenger vehicles used in the provision of Regular Passenger Services in Metropolitan Adelaide pursuant to a contract under Part 5 of the Passenger Transport Act 1994 and which also use the integrated ticketing system prescribed by the Public Transport Division from time to time. Taxis: registered or licensed as metered taxis by the Office of Public Transport or under another authority.	1	100.20	-	-	65.15	51	
45	400.75	300.55	200.40		10	100.20	-	-	155.05	60	
6	773.65	580.25	386.85		106	193.40	-	-	526.90	156	
7	686.10	-	-		47	171.55	-	-	-	126.20	97
8	1,031.20	773.40	515.60		108	257.80	-	-	421.10	280.75	158
9	1,738.90	1,304.20	869.45		109	434.75	-	-	489.90	333.25	159
32	5,490.80	4,118.10	2,745.40	50	1,372.70	-	-	4,118.10	2,745.40	100	
5	4,657.70	-	-	105	1,166.90	-	-	-	635.60	158.90	
	4,476.05	-	-		1,119.00	-	-	-	608.85	152.20	
GOODS CARRYING											
42	466.65	-	-	Any motor vehicle (including utilities, vans, tow trucks, trucks and prime movers but excluding classes 4, 94, 44, and 94) constructed or adapted for the carriage of goods. Light (Gross Vehicle Mass (GVM) not exceeding 4.5 tonnes) Medium (GVM exceeding 4.5 tonnes but Gross Combination Mass (GCM) not exceeding 35 tonnes) Heavy (GCM exceeding 35 tonnes) Primary Producer's goods carrying vehicles registered under Section 25 or 34 of the Act ¹	2	116.65	-	-	-	66.95	52
3	661.35	496.00	330.70		43	165.35	-	-	306.75	204.50	93
21	1,806.90	1,355.20	903.45		46	451.75	-	-	1,024.50	683.00	96
4	276.10	207.10	138.05		44	69.05	-	-	135.25	90.15	94
MOTOR CYCLES											
34	100.95	-	-	Motorcycles, Tricycles and Quadcycles with an engine capacity Not exceeding 50cc or electric with a maximum motorcycle speed of 50km/hr Exceeding 50cc but not exceeding 250cc or electric with maximum speed exceeding 50km/hr Exceeding 250cc but not exceeding 660cc Exceeding 660cc	14	25.25	-	-	-	21.10	64
35	167.90	-	-		15	42.00	-	-	113.30	-	28.35
36	252.40	-	-		16	63.10	-	-	180.30	-	45.10
40	280.20	-	-		20	70.05	-	-	260.65	-	65.15
TRAILERS											
31	-	-	-	A vehicle, or machine on wheels, that is not self-propelled and is constructed or adapted for being drawn by a motor vehicle.	11	-	-	-	-	-	61
37	-	-	-		17	-	-	-	-	Permit \$37.05	67
UNREGISTERED VEHICLE PERMITS											
SPECIAL PURPOSE VEHICLES											
38	40.20	30.15	20.10	Conditionally registered farm tractors used for farming purposes, or self-propelled agricultural implements whilst on roads ² . Other farm vehicles registered under Section 25 and Regulations of the Act ¹ whilst on roads ² between rural landholdings which are no more than 30kms apart and are farmed by the vehicle owner. Golf Buggies. Conditionally registered forklifts ² and self-propelled lawn care machines ² whilst on roads ² . Historic, left-hand drive and street road vehicles conditionally registered under Section 25 of the Act & Regulations – Schedule 1. Any vehicle not specifically designed for the carriage of passengers or goods (excluding all other vehicles listed in this schedule). Ambulances, undertakers' hearses, mourning coaches and vehicles used solely for Fire Fighting or State Emergency Services purposes. The premium for car carrying vehicles including the car carrier's extension as defined, is as follows: Light (GVM not exceeding 4.5 tonnes) Medium (GVM exceeding 4.5 tonnes but GCM not exceeding 35 tonnes) Heavy (GCM exceeding 35 tonnes) Trailers	18	10.05	-	-	-	10.05	68
19	48.40	36.30	24.20		39	12.35	-	-	30.15	20.10	89
-	49.45	37.10	24.75				-	-	22.40	14.95	7.45
29	278.15	208.60	139.10		33	69.55	-	-	119.00	79.35	39.65
CAR CARRIER'S EXTENSION											
22	730.40	-	-	A: Goods carrying – GVM exceeding 4.5 tonnes B: Motor vehicles – GVM not exceeding 4.5 tonnes C: Motor Cycles D: Trailers E1: Agricultural Machinery E2: Special Purpose Vehicles (Where more than one category of use is allowed the highest premium is to apply)	25	182.60	-	-	-	132.40	76
23	923.05	692.30	461.55		27	230.75	-	-	503.00	335.35	167.65
24	2,067.55	1,550.65	1,033.80		28	516.90	-	-	1,220.00	813.35	406.65
25	260.65	195.50	130.35		125	65.15	-	-	195.50	130.35	65.15
12	-	-	-		102	-	-	-	-	As per Premium Class 53 / 93 As per Premium Class 91 / 51 As per Premium Class 86 / 66 As per Premium Class 81 / 61 As per Premium Class 88 / 68 As per Premium Class 79 / 83	152

¹ Motor Vehicles Act, 1959 and amendments. ² As defined in the Motor Vehicles Act, 1959.

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

WHEREAS the Minister for Social Housing 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 Social Housing does hereby revoke the said Rent Control in respect of each property.

Address of House	Allotment, Section, etc.	Certificate of Title	
		Volume	Folio
14 Percy Street, Semaphore, S.A. 5019	Allotment 1, 2, 3 and 4 in Deposited Plan 115469, Hundred of Port Adelaide	CT4297	504
		CT5449	870
		CT6190	432
		CT6190	433
		CT6190	434
		CT6190	435

Dated at Adelaide, 16 May 2017.

T. BAKER, Director, Property and Contract Management, Housing SA,
Delegate of Minister for Social Housing

South Australia

Liquor Licensing (Dry Areas) Notice 2017

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

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2017*.

2—Commencement

This notice comes into operation on 1 June 2017.

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—Kilburn Area 1

1—Extent of prohibition

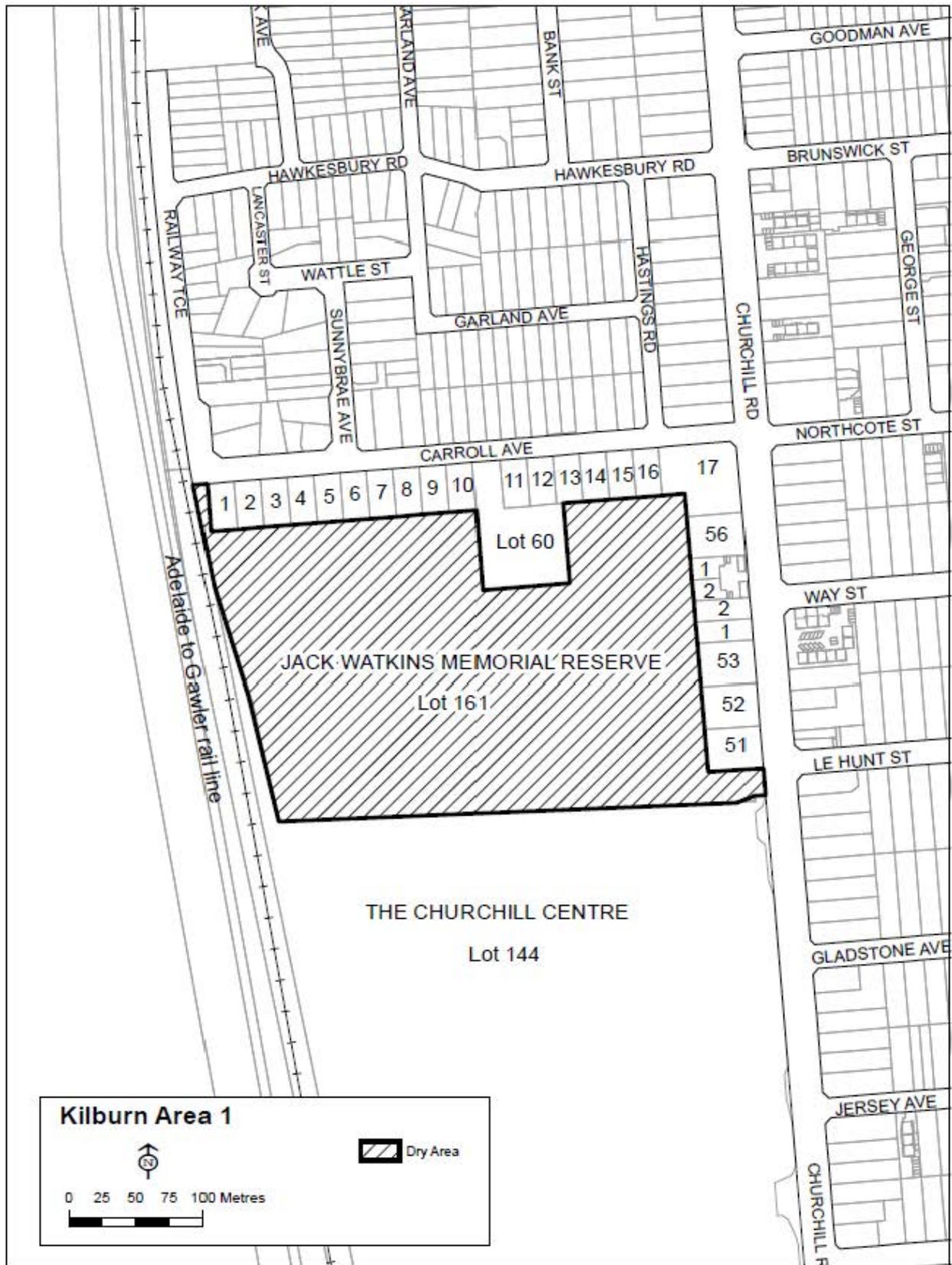
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

Continuous.

3—Description of area

Commencing at the south east corner at the intersection of Churchill Road and the northern boundary of The Churchill Centre, Lot 144, then heading in a westerly direction along the southern boundary of Lot 161 of DP 95846 until meeting the eastern boundary of the Adelaide to Gawler rail line, following the rail line eastern boundary in a northerly direction until it intersects with the intersection of Railway Terrace and Carroll Avenue, following the southern boundary of Carroll Avenue until it meets the north west corner of Lot 1 of DP 32157, following the western boundary of Lot 1 south then following the southern boundary of Lot 1 east, east along the southern boundaries of Lots 2-10 of DP 32157 until intersecting with Lot 60 of DP 59731, following the border of Lot 60 south then east then north again to intersect with the southern boundary of Lot 13 and heading in an eastern direction along the southern bounds of Lot 14-17 of DP 32157, until turning south following Lot 17 borders, then following the eastern boundary of Lot 161 south until it meets the south west corner of Lot 51 of DP 23993, following the southern boundary of Lot 51 east to the western boundary of Churchill Road and then in a southerly direction to the intersection of Churchill Road and the north east boundary of The Churchill Centre.



Made by the Minister for Consumer and Business Services on 9 May 2017.

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Grant of Associated Activities Licence—AAL 245**(Adjunct to Petroleum Production Licence—PPL 242)*

NOTICE is hereby given that the undermentioned Associated Activities Licence has been granted with effect from 9 May 2017, under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 31 March 2017.

No. of Licence	Licensee	Area in km ²	Locality	Reference
AAL 245	Victoria Oil Exploration (1977) Pty Ltd Impress (Cooper Basin) Pty Ltd Permian Oil Pty Ltd Springfield Oil and Gas Pty Ltd	4.54	Cooper Basin	MER-2017-0163

Description of Area

The area of approximately 4.54 square kilometres is located north-west of Moomba in the South Australian Cooper Basin.

A map and GIS data for the area is available from the Department of the Premier and Cabinet website at the following location: <https://sarig.pir.sa.gov.au/Map> or by contacting the Department of State Development, Energy Resources Division on telephone (08) 8463 3204.

Dated 9 May 2017.

B. A. GOLDSTEIN,
Executive Director,
Energy Resources Division,
Department of the Premier and Cabinet,
Delegate of the Minister for Mineral Resources and Energy

South Australia

Statutes Amendment (South Australian Employment Tribunal) Act (Commencement) Proclamation 2017

1—Short title

This proclamation may be cited as the *Statutes Amendment (South Australian Employment Tribunal) Act (Commencement) Proclamation 2017*.

2—Commencement of Act and suspension of certain provisions

- (1) Subject to subclause (2), the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* (No 63 of 2016) will come into operation on 1 July 2017.
- (2) The operation of Parts 8 and 20 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations.

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

MIR0017/16CS

South Australia

Work Health and Safety (Prescription of Fee) Variation Regulations 2017

under the *Work Health and Safety Act 2012*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Work Health and Safety Regulations 2012*

- 4 Variation of regulation 707—Prescription of fee
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Work Health and Safety (Prescription of Fee) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

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

Part 2—Variation of *Work Health and Safety Regulations 2012*

4—Variation of regulation 707—Prescription of fee

- (1) Regulation 707—delete "2016/2017" wherever occurring and substitute in each case:
2017/2018
- (2) Regulation 707(1)—delete "\$19 545 279" and substitute:
\$20 033 911

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 35 of 2017

MIR0006/17CS

South Australia

Harbors and Navigation (Fees) Variation Regulations 2017

under the *Harbors and Navigation Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Harbors and Navigation Regulations 2009*

- 4 Variation of Schedule 14—Fees
 - 4 Fees and levies

Schedule 1—Transitional provision

- 1 Transitional provision
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Harbors and Navigation (Fees) Variation Regulations 2017*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Harbors and Navigation Regulations 2009*

4—Variation of Schedule 14—Fees

Schedule 14, clause 4—delete the clause and substitute:

4—Fees and levies

Fees relating to Part 7

Application for pilotage exemption certificate

\$620.00

Application for renewal of pilotage exemption certificate	\$309.00
---	----------

Issue of replacement pilotage exemption certificate	\$59.00
---	---------

Fees relating to Part 9

Written examination (whether first or subsequent attempt)—

(a) for boat operator's licence	\$42.00
---------------------------------	---------

(b) for special permit	\$19.00
------------------------	---------

Practical test for special permit	nil
-----------------------------------	-----

Issue of boat operator's licence—

(a) if applicant has held special permit	\$17.00
--	---------

(b) in any other case	\$40.00
-----------------------	---------

Issue of special permit	\$17.00
-------------------------	---------

Application for exemption from requirement to hold boat operator's licence	nil
--	-----

Application for endorsement of boat operator's licence	nil
--	-----

Application for recognition of qualification under law of some other place as equivalent to boat operator's licence	nil
---	-----

Issue of replacement boat operator's licence or special permit	\$17.00
--	---------

Fees relating to Part 11

Application for registration of vessel	6 months/12 months
--	--------------------

Note—

Personal watercraft and vessels up to 7 m may be registered for 6 or 12 months but vessels more than 7 m may only be registered for 12 months—see regulation 116(7).

(a) for a personal watercraft—

- | | |
|---|-------------------|
| • initial registration | \$169.00/\$337.00 |
| • renewal of registration | \$155.00/\$309.00 |
| • renewal of registration in different name | \$172.00/\$326.00 |

(b) for any other vessel—according to its length as follows:

(i) if the vessel is not more than 3.5 m—

- | | |
|---|-----------------|
| • initial registration | \$23.00/\$45.00 |
| • renewal of registration | \$9.00/\$17.00 |
| • renewal of registration in different name | \$27.00/\$36.00 |

(ii)	if the vessel is more than 3.5 m but not more than 6 m—	
•	initial registration	\$41.00/\$82.00
•	renewal of registration	\$28.00/\$56.00
•	renewal of registration in different name	\$46.00/\$74.00
(iii)	if the vessel is more than 6 m but not more than 7 m—	
•	initial registration	\$91.00/\$181.00
•	renewal of registration	\$77.00/\$154.00
•	renewal of registration in different name	\$95.00/\$172.00
(iv)	if the vessel is more than 7 m but not more than 10 m—	
•	initial registration	not applicable/\$181.00
•	renewal of registration	not applicable/\$154.00
•	renewal of registration in different name	not applicable/\$172.00
(v)	if the vessel is more than 10 m but not more than 15 m—	
•	initial registration	not applicable/\$258.00
•	renewal of registration	not applicable/\$233.00
•	renewal of registration in different name	not applicable/\$250.00
(vi)	if the vessel is more than 15 m but not more than 20 m—	
•	initial registration	not applicable/\$337.00
•	renewal of registration	not applicable/\$309.00
•	renewal of registration in different name	not applicable/\$326.00
(vii)	if the vessel is more than 20 m—	
•	initial registration	not applicable/\$387.00
•	renewal of registration	not applicable/\$362.00
•	renewal of registration in different name	not applicable/\$379.00
	Application for exemption from requirement for vessel to be registered	nil
	Trade plates—	
(a)	application for initial issue	\$81.00
(b)	application for subsequent issue	\$56.00
(c)	issue of replacement certificate or label	\$17.00
(d)	surrender of trade plates	\$17.00

Application for assignment of new identification mark	\$17.00
Application for transfer of registration of vessel	\$17.00
Issue of replacement certificate of registration	\$17.00
Issue of replacement registration label	\$17.00
Application for cancellation of registration	\$17.00
Application for appointment as boat code agent	\$154.00
Application for further term of appointment as boat code agent	\$122.00
Application for approval as boat code examiner	\$77.00
Application for further term of approval as boat code examiner	\$39.00
Set of 20 HIN plates	\$120.00
Pad of 50 interim boat code certificates	\$33.00
Duplicate copy of boat code certificate	\$17.00

Fees relating to Part 14

Application for permit to moor vessel in boat haven—

(a) *North Arm Boat Haven*

(i) annual permit—

- fishing vessel 9 m and over in length \$80.00 per metre
- fishing vessel less than 9 m in length \$108.00 per metre
- tender vessel \$80.00 per metre
- the above is subject to the following maximum fees:
 - fishing vessel and 2 tender vessels \$522.00
 - fishing vessel and 3 tender vessels \$592.00
 - other vessels 12 m or more in length \$202.00 per metre
 - other vessels less than 12 m in length \$2 416.00

(ii) temporary permit (1 week or part of a week) \$72.00

(b) *Port MacDonnell Boat Haven*

- (i) annual permit \$108.00 per metre
- (ii) temporary permit (24 hours) \$6.00

Fees relating to Part 15

Facilities levy for recreational vessel comprised of personal watercraft	\$33.00
Facilities levy for any other vessel, according to its length as follows:	
(a) if the vessel is not more than 3.1 m	nil
(b) if the vessel is more than 3.1 m but not more than 3.5 m	\$33.00
(c) if the vessel is more than 3.5 m but not more than 5 m	\$50.00
(d) if the vessel is more than 5 m but not more than 6 m	\$63.00
(e) if the vessel is more than 6 m but not more than 7 m	\$73.00
(f) if the vessel is more than 7 m but not more than 8 m	\$82.00
(g) if the vessel is more than 8 m but not more than 9 m	\$91.00
(h) if the vessel is more than 9 m but not more than 10 m	\$103.00
(i) if the vessel is more than 10 m but not more than 11 m	\$114.00
(j) if the vessel is more than 11 m but not more than 12 m	\$123.00
(k) if the vessel is more than 12 m but not more than 13 m	\$134.00
(l) if the vessel is more than 13 m but not more than 14 m	\$145.00
(m) if the vessel is more than 14 m but not more than 15 m	\$154.00
(n) if the vessel is more than 15 m but not more than 16 m	\$165.00
(o) if the vessel is more than 16 m but not more than 17 m	\$176.00
(p) if the vessel is more than 17 m but not more than 18 m	\$185.00
(q) if the vessel is more than 18 m but not more than 19 m	\$195.00
(r) if the vessel is more than 19 m but not more than 20 m	\$207.00
(s) if the vessel is more than 20 m in length	\$257.00

Schedule 1—Transitional provision

1—Transitional provision

- (1) The fees prescribed in respect of an application for registration (and any facilities levy payable on the registration) by Schedule 14 of the *Harbors and Navigation Regulations 2009*, as varied by these regulations, apply where the relevant registration is to take effect on or after 1 July 2017.
- (2) All other fees prescribed by Schedule 14 of the *Harbors and Navigation Regulations 2009*, as varied by these regulations, apply from 1 July 2017.
- (3) Despite regulation 4—
 - (a) the fees prescribed in respect of an application for registration (and any facilities levy payable on the registration) by Schedule 14 of the *Harbors and Navigation Regulations 2009*, as in force immediately before the commencement of these regulations, continue to apply where the relevant registration is to take effect before 1 July 2017; and
 - (b) all other fees prescribed by Schedule 14 of the *Harbors and Navigation Regulations 2009*, as in force immediately before the commencement of these regulations, continue to apply until 1 July 2017.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 36 of 2017

T&F17/008CS

South Australia

Motor Vehicles (Fees) Variation Regulations 2017

under the *Motor Vehicles Act 1959*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Motor Vehicles Regulations 2010*

- 4 Variation of Schedule 1—Fees
 - Part 1—Fees under *Motor Vehicles Act 1959* and these regulations

Part 3—Transitional provision

- 5 Transitional provision
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Motor Vehicles (Fees) Variation Regulations 2017*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Motor Vehicles Regulations 2010*

4—Variation of Schedule 1—Fees

Schedule 1, Part 1—delete Part 1 and substitute:

Part 1—Fees under *Motor Vehicles Act 1959* and these regulations

1—Interpretation

In this Part—

emergency response vehicle has the same meaning as in regulation 15;

government authorised examiner means an authorised examiner who is—

- (a) a police officer; or
- (b) an employee in the Transport Department; or
- (c) a person appointed as an authorised examiner by some public authority and approved by the Registrar;

level 1 fee means an administration fee of \$7.00;

level 2 fee means an administration fee of \$17.00;

level 3 fee means an administration fee of \$22.00;

special purpose vehicle (type O) has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

special purpose vehicle (type T) has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*;

Transport Department premises, in relation to an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act, includes a place specified under section 139(1)(d) of the Act at which the motor vehicle is required to be produced for the purpose of the examination;

truck (type I) has the same meaning as in the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.

