



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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ADELAIDE, THURSDAY, 18 MARCH 2021

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

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## GOVERNOR'S INSTRUMENTS

### APPOINTMENTS

Department of the Premier and Cabinet  
Adelaide, 18 March 2021

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Adelaide Festival Centre Trust, pursuant to the provisions of the Adelaide Festival Centre Trust Act 1971:

Member: from 25 March 2021 until 24 March 2024  
Jacqueline Elizabeth McGill

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC21/012CS

Department of the Premier and Cabinet  
Adelaide, 18 March 2021

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Theatre Company of South Australia Board, pursuant to the provisions of the State Theatre Company of South Australia Act 1972:

Member: from 25 March 2021 until 24 March 2024  
Gavin Adrian Wanganeen

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC21/023CS

Department of the Premier and Cabinet  
Adelaide, 18 March 2021

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Robert Ivan Lucas MLC, Treasurer to be also Acting Minister for Infrastructure and Transport and Acting Minister for Recreation, Sport and Racing for the period from 20 March 2021 to 26 March 2021 inclusive, during the absence of the Honourable Corey Luke Wingard, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

21INF001CS

### DEVELOPMENT ACT 1993

#### SECTION 48(2)(B)(II)

#### *Decision of the Governor*

#### *Preamble*

The Minister, being of the opinion that a declaration was appropriate and necessary for the proper assessment of development of major environmental, social or economic importance, declared by notice in the *South Australian Government Gazette* on 26 November 2015 at pages 5036-5037, as amended by notice in the *Government Gazette* on 22 September 2016 at page 3775-3776 and by notice in the *Government Gazette* on 27 September 2018 at page 3511, that Section 46 of the *Development Act 1993* applied to certain forms of development on land comprising 270 The Parade, Kensington.

Peregrine Corporation has, through the preparation of a Public Environmental Report (PER), proposed to develop a helicopter landing facility in association with an approved mixed use development on the land.

#### *Decision*

Pursuant to Section 48 (2)(b)(ii) of the *Development Act 1993*, and with the advice and consent of the Executive Council, I hereby refuse approval to the helicopter landing facility.

Given under my hand and the Public Seal of South Australia at Adelaide.

Dated: 18 March 2021

HIEU VAN LE  
Governor

## REGULATIONS

South Australia

# **Local Government (General) (Differentiating Factors) Variation Regulations 2021**

under the *Local Government Act 1999*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Local Government (General) Regulations 2013***

- 4 Variation of regulation 14—Differentiating factors
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Local Government (General) (Differentiating Factors) Variation Regulations 2021*.

### **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 *Local Government (General) Regulations 2013*

### 4—Variation of regulation 14—Differentiating factors

- (1) Regulation 14(1)—delete "the Development Regulations" wherever occurring and substitute in each case:
  - a prescribed instrument
- (2) Regulation 14(1)(g)(iii)—delete "or intensive animal keeping" and substitute:
  - , intensive animal keeping or intensive animal husbandry
- (3) Regulation 14—after subregulation (2) insert:
  - (2a) The operation of this regulation is not affected by the revocation of the *Development Regulations 2008* or a Development Plan under the *Development Act 1993* (or by the repeal of the *Development Act 1993*) and a reference in this regulation to—
    - (a) the *Development Regulations 2008* is a reference to those regulations as in force immediately before their revocation; and
    - (b) a Development Plan is a reference to the Development Plan as in force immediately before its revocation.
- (4) Regulation 14(3)—delete subregulation (3) and substitute:
  - (3) In this regulation—

***prescribed instrument*** means—

    - (a) the *Development Regulations 2008*; or
    - (b) the Planning and Design Code under the *Planning, Development and Infrastructure Act 2016*;

***zone*** means—

    - (a) an area defined as a zone, precinct or locality by a Development Plan under the *Development Act 1993*; or
    - (b) an area defined as a zone or subzone by the Planning and Design Code under the *Planning, Development and Infrastructure Act 2016*.

#### 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

after consultation with the Local Government Association and with the advice and consent of the Executive Council  
on 18 March 2021

No 31 of 2021

South Australia

# **Land and Business (Sale and Conveyancing) (Planning, Development and Infrastructure) Variation Regulations 2021**

under the *Land and Business (Sale and Conveyancing) Act 1994*

---

## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Land and Business (Sale and Conveyancing) Regulations 2010***

- 4 Variation of regulation 8—Sale of land—form of vendor's statement
- 5 Variation of Schedule 1—Contracts for sale of land or businesses—forms
- 6 Variation of Schedule 3—Contracts for sale of land or businesses—inquiries

### **Schedule 1—Transitional provision**

- 1 Transitional provision
  - 2 Attachment for section 7 vendor's statement
  - 3 Attachment for section 8 vendor's statement
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Land and Business (Sale and Conveyancing) (Planning, Development and Infrastructure) Variation Regulations 2021*.

### **2—Commencement**

These regulations come into operation on 19 March 2021.

### **3—Variation provisions**

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

## Part 2—Variation of *Land and Business (Sale and Conveyancing) Regulations 2010*

### 4—Variation of regulation 8—Sale of land—form of vendor's statement

Regulation 8(b)(ii) and (iii)—delete subparagraphs (ii) and (iii) and substitute:

- (ii) heading "5. Repealed Act conditions" and item 5.1;
- (iii) heading "24A. *Planning, Development and Infrastructure Act 2016*" and items 24A.1 and 24A.2;

### 5—Variation of Schedule 1—Contracts for sale of land or businesses—forms

- (1) Schedule 1, Form 1, Schedule, Division 1, Table of particulars, instructions at head of table, second instruction, (b) and (c)—delete paragraphs (b) and (c) and substitute:
  - (b) *the heading "5. Repealed Act conditions" and item 5.1; and*
  - (c) *the heading "24A. Planning, Development and Infrastructure Act 2016" and items 24A.1 and 24A.2,*
- (2) Schedule 1, Form 1, Schedule, Division 1, Table of particulars—after item 24.1 insert:

#### 24A. *Planning, Development and Infrastructure Act 2016*

24A.1	Part 5—Planning and Design Code	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
	<i>[Note—</i>	<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
	<i>Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	
		Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):	
		Is the land situated in a State Heritage place?	[ ]
		Is the land designated as a place of local heritage value?	[ ]
		Is there a tree declared to be a significant tree or a stand of trees declared to be significant trees on the land?	[ ]

		Is there a current amendment to the Planning and Design Code released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation? [ ]	
<b>24A.2</b>	section 127—Condition (that continues to apply) of a development authorisation  <i>[Note— Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	<b><i>Is this item applicable?</i></b>  <b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>  <b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	<input type="checkbox"/>  [ ]  [ ]
		Date of authorisation: Name of relevant authority that granted authorisation: Condition(s) of authorisation:	
<b>24A.3</b>	section 139—Notice of proposed work and notice may require access	<b><i>Is this item applicable?</i></b>  <b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>  <b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	<input type="checkbox"/>  [ ]  [ ]
		Date of notice: Building work proposed (as stated in the notice): Other building work as required pursuant to the Act:	
<b>24A.4</b>	section 140—Notice requesting access	<b><i>Is this item applicable?</i></b>  <b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>  <b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	<input type="checkbox"/>  [ ]  [ ]
		Date of notice: Name of person requesting access: Reason for which access is sought (as stated in the notice): Activity or work to be carried out:	

<b>24A.5</b>	section 141—Order to remove or perform work	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date of order:	
		Terms of order:	
		Building work (if any) required to be carried out:	
		Amount payable (if any):	
<b>24A.6</b>	section 142—Notice to complete development	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date of notice:	
		Requirements of notice:	
		Building work (if any) required to be carried out:	
		Amount payable (if any):	
<b>24A.7</b>	section 155—Emergency order	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date of order:	
		Name of authorised officer who made order:	
		Name of authority that appointed the authorised officer:	
		Nature of order:	
		Amount payable (if any):	
<b>24A.8</b>	section 157—Fire safety notice	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date of notice:	



		Name of authority giving notice:	
		Requirements of notice:	
		Building work (if any) required to be carried out:	
		Amount payable (if any):	
<b>24A.9</b>	section 192 or 193—Land management agreement	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	
		Date of agreement:	
		Names of parties:	
		Terms of agreement:	
<b>24A.10</b>	section 198(1)—Requirement to vest land in a council or the Crown to be held as open space	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	
		Date requirement given:	
		Name of body giving requirement:	
		Nature of requirement:	
		Contribution payable (if any):	
<b>24A.11</b>	section 198(2)—Agreement to vest land in a council or the Crown to be held as open space	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	
		Date of agreement:	
		Names of parties:	
		Terms of agreement:	
		Contribution payable (if any):	
<b>24A.12</b>	Part 16 Division 1—Proceedings	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	

		Date of commencement of proceedings:	
		Date of determination or order (if any):	
		Terms of determination or order (if any):	
<b>24A.13</b>	section 213—Enforcement notice	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date notice given:	
		Name of designated authority giving notice:	
		Nature of directions contained in notice:	
		Building work (if any) required to be carried out:	
		Amount payable (if any):	
<b>24A.14</b>	section 214(6), 214(10) or 222—Enforcement order	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date order made:	
		Name of court that made order:	
		Action number:	
		Names of parties:	
		Terms of order:	
		Building work (if any) required to be carried out:	

- (3) Schedule 1, Form 1, Schedule, Division 2, Particulars of building indemnity insurance, Note, (a)—after "under the" insert:

*Planning, Development and Infrastructure Act 2016, the repealed*

- (4) Schedule 1, Form 1, Schedule, Division 2—before the Particulars relating to court or tribunal process insert:

**Particulars relating to aluminium composite panels**



Has the vendor been notified that a building on the land has been identified, as part of a South Australian Building Cladding Audit initiated in 2017 and conducted by the former Department of Planning, Transport and Infrastructure in conjunction with the Metropolitan Fire Service, Country Fire Service and councils—

- (a) as having aluminium composite panels installed on the exterior of the building; and
- (b) as constituting a moderate, high or extreme risk as a result of that installation; and
- (c) as requiring remediation to reduce the risk to an acceptable level; and
- (d) as not having had the necessary remedial work performed or a determination made by the appropriate authority of the relevant council (within the meaning of section 157 of the *Planning, Development and Infrastructure Act 2016*) that no further action is required?

[ ]

If YES, give details of the following:

- 1 the actions required to remediate the risk (if known):
- 2 the estimated costs of remediation (if known):

- (5) Schedule 1, Form 1, Schedule, Division 2, Particulars relating to environment protection, item 6(b)—after "*Development Act 1993*" insert:

or the *Planning, Development and Infrastructure Act 2016*

- (6) Schedule 1, Form 2, Schedule 2, Division 1, Table of particulars, Part 1—after the item relating to section 42 of the *Development Act 1993* insert:

***Planning, Development and Infrastructure Act 2016***

Part 5—Planning and Design Code	*YES/NO	Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):  Is the land situated in a designated State Heritage place? *YES/NO  Is the land designated as a place of local heritage value? *YES/NO  Is there a tree declared to be a significant tree or a stand of trees declared to be significant trees on the land? *YES/NO  Is there a current amendment to the Planning and Design Code released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation? *YES/NO
section 127—Condition (that continues to apply) of a development authorisation	*YES/NO	Date of authorisation:  Name of relevant authority that granted authorisation:  Condition(s) of authorisation:

- (7) Schedule 1, Form 2, Schedule 2, Division 1, Table of particulars, Part 2—after the item relating to section 23(1) of the *Phylloxera and Grape Industry Act 1995* insert:

