



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 11 JUNE 2020

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GOVERNOR'S INSTRUMENTS

ACTS

Department of the Premier and Cabinet
Adelaide, 11 June 2020

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 2020—Statutes Amendment (Bail Authorities) Act 2020
An Act to amend the Bail Act 1985, the District Court Act 1991, the Magistrates Court Act 1991 and the Supreme Court Act 1935
- No. 16 of 2020—Criminal Law (Legal Representation) (Reimbursement of Commission) Amendment Act 2020
An Act to amend the Criminal Law (Legal Representation) Act 2001
- No. 17 of 2020—Rail Safety National Law (South Australia) (Rail Safety Work) Amendment Act 2020
An Act to amend the Rail Safety National Law (South Australia) Act 2012

By command,

STEVEN SPENCE MARSHALL
Premier

APPOINTMENTS

Department of the Premier and Cabinet
Adelaide, 11 June 2020

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Country Arts Trust, pursuant to the provisions of the South Australian Country Arts Trust Act 1992:

Member: from 11 June 2020 until 13 February 2022
Ruth Sarah Stephenson

By command,

STEVEN SPENCE MARSHALL
Premier

DPC20/045CS

Department of the Premier and Cabinet
Adelaide, 11 June 2020

His Excellency the Governor in Executive Council has been pleased to appoint judicial officers to the auxiliary pool as listed below, for a term of one year commencing on 1 July 2020 and expiring on 30 June 2021 - it being a condition of appointment that the powers and jurisdictions of office should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment - pursuant to the provisions of the Judicial Administration (Auxiliary Appointments and Powers) Act 1988:

JOHN FRANCIS COSTELLO as an Auxiliary Judge of the District Court of South Australia and an Auxiliary Judge of the Environment, Resources and Development Court of South Australia

ALFIO ANTHONY GRASSO as an Auxiliary Magistrate of South Australia and an Auxiliary Magistrate of the Youth Court of South Australia

MICHAEL DAVID as an Auxiliary Judge of the Supreme Court of South Australia

GEOFFREY LOUIS MUECKE as an Auxiliary Judge of the Supreme Court of South Australia

PAUL JOHN RICE as an Auxiliary Judge of the Supreme Court of South Australia

GRAHAM WALTER DART as an Auxiliary Judge of the Supreme Court of South Australia

KATRINA JANE BOCHNER as an Auxiliary Judge of the Supreme Court of South Australia

SYDNEY WILLIAM TILMOUTH as an Auxiliary Judge of the Supreme Court of South Australia

BRIAN PATRICK GILCHRIST as an Auxiliary Judge of the Supreme Court of South Australia

PETER JOHN NORMAN as an Auxiliary Master of the Supreme Court of South Australia and an Auxiliary Master of the District Court of South Australia

JOHN STEPHEN RODER as an Auxiliary Master of the Supreme Court of South Australia and an Auxiliary Master of the District Court of South Australia

BRIONY KENNEWELL as an Auxiliary Master of the Supreme Court of South Australia

DEAN ERNEST CLAYTON as an Auxiliary Judge of the District Court of South Australia

GORDON FRASER BARRETT as an Auxiliary Judge of the District Court of South Australia

PETER DENNIS HANNON as an Auxiliary Judge of the District Court of South Australia

STEPHEN KEVIN McEWEN as an Auxiliary Judge of the Youth Court of South Australia

JOANNE TRACEY as an Auxiliary Judge of the Youth Court of South Australia

MARK NICHOLAS RICE as an Auxiliary Master of the District Court of South Australia

BARBARA ELLEN JOHNS as an Auxiliary Magistrate of South Australia

KYM BOXALL as an Auxiliary Magistrate of South Australia and an Auxiliary Magistrate of the Youth Court of South Australia

JONATHAN ROMILLY HARRY as an Auxiliary Magistrate of South Australia and an Auxiliary Magistrate of the Youth Court of South Australia

THEODORE IULIANO as an Auxiliary Magistrate of South Australia and an Auxiliary Magistrate of the Youth Court of South Australia

CLIVE WILLIAM KITCHIN as an Auxiliary Magistrate of South Australia and an Auxiliary Magistrate of the Youth Court of South Australia

By command,

STEVEN SPENCE MARSHALL
Premier

AGO0084-20CS

Department of the Premier and Cabinet
Adelaide, 11 June 2020

His Excellency the Governor in Executive Council has been pleased to appoint Phillip Edward James Broderick to act in the office of Magistrate and Magistrate of the Youth Court of South Australia on an auxiliary basis, for a period commencing on 4 May 2021 and expiring on 30 June 2021, it being a condition of appointment that the powers and jurisdictions of office should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment - pursuant to the provisions of the Judicial Administration (Auxiliary Appointments and Powers) Act 1988

By command,

STEVEN SPENCE MARSHALL
Premier

AGO0084-20CS

Department of the Premier and Cabinet
Adelaide, 11 June 2020

His Excellency the Governor in Executive Council has been pleased to appoint Grantley John Stevens to the position of Commissioner of Police for a term of three years commencing on 21 July 2020 and expiring on 20 July 2023 - pursuant to provisions of the Police Act 1998

By command,

STEVEN SPENCE MARSHALL
Premier

20POL006CS

Department of the Premier and Cabinet
Adelaide, 11 June 2020

His Excellency the Governor in Executive Council has been pleased to appoint Linda Williams to the position of Deputy Commissioner of Police for a term of three years commencing on 21 July 2020 and expiring on 20 July 2023 - pursuant to the provisions of the Police Act 1998

By command,

STEVEN SPENCE MARSHALL
Premier

20POL006CS

Department of the Premier and Cabinet
Adelaide, 11 June 2020

His Excellency the Governor in Executive Council has been pleased to appoint BDO as auditor to audit the accounts of the Auditor-General's Department, for a base term of one year commencing on 1 July 2020 with optional extensions for four one-year terms - pursuant to section 35(1) of the Public Finance and Audit Act 1987

By command,

STEVEN SPENCE MARSHALL
Premier

T&F20/046CS

PROCLAMATIONS

South Australia

Criminal Law Consolidation (False or Misleading Information) Amendment Act (Commencement) Proclamation 2020

1—Short title

This proclamation may be cited as the *Criminal Law Consolidation (False or Misleading Information) Amendment Act (Commencement) Proclamation 2020*.

2—Commencement of Act

The *Criminal Law Consolidation (False or Misleading Information) Amendment Act 2019* (No 36 of 2019) comes into operation on 18 June 2020.

Made by the Governor

with the advice and consent of the Executive Council

on 11 June 2020

South Australia

Education and Children's Services Act (Commencement) Proclamation 2020

1—Short title

This proclamation may be cited as the *Education and Children's Services Act (Commencement) Proclamation 2020*.

2—Commencement

The *Education and Children's Services Act 2019* (No 19 of 2019) comes into operation on 1 July 2020.

Made by the Governor

with the advice and consent of the Executive Council
on 11 June 2020

South Australia

Administrative Arrangements (Committal of Education and Children's Services Act) Proclamation 2020

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Committal of Education and Children's Services Act) Proclamation 2020*.

2—Commencement

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

3—Administration of Act committed to Minister for Education

The administration of the *Education and Children's Services Act 2019* is committed to the Minister for Education.

Made by the Governor

with the advice and consent of the Executive Council
on 11 June 2020

REGULATIONS

South Australia

Return to Work (Prescribed Class of Injury) Variation Regulations 2020

under the *Return to Work Act 2014*

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- 2 Commencement
- 3 Variation provisions

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- 4 Variation of regulation 23—Medical expenses—period of entitlement (section 33(21) of Act)
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Return to Work (Prescribed Class of Injury) Variation Regulations 2020*.

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 *Return to Work Regulations 2015*

4—Variation of regulation 23—Medical expenses—period of entitlement (section 33(21) of Act)

Regulation 23(1)—after paragraph (l) insert:

- (m) pneumoconiosis (including silicosis) and other injuries in so far as they are caused by exposure to crystalline silica.

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 11 June 2020

No 203 of 2020

South Australia

Education and Children's Services Regulations 2020

under the *Education and Children's Services Act 2019*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Education and Children's Services Regulations 2020*.

2—Commencement

These regulations come into operation on the day on which section 1 of the *Education and Children's Services Act 2019* comes into operation.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Education and Children's Services Act 2019*;

medical certificate means a medical certificate from a legally qualified medical practitioner and includes such other evidence as may be acceptable to the Chief Executive;

premises means any land, building or structure;

repealed regulations means—

- (a) the *Education Regulations 2012*; and
- (b) the *Education Regulations 1997*; and
- (c) any earlier regulations corresponding to the *Education Regulations 1997*;

school day, in relation to a Government school, means a day on which the school is required to be open.

4—Application of regulations to non-Government schools

- (1) The following provisions of these regulations apply to, or in relation to, both Government and non-Government schools:
 - (a) Part 1;
 - (b) regulation 5;
 - (c) regulation 7;
 - (d) regulation 13;
 - (e) regulation 15(1);
 - (f) regulation 16;
 - (g) Part 6 Division 3;
 - (h) regulation 35;
 - (i) regulation 37;
 - (j) regulation 38;
 - (k) Part 7;
 - (l) Part 12.
- (2) All other provisions of these regulations apply only to, or in relation to, Government schools.

Part 2—Interpretation

5—Approved learning programs

For the purposes of paragraph (b) of the definition of *approved learning program* in section 3(1) of the Act, universities established by or under an Act or law of the State, the Commonwealth, or any other State or Territory, are declared to be within the ambit of that paragraph.

6—Children's services

For the purposes of paragraph (c) of the definition of *children's services* in section 3(1) of the Act, the following services, and services of a kind, are prescribed:

- (a) a playgroup;
- (b) a toy library;
- (c) care of children out of school hours or during school vacations;
- (d) care of children on a casual basis;
- (e) care, guidance and support of children with special needs;
- (f) any other service, or service of a kind, declared by the Chief Executive by notice in the Gazette to be included in the ambit of this paragraph.

7—Head of approved learning program

For the purposes of paragraph (b) of the definition of *head* of an approved learning program in section 3(1) of the Act, the persons, or persons of a class, specified by the Minister by notice in the Gazette are prescribed.

8—Promotional level

For the purposes of the definition of *promotional level* in section 3(1) of the Act, all classification levels for all positions other than—

- (a) Teacher; or
- (b) Advanced Skills Teacher Level 2 (AST2); or
- (c) Highly Accomplished Teacher (HAT); or
- (d) Lead Teacher (Lead),

are declared to be promotional level positions in the teaching service.

Part 3—Ministerial directions and instructions

9—Minister may give directions and instructions

- (1) The Minister may, in relation to the exercise of the powers and functions conferred on the Minister by or under the Act, give such directions and instructions as the Minister considers appropriate.
- (2) Directions or instructions given under subregulation (1) must not be inconsistent with the Act or these regulations.
- (3) Nothing in this regulation limits any other power of the Minister to give directions or instructions under the Act, or any other Act or law.

Part 4—Preschools and children's services centres

10—Closure of stand-alone preschools and children's services centres

For the purposes of section 29(2) of the Act, the following circumstances are prescribed for the purposes of that subsection:

- (a) funding for a stand-alone preschool or children's services centre has been withdrawn or is insufficient for the stand-alone preschool or children's services centre to remain open;
- (b) the governing council of a stand-alone preschool or children's services centre has acted in contravention of the Act or its constitution;
- (c) a stand-alone preschool or children's services centre has failed to amend its constitution in accordance with a direction of the Minister under section 22(3) of the Act;
- (d) any other circumstances that, in the opinion of the Minister, make closure of the relevant stand-alone preschool or children's services centre necessary or appropriate.

Part 5—Special purpose schools

11—Special purpose schools

For the purposes of section 56(1)(e) of the Act, the following purposes are prescribed:

- (a) outdoor education;
- (b) the provision of education to children who require support with social or behavioural difficulties or other needs.

Part 6—Provision of education in schools

Division 1—Enrolment

12—Enrolment in Government schools

- (1) For the purposes of section 60(1) of the Act, the enrolment of a child at a Government school should, as far as is reasonably practicable, comply with any policy published from time to time by the Minister by notice in the Gazette for the purposes of this subregulation.
- (2) Without limiting the matters that may be the subject of a policy under subregulation (1), a policy may provide for—
 - (a) the maximum enrolment capacity of a school; or
 - (b) any limitations or conditions on enrolment of students in order to prevent the enrolment capacity of a school being exceeded; or
 - (c) the identification of zones in relation to a specified school, or schools of a specified class, where students residing in the zone are eligible to be enrolled at the school or class of schools; or
 - (d) limitations or conditions that apply in relation to any special interest programs at a school; or
 - (e) any other matter the Minister considers relevant to the enrolment of children in Government schools.
- (3) The Minister may, by notice in the Gazette, vary or revoke a policy under this regulation.
- (4) Without limiting this regulation, the enrolment in a school of a child who is under 6 years of age must comply with any determination by the Chief Executive relating to such enrolments (including, to avoid doubt, a determination that limits the time at which such an enrolment may occur).

13—Enrolment in approved learning programs

- (1) For the purposes of section 61(1) of the Act, the enrolment of a child of compulsory education age in an approved learning program, or in a combination of approved learning programs, must be such so as to constitute full time participation in approved learning programs.
- (2) For the purposes of subregulation (1), the enrolment of a child of compulsory education age in an approved learning program will only be taken to constitute full time participation in approved learning programs if—
 - (a) either—
 - (i) the number of hours that a child participates, or is to participate, in the program or programs in a particular period; or
 - (ii) the nature of the activities undertaken during participation in the program or programs,
is such so as to meet the minimum standard for full time participation (if any) set out in guidelines published by the Minister, as in force from time to time; or
 - (b) the child is enrolled in an approved learning program, or a combination of approved learning programs, declared under subregulation (3) to constitute full time participation in approved learning programs.

- (3) The Minister may, by notice in the Gazette, declare that participation in a specified approved learning program, or in a specified combination of approved learning programs, constitutes full time participation in approved learning programs for the purposes of the Act.

14—Chief Executive may direct that child be enrolled in particular school

- (1) Pursuant to section 62(5) of the Act, the Chief Executive may only give a direction under that section if the Chief Executive is satisfied that the circumstances that give rise to the direction can be appropriately managed at the specified school.
- (2) Pursuant to section 62(5) of the Act, an application for a direction under that section—
 - (a) must be made in a manner and form determined by the Chief Executive; and
 - (b) must comply with any determination of the Chief Executive relating to such applications (including, to avoid doubt, a determination setting thresholds below which applications may be refused).

15—Special provisions relating to enrolment of adult students

- (1) For the purposes of section 64(3)(c) of the Act, enrolments of the following kinds are declared to be included within the ambit of that subsection:
 - (a) the re-enrolment of an adult person in a school within 6 months of last being a student at the school;
 - (b) the enrolment of an adult person in a school within 6 months after last being a student at another school;
 - (c) the enrolment of an adult person at the Flexicentre, Goldsborough Rd or Jonal Dr campuses of the Youth Education Centre.
- (2) Pursuant to section 64(6) of the Act, the Chief Executive may, by notice in writing, direct that a specified adult person must be enrolled in a specified school, or specified class of school, and, if such a direction is given, the person may be refused enrolment in any school other than the specified school or school of the specified class.
- (3) The Chief Executive may, by notice in writing, vary or revoke a direction under subregulation (2).
- (4) Pursuant to section 64(6) of the Act, the Chief Executive may, by notice in writing, cancel the enrolment of an adult student for any reason the Chief Executive thinks appropriate.

16—Certain information to be provided on enrolment

Pursuant to section 65(1)(e) of the Act, a person who is responsible for a child who is to be enrolled in a school or an approved learning program must provide the principal of the school or head of the approved learning program (as the case requires) such other information as may be required in the enrolment form provided to the person.

Division 2—School terms, school days and special days etc

17—School terms

- (1) The school year is to be divided into such periods as may be determined by the Minister.
- (2) The periods determined under subregulation (1) must be published on a website determined by the Chief Executive.

18—School days

- (1) Subject to the Act, a school is to be open from Monday to Friday in each week (not including public holidays or any period of school vacation).
- (2) Except as may otherwise be provided for under the Act, a school must not be closed on a school day except with the approval of the Chief Executive.
- (3) An approval under subregulation (2)—
 - (a) may be conditional or unconditional; and
 - (b) must be published on a website determined by the Chief Executive.

19—Organisation of school days

- (1) The amount of instruction provided during a particular period, and the period or periods set aside for lunch and recess during a school day, at a specified school, or a specified class of schools, must comply with any determination of the Chief Executive.
- (2) Without limiting the matters that may be the subject of a determination of the Chief Executive under subregulation (1), a determination under that subregulation may—
 - (a) relate to a school day or to some other specified period; and
 - (b) fix a minimum or maximum period (or both) in relation to the amount of instruction that is to be provided during a specified period; and
 - (c) fix a minimum or maximum number or length of lunch and recess periods that are to be provided on a school day.
- (3) A student under the age of 6 years may be dismissed 1 hour before normal dismissal time if a person who is responsible for a child so requests.

20—Homework

- (1) An officer of the teaching service at a school may require that homework appropriate to the age and ability of a student is to be undertaken by a student attending the school.
- (2) An officer of the teaching service must give sympathetic consideration to any objection from a person responsible for a student regarding the amount of homework expected from the student.

21—Officers of teaching service may be required to give assistance on days when schools etc are closed

The Chief Executive may, if satisfied that it is, due to special circumstances, reasonable to do so, require an officer of the teaching service at a specified school, or at a stand-alone preschool, to give such assistance on a day or days when the school or stand-alone preschool (as the case requires) is closed as the Chief Executive may require.

Division 3—Attendance at school and participation in approved learning programs

22—Prescribed reasons for child of compulsory school age failing to attend school

For the purposes of section 68(3)(a)(iii) of the Act, it is a prescribed reason for failure of a child to attend school if the failure on the occasion in question was due to unavoidable circumstances and there was, on the occasion in question, sufficient cause.

23—Prescribed reasons for failing to participate in approved learning program

For the purposes of section 69(3)(a)(iv) of the Act, it is a prescribed reason for failure of a child to participate in an approved learning program if the failure on the occasion in question was due to unavoidable circumstances and there was, on the occasion in question, sufficient cause.

24—Prescribed information in reports of persistent non-attendance or non-participation

For the purposes of section 75(2)(c) of the Act, the following information is required:

- (a) the name, address and date of birth of the student;
- (b) information setting out the days or periods during which the student failed to attend school, or participate in the approved learning program, (as the case requires);
- (c) any other information of a kind determined by the Minister by notice in the Gazette.

25—Authorised officers to take steps to ensure attendance

Authorised officers must take all practicable action to ensure attendance at school by children of compulsory school age and participation in an approved learning program by children of compulsory education age.

Division 4—Suspension, exclusion and expulsion of students**26—Determination to suspend, exclude or expel a student**

For the purposes of sections 76(2), 77(2), 78(2) and 79(2) of the Act, in determining whether to suspend, exclude or expel a student, a principal of a school or the Chief Executive (as the case requires) must have regard to—

- (a) the severity and frequency of the misbehaviour of the student; and
- (b) the student's prior record of behaviour and response to previous sanctions (if any);
and
- (c) if relevant, the extent to which adjustments have been made to support the participation of that student, or students with a disability generally, at the school;
and
- (d) any other relevant matter.

27—Offence for suspended, excluded or expelled student to be on school grounds

- (1) A student who has been suspended or excluded from attendance at a school or expelled from a school under the Act must not, during the period of the suspension, exclusion or expulsion, enter or remain on the school premises except with the written approval or at the written request of the principal of the school.

Maximum penalty: \$200.

- (2) A student who has been expelled under section 79 of the Act from all Government schools must not, during the period of the expulsion, enter or remain on any Government school premises except with the written approval or at the written request of the Chief Executive or the principal of the school concerned.

Maximum penalty: \$200.

Division 5—Additional provisions relating to school discipline

28—School control of students

- (1) Having regard to the rights and duties of students, persons who are responsible for students, and staff, the principal of a school may impose such moderate and reasonable controls on the behaviour of students, and sanctions for offences against those rules, as the principal considers necessary or as are permitted under the Act.
- (2) The principal of a school may delegate their disciplinary authority, including the imposition of appropriate sanctions on students for breaches of school rules, to such members of the staff at the school as the principal so determines.
- (3) A delegation under subregulation (2) does not prevent a principal of a school from exercising directly their own power to impose sanctions on students where the principal considers it necessary or advisable to do so.
- (4) A principal may, in addition to imposing on a student any sanction that is in accordance with school policy, detain a student during the school lunch break or after school hours subject to any requirements or conditions determined by the Minister.