2—Registration fee (section 24 of Act)

- (1) For registration of a heavy vehicle under section 24 of the Act for a period of 12 months—the registration fee prescribed by, or determined in accordance with, the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*.
- (2) For registration of a motor vehicle (other than a heavy vehicle) under section 24 of the Act for a period of 12 months—the following registration fee:

(a)	a motor bike	\$41.00
(b)	a trailer	\$73.00
(c)	a motor vehicle propelled other than by an internal combustion engine	\$123.00
(d)	a commercial motor vehicle—	
(i)	if the unladen mass of the vehicle does not exceed 1 000 kg and the vehicle is propelled by an internal combustion engine—	
(A)	having 4 cylinders or less	\$123.00
(B)	having 5 or 6 cylinders	\$252.00
(C)	having 7 or more cylinders	\$365.00
(ii)	if the unladen mass of the vehicle exceeds 1 000 kg but does not exceed 1 500 kg	\$271.00

- | | | |
|-------|---|----------|
| (iii) | if the unladen mass of the vehicle exceeds 1 500 kg | \$464.00 |
| (e) | a motor vehicle (other than a vehicle referred to in paragraphs (a) to (d)) propelled by an internal combustion engine— | |
| (i) | having 4 cylinders or less | \$123.00 |
| (ii) | having 5 or 6 cylinders | \$252.00 |
| (iii) | having 7 or more cylinders | \$365.00 |
- (3) For registration of a motor vehicle under section 24 of the Act for a period of less than 12 months—the following registration fee:
- (a) in the case of registration for 1, 2 or 3 quarters—an amount equal to the product of the number of quarters for which the vehicle is to be registered multiplied by 1/4 of the relevant registration fee for 12 months (as set out in a preceding subclause) plus a surcharge of—
- (i) in the case of registration for 1 quarter—5.625% of that product; or
- (ii) in the case of registration for 2 quarters—3.75% of that product; or
- (iii) in the case of registration for 3 quarters—1.875% of that product;
- (b) in any other case—a fee equal to the product of the number of days for which the vehicle is to be registered multiplied by 1/365 of the relevant registration fee for 12 months (as set out in a preceding subclause) plus a surcharge of—
- (i) in the case of registration for less than 6 months—5.625% of that product; or
- (ii) in the case of registration for not less than 6 months but less than 9 months—3.75% of that product; or
- (iii) in the case of registration for not less than 9 months but less than 12 months—1.875% of that product.

3—Registration fee—renewal of registration under periodic payment scheme (section 24A of Act)

For renewal of registration of a motor vehicle pursuant to the periodic payment scheme under section 24A of the Act—a registration fee of an amount equal to 1/3 of the registration fee for 1 quarter for a motor vehicle of the relevant kind (determined in accordance with clause 2(3)).

4—Administration fees (sections 24 and 24A of Act)

Administration fee (payable in addition to the registration fee) for—

- | | | |
|-----|--|-------------|
| (a) | initial registration or re-registration of a motor vehicle under section 24 of the Act | level 3 fee |
|-----|--|-------------|

- | | |
|--|-------------|
| (b) renewal of registration of a motor vehicle under section 24 of the Act | level 1 fee |
| (c) renewal of registration pursuant to the periodic payment scheme under section 24A of the Act | \$2.00 |

5—Conditional registration (section 25 of Act)

(1) For registration of a motor vehicle under section 25 of the Act—

- (a) in the case of—
- (i) a heavy vehicle that is a special purpose vehicle (type O); or
 - (ii) a heavy vehicle that is a special purpose vehicle (type T) (other than an emergency response vehicle or a vehicle that is used principally for the purpose of fire fighting and is fitted with fire fighting equipment),

a fee equal to the product of the number of quarters for which the vehicle is to be registered multiplied by 1 quarter of the amount that would be the registration fee for registration of the vehicle under section 24 of the Act for the financial year in which the registration is to take effect;

- (b) in the case of a heavy vehicle that is a road train, B-double or a vehicle of a class referred to in regulation 19(f)—a fee equal to the registration fee that would be payable for registration of the vehicle under section 24 of the Act;
- (c) in any other case—no fee.

(2) Administration fee (payable whether or not a registration fee is payable under subclause (1)) for registration of a motor vehicle under section 25 of the Act—

- | | |
|--|-------------|
| (a) initial registration or re-registration of a motor vehicle | level 3 fee |
| (b) renewal of registration of a motor vehicle | level 1 fee |

(3) If a registration fee is payable for the registration of a motor vehicle under section 25 of the Act and the period of registration is less than 12 months, a surcharge of the amount prescribed in clause 2(3) is payable in addition to the registration fee and administration fee.

6—Transfer of registration

- | | |
|--|-------------|
| (1) Administration fee for transfer of the registration of a motor vehicle | level 3 fee |
| (2) Additional fee for late payment of the fee prescribed in subclause (1) | \$84.00 |

7—Cancellation of registration

Administration fee for cancellation of the registration of a motor vehicle	level 2 fee
--	-------------

8—Duplicate certificates of registration and registration labels

Administration fee for the issue of a duplicate certificate of registration or duplicate registration label	level 2 fee
---	-------------

9—Registration details certificate

Administration fee for the issue of a registration details certificate (when issued on application by the owner of the motor vehicle) level 2 fee

10—Permit to drive an unregistered motor vehicle

Administration fee for the issue of—

- (a) a permit under section 16(1)(c)(i) of the Act level 1 fee
- (b) a permit under section 16(1)(c)(ii) of the Act level 3 fee

11—Duplicate permit to drive an unregistered motor vehicle

Administration fee for the issue of a duplicate permit under section 16(12) of the Act level 2 fee

12—Temporary configuration certificate for heavy vehicle

Administration fee for the issue of a temporary configuration certificate for a heavy vehicle level 3 fee

13—Duplicate temporary configuration certificate for heavy vehicle

Administration fee for the issue of a duplicate temporary configuration certificate for a heavy vehicle level 2 fee

14—Number allotment

Administration fee for variation or amendment of the number allotted to a motor vehicle (per vehicle) level 3 fee

15—Number plates

- (1) Administration fee for the issue or replacement of a single number plate, a pair of number plates or a supplementary number plate for a bike rack level 3 fee
- (2) Administration fee (payable in addition to the fee prescribed in subclause (1)) for postal delivery of a number plate or plates level 2 fee

16—Issue or reissue of trade plate

- (1) For the issue or reissue of a trade plate—
 - (a) in respect of a motor vehicle that has a gross vehicle mass exceeding 4 500 kg (other than a special purpose vehicle) (*Category A*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a heavy vehicle that is a truck (type 1) with 2 axles and a gross vehicle mass exceeding 4 500 kg but not exceeding 12 000 kg;
 - (b) in respect of a motor vehicle that has a gross vehicle mass not exceeding 4 500 kg (other than a motor bike, trailer or special purpose vehicle) (*Category B*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a motor vehicle referred to in clause 2(2)(d)(i) or 2(2)(e) that has 7 or more cylinders;
 - (c) in respect of a motor bike (*Category C*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a motor bike;

- (d) in respect of a trailer that has a gross vehicle mass not exceeding 4 500 kg (*Category D*)—an annual fee of an amount equal to the fee that would be payable for registration for 12 months of a trailer;
- (e) in respect of a special purpose vehicle (*Category E*)—no fee.

If an application for the issue or reissue of a trade plate relates to more than 1 category of vehicle such that more than 1 fee becomes payable, then only the highest fee must be paid.

- (2) Administration fees (payable in addition to the fee prescribed in subclause (1))—
 - (a) on application for the issue of a trade plate level 3 fee
 - (b) for allocation of a trade plate number on the issue of a trade plate (per plate) level 2 fee
- (3) Administration fee (payable in addition to the fee prescribed in subclause (1)) on application for the reissue of a trade plate level 1 fee

17—Supply of trade plate by Registrar

Administration fee for the supply of a trade plate by the Registrar level 3 fee

18—Issue of replacement trade plate

Administration fee on application for the issue of a new trade plate in lieu of a lost trade plate level 2 fee

19—Duplicate trade plate label or certificate of issue of trade plate

Administration fee for the issue of a duplicate trade plate label or duplicate certificate of issue of a trade plate level 2 fee

20—Trade plate transfer

Administration fee payable on application for the transfer of a trade plate level 3 fee

21—Trade plate surrender

Administration fee payable on surrender of a trade plate under section 70(5) of the Act level 2 fee

22—Driver's licences

- (1) For the issue or renewal of a driver's licence—
 - (a) where the applicant is a person who as a result of his or her service in a naval, military or air force of Her Majesty— \$21.50
 - (i) is totally or permanently incapacitated; or
 - (ii) has lost a leg or foot; or
 - (iii) receives under the law of the Commonwealth relating to repatriation a pension at the rate for total incapacity or a pension granted by reason of impairment of his or her power of locomotion at the rate of not less than 70% of the rate for total incapacity (per year);
 - (b) where the applicant is a concession card holder (per year) \$21.50

- (c) in any other case (per year) \$43.00
- (2) The licence fee for a driver's licence issued or renewed for a period other than for full years is 1 quarter of the annual licence fee for each complete 3 months of the period for which the licence is issued or renewed.
- (3) If—
- (a) a person ceases to be a concession card holder; and
- (b) the person holds a driver's licence that was issued or renewed on payment of a reduced fee,
- the person must pay an additional fee of an amount that is equal to the difference between—
- (c) the amount obtained by multiplying the number of complete 3 month periods in the unexpired period of the licence by 1 quarter of the annual fee paid for the issue or renewal of the licence; and
- (d) the amount obtained by multiplying the number of complete 3 month periods in the unexpired period of the licence by 1 quarter of the annual fee that would have been payable for the issue or renewal of the licence if the person had not been a concession card holder.
- (4) For the purposes of subclause (3), the unexpired period of the licence commences on the day on which the person ceases to be a concession card holder.
- (5) Administration fee (payable in addition to the licence fee) for the issue or renewal of a driver's licence level 2 fee
- (6) Administration fee (payable in addition to the fee prescribed in subclause (5)) where application for the issue of a driver's licence is made more than 6 months after the expiry of a previously held licence and the applicant was not, during the whole of the period of 6 months after the expiry of the previously held licence, disqualified from holding or obtaining a driver's licence level 3 fee
- (7) In this clause—
- concession card holder** means a person who—
- (a) holds—
- (i) a State Concession Card issued by the Department for Communities and Social Inclusion; or
- (ii) a pensioner entitlement card issued under a law of the Commonwealth; and
- (b) is entitled, as the holder of such a card, to travel on public transport in this State at reduced fares;
- reduced fee** means the fee payable for the issue or renewal of a driver's licence where the applicant is a concession card holder.

23—Duplicate driver's licence

- Administration fee for the issue of a duplicate driver's licence that bears a photograph of the holder level 2 fee

24—Learner's permit

- | | |
|---|-------------|
| (1) For the issue or renewal of a learner's permit | \$43.00 |
| (2) Administration fee for the issue or renewal of a learner's permit (payable in addition to the permit fee) | level 2 fee |

25—Duplicate learner's permit

Administration fee for the issue of a duplicate learner's permit	level 2 fee
--	-------------

26—Duplicate certificate of high powered vehicle exemption

Administration fee for the issue of a duplicate certificate of a high powered vehicle exemption	level 2 fee
---	-------------

27—Theoretical examination

For a theoretical examination prescribed for the purposes of section 79 of the Act—

- | | |
|---|-------------|
| (a) examination fee | \$17.00 |
| (b) administration fee (payable in addition to the examination fee) | level 2 fee |

28—Practical driving tests conducted by government authorised examiners

For a practical driving test conducted by a government authorised examiner—

- | | |
|--|-------------|
| (a) booking fee | level 2 fee |
| (b) test fee— | |
| (i) for a test of up to, but not exceeding, 40 min duration | \$50.00 |
| (ii) for a test exceeding 40 min duration | \$117.00 |
| (c) administration fee (payable in addition to the test fee) | level 2 fee |

29—Other practical driving tests; final assessments

Booking fee, for notice to the Registrar of—	\$33.00
--	---------

- | | |
|---|--|
| (a) a practical driving test; or | |
| (b) a final assessment in a competence based training course for drivers of motor vehicles undertaken in accordance with the directions of the Registrar, | |

to be conducted by an authorised examiner other than a government authorised examiner

30—Hazard perception tests

For a hazard perception test—

- | | |
|--|-------------|
| (a) test fee | \$13.00 |
| (b) administration fee (payable in addition to the test fee) | level 2 fee |

31—Motor bike training courses

For a motor bike training course undertaken in accordance with the directions of the Registrar—

- | | |
|--|----------|
| (a) training course fee— | |
| (i) for basic motor bike training preparatory to obtaining a motor bike learner's permit | \$334.00 |

(ii)	for advanced motor bike training preparatory to obtaining a motor bike driver's licence	\$295.00
(b)	administration fee (payable in addition to the training course fee)	level 2 fee
32—Proficiency test for motor driving instructor's licence		
For a proficiency test of an applicant for a motor driving instructor's licence—		
(a)	for a theory test—	
(i)	test fee	\$64.00
(ii)	administration fee (payable in addition to the test fee)	level 2 fee
(b)	for a practical test conducted by a government authorised examiner—	
(i)	test fee (per day)	\$230.00
(ii)	administration fee (payable in addition to the test fee)	level 2 fee
33—Motor driving instructor's licence		
	For the issue of a motor driving instructor's licence (per year)	\$99.00
34—Duplicate motor driving instructor's licence		
	Administration fee for the issue of a duplicate motor driving instructor's licence	level 2 fee
35—Appointment as authorised examiner		
For appointment as an authorised examiner (other than a government authorised examiner)—		
(a)	authorised to conduct competence based driver training and assessment (per year)	\$145.00
(b)	authorised to conduct Vehicle on Road Tests (per year)	\$145.00
36—Proficiency tests for authorised examiners		
(1)	For a proficiency test, required by the Registrar, of an applicant for appointment as an authorised examiner in relation to the driving of motor vehicles with a gross vehicle mass not exceeding 4.5 t—	
(a)	practical training course test (per day)	\$230.00
(b)	administration fee (payable in addition to the test fee)	level 2 fee
(2)	For a proficiency test, required by the Registrar, of an applicant for appointment as an authorised examiner in relation to the driving of motor vehicles with a gross vehicle mass exceeding 4.5 t—	
(a)	practical training course test (per day)	\$388.00
(b)	administration fee (payable in addition to the test fee)	level 2 fee
(3)	For a training course for an authorised examiner whose appointment has been suspended, required by the Registrar for resumption of the appointment—	
(a)	training course (per day)	\$230.00

(b) administration fee (payable in addition to the training course fee)	level 2 fee	
37—Lectures as to motor vehicle accidents and their causes		
For attendance at a lecture conducted under regulation 56	\$36.00	
38—Administration fee for issue of alcohol interlock scheme licence		
Administration fee for the issue of a licence subject to mandatory alcohol interlock scheme conditions—for each month in the period for which the licence will be subject to alcohol interlock provisions (a part of a month being treated as a whole month)	\$16.00	
39—Disabled person's parking permit		
For the issue of a disabled person's parking permit—		
(a) permit fee—		
(i) for 1 year or less	\$3.00	
(ii) for 2 years	\$5.00	
(iii) for 3 years	\$7.00	
(iv) for 4 years	\$9.00	
(v) for 5 years	\$13.00	
(b) administration fee (payable in addition to the permit fee)	level 1 fee	
40—Register searches etc		
(1) Administration fee for searching the register and supplying information—		
(a) for manual search of archived information (per search)	level 3 fee	
(b) for manual search of current information (per search)	level 3 fee	
(c) for multiple searches where separate extracts of entries are not required	level 2 fee	
(d) where the applicant prepares computer input data in a form acceptable to the Registrar (per search)	level 1 fee	
(2) Administration fee for an extract of an entry in the register		level 3 fee
41—Motor vehicle examinations		
(1) For an examination of a motor vehicle for the purposes of completion of a report under regulation 13		\$14.00
(2) A fee for an examination referred to in subclause (1) must be paid—		
(a) in the case of an examination to be carried out by an authorised officer—on the registration of the vehicle; or		
(b) in the case of an examination to be carried out by a police officer—prior to the examination.		
(3) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a person authorised by the Registrar under section 139(1) of the Act		\$35.00

- | | |
|--|--|
| (4) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by a police officer | \$59.00 |
| (5) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer at Transport Department premises | \$59.00 |
| (6) For a basic examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer at a site other than Transport Department premises— | |
| (a) fee for call out (per site visit)—\$194.00; plus | |
| (b) fee for examination (per vehicle)—\$59.00. | |
| (7) For a comprehensive examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act to be carried out by an authorised officer | \$267.00 plus a booking fee of \$24.00 |
| (8) For a further examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act following a comprehensive examination referred to in subclause (7), to be carried out by an authorised officer | \$35.00 plus a booking fee of \$24.00 |
| (9) A fee for an examination of a motor vehicle for the purposes of section 139(1)(ab)(iii) of the Act must be paid— | |
| (a) in the case of a fee specified in subclause (3), (5) or (6)(b)—on the registration of the vehicle; or | |
| (b) in the case of a fee specified in subclause (4), (6)(a), (7) or (8)—prior to the examination. | |
| (10) If more than 1 fee becomes payable under subclauses (1) to (7) (inclusive) in respect of the examination of the same motor vehicle, only the higher or highest fee (as the case may be) must be paid. | |
| (11) A fee for an examination referred to in this clause to be carried out by a police officer must be paid to the South Australian Police Department. | |

42—Application for review of decision of Registrar

Administration fee payable on application for a review under section 98Z of the Act	level 3 fee
---	-------------

43—Dishonoured cheque or debit card or credit card transactions

Administration fee payable under section 138B of the Act	level 3 fee
--	-------------

44—Fees payable by insurer for emergency treatment

For the purposes of section 110(1) of the Act—

- (a) the fee payable to a medical practitioner who renders emergency treatment is a fee equal to a level 3 fee;
- (b) the fee payable to a nurse who renders emergency treatment is a fee equal to a level 2 fee;
- (c) the amount payable to a person who conveys an injured person is an amount equal to one tenth of a level 1 fee for every kilometre that the person is conveyed.