***Planning, Development and Infrastructure Act 2016***

section 139—Notice of proposed work and notice may require access	*YES/NO	Date of notice:  Building work proposed (as stated in the notice):  Other building work as required pursuant to the Act:
section 140—Notice requesting access	*YES/NO	Date of notice:  Name of person requesting access:  Reason for which access is sought (as stated in the notice):  Activity or work to be carried out:

section 141—Order to remove or perform work	*YES/NO	Date of order: Terms of order: Building work (if any) required to be carried out: Amount payable (if any):
section 142—Notice to complete development	*YES/NO	Date of notice: Requirements of notice: Building work (if any) required to be carried out: Amount payable (if any):
section 155—Emergency order	*YES/NO	Date of order: Name of authorised officer who made order: Name of authority that appointed the authorised officer: Nature of order: Amount payable (if any):
section 157—Fire safety notice	*YES/NO	Date of notice: Name of authority giving notice: Requirements of notice: Building work (if any) required to be carried out: Amount payable (if any):
section 192 or 193—Land management agreement	*YES/NO	Date of agreement: Names of parties: Terms of agreement:
section 198(1)—Requirement to vest land in a council or the Crown to be held as open space	*YES/NO	Date requirement given: Name of body giving requirement: Nature of requirement: Contribution payable (if any):
section 198(2)—Agreement to vest land in a council or the Crown to be held as open space	*YES/NO	Date of agreement: Names of parties: Terms of agreement: Contribution payable (if any):
Part 16 Division 1—Proceedings	*YES/NO	Date of commencement of proceedings: Date of determination or order (if any): Terms of determination or order (if any):

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section 213—Enforcement notice	*YES/NO	Date notice given: Name of designated authority giving notice: Nature of directions contained in notice: Building work (if any) required to be carried out: Amount payable (if any):
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section 214(6), 214(10) or 222—Enforcement order	*YES/NO	Date order made: Name of court that made order: Action number: Names of parties: Terms of order: Building work (if any) required to be carried out:
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- (8) Schedule 1, Form 2, Schedule 2, Division 2, †Particulars of building indemnity insurance, Note, (a)—after "under the" insert:

*Planning, Development and Infrastructure Act 2016*, the repealed

- (9) Schedule 1, Form 2, Schedule 2, Division 2—before the †Particulars relating to court or tribunal process insert:

**†Particulars relating to aluminium composite panels**

Has the vendor been notified that a building on the land has been identified, as part of a South Australian Building Cladding Audit initiated in 2017 and conducted by the former Department of Planning, Transport and Infrastructure in conjunction with the Metropolitan Fire Service, Country Fire Service and councils—

- (a) as having aluminium composite panels installed on the exterior of the building; and
- (b) as constituting a moderate, high or extreme risk as a result of that installation; and
- (c) as requiring remediation to reduce the risk to an acceptable level; and
- (d) as not having had the necessary remedial work performed or a determination made by the appropriate authority of the relevant council (within the meaning of section 157 of the *Planning, Development and Infrastructure Act 2016*) that no further action is required?

\*YES/NO

If YES, give details of the following:

- 1 the actions required to remediate the risk (if known):
- 2 the estimated costs of remediation (if known):

- (10) Schedule 1, Form 2, Schedule 2, Division 2, †Particulars relating to environment protection, item 6(b)—after "*Development Act 1993*" insert:

or the *Planning, Development and Infrastructure Act 2016*

## 6—Variation of Schedule 3—Contracts for sale of land or businesses—inquiries

- (1) Schedule 3, Table 1, Column 1, (2)—after "*Housing Improvement Act 1940*" insert:

*Planning, Development and Infrastructure Act 2016* (other than the items relating to sections 127, 139, 140, 192, 193, 214(6), 214(10) and 222)
- (2) Schedule 3, Table 1, Column 1, (3)—delete "and the" and substitute:

, the
- (3) Schedule 3, Table 1, Column 1, (3)—after "section 61" insert:

and the *Planning, Development and Infrastructure Act 2016* sections 139 and 140
- (4) Schedule 3—delete "Department of Planning, Transport and Infrastructure" wherever occurring and substitute in each case:

Attorney-General's Department

## Schedule 1—Transitional provision

### 1—Transitional provision

- (1) A vendor's statement for the purposes of section 7 of the *Land and Business (Sale and Conveyancing) Act 1994* will be taken to comply with the *Land and Business (Sale and Conveyancing) Regulations 2010* as varied by these regulations if the statement—
  - (a) was prepared before 1 July 2021; and
  - (b) was served on the purchaser on or after the commencement of these regulations (or was served before the commencement of these regulations but the contract for the sale of the land in respect of which the statement was prepared was not signed before the commencement of these regulations); and
  - (c) complies with the Act and regulations as in force immediately before the commencement of these regulations; and
  - (d) includes an attachment in the form specified in clause 2 of this Schedule (containing at least the required parts of the attachment and completed in accordance with the attachment's instructions).
- (2) A vendor's statement for the purposes of section 8 of the *Land and Business (Sale and Conveyancing) Act 1994* will be taken to comply with the *Land and Business (Sale and Conveyancing) Regulations 2010* as varied by these regulations if the statement—
  - (a) was prepared before 1 July 2021; and
  - (b) was served on the purchaser on or after the commencement of these regulations (or was served before the commencement of these regulations but the contract for the sale of the business in respect of which the statement was prepared was not signed before the commencement of these regulations); and
  - (c) complies with the Act and regulations as in force immediately before the commencement of these regulations; and
  - (d) includes an attachment in the form specified in clause 3 of this Schedule (containing at least the required parts of the attachment and completed in accordance with the attachment's instructions).

- (3) A reference in this clause to a vendor's statement being served on the purchaser is, where a notice of amendment to the statement is served for the purposes of section 10 of the *Land and Business (Sale and Conveyancing) Act 1994*, a reference to the presumed date of service of the statement under that section.
- (4) An attachment referred to in subclause (1) or (2) need not, if attached to a vendor's statement served on the purchaser before 22 March 2021, contain the Particulars relating to aluminium composite panels.
- (5) An attachment referred to in subclause (1) or (2) will for all purposes be taken to form part of the vendor's statement to which it is attached.
- (6) In this clause—

**required parts**, in relation to an attachment in this Schedule, means—

- (a) in the case of the "Attachment for Form 1—Vendor's statement" in clause 2 of this Schedule—Part 1 of the attachment, the heading "24A. *Planning, Development and Infrastructure Act 2016*" in the table of particulars in Part 2 of the attachment and items 24A.1 and 24A.2 of that table;
- (b) in the case of the "Attachment for Form 2—Vendor's statement (section 8)" in clause 3 of this Schedule—Part 1 of the attachment and Part 2—Division 1 in the table of particulars in Part 2 of the attachment;

**served on**, in relation to a vendor's statement in respect of land, or a business and land, that is to be sold at auction, means made available for perusal in accordance with section 11 of the *Land and Business (Sale and Conveyancing) Act 1994*.

## 2—Attachment for section 7 vendor's statement

### Attachment for Form 1—Vendor's statement

(Attachment for vendor's statement under section 7 of the *Land and Business (Sale and Conveyancing) Act 1994*)

Particulars relating to *Planning, Development and Infrastructure Act 2016*

### Contents

Preliminary

Part 1—Parties and land

Part 2—Particulars of mortgages, charges and prescribed encumbrances affecting the land

Part 3—Other particulars

### Preliminary

#### To the purchaser:

The purpose of this attachment is to put you on notice of certain particulars relating to the *Planning, Development and Infrastructure Act 2016* and other matters concerning the land to be acquired that are additional to the particulars concerning the land specified elsewhere in the Form 1—Vendor's statement to which this is attached.

If you desire additional information, it is up to you to make further inquiries as appropriate.



**Instructions to the vendor for completing this attachment**

means the Part, particulars or item may not be applicable.

*If it is applicable, ensure the box is ticked and complete the Part, particulars or item.*

*If it is not applicable, ensure the box is empty or strike out the Part, particulars or item. Alternatively, the Part, particulars or item may be omitted, but not in the case of the heading "24A. Planning, Development and Infrastructure Act 2016" and items 24A.1 and 24A.2 in Part 2 of this attachment.*

*All questions must be answered with a YES or NO (inserted in the place indicated by a rectangle or square brackets below or to the side of the question).*

*If there is insufficient space to provide any particulars required, continue on attachments.*

**Part 1—Parties and land**

(1) Purchaser:

Address:

(2) Purchaser's registered agent:

Address:

(3) Vendor:

Address:

(4) Vendor's registered agent:

Address:

(5) Date of contract if made before statement is served:

(6) Description of the land:

*[Identify the land including any certificate of title reference]*

## Part 2—Particulars of mortgages, charges and prescribed encumbrances affecting the land

The headings and items in the table of particulars in this Part are to be taken to be included in the table of particulars in Division 1 of the Schedule to the Form 1—Vendor's statement under section 7 of the *Land and Business (Sale and Conveyancing) Act 1994* to which this instrument is attached.

### Table of particulars

Column 1	Column 2	Column 3
<i>[If an item is applicable, ensure that the box for the item is ticked and complete the item.]</i>		
<i>[If an item is not applicable, ensure that the box for the item is empty or else strike out the item or write "NOT APPLICABLE" or "N/A" in column 1. Alternatively, the item and any inapplicable heading may be omitted, <u>but not</u> in the case of the heading "24A. Planning, Development and Infrastructure Act 2016 and items 24A.1 and 24A.2 which must be retained as part of this attachment whether applicable or not.]</i>		
<i>[If an item is applicable, all particulars requested in column 2 must be set out in the item unless there is an attachment to this attachment and—</i>		
<ul style="list-style-type: none"> <li>(a) <i>all the required particulars are contained in that attachment; and</i></li> <li>(b) <i>the attachment is identified in column 2; and</i></li> <li>(c) <i>if the attachment consists of more than 2 sheets of paper, those parts of the attachment that contain the required particulars are identified in column 2.</i></li> </ul>		
<i>Particulars requested in <b>bold type</b> must be set out in column 3 and all other particulars must be set out in column 2.]</i>		
<i>[If there is more than 1 mortgage, charge or prescribed encumbrance of a kind referred to in column 1, the particulars requested in column 2 must be set out for <u>each</u> such mortgage, charge or prescribed encumbrance.]</i>		
<i>[If requested particulars are set out in the item and then continued on an attachment due to insufficient space, identify the attachment in the place provided in column 2. (If <u>all</u> of the requested particulars are contained in an attachment (instead of in the item) identify the attachment in the place provided in column 2 as required above by these instructions and (if required above) identify the parts of the attachment that contain the particulars.)]</i>		

### 24A. Planning, Development and Infrastructure Act 2016

24A.1	Part 5—Planning and Design Code	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
	<i>[Note—</i>	<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
	<i>Do not omit this item. The item and its heading must be included in the attachment even if not applicable.]</i>	<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	

	Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):	
	Is the land situated in a State Heritage place?	[ ]
	Is the land designated as a place of local heritage value?	[ ]
	Is there a tree declared to be a significant tree or a stand of trees declared to be significant trees on the land?	[ ]
	Is there a current amendment to the Planning and Design Code released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	[ ]
<b>24A.2</b>	section 127—Condition (that continues to apply) of a development authorisation  <i>[Note— Do not omit this item. The item and its heading must be included in the attachment even if not applicable.]</i>	<p><b><i>Is this item applicable?</i></b> <input type="checkbox"/></p> <p><b><i>Will this be discharged or satisfied prior to or at settlement?</i></b> [ ]</p> <p><b><i>Are there attachments?</i></b> [ ] <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of authorisation:</p> <p>Name of relevant authority that granted authorisation:</p> <p>Condition(s) of authorisation:</p>
<b>24A.3</b>	section 139—Notice of proposed work and notice may require access	<p><b><i>Is this item applicable?</i></b> <input type="checkbox"/></p> <p><b><i>Will this be discharged or satisfied prior to or at settlement?</i></b> [ ]</p>

		<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	
		Date of notice:	
		Building work proposed (as stated in the notice):	
		Other building work as required pursuant to the Act:	
<b>24A.4</b>	section 140—Notice requesting access	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	
		Date of notice:	
		Name of person requesting access:	
		Reason for which access is sought (as stated in the notice):	
		Activity of work to be carried out:	
<b>24A.5</b>	section 141—Order to remove or perform work	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	
		Date of order:	
		Terms of order:	
		Building work (if any) required to be carried out:	
		Amount payable (if any):	

<b>24A.6</b>	section 142—Notice to complete development	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s)</i> <i>(and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date of notice:	
		Requirements of notice:	
		Building work (if any) required to be carried out:	
		Amount payable (if any):	
<b>24A.7</b>	section 155—Emergency order	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s)</i> <i>(and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date of order:	
		Name of authorised officer who made order:	
		Name of authority that appointed the authorised officer:	
		Nature of order:	
		Amount payable (if any):	
<b>24A.8</b>	section 157—Fire safety notice	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s)</i> <i>(and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date of notice:	
		Name of authority giving notice:	