29—Right to search student's bags etc

- (1) The principal of a school, or a person authorised by the principal, may, if the principal or person reasonably suspects that school property is being unlawfully removed from school premises by a student enrolled at the school, search or cause to be searched any bag, locker or other receptacle of the student.
- (2) A search under subregulation (1)—
 - (a) may only occur on the school premises; and
 - (b) may occur at any time.
- (3) A student must comply with a request of a person conducting a search under subregulation (1) to open a bag, locker or other receptacle belonging to, or in the possession of, the student.
Maximum penalty: \$100.
- (4) In this regulation—
school property, in relation to a school, means books, tools, materials or other equipment belonging to the school.

30—Payments for damage caused by students

If a student enrolled at a school damages school equipment or property, the principal of the school may require the student to meet the cost of repairing that damage and if, on request, the cost is not met by the student, it may be recovered by the Minister by action in a court of competent jurisdiction as follows:

- (a) in the case of a student who is not an adult—each person who is responsible for the student is jointly and severally liable for the cost as a debt;
- (b) in any other case—the student is liable for the cost as a debt.

Division 6—Religious and cultural activities

31—Persons prescribed to conduct religious or cultural activities

For the purposes of section 82(1) of the Act, the following persons and classes of persons are prescribed:

- (a) in the case of a person seeking to conduct religious activities—a person who is recognised (whether by ordination, commissioning, endorsement or otherwise) by a generally recognised or accepted religious organisation;
- (b) in the case of a person seeking to conduct cultural activities—a person who represents, and is acting with the approval of, a generally recognised or accepted cultural organisation.

32—Exemption from participation in religious or cultural activities

Pursuant to section 82(3)(b) of the Act, if a person responsible for a student enrolled at a school gives written notice to the principal of the school that the student is to be exempted from participating in a specified religious or cultural activity (or both), or from all such activities, the student will be taken to be exempt from participating in the activity or activities.

Division 7—Sex education

33—Exemption from instruction in sex education

- (1) Pursuant to section 141(2)(a) of the Act, if a person responsible for a student enrolled at a school gives written notice to the principal of the school that the student is to be exempted from participating in specified instruction relating to sex education, or from all such instruction, the student will be taken to be exempt from participating in such instruction.
- (2) However, an exemption under subregulation (1) does not apply in relation to any instruction provided as part of the *Keeping Safe: Child Protection Curriculum*, or a corresponding program that replaces that curriculum.

Division 8—Student allowances and scholarships

34—Interpretation

In this Division, unless the contrary intention appears—

primary school means a school providing courses in primary education (including the primary grades of an area school);

secondary school means a school providing courses in secondary education (including the secondary grades of an area school);

transport route, to a school, means a route followed by vehicles provided by the Minister for the purpose of conveying students to that school partially or wholly at the expense of the Government.

35—Travelling allowances for students

- (1) A travelling allowance under this regulation may be paid to a person who is responsible for a student attending a school (not being a preschool) if—
 - (a) the usual place of residence of the student is in South Australia; and

- (b) the usual place of residence of the person who is responsible for the student is in South Australia; and
 - (c) the person who is responsible for the student incurs expense in transporting the student to and from the school on a daily or regular basis; and
 - (d) the student lives 5 km or more from—
 - (i) the nearest Government primary or secondary school (as the case requires); or
 - (ii) a transport route to the nearest Government primary or secondary school (as the case requires),determined by reference to the shortest practicable route the student may take.
- (2) A travelling allowance is payable as follows:
- (a) in the case of a student at a Government school who does not attend the Government school closest to the student's place of residence, but the Chief Executive determines that the school the student attends is the closest school which meets the educational needs of the student—the travelling allowance is payable at the rate that applies in relation to attendance at that school; or
 - (b) in any other case—the travelling allowance is payable at the rate determined by the Chief Executive (being the rate that would apply if the student were attending the Government school, or the transport route, (as the case requires) closest to the student's place of residence).
- (3) The rate or rates of travelling allowance payable under this regulation are as determined from time to time by the Minister by notice in the Gazette.

36—Travelling allowance for students with disabilities

Despite any other provision of this Division, if a child, considered by the Chief Executive to have a disability, attends a special school, disability unit or class of a kind approved by the Chief Executive for the purposes of this regulation, the Chief Executive may approve payment of the total cost of transporting the child to that school, disability unit or class, or may pay an allowance to a person who is responsible for the child who transports the child to that school, disability unit or class, subject to such conditions as the Chief Executive may determine.

37—Educational allowances for certain secondary school students

If the usual place of residence of a person who is responsible for a student is in South Australia and—

- (a) the student lives away from home to attend a secondary school of a kind determined by the Chief Executive; and
- (b) the student attends regularly at the secondary school and undertakes an approved course of secondary education,

an allowance of an amount determined by the Minister may be paid towards the living expenses of the student.

38—Scholarships etc for students

- (1) A scholarship or award that was available to students immediately prior to the commencement of this regulation will—
 - (a) continue in force under the conditions existing immediately prior to that commencement; and
 - (b) continue to be known by the names by which they were known immediately prior to that commencement,

until such conditions and names are varied by the Minister, or the scholarship or award is withdrawn by the Minister.

- (2) In any case where money or property, real or personal, is made available for the purpose of founding a scholarship or award for students, the Minister may accept such money or property and may grant scholarships or make awards in accordance with any agreement entered into at the time such money or property becomes available, or, where no agreement is entered into, on such terms as the Minister thinks fit.

Division 9—Dress codes

39—Dress codes

- (1) The Chief Executive may issue administrative instructions under section 9 of the Act in relation to—
 - (a) dress codes to be adopted by schools; and
 - (b) the means by which governing councils of schools are to consult with students and persons who are responsible for students enrolled at the school in determining dress codes.
- (2) The governing council of a school may—
 - (a) in accordance with any administrative instructions referred to in subregulation (1); and
 - (b) after consulting with students and persons who are responsible for students enrolled at the school in accordance with any administrative instructions referred to in subregulation (1) and having regard to their views,determine a dress code for the school.
- (3) A dress code adopted by a school should, regardless of a student's gender, be flexible and allow the right of choice and gender expression, including the choice of clothing that takes account of the following:
 - (a) freedom of movement;
 - (b) level of comfort;
 - (c) safety;
 - (d) climatic conditions;
 - (e) other special circumstances (for example, pregnancy).

- (4) The principal of a school must, on the adoption by the school of a dress code, inform the persons who are responsible for each student enrolled at the school and, on the later enrolment of a student at the school, inform the persons who are responsible for that student, in writing of—
 - (a) the dress code of the school; and
 - (b) their right to request the exemption of the student from that dress code.
- (5) The principal of a school may, on being requested in writing by a person responsible for a student enrolled at the school to exempt the student from the dress code of the school, so exempt the student.
- (6) Subject to subregulation (5), the principal of a school must enforce the dress code of the school and may take appropriate disciplinary action in relation to wilful and persistent breach of the dress code but the dress code may not be enforced by the suspension, exclusion or expulsion of a student from the school or by otherwise precluding the student from participating in the educational program of the school.
- (7) Where this regulation refers to an act to be carried out by or in relation to persons who are responsible for a student enrolled at the school, the regulation will, in relation to a student who is not less than 18 years of age, be taken to refer to the act as carried out by or in relation to that student.

Part 7—Protections for teachers, staff and students etc in schools, preschools and children's services centres

40—Premises to which Part 8 of Act applies

For the purposes of section 90(e) of the Act, premises specified by the Minister by notice in the Gazette are prescribed.

41—Review of barring notice by Minister

For the purposes of section 94(5)(d) of the Act, such premises as may be prescribed by regulation 40 are prescribed.

Part 8—The teaching service

Division 1—Appointment

42—Merit-based selection processes

- (1) For the purposes of section 98(1) of the Act, the following requirements apply to selection processes:
 - (a) the Chief Executive must cause applications to be sought in accordance with any determination of the Chief Executive;
 - (b) the Chief Executive must—
 - (i) select an applicant on the basis of merit; or
 - (ii) cause the selection of an applicant on the basis of merit from amongst applicants in a pool of applicants established in accordance with this regulation.

- (2) The Chief Executive may establish a pool of applicants by any of the following methods, or a combination of such methods:
 - (a) by calling for applications for inclusion in the pool and selecting from such applicants (on the basis of merit) those who will be included in the pool;
 - (b) by selecting persons (on the basis of merit) from within a pool already established under paragraph (a);
 - (c) by selecting persons who were unsuccessful applicants for appointment to, or within, the teaching service within the preceding 12 months (being a person who was eligible for the appointment),in each case in accordance with any determination of the Chief Executive.
- (3) Subject to these regulations and to any Act or law, the Chief Executive may determine any other provision relating to the establishment and operation of pools of applicants.
- (4) If appropriate, other additional means may be used to seek applications, including advertising in newspapers or specialist publications, on Internet sites or by email or through recruitment agencies.

43—Application for appointment to the teaching service

- (1) An applicant for appointment to the teaching service must—
 - (a) be registered as a teacher under the *Teachers Registration and Standards Act 2004* or be eligible for registration as a teacher under that Act; or
 - (b) hold a special authority to teach under the *Teachers Registration and Standards Act 2004* that is in force.
 - (2) An application under this Part—
 - (a) must be made in a manner and form determined by the Chief Executive; and
 - (b) must be accompanied by such information or documents as the Chief Executive may require; and
 - (c) must, if the Chief Executive so requires, be accompanied by a certificate from an approved legally qualified medical practitioner that the applicant is of sound health and free from any physical or mental condition likely to impair the applicant's efficiency in the performance of the duties the applicant would be required to undertake if appointed.
 - (3) Subject to any other Act or law, the Chief Executive may choose to limit applicants to officers of the teaching service or teachers, or officers or teachers of a specified class.
 - (4) An applicant must not provide information under this regulation that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular).
- Maximum penalty: \$5 000.

44—Application for inclusion in pool of applicants

- (1) An application for inclusion in a pool of applicants for the purposes of these regulations—
 - (a) must be made in a manner and form determined by the Chief Executive; and
 - (b) must be accompanied by such information or documents as the Chief Executive may require.
- (2) Subject to any other Act or law, the Chief Executive may choose to limit applicants to officers of the teaching service or teachers, or officers or teachers of a specified class.

45—Exceptions to requirement for merit-based selection processes

- (1) For the purposes of section 98(2)(b) of the Act, circumstances consisting of the appointment of an officer to a position that is not a promotional position are prescribed.
- (2) For the purposes of section 98(2)(c), the following circumstances are prescribed:
 - (a) the appointment of a person as an officer of the teaching service as a term or casual employee;
 - (b) the appointment of a person as an officer of the teaching service in accordance with a rehabilitation and return to work plan under the *Return to Work Act 2014*;
 - (c) if, in a particular case, the Chief Executive determines that special circumstances exist warranting the appointment of a person as an officer of the teaching service without the conduct of merit-based selection processes, taking into account—
 - (i) the person's abilities, aptitude, skills, qualifications, knowledge, experience (including community experience) and personal qualities relevant to the carrying out of the duties in question; and
 - (ii) if relevant—
 - (A) the manner in which the person carried out any previous employment or occupational duties or functions; and
 - (B) the extent to which the person has potential for development;
 - (d) the promotion of an officer of the teaching service as a result of a determination of the Chief Executive affecting classification structures.

46—Probation—term employee

For the purposes of section 101(3) of the Act, the period of probation of a person appointed to the teaching service as a term employee is such period as may be determined by the Chief Executive (either in relation to a specified person or a specified class of persons).

47—Condition of employment

It is a condition of employment of each officer appointed to the teaching service that the officer will, if so required, serve in any part of the State during any period of the officer's service.

Division 2—Duties, classification, promotion and transfer

48—Assignment of duties and transfer to non-teaching position within Department

- (1) Pursuant to section 102(4) of the Act, an officer of the teaching service who is transferred from a teaching position (the *original position*) to an administrative or other position that is not a teaching position (the *new position*) may be transferred on conditions and remuneration that equate to the conditions and remuneration applicable to the new position (including, to avoid doubt, where those conditions and remuneration amount to a reduction of the conditions and remuneration applicable to the original position).
- (2) Pursuant to section 102(4) of the Act, an officer of the teaching service may be transferred from a teaching position to an administrative or other specified position on the grounds that the Chief Executive has lost trust or confidence in the officer to satisfactorily perform the duties of an officer of the teaching service.

49—Number of certain officers and promotional level positions

The number of officers classified at Highly Accomplished Teacher (HAT), Lead Teacher (Lead) and Advanced Skills Teacher level 2 (AST2), and the number of positions classified at promotional levels, at a specified school or stand-alone preschool, or a specified class of schools or stand-alone preschools, is to be determined by the Chief Executive after consultation with the Australian Education Union (SA Branch).

50—Reclassification applications

- (1) Pursuant to section 105(5) of the Act, an officer of the teaching service may not make an application for reclassification to—
 - (a) Highly Accomplished Teacher (HAT); or
 - (b) Lead Teacher (Lead); or
 - (c) Advanced Skills Teacher level 2 (AST2).
- (2) Pursuant to section 105(5) of the Act, if an application for reclassification is approved by the Chief Executive, the reclassification will be effective from the day on which the application was made in accordance with the Act.

51—Appointments to promotional level positions

- (1) For the purposes of section 106(2) of the Act, a call for applications by the Chief Executive in relation to a position in the teaching service at a promotional level—
 - (a) may be made in a manner determined by the Chief Executive; and
 - (b) must, in any event, be published on a website determined by the Chief Executive.
- (2) For the purposes of section 106(4)(d) of the Act, the following kinds of appointments are prescribed:
 - (a) an appointment changing the basis on which a person is engaged as an ongoing employee, or re-engaging the person as a term employee, if the person was engaged following a selection process conducted on the basis of merit and the person is to continue to perform the same or similar duties;
 - (b) an appointment of a person in relation to which the Chief Executive determines that special circumstances exist warranting the engagement of a person without the conduct of merit-based selection processes, taking into account—
 - (i) the person's abilities, aptitude, skills, qualifications, knowledge, experience (including community experience) and personal qualities relevant to the carrying out of the duties in question; and
 - (ii) if relevant—
 - (A) the manner in which the person carried out any previous employment or occupational duties or functions; and
 - (B) the extent to which the person has potential for development.

52—Acting appointments

- (1) An officer of the teaching service appointed by the Chief Executive to a position classified at a promotional level in an acting capacity will, if the officer occupies the position for a period of more than 1 week, be entitled to receive salary and increments, as from the date of the acting appointment and while the officer occupies the position, as if the officer had been appointed to the position by the Chief Executive under Part 9 of the Act.

- (2) If an officer of the teaching service, while acting in a position as referred to in subregulation (1), is appointed to the position by the Chief Executive under Part 9 of the Act, the period for which the officer acted in the position up until the appointment by the Chief Executive will, for all purposes, be added to and taken to form part of the period for which the officer occupies the position as a result of the appointment by the Chief Executive.

Division 3—Leave of absence

53—Leave on the ground of illness

- (1) Subject to this Division, the Chief Executive may grant leave of absence with pay on the ground of illness to an officer of the teaching service for a period not exceeding the leave standing to the credit of that officer.
- (2) Subject to these regulations, the leave standing to the credit of an officer of the teaching service, whether appointed before or after the commencement of the Act is—
 - (a) 10 working days on appointment; plus
 - (b) 10 working days on each first day of January succeeding the officer's day of appointment,

and in each case deducting from the total so obtained the number of working days in respect of which leave has been taken under this regulation or under the repealed regulations.

- (3) For the purposes of this regulation, if a person who has previously been in prescribed employment (within the meaning of section 113 of the Act) is appointed as an officer of the teaching service and the person's service in the prescribed employment is continuous with their service as an officer of the teaching service, the sick leave credit to which the officer is entitled under this regulation is to be determined on the basis that the person's service in the prescribed employment is service in the teaching service (however, if the amount of sick leave taken by the person in the prescribed employment is not accurately known, the Chief Executive may determine the amount of leave to stand to the credit of the officer).
- (4) If the period of absence of an officer of the teaching service on the ground of illness exceeds 3 days at any time, the application for leave must be accompanied by a medical certificate.
- (5) Despite subregulation (4), the Chief Executive may require an officer of the teaching service to produce a medical certificate of the existence of the illness of that officer where the officer's leave of absence on the ground of illness is 3 days or less.
- (6) If a medical certificate is not produced by an officer of the teaching service as required by this regulation the leave will be without pay.
- (7) If an officer of the teaching service who is on long-service leave produces a medical certificate or other evidence satisfactory to the Chief Executive that the officer has been confined to a residence or to a hospital for a period of at least 14 days while on that leave, the officer may, with the approval of the Chief Executive, elect to convert that portion of long-service leave during which the officer was so confined to a debit against the officer's sick-leave credits (however, no such conversion may be granted to an officer who has received payment for long-service leave on retirement, resignation, retrenchment or termination of services).

54—Skills and experience retention leave entitlement

- (1) For the purposes of section 107(5)(b) of the Act—
 - (a) the amount of \$180 (indexed) for each working day of skills and experience retention leave accrued during a particular financial year (which will be reduced on a pro rata basis in relation to a part of a working day and in relation to part time work) is fixed by these regulations; and
 - (b) an entitlement to such leave may be converted to the amount fixed under paragraph (a) if an election is made to the Chief Executive, in a manner determined by the Chief Executive, by 31 August immediately following the financial year in which the entitlement accrues; and
 - (c) an amount payable on account of an election under paragraph (b) will be paid to the officer at a time, and in a manner, determined by the Chief Executive for the purposes of this paragraph; and
 - (d) an amount payable in relation to a part of a working day or part time work will be determined in a manner determined by the Chief Executive.
- (2) The amount of \$180 (indexed) referred to in subregulation (1)(a) is to be adjusted on an annual basis (commencing in relation to days accrued in the 2013/2014 financial year) by multiplying that amount by a proportion obtained by dividing the Consumer Price Index for the March quarter in the immediately preceding financial year by the Consumer Price Index for the March quarter, 2012 (with an adjustment applying according to when a leave entitlement accrues rather than when a payment is made).
- (3) An amount determined under subregulation (2) is to be rounded up or down to the nearest \$1 (and if the amount to be rounded is 50 cents, then the amount is to be rounded up).
- (4) In this regulation—

Consumer Price Index means the *Consumer Price Index (All groups index for Adelaide)* published by the Australian Bureau of Statistics.

55—Long service leave on half pay

Despite any other provision of this Part, if an officer of the teaching service takes a period of long-service leave on half pay pursuant to section 108 of the Act, the officer will, for the purposes of long-service leave and sick-leave credits, be deemed to be on full pay for the first half of such period and on leave without pay for the remainder of that period.

56—Absence to be reported

- (1) If an officer of the teaching service is absent from duty, the officer must apply to the Chief Executive for leave of absence.
- (2) An application—
 - (a) must be made in a manner and form determined by the Chief Executive; and
 - (b) must be made through the principal of the relevant school, or director of the relevant stand-alone preschool, or such other person as may be determined by the principal or director (as the case requires); and
 - (c) may, if the officer is unable to apply for leave of absence themselves, be made on behalf of the officer.

57—Special leave

- (1) The Chief Executive may grant to an officer of the teaching service special leave—
 - (a) with pay; or
 - (b) with part pay; or
 - (c) without pay,for such period and on such conditions as the Chief Executive may determine.
- (2) The Chief Executive may vary or revoke a condition of special leave granted under this regulation.
- (3) Special leave granted under this regulation is in addition to any other leave that an officer may be entitled to under these regulations.

58—Special provision relating to maternity leave

If it is not reasonably practicable to offer an officer of the teaching service who is on maternity leave a suitable appointment at the end of the period of maternity leave, the Chief Executive may extend the officer's maternity leave until the end of the school vacation period following the end of the school year during which the period of maternity leave would, but for the extension, have ended (including, to avoid doubt, an officer of the teaching service employed at a stand-alone preschool).