45—Fees payable in connection with service of notices of disqualification

- | | |
|---|----------|
| (1) Administration fee payable under section 139BD of the Act | \$31.00 |
| (2) Service fee payable under section 139BD of the Act | \$114.00 |

Part 3—Transitional provision**5—Transitional provision**

- (1) The fees prescribed in respect of the issue or renewal of—
 - (a) the registration of a motor vehicle; or
 - (b) a learner's permit, driver's licence or motor driving instructor's licence,by Schedule 1 of the *Motor Vehicles Regulations 2010*, as varied by these regulations, apply where the issue or renewal is to take effect on or after 1 July 2017.
- (2) All other fees prescribed by Schedule 1 of the *Motor Vehicles Regulations 2010*, as varied by these regulations, apply from 1 July 2017.
- (3) Despite regulation 4—
 - (a) the fees prescribed in respect of the issue of renewal of—
 - (i) the registration of a motor vehicle; or
 - (ii) a learner's permit, driver's licence or motor driving instructor's licence,by Schedule 1 of the *Motor Vehicles Regulations 2010*, as in force immediately before the commencement of these regulations, continue to apply where the issue or renewal is to take effect before 1 July 2017; and
 - (b) all other fees prescribed by Schedule 1 of the *Motor Vehicles Regulations 2010*, as in force immediately before the commencement of these regulations, continue to apply until 1 July 2017.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 37 of 2017

T&F17/008CS

South Australia

Motor Vehicles (National Heavy Vehicles Registration Fees) Variation Regulations 2017

under the *Motor Vehicles Act 1959*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*

- 4 Substitution of regulation 7
- 7 Registration fees for 2017/2018 financial year

Part 3—Transitional provision

- 5 Transitional provision
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Motor Vehicles (National Heavy Vehicles Registration Fees) Variation Regulations 2017*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*

4—Substitution of regulation 7

Regulation 7—delete the regulation and substitute:

7—Registration fees for 2017/2018 financial year

- (1) The registration fee payable for registration under section 24 of the Act, for the financial year commencing on 1 July 2017, of a motor vehicle with an MRC of more than 4.5 tonnes is the sum of the relevant road use component set out in Table 1 below and the relevant regulatory component set out in Table 2 below.
- (2) If a motor vehicle falls within 2 or more categories of vehicle with an MRC of more than 4.5 tonnes, the registration fee payable for the registration of the vehicle is the higher or highest of the registration fees that could apply in relation to the vehicle.
- (3) A reference in the tables below to a semi-trailer includes a reference to a pole type trailer.

Table 1—Registration fees (road use component)

Division 1—Load carrying vehicles

Vehicle type	2 axles	3 axles	4 axles	5 or more axles
Trucks				
Truck (type 1)	\$412	\$720	\$720	\$720
Truck (type 2)	\$720	\$817	\$817	\$817
Short combination truck	\$720	\$817	\$1 695	\$1 695
Medium combination truck	\$8 906	\$8 906	\$9 619	\$9 619
Long combination truck	\$12 312	\$12 312	\$12 312	\$12 312
Prime Movers				
Short combination prime mover	\$720	\$4 108	\$4 416	\$4 416
Multi-combination prime mover	\$10 421	\$10 421	\$11 463	\$11 463

Division 2—Trailers

Trailer type	Fee per axle			
	Single axle	Tandem axle group	Tri-axle group	Quad-axle group and above
Pig trailer	\$612	\$612	\$612	\$612
Dog trailer	\$612	\$612	\$612	\$612
Semi-trailer	\$612	\$778	\$553	\$415

B-double lead trailer, B-triple lead trailer or B-triple middle trailer	\$612	\$778	\$553	\$415
Converter dolly or low loader dolly	nil	nil	nil	nil

Division 3—Buses

Bus type	2 axles	3 axles	4 or more axles
Bus (type 1)	\$309		
Bus (type 2)	\$309	\$2 260	\$2 260
Articulated bus		\$309	\$309

Division 4—Special purpose vehicles

Special purpose vehicle (type P)	No charge			
Special purpose vehicle (type T)	\$300			
Special purpose vehicle (type O)	Calculated using the formula:		\$375 + (375 x number of axles over 2)	

Table 2—Registration fees (regulatory component)**Division 1—Load carrying vehicles**

Vehicle type	2 axles	3 axles	4 axles	5 or more axles
Trucks				
Truck (type 1)	\$199	\$235	\$250	\$250
Truck (type 2)	\$260	\$331	\$353	\$353
Short combination truck	\$291	\$369	\$353	\$353
Medium combination truck	\$660	\$660	\$714	\$714
Long combination truck	\$913	\$913	\$913	\$913
Prime Movers				
Short combination prime mover	\$411	\$411	\$411	\$411
Multi-combination prime mover	\$929	\$929	\$1 022	\$1 022

Division 2—Trailers

Trailer type	Fee per axle			
	Single axle	Tandem axle group	Tri-axle group	Quad-axle group and above
Pig trailer	\$55	\$28	\$18	\$14
Dog trailer	\$55	\$28	\$18	\$14
Semi-trailer	\$55	\$28	\$18	\$14
B-double lead trailer, B-triple lead trailer or B-triple middle trailer	\$55	\$28	\$18	\$14

Converter dolly or low loader dolly	\$55	\$28	\$18	\$14
-------------------------------------	------	------	------	------

Division 3—Buses

Bus type	2 axles	3 axles	4 or more axles
Bus (type 1)	\$208		
Bus (type 2)	\$340	\$422	\$422
Articulated bus		\$337	\$337

Division 4—Special purpose vehicles

Special purpose vehicle (type P)			No charge
Special purpose vehicle (type T)			\$205
Special purpose vehicle (type O)			\$205

Part 3—Transitional provision**5—Transitional provision**

- (1) The fees prescribed in respect of the issue or renewal of the registration of a motor vehicle by the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*, as varied by these regulations, apply where the issue or renewal is to take effect on or after 1 July 2017.
- (2) Despite Part 2 of these regulations, the fees prescribed in respect of the issue or renewal of the registration of a motor vehicle by the *Motor Vehicles (National Heavy Vehicles Registration Fees) Regulations 2008*, as in force immediately before the commencement of these regulations, continue to apply where the issue or renewal is to take effect before 1 July 2017.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 38 of 2017

T&F17/008CS

South Australia

Passenger Transport (Fees) Variation Regulations 2017

under the *Passenger Transport Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Passenger Transport Regulations 2009*

- 4 Substitution of Schedule 1
Schedule 1—Fees

Part 3—Transitional provision

- 5 Transitional provision
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Passenger Transport (Fees) Variation Regulations 2017*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Passenger Transport Regulations 2009*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

- 1 Application fee for an accreditation under the Act—
 - (a) in respect of an accreditation under Part 4 Division 1—
 - (i) unless (ii) or (iii) applies

\$434

	(ii)	in the case of a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation	\$434 plus \$87 for each vehicle that will initially be used for the purposes of a service operated under the accreditation
	(iii)	in the case of a Small Passenger Vehicle (Metropolitan) Accreditation	\$434 plus \$87 for each vehicle that will initially be used for the purposes of a service operated under the accreditation
	(b)	in respect of an accreditation under Part 4 Division 2	nil
	(c)	in respect of an accreditation under Part 4 Division 3	\$967
2		Periodical fee payable under section 33(1)(b) of the Act—for each prescribed period (see regulations 10(1) and 16(1))—	
	(a)	in respect of an accreditation under Part 4 Division 1—	
	(i)	unless (ii) or (iii) applies	\$434
	(ii)	in the case of a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation	\$434 plus \$87 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation (as at the end of the relevant period)
	(iii)	in the case of a Small Passenger Vehicle (Metropolitan) Accreditation	\$434 plus \$87 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation (as at the end of the relevant period)
	(b)	in respect of an accreditation under Part 4 Division 3	\$967
3		Penalty for a default under section 33(2) of the Act	\$58
4		Renewal fee under section 34 of the Act—	
	(a)	in respect of an accreditation under Part 4 Division 1—	
	(i)	unless (ii) or (iii) applies	\$434
	(ii)	in the case of a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation	\$434 plus \$87 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation at the time of renewal

	(iii) in the case of a Small Passenger Vehicle (Metropolitan) Accreditation	\$434 plus \$87 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation at the time of renewal
	(b) in respect of an accreditation under Part 4 Division 2	nil
	(c) in respect of an accreditation under Part 4 Division 3	\$967
5	Application to vary an accreditation under Part 4 Division 2	nil
6	Notification to the Minister of—	
	(a) the introduction of a vehicle to a service—	
	(i) unless (ii) or (iii) applies	\$20
	(ii) in the case of a vehicle used for the purposes of a service operated under a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation	\$87 per vehicle
	(iii) in the case of a vehicle used for the purposes of a service operated under a Small Passenger Vehicle (Metropolitan) Accreditation	\$87 per vehicle
	However, if a vehicle is introduced to a service operated under an accreditation referred to in subparagraph (ii) or (iii) during a prescribed period for that accreditation under regulation 10 the fee payable under subparagraph (ii) or (iii) may be adjusted on a pro rata basis by applying the proportion that the number of months that are left to run to the end of that prescribed period bears to 12 months (on the basis that parts of a month count as a full month)	
	(b) the withdrawal of a vehicle from a service	\$20
7	Application fee for a licence under Part 6 of the Act—	
	(a) in respect of a special vehicle licence	\$87
	(b) in respect of any other kind of licence	\$87
8	Renewal fee under Part 6 of the Act	\$87
9	Application fee for the consent of the Minister under section 49 of the Act	\$95
10	Application fee for consent to the substitution of another vehicle for a licensed taxi	\$39
11	Fee for issue of a duplicate of an accreditation or licence that has been lost etc	\$60

12	Prescribed fee under section 54 of the Act—	
	(a) for a first inspection	\$97
	(b) for a subsequent inspection (if necessary)	\$72
13	Tender fee for the purposes of Schedule 2	\$39

Part 3—Transitional provision

5—Transitional provision

- (1) The fees prescribed in respect of—
- (a) the issue or renewal of an accreditation under Part 4 of the Act; or
 - (b) a period for which an accreditation is held under that Part (a periodical fee); or
 - (c) the issue or renewal of a licence under Part 6 of the Act; or
 - (d) the grant or renewal of a consent under section 49 of the Act,

by Schedule 1 of the *Passenger Transport Regulations 2009*, as substituted by these regulations, apply where the issue, grant or renewal takes effect, or the period commences, on or after 1 July 2017.

- (2) All other fees prescribed by Schedule 1 of the *Passenger Transport Regulations 2009*, as substituted by these regulations, apply from 1 July 2017.

- (3) Despite regulation 4—

- (a) the fees prescribed in respect of—
 - (i) the issue or renewal of an accreditation under Part 4 of the Act; or
 - (ii) a period for which an accreditation is held under that Part (a periodical fee); or
 - (iii) the issue or renewal of a licence under Part 6 of the Act; or
 - (iv) the grant or renewal of a consent under section 49 of the Act,

by Schedule 1 of the *Passenger Transport Regulations 2009*, as in force immediately before the commencement of these regulations, continue to apply where the issue, grant or renewal is to take effect, or the period is to commence, before 1 July 2017; and

- (b) all other fees prescribed by Schedule 1 of the *Passenger Transport Regulations 2009*, as in force immediately before the commencement of these regulations, continue to apply until 1 July 2017.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 39 of 2017

T&F17/008CS

South Australia

Marine Safety (Domestic Commercial Vessel) National Law (Application) (Fees) Variation Regulations 2017

under the *Marine Safety (Domestic Commercial Vessel) National Law (Application) Act 2013*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Marine Safety (Domestic Commercial Vessel) National Law (Application) Regulations 2013*

- 4 Substitution of Schedule 1
- Schedule 1—Fees

Schedule 1—Transitional provision

- 1 Transitional provision
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Marine Safety (Domestic Commercial Vessel) National Law (Application) (Fees) Variation Regulations 2017*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Marine Safety (Domestic Commercial Vessel) National Law (Application) Regulations 2013*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

<u>Fee description</u>	<u>Fee</u>
Fees relating to certificates of operation	
Application for issue or variation of certificate of operation—	
(a) for human-powered and sail vessels equal to or less than 5 m in length	\$57.00
(b) for motorised vessels equal to or less than 5 m in length	\$140.00
(c) for all other vessels	\$140.00
Application for issue of unique identifier (per vessel)	\$37.00
Assessment of vessel not in survey	\$176.00 per hour
Cost of travel to the vessel or operator's preferred or required location	reasonable travel costs incurred (including travel time)
Assessment or audit of safety management system	\$176.00 per hour
Application for issue of replacement certificate of operation	\$73.00
Fees relating to certificates of competency	
Application for certificate of competency (including first attempt at final assessment)—	
(a) General Purpose Hand NC	\$140.00 plus an assessment fee of \$68.00 per hour
(b) Coxswain Grade 2 NC	\$337.00 plus an assessment fee of \$68.00 per hour
(c) Coxswain Grade 1 NC	\$522.00 plus an assessment fee of \$68.00 per hour
(d) Master <24 m NC	\$781.00 plus an assessment fee of \$68.00 per hour
(e) Master (Inland waters)	\$652.00 plus an assessment fee of \$68.00 per hour
(f) Master <35 m NC	\$890.00 plus an assessment fee of \$68.00 per hour
(g) Mate <80 m NC	\$890.00 plus an assessment fee of \$68.00 per hour
(h) Master <80 m NC	\$907.00 plus an assessment fee of \$68.00 per hour

Fee description	Fee
(i) Marine Engine Driver Grade 3 NC	\$366.00 plus an assessment fee of \$68.00 per hour
(j) Marine Engine Driver Grade 2 NC	\$603.00 plus an assessment fee of \$68.00 per hour
(k) Marine Engine Driver Grade 1 NC	\$677.00 plus an assessment fee of \$68.00 per hour
(l) Engineer Class 3 NC	\$798.00 plus an assessment fee of \$68.00 per hour
Second or subsequent attempt at final assessment—	
(a) Coxswain Grade 2 NC	\$51.00
(b) Coxswain Grade 1 NC	\$156.00
(c) Master <24 m NC	\$259.00
(d) Master (Inland waters)	\$259.00
(e) Master <35 m NC	\$339.00
(f) Mate <80 m NC	\$339.00
(g) Master <80 m NC	\$397.00
(h) Marine Engine Driver Grade 3 NC	\$108.00
(i) Marine Engine Driver Grade 2 NC	\$135.00
(j) Marine Engine Driver Grade 1 NC	\$207.00
(k) Engineer Class 3	\$339.00
Cost of travel for purposes of final assessment	reasonable travel costs incurred (including travel time)
Renewal of certificate of competency	\$88.00
Re-validation of certificate of competency	\$140.00
Application for issue of variation of certificate of competency	\$140.00
Application for issue of replacement certificate of competency	\$73.00
Fees relating to certificates of survey	
Application for issue of certificate of survey for a new domestic commercial vessel	\$140.00
Issue of a subsequent certificate of survey relating to periodic survey of a vessel	\$102.00
Application for issue of replacement certificate of survey	\$73.00
Application for issue of variation of certificate of survey	\$140.00
Searching for and provision of current or archived vessel information (per vessel)	\$37.00
Technical assessment of vessel survey report and recommendation submitted by accredited marine surveyor	\$176.00 per hour

Fee description	Fee
Fees relating to survey of vessels (not including hire and drive houseboats)	
For survey of vessels (not including hire and drive houseboats)—	
(a) for initial survey, according to length of vessel as follows:	
(i) not more than 5 m	\$790.00
(ii) more than 5 m but not more than 6 m	\$943.00
(iii) more than 6 m but not more than 7 m	\$1 102.00
(iv) more than 7 m but not more than 8 m	\$1 266.00
(v) more than 8 m but not more than 9 m	\$1 435.00
(vi) more than 9 m but not more than 10 m	\$1 607.00
(vii) more than 10 m but not more than 11 m	\$1 782.00
(viii) more than 11 m but not more than 12 m	\$1 959.00
(ix) more than 12 m but not more than 13 m	\$2 143.00
(x) more than 13 m but not more than 14 m	\$2 327.00
(xi) more than 14 m but not more than 15 m	\$2 516.00
(xii) more than 15 m but not more than 16 m	\$2 705.00
(xiii) more than 16 m but not more than 17 m	\$2 898.00
(xiv) more than 17 m but not more than 18 m	\$3 096.00
(xv) more than 18 m but not more than 19 m	\$3 294.00
(xvi) more than 19 m but not more than 20 m	\$3 492.00
(xvii) more than 20 m but not more than 21 m	\$3 695.00
(xviii) more than 21 m but not more than 22 m	\$3 897.00
(xix) more than 22 m but not more than 23 m	\$4 104.00
(xx) more than 23 m but not more than 24 m	\$4 310.00
(xxi) more than 24 m but not more than 25 m	\$4 522.00
(xxii) more than 25 m but not more than 26 m	\$4 734.00
(xxiii) more than 26 m but not more than 27 m	\$4 950.00
(xxiv) more than 27 m but not more than 28 m	\$5 160.00
(xxv) more than 28 m but not more than 29 m	\$5 378.00
(xxvi) more than 29 m but not more than 30 m	\$5 596.00
(xxvii) more than 30 m but not more than 31 m	\$5 817.00
(xxviii) more than 31 m but not more than 32 m	\$6 036.00
(xxix) more than 32 m but not more than 33 m	\$6 258.00
(xxx) more than 33 m but not more than 34 m	\$6 484.00
(xxxi) more than 34 m but not more than 35 m	\$6 708.00
(xxxii) more than 35 m but not more than 36 m	\$6 935.00

Fee description	Fee
(xxxiii) more than 36 m but not more than 37 m	\$7 163.00
(xxxiv) more than 37 m but not more than 38 m	\$7 394.00
(xxxv) more than 38 m but not more than 39 m	\$7 624.00
(xxxvi) more than 39 m but not more than 40 m	\$7 857.00
(xxxvii) more than 40 m but not more than 41 m	\$8 089.00
(xxxviii) more than 41 m but not more than 42 m	\$8 323.00
(xxxix) more than 42 m but not more than 43 m	\$8 559.00
(xl) more than 43 m but not more than 44 m	\$8 795.00
(xli) more than 44 m but not more than 45 m	\$9 034.00
(xlii) more than 45 m but not more than 46 m	\$9 273.00
(xliii) more than 46 m but not more than 47 m	\$9 513.00
(xliv) more than 47 m but not more than 48 m	\$9 753.00
(xlv) more than 48 m but not more than 49 m	\$9 997.00
(xlvi) more than 49 m but not more than 50 m	\$10 237.00
(xlvii) more than 50 m	\$10 237.00 plus \$193.00 per metre for every metre above 50 m
(b) for periodic in-water survey of a vessel, being a first visit (not surveyed by classification society), according to length of vessel as follows:	
(i) not more than 5 m	\$367.00
(ii) more than 5 m but not more than 6 m	\$451.00
(iii) more than 6 m but not more than 7 m	\$533.00
(iv) more than 7 m but not more than 8 m	\$618.00
(v) more than 8 m but not more than 9 m	\$702.00
(vi) more than 9 m but not more than 10 m	\$790.00
(vii) more than 10 m but not more than 11 m	\$877.00
(viii) more than 11 m but not more than 12 m	\$967.00
(ix) more than 12 m but not more than 13 m	\$1 055.00
(x) more than 13 m but not more than 14 m	\$1 146.00
(xi) more than 14 m but not more than 15 m	\$1 237.00
(xii) more than 15 m but not more than 16 m	\$1 328.00
(xiii) more than 16 m but not more than 17 m	\$1 420.00
(xiv) more than 17 m but not more than 18 m	\$1 511.00
(xv) more than 18 m but not more than 19 m	\$1 606.00
(xvi) more than 19 m but not more than 20 m	\$1 700.00
(xvii) more than 20 m but not more than 21 m	\$1 791.00