		Requirements of notice:	
		Building work (if any) required to be carried out:	
		Amount payable (if any):	
<b>24A.9</b>	section 192 or 193—Land management agreement	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s)</i> <i>(and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date of agreement:	
		Names of parties:	
		Terms of agreement:	
<b>24A.10</b>	section 198(1)—Requirement to vest land in a council or the Crown to be held as open space	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s)</i> <i>(and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date requirement given:	
		Name of body giving requirement:	
		Nature of requirement:	
		Contribution payable (if any):	
<b>24A.11</b>	section 198(2)—Agreement to vest land in a council or the Crown to be held as open space	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b> <i>If YES, identify the attachment(s)</i> <i>(and, if applicable, the part(s) containing the particulars):</i>	[ ]
		Date of agreement:	
		Names of parties:	
		Terms of agreement:	

		Contribution payable (if any):	
<b>24A.12</b>	Part 16 Division 1— Proceedings	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	
		Date of commencement of proceedings:	
		Date of determination or order (if any):	
		Terms of determination or order (if any):	
<b>24A.13</b>	section 213—Enforcement notice	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	
		Date notice given:	
		Name of designated authority giving notice:	
		Nature of directions contained in notice:	
		Building work (if any) required to be carried out:	
		Amount payable (if any):	
<b>24A.14</b>	section 214(6), 214(10) or 222—Enforcement order	<b><i>Is this item applicable?</i></b>	<input type="checkbox"/>
		<b><i>Will this be discharged or satisfied prior to or at settlement?</i></b>	[ ]
		<b><i>Are there attachments?</i></b>	[ ]
		<i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i>	
		Date order made:	

Name of court that made order:

Action number:

Names of parties:

Terms of order:

Building work (if any) required  
to be carried out:

### Part 3—Other particulars

The headings and items in this Part are to be taken to be included in the particulars in Division 2 of the Schedule to the Form 1—Vendor's statement under section 7 of the *Land and Business (Sale and Conveyancing) Act 1994* to which this instrument is attached.

#### Particulars relating to aluminium composite panels

Has the vendor been notified that a building on the land has been identified, as part of a South Australian Building Cladding Audit initiated in 2017 and conducted by the former Department of Planning, Transport and Infrastructure in conjunction with the Metropolitan Fire Service, Country Fire Service and councils—

- (a) as having aluminium composite panels installed on the exterior of the building; and
- (b) as constituting a moderate, high or extreme risk as a result of that installation; and
- (c) as requiring remediation to reduce the risk to an acceptable level; and
- (d) as not having had the necessary remedial work performed or a determination made by the appropriate authority of the relevant council (within the meaning of section 157 of the *Planning, Development and Infrastructure Act 2016*) that no further action is required?

[ ]

If YES, give details of the following:

- 1 the actions required to remediate the risk (if known):
- 2 the estimated costs of remediation (if known):

#### Particulars relating to environmental protection

Does the council hold details of any development approvals relating to a change in the use of the land or part of the land (within the meaning of the *Planning, Development and Infrastructure Act 2016*)?

[ ]



**Note—**

If the council answers "YES" to the question, it will provide a description of the nature of each development approved in respect of the land. The purchaser may then obtain further details from the council (on payment of any fee fixed by the council). It is expected that the ability to supply further details will vary considerably between councils.

**3—Attachment for section 8 vendor's statement****Attachment for Form 2—Vendor's statement (section 8)**

(Attachment for vendor's statement under section 8 of the *Land and Business (Sale and Conveyancing) Act 1994*)

Particulars relating to *Planning, Development and Infrastructure Act 2016*

**Contents**

Preliminary

Part 1—Parties and land

Part 2—Particulars of mortgages, charges and prescribed encumbrances affecting the land

Division 1—Items that must be included in attachment

†Division 2—Items to be included in attachment if land affected

†Part 3—Other particulars

**Preliminary****To the purchaser:**

The purpose of this attachment to a Form 2—Vendor's statement (section 8) is to put you on notice of certain particulars relating to the *Planning, Development and Infrastructure Act 2016* and other matters concerning land to be acquired as part of a business that are additional to the particulars concerning the land specified elsewhere in that Form 2—Vendor's statement (section 8) to which this is attached.

If you desire additional information, it is up to you to make further inquiries as appropriate.

**Instructions to the vendor for completing this attachment:**

† means strike out or omit the Part, Division, particulars or item if not applicable.

\* means strike out or omit the option that is not applicable.

If there is insufficient space to provide any particulars required, continue on attachments.

**Part 1—Parties and land**

- (1) Purchaser:  
Address:
- †(2) Purchaser's registered agent:  
Address:
- (3) Vendor:  
Address:
- †(4) Vendor's registered agent:  
Address:
- (5) Date of contract if made before statement is served:
- (6) Description of the land:  
*[Identify the land including any certificate of title reference]*

**Part 2—Particulars of mortgages, charges and prescribed encumbrances affecting the land**

The headings and items in the table of particulars in this Part are to be taken to be included in the table of particulars in Schedule 2 Division 1 of the Form 2—Vendor's statement (section 8) to which this instrument is attached.

All the particulars required by column 3 of the tables below in relation to a prescribed encumbrance referred to in column 1 must be set out in column 3 unless a copy of a document is attached to this attachment and—

- (a) all the required particulars are contained in that document; and
- (b) those parts of the document that contain the required particulars are identified in column 3.

**Table of particulars**

<b>Column 1</b> <b>Prescribed encumbrance</b>	<b>Column 2</b> <b>Is the encumbrance to be discharged or satisfied prior to or at settlement?</b>	<b>Column 3</b> <b>Other particulars required</b>
<b>Part 2—Division 1—Items that must be included in attachment</b>		
<i>[If an item is not applicable strike it out or write "NOT APPLICABLE" or "N/A" in column 1.]</i>		
<b><i>Planning, Development and Infrastructure Act 2016</i></b>		
Part 5—Planning and Design Code	*YES/NO	<p>Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):</p> <p>Is the land situated in a designated State Heritage place? *YES/NO</p> <p>Is the land designated as a place of local heritage value? *YES/NO</p> <p>Is there a tree declared to be a significant tree or a stand of trees declared to be significant trees on the land? *YES/NO</p> <p>Is there a current amendment to the Planning and Design Code released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation? *YES/NO</p>
section 127—Condition (that continues to apply) of a development authorisation	*YES/NO	<p>Date of authorisation:</p> <p>Name of relevant authority that granted authorisation:</p> <p>Condition(s) of authorisation:</p>

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**†Part 2—Division 2—Items to be included in attachment if land affected**

*[If an item is not applicable, strike it out or write "NOT APPLICABLE" or "N/A" in column 1, or else omit the items and headings that are not applicable.]*

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**Planning, Development and Infrastructure Act 2016**


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section 139—Notice of proposed work and notice may require access	*YES/NO	Date of notice: Building work proposed (as stated in the notice): Other building work as required pursuant to the Act:
section 140—Notice requesting access	*YES/NO	Date of notice: Name of person requesting access: Reason for which access is sought (as stated in the notice): Activity or work to be carried out:
section 141—Order to remove or perform work	*YES/NO	Date of order: Terms of order: Building work (if any) required to be carried out: Amount payable (if any):
section 142—Notice to complete development	*YES/NO	Date of notice: Requirements of notice: Building work (if any) required to be carried out: Amount payable (if any):
section 155—Emergency order	*YES/NO	Date of order: Name of authorised officer who made order: Name of authority that appointed the authorised officer: Nature of order: Amount payable (if any):

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section 157—Fire safety notice	*YES/NO	Date of notice: Name of authority giving notice: Requirements of notice: Building work (if any) required to be carried out: Amount payable (if any):
section 192 or 193—Land management agreement	*YES/NO	Date of agreement: Names of parties: Terms of agreement:
section 198(1)—Requirement to vest land in a council or the Crown to be held as open space	*YES/NO	Date requirement given: Name of body giving requirement: Nature of requirement: Contribution payable (if any):
section 198(2)—Agreement to vest land in a council or the Crown to be held as open space	*YES/NO	Date of agreement: Names of parties: Terms of agreement: Contribution payable (if any):
Part 16 Division 1—Proceedings	*YES/NO	Date of commencement of proceedings: Date of determination or order (if any): Terms of determination or order (if any):
section 213—Enforcement notice	*YES/NO	Date notice given: Name of designated authority giving notice: Nature of directions contained in notice: Building work (if any) required to be carried out: Amount payable (if any):

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section 214(6), 214(10) or 222—Enforcement order	*YES/NO	Date order made:
		Name of court that made order:
		Action number:
		Names of parties:
		Terms of order:
		Building work (if any) required to be carried out:

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### †Part 3—Other particulars

The headings and items in this Part are to be taken to be included in the particulars in Schedule 2—Division 2 to the Form 2—Vendor's statement (section 8) to which this instrument is attached.

#### †Particulars relating to aluminium composite panels

Has the vendor been notified that a building on the land has been identified, as part of a South Australian Building Cladding Audit initiated in 2017 and conducted by the former Department of Planning, Transport and Infrastructure in conjunction with the Metropolitan Fire Service, Country Fire Service and councils—

- (a) as having aluminium composite panels installed on the exterior of the building; and
- (b) as constituting a moderate, high or extreme risk as a result of that installation; and
- (c) as requiring remediation to reduce the risk to an acceptable level; and
- (d) as not having had the necessary remedial work performed or a determination made by the appropriate authority of the relevant council (within the meaning of section 157 of the *Planning, Development and Infrastructure Act 2016*) that no further action is required?

\*YES/NO

If YES, give details of the following:

- 1 the actions required to remediate the risk (if known):
- 2 the estimated costs of remediation (if known):

#### †Particulars relating to environmental protection

Does the council hold details of any development approvals relating to a change in the use of the land or part of the land (within the meaning of the *Planning, Development and Infrastructure Act 2016*)?

\*YES/NO

**Note—**

If the council answers "YES" to the question, it will provide a description of the nature of each development approved in respect of the land. The purchaser may then obtain further details from the council (on payment of any fee fixed by the council). It is expected that the ability to supply further details will vary considerably between councils.

**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 18 March 2021

No 32 of 2021

South Australia

# **Planning, Development and Infrastructure (General) (Site Contamination) Variation Regulations 2021**

under the *Planning, Development and Infrastructure Act 2016*

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## **Contents**

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### **Part 2—Variation of *Planning, Development and Infrastructure (General) Regulations 2017***

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Planning, Development and Infrastructure (General) (Site Contamination) Variation Regulations 2021*.

### **2—Commencement**

These regulations come into operation on 19 March 2021 immediately after the *Planning, Development and Infrastructure (General) (Phase 3 of Code) Variation Regulations 2021* come 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 *Planning, Development and Infrastructure (General) Regulations 2017*

### 4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1)—after the definition of *Act* insert:

**class 1, 2 or 3 activity** means an activity specified as a class 1, 2 or 3 activity under the site contamination practice direction;

- (2) Regulation 3(1)—after the definition of *fire authority* insert:

**groundwater prohibition area** means an area where the Environment Protection Authority has prohibited the taking of groundwater under section 103S of the *Environment Protection Act 1993* (as shown on the South Australia Property and Planning Atlas);

- (3) Regulation 3(1)—after the definition of *Metropolitan Adelaide* insert:

**more sensitive use** means a change in the use of land that is determined to constitute a change to a more sensitive use of the land in accordance with the site contamination practice direction;

- (4) Regulation 3(1)—after the definition of *private bushfire shelter* insert:

**remediation** has the same meaning as in the *Environment Protection Act 1993*;

**sensitive use** means a use described in item 1 or 2 of the land use sensitivity hierarchy table in the site contamination practice direction unless, in accordance with that practice direction, the use is not to be regarded as a sensitive use in the particular circumstances;

**site contamination, site contamination audit, site contamination auditor, site contamination audit report, site contamination consultant** have the same respective meanings as in the *Environment Protection Act 1993*;

**site contamination practice direction** means a practice direction issued by the Commission relating to the assessment of development involving site contamination or potential site contamination on land;

- (5) Regulation 3—after subregulation (5) insert:

- (6) For the purposes of these regulations, a statement of site suitability provided to a relevant authority in connection with an application for development authorisation—

- (a) must comply with any requirements specified by the Commission; and
- (b) must be issued by a site contamination consultant or a site contamination auditor (and the relevant authority cannot require that the statement only be prepared by a site contamination auditor unless the Environment Protection Authority directs the relevant authority to do so in relation to a particular application); and
- (c) must be in the form determined by the Commission for the purposes of this subregulation and published in the site contamination practice direction or another instrument published by the Commission on the SA planning portal.