59—Infectious diseases and special leave

- (1) If an officer of the teaching service is absent from duty and—
 - (a) the officer produces a medical certificate that indicates that they are suffering from a disease of a kind determined by the Chief Executive for the purposes of this regulation; and
 - (b) the principal of the relevant school, or the director of the relevant stand-alone preschool, provides a statement in writing to the effect that it is reasonably likely that the disease was contracted by the officer as a result of contact with students, children or staff at the school or preschool while on duty,the officer is to be granted special leave with pay (and such leave is not to be debited to the officer's sick leave credits).
- (2) The leave granted under this regulation in relation to a particular disease may not exceed 52 weeks (whether taken as a continuous period or as separate periods).

60—War service sick leave

- (1) The Chief Executive may grant war service sick leave to an officer of the teaching service who submits evidence of a kind determined by the Chief Executive that they are absent because of a disability of a kind determined by the Chief Executive for the purposes of this regulation (being a disability due to war service).
- (2) War service sick leave may be granted for such period and on such conditions as the Chief Executive may determine.
- (3) The Chief Executive may vary or revoke a condition of war service sick leave granted under this regulation.

61—Continuity of service

- (1) The continuity of service of an officer of the teaching service will be taken not to be broken by leave of absence granted under this Division and—
 - (a) in the case of any leave of absence in respect of which the officer is paid full salary—the period of leave will count as service for the purposes of determining sick leave entitlement; and
 - (b) in any other case—the Chief Executive may determine to what extent, if any, a period of leave will be counted as service for the purposes of determining sick leave entitlement (and such determination will have effect according to its terms).
- (2) If, in a determination under subregulation (1)(b), the Chief Executive determines that a period of leave does not count as service for the purposes of determining sick leave entitlements, the credit in each year provided for in regulation 53 is to be reduced by 1 day for each complete 4 weeks of that period of leave, up to a maximum of 10 working days in any year.
- (3) If the employment of an officer of the teaching service is terminated under section 120 of the Act on the grounds that the officer is physically or mentally incapable of performing duties satisfactorily and the officer is subsequently reappointed as an officer of the teaching service, the officer's continuous service before termination and after reappointment will be taken into account as though that service was continuous.

Division 4—Absence from duty

62—Absence from duty

- (1) If an officer of the teaching service is absent from their place of work during their ordinary hours of duty (or other hours as directed), or has otherwise not discharged their duties, as a result of industrial action taken by the officer, then the Chief Executive may direct that the salary of the officer is to be reduced by such an amount as is equal to—
 - (a) one-tenth of the officer's fortnightly salary for each full day of absence or failure to discharge duty; or
 - (b) one-twentieth of the officer's fortnightly salary for each half day of absence or failure to discharge duty; or
 - (c) one seventy-fifth of the officer's fortnightly salary for each hour (or part hour) of absence or failure to discharge duty where the absence or failure to discharge duty is less than one half day.
- (2) A direction of the Chief Executive under subregulation (1) will have effect according to its terms.
- (3) For the purposes of this regulation, the fortnightly salary of an officer of the teaching service appointed on a part time basis is the fortnightly salary that officer would be entitled to receive if the officer were appointed on a full time basis.

Division 5—Salaries and allowances

63—Salary above minimum

If an appointment to the teaching service is made—

- (a) that is the first appointment of a person as an officer of the teaching service; or

- (b) that involves transfer of an officer of the teaching service from 1 position to another; or
- (c) in such other circumstances as determined by the Chief Executive,

the Chief Executive may approve a commencing salary within the range of the scale provided for the new position at a rate higher than the rate fixed for the minimum of that position, and that salary is to be paid accordingly.

64—Positions not covered in an award

The Chief Executive may determine the remuneration to be paid to an officer of the teaching service in respect of special work performed in a temporary capacity and in relation to which no award applies.

65—Deduction from salaries of rents for certain residences

If an officer of the teaching service occupies for residential purposes any building or part of a building owned or leased by the Minister, rent at an approved rate may be deducted from that officer's salary fortnightly.

66—Travelling expenses

An officer of the teaching service undertaking approved travel in connection with their duties is to be reimbursed for expenses reasonably and actually incurred at the same rates as apply to a Public Service employee (however, the Chief Executive may, if the Chief Executive determines that it is reasonable to do so in order to reimburse the officer concerned for their reasonable out of pocket expenses, be reimbursed at a higher rate determined by the Chief Executive).

Division 6—Disciplinary action and management of unsatisfactory performance

67—Disciplinary action

For the purposes of section 114(4) of the Act, if the Chief Executive has reclassified an officer of the teaching service found guilty of misconduct under section 114(1)(d) of the Act, the Chief Executive may determine that the officer is not permitted to apply for, or be appointed to, a promotional level position for such period of time, not exceeding 3 years, as determined by the Chief Executive.

68—Scheme for reduction in remuneration level

For the purposes of section 116(3) of the Act, the scheme determined by the Chief Executive is prescribed.

Division 7—Miscellaneous

69—Cost of medical examination

The costs of a medical examination under section 118 of the Act are to be met by the Minister.

70—Compliance with policies and instructions

An officer of the teaching service is required to comply with any policies or instructions developed, adopted or given by the Chief Executive under the Act.

71—Impartiality of instruction

If an officer of the teaching service, in the course of the officer's duties, finds it necessary to discuss contentious issues with their students, it is incumbent upon them to present those issues fairly and reasonably.

72—Responsibilities of principals etc and officers of the teaching service

(1) A principal of a Government school, and the director of a stand-alone preschool, is answerable to the Chief Executive and is responsible for the following:

- (a) providing educational leadership in the school or preschool;
- (b) the governance of the school or preschool (being a joint responsibility with the governing council of the school or preschool);

Note—

See sections 23(a) and 41(1)(a) of the Act.

- (c) leading improvement processes and practices to achieve outcomes for students and children in the school or preschool;
- (d) the management of the day-to-day operations of the school or preschool;
- (e) the welfare and development of students and children at the school or preschool;
- (f) the establishment and maintenance of an inclusive social and educational environment within the school or preschool favourable to—
 - (i) learning; and
 - (ii) acceptable forms of behaviour; and
 - (iii) the development within students and children of self-control, self-discipline and a respect for other persons and their property;
- (g) the provision, and the day-to-day management of the provision, of instruction at the school or preschool in accordance with any curriculum determined by the Chief Executive;
- (h) ensuring that staff, students and persons who are responsible for students and children at the school or preschool are consulted about, and informed of, the disciplinary rules governing the behaviour of students and children both inside and outside the classroom;
- (i) the administration of discipline within the school or preschool;
- (j) promoting the continuing professional development of the staff of the school or preschool;
- (k) encouraging staff of the school or preschool to participate in processes for determining policies for the school or preschool and resolving problems;
- (l) the conduct of regular staff meetings—
 - (i) as an integral part of decision making and communication within the school or preschool; and
 - (ii) in a manner providing full opportunity for staff involvement;
- (m) keeping the governing council informed of relevant educational and other policies;
- (n) fostering community participation in programs and in educational developments generally;

- (o) the proper keeping of records and for the prompt preparation and provision of all Departmental returns;
 - (p) the proper care and safekeeping of the property of the school or preschool.
- (2) An officer of the teaching service employed at a school or stand-alone preschool is answerable to the principal of the school or the director of the stand-alone preschool (as the case requires) and is responsible for the following:
- (a) being actively concerned with the welfare and development of the students or children in the officer's care;
 - (b) implementing improvement processes and practices to achieve outcomes for students and children in the school or preschool as determined by the principal of the school or the director of the preschool;
 - (c) attending staff meetings (subject to the acceptance of non-attendance on grounds similar to those applying to absence from other teaching duties or for reasons acceptable to the principal or director);
 - (d) participating in processes for determining policies for the school or preschool and properly implementing those policies;
 - (e) assisting in the general management of the school or preschool as required by the principal or director.

73—Officers of teaching service not to incur liability on behalf of Government

- (1) Except as may be otherwise authorised under the Act, an officer of the teaching service must not incur or attempt to incur any liability on behalf of the Government or the Minister, nor make, attempt to make, alter or attempt to alter any contract on behalf of the Government or the Minister without the written authority of the Chief Executive.
- (2) However, nothing in subregulation (1) prevents an officer of the teaching service from taking such action as the officer considers reasonably necessary to obtain the services of a legally qualified medical practitioner, or to hire a suitable conveyance to convey the student to a place suitable for treatment, in the case where a student becomes unwell or is injured.
- (3) Any costs or expenses of a kind referred to in subregulation (2) incurred by or on behalf of an officer of the teaching service may be recovered by the Chief Executive by action in a court of competent jurisdiction as follows:
 - (a) in the case of a student who is not an adult—each person who is responsible for the student is jointly and severally liable for the cost or expense as a debt; or
 - (b) in any other case—the student is liable for the cost or expense as a debt.

74—Report to be provided to Chief Executive where certain legal proceedings commenced

If any legal proceedings are commenced against an officer of the teaching service (being proceedings arising out of an alleged act or omission of the officer relating to a student or child, and occurring in the course of the officer's employment at a school or stand-alone preschool at which the officer is employed) the officer must, as soon as is reasonably practicable, provide a full report in writing of the circumstances to the Chief Executive.

75—Scholarships etc for teachers

- (1) A scholarship or award that was available to teachers (whether officers of the teaching service or otherwise) immediately prior to the commencement of this regulation will—
 - (a) continue in force under the conditions existing immediately prior to that commencement; and
 - (b) continue to be known by the names by which they were known immediately prior to that commencement,until such conditions and names are varied by the Minister, or the scholarship or award is withdrawn by the Minister.
- (2) In any case where money or property, real or personal, is made available for the purpose of founding a scholarship or award for teachers, the Minister may accept such money or property and may grant scholarships or make awards in accordance with any agreement entered into at the time such money or property becomes available, or, where no agreement is entered into, on such terms as the Minister thinks fit.
- (3) The Minister may provide scholarships to teachers for such purposes and on such conditions as the Minister may determine and may withdraw any such scholarship for any reason the Minister thinks fit.

76—Resignation to contest an election

- (1) If—
 - (a) an officer of the teaching service—
 - (i) resigns from the teaching service in order to become a candidate for election as a member of a House of Parliament of the State or Commonwealth; and
 - (ii) was a candidate at that election; and
 - (iii) was not elected at that election; and
 - (b) the resignation took effect not earlier than 1 month before the date on which nominations for the election closed; and
 - (c) the person applies in writing to the Chief Executive for reappointment to the teaching service within 4 weeks after the declaration of the results of that election,the Chief Executive must reappoint the person to the teaching service at a status and salary appropriate to the position which the person held immediately prior to their resignation.
- (2) A person reappointed under this regulation will be taken to have continued in the teaching service as if the person had not resigned, but had been on leave of absence without pay during the period from the day on which their resignation became effective to the day immediately preceding the day on which the person was reappointed.

Part 9—Other employment and staffing arrangements

77—Application of Part 7 and Schedule 1 of the *Public Sector Act 2009* to employees under Part 10 of Act

Pursuant to section 122(4)(c) of the Act, employees, or employees of a class, specified by the Chief Executive are declared to be included within the ambit of that subsection.

Part 10—Appeals

78—Certain decisions not reviewable

For the purposes of section 124(1) of the Act, the following decisions and determinations are prescribed:

- (a) a decision to appoint an officer of the teaching service as a consequence of selection processes conducted on the basis of merit;
- (b) a decision affecting or relating to a casual employee;
- (c) a decision not to reappoint a term employee at the end of the employee's term of employment;
- (d) a decision to appoint, transfer or promote an officer of the teaching service to the extent that it affects another officer;
- (e) a decision to change the duties of an officer of the teaching service to the extent that it affects another officer;
- (f) a decision to suspend an officer of the teaching service from duty with remuneration;
- (g) a decision that the salary of an officer of the teaching service be reduced arising from the officer's refusal or failure to carry out their duties;
- (h) a decision to transfer an officer of the teaching service that does not reduce the officer's remuneration;
- (i) a decision to transfer an officer of the teaching service who is residing in premises other than government housing that does not reasonably require the officer to change their place of residence and does not reduce the officer's remuneration;
- (j) a decision to transfer an officer of the teaching service who is residing in government housing that does not reduce the officer's remuneration;
- (k) a decision to terminate the employment of an officer of the teaching service who is on probation;
- (l) a decision under section 106(6) of the Act after considering an application submitted under section 106(2)(a) of the Act.

79—Election of officers of the teaching service as supplementary panel members for SAET

- (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 124(3)(b) of the Act.
- (2) 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.
- (3) A nomination of a candidate for election must be—
 - (a) in writing; and

- (b) signed by the candidate; and
 - (c) signed by 2 other members of the AEU; and
 - (d) lodged with the Branch Returning Officer of the AEU not later than the time fixed in the notice for the closure of nominations.
- (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 duly 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.
- (6) In this regulation—
- AEU* means the Australian Education Union (SA Branch).

80—Selection of panel members for particular SAET proceedings

If the President of SAET determines under section 124(4) 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.

Part 11—Financial provisions

Division 1—Materials and services charges for schools

81—Prescribed amount

- (1) For the purposes of section 129(2)(c) of the Act, the prescribed amount is—
- (a) in the case of a student enrolled at a primary level—\$244 multiplied by the relevant indexation factor; or
 - (b) in the case of a student enrolled at a secondary level—\$322 multiplied by the relevant indexation factor.
- (2) In this regulation—

CPI means the Consumer Price Index (All Groups) for the City of Adelaide published by the Australian Bureau of Statistics;

relevant indexation factor means 1 or the quotient obtained by dividing the CPI for the quarter ending 30 June in the year immediately preceding the year for which the materials and services charges are payable by the CPI for the quarter ending 30 June 2019, whichever is the greater.

82—Requirement for written notice of materials and services charge

For the purposes of section 129(2)(h) of the Act, a written notice must—

- (a) specify the amount of the materials and services charge; and

- (b) identify the amount of the charge (if any) that is payable for materials or services that will only be provided to or for the student on payment, or an agreement for payment; and
- (c) specify the period (being not less than 14 days), within which payment is required; and
- (d) be in a form approved by the Chief Executive.

83—Recovery of debt to comply with Chief Executive's directions etc

- (1) Pursuant to section 129(5) of the Act, the recovery of a debt must comply with any directions given, or guidelines determined by, the Chief Executive (including, to avoid doubt, directions or guidelines limiting the circumstances in which a debt, or a specified portion of a debt, may be recovered by or on behalf of a governing council of a school).
- (2) Pursuant to section 129(5) of the Act, a part of a debt consisting of an amount referred to in regulation 82(b) that is the subject of an agreement for payment may only be recovered to the extent of the amount so agreed.

Division 2—Other fees and charges

84—Charges for certain overseas and non-resident students

For the purposes of section 130(1)(c) of the Act, the following kinds of visa are prescribed:

- (a) a temporary work (skilled) visa (subclass 457);
- (b) a temporary skill shortage visa (subclass 482).

Division 3—Provision of materials in cases of hardship

85—Chief Executive may provide materials etc in cases of hardship

If a person who is responsible for a child satisfies the Chief Executive that payment for necessary books, apparatus, materials or equipment for the child would inflict hardship on the person, the Chief Executive may authorise such items as the Chief Executive determines to be provided for the use of that child at no charge.

Division 4—School funds etc

86—School funds etc

- (1) Funds provided by the Minister to—
 - (a) a school; or
 - (b) a stand-alone preschool or children's services centre established after the commencement of this regulation; or
 - (c) a governing council or affiliated committee of a school, or such a stand-alone preschool or children's services centre,subject to any direction or instruction of the Minister to the contrary—
 - (d) may only be expended for purposes related to the school, stand-alone preschool or children's services centre (as the case requires); and
 - (e) together with any property purchased with the funds, belong to the Minister.

- (2) A governing council or affiliated committee is responsible for ensuring that proper accounts are kept of its funds.

Part 12—Information gathering etc

87—Sharing of information between certain persons and bodies

- (1) For the purposes of section 14(1)(f) of the Act, the following persons and bodies are declared to be included in the ambit of that subsection:
 - (a) prescribed health professionals;
 - (b) Catholic Education South Australia;
 - (c) The Association of Independent Schools of South Australia.
- (2) In this regulation—

prescribed health professionals means—

 - (a) medical practitioners;
 - (b) psychologists;
 - (c) social workers holding qualifications or accreditation of a kind from time to time approved by the Chief Executive by notice in the gazette.

88—Approved learning program providers to provide certain information to Minister

- (1) The Minister may, for a purpose related to the administration or enforcement of Part 7 Divisions 1 and 2 of the Act, by notice in writing, require a head of an approved learning program to provide to the Minister specified information in relation to the approved learning program, or any child of compulsory education age who is enrolled in the approved learning program, or both.
- (2) The information required under subregulation (1) must be provided—
 - (a) in writing; and
 - (b) not later than the date specified in the notice.
- (3) A head of an approved learning program must not, without reasonable excuse, refuse or fail to comply with a requirement under subregulation (1).

Maximum penalty: \$2 500.
- (4) A head of an approved learning program must not, in providing any information pursuant to a requirement under subregulation (1), make a statement that is false or misleading in a material particular.

Maximum penalty: \$2 500.

89—Person responsible for student to notify principal of school etc where change in information

- (1) A person who is responsible for a student enrolled in a school or an approved learning program must notify the principal of the school or the head of the approved learning program (as the case requires) if there is a change in any or all of the information provided to the principal or head on enrolment of the student.

- (2) A notification under subregulation (1) must be provided in a manner and form determined by the principal of the school or head of the approved learning program (as the case requires).
- (3) A person who, without reasonable excuse, refuses or fails to comply with a requirement under this regulation is guilty of an offence.
Maximum penalty: \$2 500.

90—Schools to provide certain information

- (1) This regulation applies in relation to a child of compulsory school age who is in year 9.
- (2) A school must provide to the SACE Board of South Australia the following information in relation to each child to whom this regulation applies (being a student who is enrolled in the school at the commencement of week 3 of term 1 in each year):
 - (a) the full name of the child;
 - (b) the date of birth of the child;
 - (c) the approved learning program in which the child intends to enrol (if known).
- (3) The information required under subregulation (2) must be provided—
 - (a) in a manner and form determined by the Chief Executive; and
 - (b) not later than 31 December in the year in which the child is in year 9.
- (4) A school must not, without reasonable excuse, refuse or fail to comply with subregulation (2).
Maximum penalty: \$500.

Part 13—Miscellaneous

91—Regulation of traffic on premises of Government schools and Government stand-alone preschools and children's services centres

- (1) The principal of a Government school, or the director of a Government stand-alone preschool or children's services centre, in consultation and agreement with the governing council of the school, stand-alone preschool or children's services centre may, subject to the approval in writing of the Chief Executive, set aside a portion of the premises of the school, stand-alone preschool or children's services centre for the parking of vehicles.
- (2) A person must not drive a vehicle on the premises of a Government school or Government stand-alone preschool or children's services centre except for a purpose connected with the business and operation of the school, stand-alone preschool or children's services centre.
Maximum penalty: \$125.
Expiation fee: \$55.
- (3) A person driving a vehicle on the premises of a Government school or Government stand-alone preschool or children's services centre must, where there is an area on the premises reserved for the parking of vehicles and defined by appropriate markings or a notice erected in that area, park the vehicle in that defined area and in no other place.
Maximum penalty: \$125.
Expiation fee: \$55.

- (4) A person who parks a vehicle anywhere on the premises of a Government school or Government stand-alone preschool or children's services centre does so at the person's own risk, or where the person is not the owner of the vehicle, then at the risk of the owner of the vehicle.
- (5) A person must not drive a vehicle on the premises of a Government school or Government stand-alone preschool or children's services centre—
- (a) without due care or attention or without reasonable consideration for other persons who are on those premises; or
 - (b) at a speed greater than 20 km/h, except where notices indicate otherwise.

Maximum penalty: \$125.

Expiation fee: \$55.

- (6) A person who drives a vehicle on the premises of a Government school or Government stand-alone preschool or children's services centre must comply with—
- (a) all signs erected for controlling vehicular traffic on those premises; and
 - (b) any reasonable instruction given to the person by the principal of the school or the director of the stand-alone preschool or children's services centre or a person authorised by the principal or director for the purpose of regulating vehicular or pedestrian traffic or otherwise maintaining order within the premises of the school, stand-alone preschool or children's services centre.

Maximum penalty: \$125.

Expiation fee: \$55.