Fee description	Fee
(xviii) more than 21 m but not more than 22 m	\$1 888.00
(xix) more than 22 m but not more than 23 m	\$1 980.00
(xx) more than 23 m but not more than 24 m	\$2 075.00
(xxi) more than 24 m but not more than 25 m	\$2 173.00
(xxii) more than 25 m but not more than 26 m	\$2 268.00
(xxiii) more than 26 m but not more than 27 m	\$2 365.00
(xxiv) more than 27 m but not more than 28 m	\$2 460.00
(xxv) more than 28 m but not more than 29 m	\$2 557.00
(xxvi) more than 29 m but not more than 30 m	\$2 653.00
(xxvii) more than 30 m but not more than 31 m	\$2 751.00
(xxviii) more than 31 m but not more than 32 m	\$2 850.00
(xxix) more than 32 m but not more than 33 m	\$2 948.00
(xxx) more than 33 m but not more than 34 m	\$3 050.00
(xxxi) more than 34 m but not more than 35 m	\$3 144.00
(xxxii) more than 35 m but not more than 36 m	\$3 245.00
(xxxiii) more than 36 m but not more than 37 m	\$3 344.00
(xxxiv) more than 37 m but not more than 38 m	\$3 442.00
(xxxv) more than 38 m but not more than 39 m	\$3 543.00
(xxxvi) more than 39 m but not more than 40 m	\$3 643.00
(xxxvii) more than 40 m but not more than 41 m	\$3 746.00
(xxxviii) more than 41 m but not more than 42 m	\$3 844.00
(xxxix) more than 42 m but not more than 43 m	\$3 946.00
(xl) more than 43 m but not more than 44 m	\$4 047.00
(xli) more than 44 m but not more than 45 m	\$4 147.00
(xlii) more than 45 m but not more than 46 m	\$4 250.00
(xliii) more than 46 m but not more than 47 m	\$4 350.00
(xliv) more than 47 m but not more than 48 m	\$4 455.00
(xlv) more than 48 m but not more than 49 m	\$4 554.00
(xlvi) more than 49 m but not more than 50 m	\$4 657.00
(xlvii) more than 50 m	\$4 657.00 plus \$193.00 per metre for every metre above 50 metres
(c) for periodic out-of-water survey of a vessel, being a first visit (not surveyed by classification society), according to length of vessel as follows:	
(i) not more than 5 m	\$412.00
(ii) more than 5 m but not more than 6 m	\$501.00

Fee description	Fee
(iii) more than 6 m but not more than 7 m	\$593.00
(iv) more than 7 m but not more than 8 m	\$686.00
(v) more than 8 m but not more than 9 m	\$782.00
(vi) more than 9 m but not more than 10 m	\$876.00
(vii) more than 10 m but not more than 11 m	\$971.00
(viii) more than 11 m but not more than 12 m	\$1 072.00
(ix) more than 12 m but not more than 13 m	\$1 167.00
(x) more than 13 m but not more than 14 m	\$1 269.00
(xi) more than 14 m but not more than 15 m	\$1 367.00
(xii) more than 15 m but not more than 16 m	\$1 468.00
(xiii) more than 16 m but not more than 17 m	\$1 570.00
(xiv) more than 17 m but not more than 18 m	\$1 668.00
(xv) more than 18 m but not more than 19 m	\$1 773.00
(xvi) more than 19 m but not more than 20 m	\$1 875.00
(xvii) more than 20 m but not more than 21 m	\$1 979.00
(xviii) more than 21 m but not more than 22 m	\$2 082.00
(xix) more than 22 m but not more than 23 m	\$2 186.00
(xx) more than 23 m but not more than 24 m	\$2 288.00
(xxi) more than 24 m but not more than 25 m	\$2 395.00
(xxii) more than 25 m but not more than 26 m	\$2 501.00
(xxiii) more than 26 m but not more than 27 m	\$2 608.00
(xxiv) more than 27 m but not more than 28 m	\$2 714.00
(xxv) more than 28 m but not more than 29 m	\$2 821.00
(xxvi) more than 29 m but not more than 30 m	\$2 926.00
(xxvii) more than 30 m but not more than 31 m	\$3 033.00
(xxviii) more than 31 m but not more than 32 m	\$3 142.00
(xxix) more than 32 m but not more than 33 m	\$3 251.00
(xxx) more than 33 m but not more than 34 m	\$3 359.00
(xxxi) more than 34 m but not more than 35 m	\$3 469.00
(xxxii) more than 35 m but not more than 36 m	\$3 575.00
(xxxiii) more than 36 m but not more than 37 m	\$3 684.00
(xxxiv) more than 37 m but not more than 38 m	\$3 796.00
(xxxv) more than 38 m but not more than 39 m	\$3 906.00
(xxxvi) more than 39 m but not more than 40 m	\$4 016.00
(xxxvii) more than 40 m but not more than 41 m	\$4 125.00
(xxxviii) more than 41 m but not more than 42 m	\$4 237.00
(xxxix) more than 42 m but not more than 43 m	\$4 347.00

Fee description	Fee
(xl) more than 43 m but not more than 44 m	\$4 459.00
(xli) more than 44 m but not more than 45 m	\$4 546.00
(xlii) more than 45 m but not more than 46 m	\$4 683.00
(xliii) more than 46 m but not more than 47 m	\$4 793.00
(xliv) more than 47 m but not more than 48 m	\$4 908.00
(xlv) more than 48 m but not more than 49 m	\$5 018.00
(xlvi) more than 49 m but not more than 50 m	\$5 130.00
(xlvii) more than 50 m	\$5 130.00 plus \$193.00 per metre for every metre above 50 m
(d) for periodic combined in- and out-of-water survey of a vessel, being a first visit (not surveyed by classification society), according to length of vessel as follows:	
(i) not more than 5 m	\$570.00
(ii) more than 5 m but not more than 6 m	\$691.00
(iii) more than 6 m but not more than 7 m	\$814.00
(iv) more than 7 m but not more than 8 m	\$939.00
(v) more than 8 m but not more than 9 m	\$1 064.00
(vi) more than 9 m but not more than 10 m	\$1 190.00
(vii) more than 10 m but not more than 11 m	\$1 318.00
(viii) more than 11 m but not more than 12 m	\$1 449.00
(ix) more than 12 m but not more than 13 m	\$1 578.00
(x) more than 13 m but not more than 14 m	\$1 712.00
(xi) more than 14 m but not more than 15 m	\$1 843.00
(xii) more than 15 m but not more than 16 m	\$1 977.00
(xiii) more than 16 m but not more than 17 m	\$2 111.00
(xiv) more than 17 m but not more than 18 m	\$2 245.00
(xv) more than 18 m but not more than 19 m	\$2 383.00
(xvi) more than 19 m but not more than 20 m	\$2 517.00
(xvii) more than 20 m but not more than 21 m	\$2 655.00
(xviii) more than 21 m but not more than 22 m	\$2 795.00
(xix) more than 22 m but not more than 23 m	\$2 932.00
(xx) more than 23 m but not more than 24 m	\$3 070.00
(xxi) more than 24 m but not more than 25 m	\$3 211.00
(xxii) more than 25 m but not more than 26 m	\$3 351.00
(xxiii) more than 26 m but not more than 27 m	\$3 492.00
(xxiv) more than 27 m but not more than 28 m	\$3 634.00

Fee description	Fee
(xxv) more than 28 m but not more than 29 m	\$3 776.00
(xxvi) more than 29 m but not more than 30 m	\$3 917.00
(xxvii) more than 30 m but not more than 31 m	\$4 057.00
(xxviii) more than 31 m but not more than 32 m	\$4 203.00
(xxix) more than 32 m but not more than 33 m	\$4 348.00
(xxx) more than 33 m but not more than 34 m	\$4 493.00
(xxxi) more than 34 m but not more than 35 m	\$4 637.00
(xxxii) more than 35 m but not more than 36 m	\$4 782.00
(xxxiii) more than 36 m but not more than 37 m	\$4 926.00
(xxxiv) more than 37 m but not more than 38 m	\$5 073.00
(xxxv) more than 38 m but not more than 39 m	\$5 220.00
(xxxvi) more than 39 m but not more than 40 m	\$5 367.00
(xxxvii) more than 40 m but not more than 41 m	\$5 510.00
(xxxviii) more than 41 m but not more than 42 m	\$5 662.00
(xxxix) more than 42 m but not more than 43 m	\$5 805.00
(xl) more than 43 m but not more than 44 m	\$5 953.00
(xli) more than 44 m but not more than 45 m	\$6 071.00
(xlii) more than 45 m but not more than 46 m	\$6 252.00
(xliii) more than 46 m but not more than 47 m	\$6 400.00
(xliv) more than 47 m but not more than 48 m	\$6 553.00
(xlv) more than 48 m but not more than 49 m	\$6 700.00
(xlvi) more than 49 m but not more than 50 m	\$6 848.00
(xlvii) more than 50 m	\$6 848.00 plus \$193.00 per metre for every metre above 50 m
(e) for subsequent survey (where vessel has been surveyed by classification society)	\$193.00 per hour
(f) for non-attendance by owner of vessel or agent at survey—	
(i) for initial survey	50% of relevant survey fee
(ii) for subsequent survey—	
• in the case of a first visit	50% of relevant survey fee
• in the case of a second or subsequent visit	\$363.00
(iii) of alterations or repairs to vessel	\$363.00
(g) for attendance of surveyor at inclining experiment	\$294.00
(h) for examination and approval of vessel's stability information—	

Fee description	Fee
(i) if information is based on simplified stability criteria under the National Standard for Commercial Vessels	\$298.00
(ii) in any other case	\$193.00 per hour (minimum fee \$881.00)

Fees relating to survey of hire and drive houseboats

For survey of hire and drive houseboats—

(a) for initial survey, according to length of vessel as follows:	
(i) not more than 5 m	\$338.00
(ii) more than 5 m but not more than 6 m	\$417.00
(iii) more than 6 m but not more than 7 m	\$495.00
(iv) more than 7 m but not more than 8 m	\$575.00
(v) more than 8 m but not more than 9 m	\$660.00
(vi) more than 9 m but not more than 10 m	\$745.00
(vii) more than 10 m but not more than 11 m	\$834.00
(viii) more than 11 m but not more than 12 m	\$923.00
(ix) more than 12 m but not more than 13 m	\$1 013.00
(x) more than 13 m but not more than 14 m	\$1 106.00
(xi) more than 14 m but not more than 15 m	\$1 203.00
(xii) more than 15 m but not more than 16 m	\$1 296.00
(xiii) more than 16 m but not more than 17 m	\$1 394.00
(xiv) more than 17 m but not more than 18 m	\$1 490.00
(xv) more than 18 m but not more than 19 m	\$1 587.00
(xvi) more than 19 m but not more than 20 m	\$1 688.00
(xvii) more than 20 m but not more than 21 m	\$1 790.00
(xviii) more than 21 m but not more than 22 m	\$1 893.00
(xix) more than 22 m but not more than 23 m	\$1 994.00
(xx) more than 23 m but not more than 24 m	\$2 101.00
(b) for periodic in-water survey, being a first visit, according to length of vessel as follows:	
(i) not more than 5 m	\$223.00
(ii) more than 5 m but not more than 6 m	\$274.00
(iii) more than 6 m but not more than 7 m	\$331.00
(iv) more than 7 m but not more than 8 m	\$387.00
(v) more than 8 m but not more than 9 m	\$447.00
(vi) more than 9 m but not more than 10 m	\$505.00
(vii) more than 10 m but not more than 11 m	\$561.00

Fee description	Fee
(viii) more than 11 m but not more than 12 m	\$623.00
(ix) more than 12 m but not more than 13 m	\$682.00
(x) more than 13 m but not more than 14 m	\$743.00
(xi) more than 14 m but not more than 15 m	\$803.00
(xii) more than 15 m but not more than 16 m	\$866.00
(xiii) more than 16 m but not more than 17 m	\$925.00
(xiv) more than 17 m but not more than 18 m	\$988.00
(xv) more than 18 m but not more than 19 m	\$1 050.00
(xvi) more than 19 m but not more than 20 m	\$1 114.00
(xvii) more than 20 m but not more than 21 m	\$1 174.00
(xviii) more than 21 m but not more than 22 m	\$1 240.00
(xix) more than 22 m but not more than 23 m	\$1 302.00
(xx) more than 23 m but not more than 24 m	\$1 366.00
(c) for periodic combined in- and out-of-water survey, being a first visit, according to length of vessel as follows:	
(i) not more than 5 m	\$321.00
(ii) more than 5 m but not more than 6 m	\$388.00
(iii) more than 6 m but not more than 7 m	\$466.00
(iv) more than 7 m but not more than 8 m	\$542.00
(v) more than 8 m but not more than 9 m	\$618.00
(vi) more than 9 m but not more than 10 m	\$695.00
(vii) more than 10 m but not more than 11 m	\$774.00
(viii) more than 11 m but not more than 12 m	\$852.00
(ix) more than 12 m but not more than 13 m	\$932.00
(x) more than 13 m but not more than 14 m	\$1 013.00
(xi) more than 14 m but not more than 15 m	\$1 093.00
(xii) more than 15 m but not more than 16 m	\$1 140.00
(xiii) more than 16 m but not more than 17 m	\$1 257.00
(xiv) more than 17 m but not more than 18 m	\$1 339.00
(xv) more than 18 m but not more than 19 m	\$1 422.00
(xvi) more than 19 m but not more than 20 m	\$1 504.00
(xvii) more than 20 m but not more than 21 m	\$1 587.00
(xviii) more than 21 m but not more than 22 m	\$1 672.00
(xix) more than 22 m but not more than 23 m	\$1 757.00
(xx) more than 23 m but not more than 24 m	\$1 842.00
(d) for periodic out-of-water survey, being a first visit, according to length of vessel as follows:	

Fee description	Fee
(i) not more than 5 m	\$252.00
(ii) more than 5 m but not more than 6 m	\$310.00
(iii) more than 6 m but not more than 7 m	\$373.00
(iv) more than 7 m but not more than 8 m	\$433.00
(v) more than 8 m but not more than 9 m	\$498.00
(vi) more than 9 m but not more than 10 m	\$562.00
(vii) more than 10 m but not more than 11 m	\$625.00
(viii) more than 11 m but not more than 12 m	\$692.00
(ix) more than 12 m but not more than 13 m	\$757.00
(x) more than 13 m but not more than 14 m	\$824.00
(xi) more than 14 m but not more than 15 m	\$892.00
(xii) more than 15 m but not more than 16 m	\$960.00
(xiii) more than 16 m but not more than 17 m	\$1 027.00
(xiv) more than 17 m but not more than 18 m	\$1 094.00
(xv) more than 18 m but not more than 19 m	\$1 163.00
(xvi) more than 19 m but not more than 20 m	\$1 232.00
(xvii) more than 20 m but not more than 21 m	\$1 300.00
(xviii) more than 21 m but not more than 22 m	\$1 369.00
(xix) more than 22 m but not more than 23 m	\$1 441.00
(xx) more than 23 m but not more than 24 m	\$1 511.00
(e) for non-attendance by owner of houseboat or agent at initial or subsequent survey	50% of relevant survey fee under (a), (b), (c) or (d)

Fees relating to survey of vessels and plan approvals etc

For subsequent survey (being a second or subsequent visit for vessel that has not been surveyed by classification society)	\$193.00 per hour
For survey of alterations or repairs to vessel	\$193.00 per hour
For examination and approval of plans for construction or alteration of vessel	\$193.00 per hour
Cost of travel to the vessel or operator's preferred or required location	Reasonable travel costs incurred (including travel time)

Fees relating to loadline certificates

Fees for loadline certificate—

(a) application for issue of loadline certificate	\$140.00
(b) loadline assessment fee	\$193.00 per hour after first hour
Application for issue of replacement loadline certificate	\$73.00
Application for issue of variation of loadline certificate	\$140.00

Fee description	Fee
Technical assessment of loadline report and recommendation submitted by accredited marine surveyor	\$176.00 per hour
Fees relating to exemptions and endorsements	
Application for exemption	\$140.00
Technical assessment relating to application for exemption of domestic commercial vessel	\$176.00 per hour
Application for endorsement of certificate of competency	\$140.00

Schedule 1—Transitional provision

1—Transitional provision

- (1) The fees prescribed in respect of an application for a certificate of survey of a vessel, a certificate of operation, or for the renewal or re-validation of a certificate of competency by Schedule 1 of the *Marine Safety (Domestic Commercial Vessel) National Law (Application) Regulations 2013*, as substituted by these regulations, apply where the relevant certificate, renewal or re-validation is to take effect on or after 1 July 2017.
- (2) All other fees prescribed in Schedule 1 of the *Marine Safety (Domestic Commercial Vessel) National Law (Application) Regulations 2013*, as substituted by these regulations, apply from 1 July 2017.
- (3) Despite regulation 4—
 - (a) the fees prescribed in respect of an application for a certificate of survey of a vessel, a certificate of operation, or for the renewal or re-validation of a certificate of competency by Schedule 1 of the *Marine Safety (Domestic Commercial Vessel) National Law (Application) Regulations 2013*, as in force immediately before the commencement of these regulations, continue to apply where the relevant certificate, renewal or re-validation is to take effect before 1 July 2017; and
 - (b) all other fees prescribed by Schedule 1 of the *Marine Safety (Domestic Commercial Vessel) National Law (Application) Regulations 2013*, as in force immediately before the commencement of these regulations, continue to apply until 1 July 2017.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 40 of 2017

T&F17/008CS

South Australia

Construction Industry Long Service Leave Variation Regulations 2017

under the *Construction Industry Long Service Leave Act 1987*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Construction Industry Long Service Leave Regulations 2003*

- 4 Revocation of regulations 12 to 15
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Construction Industry Long Service Leave Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 5 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Construction Industry Long Service Leave Regulations 2003*

4—Revocation of regulations 12 to 15

Regulations 12 to 15 (inclusive)—delete the regulations

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 41 of 2017

MIR0009/17CS

South Australia

Courts Administration Variation Regulations 2017

under the *Courts Administration Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Courts Administration Regulations 2008*

- 4 Variation of Schedule 1—Participating courts
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Courts Administration Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 6 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Courts Administration Regulations 2008*

4—Variation of Schedule 1—Participating courts

Schedule 1—delete "Equal Opportunity Tribunal"

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 42 of 2017

MIR0009/17CS

South Australia

Education Variation Regulations 2017

under the *Education Act 1972*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Education Regulations 2012*

- 4 Substitution of regulation 18
 - 18 Promotional level positions—reviews
 - 5 Variation of regulation 36—Complaint against a Departmental officer
 - 6 Substitution of regulation 37
 - 37 Selection of panel members for particular SAET proceedings
 - 7 Substitution of regulation 38
 - 38 General time limit for commencing proceedings
 - 8 Revocation of regulation 39
 - 9 Substitution of regulation 40
 - 40 Delay of proceedings by Director-General
 - 10 Variation of regulation 41—Criminal offences by teachers
 - 11 Variation of regulation 97—Election of teachers as supplementary panel members for SAET
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Education Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 8 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Education Regulations 2012*

4—Substitution of regulation 18

Regulation 18—delete the regulation and substitute:

18—Promotional level positions—reviews

- (1) An application for a review under section 53 of the Act must be made within 14 days after the officer receives notice of the decision giving rise to the right of review (or such longer period (not exceeding 7 days) as SAET may allow).
- (2) An application must be accompanied by a written submission setting out the grounds on which the application is made.
- (3) SAET will consider the submission furnished under subregulation (2) and may—
 - (a) dismiss the application where, in the opinion of SAET, the submission has not disclosed sufficient grounds for further enquiry; or
 - (b) hear the applicant in person and the Director-General where, in the opinion of SAET, the submission has disclosed sufficient grounds for further enquiry.