## 5—Insertion of regulations 32A and 32B

After regulation 32 insert:

### 32A—Site contamination—detailed site investigation report

- (1) For the purposes of section 119(3)(d) of the Act, a relevant authority may, in relation to an application to which Schedule 8 clause 2A applies, request the applicant to provide a detailed site investigation report if—
  - (a) the preliminary site investigation report indicates that site contamination is present, or is likely to be present, at the site of the proposed development; and
  - (b) the relevant authority considers that there is insufficient information to determine that the site is suitable for its intended use, having regard to—
    - (i) site contamination; and
    - (ii) if remediation is required, the extent of that remediation; and
  - (c) the application is not required to be referred to the Environment Protection Authority under item 9A or 9AB of the table in Schedule 9 clause 3.
- (2) A detailed site investigation report must be prepared by a site contamination consultant or site contamination auditor (and the relevant authority cannot request that the report be prepared only by a site contamination auditor unless the Environment Protection Authority directs the relevant authority to do so in relation to a particular application).
- (3) A detailed site investigation report must, in relation to the relevant land, relate to an investigation, conducted in accordance with the National Environment Protection (Assessment of Site Contamination) Measure and any relevant guidelines issued from time to time by the Environment Protection Authority, into—
  - (a) the nature and extent of any site contamination present or remaining on or below the surface of the land; and
  - (b) the suitability of the land for the proposed use; and
  - (c) what remediation (if any) is necessary for the proposed use.
- (4) A detailed site investigation report must comply with requirements specified by the Commission in the site contamination practice direction or another instrument published by the Commission on the SA planning portal.
- (5) In this regulation—

***National Environment Protection (Assessment of Site Contamination) Measure*** means the *National Environment Protection (Assessment of Site Contamination) Measure 1999* prepared under the *National Environment Protection Council Act 1994* of the Commonwealth (as in force from time to time).

### **32B—Site contamination—statement of site suitability**

For the purposes of section 119(3)(d) of the Act, a relevant authority may, in relation to an application to which Schedule 8 clause 2A applies, require the applicant to provide a statement of site suitability that confirms that the site is suitable for its intended use before the relevant authority issues a planning consent in relation to the application.

### **6—Variation of regulation 89—General provisions**

Regulation 89(2)—after paragraph (b) insert:

- (c) in the case of an application to which Schedule 8 clause 2A applies where remediation on the site to which the application relates is necessary but the required remediation has not been undertaken—that a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.

### **7—Variation of regulation 103—Certificates of occupancy**

Regulation 103—after subregulation (3) insert:

(3a) If—

- (a) a relevant authority grants planning consent in respect of an application to which Schedule 8 clause 2A applies; and
- (b) remediation on the site to which the application relates (the *relevant site*) is necessary but the required remediation has not been undertaken,

the following provisions apply:

- (c) a certificate of occupancy must not be granted in relation to a building on the relevant site until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use;
  - (d) in the case of a building on the relevant site that does not require a certificate of occupancy—a person must not occupy the building for the purpose authorised under the development approval until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use;
  - (e) if the development authorised under the application does not involve building work—a person must not use the relevant site for the purpose authorised under the development approval until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.
- (3b) A statement of site suitability under subregulation (3a) should, so far as is reasonably practicable, be issued by the site contamination consultant or site contamination auditor who prepared the most recent of the following in relation to the application:
- (a) the preliminary site investigation report under Schedule 8 clause 2A;
  - (b) the detailed site investigation report under regulation 32A;

- (c) the statement of site suitability under regulation 32B.
- (3c) A person who fails to comply with subregulation (3a)(d) or (e) is guilty of an offence.  
Maximum penalty: \$10 000.  
Default penalty: \$100.

## **8—Variation of Schedule 8—Plans**

- (1) Schedule 8, clause 2(1)(d)—delete paragraph (d)
- (2) Schedule 8, clause 2(2)—delete subclause (2)
- (3) Schedule 8—after clause 2 insert:

### **2A—Site contamination reports required for certain applications**

- (1) This clause applies to an application for planning consent if—
  - (a) unless paragraph (b) applies, the application proposes a change in the use of land to a more sensitive use; or
  - (b) in the case of land division—the application proposes a sensitive use.
- (2) Subject to this clause, an application to which this clause applies must be accompanied by—
  - (a) a site contamination declaration form; and
  - (b) a preliminary site investigation report; and
  - (c) a copy of the certificate of title in relation to the land; and
  - (d) any site contamination audit report that has been prepared in relation to the land.
- (3) A preliminary site investigation report is not required to accompany an application to which this clause applies if—
  - (a) a site contamination audit report has been prepared in relation to the land within the previous 5 years which states that—
    - (i) site contamination does not exist (or no longer exists) at the land; or
    - (ii) the land is suitable for the proposed use or uses (without the need for any further remediation); or
    - (iii) where remediation is, or remains, necessary for the proposed use (or range of uses), remediation work has been undertaken or will be undertaken, and the applicant has provided a written undertaking that the remediation works will be undertaken in association with the development; and
  - (b) no other class 1 activity or class 2 activity has taken place at the land since the preparation of the site contamination audit report (as declared in the site contamination declaration form); and
  - (c) the application is accompanied by a copy of the site contamination audit report.

- (4) A site contamination declaration form and preliminary site investigation report—
  - (a) must comply with any requirements specified by the Commission; and
  - (b) must be prepared by a site contamination consultant or a site contamination auditor (and the relevant authority cannot require that the form or report only be prepared by a site contamination auditor); and
  - (c) in the case of a site contamination declaration form—must be in the form determined by the Commission for the purposes of this clause.
- (5) Any requirements specified by the Commission under subclause (4)(a) and the form determined under subclause (4)(c) must be published in the site contamination practice direction or another instrument published by the Commission on the SA planning portal.

### **9—Variation of Schedule 9—Referrals**

(1) Schedule 9, clause 1—after subclause (3) insert:

- (4) Item 9AB of the table in clause 3 does not apply in relation to a development involving the division of land if—
  - (a) a site contamination audit report has been prepared in relation to the land within the previous 5 years which states that—
    - (i) site contamination does not exist (or no longer exists) at the land; or
    - (ii) the land is suitable for the proposed use or uses (without the need for any further remediation); or
    - (iii) where remediation is, or remains, necessary for the proposed use (or range of uses), remediation work has been undertaken or will be undertaken, and the applicant has provided a written undertaking that the remediation works will be undertaken in association with the development; and
  - (b) no other class 1 activity or class 2 activity has taken place at the land since the preparation of the site contamination audit report (as declared in the site contamination declaration form); and
  - (c) the application is accompanied by a copy of the site contamination audit report.

(2) Schedule 9, clause 3, table, Part A—after item 9A insert:

**9AB—Site contamination—land division**

Subject to clause 1(4) (of this Schedule), development involving the division of land if—

- (a) Schedule 8 clause 2A(1)(b) applies to the application in respect of the development; and
- (b) site contamination exists or may exist at the land because of 1 or more of the following circumstances:
- (i) a class 1 activity has been conducted on the land or on adjacent land;
  - (ii) a class 2 or class 3 activity has been conducted on the land;
  - (iii) the land or adjacent land is the subject of a section 83A notification under the *Environment Protection Act 1993* that appears on the South Australian Property and Planning Atlas;
  - (iv) the land is within a groundwater prohibition area;
  - (v) the land is the subject of a notation on the certificate of title for the land under section 103P of the *Environment Protection Act 1993* that a site contamination audit report has been prepared.

Environment Protection Authority

Direction

30 business days

**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 18 March 2021

No 33 of 2021

South Australia

# **Planning, Development and Infrastructure (General) (Planning and Development Fund) (No 2) Variation Regulations 2021**

under the *Planning, Development and Infrastructure Act 2016*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Planning, Development and Infrastructure (General) Regulations 2017***

- 4 Variation of regulation 119—Application of Fund
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Planning, Development and Infrastructure (General) (Planning and Development Fund) (No 2) Variation Regulations 2021*.

### **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 *Planning, Development and Infrastructure (General) Regulations 2017***

### **4—Variation of regulation 119—Application of Fund**

- (1) Regulation 119—delete "a public work or public purpose that promotes or complements a policy or strategy contained in a state planning policy is authorised as a purpose for which the Planning and Development Fund may be applied." and substitute:

the Planning and Development Fund may be applied for the following purposes:

  - (a) a public work or public purpose that promotes or complements a policy or strategy contained in a state planning policy;
  - (b) the establishment (in connection with the object set out in section 12(2)(b) of the Act) of a system that enables people who use or interact with the planning system to access planning information, and to undertake processes and transactions, by digital means.
- (2) Regulation 119—after its present contents as varied by this regulation (now to be designated as subregulation (1)) insert:
  - (2) Subregulation (1)(b) expires on 1 July 2021.

**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 18 March 2021

No 34 of 2021

# STATE GOVERNMENT INSTRUMENTS

## ASSOCIATIONS INCORPORATION ACT 1985

### SECTION 43A

#### *Deregistration of Associations*

NOTICE is hereby given that the Corporate Affairs Commission approves the applications for deregistration received from the associations named below pursuant to Section 43A of the *Associations Incorporation Act 1985*. Deregistration takes effect on the date of publication of this notice.

Adelaide Parents and Friends Advocacy Group for Arrowsmith Program in South Australia Incorporated  
Australian Chinese for Families Association Incorporated  
Citizens' Committee on Human Rights Incorporated  
Hope Chapel Incorporated  
Kiwanis Club of Gawler SA (Australia) Incorporated  
Port Lincoln Caledonian Society Incorporated  
Riverland Smarthub Incorporated  
Rollergirl Fitness Incorporated  
South of Adelaide Hungarian Club Incorporated  
Southern Greyhound Raceway Incorporated  
Spring Head Lutheran School Incorporated  
Vermont Estate Residents Association Incorporated

Dated: 18 March 2021

LAUREN HILLIKER  
Team Leader Gambling, Associations and Charities  
A Delegate of the Corporate Affairs Commission

## ASSOCIATIONS INCORPORATION ACT 1985

### SECTION 42(2)

#### *Dissolution of Association*

WHEREAS the CORPORATE AFFAIRS COMMISSION (the Commission) pursuant to Section 42(1) of the *Associations Incorporation Act 1985* (the Act) is of the opinion that the undertaking or operations of AUSTRALIAN DENTAL AND ORAL HEALTH THERAPISTS' ASSOCIATION INCORPORATED (the Association) being an incorporated association under the Act are being carried on, or would more appropriately be carried on by a company limited by guarantee incorporated under the *Corporations Act 2001* (Cth) AND WHEREAS the Commission was on 11 March 2021 requested by the Association to transfer its undertaking to AUSTRALIAN DENTAL AND ORAL HEALTH THERAPISTS' ASSOCIATION LTD (Australian Company Number 646 305 713), the Commission pursuant to Section 42(2) of the Act DOES HEREBY ORDER that on 18 March 2021, the Association will be dissolved, the property of the Association becomes the property of AUSTRALIAN DENTAL AND ORAL HEALTH THERAPISTS' ASSOCIATION LTD and the rights and liabilities of the Association become the rights and liabilities of AUSTRALIAN DENTAL AND ORAL HEALTH THERAPISTS' ASSOCIATION LTD.

Given under the seal of the Commission at Adelaide.