- (7) The driver or the registered owner of a vehicle (or both) must make good any damage caused by the use of that vehicle to property of the Minister and shall indemnify and keep indemnified the Minister in respect of any claim for damages for injuries to any person caused by the driver's negligent driving of that vehicle on the premises of the school, stand-alone preschool or children's services centre.

92—Records and documents property of Minister

- (1) Subject to the Act, and any other Act or law, all prescribed Government records and documents will be taken to be the property of the Minister, and the information contained in those records and documents is to be treated as confidential.
- (2) The principal of a Government school, or the director of a stand-alone preschool or children's services centre established after the commencement of this regulation, must not permit the removal of prescribed Government records and documents from the school, preschool or children's services centre unless authorised to do so by the Chief Executive.
- (3) In this regulation—

prescribed Government records and documents means—

- (a) any records or documents relating to a Government school; or
- (b) any records or documents relating to a stand-alone preschool established after the commencement of this regulation; or
- (c) any records or documents relating to a children's services centre established after the commencement of this regulation.

Schedule 1—Revocation of regulations

1—Revocation of *Children's Services (Appeals) Regulations 2008*

The *Children's Services (Appeals) Regulations 2008* are revoked.

2—Revocation of *Children's Services (Registered Children's Services Centres) Regulations 2018*

The *Children's Services (Registered Children's Services Centres) Regulations 2018* are revoked.

3—Revocation of *Education Regulations 2012*

The *Education Regulations 2012* are revoked.

Schedule 2—Transitional provisions

1—Certain policies relating to enrolment to continue

Pursuant to section 141(3)(c) of the Act, a policy published by the Minister under regulation 60(2) of the *Education Regulations 2012* and in force immediately before the commencement of Part 3 of the *Education and Children's Services Act 2019*—

- (a) will continue in accordance with its terms; and
- (b) will be taken to be a policy published under regulation 12.

2—Continuation of reviews commenced under *Education Act 1972*

- (1) Pursuant to section 141(3)(c) of the Act, a review commenced but not completed under Part 2A of the *Education Act 1972* before the commencement of Part 5 Division 3 of the Act—
 - (a) will be taken to continue as a review under section 53 of the Act; and
 - (b) need not comply with a requirement under that section in respect of anything done in accordance with Part 2A of the *Education Act 1972* prior to the commencement of that section; and
 - (c) will be taken to be a review conducted under section 53 of the Act.
- (2) Pursuant to section 141(3)(c) of the Act, a review committee established under section 14C of the *Education Act 1972* in relation to a review referred to in subclause (1)—
 - (a) will continue as a review committee for the purposes of the review;
 - (b) will be taken to be a review committee established by the Minister under section 54 of the Act,

(and, subject to the Act, the members of the committee will continue to hold office in accordance with the terms and conditions of their appointment).

3—Registered children's services centres continued under Act

- (1) This clause applies to a stand-alone preschool, or children's services centre, that is a registered children's services centre continued under section 26 of the Act.

- (2) Pursuant to section 141(3)(c) of the Act, a reference in the Act or these regulations to a stand-alone preschool or children's services centre to which this clause applies (being a reference that contemplates the stand-alone preschool or children's services centre being unincorporated) will be taken to be a reference to the body corporate comprising the stand-alone preschool or children's services centre (as the case requires).
- (3) Pursuant to section 141(3)(c) of the Act, a reference in the Act or these regulations to the governing council of a stand-alone preschool or children's services centre to which this clause applies (being a reference that contemplates or requires the governing council being, or to be, a body corporate) will be taken to be a reference to the body corporate comprising the stand-alone preschool or children's services centre (as the case requires).

Example—

Section 24 of the Act contemplates the governing council of a stand-alone preschool or children's services centre entering into a transaction, or borrowing money.

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 11 June 2020

No 204 of 2020

South Australia

Criminal Law Consolidation (General) (False or Misleading Information) Variation Regulations 2020

under the *Criminal Law Consolidation Act 1935*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Criminal Law Consolidation (General) Regulations 2006*

- 4 Insertion of regulation 5
 - 5 False or misleading information entered into electronic court management system
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Criminal Law Consolidation (General) (False or Misleading Information) Variation Regulations 2020*.

2—Commencement

These regulations come into operation on the day on which the *Criminal Law Consolidation (False or Misleading Information) Amendment Act 2019* 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 *Criminal Law Consolidation (General) Regulations 2006*

4—Insertion of regulation 5

After regulation 4A insert:

5—False or misleading information entered into electronic court management system

- (1) For the purposes of the definition of *ECMS* in section 241A(3) of the Act, the electronic court management systems established under the *Uniform Civil Court Rules 2020* and the *Supreme Court Probate Rules 2015* are prescribed.
- (2) For the purposes of paragraph (b) of the definition of *enters information into an ECMS* in section 241A(3) of the Act, the marking of a check box (however described) selecting a particular option is prescribed.

- (3) For the purposes of the definition of **information** in section 241A(3) of the Act, the following information, or information of a kind, is prescribed:
- (a) information setting out—
 - (i) in the case of a party who is a natural person—
 - (A) the name, business name or trading name of the person; or
 - (B) an Australian Business Number; or
 - (C) the date of birth of the person; or
 - (D) the residential address of the person; or
 - (E) an address at which documents can be served on the person; or
 - (F) a telephone number; or
 - (G) an email address; or
 - (ii) in the case of a party who is a body corporate—
 - (A) the name, business name or trading name of the body corporate; or
 - (B) an Australian Business Number or Australian Company Number; or
 - (C) the name, date of birth and residential address of a director of the body corporate; or
 - (D) the registered office (if any) of the body corporate (within the meaning of the *Corporations Act 2001* of the Commonwealth); or
 - (E) an address at which the body corporate undertakes activities; or
 - (F) an address at which documents can be served on the body corporate; or
 - (G) a telephone number; or
 - (H) an email address;
 - (b) in the case where a party is acting, or purportedly acting, on behalf of another person or body—information identifying that person or body, the relationship of that person or body to the party and the basis on which the party is acting on behalf of that person or body;
 - (c) information setting out the nature of a party (for example, whether a party is an individual, partnership, organisation or regular party);
 - (d) information relating to whether a specified person is a legal practitioner;
 - (e) information relating to whether any relevant orders have been made by a court or tribunal and the terms of those orders;

- (f) information relating to a probate, testamentary or administration matter (including, to avoid doubt, information relating to the assets and liabilities of a person or any other information which may affect a right or liability in relation to an estate).

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 11 June 2020

No 205 of 2020

South Australia

Legislation Revision and Publication (Emergency Management and Other Directions) Variation Regulations 2020

under the *Legislation Revision and Publication Act 2002*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Legislation Revision and Publication Regulations 2017*

- 4 Variation of regulation 4—Definition of legislation
 - 5 Variation of regulation 6—Publication of legislation
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Legislation Revision and Publication (Emergency Management and Other Directions) Variation Regulations 2020*.

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 *Legislation Revision and Publication Regulations 2017*

4—Variation of regulation 4—Definition of legislation

Regulation 4—after paragraph (e) insert:

- (f) a direction or requirement of the State Co-ordinator under section 25 of the *Emergency Management Act 2004* in respect of the outbreak of the human disease named COVID-19 within South Australia that—
 - (i) applies to persons generally throughout the State; and
 - (ii) is issued in the form of a written instrument (whether before or after the commencement of this paragraph);

- (g) a direction or requirement of the Chief Executive (within the meaning of the *South Australian Public Health Act 2011*) under section 25 of the *Emergency Management Act 2004* (as applied pursuant to section 90(1) of the *South Australian Public Health Act 2011*) in respect of the outbreak of the human disease named COVID-19 within South Australia that—
 - (i) applies to persons generally throughout the State; and
 - (ii) is issued in the form of a written instrument (whether before or after the commencement of this paragraph).

5—Variation of regulation 6—Publication of legislation

Regulation 6—after subregulation (2) insert:

- (2a) However, the condition set out in subregulation (2)(b) does not apply in relation to legislation of a kind referred to in regulation 4(f) or (g).

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 11 June 2020

No 206 of 2020

South Australia

Development (Fees) Variation Regulations 2020

under the *Development Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Development Regulations 2008*

- 4 Variation of regulation 63B—Prescribed fee
 - 5 Variation of regulation 93A—Register of private certifiers
 - 6 Variation of regulation 117—Regulated and significant trees—further provisions
 - 7 Variation of regulation 118—Assessment of requirements on division of land—water and sewerage
 - 8 Variation of regulation 119—Applications relating to certain electricity generators—fee for issue of certificate by Technical Regulator
 - 9 Substitution of Schedule 6
Schedule 6—Fees
 - 10 Variation of Schedule 7—Provisions regulating distribution of fees between authorities
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Development (Fees) Variation Regulations 2020*.

2—Commencement

These regulations come into operation on 1 July 2020.

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 *Development Regulations 2008*

4—Variation of regulation 63B—Prescribed fee

Regulation 63B(1)(a)—delete "\$2 034" and substitute:

\$2 073

5—Variation of regulation 93A—Register of private certifiers

- (1) Regulation 93A(2)(b)—delete "\$159" and substitute:

\$162

- (2) Regulation 93A(6)(a)—delete "\$80" and substitute:

\$81.50

6—Variation of regulation 117—Regulated and significant trees—further provisions

- Regulation 117(4)—delete "94" and substitute:

\$96

7—Variation of regulation 118—Assessment of requirements on division of land—water and sewerage

- (1) Regulation 118(1)(a)—delete "\$402" and substitute:

\$410

- (2) Regulation 118(1)(b)—delete "\$116" and substitute:

\$118

8—Variation of regulation 119—Applications relating to certain electricity generators—fee for issue of certificate by Technical Regulator

- Regulation 119—delete "\$402" and substitute:

\$410

9—Substitution of Schedule 6

- Schedule 6—delete the Schedule and substitute:

Schedule 6—Fees

- 1 The following fees are payable in relation to an application under Part 4 of the Act:

- | | | |
|-----|---|----------|
| (1) | A Lodgement Fee (the <i>base amount</i>) | \$68.50 |
| | plus | |
| | (a) if the application is seeking the relevant authority to assess a <i>non-complying</i> development under the Development Plan, other than where the application relates to development that involves the division of land; and | \$109.00 |

-
- (b) if the application is seeking the relevant authority to assess an application that relates to the division of land—
- (i) if the number of allotments resulting from the division under the application is equal to or less than the number of existing allotments; or \$54.50
 - (ii) if the number of allotments resulting from the division under the application is greater than the number of existing allotments; and \$161.00
- (c) if the development involves building work that is, under the provisions of the Act, subject to the requirement to obtain building rules consent and the development cost exceeds \$5 000 (including a case where the relevant assessment is undertaken by a private certifier) other than development consisting solely of a swimming pool, spa pool, or a safety fence or barrier for a swimming pool or spa pool; and \$77.00
- (d) if the development involves the construction or alteration of, or addition to, a swimming pool or spa pool, or a safety fence or barrier for a swimming pool or spa pool \$204.00

- (2) If the application requires the relevant authority to assess the development against the provisions of the relevant Development Plan, other than where the application relates—
- (a) to a *complying* development under these regulations or the Development Plan, other than if the development is *complying* development under Schedule 4 clause 1(2) or (3), 2A or 2B; or
 - (b) to a proposed division of land into allotments which does not involve the performance of building work,
- a Development Plan Assessment Fee of the following amount:
- (c) if the development cost does not exceed \$10 000 \$42.50
 - (d) if the development cost exceeds \$10 000 but does not exceed \$100 000 \$116.00
 - (e) if the development cost exceeds \$100 000 0.125% of the development cost up to a maximum of \$200 000
- (3) If the application relates to a proposed division of land—
- (a) other than where the application relates to *complying* development under these regulations or the Development Plan, a Land Division Fee of the following amount:
 - (i) if the number of allotments resulting from the division is equal to or less than the number of existing allotments \$79.00
 - (ii) if the number of allotments resulting from the division is greater than the number of existing allotments \$172.00 plus \$16.30 for each allotment up to a maximum of \$7 884.00

and

- (b) a Statement of Requirements Fee for the purposes of section 33(1)(c) or (d) of the Act—
- (i) if the number of allotments resulting from the division is equal to or less than the existing number of allotments \$322.00
 - (ii) if the number of allotments resulting from the division is greater than the number of existing allotments \$455.00
- and
- (c) a State Planning Commission Consultation Report Fee—
- (i) if the number of allotments resulting from the division is equal to or less than the existing number of allotments \$76.00
 - (ii) if the number of allotments resulting from the division is greater than the existing number of allotments \$228.00
- and
- (d) a Certificate of Approval Fee for the purposes of section 51 of the Act—
- (i) if the number of allotments resulting from the division is equal to or less than the existing number of allotments \$113.00
 - (ii) if the number of allotments resulting from the division is greater than the existing number of allotments \$380.00

- (4) If the application relates to a proposed development that is of a kind described as a *non-complying* development under the relevant Development Plan—
- (a) a Non-complying Development Administration Fee (in respect of the requirement for a concurrence under section 35(2) of the Act (1 fee)) \$140.00
- and
- (b) a Non-complying Development Assessment Fee of the following amount (unless no assessment is to be undertaken due to an immediate refusal of the application):
- (i) if the development cost does not exceed \$10 000 \$58.00
- (ii) if the development cost exceeds \$10 000 but does not exceed \$100 000 \$140.00
- (iii) if the development cost exceeds \$100 000 0.125% of the development cost up to a maximum of \$200 000
- (iv) if the application relates to the proposed division of land—
- (A) if the number of allotments resulting from the division is equal to or less than the existing number of allotments \$58.00
- (B) if the number of allotments resulting from the division is greater than the number of existing allotments \$140.00 plus \$16.30 for each new allotment up to a maximum of \$2 432.00

- (5) If the application must be referred to a body prescribed under Schedule 8 for the purposes of section 37 of the Act—
- (a) except to the extent that paragraph (b) applies, for each body to which the application must be referred—a Referral Fee of the following amount:
- (i) unless subparagraph (ii) applies \$243.00
- (ii) if the development cost exceeds \$1 000 000 \$406.00
- (b) for a referral—
- (i) that falls within the ambit of Schedule 22, clause 1(6), 2(3), 2(7), 2(8), 2(10) or 3(3) for referral to the Environment Protection Authority \$406.00
- (ii) that falls within the ambit of item 19, 20 or 21 of the table in Schedule 8—for a referral under those items \$406.00
- (6) If the proposed development is a Category 2 or Category 3 development for the purposes of section 38 of the Act—a Public Notification Fee \$116.00
- (7) If the proposed development is a Category 3 development for the purposes of section 38 of the Act—an Advertisement Fee An amount determined by the relevant authority as being appropriate to cover its reasonable costs in giving public notice of the application under section 38(5)(c) of the Act
- (8) If the application requires a relevant authority to assess the development against the provisions of the Building Rules, other than an application within the ambit of component (8a) of this item—
- (a) in the case of a building that has a floor area $F = 0.00236 \times CI \times A \times CF$, or \$74.50, whichever is the greater

- (b) in the case of a building that does not have a floor area $F = 0.00236 \times CI \times S \times CF$, or \$74.50, whichever is the greater

where—

F is the fee (in dollars) payable under this component (unless the \$74.50 minimum applies)

CI is the construction index determined by the Minister from time to time and set out in the Schedule of Construction Indices published in the Gazette

A is the prescribed floor area

S is the projected area of the largest side or plane of the building

CF is the complexity factor

- (8a) If the application relates to a proposed development within the ambit of Schedule 1A clause 17 (being a protective tree netting structure) that requires assessment against the provisions of the Building Rules \$461.00 plus \$48.25 for each 10 000 square metres (or part of 10 000 square metres) of netting for the protective tree netting structure
- (9) If the application requires a relevant authority to grant consent to a development that is at variance with the Building Rules \$170.00
- (10) If the application requires referral to the State Planning Commission for concurrence before granting consent to a development that is at variance with the performance requirements of the Building Code \$342.00
- (11) If—
- (a) a council is the relevant authority with respect to a particular development; and
- (b) the development requires both development plan consent and building rules consent (including in a case where a private certifier may exercise the powers of a relevant authority to give the building rules consent),
- a Development Authorisation (Staged Consents) Fee, other than where— \$68.50

- (c) the application relates to a *complying* development under these regulations or the Development Plan; or
 - (d) the applicant applies to the council at the same time for both development plan consent and building rules consent.
- (12) If— \$56.50
- (a) a council is the relevant authority with respect to a particular development; and
 - (b) the application is within the ambit of Schedule 1A, other than clause 2 of that Schedule,
- (being a fee due and payable to the council).

For the purposes of this item:

- (a) **development cost** does not include any fit-out costs;
- (b) **allotment** does not include an allotment for road or open space requirements;
- (c) subject to Schedule 7, a body prescribed under Schedule 8 for the purposes of section 37 of the Act may waive the whole or part of a fee due to the body under component (5), or refund any such fee (in whole or in part);
- (d) if an application must be referred to the same body under more than 1 item in Schedule 8, only 1 fee is payable under component (5) with respect to the referral to that particular body (being, if relevant, the higher or highest fee);
- (e) if—
 - (i) a State agency lodges an application for approval with the State Planning Commission under section 49 of the Act; or
 - (ii) a prescribed person lodges an application for approval with the State Planning Commission under section 49A of the Act,

then—

- (iii) if—
 - (A) the development cost exceeds \$100 000; or

- (B) the development involves the division of land and the number of allotments resulting from the division is greater than the existing number of allotments,

the following fees will be payable to the State Planning Commission as if it were a relevant authority (but not so as to require any payment by the State Planning Commission to a council under Schedule 7):

- (C) any relevant fee under components (1), (2) and (3) of this item; and
- (D) an amount determined by the State Planning Commission as being appropriate to cover the reasonable costs of the public advertisement—
- in the case of an application lodged by a State agency—under section 49(7d)(a) of the Act; or
 - in the case of an application lodged under section 49A—under section 49A(7d)(a) of the Act;
- (iv) in any other case—no fee is payable;
- (f) no fee is payable in respect of a development—
- (i) excluded from the provisions of section 49 of the Act by a regulation under section 49(3); or
 - (ii) excluded from the provisions of section 49A of the Act by a regulation under section 49A(3);
- (g) no fee is payable in respect of a development which is to be undertaken by a council, except where the primary reason for the proposed development is to raise revenue for the council;
- (h) an application seeking the variation of a development authorisation previously given under the Act (including a condition imposed in relation to a development) will be subject to the fees prescribed by this item as if it were an application for a new development, but only to the extent that a particular fee imposed in relation to the application reflects the step or steps to be undertaken by the relevant authority or another relevant body on account of the application and not so as to require the payment of a fee for a minor variation that falls within the ambit of regulation 47A or that makes no substantive change to the development authorisation that has been previously given;
- (i) if an application is for a second or subsequent consent because the applicant is seeking the assessment of a particular development in stages, the base amount under component (1) is only payable in relation to the first application (but the base amount will again be payable if the application is to be treated as a new application for a new development in the manner envisaged by paragraph (h) and taking into account the operation of section 39(7)(b) of the Act);

- (j) the Development Authorisation (Staged Consents) Fee is not payable unless or until the council receives an application for building rules consent or, if building rules consent is given by a private certifier, unless or until the private certifier notifies the council of his or her decision to grant the consent under section 93(1)(b) of the Act.
- 2 The following fee is payable in respect of an application for assignment of a classification to a building or a change in the classification of a building for the purposes of section 66 of the Act:
- | | | |
|-----|---|---|
| (a) | in the case of a building that has a floor area | $F = 0.00184 \times CI \times A \times CF,$
or \$73.00, whichever is the greater |
| (b) | in the case of a building that does not have a floor area | $F = 0.00184 \times CI \times S \times CF,$
or \$73.00, whichever is the greater |
- where—
- F** is the fee (in dollars) payable under this component (unless the \$73.00 minimum applies)
- CI** is the construction index determined by the Minister from time to time and set out in the Schedule of Construction Indices published in the Gazette
- A** is the prescribed floor area
- S** is the projected area of the largest side or plane of the building
- CF** is the complexity factor.
- 3 A fee of \$49.00 is payable in respect of an application for a certificate of occupancy.
- 4 A fee of \$105 is payable in respect of an application under regulation 76(4)(c).
- 5 (1) If the matter involves an application to a private certifier for an assessment of a development against the provisions of the Building Rules, a fee equal to 7% of the fee that would apply under component (8) or (8a) of item 1 if a council were the relevant authority for that assessment, exclusive of any GST component, is payable by the applicant.
- (2) The fee must be paid by the applicant to the private certifier at the time of application.
- (3) The fee must be held by the private certifier pending payment to the Minister under Schedule 7.