5—Variation of regulation 36—Complaint against a Departmental officer

Regulation 36(2)—delete "appeal to the Appeal Board against the determination of the Director-General" and substitute:

apply to SAET under Part 3 Division 1 of the *South Australian Employment Tribunal Act 2014* for a review of the determination of the Director-General

6—Substitution of regulation 37

Regulation 37—delete the regulation and substitute:

37—Selection of panel members for particular SAET proceedings

If the President of SAET determines under section 54(2) of the Act that SAET is to sit with supplementary panel members for the purposes of particular proceedings, the President must not select a person who—

- (a) performed the action or made the decision, determination, recommendation or provisional appointment to which the proceedings relate; or
- (b) is employed in that division or group of the Department of which the applicant in the proceedings is a member.

7—Substitution of regulation 38

Regulation 38—delete the regulation and substitute:

38—General time limit for commencing proceedings

Except where otherwise provided by the Act or these regulations, any application to SAET must be commenced within 14 days after the applicant in the proceedings receives written notice of the act, decision, determination or appointment to which the proceedings relate.

8—Revocation of regulation 39

Regulation 39—delete the regulation

9—Substitution of regulation 40

Regulation 40—delete the regulation and substitute:

40—Delay of proceedings by Director-General

If SAET is hearing review proceedings brought by a teacher on any matter, the Director-General must delay any action against that teacher in respect of that matter until SAET has made a determination in those proceedings.

10—Variation of regulation 41—Criminal offences by teachers

Regulation 41—delete "by the Appeal Board" and substitute:

before SAET

11—Variation of regulation 97—Election of teachers as supplementary panel members for SAET

(1) Regulation 97(1)—delete subregulation (1) and substitute:

(1) Elections must be held in accordance with this regulation whenever there is a vacancy in the membership of a panel of officers of the teaching service under section 54(1)(b) of the Act.

(2) Regulation 97(2)(b)—delete "vacant offices" and substitute:

vacancies

(3) Regulation 97(6), definition of *AEU*—delete "(the organisation formerly known as the Institute of Teachers as referred to in section 45 of the Act)"

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 43 of 2017

MIR0009/17CS

South Australia

Evidence Variation Regulations 2017

under the *Evidence Act 1929*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Evidence Regulations 2007*

- 4 Variation of regulation 4—Prescribed South Australian courts
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Evidence Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 2 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Evidence Regulations 2007*

4—Variation of regulation 4—Prescribed South Australian courts

Regulation 4, paragraphs (b), (c), (d) and (e)—delete paragraphs (b) to (e) (inclusive) and substitute:

- (b) the South Australian Employment Tribunal;

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 44 of 2017

MIR0009/17CS

South Australia

Fair Work (Clothing Outworker Code of Practice) Variation Regulations 2017

under the *Fair Work Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fair Work (Clothing Outworker Code of Practice) Regulations 2007*

- 4 Variation of Schedule 1—South Australian Clothing Outworker Code of Conduct
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fair Work (Clothing Outworker Code of Practice) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 4 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Fair Work (Clothing Outworker Code of Practice) Regulations 2007*

4—Variation of Schedule 1—South Australian Clothing Outworker Code of Conduct

Schedule 1, clause 5, definition of *State Award*—delete "the Industrial Relations Commission of South Australia" and substitute:

SAET

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 45 of 2017

MIR0009/17CS

South Australia

Fair Work (General) Variation Regulations 2017

under the *Fair Work Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fair Work (General) Regulations 2009*

- 4 Variation of regulation 11—Continuous service
 - 5 Variation of regulation 12—Continuity of industrial arrangements—National Industrial Relations System
 - 6 Variation of Schedule 1—Notice of intention to negotiate enterprise agreement under the *Fair Work Act 1994*
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fair Work (General) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 4 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Fair Work (General) Regulations 2009*

4—Variation of regulation 11—Continuous service

Regulation 11(4)—delete "the Commission" and substitute:

SAET

5—Variation of regulation 12—Continuity of industrial arrangements—National Industrial Relations System

- (1) Regulation 12(1)(b)—delete "the Industrial Relations Commission of South Australia" and substitute:

SAET

- (2) Regulation 12(2)(b)(ii)—delete "the Industrial Relations Commission of South Australia" and substitute:

SAET

6—Variation of Schedule 1—Notice of intention to negotiate enterprise agreement under the *Fair Work Act 1994*

- (1) Schedule 1, item 4—delete "the Employee Ombudsman,"
- (2) Schedule 1, item 5—delete "the Industrial Relations Commission of South Australia" and substitute:

SAET

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 46 of 2017

MIR0009/17CS

South Australia

Fair Work (Representation) Variation Regulations 2017

under the *Fair Work Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fair Work (Representation) Regulations 2009*

- 4 Revocation of Part 2
 - 5 Variation of regulation 5—The register
 - 6 Variation of regulation 6—Qualifications and experience
 - 7 Variation of regulation 7—Application for registration
 - 8 Variation of regulation 8—Disqualification
 - 9 Variation of regulation 10—Code of conduct
 - 10 Variation of regulation 11—Fees
 - 11 Variation of Schedule 2—Code of conduct to be observed by registered agents
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fair Work (Representation) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 4 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Fair Work (Representation) Regulations 2009*

4—Revocation of Part 2

Part 2—delete the Part

5—Variation of regulation 5—The register

Regulation 5—delete "section 152(1)" and substitute:
section 26(1)

6—Variation of regulation 6—Qualifications and experience

Regulation 6(1)—delete "section 152(2)(a)" and substitute:
section 26(2)(a)

7—Variation of regulation 7—Application for registration

Regulation 7(2)(c)(ii)—delete "section 152(2)(a)" and substitute:
section 26(2)(a)

8—Variation of regulation 8—Disqualification

- (1) Regulation 8(1)(d)—delete "the Court" and substitute:
SAET
- (2) Regulation 8(3)—delete "section 152(2)(b)" and substitute:
section 26(2)(b)

9—Variation of regulation 10—Code of conduct

Regulation 10(1)—delete "section 152(5)" and substitute:
section 26(5)

10—Variation of regulation 11—Fees

Regulation 11(3)—delete "the Industrial Relations Court of South Australia" and substitute:
SAET

11—Variation of Schedule 2—Code of conduct to be observed by registered agents

- (1) Schedule 2, clause 1(4)—delete "the Commission" and substitute:
SAET
- (2) Schedule 2, heading to Part 3—delete "court and commission" and substitute:
SAET
- (3) Schedule 2, clause 16—delete "the Court or the Commission" and substitute:
SAET
- (4) Schedule 2, clause 17—delete "the Court or the Commission" and substitute:
SAET
- (5) Schedule 2, clause 18—delete "the Court or the Commission" and substitute:
SAET
- (6) Schedule 2, clause 20—delete "the Court or Commission" and substitute:
SAET
- (7) Schedule 2, clause 21—delete "the Court or Commission" and substitute:
SAET

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 47 of 2017

MIR0009/17CS

South Australia

Long Service Leave Variation Regulations 2017

under the *Long Service Leave Act 1987*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Long Service Leave Regulations 2002*

- 4 Variation of regulation 4—Interpretation
 - 5 Revocation of regulation 6
 - 6 Variation of Schedule 1—Record to be kept by employer
 - 7 Revocation of Schedule 4
 - 8 Revocation of Schedule 5
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Long Service Leave Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 14 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Long Service Leave Regulations 2002*

4—Variation of regulation 4—Interpretation

Regulation 4, definition of *Registrar*—delete the definition

5—Revocation of regulation 6

Regulation 6—delete the regulation

6—Variation of Schedule 1—Record to be kept by employer

Schedule 1—delete "the Industrial Relations Commission" and substitute:

SAET

7—Revocation of Schedule 4

Schedule 4—delete the Schedule

8—Revocation of Schedule 5

Schedule 5—delete the Schedule

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 48 of 2017

MIR0009/17CS

South Australia

Police Variation Regulations 2017

under the *Police Act 1998*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Police Regulations 2014*

- 4 Variation of regulation 54—Applications to SAET or Police Review Tribunal—time and procedures
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Police Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 17 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Police Regulations 2014*

4—Variation of regulation 54—Applications to SAET or Police Review Tribunal—time and procedures

- (1) Regulation 54(1)—delete "the Police Review Tribunal" and substitute:
SAET
- (2) Regulation 54(2)—delete "the Tribunal" and substitute:
SAET
- (3) Regulation 54(3)—delete "the Tribunal" and substitute:
the Police Review Tribunal
- (4) Regulation 54(4)—delete "application to the Tribunal" and substitute:
application to the Police Review Tribunal

- (5) Regulation 54(4)(f)—delete paragraph (f) and substitute:
- (f) must be accompanied by a copy of the selection decision to which the application relates.
- (6) Regulation 54(5)—delete subregulation (5) and substitute:
- (5) An applicant to SAET or the Police Review Tribunal, or a member of SA Police summoned to appear before SAET or the Police Review Tribunal, under the Act must be granted the necessary leave of absence to enable appearance before the Tribunal for the purposes of the relevant proceedings.
- (7) Regulation 54(6)—delete "The Tribunal" and substitute:
- The Police Review Tribunal

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 49 of 2017

MIR0009/17CS

South Australia

Public Sector Variation Regulations 2017

under the *Public Sector Act 2009*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Public Sector Regulations 2010*

- 4 Variation of regulation 27—Application for external review (section 62 of Act)
 - 5 Variation of regulation 28—Conduct of review (section 62 of Act)
 - 6 Variation of regulation 29—Witness fees
 - 7 Revocation of regulation 30
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Public Sector Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 18 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Public Sector Regulations 2010*

4—Variation of regulation 27—Application for external review (section 62 of Act)

- (1) Regulation 27—delete "the appropriate review body" wherever occurring and substitute in each case:
 - SAET
- (2) Regulation 27(6)—delete subregulation (6) and substitute:
 - (6) SAET may extend a limitation of time under this regulation.

5—Variation of regulation 28—Conduct of review (section 62 of Act)

(1) Regulation 28(1) to (4)—delete subregulations (1) to (4) (inclusive) and substitute:

(1) This regulation applies in relation to proceedings under section 62 of the Act.

(2) Regulation 28(5)—delete "the Commission" and substitute:

SAET

(3) Regulation 28(5)(b)—delete "the Commissioner" and substitute:

SAET

(4) Regulation 28(6)—delete subregulation (6) and substitute:

(6) At the conclusion of a review, SAET must, at the request of a party to the review, provide the party with a statement of the reasons for SAET's decision on the review.

6—Variation of regulation 29—Witness fees

Regulation 29—delete "Despite section 162 of the *Fair Work Act 1994*, if" and substitute:

If

7—Revocation of regulation 30

Regulation 30—delete the regulation

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 50 of 2017

MIR0009/17CS

South Australia

Return to Work (Transitional Arrangements) (Dissolution of Workers Compensation Tribunal) Variation Regulations 2017

under the *Return to Work Act 2014*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Return to Work (Transitional Arrangements) (Dissolution of Workers Compensation Tribunal) Regulations 2016*

- 4 Variation of regulation 4—Transitional provisions relating to dissolution of Workers Compensation Tribunal
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Return to Work (Transitional Arrangements) (Dissolution of Workers Compensation Tribunal) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 2 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Return to Work (Transitional Arrangements) (Dissolution of Workers Compensation Tribunal) Regulations 2016*

4—Variation of regulation 4—Transitional provisions relating to dissolution of Workers Compensation Tribunal

- (1) Regulation 4(b)(i)—delete "conciliation officer under that Act" and substitute:
Commissioner under that Act

(2) Regulation 4(c)(iii)—delete "conciliation officer" and substitute:

Commissioner

(3) Regulation 4(f)(iii)—delete "conciliation officer" and substitute:

Commissioner

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 51 of 2017

MIR0009/17CS

South Australia

Sheriff's Variation Regulations 2017

under the *Sheriff's Act 1978*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Sheriff's Regulations 2005*

- 4 Revocation of regulation 4
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Sheriff's Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 2 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Sheriff's Regulations 2005*

4—Revocation of regulation 4

Regulation 4— delete the regulation

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 52 of 2017

MIR0009/17CS

South Australia

South Australian Employment Tribunal (Criminal Jurisdiction of Court) Regulations 2017

under the *South Australian Employment Tribunal Act 2014*

Contents

1	Short title
2	Commencement
3	Interpretation
4	Conferral of jurisdiction on the South Australian Employment Court

1—Short title

These regulations may be cited as the *South Australian Employment Tribunal (Criminal Jurisdiction of Court) Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 2 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Interpretation

In these regulations—

Act means the *South Australian Employment Act 2014*.

4—Conferral of jurisdiction on the South Australian Employment Court

For the purposes of section 6A(2) of the Act, the South Australian Employment Court has jurisdiction in respect of—

- (a) a summary offence against any of the following Acts:
 - (i) *Construction Industry Long Service Leave Act 1987*;
 - (ii) *Dangerous Substances Act 1979*;
 - (iii) *Employment Agents Registration Act 1993*;
 - (iv) *Explosives Act 1936*;
 - (v) *Long Service Leave Act 1987*;
 - (vi) *Petroleum Products Regulation Act 1995*;
 - (vii) *Shop Trading Hours Act 1977*; and
- (b) the summary offences against the following sections of the *Training and Skills Development Act 2008*:
 - (i) section 46;
 - (ii) section 48;

- (iii) section 51;
- (iv) section 52;
- (v) section 53;
- (vi) section 63;
- (vii) section 64;
- (viii) section 65;
- (ix) section 70.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 53 of 2017

MIR0009/17CS

South Australia

South Australian Employment Tribunal Variation Regulations 2017

under the *South Australian Employment Tribunal Act 2014*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *South Australian Employment Tribunal Regulations 2015*

- 4 Variation of regulation 7—Enforcement of monetary orders
 - 5 Variation of regulation 9—Annual report
 - 6 Insertion of regulation 10
 - 10 Fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *South Australian Employment Tribunal Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 2 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *South Australian Employment Tribunal Regulations 2015*

4—Variation of regulation 7—Enforcement of monetary orders

Regulation 7(1)—delete "under the *Return to Work Act 2014*"

5—Variation of regulation 9—Annual report

- (1) Regulation 9(a)—after "reviewable decision considered by the Tribunal" insert:
under the *Return to Work Act 2014*
- (2) Regulation 9(a)—after subparagraph (ii) insert:
 - (iia) the number of matters subject to a pre-hearing conference under section 45 of the Act for each category of decision;
 - (iib) the number of matters proceeding to a full hearing before the Tribunal for each category of decision;
- (3) Regulation 9—after paragraph (a) insert:
 - (ab) the number of actions for damages commenced before the South Australian Employment Court under Part 5 of the *Return to Work Act 2014*;
 - (ac) the number of proceedings concluded under Part 5 of the *Return to Work Act 2014*;
- (4) Regulation 9—after paragraph (d) insert:
 - (da) information relating to each category of proceedings considered by the Tribunal in respect of jurisdiction conferred on it by another Act (according to the section of the Act under which the application for the proceedings was made).

6—Insertion of regulation 10

After regulation 9 insert:

10—Fees

- (1) The following fees are payable to the South Australian Employment Court:
 - (a) in relation to the exercise of any designated civil jurisdiction—if a fee would be payable in relation to proceedings in the Civil Jurisdiction of the District Court for any step, item or matter if it occurred or arose in the District Court rather than in the South Australian Employment Court, the same fee will be payable to the South Australian Employment Court in the exercise of the designated civil jurisdiction;
 - (b) in relation to the exercise of any designated criminal jurisdiction—if a fee would be payable in relation to proceedings in the Criminal Jurisdiction of the Magistrates Court for any step, item or matter if it occurred or arose in the Magistrates Court rather than in the South Australian Employment Court, the same fee will be payable to the South Australian Employment Court in the exercise of the designated criminal jurisdiction.

(2) In this regulation—

designated civil jurisdiction means the jurisdiction of the South Australian Employment Court under any of the following:

- (a) the *Dust Diseases Act 2005*;
- (b) section 10 of the *Fair Work Act 1994*;
- (c) Part 5 of the *Return to Work Act 2014*;

designated criminal jurisdiction means the criminal jurisdiction of the South Australian Employment Court under the *South Australian Employment Tribunal Act 2014* or under any other Act.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 54 of 2017

MIR0009/17CS

South Australia

Summary Procedure (Industrial Offences) Revocation Regulations 2017

under the *Summary Procedure Act 1921*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Revocation of *Summary Procedure (Industrial Offences) Regulations 2007*

- 3 Revocation of regulations
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Summary Procedure (Industrial Offences) Revocation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 2 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

Part 2—Revocation of *Summary Procedure (Industrial Offences) Regulations 2007*

3—Revocation of regulations

The *Summary Procedure (Industrial Offences) Regulations 2007* are revoked.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 55 of 2017

MIR0009/17CS

South Australia

Supreme Court Variation Regulations 2017

under the *Supreme Court Act 1935*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Supreme Court Regulations 2005*

- 4 Variation of regulation 4—Definition of prescribed court (section 39)
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Supreme Court Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 2 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Supreme Court Regulations 2005*

4—Variation of regulation 4—Definition of prescribed court (section 39)

Regulation 4(c)—delete paragraph (c)

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 56 of 2017

MIR0009/17CS

South Australia

TAFE SA Variation Regulations 2017

under the *TAFE SA Act 2012*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *TAFE SA Regulations 2012*

- 4 Variation of regulation 4—Interpretation
 - 5 Variation of regulation 31—Rights of review in respect of administrative acts or decisions
 - 6 Revocation of regulation 32
 - 7 Substitution of regulation 33
 - 33 Selection of panel members for particular SAET proceedings
 - 8 Substitution of regulation 34
 - 34 Suspension of further action while proceedings underway
 - 9 Variation of regulation 35—Suspension of proceedings on commencement of criminal proceedings
 - 10 Insertion of regulation 67
 - 67 Election of officers as supplementary panel members
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *TAFE SA Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 20 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *TAFE SA Regulations 2012*

4—Variation of regulation 4—Interpretation

Regulation 4—delete the definition of *Appeal Board*

5—Variation of regulation 31—Rights of review in respect of administrative acts or decisions

- (1) Regulation 31(4)—delete "appeal in writing to the Appeal Board against the act or decision" and substitute:

apply to SAET under Part 3 Division 1 of the *South Australian Employment Tribunal Act 2014* for a review of the act or decision

- (2) Regulation 31(5)—delete subregulation (5) and substitute:

- (5) An application cannot be made under subregulation (4) in relation to an act or decision that concerns the initial employment of a person as a prescribed employee or the promotion of a prescribed employee.

6—Revocation of regulation 32

Regulation 32—delete the regulation

7—Substitution of regulation 33

Delete regulation 33 and substitute:

33—Selection of panel members for particular SAET proceedings

If the President of SAET determines under section 18(2) of the *Technical and Further Education Act 1975* that SAET is to sit with supplementary panel members for the purposes of particular proceedings, the President must not select a person who took the action or made the decision to which the proceedings relate.

8—Substitution of regulation 34

Delete regulation 34 and substitute:

34—Suspension of further action while proceedings underway

If SAET is hearing review proceedings brought by an employee, the chief executive must take no further action against the employee in respect of the matter until SAET has made a determination in those proceedings.