Dated: 18 March 2021

LAUREN HILLIKER  
A Delegate of the Corporate Affairs Commission

## ENVIRONMENT PROTECTION ACT 1993

### SECTION 69

#### *Approval of Additional Collection Depots*

I, ANDREA KAYE WOODS, Delegate of the Environment Protection Authority ('the Authority'), pursuant to Section 69 of the *Environment Protection Act 1993* (SA) ('the Act') hereby:

#### 1. *Approval of Additional Collection Depots:*

##### 1.1 *Approval of Collection Depots:*

Approve the collection depots identified by reference to the following matters, to receive all containers belonging to a class of containers which is, at or subsequent to, the date of this Notice, approved as Category B Containers:

- (a) the name of the collection depot described in Column 1 of Schedule 1 of this Notice;
- (b) the name of the proprietor of the depot identified in Column 3 of Schedule 1 of this Notice;
- (c) the location of the depot described in Columns 4-6 of Schedule 1 of this Notice; and

##### 1.2 *Conditions of Approval:*

Impose the following conditions of these approvals:

- (1) If the Approval Holder's name or postal address (or both) changes, then the Approval Holder must inform the Authority in writing, within 28 days of the change occurring.
- (2) If the collection depot is sold to another party, the Approval Holder must inform the Authority in writing, within 28 days of settlement.
- (3) The Approval Holder who wishes to cease operation of the depot shall notify the Authority in writing, no less than 14 days from date of closing.

- (4) The Approval Holder, or a person acting on his or her behalf, must not pay a refund on, or seek reimbursement for, containers that the Approval Holder, or the person acting on his or her behalf, knows were not purchased in South Australia.
- (5) The Approval Holder must ensure that prominent signage is displayed, detailing the offence and the penalties under Section 69 the Act, for presenting interstate containers for refund.

## SCHEDULE

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Depot Name	Company Name	Proprietors	Depot Location Street	Depot Location Suburb	Certificate of Title/Volume	Collection Area
Packer Street Recyclers	Brenton Horner	Brenton Horner	36 Packer Street	Terowie	CT5820-256	Regional

## ENVIRONMENT PROTECTION ACT 1993

## SECTION 68

*Revocation of Approval of Category B Containers*

I, ANDREA KAYE WOODS, Delegate of the Environment Protection Authority ('the Authority'), pursuant to Section 68 of the *Environment Protection Act 1993* (SA) ('the Act') hereby revoke the approvals of the classes of Category B containers sold in South Australia as identified by reference to the following matters, which are described in the first 4 columns of Schedule 1 of this Notice:

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

These approvals are revoked as the Authority is satisfied that the waste management arrangement between the approval holder and the party named in Column 5 of Schedule 1 of this Notice has been cancelled.

## SCHEDULE

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size	Container Type	Approval Holder	Collection Arrangements
K BOOCH Alcoholic Kombucha Co Blood Orange	330ml	Glass	K Booch Alcoholic Kombucha Co Pty Ltd	Marine Stores Ltd
K BOOCH Alcoholic Kombucha Co Ginger & Lime	330ml	Glass	K Booch Alcoholic Kombucha Co Pty Ltd	Marine Stores Ltd
K BOOCH Alcoholic Kombucha Co Pineapple & Watermelon	330ml	Glass	K Booch Alcoholic Kombucha Co Pty Ltd	Marine Stores Ltd
K BOOCH Alcoholic Kombucha Co Rose & Berry	330ml	Glass	K Booch Alcoholic Kombucha Co Pty Ltd	Marine Stores Ltd
Badoit Natural Mineral Water	330ml	Glass	Valcorp Fine Foods	Marine Stores Ltd
Badoit Natural Mineral Water	750ml	Glass	Valcorp Fine Foods	Marine Stores Ltd
Badoit Sparkling Natural Mineral Water	750ml	Glass	Valcorp Fine Foods	Marine Stores Ltd
Evian Natural Mineral Water	330ml	Glass	Valcorp Fine Foods	Marine Stores Ltd
Evian Natural Mineral Water	750ml	Glass	Valcorp Fine Foods	Marine Stores Ltd
Evian Natural Mineral Water	1 250ml	PET	Valcorp Fine Foods	Marine Stores Ltd
Evian Natural Mineral Water	750ml	PET	Valcorp Fine Foods	Marine Stores Ltd
Evian Still Natural Spring Water	1 000ml	PET	Valcorp Fine Foods	Marine Stores Ltd
Evian Still Natural Spring Water	330ml	PET	Valcorp Fine Foods	Marine Stores Ltd
Evian Still Natural Spring Water	1 500ml	PET	Valcorp Fine Foods	Marine Stores Ltd
Evian Still Natural Spring Water	500ml	PET	Valcorp Fine Foods	Marine Stores Ltd
Coco Palm Grape	238ml	Can—Aluminium	Withus Australia Pty Ltd	Marine Stores Ltd
Grape Bon Bon	238ml	Can—Aluminium	Withus Australia Pty Ltd	Marine Stores Ltd
Milkis	500ml	PET	Withus Australia Pty Ltd	Marine Stores Ltd
Milkis	250ml	Can—Aluminium	Withus Australia Pty Ltd	Marine Stores Ltd
Sec Sec Orange	238ml	Can—Aluminium	Withus Australia Pty Ltd	Marine Stores Ltd

## FISHERIES MANAGEMENT ACT 2007

## SECTION 115

*Exemption Number: ME9903134*

TAKE NOTICE that pursuant to Section 115 of the *Fisheries Management Act 2007*, Dr Russell Bradford of CSIRO Oceans and Atmosphere, Castray Esplanade, Hobart, Tasmania 7000 (the 'exemption holder') or a person acting as his agent, is exempt from Section 70 of the *Fisheries Management Act 2007* and Clause 63 of Schedule 6 of the *Fisheries Management (General) Regulations 2017*, but only insofar as the exemption holder or his agents may undertake the activity specified in Schedule 1, at the location specified in Schedule 2, subject to the conditions set out in Schedule 3 from 10 March 2021 until 2 July 2021 inclusive, unless varied or revoked earlier.

## SCHEDULE 1

Collection of Southern Bluefin Tuna (*Thunnus maccoyii*) as part of the CSIRO research project titled "Gene tagging Southern Bluefin Tuna".

## SCHEDULE 2

All marine waters adjacent to South Australia between the lines of longitude 131°47'24"E to 140°01'12"E excluding sanctuary zones and restricted access zones of marine parks (unless otherwise authorised under the *Marine Parks Act 2007*) and aquatic reserves.

## SCHEDULE 3

1. The exemption holder or his agents may take more than 6 Southern Bluefin Tuna exceeding the daily boat limit on any one day of activity pursuant to this notice.
2. No more than a total of 100 Southern Bluefin Tuna specimens may be retained during the term of this notice.
3. All Southern Bluefin Tuna not retained pursuant to condition 2 must be immediately returned to the water upon completion of tagging.
4. The exempted activity may only be undertaken aboard the vessel *FV Yasmin* (Vessel ID 11128). The vessel must be clearly marked with visible signage indicating the vessel is undertaking research activities.
5. For the purposes of this notice, the following persons may act as an agent of the exemption holder:
  - Matthew Lansdell, CSIRO GPO Box 1538, Hobart, Tas 7001
  - Jason Hartog, CSIRO GPO Box 1538, Hobart, Tas 7001
  - Emma Westlake, CSIRO Indian Ocean Marine Research Centre, Level 4, IOMRC Building 453, Crawley, WA 6009
  - Naomi Clear, CSIRO GPO Box 1538, Hobart, Tas 7001
  - Florian Devloo-Delva, CSIRO GPO Box 1538, Hobart, Tas 7001
  - Ashley Williams, CSIRO GPO Box 1538, Hobart, Tas 7001
6. While engaging in the exempted activity, the exemption holder and his agents must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer immediately upon request.
7. The exemption holder must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under that Act, except where specifically exempted by this notice.
8. The exemption holder must not conduct any other fishing activity including recreational fishing whilst undertaking the exempted activity.
9. The exemption holder must provide a report in writing detailing the outcomes of the tagging and collection of samples of Southern Bluefin Tuna, including the location of tagging and sample collection undertaken, pursuant to this notice to the Department of Primary Industries and Regions (PIRSA) Fisheries and Aquaculture, (GPO Box 1625, Adelaide SA 5001) within 14 days of expiry of this exemption.
10. Before undertaking the exempted activity, the exemption holder or a person acting as an agent must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption at the time of making the call and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related questions.

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

Dated: 10 March 2021

PROFESSOR GAVIN BEGG  
Executive Director  
Fisheries and Aquaculture  
Department of Primary Industries and Regions  
Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

*Variation of Fishing Activities in the Spencer Gulf Prawn Fishery*

TAKE NOTE that pursuant to Regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 8 October 2020 on page 4861 of the *South Australian Government Gazette* on 15 October 2020 prohibiting fishing activities in the Spencer Gulf Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a Spencer Gulf Prawn Fishery licence to use prawn trawl nets in the areas specified in Schedule 1, during the period specified in Schedule 2, and under the conditions specified in Schedule 3.

## SCHEDULE 1

The waters of the Spencer Gulf Prawn Fishery:

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

1. 33°46.00S 137°44.00E
2. 33°37.00S 137°33.00E
3. 33°46.30S 137°29.60E
4. 33°47.60S 137°31.70E
5. 33°49.50S 137°30.10E
6. 33°50.70S 137°32.00E
7. 33°54.40S 137°28.90E
8. 33°50.00S 137°21.30E
9. 33°53.90S 137°10.00E
10. 33°59.20S 137°08.00E
11. 34°14.00S 136°58.30E
12. 34°14.00S 136°55.30E
13. 34°19.00S 136°49.50E
14. 34°19.00S 136°45.00E
15. 34°10.00S 136°45.00E
16. 34°05.00S 136°48.00E
17. 33°58.00S 137°01.00E
18. 33°56.00S 136°59.00E
19. 33°57.60S 136°56.00E

- (b) Except the Wardang Closure area, which is defined as the waters contained within the following index points:
1. 34°10.00S 137°28.00E
  2. 34°21.00S 137°12.00E
  3. 34°45.00S 137°15.00E
  4. 34°48.53S 137°09.45E
  5. 34°48.53S 137°06.00E
  6. 34°50.75S 137°06.00E
  7. 34°54.00S 137°01.00E
- (c) Except the Corny closure area, which is defined as the waters within and bounded by the following closure index points:
1. 34°27.00S 136°53.00E
  2. 34°27.00S 137°02.00E
  3. 34°35.00S 136°56.00E
  4. 34°48.60S 136°52.00E
  5. 34°54.00S 136°52.00E
  6. 34°54.00S 136°48.50E
  7. 34°49.50S 136°48.50E
  8. 34°49.50S 136°40.50E
  9. 34°39.50S 136°40.50E
- Then back to point 1
- (d) Except the Jurassic Park closure area, which is defined as the waters contained within the following closure index points:
1. 33°54.90S 137°17.60E
  2. 33°54.40S 137°19.40E
  3. 33°54.70S 137°19.60E
  4. 33°55.20S 137°17.80E
- Then back to point 1
- (e) Except the Illusions closure area, which is defined as the waters contained within the following closure index points:
1. 33°28.8S 137°32.2E
  2. 33°28.3S 137°33.2E
  3. 33°28.85S 137°33.5E
  4. 33°29.4S 137°32.5E
- Then back to point 1
- (f) Except the Estelle Star closure area, which is defined as the waters contained within the following closure index points:
1. 33°58.8S 136°49.8E
  2. 33°58.2S 136°51E
  3. 33°59.1S 136°51.7E
  4. 33°59.8S 136°50.4E
- Then back to point 1

## SCHEDULE 2

Commencing at sunset on 13 March 2021 and ending at sunrise on 25 March 2021.

## SCHEDULE 3

1. The coordinates in Schedule 1 are defined as degrees decimal minutes and are based on the World Geodetic System 1984 (WGS 84).
2. No fishing activity may be undertaken between the prescribed times of sunrise and sunset for Adelaide (as published in the *South Australian Government Gazette* pursuant to the requirements of the *Proof of Sunrise and Sunset Act 1923*) during the period specified in Schedule 2.
3. Fishing must cease:
  - (a) in the fishing area known as the 'Mid/North Gulf' area (as described on page 40 of the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery October 2020) if the average catch per vessel, per night (based on the best information available to the committee at sea) drops below 500kg; and
  - (b) in the fishing area known as the 'Southern Gulf' area (as described on page 40 of the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery October 2020) if the average catch per vessel over two consecutive nights (based on the best information available to the committee at sea) falls below 350kg.
4. Based on the best information available from the fleet, fishing must cease in an area in the Mid/North Gulf if the average prawn bucket count exceeds 240 prawns per 7kg; or in an area in the Southern Gulf if the average prawn bucket count exceeds 260 prawns/7kg.
5. No fishing activity may occur without the authorisation of Coordinator at Sea, Ashley Lukin, or other nominated Coordinator at Sea appointed by the Spencer Gulf and West Coast Prawn Fishermen's Association.
6. The authorisation of the Coordinator at Sea must be in writing, signed and record the day, date, and permitted fishing area within the waters of Schedule 1 in the form of a notice sent to the fishing fleet or vary an earlier authorisation issued by the Coordinator at Sea.
7. The Coordinator at Sea must cause a copy of any authorisation for fishing activity or variation of same, made under this notice to be emailed to the Prawn Fisheries Manager immediately after it is made.
8. The Spencer Gulf and West Coast Prawn Fishermen's Association must keep records of all authorisations issued pursuant to this notice.