- (4) Except as provided above, the fee to be paid to a private certifier will be determined by agreement between the applicant and the private certifier.
- 6 The following fees are payable in respect of a referral to the State Planning Commission under section 36(2b) of the Act:
- (a) for Class 1 and 10 buildings—\$537;
 - (b) for Class 2 to 9 buildings—\$1 178.
- 7 (1) A fee of \$81.50 is payable in respect of the registration of an agreement under section 57 or 57A of the Act.
- (2) A fee of \$15.20 is prescribed for the purposes of section 57(2d) or 57A(7) of the Act.
- 8 (1) A fee of \$162 is payable in respect of an application to the Minister for an approval under section 101 of the Act.
- (2) A fee under this item must be paid in a manner determined by the Minister.
- 9 A fee of \$109 is payable in respect of an application to extend a period under regulation 48.
- 10 For the purposes of items 1(8) and 2—
- (a) the prescribed floor area is—
 - (i) for the purpose of calculating the fee on an application for assessment against the provisions of the Building Rules that consists of the erection of a building or the demolition of a building—the aggregate of the floor areas of the building proposed to be erected or demolished;
 - (ii) for the purpose of calculating the fee on an application for assessment against the provisions of the Building Rules where the building work consists of an alteration to a building—
 - (A) the aggregate of the floor areas of the rooms or compartments to be altered; or
 - (B) if the alteration consists of the fixing or erection of an attachment that does not have a floor area—the floor area of the building within a distance of 3 metres of where the attachment is to be fixed or erected;
 - (iii) for the purpose of calculating the fee on application for assignment of a classification to, or a change in the classification of, a building—the aggregate of the floor areas of the building;
 - (b) the floor area of a building is to be measured over any enclosing walls and is to include the area of the floor of any fully or partly covered carport, portico, verandah, balcony, porch or other similar structure attached or to be attached to the building;
 - (c) if a building is without storeys, or has a storey of a height of more than 10 metres, the floor area is to be calculated as if the building contained floors at 10 metre intervals, measured vertically;

- (d) a building is to be taken not to have any floor area if it is principally of open framework or web construction or solid construction and without any fully or partly enclosed space intended for occupation or use by persons;
- (e) the *complexity factor* is—
 - (i) except as below—1.0;
 - (ii) for building work for the erection or alteration of a building that exceeds 6 storeys—1.3;
 - (iii) for building work for the erection or alteration of a building that contains an atrium—1.3;
 - (iv) for building work for the erection or alteration of a building that contains an arcade exceeding 40 metres in length—1.3;
 - (v) for building work that consists solely of the demolition of a building—0.2;
 - (vi) for assignment of classification or a change in classification where no building work is proposed—0.8;
- (f) if a building is made up of parts that have different construction indices, the fee payable for the assessment of building work against the provisions of the Building Rules, the assignment of classification or a change in classification, is the aggregate of the fees calculated in accordance with this Schedule for those parts;
- (g) if an application for the assessment of building work against the provisions of the Building Rules incorporates an application for the assignment of a classification to, or a change in the classification of, the building, 1 fee is payable in respect of the applications, being whichever of the fees for those applications that is of the greater amount.

10—Variation of Schedule 7—Provisions regulating distribution of fees between authorities

- (1) Schedule 7, clause 2(a)(vii)—delete "\$22.50" and substitute:
\$22.90
- (2) Schedule 7, clause 2(b)(i)—delete "\$193" and substitute:
\$197
- (3) Schedule 7, clause 2(b)(ii)—delete "\$353" and substitute:
\$360
- (4) Schedule 7, clause 2(c)—delete "\$353" and substitute:
\$360
- (5) Schedule 7, clause 3(a)(iv)—delete "\$197" and substitute:
\$201
- (6) Schedule 7, clause 3(a)(x)—delete "\$44.75" and substitute:
\$45.50

(7) Schedule 7, clause 3(b)(i)—delete "\$193" and substitute:

\$197

(8) Schedule 7, clause 3(b)(ii)—delete "\$353" and substitute:

\$360

(9) Schedule 7, clause 3(c)—delete "\$353" and substitute:

\$360

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 11 June 2020

No 207 of 2020

South Australia

Development (Open Space Contribution Scheme) Variation Regulations 2020

under the *Development Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Development Regulations 2008*

- 4 Variation of regulation 56—Open space contribution scheme
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Development (Open Space Contribution Scheme) Variation Regulations 2020*.

2—Commencement

These regulations come into operation on 1 July 2020.

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 *Development Regulations 2008*

4—Variation of regulation 56—Open space contribution scheme

- (1) Regulation 56(2)(a)—delete "\$7 616" and substitute:

\$7 761

- (2) Regulation 56(2)(c)—delete "\$3 058" and substitute:

\$3 116

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 11 June 2020

No 208 of 2020

STATE GOVERNMENT INSTRUMENTS

AQUACULTURE ACT 2001

Grant of Aquaculture Lease

Pursuant to the provisions of section 22 of the *Aquaculture Act 2001*, notice is hereby given of the grant of the following lease for the purposes of aquaculture in the waters of Streaky Bay, South Australia:

LA00476

LA00477

Further details are available for the above lease on the Aquaculture Public Register; which can be found at http://www.pir.sa.gov.au/aquaculture/aquaculture_public_register or by contacting Aquaculture Leasing & Licensing on 8226 0900.

Dated: 1 June 2020

EMILY KAESE
Leasing & Licensing Officer

DANGEROUS SUBSTANCES ACT 1979

Authorised Officers

I, Martyn Campbell, Executive Director, SafeWork SA, hereby appoint the following persons as Authorised Officers for the purposes of the *Dangerous Substances Act 1979* pursuant to section 7(1) of that Act:

- Shaun Ross Matson SMITH
- Dean Colin ROBERTS
- Jenna Lyn SAUNDERS
- Benjamin Percival GIBSON
- Liam Paul DWYER
- Miroslav PETKOVICH
- Kimberly JANE MOZOL
- Christopher Luke ZUVICH
- Andrew Paul FIELD
- Bradley Arnold MURPHY
- Donna Marie DUKE
- Alexander MILOGRAD
- Peter SAKOULIDIS
- Cameron John RICHES
- Erik Jon TILL
- Ena ZUBCEVIC
- Matthew John GIBSON
- Kristyn Jayne GAULT

Dated: 4 June 2020

MARTYN CAMPBELL
Executive Director
SafeWork SA

DEFAMATION ACT 2005

Declaration under Section 33(3)

I, VICKIE CHAPMAN, Attorney-General, being the Minister to whom administration of the *Defamation Act 2005* is committed, HEREBY DECLARE in accordance with sub-section (3) of section 33 of the *Defamation Act 2005* that on and from 1 July 2020 the maximum amount of damages that may be awarded for non-economic loss in defamation proceedings shall be FOUR HUNDRED AND TWENTY-ONE THOUSAND DOLLARS (\$421,000).

Dated: 29 May 2020

VICKIE CHAPMAN
Attorney-General

DEVELOPMENT REGULATIONS 2008

Notice under Schedule 6

Preamble

Schedule 6 of the *Development Regulations 2008* refers to a construction index determined by the Minister from time to time and set out in the Schedule of Construction Indices. The Construction Indices will be used in the determination of fees payable by applicants seeking assessment against the Building Rules under the *Development Act 1993*.

NOTICE

PURSUANT to Schedule 6 of the *Development Regulation 2008*, I have determined by the Construction Indices in the Schedule for the purposes of determining fees payable under Schedule 6 of the *Development Regulation 2008*.

This notice will come into effect on 1 July 2020.

SCHEDULE

Schedule of 2020 Construction Indices

Building Classes	Construction Indices
Class 1,2,4	1395
Class 3,5,6	1858
Class 7,8	1231
Class 9a & 9c	2105
Class 9b	1849
Class 10	416

Dated: 3 June 2020

JODIE EVANS
Minister's Delegate
Unit Manager Building Policy
Department of Planning, Transport and Infrastructure

EMERGENCY SERVICES FUNDING ACT 1998

Section 14 Fees

I, Rob Lucas MLC, Treasurer, set the fee pursuant to Section 14 of the *Emergency Services Funding Act 1998* at \$16.90:

to inspect the Assessment Book during ordinary office hours; or
for a copy of an entry made in the Assessment Book;
commencing on 1 July 2020.

Dated: 22 April 2020

ROB LUCAS MLC
Treasurer

ENVIRONMENT PROTECTION ACT 1993

SECTION 68

Approval of Category B Containers

I, ANDREA KAYE WOODS, Team Leader, Container Deposit Legislation and Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 68 of the Environment Protection Act, 1993 (SA) ('the Act') hereby:

Approve as Category B Containers, subject to the conditions in sub-clauses 1, 2, 3 and 4 below, each of the classes of containers identified by reference to the following matters described in the first 4 columns of Schedule 1 of this Notice which are sold in South Australia:

- the product which each class of containers shall contain;
- the size of the containers;
- the type of containers;
- the name of the holders of these approvals.
 - That containers of the class to which the approval relates must bear the refund marking specified by the Authority for containers of that class.
 - The holder of the approval must have in place an effective and appropriate waste management arrangement in relation to containers of that class. For the purpose of this approval notice the company named in column 5 of Schedule 1 of this Notice is the nominated super collector.
 - In the case of an approval in relation to category B containers that the waste management arrangement must require the holder of the approval to provide specified super collectors with a declaration in the form determined by the Authority in relation to each sale of such containers by the holder of the approval as soon as practicable after the sale";
 - The holder of these approvals must ensure that if a sticker bearing the refund marking has been approved, and is applied to the container, then the sticker must not be placed on any portion of the opening mechanism or in any other place that would require complete or partial removal of the sticker before the contents may be consumed.

Dated: 11 June 2020

ANDREA KAYE WOODS
Team Leader, Container Deposit Legislation
Delegate of the Environment Protection Authority

SCHEDULE 1

Column 1 Product Name	Column 2 Container Size	Column 3 Container Type	Column 4 Approval Holder	Column 5 Collection Arrangements
Plenty Tasmanian Cider Apple + Cherry	330 ml	Glass	A.R D Arcy & G Jenkins	Statewide Recycling
Plenty Tasmanian Cider Original Apple	330 ml	Glass	A.R D Arcy & G Jenkins	Statewide Recycling
Fellr Dry & Lime Brewed Alcoholic Seltzer	330 ml	Aluminium	Fella Drinks	Statewide Recycling
Fellr Lime & Soda Brewed Alcoholic Seltzer	330 ml	Aluminium	Fella Drinks	Statewide Recycling
Fellr Watermelon Brewed Alcoholic Seltzer	330 ml	Aluminium	Fella Drinks	Statewide Recycling
First Press Cold Drip Coffee Black Cocktail Mixer	750 ml	Glass	First Press Merchants t/as First Press Coffee	Statewide Recycling

Column 1 Product Name	Column 2 Container Size	Column 3 Container Type	Column 4 Approval Holder	Column 5 Collection Arrangements
First Press Cold Drip Coffee Iced Coffee Almond Milk No Added Sugar	350 ml	LPB - Aseptic	First Press Merchants t/as First Press Coffee	Statewide Recycling
First Press Cold Drip Coffee Iced Mocha Almond Milk	350 ml	LPB - Aseptic	First Press Merchants t/as First Press Coffee	Statewide Recycling
Fleurieu Milk Company Iced Coffee No Added Sugar	500 ml	HDPE	Fleurieu Milk Company Pty Ltd	Statewide Recycling
Fleurieu Milk Company Mocha	500 ml	HDPE	Fleurieu Milk Company Pty Ltd	Statewide Recycling
Maximus Game On Blackcurrant Flavoured Sports Drink	1000 ml	PET	Frucor Suntory Australia Pty Ltd.	Statewide Recycling
Maximus Game On Lime Flavoured Sports Drink	1000 ml	PET	Frucor Suntory Australia Pty Ltd.	Statewide Recycling
V Blue Guarana Energy Drink	330 ml	Aluminium	Frucor Suntory Australia Pty Ltd.	Statewide Recycling
V Green Original Guarana Energy Drink	330 ml	Aluminium	Frucor Suntory Australia Pty Ltd.	Statewide Recycling
V Iced Chocolate Guarana Energy	500 ml	PET	Frucor Suntory Australia Pty Ltd.	Statewide Recycling
V Iced Coffee Guarana Energy	500 ml	PET	Frucor Suntory Australia Pty Ltd.	Statewide Recycling
Golden Circle 50% Less Sugar Apple	2000 ml	PET	H.J. HEINZ Company Australia LIMITED	Statewide Recycling
Golden Circle 50% Less Sugar Orange	2000 ml	PET	H.J. HEINZ Company Australia LIMITED	Statewide Recycling
Golden Circle 50% Less Sugar Pear Pine & Pash	2000 ml	PET	H.J. HEINZ Company Australia LIMITED	Statewide Recycling
Mildura Tropical Fruit Drink	3000 ml	HDPE	LD&D Australia Pty Ltd	Marine Stores Ltd
The Juice Brothers Apple & Raspberry	500 ml	PET	LD&D Australia Pty Ltd	Marine Stores Ltd
The Juice Brothers Morning Start	500 ml	PET	LD&D Australia Pty Ltd	Marine Stores Ltd
The Juice Brothers Orange	500 ml	PET	LD&D Australia Pty Ltd	Marine Stores Ltd
Harvey Fresh Apple Juice	110 ml	PVC	Lactalis Australia Pty Ltd	Statewide Recycling
Harvey Fresh Orange Juice	110 ml	PVC	Lactalis Australia Pty Ltd	Statewide Recycling
28 Black Absolute Zero Guava Passion Fruit	250 ml	Aluminium	Level Beverages Pty Ltd	Statewide Recycling
Aussie Crisp Lager Ewe Beaut Full Flavour Mid Strength	375 ml	Aluminium	Liquorland Australia Pty Ltd	Statewide Recycling
Lorry Boys Jim & Joes Draught	375 ml	Aluminium	Liquorland Australia Pty Ltd	Statewide Recycling
Lorry Boys Jim & Joes Pale Ale	375 ml	Aluminium	Liquorland Australia Pty Ltd	Statewide Recycling
Tinnies Raspberry Choc Milk Stout	375 ml	Aluminium	Liquorland Australia Pty Ltd	Statewide Recycling
Tinnies Ultra Low Alc Hoppy Ale	375 ml	Aluminium	Liquorland Australia Pty Ltd	Statewide Recycling
Uberbrau Ultra Low Alcohol Lager	330 ml	Glass	Liquorland Australia Pty Ltd	Statewide Recycling
Long Rays Soda Original	275 ml	Glass	Long-Rays PTY LTD	Marine Stores Ltd
Long Rays Tonic Original	275 ml	Glass	Long-Rays PTY LTD	Marine Stores Ltd
Mismatch Brewing Co Bourbon Barrel Aged Russian Imperial Stout	375 ml	Aluminium	Mismatch Brewing Company PTY LTD	Marine Stores Ltd
Mismatch Brewing Co Pizza Beer Cold & Delicious	375 ml	Aluminium	Mismatch Brewing Company PTY LTD	Marine Stores Ltd
Mismatch Brewing Co Super Evil Archies Double Dry Hopped	375 ml	Aluminium	Mismatch Brewing Company PTY LTD	Marine Stores Ltd
Mismatch Brewing Co Traditional Stout	375 ml	Aluminium	Mismatch Brewing Company PTY LTD	Marine Stores Ltd
Keller Meister Barossa Valley Natural Spring Water	350 ml	PET	Mt Lofty Holdings Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Creaming Soda Sparkling Infusion	1000 ml	PET	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Iced Tea Limoncello Orange	1000 ml	PET	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Iced Tea Watermelon	1000 ml	PET	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Kombucha Live Sparkling Probiotic Mango	330 ml	Glass	Nexba Beverages Pty Ltd	Statewide Recycling

Column 1 Product Name	Column 2 Container Size	Column 3 Container Type	Column 4 Approval Holder	Column 5 Collection Arrangements
Nexba Naturally Sugar Free Passionfruit Sparkling Infusion	1000 ml	PET	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Probiotic Live Sparkling Soda Cherry Cola	375 ml	Aluminium	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Probiotic Live Sparkling Soda Pineapple	375 ml	Aluminium	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Tonic Water Classic	1000 ml	PET	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Tonic Water Lime Cucumber & Mint	1000 ml	PET	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Tonic Water Pear Jasmine & Hiram Lemon	1000 ml	PET	Nexba Beverages Pty Ltd	Statewide Recycling
Green Tea Drink Honey Jasmine Flavour	500 ml	PET	Oriental Merchant Pty Ltd	Statewide Recycling
Ice Black Tea Drink Lemon Flavour	500 ml	PET	Oriental Merchant Pty Ltd	Statewide Recycling
Jasmine Tea Drink	500 ml	PET	Oriental Merchant Pty Ltd	Statewide Recycling
Jasmine Tea Drink Honey Flavour	500 ml	PET	Oriental Merchant Pty Ltd	Statewide Recycling
Pear Juice With Rock Sugar Drink	500 ml	PET	Oriental Merchant Pty Ltd	Statewide Recycling
Sour Plum Juice Drink	500 ml	PET	Oriental Merchant Pty Ltd	Statewide Recycling
Pirate Life Brewing Imperial Breakfast Stout	500 ml	Aluminium	Pirate Life Brewery Pty Ltd	Statewide Recycling
Pirate Life Brewing Masala Spiced Porter	500 ml	Aluminium	Pirate Life Brewery Pty Ltd	Statewide Recycling
Pirate Life Brewing Partigyle Black IPA	500 ml	Aluminium	Pirate Life Brewery Pty Ltd	Statewide Recycling
Pirate Life Brewing Smooth Sailing West Coast Partigyle IPA	500 ml	Aluminium	Pirate Life Brewery Pty Ltd	Statewide Recycling
Pirate Life Brewing Sneakers & Jeans Apple & Guava Fruit Sour	355 ml	Aluminium	Pirate Life Brewery Pty Ltd	Statewide Recycling
Calm & Stormy Sparkling Mineral Water	300 ml	Aluminium	Quest Beverages	Statewide Recycling
Calm & Stormy Sparkling Water Blood Orange + Real Fruit Juice	300 ml	Aluminium	Quest Beverages	Statewide Recycling
Calm & Stormy Still Mineral Water	500 ml	Aluminium	Quest Beverages	Statewide Recycling
Calm & Stormy Tasmanian Raspberry Sparkling Water + Real Fruit Juice	300 ml	Aluminium	Quest Beverages	Statewide Recycling
Deeds Brewing Deeds Draught	375 ml	Aluminium	Red Island Pty Ltd	Marine Stores Ltd
Deeds Brewing Double Time Hazy Pale	375 ml	Aluminium	Red Island Pty Ltd	Marine Stores Ltd
Deeds Brewing Half Time Lil Pale	375 ml	Aluminium	Red Island Pty Ltd	Marine Stores Ltd
Deeds Brewing Juice Train New England IPA	375 ml	Aluminium	Red Island Pty Ltd	Marine Stores Ltd
Deeds Brewing Quiet Deeds Sawtooth Kettle Sour	330 ml	Aluminium	Red Island Pty Ltd	Marine Stores Ltd
Sunlight Liquor Coastal Mead Sparkling	330 ml	Aluminium	Sunlight Liquor Pty Ltd	Marine Stores Ltd
The Suburban Brew Salted Chocolate and Fig Stout	375 ml	Aluminium	The Suburban Brew Pty Ltd	Marine Stores Ltd
The Suburban Brew Sunday Session Ale	375 ml	Aluminium	The Suburban Brew Pty Ltd	Marine Stores Ltd
Coles Seasonal Edition Mandarin Valencia & Blood Oranges With Ginger	300 ml	PET	Thirsty Brothers Pty Ltd	Statewide Recycling
Original Juice Co Pressed Juice Bush Tucker Honey & Cinnamon Myrtle	300 ml	PET	Thirsty Brothers Pty Ltd	Statewide Recycling
Squealing Pig Ginsecco Gin + Prosecco Spritzer	250 ml	Aluminium	Treasury Wine Estates Vintners Limited	Marine Stores Ltd
Squealing Pig Rose Ginsecco Rose Gin + Prosecco Spritzer	250 ml	Aluminium	Treasury Wine Estates Vintners Limited	Marine Stores Ltd
Coles Diet Lemon Flavour Soft Drink	1250 ml	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Coles Diet Lime Flavour Soft Drink	1250 ml	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Coles Diet Raspberry Flavour Soft Drink	1250 ml	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Coles Orange Flavour	375 ml	Aluminium	Tru Blu Beverages Pty Limited	Flagcan Distributors
Coles Soda Water Sparkling Mixer	2000 ml	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors

Column 1 Product Name	Column 2 Container Size	Column 3 Container Type	Column 4 Approval Holder	Column 5 Collection Arrangements
Glee Juice Bubbles Blackcurrant Burst 25% Sparkling Fruit Juice Drink	250 ml	Aluminium	Tru Blu Beverages Pty Limited	Flagcan Distributors
Glee Juice Bubbles Bubblegum Grape 25% Sparkling Fruit Juice Drink	250 ml	Aluminium	Tru Blu Beverages Pty Limited	Flagcan Distributors
Glee Juice Bubbles Rockin Raspberry 25% Sparkling Fruit Juice Drink	250 ml	Aluminium	Tru Blu Beverages Pty Limited	Flagcan Distributors
Glee Juice Bubbles Tropical Treat 25% Sparkling Fruit Juice Drink	250 ml	Aluminium	Tru Blu Beverages Pty Limited	Flagcan Distributors
Glee Pops Apple 25% Fruit Juice Drink	250 ml	LPB - Aseptic	Tru Blu Beverages Pty Limited	Flagcan Distributors
Glee Pops Apple Blackcurrant 25% Fruit Juice Drink	250 ml	LPB - Aseptic	Tru Blu Beverages Pty Limited	Flagcan Distributors
Glee Pops Apple Raspberry 25% Fruit Juice Drink	250 ml	LPB - Aseptic	Tru Blu Beverages Pty Limited	Flagcan Distributors
Glee Pops Tropical 25% Fruit Juice Drink	250 ml	LPB - Aseptic	Tru Blu Beverages Pty Limited	Flagcan Distributors
LA Ice Cola No Sugar	2000 ml	PET	Tru Blu Beverages Pty Limited	Flagcan Distributors
Que Cola	200 ml	Aluminium	Tru Blu Beverages Pty Limited	Flagcan Distributors
Watscovie Brewing Company Minlaton Mid Lager	375 ml	Aluminium	Watsacovie Brewing Company Pty Ltd	Marine Stores Ltd
Western Ridge Brewing ArdBitta	330 ml	Glass	Western Ridge Brewing & Distilling Co Pty. Ltd	Marine Stores Ltd
Western Ridge Brewing Collective Garam Masala Spiced Dark Ale	330 ml	Glass	Western Ridge Brewing & Distilling Co Pty. Ltd	Marine Stores Ltd
Western Ridge Brewing Exclusive Small Batch Release	2000 ml	Glass	Western Ridge Brewing & Distilling Co Pty. Ltd	Marine Stores Ltd
Western Ridge Brewing King Jong Boom Hazy IPA	330 ml	Glass	Western Ridge Brewing & Distilling Co Pty. Ltd	Marine Stores Ltd
Western Ridge Brewing MemeStout	330 ml	Glass	Western Ridge Brewing & Distilling Co Pty. Ltd	Marine Stores Ltd
Western Ridge Brewing No Bitter Feelings Amber Ale	330 ml	Glass	Western Ridge Brewing & Distilling Co Pty. Ltd	Marine Stores Ltd
Western Ridge Brewing Riesling Ridge Western Freak Hock Lemon & Lime	330 ml	Glass	Western Ridge Brewing & Distilling Co Pty. Ltd	Marine Stores Ltd
Western Ridge Brewing Solidarity Ale	330 ml	Glass	Western Ridge Brewing & Distilling Co Pty. Ltd	Marine Stores Ltd
Western Ridge GoldenRye	330 ml	Aluminium	Western Ridge Brewing & Distilling Co Pty. Ltd	Marine Stores Ltd
Western Ridge Pale	330 ml	Aluminium	Western Ridge Brewing & Distilling Co Pty. Ltd	Marine Stores Ltd
YouJuice Getcha Greens Apple Pineapple Broccoli Cucumber Zucchini Kale Mint Spinach	350 ml	PET	Youjuice Pty Ltd	Statewide Recycling
YouJuice Sweet Relief Apple Carrot Orange Ginger Papaya	350 ml	PET	Youjuice Pty Ltd	Statewide Recycling
YouJuice Thanks A Melon Watermelon Apple Strawberry Mint Beetroot	350 ml	PET	Youjuice Pty Ltd	Statewide Recycling

GEOGRAPHICAL NAMES ACT 1991

FOR PUBLIC CONSULTATION

Notice of Intention to Alter the Boundaries of a Place and Assign a Name to a Place

NOTICE is hereby given pursuant to the provisions of the above Act that the Minister for Transport, Infrastructure and Local Government seeks public comment on a proposal to:

1. Exclude from the locality of **MULYUNGARIE** that area marked (A) shown highlighted in green on the plan.
2. Assign the name **BILLEROO WEST** to the area marked (A)

Copies of the plan showing the extent of the subject area can be viewed at:

- the office of the Surveyor-General, 101 Grenfell Street, Adelaide
- the Land Services web-site at www.sa.gov.au/placenameproposals

Submissions in writing regarding this proposal may be lodged with the Surveyor-General, Department of Planning, Transport and Infrastructure, GPO Box 1354, Adelaide SA 5001, within 28 days of the publication of this notice.

Dated: 11 June 2020

MICHAEL BURDETT
Surveyor-General

Department of Planning, Transport and Infrastructure

DPTI 2020/11005/01

HARBORS AND NAVIGATION ACT 1993

SCHEDULE OF SHIPPING CHARGES PURSUANT TO SECTION 31

Effective from 1 July 2020

Navigation Services Charge

The Navigation Services Charge is to recover the costs of providing navigation aids to commercial shipping using the State's indentured ports of Port Bonython and Whyalla. This will be a charge to boats on the basis of the number of times the boat enters State waters from outside those waters and proceeds to an indentured or private port in the State.

Note: Other charging arrangements have been made and apply to the ports of Ardrossan, Klein Point, Port Adelaide, Port Giles, Port Lincoln, Port Pirie, Thevenard and Wallaroo.

The base charge (GST inclusive) to be applied is \$1 667.00 + \$0.18351 per gross tonnage (GT) per trading voyage within South Australian waters.

The base charge will be reduced by 25% for each subsequent call of the commercial boat after the first call and within six months of the first call, (ie 100% of base charge for first call; 75% for second call within six months of the first call; 50% for the third call; 25% for the fourth call). No Navigation Services Charge will be payable for the fifth call and any subsequent call, provided they occur within six months of the first call.

Alternatively, an option of a one-off, up-front payment of 2.3 times the base charge for unlimited calls by the one commercial boat in a six month period is available. Application must be made prior to the entry of the boat into South Australian waters.

Harbor Services Charge (Applied at Port Bonython Only)

The Harbor Services Charge is to recover the costs of servicing boats in port and at berths.

The base charge (GST inclusive) to be applied is \$4 481.00 + \$0.00832 per gross tonnage (GT) of the boat per hour at berth.

Dated: 18 March 2020

HON STEPHAN KNOLL MP
Minister for Transport, Infrastructure and Local Government

HARBORS AND NAVIGATION ACT 1993

SCHEDULE OF SHIPPING CHARGES PURSUANT TO SECTION 31

Effective from 1 July 2020

Marine Facilities Ferry Services Charge

The Marine Facilities Ferry Services Charge (GST inclusive) is to apply to all ferry service using the Minister's marine (Port) facilities and assets of Cape Jervis, Penneshaw, Kingscote and American River, unless otherwise stated. The Marine Facilities Services Charge will apply for each of the named harbors/ports used by a ferry operator.

Passengers departing from or arriving at Cape Jervis, Kingscote, Penneshaw and American River: \$0.15911 per passenger.

Vehicles (irrespective of size and including prime-mover, motorcycle or equivalent but not including a bicycle): \$1.43 per vehicle per departure or arrival.

Trailers/caravans: \$1.43 per trailer/caravan per departure or arrival.

Freight: \$1.92 per lineal metre of the semi-trailer per trip.

Boat mooring fee: \$78.73 per boat per day (or part thereof).

Dated: 18 March 2020

HON STEPHAN KNOLL MP
Minister for Transport, Infrastructure and Local Government

HARBORS AND NAVIGATION ACT 1993

FISHING INDUSTRY FACILITIES SCHEDULE OF FEES AND CHARGES PURSUANT TO SECTION 31

Effective from 1 July 2020

Fees for storage, slipping, straddle carrier use and boat movements in boat yards at Port MacDonnell, Beachport and Kingscote are charged to recover some of the costs associated with the operation and administration of these facilities.

All of the fees and charges listed below are inclusive of GST.

Port MacDonnell Boat Yard

A boat yard fee is to be charged at the Port MacDonnell boat yard for all boats or trailers as follows:

\$814.00 per boat or trailer for 12 months, or

\$204.00 per boat or trailer per month or part thereof.

The fee entitles recipients to boat or trailer storage and unlimited use of the dirty work area for the period paid.

Beachport Boat Yard

A **boat yard fee** is to be charged at the Beachport boat yard for all boats at \$4 673 per boat for one year or part thereof. This fee entitles the recipient to boat storage, 4 slippages, 4 yard shifts using the straddle carrier and unlimited use of the dirty work area for one year.

A **casual boat storage fee** is to be charged at the Beachport boat yard for all boats at \$703.00 per month or part thereof.

A casual slipping fee (up to two hours) is to be charged at the Beachport boat yard for all boats at \$440.00.

A casual yard shift fee is to be charged for use of the straddle carrier to move a boat in one operation within the boat yard for all boats at \$290.00.

Additional to the above and *only* when applicable, an after-hours yard shift fee or an after-hours slipping fee of \$161.00 may apply.

Dated: 18 March 2020

HON STEPHAN KNOLL MP
Minister for Transport, Infrastructure and Local Government

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

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

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
34 West Lakes Boulevard, Albert Park SA 5014	Allotment 35 Filed Plan 118117 Hundred of Yatala	CT 5240/876

Dated: 11 June 2020

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

HOUSING IMPROVEMENT ACT 2016

Rent Control

The Minister for Human Services Delegate in the exercise of the powers conferred by the *Housing Improvement Act 2016*, does hereby fix the maximum rental per week which shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each house described in the following table. The amount shown in the said table shall come into force on the date of this publication in the Gazette.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio	Maximum Rental per week payable
19 Boundary Road, Glenelg South SA 5045	Allotment 2 Community Plan 26452 Hundred of Noarlunga	CT 5354/390	\$262.50

Dated: 11 June 2020

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

JUSTICES OF THE PEACE ACT 2005

SCHEDULE 1 – TRANSITIONAL PROVISIONS

Notice of Prescribed Period

NOTICE is hereby given that the period prescribed for the purposes of Schedule 1 clause 2 of the *Justices of the Peace Act 2005* in relation to the following persons who held office as a justice immediately before the commencement of that clause is to end on **30 June 2020**:

Garth Edwin Louis NINHAM
Muhittin PILAVCI
Leon John TORZYN

Dated: 8 June 2020

VICKIE CHAPMAN MP
Deputy Premier
Attorney-General

JUSTICES OF THE PEACE ACT 2005

SECTION 4

Notice of Appointment of Justices of the Peace for South Australia by the Commissioner for Consumer Affairs

I, Dini Soulio, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below. It being a condition of appointment that the Justices of the Peace must take the oaths required of a justice under the Oaths Act 1936 and return the oaths of office form to Justice of the Peace Services within three months after the date of appointment:

For a period of ten years for a term commencing on 29 June 2020 and expiring on 28 June 2030:

Craig Ritchie MUDGE
Victoria Ann Siobhan MOORE
Nicole Beth LITTLE
Rebecca Imogen JEFFRIES
Zack Thomas JACKMAN
Darren Gordon HILLS
Santoshi GAUTAM

Sydney Lawrence FARRELL
Evette Marie DE JAGER

Dated: 9 June 2020

DINI SOULIO
Commissioner for Consumer Affairs
Delegate of the Attorney-General

JUSTICES OF THE PEACE ACT 2005

SECTION 4

Notice of Appointment of Justices of the Peace for South Australia by the Commissioner for Consumer Affairs

I, Dini Soulio, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below.

For a period of ten years for a term commencing on 1 July 2020 and expiring on 30 June 2030:

David Graham WILKINS
Tanya Dawn WEEDING
Kim Darrell THODAY
Jenny LOW
Janet HALLS
Susan Therese CUNNINGHAM
Luisa Maria CICCOZZI

Dated: 9 June 2020

DINI SOULIO
Commissioner for Consumer Affairs
Delegate of the Attorney-General

LAND ACQUISITION ACT 1969

SECTION 16

Notice of Acquisition—Form 5

1. Notice of acquisition

The Commissioner of Highways (the Authority), of 50 Flinders Street, Adelaide SA 5000, acquires the following interests in the following land:

- First: Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 34 in Filed Plan No 109399 comprised in Certificate of Title Volume 5545 Folio 362
- Secondly: Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 33 in Filed Plan No 109398 comprised in Certificate of Title Volume 5809 Folio 942
- Thirdly: Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 94 in Deposited Plan No 2482 comprised in Certificate of Title Volume 5829 Folio 983
- Fourthly: Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 91 in Filed Plan No 208007 comprised in Certificate of Title Volume 5474 Folio 490

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

2. Compensation

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

3. Inquiries

Inquiries should be directed to:

Ric Lohmeyer
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2554

Dated: 9 June 2020

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

ROCCO CARUSO
Manager, Property Acquisition
Authorised Officer
Department of Planning, Transport and Infrastructure

DPTI 2019/07608/01

LAND ACQUISITION ACT 1969

SECTION 16

Notice of Acquisition—Form 5

1. Notice of acquisition

The Commissioner of Highways (the Authority), of 50 Flinders Street, Adelaide SA 5000, acquires the following interests in the following land:

- First: Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 612 in Filed Plan No 186314 comprised in Certificate of Title Volume 5996 Folio 493, and being the whole of the land identified as Allotment 26 in D123976 lodged in the Lands Titles Office

- Secondly: Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 613 in Filed Plan No 186315 comprised in Certificate of Title Volume 5996 Folio 497, and being the whole of the land identified as Allotment 26 in D123976 lodged in the Lands Titles Office
- Thirdly: Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 614 in Filed Plan No 186316 comprised in Certificate of Title Volume 5996 Folio 494, and being the whole of the land identified as Allotment 26 D123976 lodged in the Lands Titles Office

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

2. Compensation

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

3. Inquiries

Inquiries should be directed to:

Carlene Russell
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2512

Dated: 9 June 2020

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

ROCCO CARUSO
Manager, Property Acquisition
Authorised Officer

Department of Planning, Transport and Infrastructure

DPTI 2019/01239/01

LAND TAX ACT 1936

Change in Site Values and Index Value for the 2020/21 Financial Year

I, Katherine Bartolo, Valuer-General, as required by section 8A(6) of the *Land Tax Act 1936* hereby give notice that the average percentage change in site values is 0.9% and the Index Value is 1.315 for the 2020/21 financial year.

Dated: 5 June 2020

KATHERINE BARTOLO
Valuer-General

LAND TAX ACT 1936

Land Tax Thresholds for the 2020-21 Financial Year

I, Julie-anne Holmes, the Commissioner of State Taxation, as required by section 8A(7) of the *Land Tax Act 1936*, hereby give notice that the land tax thresholds that will apply with respect to the 2020-21 financial year are:

Threshold A	\$450 000
Threshold B	\$723 000
Threshold C	\$1 052 000
Threshold D	\$1 350 000

Dated: 5 June 2020

JULIE-ANNE HOLMES
Commissioner of State Taxation

MINING ACT 1971

Extractive Minerals Lease

Notice is hereby given in accordance with Section 35A(1) of the *Mining Act 1971*, that an application for an Extractive Minerals Lease over the undermentioned Retention Lease has been received:

Applicant:	Southern Contracting Group Pty Ltd
Claim Number:	4477
Location:	Allotment 96 Filed Plan 215747, CT 5815/4 Sherlock area, approximately 25 km east-southeast of Taillem Bend
Area:	24.64 hectares approximately
Purpose:	Limestone
Reference:	2019/000639

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

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

http://energymining.sa.gov.au/minerals/mining/public_notices_mining

Written submissions in relation to this application are invited to be received at the Department for Energy and Mining, Mining Regulation Attn: Business Support Officer, GPO Box 320 ADELAIDE SA 5001 or dem.miningregrehab@sa.gov.au by no later than **7 July 2020**.

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

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

Dated: 11 June 2020

J MARTIN
Mining Registrar as delegate for the Minister for Energy and Mining
Department for Energy and Mining

MINING ACT 1971

SECTION 28(5)

Grant Exploration Licences

Notice is hereby given in accordance with Section 28(5) of the *Mining Act 1971* that the delegate of the Minister for Energy and Mining intends to grant Exploration Licences over the areas described below.

Applicant:	Energy Exploration Pty Limited
Location:	Lock area – approximately 80km southwest of Kimba
Term:	Two years
Area in km ² :	247
Reference number:	2020/00004
Applicant:	Half Moon Pty Ltd
Location:	Commonwealth Hill area - approximately 140km northwest of Tarcoola
Pastoral Leases:	Commonwealth Hill, Mobella
Term:	One year
Area in km ² :	232
Reference number:	2020/00005
Applicant:	Oodla Gold Pty Ltd
Location:	Dawson area – approximately 30km northeast of Peterborough
Term:	Two years
Area in km ² :	89
Reference number:	2020/00014
Applicant:	Spencer Metals Pty Ltd
Location:	Alford area - approximately 70km south of Port Pirie
Term:	Two years
Area in km ² :	351
Reference number:	2020/00019
Applicants:	Eaglehawk Geological Consulting Pty Ltd Teck Australia Pty Ltd Variscan Mines Limited
Location:	Mulyungarie area – approximately 80km northeast of Olary
Pastoral Leases:	Mulyungarie, Mundi Mundi, Yarramba
Term:	One year
Area in km ² :	341
Reference number:	2020/00030
Applicant:	Challenger 2 Pty Ltd
Location:	Commonwealth Hill area – approximately 125km northwest of Tarcoola
Pastoral Lease:	Mobella
Term:	One year
Area in km ² :	89
Reference number:	2020/00034
Applicant:	Cartwheel Minerals Pty Ltd
Location:	Lake Gairdner area - approximately 80km southwest of Woomera
Pastoral Lease:	Moonaree
Term:	Two years
Area in km ² :	475
Reference number:	2020/00035
Applicant:	Cartwheel Minerals Pty Ltd
Location:	Lake Gairdner area - approximately 100km southeast of Tarcoola
Term:	Two years
Area in km ² :	401
Reference number:	2020/00036
Applicant:	Cartwheel Minerals Pty Ltd
Location:	Lake Gairdner area - approximately 100km southeast of Tarcoola
Pastoral Lease:	Lake Everard
Term:	Two years
Area in km ² :	940
Reference number:	2020/00037
Applicant:	Cartwheel Minerals Pty Ltd
Location:	Lake Gairdner area - approximately 100km southwest of Woomera
Term:	Two years
Area in km ² :	192
Reference number:	2020/00039
Applicant:	Cartwheel Minerals Pty Ltd
Location:	Lake Gairdner North area - approximately 70km southwest of Woomera
Pastoral Lease:	Coondambo
Term:	Two years
Area in km ² :	190

Reference number: 2020/00041
 Applicant: Cartwheel Minerals Pty Ltd
 Location: Lake Gairdner South area - approximately 160km northwest of Port Augusta
 Pastoral Lease: Moonaree
 Term: Two years
 Area in km²: 1166
 Reference number: 2020/00042
 Applicant: Tigers Dominion Group Pty Ltd
 Location: Anna Creek area – approximately 110km east-southeast of Coober Pedy
 Pastoral Lease: Anna Creek
 Term: Two years
 Area in km²: 209
 Reference number: 2020/00048

Plans and co-ordinates can be found on the Department for Energy and Mining website:

http://energymining.sa.gov.au/minerals/exploration/public_notices/exploration_licence_applications 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://energymining.sa.gov.au/minerals/exploration/public_notices/exploration_licence_applications or hard copy on request to Mineral Tenements.