9—Variation of regulation 35—Suspension of proceedings on commencement of criminal proceedings

Regulation 35(1)—delete ", or appeal to the Appeal Board," and substitute:
or before SAET

10—Insertion of regulation 67

After regulation 66 insert:

67—Election of officers as supplementary panel members

- (1) In this regulation—

AEU means the Australian Education Union (SA Branch).

- (2) Elections must be held in accordance with this regulation whenever there is a vacancy in the membership of a panel of officers under section 18(1)(b) of the *Technical and Further Education Act 1975*.
- (3) The Branch Returning Officer of the AEU must publish in a publication that is circulated to members of the AEU a notice specifying—
 - (a) the number of vacancies to be filled; and
 - (b) the date (being not less than 21 days after the date of the notice) and the hour by which nominations for candidates for election to those vacancies must be received by the Branch Returning Officer; and
 - (c) such other information as the Branch Returning Officer thinks fit.
- (4) If the number of candidates duly nominated is the same as or is less than the number of vacancies to be filled, the Branch Returning Officer of the AEU must declare those candidates to be duly elected.
- (5) If the number of candidates nominated is greater than the number of vacancies to be filled, an election must be held at a meeting of the Branch Council of the AEU.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 57 of 2017

MIR0009/17CS

South Australia

Work Health and Safety Variation Regulations 2017

under the *Work Health and Safety Act 2012*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Work Health and Safety Regulations 2012*

- 4 Variation of regulation 105—Status of licence during review
 - 5 Variation of regulation 280—Status of registration during review
 - 6 Variation of regulation 519—Status of licence during review
 - 7 Variation of regulation 599—Status of major hazard facility licence during review
 - 8 Variation of regulation 683—Application for external review
 - 9 Revocation of Chapter 11 Part 1A
 - 10 Revocation of regulation 742
 - 11 Revocation of Schedule 18A
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Work Health and Safety Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on the day on which Part 22 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* comes into operation.

3—Variation provisions

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

Part 2—Variation of *Work Health and Safety Regulations 2012*

4—Variation of regulation 105—Status of licence during review

Regulation 105(5)(b)—delete "a review committee" and substitute:

SAET

5—Variation of regulation 280—Status of registration during review

Regulation 280(5)(b)—delete "a review committee" and substitute:

SAET

6—Variation of regulation 519—Status of licence during review

Regulation 519(5)(b)—delete "a review committee" and substitute:

SAET

7—Variation of regulation 599—Status of major hazard facility licence during review

Regulation 599(3)(b)—delete "a review committee" and substitute:

SAET

8—Variation of regulation 683—Application for external review

(1) Regulation 683(1)—delete "the Senior Judge of the IRC" and substitute:

SAET

(2) Regulation 683(2)(b)—delete paragraph (b) and substitute:

(b) any longer time as SAET may allow.

(3) Regulation 683(3) to (6) (inclusive)—delete subregulations (3) to (6)

9—Revocation of Chapter 11 Part 1A

Chapter 11 Part 1A—delete Part 1A

10—Revocation of regulation 742

Regulation 742—delete the regulation

11—Revocation of Schedule 18A

Schedule 18A—delete the Schedule

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 16 May 2017

No 58 of 2017

MIR0009/17CS

CITY OF MOUNT GAMBIER

Delegation of Powers and Functions under the Development Act 1993 and Development Regulations 2008

PURSUANT to the provisions of Section 20 (8) of the Development Act 1993, notice is hereby given of the delegation of powers and functions under the Development Act 1993 and Development Regulations 2008 to Francis Newman Brennan by written instrument dated 11 May 2017.

By Council resolution dated 18 April 2017, the City of Mount Gambier delegated powers and functions under the Development Act 1993 and Development Regulations 2008 to the Chief Executive Officer, including provision to further delegate such powers and functions.

By written instrument dated 11 May 2017, the Chief Executive Officer further delegated in accordance with Section 20 (3) certain powers and functions under the Development Act 1993 and Development Regulations 2008 to Council Officer positions and to Francis Newman Brennan as specified in the Instrument of (sub) Delegation.

The Instrument of (sub) Delegation is contained in Council's Record of Delegations and may be inspected (without charge) at Council's Principal Office, 10 Watson Terrace, Mount Gambier, during ordinary office hours and any person is entitled, on payment of a fee fixed by the Council, to an extract from the Record of Delegations.

M. MCSHANE, Chief Executive Officer

CITY OF NORWOOD PAYNEHAM & ST PETERS

Resignation of Councillor

NOTICE is hereby given in accordance with Section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Councillor for Maylands/Trinity Ward, due to the resignation of Councillor Sophia MacRae, to take effect from 9 May 2017.

M. BARONE, Chief Executive Officer

CITY OF NORWOOD PAYNEHAM & ST PETERS

Close of Roll for Supplementary Election

DUE to the resignation of a member of the Council, a supplementary election will be necessary to fill the vacancy of Councillor for Maylands/Trinity Ward.

The voters roll for this supplementary election will close at 5 p.m. on Wednesday, 31 May 2017.

You are entitled to vote in the election if you are on the State electoral roll. If you have recently turned 18 or changed your residential or postal address you must complete an electoral enrolment form, available from post offices or online at www.ecsa.sa.gov.au.

If you are not eligible to enrol on the State electoral roll you may still be entitled to enrol to vote if you own or occupy a property. Contact the Council to find out how.

Nominations to fill the vacancy will open on Thursday, 22 June 2017 and will be received until 12 noon on Thursday, 6 July 2017.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Monday, 7 August 2017.

M. SHERRY, Returning Officer

CITY OF SALISBURY

Results of Supplementary Election for Councillor in Levels Ward Conducted on Monday, 8 May 2017

Formal Ballot Papers: 2 378
Informal Ballot Papers: 9

Quota: 1 190

Candidates	First Preference Votes	Elected/ Excluded	Votes at Election/ Exclusion	Count
Van der Merwe, Jan	66		66	
Vermeer, Don	153		153	
Langshaw, Bradley Ian	126		126	
Tripodi, Kathryn	320		320	
Leggett, Reece	125		125	
Bates, Antony (Tony)	282		282	
Brug, Beau	1 223	Elected	1 223	1
Holeva, Alexandra	83		83	

M. SHERRY, Returning Officer

CITY OF TEA TREE GULLY

CLOSE OF NOMINATIONS

Supplementary Election of Councillor for Balmoral Ward

AT the close of nominations at 12 noon on Thursday, 11 May 2017, the following people were accepted as candidates and are listed in the order in which they will appear on the ballot paper.

Nominations Received

Councillor for Balmoral Ward—1 Vacancy

Dowley, Robyn
Brown, Dylan
Mayfield, Jody
Nicholls (Kenyon), Kathy
Panagaris, Peter
Blackwell, Sonia
Smith, Wayne
Ellery, James
Kasperski, Mary

Postal Voting

The election will be conducted by post. Ballot papers and pre-paid envelopes for each voting entitlement will be posted between Wednesday, 24 May and Tuesday, 30 May 2017 to every person, or designated person of a body corporate or group listed on the voters roll at roll close on Friday, 31 March 2017. Voting is voluntary.

A person who has not received voting material by Tuesday, 30 May 2017 and believes they are entitled to vote should contact the Deputy Returning Officer on (08) 7424 7422.

Completed voting material must be returned to reach the Returning Officer no later than 12 noon on Tuesday, 13 June 2017.

A ballot box will be provided at the Council Office, 571 Montague Road, Modbury for electors wishing to hand deliver their completed voting material during office hours.

Vote Counting Location

The scrutiny and counting of votes will take place at the Civic Centre, Banksia Room, 571 Montague Road, Modbury, as soon as practicable after 12 noon on Tuesday, 13 June 2017. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

All candidates must forward a Campaign Donations Return to the Council Chief Executive Officer within 30 days after the conclusion of the election.

M. SHERRY, Returning Officer

DISTRICT COUNCIL OF BARUNGA WEST

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1 of 2017—Permits and Penalties

A by-law to create a permit system for Council by-laws, to fix maximum and continuing penalties for offences, and to clarify the construction of Council by-laws.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Permits and Penalties By-law 2017 and is By-law No. 1 of the District Council of Barunga West.

2. *Authorising Law*

This by-law is made under Section 246 of the Act.

3. *Purpose*

The objectives of this by-law are to provide for the good rule and government of the Council area, and for the convenience, comfort and safety of its inhabitants by:

- 3.1 creating a permit system for Council by-laws;
- 3.2 providing for the enforcement of breaches of Council by-laws and fixing penalties; and
- 3.3 clarifying the construction of Council by-laws.

4. *Commencement, revocation and expiry*

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 1—Permits and Penalties 2010.²

4.2 This by-law will expire on 1 January 2025.³

Note:

- 1 Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.
- 2 Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.
- 3 Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. *Application*

5.1 This by-law applies throughout the Council's area.

6. *Interpretation*

In this by-law, unless the contrary intention appears;

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *Council* means District Council of Barunga West; and
- 6.3 *person* includes a natural person, a body corporate, an incorporated association or an unincorporated association.

Note:

Section 14 of the Interpretation Act 1915, provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Act.

7. *Construction of By-laws generally*

- 7.1 Every by-law of the Council is subject to any Act of Parliament and Regulations made thereunder.
- 7.2 In any by-law of the Council, unless the contrary intention appears permission means permission of the Council, or such other person as the Council may authorise, granted in writing (including by way of the Council adopting a policy for this purpose) prior to the act, event or activity to which it relates.

PART 2—PERMITS AND PENALTIES

8. *Permits*

8.1 Where a by-law requires that permission be obtained any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council.

8.2 The Council (or such other person as the Council may authorise) may attach such conditions as it thinks fit to a grant of permission, and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.

8.3 A person granted permission must comply with every such condition. Failure to do so is an offence (to the extent that it gives rise to a contravention of a by-law).

8.4 The Council (or such other person as the Council may authorise) may suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.

9. *Offences and penalties*

9.1 A person who commits a breach of any by-law of the Council is guilty of an offence and may be liable to pay:

9.1.1 the maximum penalty, being the maximum penalty referred to in the Act that may be fixed for any breach of a by-law; or

9.1.2 subject to any resolution of the Council to the contrary, the expiation fee fixed by the Act for alleged offences against by-laws, being a fee equivalent to 25 percent of the maximum penalty fixed for any breach of a by-law.

9.2 A person who commits a breach of a by-law of the Council of a continuing nature is guilty of an offence and, in addition to any other penalty that may be imposed, is liable to a further penalty for every day on which the offence continues, such penalty being the maximum amount referred to in the Act that may be fixed by a by-law for a breach of a by-law of a continuing nature.

Note:

The maximum penalty for a breach of a by-law is currently \$750 and the maximum penalty for every day in which a breach of a continuing nature continues is currently \$50—see Section 246 (3) (g) of the Act.

Pursuant to Section 246 (5) of the Act expiation fees may be fixed for alleged offences against by-laws either by a by-law or by resolution of the Council. However, an expiation fee fixed by the Council cannot exceed 25 percent of the maximum penalty prescribed by the Act for a breach of a by-law.

This by-law was duly made and passed at a meeting of the District Council of Barunga West held on 9 May 2017, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

A. COLE, Chief Executive Officer

DISTRICT COUNCIL OF BARUNGA WEST

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2 of 2017—Local Government Land

A by-law to manage and regulate the access to and use of Local Government land (other than roads), and certain public places including the foreshore.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Local Government Land By-law 2017 and is By-law No. 2 of the District Council of Barunga West.

2. *Authorising Law*

This by-law is made under Sections 238 and 246 of the Act and Section 18A of the Harbors and Navigation Act 1993.

3. *Purpose*

The objectives of this by-law are to regulate the access to and use of Local Government land (other than roads), and certain public places:

- 3.1 to prevent and mitigate nuisances;
- 3.2 to prevent damage to Local Government land;
- 3.3 to protect the convenience, comfort and safety of members of the public;

- 3.4 to enhance the amenity of the Council's area; and
 3.5 for the good rule and government of the area.

4. Commencement, revocation and expiry

- 4.1 the following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:
 4.1.1 By-law No. 2—Local Government Land 2010.²
 4.2 this by-law will expire on 1 January 2025.³

Note:

- 1 Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.
 2 Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.
 3 Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2017.
 5.2 Subject to subclauses 5.3 and 5.4, this by-law applies throughout the Council area.
 5.3 Subclauses 9.2, 9.6.2, 9.9.1, 9.25.4, 9.25.5, 9.27.2, 9.38, 10.4 and 10.10.2 of this by-law only apply in such parts of the Council area as the Council may by resolution direct in accordance with Section 246 (3) (e) of the Act.
 5.4 Subclauses 9.9.3, 9.9.5, 9.14.2 (b), 9.25.1, 9.34.1 of this by-law apply throughout the Council area except in such parts of the Council area as the Council may by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. Interpretation

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
 6.2 *animal or animals* includes birds and insects but does not include a dog;
 6.3 *aquatic life* means any animal or plant living or growing in water including but not limited to yabbies, molluscs, fish, insects, insect pupa or larvae and water plants;
 6.4 *authorised person* is a person appointed by the Council as an authorised person under Section 260 of the Act;
 6.5 *boat* includes a raft, pontoon or personal watercraft or other similar device;
 6.6 *boat ramp* means a facility constructed, maintained and operated for the launching and retrieval of a boat;
 6.7 *camp* includes setting up a camp, or causing a tent, caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
 6.8 *Council* means District Council of Barunga West;
 6.9 *effective control* means a person exercising effective control of an animal either:
 6.9.1 by means of a physical restraint; or
 6.9.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
 6.10 *electoral matter* has the same meaning as in the Electoral Act 1985, provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
 6.11 *emergency vehicle* has the same meaning as in the Australian Road Rules and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014;
 6.12 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014;
 6.13 *foreshore* means all land (regardless of whether it is Local Government land) extending from the low water mark on the seashore to the nearest road or section boundary, or to a distance of 50 metres from high water mark (whichever is the lesser distance);
 6.14 *funeral ceremony* means a ceremony only (i.e. a memorial service) and does not include a burial;
 6.15 *liquor* has the same meaning as in the Liquor Licensing Act 1997;
 6.16 *Local Government land* means all land owned by the Council or under the Council's care, control and management (except roads);
 6.17 *low water mark* means the lowest meteorological tide;
 6.18 *offensive* includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
 6.19 *open container* means a container which, after the contents of the container have been sealed at the time of manufacture:
 6.19.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
 6.19.2 being a can, it has been opened or punctured;
 6.19.3 being a cask, it has had its tap placed in a position to allow it to be used;
 6.19.4 being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or
 6.19.5 is a flask, glass, mug or other container able to contain liquid.
 6.20 *personal watercraft* means a device that:
 6.20.1 is propelled by a motor;
 6.20.2 has a fully enclosed hull;
 6.20.3 is designed not to retain water if capsized; and
 6.20.4 is designed to be operated by a person who sits astride, stands, or kneels on the device;
 and includes the device commonly referred to as a jet ski;
 6.21 *sand dune or coastal slope or cliff* means the sand dunes, coastal slopes, cliffs or other geomorphologic coastal forms under the care, control and management of the Council;
 6.22 *tobacco product* has the same meaning as in the Tobacco Products Regulation Act 1997;
 6.23 *vehicle* has the same meaning as in the Road Traffic Act 1961;
 6.24 *waters* includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council but does not include ocean waters; and
 6.25 *wheeled Recreational Device* has the same meaning as in the Road Traffic Act 1961.

Note:

Section 14 of the Acts Interpretation Act 1915, provides that an expression used in a by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2—ACCESS TO LOCAL GOVERNMENT LAND

7. Access

Note:

Pursuant to Section 238 (3) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government land (under Section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

The Council may:

- 7.1 close or regulate or restrict access to any part of Local Government land to the public for specified times and days; and

7.2 fix charges or fees payable for entry onto any part of Local Government land.

8. Closed lands

A person must not without permission, enter or remain on any Local Government land:

- 8.1 which has been closed or in respect of which access by the public is regulated or restricted in accordance with subclause 7.1;
- 8.2 where entry fees or charges are payable, without paying those fees or charges; or
- 8.3 where the land has been enclosed by fences and/or walls and gates that have been closed and locked.

PART 3—USE OF LOCAL GOVERNMENT LAND

9. Activities requiring permission

Note:

Pursuant to Section 238 (3) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government land (under Section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

A person must not without the permission of the Council, do any of the following on Local Government land or, where stated, the foreshore.

9.1 Advertising

Display, paint or erect or cause to be displayed, painted or erected, on Local Government land or a structure, building or fixture on Local Government land any sign, advertising or hoarding for the purpose of commercial advertising or any other purpose.

9.2 Alcohol

Consume, carry or be in possession or in charge of any liquor on Local Government land comprising parks or reserves to which the Council has determined this paragraph applies.

9.3 Amplification

Use an amplifier or other mechanical or electrical device for the purpose of amplifying sound or broadcasting announcements or advertisements.

9.4 Animals

9.4.1 On Local Government land other than the foreshore:

- (a) cause or allow an animal to stray onto, move over, graze or be left unattended;
- (b) cause or allow an animal to enter, swim, bathe or remain in any waters ; or
- (c) lead, herd, drive or exercise an animal, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided that the animal or animals are under effective control.

9.4.2 On Local Government land comprising the foreshore lead, herd or exercise a sheep, cow, goat or horse:

9.5 Annoyance

Do anything likely to offend or unreasonably interfere with any other person:

- 9.5.1 using that land; or
- 9.5.2 occupying nearby premises; by making a noise or creating a disturbance.

9.6 Aquatic Life

9.6.1 Introduce any aquatic life to any waters located on Local Government land.

9.6.2 Take, interfere with or disturb any aquatic life in any waters to which the Council has determined this subclause applies.

9.7 Attachments

Subject to subclause 9.1, attach or cause to be attached, hang or fix anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government land.

9.8 Bees

Place a hive of bees on such land, or allow it to remain thereon.

9.9 Boats and Mooring

Subject to the provisions of the Harbors and Navigation Act 1993 and the Marine Safety (Domestic Commercial Vessel) National Law:

9.9.1 launch or retrieve a boat from or to any Local Government land or the foreshore to which the Council has determined that this subclause applies;

9.9.2 launch or retrieve a boat from or to any Local Government land other than from a boat ramp constructed and set aside by the Council for that purpose;

9.9.3 propel, float or otherwise use a boat on or in any waters except:

- (a) in an area to which the Council has resolved this subclause applies; and
- (b) in accordance with any conditions that the Council may have determined by resolution apply to that use;

9.9.4 hire out a boat or otherwise use a boat for commercial purposes;

9.9.5 moor a boat on any waters or to a pontoon attached to Local Government land or the foreshore for a period greater than 48 hours unless on Local Government land to which the Council has resolved this subclause applies; or

9.9.6 subject to subclause 9.9.5, moor a boat on any waters or to a pontoon attached to Local Government land or the foreshore.

9.10 Boat Ramps

9.10.1 Allow any vehicle or boat to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat.

9.10.2 Launch or retrieve a boat from any Council owned and/or operated boat ramp on Local Government land or the foreshore:

- (a) without having purchased a short term ticket or annual permit; and
- (b) other than in accordance with the conditions attaching to a short term ticket or an annual permit (as the case may be).

9.10.3 For the purposes of this subclause 9.10.2, the following definitions apply:

- (a) annual permit means a permit issued by the Council and/or its agent upon application that authorises the launch and retrieval of a boat from a boat ramp in accordance with the conditions determined by the Council and that is valid from the date of purchase until the following 30 June;
- (b) short term ticket means a ticket purchased from a vending machine located at or in the vicinity of a boat ramp that authorises a single launch of a boat from the boat ramp in accordance with the conditions determined by the Council and, which is valid for a period of 24 hours from the time of purchase.

9.11 Bridge Jumping

Jump or dive from a bridge on Local Government land.

9.12 Buildings

Use a building, or structure on Local Government land for a purpose other than its intended purpose.