Dated: 13 March 2021

ASHLEY LUKIN  
Coordinator at Sea  
Spencer Gulf & West Coast Prawn Fishermen's Association Inc.  
Delegate of the Minister for Primary Industries and Regional Development

## 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
28 Dudley Street, Mansfield Park SA 5012	Allotment 111 Plan 5579 Hundred of Yatala	CT6164/137	\$167.00
4 Urlwin Road, Salisbury SA 5108	Allotment 3 Filed Plan 114007 Hundred of Yatala	CT5656/397	\$100.00
92 H Muellers Road, Mount Pleasant SA 5235	Allotment 3 Filed Plan 42374 Hundred of Talunga	CT5851/910, CT5851/908, CT5851/907	\$168.00
67 Alpha Terrace, Solomontown SA 5540	Allotment 201 Filed Plan 26886 Hundred of Pirie	CT5890/152	\$95.00

Dated: 18 March 2021

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

## HOUSING IMPROVEMENT ACT 2016

*Rent Control Revocations*

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

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
11 Way Street, Kapunda SA 5373	Allotment 220 Filed plan 176292 Hundred of Kapunda	CT5346/793
19 White Street, Kapunda SA 5373	Allotment 260 Filed Plan 176332 Hundred of Kapunda	CT3407/41, CT5824/168
1 Yelta Street, Clinton SA 5570	Allotment 158 Town Plan 210301 Hundred of Clinton	CT5210/608
47 Parkview Rise, Hackham SA 5163	Allotment 726 Deposited Plan 9081 Hundred of Noarlunga	CT5360/932

Dated: 18 March 2021

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

## LAND ACQUISITION ACT 1969

## SECTION 16

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

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

Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 193 in Filed Plan No. 163161 comprised in Certificate of Title Volume 5341 Folio 162, and being the whole of the land identified as Allotment 11 in Plan numbered D126543 lodged in the Lands Titles Office.

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

**2. Compensation**

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

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

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

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

**3. Inquiries**

Inquiries should be directed to:

Philip Cheffirs  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 8343 2575

Dated: 15 March 2021

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

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

DIT 2020/09303/01

## LAND ACQUISITION ACT 1969

## SECTION 16

*Form 5—Notice of Acquisition***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:

Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 5 in Filed Plan No. 101059 comprised in Certificate of Title Volume 5961 Folio 84, and being the whole of the land identified as Allotment 13 in Plan numbered D126545 lodged in the Lands Titles Office.

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

**2. Compensation**

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

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

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

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

**3. Inquiries**

Inquiries should be directed to:

Chris Southam  
GPO Box 1533,  
Adelaide SA 5001  
Telephone: (08) 8343 2574

Dated: 15 March 2021

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

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

DIT 2020/09304/01

## LANDSCAPE SOUTH AUSTRALIA ACT 2019

## SCHEDULE 5, SUBCLAUSE 100(2)

*Notice of Approval of a Water Affecting Activities Control Policy*

Pursuant to subclause 100(2) of Schedule 5 of the *Landscape South Australia Act 2019* (the Act) I, David Speirs, Minister for Environment and Water, hereby approve the following Water Affecting Activities Control Policies for the South Australian Arid Lands landscape management region and certify that these policies make provisions in relation to water affecting activities in substantially the same terms as provisions in the South Australian Arid Lands and Northern and Yorke Natural Resource Management Plans that apply under subclause 100(1) of Schedule 5 of the Act:

South Australian Arid Lands Water Affecting Activities Control Policy

Dated: 15 March 2021

DAVID SPEIRS MP  
Minister for Environment and Water

## MENTAL HEALTH ACT 2009

*Authorised Medical Practitioner*

NOTICE is hereby given in accordance with Section 93(1) of the *Mental Health Act 2009*, that the Chief Psychiatrist has determined the following person as an Authorised Medical Practitioner:

Irina Majumder  
Callun Deakin

A determination will be automatically revoked upon the person being registered as a specialist psychiatrist with the Australian Health Practitioner Regulation Agency and as a fellow of the Royal Australian and New Zealand College of Psychiatrists.

Dated: 15 March 2021

DR J. BRAYLEY  
Chief Psychiatrist

## MENTAL HEALTH ACT 2009

*Authorised Mental Health Professional*

NOTICE is hereby given in accordance with Section 94(1) of the *Mental Health Act 2009*, that the Chief Psychiatrist has determined the following persons as an Authorised Mental Health Professional:

Jasmin Parnell

A person's determination as an Authorised Mental Health Professional expires three years after the commencement date.

Dated: 15 March 2021

DR J. BRAYLEY  
Chief Psychiatrist

## MINING ACT 1971

*Application for a Mining Lease**Applications for Miscellaneous Purposes Licences*

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

Applicants: Andromeda Industrial Minerals Pty Ltd & Great Southern Kaolin Pty Ltd  
Claim Number: 4510  
Location: CT's 5845/97, 5762/604, 5985/370, 5804/980 in the Chandada area, approximately 50 km east of Streaky Bay  
Area: 318.66 hectares approximately  
Purpose: Industrial Minerals (Kaolin)  
Reference: 2020/000765

Notice is also hereby given in accordance with Section 56H of the *Mining Act 1971*, that applications for two Miscellaneous Purposes Licences over the undermentioned areas have also been received:

Applicants: Andromeda Industrial Minerals Pty Ltd & Great Southern Kaolin Pty Ltd  
Location: CT 5762/604, CL 6212/124 in the Chandada area, approximately 50 km east of Streaky Bay  
Area: 12.69 hectares approximately  
Purpose: Ancillary operations—construction of an access road, water pipeline and transport route  
Reference: 2021/000123

Applicants: Andromeda Industrial Minerals Pty Ltd and Great Southern Kaolin Pty Ltd  
Location: CT 6070/696 and Road Reserve in the Chandada area, approximately 50 km east of Streaky Bay  
Area: 77.72 hectares approximately  
Purpose: Ancillary operations—construction of a water pipeline  
Reference: 2021/000122

To arrange an inspection of the proposal related to all three applications please call the Department for Energy and Mining 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](http://energymining.sa.gov.au/minerals/mining/public_notices_mining)

Written submissions in relation to these applications 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](mailto:dem.miningregrehab@sa.gov.au) by no later than 29 April 2021.

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 applications and, if granted, the terms and conditions on which they should be granted.

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

Dated: 18 March 2021

J. MARTIN  
Mining Registrar  
Delegate for the Minister for Energy and Mining



## MINING ACT 1971

*Application for a Mining Lease*

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

Applicant: G.W Piggott & W.T Piggott  
Claim Number: 4498  
Location: CT 5159/20, Miltalie area, approximately 12 km northwest of Cowell  
Area: 4.7 hectares approximately  
Purpose: Construction Materials (Limestone and Quartz)  
Reference: 2020/000294

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](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](mailto:dem.miningregrehab@sa.gov.au) by no later than 1 April 2021.

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: 18 March 2021

J. MARTIN  
Mining Registrar  
Delegate for the Minister for Energy and Mining

## MINING ACT 1971

*Application for an 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 mineral claim has been received:

Applicant: Ariverun Pty Ltd  
Claim Number: 4479  
Location: Allotment 19 Deposited Plan 3027, CT5715/843 Renmark west area, approximately 5km west-northwest of Renmark  
Area: 44.38 hectares approximately  
Purpose: Extractive Minerals (Sand)  
Reference: 2019/001016

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](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](mailto:dem.miningregrehab@sa.gov.au) by no later than 1 April 2021.

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: 18 March 2021

J. MARTIN  
Mining Registrar  
Delegate for the Minister for Energy and Mining

## MINING ACT 1971

## SECTION 56R

*Terms of Reference for a Change in Operations Application*

An application for a change in operations under Part 8B Division 7 of the *Mining Act 1971* must:

- comply with section 56R of the *Mining Act 1971*, regulation 55 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference
- be accompanied by a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*
- be accompanied by a statement in accordance with regulation 55(1)(c) of the *Mining Regulations 2020*; and
- be accompanied by the relevant application fee.

**FORM OF THE CHANGE IN OPERATIONS APPLICATION**

In accordance with section 56R(1)(a) of the *Mining Act 1971* an application for a change in operations must be made in the form and contain such information as set out in this Terms of Reference, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 56R(1)(a) of the *Mining Act 1971*, it is determined that an application for a change in operations must contain the information as follows:

- Applicant name(s) (company and/or individual)
- Applicant contact details including:
  - postal address
  - email
  - phone number(s)
- Primary tenement the change applies to
- Statement of whether the application relates to a change in the following:
  - Authorised operations; and/or
  - Mineral intended to be recovered; and/or
  - Ability of the tenement holder to achieve a particular outcome of change in criteria to be adopted; and/or Terms and/or conditions of the tenement.
  - An application for a change in operations must, in accordance with section 56(R)(b)(i) of the *Mining Act 1971*, be in the following form, unless otherwise specified by the Director of Mines or other authorised officer:
- An electronic version must be submitted in accordance with regulation 88 of the *Mining Regulations 2020*.
- Each page, plan or other separate sheet must include the tenement number(s), date of the application submission and sequential page numbering.
- The electronic version must be submitted in one single Acrobat PDF file or, if requested by the Director of Mines or an authorised officer, as Microsoft Word-compatible files.

**PROPOSAL**

A proposal for a change in operations must comply with sections 56(R)(b)(i) of the *Mining Act 1971* and regulations 55 and 56 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

**1. PURPOSE AND REASON FOR THE CHANGE**

Provide a statement specifying whether the proposed change is:

- 1.1** a change to the authorised operations to be carried out under the tenement, and/or;
- 1.2** a change in the mineral that is intended to be recovered; and/or
- 1.3** a change that may reduce the ability of the tenement holder to achieve a particular outcome, including an environmental outcome, and/or;
- 1.4** a change to the criteria to be adopted to measure a particular outcome; and/or
- 1.5** a change to the terms or conditions of the tenement.

Describe the reasons why the proposed changes in operations are required.

If the purpose relates to clause 1.2, 1.3, 1.4 or 1.5 above, provide a detailed description of the proposed change.

**2. CHANGE TO AUTHORISED OPERATIONS**

If the purpose requires a change to the authorised operations to be carried out under the tenement (as per clause 1.1 above), then provide the information set out in section 2.1 to 2.2 below.

**2.1 Description of Change to Authorised Operations**

In setting out any change in relation to the environmental impacts of the proposed authorised operations in accordance with regulation 55(1)(b)(i) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 55(4)(e) of the *Mining Regulations 2020* that a proposal must include the following:

**2.1.1 Describe all elements of the proposed change in operations.**

A proposal must include a description of the proposed change in operations and address each of the elements listed in the following Terms of Reference to the extent that they apply to the proposed change in authorised operations:

- For metallic and industrials minerals: Terms of Reference TOR 005 Clause 2—Description of Operations.
- For extractive minerals: Terms of Reference TOR 002 Clause 2—Description of Operations.
- For uranium in situ recovery operations: Terms of Reference TOR 010 Clause 2—Description of Operations.

For retention leases:

- Describe the change to authorised operations.
- Provide a statement demonstrating that the operations and/or steps proposed are sufficient investigations to ensure the tenement holder can be in a position to make an application for a mining lease.
- Provide a schedule for undertaking the above described operations and/or steps up to a maximum term of five years.

If tailings generation and management is proposed, the standards set out in Minerals Policy MPOL007 must be complied with.