Dated: 11 June 2020

J MARTIN
 Mining Registrar as delegate for the Minister for Energy and Mining
 Department for Energy and Mining

MOTOR VEHICLE ACCIDENTS (LIFETIME SUPPORT SCHEME) ACT 2013

Notice of 2020-2021 Lifetime Support Scheme (LSS) attendant care rates

The following rates have been set as the maximum the Lifetime Support Authority of South Australia is liable for in respect to attendant care services from 1 July 2020:

2020-21 LSS attendant care rates

Monday-Friday 6am-8pm (per hour)	\$51.05
Monday-Friday 8pm-12am (per hour)	\$56.92
Monday-Friday 12am-6am (Active) (per hour)	\$58.09
Saturday (per hour)	\$74.51
Sunday (per hour)	\$97.96
Public Holiday (per hour)	\$125.57
Inactive Sleepover (per night / 8 hours)	\$204.42

Dated: 4 June 2020

HON STEPHEN WADE MLC
 Minister for Health and Wellbeing

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

Alteration to the Building Code of Australia

Preamble

1. The Building Code of Australia being Volumes One and Two in the National Construction Code series as in force from time to time is adopted by the *Planning, Development and Infrastructure Act 2016* as part of the Building Rules.
2. The *Planning, Development and Infrastructure Act 2016* requires that notice of an alteration to the Building Code must be published before the alteration can take effect.

NOTICE

PURSUANT to section 79(2) of the *Planning, Development and Infrastructure Act 2016*, notice is given of an alteration to the 2019 edition of the Building Code of Australia being Volume One and Volume Two in the National Construction Code series (NCC 2019). The Code has been amended and republished as BCA 2019 Amendment 1 by the Australian Building Codes Board.

NCC 2019 Amendment 1 as modified by the variations and additions for South Australia contained in the Appendix to that Code and as varied by this notice, will take effect for the purposes of the *Planning, Development and Infrastructure Act 2016* in South Australia on **1 July 2020**, with the following additions, exceptions, variations and clarifications:

VOLUME ONE

A2.2(4) will not take effect in South Australia until **1 July 2021**.

In **SA E1.3 Fire hydrants**, the following words are to be italicised and interpreted as defined terms under Schedule 3 or SA Schedule 3 as relevant:

Floor area
 Required
 Fire brigade
 Farm shed
 Bulk grain storage facility

Delete all reference to **SA GP1.2**.

In South Australia, vary the application of **GP1.2** to read as follows:

Application:

GP1.2 only applies to a swimming pool associated with a Class 2 or 3 building of Class 4 part of a building, with a depth of water more than 300mm.

After **GP1.2(b)** add **SA GP1.2(c)** as follows:

SA GP1.2(c)

- (c) a swimming pool must have prominent and visible signage that assists persons to provide first aid and to perform cardio pulmonary resuscitation on young children.

After **G1.1(e)** add **SA G1.1(d)** and **SA G1.1(e)** as follows:

SA G1.1 Swimming pools

- (d) For the purpose of clause 6.1.1 of AS 1926.3, a skimmer box is an outlet, and must have a means of releasing the vacuum pressure should the suction become blocked.
- (e) A first aid and cardiopulmonary resuscitation sign must-
- (i) be attached to the safety barriers of the swimming pool, or displayed near the swimming pool; and
 - (ii) be at least 300mm by 300mm in size; and
 - (iii) be made of durable and weatherproof material; and
 - (iv) show information about the procedures for providing first aid, including performing cardiopulmonary resuscitation.

After **G5.2** add **SA G5.3** as follows:

SA G5.3 Bushfire attack levels

Where a site is located in a *designated bushfire prone area*, the bushfire attack level that applies to the site is-

- (a) for areas identified as General Risk in a bushfire overlay to the Planning and Design Code, the BAL-Low bushfire attack level; and
- (b) for areas identified as Medium Risk in a bushfire overlay to the Planning and Design Code, the BAL-12.5 bushfire attack level; and
- (c) for areas identified as High Risk in a bushfire overlay to the Planning and Design Code, the bushfire attack level assessed for the *site* in accordance with the requirements of AS 3959; and
- (d) for areas identified as Urban Interface in a bushfire overlay to the Planning and Design Code, the BAL-Low bushfire attack level; and
- (e) for areas in an Urban Interface area that are within 100m of an area identified as High Risk in a bushfire overlay to the Planning and Design Code, the bushfire attack level assessed for the *site* in accordance with AS 3959.

Delete all reference to **SA Part H3**, which includes **SA H3.1** and **SA H3.2**.

VOLUME TWO

A2.2(4) will not take effect in South Australia until **1 July 2021**.

Amend **SA 3.10.1.0(b)** to read as follows:

- (b) *Performance requirement P2.7.2* is satisfied for a water recirculation system of a *swimming pool* with a depth of water more than 300mm, if it complies with AS 1926.3. For the purposes of clause 6.1.1 of AS 1926.3, a skimmer box is an outlet and must have a means of releasing the vacuum pressure should the suction become blocked.

After **3.10.5.0** add **SA 3.10.5.1** as follows:

SA 3.10.5.1 Bushfire attack levels

Where a *site* is located in a *designated bushfire prone area*, the bushfire attack level that applies to the *site* is-

- (a) for areas identified as General Risk in a bushfire overlay to the Planning and Design Code, the BAL-Low bushfire attack level; and
- (b) for areas identified as Medium Risk in a bushfire overlay to the Planning and Design Code, the BAL-12.5 bushfire attack level; and
- (c) for areas identified as High Risk in a bushfire overlay to the Planning and Design Code, the bushfire attack level assessed for the *site* in accordance with the requirements of AS 3959; and
- (d) for areas identified as Urban Interface in a bushfire overlay to the Planning and Design Code, the BAL-Low bushfire attack level; and
- (e) for areas in an Urban Interface area that are within 100m of an area identified as High Risk in a bushfire overlay to the Planning and Design Code, the bushfire attack level assessed for the *site* in accordance with AS 3959.

Delete **3.12.0.1(b)** and add new **SA 3.12.0.1(b)** as follows:

- (b) The heating and cooling load limits in (a) are-
- (i) for (a)(i) to (iii), as specified in the ABCB Standard for NatHERS Heating and Cooling Load Limits for 6 star Class 1 buildings; and
 - (ii) for **SA 3.12.0.1(a)(iv)** and (v), as specified in the ABCB Standard for NatHERS Heating and Cooling Load Limits for 5 star Class 2 buildings.

As a consequence of adding the new clause **SA 3.12.0.1(b)**:

Renumber **SA 3.12.1.0(b)** as **SA 3.12.0.1(f)**; and

Renumber **SA 3.12.1.0(c)** as **3.12.1.0(g)**.

Delete the wording in **SA 4.2.1 Application** and replace as follows:

Compliance with **SA 4.2.2 Signage** satisfies *Performance Requirement SA 4.1*.

Amend **SA Table 1 Schedule of referenced documents** to remove reference to SA 3.12.0.1(a), AS 1530.8.1 and AS 1530.8.2.

Copies of the NCC 2019 Amendment 1 can be downloaded from the Australian Building Codes Board's website at www.abcb.gov.au.

Dated: 8 June 2020

HON STEPHAN KNOLL MP
Minister for Transport, Infrastructure and Local Government
Minister for Planning

PLANT HEALTH ACT 2009

*Amended Ministerial Notice Sections 4 and 8
Declaration of Pests and Quarantine Areas*

PURSUANT to the *Plant Health Act 2009*, I, Ross Meffin, Chief Inspector and delegate of the Minister for Primary Industries and Regional Development, make the following notice:

1. **Application**

All previous notices made pursuant to Sections 4, and 8 of the *Plant Health Act 2009* are hereby revoked.

2. **Interpretation**

In this notice:

- “the Act” means the *Plant Health Act 2009*
- “fruit fly outbreak suspension area” means an area that has been declared, in accordance with the Code of Practice for Queensland fruit fly published by the Interstate Plant Health Regulation Working Group, 1996, or in accordance with the Draft National Code of Practice for the Management of Mediterranean Fruit Fly, 2008 (as updated or amended from time to time), as a suspension area in relation to a fruit fly outbreak
- “inspector” means an inspector appointed pursuant to section 41 of the Act
- “retail purchase docket” means a sales receipt provided by a retail sales outlet for fruit or fruiting vegetables sold to the public for personal consumption, rather than for re-sale
- “the Standard” means the document published by Primary Industries and Regions South Australia entitled the “Plant Quarantine Standard South Australia”

3. **Declaration of Pests - Pursuant to Section 4 of the Act**

3.1 The following are declared to be pests for the purposes of the Act:

- (1) The pests specified by common name and scientific name immediately below:

Common Name(s)	Scientific Name(s)
African citrus psyllid	<i>Trioza erytreae</i>
Asian citrus psyllid	<i>Diaphorina citri</i>
Asian longicorn beetle	<i>Anaplophora glabripennis</i>
Asian subterranean termite	<i>Cryptotermes gestroi</i>
Australian plague locust	<i>Chortoicetes terminifera</i>
Bacterial wilt of potato	<i>Ralstonia solanacearum</i> Race 3
Barley stem gall midge	<i>Mayetiola hordei</i>
Barley stripe rust	<i>Puccinia striiformis</i> f. sp. <i>hordei</i>
Blueberry rust	<i>Thekopsora minima</i>
Boil smut of maize	<i>Ustilago maydis</i>
Brown marmorated stink bug	<i>Halyomorpha halys</i>
Browsing ant	<i>Lepisiota frauenfeldi</i>
Burning moth	<i>Hylesia nigricans</i>
Chestnut blight	<i>Cryphonectria parasitica</i>
Citrus blight	(unknown causal agent)
Citrus canker	<i>Xanthomonas citri</i> subsp. <i>citri</i>
Citrus longicorn beetle	<i>Anaplophora chinensis</i>
Citrus red mite	<i>Panonychus citri</i>
Citrus tristeza virus – sweet orange stem pitting strain	<i>Citrus tristeza closterovirus</i> – sweet orange stem pitting strain
Citrus variegated chlorosis	<i>Xylella fastidiosa</i>
Cucumber green mottle mosaic virus (CGMMV)	Cucumber green mottle mosaic tobamovirus
Drywood termite	<i>Cryptotermes dudleyi</i>
Electric ant	<i>Wasmannia auropunctata</i>
Exotic gypsy moth	<i>Lymantria</i> spp. (<i>L. dispar</i> and sub-species, <i>L. monacha</i>)
European House Borer	<i>Hylotrupes bajulus</i>
Fire blight	<i>Erwinia amylovora</i>
Fruit flies	Pest species of Tephritidae family
Fusarium wilt of tomatoes	<i>Fusarium oxysporum</i> f.sp. <i>lycopersicon</i> Race 3
Giant African snail	<i>Lissachatina fulica</i>
Giant pine scale	<i>Marchalina hellenica</i>
Glassy-winged sharpshooter	<i>Homalodisca vitripennis</i>
Golden apple snail	<i>Pomacea canaliculata</i>
Grapevine leaf rust	<i>Phakopsora euvitis</i>
Grapevine pinot gris virus	Grapevine pinot gris trichovirus
Green snail	<i>Cantareus apertus</i>
Hessian fly	<i>Mayetiola destructor</i>
Huanglongbing disease of citrus	‘ <i>Candidatus liberibacter</i> ’ spp.
Karnal bunt	<i>Tilletia indica</i>
Khapra beetle	<i>Trogoderma granarium</i>
Melon necrotic spot virus (MNSV)	Melon necrotic spot carmovirus
Melon thrips	<i>Thrips palmi</i>
Myrtle rust	<i>Puccinia psidii</i> (syn. <i>Uredo rangelii</i>)
Onion Smut	<i>Urocystis cepulae</i>

Common Name(s)	Scientific Name(s)
Parlatoria date scale	<i>Parlatoria blanchardii</i>
Phoney peach disease	<i>Xylella fastidiosa</i>
Phylloxera	<i>Daktulosphaira vitifoliae</i>
Phytophthora blight	<i>Phytophthora kernoviae</i>
Pierce's disease of grapevines	<i>Xylella fastidiosa</i>
Potato blackleg and soft rot	<i>Dickeya</i> spp. including <i>D. dianthicola</i> , <i>D. dadantii</i> and <i>D. solani</i>
Potato cyst nematode	<i>Globodera pallida</i>
Potato cyst nematode	<i>Globodera rostochiensis</i>
Potato spindle tuber viroid (PSTVd)	Potato spindle tuber <i>pospiviroid</i>
Pine wilt nematode	<i>Bursaphelenchus</i> spp. including <i>B. xylophilus</i>
Potato late blight	<i>Phytophthora infestans</i> (A2 mating type)
Pyriform scale	<i>Protospulvinaria pyriformis</i>
Red imported fire ant	<i>Solenopsis invicta</i>
Sawyer beetles	<i>Monochamus</i> spp. including <i>M. alternatus</i> , <i>M. galloprovincialis</i> , <i>M. scutellatus</i> , <i>M. titillator</i>
Sharka	<i>Plum pox potyvirus</i>
Small plague grasshopper	<i>Austroicetes cruciata</i>
<i>Caracollina lenticula</i>	<i>Caracollina lenticula</i>
Spotted-winged drosophila (fruit fly)	<i>Drosophila suzukii</i>
Subterranean termite	<i>Cryptotermes formosanus</i>
Sudden oak death	<i>Phytophthora ramorum</i>
Tarnished plant bug	<i>Lygus lineolaris</i>
Tomato-potato psyllid	<i>Bactericera cockerelli</i>
Tropical fire ant	<i>Solenopsis geminata</i>
West Indian drywood termite	<i>Cryptotermes brewis</i>
Western plant bug	<i>Lygus hesperus</i>
Wheat stem rust	<i>Puccinia graminis</i> f. sp. <i>tritici</i> (exotic strains)
Wheat stem sawfly	<i>Cephus</i> spp. (<i>C. cinctus</i> , <i>C. pygmaeus</i>)
Yellow crazy ant	<i>Anoplolepis gracilipes</i>
Zebra chip	' <i>Candidatus Liberibacter solanacearum</i> '

- (2) Any emergent pest that warrants immediate application of the Act and subsequent declaration under sub-paragraph (1).

4. Quarantine Areas – Pursuant to Section 8 of the Act

4.1 The following portions of the State are declared to be quarantine areas:

- (1) in respect of the pest fruit flies, any area within 1.5 kilometres radius of the centre of a fruit fly outbreak (as described in the Standard), the centre being the point where eggs, larvae or adults of fruit flies have been detected.
- (2) in respect of the pest fruit flies, for the purpose of excluding fruit flies from the Riverland of South Australia
 - (i) the County of Hamley, and
 - (ii) the Hundreds of Bookpurnong, Cadell, Gordon, Holder, Katarapko, Loveday, Markaranka, Moorook, Murtho, Parcoola, Paringa, Pooginook, Pyap, Stuart, Waikerie, Eba, Fisher, Forster, Hay, Murkbo, Nildottie, Paisley, Ridley, and Skurray.
- (3) the whole of Kangaroo Island with respect to the declared diseases of potato, namely bacterial wilt (*Ralstonia solanacearum* Race 3) and potato cyst nematodes (*Globodera rostochiensis* and *Globodera pallida*). This quarantine area is to be known as the 'Kangaroo Island Protected Production Area'.

4.2 Measures to be taken in Quarantine Areas

- (1) The owner or occupier of any commercial premises within a portion of the State declared to be a quarantine area in respect of the pest fruit flies must take the measures prescribed in the Standard for the eradication of such flies.
- (2) The owner or occupier of any commercial premises within the 'Kangaroo Island Protected Production Area' established under sub-paragraph 4.1(3) must take the measures prescribed in the Standard for eradication of the declared diseases of potato.

4.3 Measures for the exclusion of fruit flies from the Riverland of South Australia ("the Riverland Fruit Fly Quarantine Areas"):

- (1) Host fruits of fruit flies ("host fruits") as specified under Section 7 of the Plant Health Act, are prohibited and must not be imported or introduced into the quarantine areas declared in paragraph 4.1 (2) ("the Riverland Fruit Fly Quarantine Areas") unless:
 - (i) if the host fruit was produced in a State or Territory other than South Australia: the host fruit complies with the provisions of the Standard.
 - (ii) if the host fruit was produced in any part of South Australia outside the Riverland Fruit Fly Quarantine Areas: the host fruit has been certified by an inspector under the Act as having been either:
 - a) grown in an area free of fruit flies as defined by the Standard; or
 - b) treated against fruit flies by a method set out in the Standard.
 - (iii) if the host fruit was originally produced in the Riverland Fruit Fly Quarantine Areas, but has moved outside those areas and is now proposed to be re-introduced into those areas, the produce must either be:
 - a) be certified by an inspector that it has been maintained in an area free of fruit flies or treated against fruit flies by a method set out in the Standard; or

- b) moved under an accreditation arrangement as approved by the Minister under Part 4 Division 2 of the Act and regulation 7 of the *Plant Health Regulations 2009*.
- (2) Subparagraph (1) (ii) (a) does not apply to host fruit grown for the purpose of sale if that fruit was grown within a fruit fly outbreak suspension area.
- (3) Subparagraph (1) does not apply to host fruits that have been purchased within South Australia and are accompanied by an itemised retail purchase docket applicable to that produce.

Dated: 1 June 2020

ROSS MEFFIN
Chief Inspector and Delegate for Hon Tim Whetstone MP
Minister for Primary Industries and Regional Development

PLANT HEALTH REGULATIONS 2009

REGULATION 10

Exemption of a class of plants from specified provisions of the Act

PURSUANT to Regulation 10 of the *Plant Health Regulations 2009*, I, Ross Meffin, Chief Inspector and delegate of the Minister for Primary Industries and Regional Development, make the following notice:

1. Interpretation

In this notice:

“the Act” means the Plant Health Act 2009

“the Standard” means the document published by Primary Industries and Regions South Australia entitled the “Plant Quarantine Standard South Australia”

2. Exemption of bananas of Cavendish variety from provisions under Section 7 of the Act

The class of plants in Column A of the table below is exempt from the provisions of the Notice made pursuant to Section 7 of the Act on 16 August 2019, for the conditions of the Standard listed in Column B provided the items comply with the provisions listed in Column C.

Column A	Column B	Column C
Bananas of the variety Cavendish	Condition 10 Clause 3 ‘Cavendish variety must be hard-green with unbroken skin at the time of inspection and packaging (ICA06)’	Condition 10 Clause 3 ‘Cavendish variety must be mature green with unbroken skin at the time of inspection and packaging (ICA16)’

This Notice shall remain in force until amended or revoked by a subsequent Notice.