9.13 *Burials and Memorials*

9.13.1 Bury, inter or spread the ashes of any human or animal remains.

9.13.2 Erect any memorial.

9.14 *Camping and Tents*

9.14.1 Subject to this sub-clause, erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation.

9.14.2 Camp or stay overnight except:

(a) where a person is in a caravan park on Local Government land, the proprietor of which has been given permission by the Council to operate the caravan park on that land; or

(b) in an area to which the Council has resolved this subclause applies (if any) and in accordance with such time limits and other conditions determined by resolution of the Council (if any).

9.15 *Canvassing*

Subject to subclause 14.2, Convey any advertising, religious or other message to any bystander, passer-by or other.

9.16 *Defacing Property*

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

9.17 *Distribution*

Subject to subclause 14.2 and the Local Nuisance and Litter Control Act 2016, place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any book, leaflet, or other printed matter to any bystander, passer-by or other person.

9.18 *Donations*

Ask for or receive or indicate that he or she desires a donation of money or any other thing.

9.19 *Entertainment and Busking*

9.19.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money.

9.19.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.

9.20 *Equipment*

Use an item of equipment, facilities or property belonging to the Council if that person is of or over the age indicated by a sign or notice as the age limit for using such equipment, facility or property.

9.21 *Fires*

Subject to the Fire and Emergency Services Act 2005 and the Environment Protection (Air Quality) Policy 2016 light any fire except:

9.21.1 in a place provided by the Council for that purpose; or

9.21.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four (4) metres.

9.22 *Fireworks*

Ignite or discharge any fireworks.

9.23 *Flora and Fauna*

Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:

9.23.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;

9.23.2 cause or allow an animal to stand or walk on any flower bed or garden plot;

9.23.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;

9.23.4 take, interfere with, tease, harm or disturb any animal, bird or aquatic life or the eggs or young of any animal, bird or aquatic life;

9.23.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;

9.23.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;

9.23.7 use, possess or have control of any device for the purpose of killing or capturing any animal bird or aquatic life; or

9.23.8 burn any timber or dead wood.

9.24 *Foreshore*

On Local Government land comprising the foreshore:

9.24.1 drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or set aside by the Council for that purpose;

9.24.2 drive or propel a vehicle on the foreshore except on an area or road that is constructed or set aside by the Council for that purpose (if any); or

9.24.3 hire out a boat on or from the foreshore.

9.25 *Games and Sport*

9.25.1 Participate in, promote or organise any organised competition or sport as distinct from organised social play except on any Local Government land to which the Council has resolved this subclause applies.

9.25.2 Play or practice any game which involves kicking, hitting or throwing a ball or other object on Local Government land which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land.

9.25.3 Play or practise the game of golf on Local Government land other than on a properly constructed golf course or practice fairway.

9.25.4 Engage or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies.

9.25.5 Play or practice any game or sport on Local Government land to which the Council has resolved this subclause applies except at the times determined by the Council and indicated on a sign on or in the vicinity of the land.

9.26 *Interference with Local Government Land*

Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:

9.26.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;

9.26.2 erecting or installing a structure in, on, across, under or over the land;

9.26.3 changing or interfering with the construction, arrangement or materials of the land;

9.26.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or

9.26.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.

9.27 *Model Aircraft, Boats and Cars*

Subject to the Civil Aviation Safety Regulations 1998:

9.27.1 fly or operate a model or drone aircraft, boat or model or remote control vehicle in a manner which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of the land, or detract from or be likely to detract from another person's lawful use of and enjoyment of the land; or

9.27.2 fly or operate a model or drone aircraft, boat or model or remote control vehicle on any Local Government Land to which the Council has resolved this subclause applies.

9.28 *Overhanging Articles or Displaying Personal Items*

Suspend or hang an article or object from a building, verandah, pergola, post or other structure on Local Government land where it might present a nuisance or danger to a person using the land or be of an unsightly nature.

9.29 *Playing Area*

Use or occupy a playing area:

9.29.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);

9.29.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or

9.29.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.

9.30 *Pontoons*

Install or maintain a pontoon or jetty in any waters.

9.31 *Preaching*

Preach, harangue or solicit for religious purposes.

9.32 *Rubbish and Rubbish Dumps*

9.32.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government land.

9.32.2 Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any Local Government land, or placed on Local Government land for collection by the Council (or its agent).

9.33 *Sand Dunes*

9.33.1 Use a sand board or other item to slide down a sand dune, coastal slope or cliff.

9.34 *Swimming*

Subject to the provisions of the Harbors and Navigation Act 1993, enter, swim, bathe or engage in any aquatic activity in any waters except:

9.34.1 in an area which the Council has determined may be used for such purposes; and

9.34.2 in accordance with any conditions that the Council may have determined by resolution apply to such use.

9.35 *Trading*

9.35.1 Sell, buy, offer or display anything for sale or hire or lease any goods, merchandise, commodity, article or thing.

9.35.2 Set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing.

9.36 *Vehicles*

9.36.1 Drive or propel a vehicle except on any Local Government land constructed and set aside by the Council for that purpose.

9.36.2 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose.

9.36.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.

9.37 *Weddings, Functions and Special Events*

9.37.1 Hold, conduct or participate in a marriage ceremony, funeral or special event.

9.37.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event.

9.37.3 Hold or conduct any filming where the filming is for a commercial purpose.

9.38 *Wheeled Recreational Devices*

Subject to the Road Traffic Act 1961, use a wheeled recreational device on Local Government land to which the Council has determined this subclause applies.

10. *Prohibited activities*

A person must not do any of the following on Local Government land.

10.1 *Animals*

10.1.1 Cause or allow any animal to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming.

10.1.2 Cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place.

10.1.3 Lead, herd or exercise a horse in such manner as to cause a nuisance or endanger the safety of a person.

10.2 *Climbing*

Climb on or over any fixture, fitting, plant, object or building other than a playground or similar area that the Council has set aside for the purpose.

10.3 *Equipment*

Use any item of equipment, facilities or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it.

10.4 *Fishing*

Fish in any waters to which the Council has determined this subclause applies.

10.5 *Glass*

Wilfully break any glass, china or other brittle material.

10.6 *Interference with Permitted Use*

Interrupt or unreasonably interfere with any other person's use of Local Government land where the person is using the land in a manner permitted by the Council or in accordance with any permission that has been granted by the Council.

10.7 *Nuisance*

Behave in such an unreasonable manner as to cause discomfort, inconvenience, annoyance or offence to any other person.

10.8 *Playing Games*

Play or practise a game:

10.8.1 which is likely to cause damage to the land or anything on it; or

10.8.2 in any area where a sign indicates that the game is prohibited.

10.9 *Sand Dunes, Coastal Slopes and Cliffs*

Subject to the Coastal Protection Act 1972, the Native Vegetation Act 1991 and subclause 9.33:

- 10.9.1 destabilise sand on a sand dune by any means so as to cause it to unnecessarily mass waste down slope;
- 10.9.2 destroy, remove or interfere with live or dead vegetation upon a sand dune, coastal slope or cliff;
- 10.9.3 introduce flora or fauna to, or dump any materials on a sand dune;
- 10.9.4 carry out any activity that may damage or threaten the integrity of sand dunes, coastal slopes or cliffs.

10.10 *Smoking*

Subject to the Tobacco Products Regulation Act 1997, smoke, hold or otherwise have control over an ignited tobacco product:

- 10.10.1 in any cemetery; or
- 10.10.2 on any other Local Government land to which the Council has determined this subclause applies.

10.11 *Solicitation*

Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.

10.12 *Throwing Objects*

Throw, roll, project or discharge a stone, substance or other missile, excluding sport and recreational equipment designed to be used in that way.

10.13 *Toilets*

In any public convenience on Local Government land:

- 10.13.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 10.13.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 10.13.3 use it for a purpose for which it was not designed or constructed;
- 10.13.4 smoke tobacco or any other substance;
- 10.13.5 enter a toilet that is set aside for use of the opposite gender except:
 - (a) where a child under the age of eight years is accompanied by a parent or an adult guardian;
 - (b) to provide assistance to a person with a disability; or
 - (c) in the case of a genuine emergency.

10.14 *Waste*

- 10.14.1 Deposit or leave thereon anything obnoxious or offensive.
- 10.14.2 Deposit in a receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

PART 4—ENFORCEMENT

11. *Directions*

11.1 A person on Local Government land must comply with a reasonable direction from an authorised person relating to:

- 11.1.1 that person's use of the land;
- 11.1.2 that person's conduct and behaviour on the land;
- 11.1.3 that person's safety on the land; or
- 11.1.4 the safety and enjoyment of other persons on the land.

11.2 A person who, in the opinion of an authorised person, is likely to commit or has committed, a breach of this by-law must immediately comply with a direction of an authorised person to leave that part of Local Government land.

12. *Orders*

If a person fails to comply with an order of an authorised person made pursuant to Section 262 of the Act in respect of a breach of this by-law, the Council may seek to recover its costs of any action taken under Section 262 (3) of the Act from the person to whom the order was directed.

Note:

Section 262 (1) of the Act states:

(1) If a person (the offender) engages in conduct that is a contravention of this Act or a by-law under this Act, an authorised person may order the offender:

- (a) if the conduct is still continuing—to stop the conduct;
- (b) whether or not the conduct is still continuing—to take specified action to remedy the contravention.

Subsections (2) and (3) of Section 262 also provide that it is an offence to fail to comply with an order and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out. For example, an authorised person may order a person to:

- cease smoking on Local Government land;
- remove an object or structure encroaching on Local Government land;
- dismantle and remove a structure erected on Local Government land without permission.

13. *Removal of animals and objects*

13.1 An authorised person may remove an animal or object that is on Local Government land in breach of a by-law if no person is in charge of, or apparently in charge of, the animal or object.

PART 5—MISCELLANEOUS

14. *Exemptions*

14.1 The restrictions in this by-law do not apply to a police officer, emergency worker, Council officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer.

14.2 the restrictions in subclauses 9.15 and 9.17 of this by-law do not apply to electoral matter authorised by a candidate and which is:

- 14.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 14.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- 14.2.3 related to, and occurs during the course of and for the purpose of a referendum.

15. *Liability of vehicle owners*

15.1 for the purposes of this Clause 15, owner in relation to a vehicle has the same meaning as contained in Section 4 of the Act.

15.2 the owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed at a meeting of the District Council of Barunga West held on 9 May 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

A. COLE, Chief Executive Officer

DISTRICT COUNCIL OF BARUNGA WEST

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3 of 2017—Roads By-law 2017

A by-law to manage, control and regulate certain activities on roads in the Council's area.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Roads By-law 2017 and is By-law No. 3 of the District Council of Barunga West.

2. *Authorising law*

This by-law is made under Sections 239 and 246 of the Act and, Regulation 28 of the Local Government (General) Regulations 2013.

3. *Purpose*

The objectives of this by-law are to manage, control and regulate the prescribed uses of roads in the Council's area:

- 3.1 to protect the convenience, comfort and safety of road users and members of the public;
- 3.2 to prevent damage to buildings and structures on roads;
- 3.3 to prevent certain nuisances occurring on roads; and
- 3.4 for the good rule and government of the Council area.

4. *Commencement, revocation and expiry*

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

- 4.1.1 By-law No. 3—Roads 2010.²

4.2 This by-law will expire on 1 January 2025.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. *Application*

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2017.

5.2 Subject to subclause 5.3, this by-law applies throughout the Council's area.

5.3 Subclause 7.4.2 of this by-law applies throughout the Council area except in such parts of the Council area as the Council may by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. *Interpretation*

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *animal* includes birds, insects and poultry but does not include a dog or a cat;
- 6.3 *authorised person* is a person appointed by the Council as an authorised person under Section 260 of the Act;
- 6.4 *camp* includes setting up a camp, or causing:
 - 6.4.1 a tent or other structure of calico, canvas, plastic or other similar material; or
 - 6.4.2 subject to the Road Traffic Act 1961, a, caravan or motor home;

to remain on a road for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the road;
- 6.5 *Council* means District Council of Barunga West;
- 6.6 *effective control* means a person exercising effective control of an animal either:
 - 6.6.1 by means of a physical restraint; or

6.6.2 by command, the animal being in close proximity to the person, and the person being able to see the animal at all times;

6.7 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014;

6.8 *moveable sign* has the same meaning as in the Act;

6.9 *road* has the same meaning as in the Act; and

6.10 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2—USE OF ROADS

7. *Activities requiring permission*

A person must not do any of the following activities on a road without the permission of the Council:

7.1 *Advertising*

Display or cause to be displayed on a road or on a structure on a road, any poster or sign for the purpose of advertising goods or services, other than a moveable sign that is displayed in accordance with the Council's Moveable Signs By-law.

7.2 *Amplification*

Use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or magnifying sound including the broadcasting of announcements or advertisements.

7.3 *Animals*

7.3.1 Cause or allow an animal to stray onto, move over, or graze on a road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided that the animal or animals are under effective control.

7.3.2 Lead, herd or exercise an animal in such a manner as to cause a nuisance or endanger the safety of a person.

7.4 *Camping and Tents*

7.4.1 Subject to subclause 7.4, erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation.

7.4.2 Camp or remain overnight except on a road designated by the Council by resolution for this purpose (if any) and in accordance with any conditions determined by the Council and displayed on any signage on or near the road.

7.5 *Donations*

Ask for or receive or indicate a desire for a donation of money or any other thing.

7.6 *Obstructions*

Erect, install or place or cause to be erected, installed or placed any structure, object or material of any kind so as to obstruct a road or footway, water-channel, or watercourse in a road.

7.7 *Preaching*

Preach, harangue, solicit or canvass for religious or charitable purposes.

7.8 *Public Exhibitions and Displays*

7.8.1 Sing, busk, play a recording or use a music instrument, or perform similar activities.

7.8.2 Conduct or hold a concert, festival, show, circus, performance or a similar activity.

7.8.3 Erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity.

7.8.4 Cause any public exhibitions or displays.

7.9 Vehicles

Repair, wash, paint, panel beat or perform other work of a similar nature to a vehicle, except for running repairs in the case of a vehicle breakdown.

Note:

Moveable signs on roads are regulated by Sections 226 and 227 of the Act and the Council's Moveable Signs By-law.

PART 3—ENFORCEMENT

8. Directions

A person who, in the opinion of an authorised person is committing or has committed a breach of this by-law, must immediately comply with a direction of an authorised person to leave that part of the road.

9. Orders

If a person does not comply with an order of an authorised person made pursuant to Section 262 of the Act in respect of a breach of this by-law, the Council may seek to recover its costs of any action taken under Section 262 (3) of the Act from the person to whom the order was directed.

Note:

Section 262 (1) of the Act states:

- (1) If a person (the offender) engages in conduct that is a contravention of this Act or a by-law under this Act, an authorised person may order the offender:
 - (a) if the conduct is still continuing—to stop the conduct; and
 - (b) whether or not the conduct is still continuing—to take specified action to remedy the contravention.

Subsections (2) and (3) of Section 262 also provide that it is an offence to fail to comply with an order and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out. For example, an authorised person may order a person to:

- cease busking on a road;
- remove an object or structure blocking a footpath;
- dismantle and remove a tent from a road.

10. Removal of animals and objects

- 10.1 The Council (or its delegate) may, pursuant to Section 234 of the Act, remove an animal or object that is on a road in breach of a by-law if no person is in charge, or apparently in charge, of the animal or object.
- 10.2 The Council may recover from the owner or apparent owner of an object, removed under subclause 10.1, the costs it incurs in removing that object.

PART 4—MISCELLANEOUS

11. Exemptions

The restrictions in this by-law do not apply to a police officer, emergency worker, Council officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer.

12. Liability of vehicle owners

- 12.1 For the purposes of this Clause 12, owner in relation to a vehicle has the same meaning as contained in Section 4 of the Act.
- 12.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed at a meeting of the District Council of Barunga West held on 9 May 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

A. COLE, Chief Executive Officer

DISTRICT COUNCIL OF BARUNGA WEST

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4 of 2017—Moveable Signs By-law 2017

A by-law to set standards for moveable signs on roads and to provide conditions for the placement of such signs for the purpose of protecting visual amenity and public safety.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Moveable Signs By-law 2017 and is By-law No. 4 of the District Council of Barunga West.

2. Authorising law

This by-law is made under Sections 226, 238, 239 and 246 of the Act.

3. Purpose

The objectives of this by-law are to set standards for moveable signs on roads:

- 3.1 to protect the comfort and safety of road users and members of the public;
- 3.2 to enhance the amenity of roads and surrounding parts of the Council area;
- 3.3 to prevent nuisances occurring on roads;
- 3.4 to prevent unreasonable interference with the use of a road; and
- 3.5 for the good rule and government of the Council area.

4. Commencement, revocation and expiry

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 4—Moveable Signs 2010.²

4.2 This by-law will expire on 1 January 2025.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazetting of the by-law.

5. Application

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2017.

5.2 This by-law applies throughout the Council area.

6. Interpretation

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *authorised person* means a person appointed as an authorised person pursuant to Section 260 of the Act;
- 6.3 *banner* means a slip of cloth, plastic or other material hung up or carried on a pole, fence or other structure;
- 6.4 *business premises* means premises from which a business is being conducted;
- 6.5 *Council* means District Council of Barunga West;
- 6.6 *footpath area* means:
 - 6.6.1 that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;
 - 6.6.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;
- 6.7 *Local Government land* has the same meaning as in the Act;
- 6.8 *moveable sign* has the same meaning as in the Act;

- 6.9 *road* has the same meaning as in the Act; and
 6.10 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2—MOVEABLE SIGNS

7. *Construction and design*

A moveable sign must:

- 7.1 be of kind known as an ‘A’ frame or sandwich board sign, an ‘inverted ‘T’ sign, or a flat sign or, with the permission of the Council (including as may be provided in any policy of the Council), a sign of some other kind;
- 7.2 be designed, constructed and maintained in good quality and condition so as not to present a hazard to any member of the public;
- 7.3 be of strong construction and sufficiently stable or securely fixed so as to keep its position in any weather conditions;
- 7.4 have no sharp or jagged edges or corners;
- 7.5 not be unsightly or offensive in appearance or content;
- 7.6 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 7.7 not rotate or contain flashing parts;
- 7.8 not have balloons, flags, streamers or other things attached to it;
- 7.9 not exceed 900 mm in height and 600 mm in width and 600 mm in depth;
- 7.10 not have a display area exceeding 1 square metre in total or, if the sign is two-sided, 1 square metre on each side;
- 7.11 in the case of an ‘A’ frame or sandwich board sign:
 - 7.11.1 be hinged or joined at the top;
 - 7.11.2 be of such construction that its sides are securely fixed or locked in position when erected; and
 - 7.11.1 not have a base area in excess of 0.6 square metres;
- 7.12 in the case of an inverted ‘T’ sign, not contain struts or members that run between the display area and the base of the sign; and
- 7.13 not rotate or contain flashing parts.

8. *Placement*

A moveable sign must not be:

- 8.1 placed on any part of a road other than the footpath area;
- 8.2 tied, fixed or attached to, or placed closer than 2 metres from any structure, fixed object, tree, bush or plant (including another moveable sign);
- 8.3 placed on a designated parking area or within 1.8 metres of an entrance to any business or other premises;
- 8.4 placed on the sealed part of a footpath, if there is an unsealed part on which the sign can be placed in accordance with this by-law;
- 8.5 placed so as to interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;
- 8.6 placed closer than 0.4 metres to the edge of the carriageway of a road;
- 8.7 placed on a landscaped area, other than landscaping that comprises only lawn;
- 8.8 placed on a footpath area with a minimum height clearance from a structure above it of less than 2 metres;
- 8.9 placed on a median strip, traffic island, roundabout or any other traffic control device on a road;
- 8.10 placed other than adjacent to the business premises to which it relates;

- 8.11 displayed during the hours of darkness unless it is in a clearly lit area and is clearly visible; or
- 8.12 be placed in such a position or in such circumstances so that:
 - 8.12.1 it compromises the safety of any person or places a person at risk of harm; or
 - 8.12.2 it obstructs or impedes (or would be likely to obstruct or impede) a vehicle door when opened, provided that the vehicle is parked lawfully on the carriageway.