### 2.1.2 *Maps, plans and cross-sections*

Provide maps, plans and cross-sections relevant to the change in operations. The maps, plans and cross-sections must include the elements described in the following Terms of Reference, which are applicable to the proposed change in authorised operations:

- For metallic and industrials minerals: Terms of Reference TOR 005 Clause 5—Maps, Plans and Cross-sections.
- For extractive minerals: Terms of Reference TOR 002 Clause 5—Maps and Cross-sections.
- For uranium in situ recovery operations: Terms of Reference TOR 010 Clause 5—Maps and Cross-sections.

For retention leases, provide appropriate maps, plans and cross-sections relevant to supporting the change to authorised operations.

If tailings generation and management is proposed, the standards set out in Minerals Policy MPOL007 must be complied with.

### 2.1.3 *Scope of proposed change to authorised operations*

Provide an analysis of the key differences between the existing authorised operations and the proposed changed authorised operations, and provide an assessment of the significance of the differences and/or changes.

### 2.1.4 *Assessment of alternatives*

Describe the alternative approaches and options that were considered when determining the proposed change to authorised operations.

Describe the consequence of not undertaking the proposed change to authorised operations.

## 2.2 **Assessment of Changes to Environmental Impacts**

In setting out any change in relation to the environmental impacts, measures, environmental outcomes and criteria of the proposed authorised operations in accordance with regulation 55(1)(b) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 55(4)(e) of the *Mining Regulations 2020* that a proposal must include the following:

### 2.2.1 *Changes to environmental impacts of the authorised operations*

Describe potential impact events the proposed change in operations might have on the environment. The impact assessment must consider each phase of the proposed operations (construction, operation, rehabilitation/closure and post completion).

Describe whether the potential environmental impacts identified are additional to or different from those impacts identified in the initial application for a lease or licence.

### 2.2.2 *Control strategies*

Describe the measures proposed to manage, limit or remedy each additional or different impact. Demonstrate that the measures proposed are commensurate with the potential impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation.

### 2.2.3 *Description of uncertainty*

Describe any significant degree of uncertainty pertaining to the impact assessment and effectiveness of control strategies, including (but not limited to) lack of site-specific information, limitations on modelling and quality of data. Describe any assumptions connected with the identified uncertainty.

So far as is relevant, identify the sensitivity to change of any assumption that has been made and assess:

- whether a change in assumption may result in a new environmental impact
- the likelihood of an outcome not being achieved if an assumption is later found to be incorrect.

### 2.2.4 *Assessment of environmental outcomes*

Provide an assessment of whether the existing environmental outcomes, as included in the lease/licence and/or the currently approved PEPR, are appropriate or if new or modified environmental outcomes are required.

Where modified outcomes are required, provide a statement of the proposed modified environmental outcome(s), which describes the likely consequence of the expected impact on the environment by the proposed operations, subsequent to the implementation of the control strategies described in clause 2.2.2.

### 2.2.5 *Changes to criteria*

Provide a description of any changes to the criteria to be adopted to measure the existing or modified environmental outcomes. For any proposed changes to criteria, include details about any change to the five elements of criteria set out in Regulation 55(2).

Where appropriate, use recognised industry standards, codes of practice or legislative provisions from other Acts as part of the criteria.

## 3. **EFFECTIVE AND EFFICIENT MINING (MINING LEASES ONLY)**

In preparing a statement in accordance with regulation 55(1)(c)(i) of the *Mining Regulations 2020* that demonstrates that the change will not adversely affect the ability of the tenement holder to ensure that land comprised in the tenement can be effectively and efficiently mined, the Minister determines in accordance with regulation 55(4)(e) of the *Mining Regulations 2020* that the statement must be supported by the following evidence:

### 3.1 **Reserves or resources (or both)**

If the change involves the extraction of minerals that are not currently authorised, for those minerals provide:

- a JORC-compliant reserve or resource estimate (or both)
- the accompanying JORC Public Report and competent person statement.

If a JORC-compliant reserve or resource (or both) has not been reported provide:

- a detailed estimate of the resource to be mined, the basis of this estimate, and evidence that demonstrates that the resource can be economically mined at current market prices.

### 3.2 Reasonable prospect of access to land

So far as is relevant to the proposed changes to authorised operations, provide the following evidence:

- A statement that demonstrates that any waivers of exemption under Section 9AA of the *Mining Act 1971* required for the proposed changes have been obtained, or there is a reasonable prospect that they can be; and
- A statement that demonstrates how the proposed changes relate to any native title mining agreements obtained under the *Mining Act 1971* or Indigenous Land Use Agreements (ILUA) under the *Native Title Act 1993* (Cth).

### 4. ASSESSMENT OF LEASE AND/OR LICENCE TERMS/CONDITIONS AND THE ACT

In preparing a statement in accordance with regulation 55(1)(c)(iii) of the *Mining Regulations 2020* that demonstrates that the change will not adversely affect the ability of the tenement holder to comply with the other requirements of the Act, the Minister determines in accordance with regulation 55(4)(e) of the *Mining Regulations 2020* that the statement must be supported by the following evidence:

- With the exception of any proposed changes to lease and/or licence terms and conditions (as per clause 1.3), provide an assessment that demonstrates the proposed change in operations would be compliant with the terms and conditions of the lease/licence.

Dated: 15 March 2021

E. LOCK  
A/Manager Mining Assessments  
Mineral Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

## MINING ACT 1971

### PART 10A

#### *Terms of Reference for Metallic and Industrial Mineral PEPRS*

A Program for Environment Protection and Rehabilitation (PEPR) under Part 10A of the *Mining Act 1971* for the recovery of metallic or industrial minerals must:

- comply with sections 70B and 70C of the *Mining Act 1971*, regulations 63, 64 and 66 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- be accompanied by a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- be accompanied by the relevant application fee.

#### FORM OF THE PEPR

A PEPR for a ML and/or MPL for minerals or industrial minerals must in accordance with section 70B(4a) of the *Mining Act 1971* be submitted to the Minister for approval in the following form, unless otherwise specified by the Director of Mines or an authorised officer:

- an electronic version of the PEPR must be submitted online through the relevant government website, or if approved by the Director of Mines or an authorised officer, submitted via email, post or courier and should be marked 'Attention: Mining Assessments';
- each page, plan or other separate sheet must include the tenement number(s), date of the PEPR preparation and sequential page numbering; and
- the electronic version must be submitted in one single Acrobat PDF file or if requested by the Director of Mines or an authorised officer, Microsoft Word compatible files must be submitted;

A reviewed PEPR submitted to the Minister for approval under section 70C of the *Mining Act 1971*, must in accordance with regulation 63(1)(e) include a description or summary of all content changes made to the submitted PEPR.

#### PEPR

A PEPR for a ML and/or MPL must comply with sections 70B and 70C of the *Mining Act 1971* and regulations 63, 64 and 66 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

#### 1. DESCRIPTION OF THE ENVIRONMENT

In setting out a statement of criteria in accordance with section 70B(2)(b) of the *Mining Act 1971* and setting out strategies and criteria in accordance with regulation 63(b) and (c) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a PEPR must include any new baseline environmental data relevant to the control strategies or criteria set out in clause 4, since the previous description of the environment or criteria was provided (in a proposal, approved PEPR or change to operations proposal).

Where changes to the environment are identified, a PEPR must provide an updated description of the environment to describe the changes.

#### 2. DESCRIPTION OF THE MINING OPERATIONS

In specifying the authorised operations that are proposed in accordance with section 70B(2)(a) of the *Mining Act 1971*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a PEPR must include a description of the proposed operations as set out in this Terms of Reference. Each of the elements listed in clauses 2.1–2.10 must be described only to the extent that they apply to the mining operation.

##### 2.1. General Description and Maps/Plans of Operations

Provide a summary description of all elements of the operation, including mining, processing and waste management (include maps/plans and sections as per clause 7).

##### 2.2. Reserves, Products and Market

###### 2.2.1 Ore Reserves or Mineral Resources (or both)

Provide:

- a statement of the current Australasian Joint Ore Reserves Committee (JORC) compliant ore reserve or mineral resource estimates (or both) in the tenement area; and
- a statement of what reserve and/or resource forms the basis for the mining operation; or (if a JORC compliant reserve or resource (or both) has not been reported)
- an estimate of the resource to be mined and the basis of this estimate.

Provide steps that have been taken to ensure mining operations will not sterilise/prevent future extraction of mineral resources.

### 2.2.2 *Production Rate and Products*

Provide:

- a statement of the relevant commodities that are to be extracted, processed and sold, and the expected market or end use;
- a statement of any other commodities present in the tenement area that are not to be recovered for sale, and the reasons for this decision;
- a quantitative estimate of production of mine gate product(s) for the life of mine, and a schedule of the annual production of mine gate product(s); and
- a statement if any extractive minerals (as defined by Section 6 of the *Mining Act 1971*) will leave the lease.

## 2.3 **Exploration Activities**

Provide information that details all exploration activities to be undertaken within the tenement area as a part of the mining operation, including:

- purpose of the activities (i.e. resource drill-out or resource extension);
- types of drilling;
- geophysical techniques likely to be used;
- earthworks required to conduct exploration activities;
- equipment required to conduct exploration activities; and
- rehabilitation methods for exploration works (including that not yet rehabilitated from previous tenure).

Any clearance of native vegetation due to exploration activities that had not been rehabilitated at the grant of the mining lease or licence must be included within the significant environmental benefit calculations detailed within the native vegetation management plan.

## 2.4 **Mining Activities**

### 2.4.1 *Type or Types of Mining Operation to be Carried Out*

Provide a clear statement on the type or types of mining operation to be carried out, such as:

- the mining method(s) to be adopted.

### 2.4.2 *Open Pit*

Describe, for the life of mine from inception to cessation, all open pit workings, including (but not limited to):

- overall pit wall angles, bench height, berm width;
- dimensions and depth of pit;
- access ramps; and
- maps, plans and cross-sections (as per 7.1.1, 7.1.2, 7.1.7, 7.2.1 and 7.2.2).

### 2.4.3 *Underground Workings*

Describe underground workings, including (but not limited to):

- stoping methods;
- potential surface disturbance resulting from underground mining;
- declines, shafts, tunnels, bore holes, ventilation intakes and exhausts; and
- maps, plans and cross-sections (as per 7.1.1, 7.1.2, and 7.2.1). Where underground fill is used, describe:
  - type of fill to be used;
  - the volume percentage of underground void to be filled;
  - sequence of filling;
  - source and proportion of fill; and
  - maps, plans and cross-sections showing the fill (as per 7.1.7 and 7.2.2).

### 2.4.4 *Material Movements*

Provide:

- expected life of mine (including scope for extension);
- annual mine production rates and mine production schedule of ore and waste rock over the life of mine; and
- life of mine and annual strip ratios.

### 2.4.5 *Stockpiles*

Describe for all ore, product, subsoil and topsoil stockpiles the:

- location, size, shape and height of ore, product, subsoil and topsoil stockpiles;
- method of placement;
- method of stabilisation and erosion control of all stockpiles; and
- water movement through stockpiles.

The location, maximum height and extent of all stockpiles must be shown on a map (as per 7.1.1).

#### 2.4.6 *Use of Explosives*

If explosives are used, describe:

- type of explosives used on the site;
- timing and frequency of blasting;
- size of blasts; and
- storage of explosives (amount, type, detailed location and method of storage).

#### 2.4.7 *Type of Mining Equipment*

Provide a description of the equipment (fixed and mobile) to be used in the mining operation in terms of:

- type, size and capacity of machines;
- approximate number of units;
- noise outputs;
- exhaust outputs; and
- fire ignition sources.

The location of fixed equipment must be shown on a map (as per 7.1.2.1).

#### 2.4.8 *Mine Dewatering*

Provide:

- estimated inflows of groundwater, stormwater and water from any other mining activities into mine workings;
- details of mine dewatering infrastructure, and mine water management and disposal;
- contingency measures for greater than planned water inflows into mine workings; and
- a mine water balance of water inflows and water outflows during operations and at mine completion (if not included in the water balance in clause 2.5.4).

#### 2.4.9 *Sequence of Mining and Rehabilitation Operations*

Provide the following information on the sequence of operations in both text, map and cross section form (as per 7.1.2 and 7.2.1):

- description of the sequence of mining stages;
- sequencing of progressive and final rehabilitation, including demonstration that progressive rehabilitation has been integrated with the mining plan;
- an estimation of the quantities of sulfide minerals that have the potential to generate acid or mobilise metals, or other hazardous minerals to be mined at each mining stage; and
- any mineral resource that may be sterilised from future mining by the planned mining operations.