Dated: 9 June 2020

ROSS MEFFIN
Chief Inspector
Delegate of the Minister for Primary Industries and Regional Development

PUBLIC CORPORATIONS ACT 1993

Direction to the South Australian Water Corporation Pursuant to Section 6 of the Public Corporations Act 1993

BACKGROUND:

- Pursuant to section 6 of the *Public Corporations Act 1993*, and sections 6 and 7(2)(f) of the *South Australian Water Corporations Act 1994*, the South Australian Water Corporation (**SA Water**) is subject to control and direction by its Minister, and has the functions conferred on it by its Minister.
- The *South Australian Water Corporation Act 1994* and the *Water Industry Act 2012* are committed to the Minister for Environment and Water (**the Minister**) as per Gazettal notice dated 22 March 2018 (p. 1256).
- The *Water Industry Act 2012* provides for the regulation of prices for water and sewerage retail services by declaring the water industry to constitute a regulated industry for the purposes of the *Essential Services Commission Act 2002* and authorising the Essential Services Commission of South Australia (**the Commission**) to make a determination under the *Essential Services Commission Act 2002* regulating prices, conditions relating to prices, and price fixing factors for water and sewerage retail services.
- In making such a determination, the Commission must comply with the requirements of any pricing order issued by the Treasurer under section 35 of the *Water Industry Act 2012*.
- The Treasurer issued a pricing order under section 35 of the *Water Industry Act 2012* (**the pricing order**) on 28 October 2018 which applies to a determination made by the Commission in respect of drinking water and sewerage retail services provided by SA Water for the four year period commencing 1 July 2020 and ending 30 June 2024 (**the third regulatory period**).
- As part of the pricing order, the Treasurer has required that any determination of the Commission in respect to such services allow SA Water to recover:
 - the efficient cost of assets acquired (or to be acquired) after 1 July 2016, which are required to support activities that SA Water is required to provide in accordance with a direction under section 6 of the *Public Corporations Act 1993*;
 - costs relating to externalities (including water planning and management) attributable to and payable by SA Water in accordance with the law, including a direction under section 6 of the *Public Corporations Act 1993*; and
 - such costs (less any relevant contributions to such costs that it receives) that are attributable to activities that SA Water is required to provide in accordance with a direction under section 6 of the *Public Corporations Act 1993* and are either:
 - specified in the relevant direction, or if not specified,
 - determined by the Commission to be efficient.
- The Minister considers it appropriate, in the interests of transparency, to direct SA Water, over the course of the third regulatory period, to:

- a. provide certain services, in addition to the services it is required to provide pursuant to section 7 of the *South Australian Water Corporation Act 1994*, and the Charter for SA Water;
 - b. purchase renewable energy certificates or carbon offsets for the purpose of operating the Adelaide Desalination Plant;
 - c. maintain state-wide pricing in respect of the drinking water and sewerage retail services it provides to customers;
 - d. continue to contribute to water planning and management charges;
 - e. continue to annually reimburse the Minister in respect of fees paid to the Valuer-General for copies of the valuation rolls;
 - f. flush the Torrens Lake to prevent algae green–blue blooms in a manner that is consistent with its water licence for the prescribed water resource of the Western Mount Lofty Ranges (WMLR) that will apply from 1 July 2020;
 - g. use surplus water to meet environmental water obligations in a manner that is consistent with its water licences for the River Murray Prescribed Watercourse that will apply from 1 July 2020;
 - h. improve the security and water supply on Kangaroo Island through the construction of a 2 megalitres per day desalination plant and associated delivery infrastructure;
 - i. commence the upgrade of the water supply of SA Water customers in regional areas to potable water during the third regulatory period, with the intent that the remaining regional areas be upgraded in a future regulatory period(s);
 - j. continue to provide services for potable water and wastewater supplies to aboriginal communities;
 - k. progressively assume responsibility for the Tea Tree Gully community wastewater management scheme with the agreement of the City of Tea Tree Gully (with the intent that from transfer of the relevant assets to SA Water, the assets, and their operation and upgrade, will be treated as part of SA Water’s sewerage retail services);
 - l. continue to meet community and owner expectations on water reticulation main performance; and the costs of which may be recovered by SA Water in accordance with the terms of the pricing order.
8. The Minister intends that, from 1 July 2020, this Direction will revoke and replace the previous Direction made to SA Water pursuant to section 6 of the *Public Corporations Act 1993* on 25 June 2015 and published on the Gazette on 2 July 2015 (p. 3367).
 9. This Direction may be revoked and replaced by a subsequent direction pursuant to section 6 of the *Public Corporations Act 1993*.

DIRECTION:

I, David Speirs, Minister for Environment and Water, direct SA Water to purchase or provide the following services, facilities and contributions from 1 July 2020 and until further notice, subject to and in accordance with the following provisions:

A. Emergency Management Services

Emergency engineering functional services as required for compliance with the State Emergency Management Plan prepared by the State Emergency Management Committee under the *Emergency Management Act 2004*, up to the following cost in each financial year of the third regulatory period:

2020-21	2021-22	2022-23	2023-24
\$625 000	\$641 000	\$657 000	\$673 000

The South Australian Government will make the following contributions to SA Water in relation to such costs in each financial year of the initial regulatory period:

2020-21	2021-22	2022-23	2023-24
\$625 000	\$641 000	\$657 000	\$673 000

B. Government Radio Network Services

Services required for SA Water’s ongoing connection to and participation in the South Australian Government Radio Network, up to the following cost in each financial year of the third regulatory period:

2020-21	2021-22	2022-23	2023-24
\$618 000	\$633 000	\$649 000	\$665 000

The South Australian Government will make the following contributions to SA Water in relation to such costs in each financial year of the third regulatory period:

2020-21	2021-22	2022-23	2023-24
\$618 000	\$633 000	\$649 000	\$665 000

C. Fluoridation Services

Services required for:

- (i) the continuation of the fluoride dosing program in metropolitan Adelaide and the existing country dosing installations;
- (ii) the construction and operation of any new fluoride dosing installations;

as recommended or agreed by or on behalf of the Chief Executive, Department for Health and Wellbeing, from time to time.

D. Purchase of renewable energy or carbon offsets for the Adelaide Desalination Plant

SA Water must purchase applicable renewable energy certificates (RECs) for the purposes of the operation and maintenance of the Adelaide Desalination Plant and associated infrastructure, or otherwise fully offset the carbon impact of that operation and maintenance, sufficient to maintain South Australia’s commitment at clause 17 of the *Implementation Plan for Augmentation of the Adelaide Desalination Plant (100 gigalitres per annum)*, National Partnership Agreement on Water for the Future.

E. State-wide Pricing Facility

SA Water must, in fixing standard terms and conditions governing the provision of services pursuant to section 36 of the *Water Industry Act 2012*, set such standard terms and conditions relating to the prices of, or tariffs for, the provision of drinking water and sewerage retail services it provides on the basis of state-wide pricing, i.e. the tariffs or tariff components for such services must be the same, or result in a similar outcome, for any customer in the class of customer to which the terms and conditions are expressed to apply, irrespective of the customer’s location.

The South Australian Government will make the following contributions to SA Water in each financial year of the third regulatory period in order to support the lowest levels of state-wide standard terms and conditions relating to price as possible:

(i) In relation to SA Water's drinking retail services:

2020-21	2021-22	2022-23	2023-24
\$67 416 173	\$67 416 173	\$67 416 173	\$67 416 173

(ii) In relation to SA Water's sewerage retail services:

2020-21	2021-22	2022-23	2023-24
\$40 162 827	\$40 162 827	\$40 162 827	\$40 162 827

F. Water Planning and Management Charges Contribution

SA Water must make the following contributions to the Department for Environment and Water in each financial year of the third regulatory period in order to support water planning and management activities:

2020-21	2021-22	2022-23	2023-24
\$31 556 000	\$32 345 000	\$33 154 000	\$33 983 000

G. Annual reimbursement of fees paid for valuation roll

SA Water must make the following contributions to the Minister in each financial year of the third regulatory period in order to reimburse the Minister for fees paid to the Valuer-General pursuant to section 21(a) of the *Valuation of Land Act 1971* for a copy of the valuation roll or any addition, correction or amendment to the roll:

2020-21	2021-22	2022-23	2023-24
\$5 476 000	\$5 613 000	\$5 753 000	\$5 897 000

H. Flushing of Torrens Lake

Subject to the availability of water from prescribed water resources, SA Water must provide water as necessary to meet annual dilution flow requirements for Torrens Lake (up to a total of 2.5 gigalitres per annum), as part of SA Water's contribution of up to 16.5 gigalitres under the existing environmental water provisions of the WMLR Water Allocation Plan. SA Water must also make the following contributions to associated operating costs:

2020-21	2021-22	2022-23	2023-24
\$600 000	\$615 000	\$630 000	\$646 000

I. Environmental Watering Volume

SA Water must provide the full environmental watering volume required in eligible years under clause S-IV(ii) of Schedule 1 of the *Implementation Plan for Augmentation of the Adelaide Desalination Plant (100 gigalitres per annum)*, *National Partnership Agreement on Water for the Future* (up to 12 gigalitres), prior to trading to third parties any unused allocations obtained on account of water access entitlements on its South Australian River Murray licences.

In order of priority, this environmental contribution must come from allocations obtained on account of the following water access entitlements held by SA Water: Class 3 (High Security); Class 6; and then Class 2.

J. Improving the security and water supply on Kangaroo Island

To construct a 2 megalitres per day desalination plant and associated delivery infrastructure (including energy supply) on Kangaroo Island to improve the security and supply of water on Kangaroo Island.

SA Water will fund capital expenditure of up to \$28 million over the four years to 30 June 2024 (as per the table below):

2020-21	2021-22	2022-23	2023-24
\$28 000 000	\$0	\$0	\$0

Additional capital expenditure of \$19.8 million is to be funded through South Australian and Commonwealth Government contributions.

SA Water will also fund the associated operating expenditure (as per the table below):

2020-21	2021-22	2022-23	2023-24
\$0	\$372 000	\$1 144 000	\$1 173 000

SA Water's construction and funding of the desalination plant and associated delivery infrastructure are conditional on securing a Commonwealth Government contribution of \$14.9 million.

K. Upgrading the water supply of SA Water customers in regional areas

To upgrade the water supply of SA Water customers in certain regional areas to potable water.

During the third regulatory period, SA Water must upgrade the water supply to potable water in the regional areas of Yunta, Oodnadatta, Maree, Terowie, Marla, Manna Hill (and the associated filling station at Peterborough).

SA Water will fund capital expenditure of up to \$40.5 million over the third regulatory period together with associated operating costs not exceeding \$5.3 million (as per the tables below):

(i) In relation to SA Water's capital expenditure:

2020-21	2021-22	2022-23	2023-24
\$9 743 000	\$9 986 000	\$10 236 000	\$10 492 000

(ii) In relation to SA Water's operating expenditure:

2020-21	2021-22	2022-23	2023-24
\$538 000	\$1 006 000	\$1 694 000	\$1 993 000

L. Aboriginal communities serviced by SA Water through a CSO funded by Government

Services required for the provision of potable water and wastewater supplies to the communities of Amata, Davenport, Gerard, Indulkana, Kalka, Kaltjiti, Kanpi, Koonibba, Mimili, Murputja, Nepabunna, Nyapari, Oak Valley, Pipalyatjara, Point Pearce, Pukatja, Raukkan, Umoona, Umuwa, Watinuma, Yatala and Yunyarinyi up to the following operating cost in each financial year of the third regulatory period:

2020-21	2021-22	2022-23	2023-24
\$10 899 000	\$10 809 000	\$10 435 000	\$10 618 000

The South Australian Government will make the following contributions to SA Water in relation to such costs in each financial year of the third regulatory period:

2020-21	2021-22	2022-23	2023-24
\$8 383 000	\$8 594 000	\$8 809 000	\$9 029 000

M. Tea Tree Gully Community Wastewater Management System

With the agreement of the City of Tea Tree Gully (and on terms and conditions acceptable to SA Water), SA Water must:

- (i) provide sewerage services to properties serviced by the Tea Tree Gully Community Wastewater Management System (the Properties), in a staged manner over the third regulatory period; and
- (ii) acquire assets currently owned and operated by the City of Tea Tree Gully Council for the provision of sewerage services to Properties where they meet SA Water standards or can be upgraded to meet standards, and where the assets currently owned and operated by the City of Tea Tree Gully cannot provide the services, SA Water must make prudent and efficient investments to provide the services to the Properties.

During the third regulatory period, SA Water will fund up to \$64.1 million of capital expenditure progressively as it acquires, upgrades or constructs assets together with associated operating costs not exceeding \$963,000 (as per the tables below):

(i) In relation to SA Water's capital expenditure:

2020-21	2021-22	2022-23	2023-24
\$3 834 000	\$23 376 000	\$27 385 000	\$9 471 000

(ii) In relation to SA Water's operating expenditure:

2020-21	2021-22	2022-23	2023-24
\$82 000	\$160 000	\$328 000	\$393 000

These services and assets will form part of SA Water's sewerage retail services from 1 July 2020 or a date of their provision and acquisition, whichever is later.

N. Continue to meet community and owner expectations on water reticulation main performance

SA Water will fund up to \$155.5 million of capital expenditure to meet community and owner expectations on water main performance as follows:

2020-21	2021-22	2022-23	2023-24
\$37 288 000	\$39 072 000	\$39 066 000	\$40 043 000

Dated: 28 May 2020

HON DAVID SPEIRS
Minister for Environment and Water

PUBLIC SECTOR ACT 2009

Commissioner of Police, South Australian Police

I, Steven Spence Marshall, the Premier hereby declare pursuant to section 40 of the *Public Sector Act 2009* that Mr Grantley John Stevens will have the powers and functions of Chief Executive in relation to South Australia Police for dates consistent with his appointment under the *Police Act 1998*.

Dated: 19 May 2020

STEVEN SPENCE MARSHALL
Premier

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order
Road Closure – Public Road adjacent Old Main Road South, Giles Corner*

BY Road Process Order made on 12 May 2020, the Clare and Gilbert Valleys Council ordered that:

1. Portion of the Public Road, situated adjacent Old Main Road South, Giles Corner, adjoining the northern boundary of the Allotment comprising Pieces 1 and 2 in Filed Plan 156315, Hundred of Gilbert, more particularly delineated and lettered portion of 'A' in Preliminary Plan 19/0037 be closed.
2. Transfer the whole of the land subject to closure to Mona Vale Farms Pty Ltd (ACN: 068 212 279), (Pursuant to Change of Name Registered on 23 December 2019), in accordance with the Agreement for Transfer dated 19 September 2019 entered into between the Clare and Gilbert Valleys Council and Turemo Pty Ltd.

On 9 June 2020 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 124046 being the authority for the new boundaries.

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

Dated: 11 June 2020

M. P. BURDETT
Surveyor-General

DPTI: 2019/12740/01

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order
Road Closure – Quarry Road, Spring Farm*

BY Road Process Order made on 12 May 2020, the Clare and Gilbert Valleys Council ordered that:

1. Portion of Quarry Road, Spring Farm, situated adjoining Allotment 12 in Deposited Plan 1430, Hundred of Clare, more particularly delineated and lettered 'A' in Preliminary Plan 19/0034 be closed.
2. Transfer the whole of the land subject to closure to Ian Paul McInnis and Robyn Louise McInnis in accordance with the Agreement for Transfer dated 6 September 2019 entered into between the Clare and Gilbert Valleys Council and Ian Paul McInnis and Robyn Louise McInnis.

On 9 June 2020 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 124051 being the authority for the new boundaries.

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

Dated: 11 June 2020

M. P. BURDETT
Surveyor-General

DPTI: 2019/12159/01

LOCAL GOVERNMENT INSTRUMENTS

CITY OF UNLEY

SECTION 54 (6) OF THE LOCAL GOVERNMENT ACT

Resignation of Councillor

Notice is hereby given in accordance with section 54 (6) of the Local Government Act 1999, that a casual vacancy has occurred in the office of Councillor for Parkside Ward, due to the resignation of Councillor Mike Hudson, effective from Monday 1 June 2020.

Dated: 2 June 2020

P. TSOKAS
Chief Executive Officer

PUBLIC NOTICES

NATIONAL ELECTRICITY LAW

*Making of Final Determination and Final Rule
Initiation of request
Initiation of request and consolidation
Extension of Draft Determination*

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

Under ss 102 and 103, the making of the *National Electricity Amendment (Wholesale demand response mechanism) Rule 2020 No. 9* (Ref. ERC0247) and related final determination. Schedules 1, 3, 4 and 5 commence operation on **24 October 2021**. Schedule 2 commences operation on **31 March 2021**. Schedule 6 commences operation on **18 June 2020**.

Under s 95, the Australian Energy Market Operator has requested the *Compensation following directions for services other than energy and market ancillary services* (Ref. ERC0287) proposal. The proposal seeks to amend process to determine compensation following directions for services other than energy and market ancillary services. Submissions must be received by **16 July 2020**.

Under s 95, the Australian Energy Market Operator has requested the *Compensation for scheduled loads affected by interventions* (Ref. ERC0284) proposal. The proposal seeks to amend clause 3.12.2 of the NER to address potential under-compensation of scheduled loads affected by an AEMO intervention.

Under s 95, the Australian Energy Market Operator has requested the *Affected participant compensation for FCAS losses* (Ref. ERC0285) proposal. The proposal seeks to amend clause 3.12.2 of the NER to enable affected participants to claim compensation for market ancillary service losses incurred due to an AEMO intervention.

Under s 93(1)(a), the rule change requests for ERC0284 and ERC0285 have been consolidated. The consolidated request is named *Compensation for market participants affected by intervention events* (Ref. ERC0284). Submissions for the consolidated request are currently open and must be received by **16 July 2020**.

Under s 107, the time for making the draft determination on the *Connection to dedicated connection assets* (Ref. ERC0294) proposal has been extended to **20 August 2020**.

Submissions can be made via the AEMC's website. Before making a submission, please review the AEMC's privacy statement on its website. Submissions should be made in accordance with the AEMC's Guidelines for making written submissions on Rule change proposals. The AEMC publishes all submissions on its website, subject to confidentiality.

Written requests should be sent to submissions@aemc.gov.au and cite the reference in the title. Before sending a request, please review the AEMC's privacy statement on its website.

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

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

Dated: 11 June 2020

NATIONAL ENERGY RETAIL LAW

Publication of Final Determination

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

Under s 259, the making of the final determination on the *Wholesale demand response mechanism (retail)* (Ref. RRC0023) proposal.

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

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

Dated: 11 June 2020

SALE OF PROPERTY

Warrant of Sale

Auction Date: Saturday 27 June 2020 at 11.00am

Location: 11 Corligliano Street, Beachport, South Australia

Notice is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the District Court of South Australia, Action No. DCCIV 1227 of 2017 directed to the Sheriff of South Australia in an action wherein Longridge Group Pty Ltd is the Plaintiff and Daniel Colin De Vries is the Defendant, I Steve Ferguson, Sheriff of the State of South Australia, will by my auctioneers, South East Property Sales and Management, make sale of the estate, right, title or interest whatsoever it may be of the Defendant, Daniel Colin De Vries the registered proprietor of an estate in fee simple in the following:-

That piece of land situated in the area named Beachport, being 11 Corligliano Street, Hundred of Ravioli Bay, being the property comprised in Certificate of Title Register Book Volume 6176 Folio 951.

Further particulars from the auctioneers.

Fiona Telfer
South East Property Sales and Management
78 George Street
MILLICENT SA 5280
Telephone 08 8733 3990

Dated: 11 June 2020

STEVE FERGUSON
Sheriff of the State of South Australia

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

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

CAMENS Leon Murray late of 7 Lancelot Drive Daw Park Retired Accountant who died 31 January 2020
CLARKE Robert John late of 1B Eighth Avenue Woodville Gardens of no occupation who died 05 February 2019
FULLGRABE Thelma Joan late of 52 Dunrobin Road Hove of no occupation who died 05 February 2020
HENDERSON John Scott late of 8 Elmgrove Road Salisbury north Fitter who died 29 January 2020
HOBBS Shirley Dawn late of 16-24 Penneys Hill Road Hackham Retired Machinist who died 18 July 2019
LOGAN Ann late of 56 Quandong Avenue Parafield Gardens Retired Cleaner who died 10 December 2019
PAPE Desmond Robert late of 89 Hampstead Road Manningham Retired Poulterer who died 10 October 2019
STONE Marelyne Beverley late of 1 Susan Road Hackham Retired Domestic who died 01 November 2019
VAN DYKE Adrian late of 35 Burkitt Street Page Australian Capital Territory Retired Farmer who died 13 January 2019
WINKLER Joyce Leonie late of 8 Elmgrove Road Salisbury North of no occupation who died 22 December 2019
WITHERS Helen Patricia late of 58 Chief Street Brompton of no occupation who died 09 July 2019

Notice is hereby given pursuant to the Trustee Act 1936, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975 that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the office of Public Trustee at GPO Box 1338, Adelaide, 5001, full particulars and proof of such claims, on or before the 10 July 2020 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: 11 June 2020

N S RANTANEN
Acting Public Trustee

NOTICE SUBMISSION

The South Australian Government Gazette is compiled and published each Thursday.

Notices must be submitted before 4 p.m. Tuesday, the week of intended publication.

All submissions are formatted per the gazette style and proofs are supplied as soon as possible. Alterations must be returned before 4 p.m. Wednesday.

Requests to withdraw submitted notices must be received before 10 a.m. on the day of publication.

Gazette notices should be emailed as Word files in the following format:

- Title—name of the governing Act/Regulation
- Subtitle—brief description of the notice
- A structured body of text
- Date of authorisation
- Name, position, and government department/organisation of the person authorising the notice

Please provide the following information in your email:

- Date of intended publication
- Contact details of at least two people responsible for the notice content
- Name of the person and organisation to be charged for the publication (Local Council and Public notices)
- Request for a quote, if required
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All instruments appearing in this gazette are to be considered official, and obeyed as such