9. *Banners*

A person must not erect or display a banner on a building or structure on a road without the Council’s permission.

Note:

A person must not erect or display a banner on a public road for a business purpose without a permit from the Council issued under Section 222 of the Local Government Act 1999.

10. *Restrictions*

- 10.1 The owner or operator of a business must not cause or allow more than one moveable sign for each business premises to be displayed on the footpath area at any time.
- 10.2 A person must not, without the Council’s permission, display a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government land or a road primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates.
- 10.3 A person must not cause or allow a moveable sign to be placed on a footpath area unless:
 - 10.3.1 it only displays material which advertises a business being conducted on premises adjacent to the moveable sign or the goods and services available from that business; and
 - 10.3.2 the business premises to which it relates is open to the public;
- 10.4 If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed, the Council may, by resolution, prohibit or restrict the display of a moveable sign on such conditions as the Council thinks fit.

11. *Exemptions*

- 11.1 Subclauses 10.1 and 10.3 of this by-law do not apply to a moveable sign which:
 - 11.1.1 advertises a garage sale taking place from residential premises;
 - 11.1.2 is a directional sign to an event run by a community organisation or charitable body.
- 11.2 Subclauses 10.1 and 10.3.1 of this by-law do not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine.
- 11.3 A requirement of this by-law will not apply where the Council has granted permission for the moveable sign to be displayed contrary to that requirement.

Note:

This by-law does not apply to moveable signs placed and maintained on a road in accordance with Section 226 (3) of the Act, which includes any sign:

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

PART 3—ENFORCEMENT

12. *Removal of moveable signs*

- 12.1 A person must immediately comply with the order of an authorised person to remove a moveable sign made pursuant to Section 227 (1) of the Act.

Note:

pursuant to Section 227 (1) of the Act, an authorised person may order the owner of a moveable sign to remove the sign from the road if:

- the design, construction or positioning of a Moveable Sign does not comply with a requirement of this by-law; or
- any other requirement of this by-law is not complied with; or
- the Moveable Sign unreasonably restricts the use of the Road, or endangers the safety of other persons.

- 12.2 The owner of, or other person entitled to recover, a moveable sign removed by an authorised person pursuant to Section 227 (2) of the Act, may be required to pay to the Council any reasonable costs incurred by the Council in removing, storing, and/or disposing of the moveable sign before being entitled to recover the moveable sign.

- 12.3 The owner of, or other person responsible for, a moveable sign must remove or relocate the moveable sign at the request of an authorised person:

- 12.3.1 if, in the opinion of an authorised person, and not withstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or
- 12.3.2 for the purpose of special events, parades, roadworks or in any other circumstances which, in the opinion of the authorised person, require relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.

13. *Liability of vehicle owners*

- 13.1 For the purposes of this Clause 13, owner in relation to a vehicle has the same meaning as contained in Section 4 of the Act.
- 13.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed at a meeting of the District Council of Barunga West held on 9 May 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

A. COLE, Chief Executive Officer

DISTRICT COUNCIL OF BARUNGA WEST

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 5 of 2017—Dogs By-law 2017

A by-law to limit the number of dogs kept on premises and for the management and control of dogs in the Council's area.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Dogs By-law 2017 and is By-law No. 5 of the District Council of Barunga West.

2. *Authorising law*

This by-law is made under Section 90 (5) of the Dog and Cat Management Act 1995, Sections 238 and 246 of the Act and Section 18A of the Harbors and Navigation Act 1993.

3. *Purpose*

The objectives of this by-law are to control and manage dogs in the Council area:

- 3.1 to reduce the incidence of environmental nuisance caused by dogs;
- 3.2 to promote responsible dog ownership;

- 3.3 to protect the convenience, comfort and safety of members of the public; and

- 3.4 for the good rule and government of the Council area.

4. *Commencement, revocation and expiry*

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

- 4.1.1 By-law No 5—Dogs 2010.²

- 4.2 This by-law will expire on 1 January 2025.³

Note:

- 1 Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.

- 2 Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

- 3 Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazetting of the by-law.

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2017.

- 5.2 Subject to subclause 5.3, this by-law applies throughout the Council area.

- 5.3 Clauses 9.1 and 10.2 of this by-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. *Interpretation*

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *approved kennel establishment* means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993 for the keeping of dogs on a temporary or permanent basis;
- 6.3 *assistance dog* means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled;
- 6.4 *children's playground* means an enclosed area in which there is equipment or other installed devices for the purpose of children's play (or within 3 metres of such devices if there is no enclosed area);
- 6.5 *Council* means District Council of Barunga West;
- 6.6 *dog* (except for in subclause 7.1) has the same meaning as in the Dog and Cat Management Act 1995;
- 6.7 *effective control* means a person exercising effective control of a dog either:
- 6.7.1 by means of a physical restraint (as defined under the Dog and Cat Management Act 1995); or
- 6.7.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;
- 6.8 *keep* includes the provision of food or shelter;
- 6.9 *park* has the same meaning as in the Dog and Cat Management Act 1995;
- 6.10 *premises* includes land, whether used or occupied for domestic or non-domestic purposes;
- 6.11 *small dwelling* means a self-contained residence that is:
- 6.11.1 a residential flat building;
- 6.11.2 contained in a separate strata unit or community title;
- 6.11.3 on an allotment less than 400 square metres in area; or
- 6.11.4 without a secure yard of at least 100 square metres in area;
- 6.12 *township* has the same meaning as in the Act;

- 6.13 *working dog* means a dog:
- 6.13.1 usually kept, proposed to be kept or worked on rural land by a person who is—
- (a) a primary producer; or
- (b) engaged or employed by a primary producer; and
- 6.13.2 kept primarily for the purpose of herding, droving, protecting, tending or working stock, or training for herding, droving, protecting, tending or working stock.
- 6.14 for the purposes of Clause 9 of the by-law, a dog is under effective control by means of a leash if the dog is secured to a leash, cord or chain that does not exceed 2 metres in length and:
- 6.14.1 the leash, cord or chain is either tethered securely to a fixed object; or
- 6.14.2 held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

Note:

Section 14 of the Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-laws was made.

PART 2—LIMITS ON DOG NUMBERS

7. *Limits on dog numbers in private premises*

- 7.1 subject to subclauses 7.3 and 7.5, a person must not, without the Council's permission keep or cause, suffer or permit to be kept:
- 7.1.1 in a township, more than one dog in a small dwelling;
- 7.1.2 in a township, more than two dogs in premises other than a small dwelling;
- 7.1.3 outside of a township, more than three dogs (other than working dogs) on any premises.
- 7.2 for the purposes of subclause 7.1, 'dog' means a dog that is three months of age or older or, a dog that has lost its juvenile teeth.
- 7.3 subclause 7.1 does not apply to:
- 7.3.1 approved kennel establishments operating in accordance with all required approvals and consents; or
- 7.3.2 any business involving the keeping of dogs provided that the business is registered in accordance with the Dog and Cat Management Act 1995 and operating in accordance with all required approvals and consents.
- 7.4 the Council may require that premises which are the subject of an application for permission to keep additional dogs, must be inspected by an authorised person for the purpose of assessing the suitability of the premises for housing dogs.
- 7.5 no dog is to be kept on any premises where, in the opinion of an authorised person, there is no secure or appropriate area where a dog may be effectively confined.

PART 3—DOG CONTROLS

8. *Dog exercise areas*

Subject to Clauses 9 and 10 of this by-law, a person may enter a park in the Council area for the purpose of exercising a dog under his or her effective control.

Note:

If a person is exercising a dog in a park as permitted under this clause and the dog is not under effective control as that term is defined in the Dog and Cat Management Act 1995, this gives rise to a dog wandering at large offence under Section 43 (1) of the Dog and Cat Management Act 1995, for which the owner or person responsible for the dog may be liable.

9. *Dog on leash areas*

A person must not, without the Council's permission, allow a dog under that person's control, charge or authority (except an assistance dog that is required to remain off-lead in order to fulfil its functions) to be or remain:

- 9.1 on Local Government land or public place to which the Council has resolved that this subclause applies; or
- 9.2 on any park or reserve during times when organised sport is being played;
- unless the dog is under effective control by means of a leash.

10. *Dog prohibited areas*

A person must not allow a dog under that person's control, charge or authority (except an assistance dog) to enter or remain:

- 10.1 on any children's playground; or
- 10.2 on any other Local Government land or public place to which the Council has determined that this subclause applies.

11. *Dog faeces*

No person is to allow a dog under that person's control, charge or authority to be in a public place or on Local Government land unless that person has in their possession a bag or other suitable container for the collection and lawful disposal of any faeces that the dog may deposit (for the purpose of complying with their obligation under Section 45A (6) of the Dog and Cat Management Act 1995).

PART 4—ENFORCEMENT

12. *Orders*

- 12.1 if a person engages in conduct that is in contravention of this by-law, an authorised person may order that person:
- 12.1.1 if the conduct is still continuing—to stop the conduct; and
- 12.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.
- 12.2 a person must comply with an order under this Clause.
- 12.3 if a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may seek to recover its costs of any action so taken from the person to whom the order was directed.
- 12.4 however, an authorised person may not use force against a person under this section.

Note:

For example, an authorised person may order a person to:

- cease keeping more than the permitted number of dogs on that person's premises; or
- remove a dog from a dog prohibited area.

This by-law was duly made and passed at a meeting of the District Council of Barunga West held on 9 May 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

A. COLE, Chief Executive Officer

DISTRICT COUNCIL OF BARUNGA WEST

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 6 of 2017—Cats By-law 2017

A by-law to limit the number of cats kept on premises and for the management and control of cats in the Council's area.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Cats By-law 2017 and is By-law No. 6 of the District Council of Barunga West.

2. *Authorising law*

This by-law is made under Section 90 (5) of the Dog and Cat Management Act 1995 and Section 246 of the Act.

3. Purpose

The objectives of this by-law are to control and manage cats in the Council's area:

- 3.1 to promote responsible cat ownership;
- 3.2 to reduce the incidence of the public and environmental nuisance caused by cats;
- 3.3 to protect the comfort and safety of members of the public; and
- 3.4 for the good rule and government of the Council area.

4. Commencement, revocation and expiry

- 4.1 the following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹
 - 4.1.1 Cats By-law No. 6—2010.²
- 4.2 this by-law will expire on 1 January 2025.³

Note:

- ¹ Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.
- ² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.
- ³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. Application

- 5.1 this by-law operates subject to the Council's Permits and Penalties By-law 2017.
- 5.2 this by-law applies throughout the Council's area.

6. Interpretation

In this by-law, unless the contrary intention appears;

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 except for the purposes of Clauses 8 and 9, *cat* means an animal of the species *felis catus* which is three months of age or has lost its juvenile canine teeth;
- 6.3 *Council* means the District Council of Barunga West;
- 6.4 *keep* includes the provision of food or shelter;
- 6.5 *nuisance* means:
 - 6.5.1 unreasonably interfering with the peace, comfort or convenience of a person, including but not limited to a cat(s) displaying aggressive nature or creating unpleasant noise or odour;
 - 6.5.2 acting in a manner that is injurious to a person's real or personal property;
 - 6.5.3 acting in a manner that is offensive and/or hazardous to health; or
 - 6.5.4 wandering and/or defecating onto land without the consent of the owner or occupier of the land.
- 6.6 *premises* includes land whether used or occupied for domestic or non-domestic purposes and any part thereof.

Note:

Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law is made.

PART 2—LIMITS ON CAT NUMBERS

7. Limits on cat numbers

- 7.1 Subject to this Clause 7, the limit on the number of cats to be kept on any premises shall be 2 cats.
- 7.2 Subject to this Clause 7, no person shall, without obtaining written permission of the Council, keep or cause suffer or permit to be kept any cat on any premises where the number of cats thereon exceeds the limit prescribed by subclause 7.1 of this by-law unless the Council has exempted the premises from compliance with that clause by granting them an exemption in writing.

- 7.3 The limit prescribed by subclause 7.1 does not apply to premises comprising a business involving the keeping of cats provided that the business is operating in accordance with all required approvals and consents.

PART 3—CAT CONTROLS

8. Cats not to be a nuisance

- 8.1 An owner or occupier of premises is guilty of an offence if a cat (or cats) kept or allowed to remain on the premises causes a nuisance.
- 8.2 For the purposes of this Clause 8, *cat* means an animal of the species *felis catus*.

9. Registration of cats

- 9.1 Where the Council has resolved to adopt a registration scheme for cats, a person must not keep a cat in the Council's area for more than 14 days unless the cat is registered in accordance with this by-law.
- 9.2 An application for registration of a cat must:
 - 9.2.1 be made to the Council in the manner and form prescribed by Council (if any);
 - 9.2.2 be accompanied by the fee (if any) prescribed by the Council;
 - 9.2.3 nominate a person of or over sixteen (16) years of age who consents to the cat being registered in his or her name; and
 - 9.2.4 identify with reference to an address the premises at which the cat is kept.
- 9.3 Registration under this by-law remains in force until 30 June next following the grant of registration and may be renewed from time to time for further periods of up to twelve (12) months.
- 9.4 subclause 9.1 does not apply to the operators of a business comprising a cattery provided that the business is operating in accordance with all required approvals and consents.
- 9.5 for the purposes of this Clause 9, *cat* means an animal of the species *felis catus*.

PART 3—ENFORCEMENT

10. Orders

- 10.1 If a person engages in conduct that is a contravention of this by-law, an authorised person may order that person:
 - 10.1.1 if the conduct is still continuing—to stop the conduct; and
 - 10.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.
- 10.2 A person must comply with an order under this clause.
- 10.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may seek to recover its costs of any action so taken from the person to whom the order was directed.
- 10.4 However, an authorised person may not use force against a person under this section.

Note:

For example, an authorised person may order a person to:

- cease keeping more than the permitted number of cats on that person's premises; or
- take the necessary steps to mitigate a nuisance caused by howling cats.

This by-law was duly made and passed at a meeting of the District Council of Barunga West held on the 9 May 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

A. COLE, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

Review of Elector Representation

ERRATUM

IN *Government Gazette* No. 27, published on 3 May 2017, on page 1165, the closing date for submissions on the Review of Elector Representation public consultation has been changed from Friday, 19 May 2017 to Friday, 26 May 2017.

P. ARNOLD, Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

ROADS (OPENING AND CLOSING) ACT 1991

Notice of Proposed Road Process Order

NOTICE is hereby given pursuant to Section 10 of the Roads (Opening and Closing) Act 1991, that the District Council of Lower Eyre Peninsula proposes to make a Road Process Order to open a portion of road in the Hundred of Lincoln in the area named Boston over the portions of land comprised in Certificate of Title 5529/621, Certificate of Title 6139/46, Certificate of Title 6146/789, Certificate of Title 6138/63 and Certificate of Title 6060/921, that are respectively numbered 1, 2, 3, 4 and 5 in Preliminary Plan No. 17/0027.

A copy of the Preliminary Plan relating to the proposal and a statement of persons affected are available for public inspection at the offices of the Council located at 32 Railway Terrace, Cummins and at the Adelaide Offices of the Surveyor-General during normal office hours.

Any person may object to the proposal. An objection must state whether the objector wishes to make submissions to the Council at any meeting held by the Council for this purpose, set out the full name and address of the person making the objection and, must be fully supported by reasons.

An objection must be made in writing to the Council by post to P.O. Box 41, Cummins, S.A. 5631, or via email to mail@dclep.sa.gov.au within 28 days of the date of publication of this notice and a copy must be forwarded to the Surveyor-General at G.P.O. Box 1354, Adelaide, S.A. 5001. If a submission is received, the Council will give notice of the time and place at which a meeting will be held to consider the matter so that any person making the submission (or a representative) may attend to support the submission, if desired.

R. PEARSON, Chief Executive Officer

MOUNT BARKER DISTRICT COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Packard Street, Nairne

NOTICE is hereby given that, pursuant to Section 10 of the Roads (Opening and Closing) Act 1991 (the Act), the Mount Barker District Council proposes to make a Road Process Order to close and retain the portion of Packard Street, adjoining Allotment 4000 in D96297 marked 'A' in Preliminary Plan No. 17/0037.

A copy of the plan and statement of persons affected are available for public inspection at the Local Government Centre, 6 Dutton Road, Mount Barker; Council's website www.dcmtbarker.sa.gov.au/publicnotices and the office of the Surveyor-General at 101 Grenfell Street, Adelaide, during normal office hours.

Any application for easement or objections must be made in writing within 28 days from the date of publication of this notice, to Council at P.O. Box 54, Mount Barker, S.A. 5251 and the Surveyor-General at G.P.O. Box 1354, Adelaide, S.A. 5001, setting out full details.

Where a submission is made, Council will give notification of a meeting to deal with the matter. For any enquiries please contact David Morton, Tel. (08) 8391 7272 at the council.

Dated 10 April 2017.

A. STUART, Chief Executive Officer

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

Conley, Brian John, late of 22 Henry Street, Risdon Park, retired senior technical officer, who died on 1 October 2016.

Conlon, Lynette Ann, late of 15 Rosemary Street, Woodville West, of no occupation, who died on 15 December 2015.

Holder, Thelma Gladys, late of 7 Lancelot Drive, Daw Park, of no occupation, who died on 28 February 2017.

Laphorne, John Alfred, late of 22 Stuart Road, South Plympton, of no occupation, who died on 24 December 2016.

Lockett, John William, late of 105 Lander Road, Trott Park, of no occupation, who died on 16 November 2016.

Mackellar, Mervyn Martini, late of 12 Peterson Avenue, Mitchell Park, retired despatcher, who died on 24 January 2017.

Male, Graham Duncan, late of 28 Campbell Street, Whyalla Stuart, chef, who died on 26 November 2016.

McCaffrey, Desmond Vincent, late of 16 Tutt Avenue, Kingswood, retired commercial artist, who died on 27 January 2017.

McKenna, Eric Lyall, late of 22 Beare Street, Yacka, of no occupation, who died on 23 September 2016.

Mendaue, Lloyd Maxwell, late of 112 Hampstead Road, Broadview, retired master butcher, who died on 24 February 2017.

Moxon, Joyce Ann, late of 7 Montacute Street, Elizabeth Downs, home duties, who died on 18 February 2017.

Steggles, Flora Margaret, late of 740 Torrens Road, Rosewater, of no occupation, who died on 28 November 2016.

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, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 16 June 2017, 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 16 May 2017.

D. A. CONTALA, Public Trustee

NOTICE SUBMISSION

The weekly *South Australian Government Gazette* is issued on Tuesday afternoon, except where Executive Council meets on Wednesday, wherein publishing will occur on that day.

The next scheduled publication date is displayed on the website: www.governmentgazette.sa.gov.au.

Notices for gazettal, along with enquiries, can be directed to:

EMAIL governmentgazettesa@sa.gov.au
PHONE (08) 8207 1045

Notices for gazettal are to be emailed in the following formats:

- Notices as individual Word files (.doc)
- Maps, images, and diagrams as separate PDF files (.pdf)
- Content requiring official signature for authorisation—notices as Word files as well as signed documentation as PDF files

Please provide the following information in your email:

- Date the notice is to be gazetted
- Notification of whether a proof, quote, or return email confirmation is required
- Email address and phone number of the person authorising the submission
- Name of the person and organisation to be charged for the notice, if applicable, and a purchase order if required
- Details that may impact on publication of the notice

Notices must be submitted before 4 p.m. Friday, the week preceding intended gazettal.

Proofs of formatted content are supplied upon request, with necessary alterations to be returned before 4 p.m. the day preceding publication.

Submitted notices will be gazetted unless notification is received before 10 a.m. the day of publication.