##### 2.4.9.1 *Rehabilitation Strategies and Timing*

Describe all activities, strategies and designs relating to mine closure for rehabilitation of open pit and/or underground workings, stockpiles, explosives storage, mining equipment and mine dewatering infrastructure. Include timing of these activities and all opportunities for progressive rehabilitation. Include (but not limited to) the maximum area of land disturbed by mining operations at any time, battering of mining faces and other earthworks, mine void backfilling, abandonment bunds, sealing of portals and ventilation shafts, soil management, revegetation and expected water infill rates.

#### 2.4.10 *Modes and Hours of Operation*

State if the operation will be worked on a continuous (24 hour, 7 days a week), regular periodical or campaign basis. If the operation is to be worked on a regular periodical basis, specify:

- period(s) (daily, weekly and public holidays) to be worked; and
- start and finish hours the site is to be worked per period. If the operation is to be worked on a campaign basis, specify:
  - minimum hours the site is to be worked per year;
  - the minimum time of each campaign;
  - the maximum and minimum time between campaigns;
  - define the beginning and end of each campaign;
  - hours of mining operations during campaign;
  - days of mining operations during campaign;
  - determining factors for initiating and ceasing a campaign;
  - maximum and minimum tonnage of each campaign; and
  - maximum and minimum tonnage of production per year.

#### 2.4.11 *Care and Maintenance*

Detail all activities and strategies required for care and maintenance of the mine, should the mine suspend production, but not progress immediately to closure.

## 2.5 Crushing, Grinding, Processing and Product Transport

### 2.5.1 *Crushing and Grinding Plant*

Provide a description of the crushing / grinding plant including:

- area, size, type of construction and location;
- throughput rate;
- a description of ore preparation for processing;
- grind size of the ore;
- noise sources;
- dust sources and composition;
- fire ignition sources; and
- maps and plans (as per 7.1.3).

### 2.5.2 *Processing Plant*

Provide a description of the processing plant including:

- the methods and details of processing and value adding;
- number, location, area, size, type of construction (including lining and drainage systems, as appropriate) of processing plant;
- any ancillary plant and infrastructure to be used for processing the minerals on site; examples of associated structures are concrete batching plants, wheel wash facilities, silos, fuel tanks, water tanks, chemical storage/use, reverse osmosis plants and bore fields;
- if chemicals are to be used in the beneficiation or processing of ore, describe the nature and quantities of the chemicals to be used, their reactions with ore and their ultimate fate;
- noise sources;
- dust sources and composition;
- fire ignition sources;
- other potential air emissions (including odour) and their composition; and
- maps and plans (as per 7.1.1 and 7.1.3).

### 2.5.3 *Heap Leach*

Provide a description of the Heap Leach Pad and process including:

- type, size and location of the Heap Leach Pad;
- construction and operating specifications for the Heap Leach Pad and process, including solution containment measures;
- geochemical and geotechnical assessment of the material placed on the Heap Leach Pad before and after leaching;
- method and rate of ore deposition and removal;
- chemical characteristics of the leach solution, pregnant liquor and raffinate solutions;
- solution application rates, and method of application;
- removal (where proposed) of the Heap Leach Pad at cessation of production and the method/location of disposal of leached material;
- method of stabilisation and erosion control of Heap Leach Pad;
- an assessment of the long term chemical and physical stability of the Heap Leach Pad post mine completion;
- the source, pathway and ultimate fate of any potential mobile contaminants; and
- maps and plans (as per 7.1.1 and 7.1.4).

### 2.5.4 *Process Water Management*

Provide a water balance including:

- approximate water volumes required;
- a summary of the inputs and outputs (with consideration of any purge requirements);
- determination of net surplus or deficit; and
- process flowsheet showing all streams including stormwater management and mine dewatering where these are connected to the processing circuit.

Provide a description of all water ponds, including:

- size, capacity, layout and location of ponds;
- design and construction methods;
- chemical composition of the solution to be stored in each pond;
- minimum freeboard to be maintained; and
- plans (as per 7.1.2.1).

### 2.5.5 *Type of Mobile Equipment*

For mobile equipment to be used in crushing / grinding, processing ore and in transporting the mine product to the point of sale, describe:

- type, size and capacity of machines;
- approximate number of units;
- noise outputs;
- exhaust outputs; and
- fire ignition sources.

### 2.5.6 *Conveyors and Pipelines*

Provide a description of any conveyors or pipelines to be used for transporting material to or from the mine, processing facilities and the point of sale including:

- length, size (volumes to be transported), design and type of construction and location;
- the material being transported;
- leak detection strategies for pipelines;
- noise sources;
- dust sources and composition;
- fire ignition sources; and
- maps, plans and cross-sections (as per 7.1.1).

### 2.5.7 *Hours of Operation*

Describe the hours of operation of crushing / grinding, processing and transport activities.

### 2.5.8 *Care and Maintenance*

Detail all activities and strategies required for care and maintenance of processing facilities, and material transport systems, should the mine suspend production, but not progress immediately to closure.

### 2.5.9 *Rehabilitation Strategies and Timing*

Detail all activities, strategies and designs relating to mine closure for removal, disposal, and rehabilitation of processing facilities, and material transport systems, including timing of these activities.

For rehabilitation strategies and timing related to Heap Leach, provide:

- a Heap Leach detoxification strategy;
- identification of the volumes of process solution and flush water to be disposed of at closure; and
- a methodology for the disposal of residual process solution and flush water at closure.

## 2.6 **Wastes**

### 2.6.1 *Waste Rock and Tailings Storage Facilities*

The standards set out in Minerals Policy MPOL007 must be used for the planning, design and assessment of tailings generation and management relating to all aspects of the tailings lifecycle (i.e. construction, operation, rehabilitation, closure and governance).

For waste rock and tailings storage facilities (TSF) provide:

- the estimated tonnes and volumes of all waste rock and tailings to be stored;
- the reserve and any resource or potential resource that the estimated tonnes and volumes of waste rock and tailings is based on;
- the type, location, size, shape, height and method of construction of permanent and temporary waste storage facilities;
- a geochemical and geotechnical assessment of the waste rock and tailings based on the geochemical and geotechnical properties determined from the analysis of representative sampling of all waste rock types and tailings to be disposed;
- an assessment on the weathering and erosive potential of waste rock to be disposed;
- specifications, drawings and plans for the design, construction, operation and completion of all facilities (as per 7.1.5);
- the method and rate of waste rock/tailings disposal;
- where relevant, a description of the placement and encapsulation of waste material deemed to be hazardous, including potentially acid forming material (PAF);
- the method of stabilisation and erosion control of waste storage facilities, both during operations and post completion;
- surface water runoff control on disturbed and rehabilitated areas;
- a geotechnical stability assessment and a factor of safety analysis;
- an assessment of seepage of liquids through the waste rock and tailings storage facilities;
- strategies for the containment of any seepage that has the potential to impact the environment;
- an assessment of the post completion chemical and physical stability of the structure following rehabilitation, including the expected extent of erosion;
- an assessment of the source, pathway and ultimate fate of any potential mobile contaminants; and
- a description of the governance arrangements for the design, construction, operation and closure including when it is proposed to use third party verification.

Include a water balance for the TSF (if not included in the water balance in clause 2.5.4).



### 2.6.2 *Other Processing Wastes*

Provide:

- the volumes and composition of all solid and liquid wastes produced;
- estimated volumes of waste processing water, reverse osmosis reject water, water content of solid wastes, and method of disposal or recycling;
- waste water composition;
- disposal and management of any hazardous material or contaminants within waste including radioactive, toxic, corrosive or flammable materials; and
- the source, pathway and ultimate fate of any potential mobile contaminants.

### 2.6.3 *Industrial and Commercial Wastes*

List any industrial and commercial wastes generated including, but not limited to:

- putrescible waste, including sewage;
- oils and other hydrocarbons; and
- tyres.

For each waste type, describe the method of disposal including:

- offsite disposal;
- on site waste disposal (including size, location and construction details);
- recycling (either on or offsite);
- the type, area and layout of sewage systems to be installed at the site; and
- describe what, if any approvals are required for the disposal of waste.

For each type of waste, describe any potential contaminants that may be generated from onsite storage, and the ultimate fate of those contaminants.

### 2.6.4 *Care and Maintenance*

Detail all activities and strategies required for care and maintenance of waste rock and tailings and any other waste left on site, should the mine suspend production, but not progress immediately to closure.

### 2.6.5 *Rehabilitation Strategies and Timing*

Detail all activities, strategies and designs relating to mine closure, including timing of these activities and all opportunities for progressive rehabilitation of waste rock and tailings and any other waste to be left on site.

The standards set out in Minerals Policy MPOL007 must be used for the planning, design and assessment of tailings generation and management relating to cover systems, rehabilitation, and closure.

## 2.7 **Supporting Surface Infrastructure**

### 2.7.1 *Access*

Describe:

- access route to the mining operations and show on a map (as per 7.1.6);
- indicate if any new roads are to be constructed, or if existing roads or intersections (public and private) are to be upgraded;
- transport system(s) used to and from the mining operations and the estimated number of vehicle movements per day; and
- airport/airstrips to be constructed.

### 2.7.2 *Accommodation and Offices*

Describe onsite personnel accommodation and offices, including (but not limited to):

- number, area, size, type of construction and location of accommodation, office, meals or laboratory buildings, caravans or camp, and associated structures to be used on site; and
- state if temporary or permanent.

### 2.7.3 *Public and Private Services and Utilities Used by the Operation*

Describe:

- sources of services that are supplied to the operations, including (but not limited to) power, water, telecommunications;
- routes for connection if any new connections to public infrastructure are required; and
- any existing surface infrastructure that has been and/or the extent it may be affected by the mining operations.

### 2.7.4 *Visual Screening*

Describe the type of screening, including existing or planned vegetation (i.e. species and density of plantings) and show on a map (as per 7.1.1).

### 2.7.5 *Fuel and Chemical Storage*

For all fuels and chemicals stored on site show the proposed location of storage on a map (as per 7.1.1) and provide detail on:

- types of bulk chemicals and the volumes of each; and
- details on storage, bunding and containment for all chemical and fuel storage vessels.

### 2.7.6 *Site Security*

Describe and show on a map (as per 7.1.2.1) infrastructure and measures that will be adopted to prevent unauthorised access by the public, including fencing, signage etc.

### 2.7.7 *Stormwater, Silt Control and Drainage*

Describe:

- location and design of silt management structures;
  - runoff control on disturbed and rehabilitated areas;
  - storage, diversion and release of clean water (discharge water must comply with the applicable Environment Protection Authority South Australia water quality policy); and
  - a whole of site stormwater balance, if not included in the water balance in clause 2.5.4.
- Provide a plan showing the surface water movement for the whole mine site (as per 7.1.1).

### 2.7.8 *Care and Maintenance*

Detail all activities and strategies required for care and maintenance of supporting surface infrastructure, should the mine suspend production, but not progress immediately to closure.

### 2.7.9 *Rehabilitation Strategies and Timing*

Detail all activities, strategies and designs relating to mine closure for rehabilitation of supporting surface infrastructure. Provide details for timing of closure activities, including all opportunities for progressive rehabilitation.

## 2.8 **Vegetation Clearance**

If clearance of native vegetation is to occur, a Native Vegetation Management Plan (NVMP) prepared by an accredited consultant must be included with the PEPR.

The NVMP must:

- describe the vegetation type to be cleared and include a map (as per 7.1.2) showing the proposed clearance area; and
- state the quantum of significant environmental benefit (SEB) to be gained in exchange for the clearance and describe how the SEB will be provided.

## 2.9 **Mine Completion**

### 2.9.1 *Description of Mine Site at Completion*

Provide a description, plans and cross sections of the mine site (as per 7.1.7 and 7.2.2) as it will be at completion after all rehabilitation and closure activities have been completed, including:

- final post completion land use;
- landforms;
- vegetation covers (including native vegetation that will not be disturbed due to mining operations);
- natural contours of land not to be disturbed by mining operations;
- any mining infrastructure that will remain on site and will become the responsibility of the landowner;
- location, description and management of waste disposal areas;
- location of reshaped and rehabilitated areas showing surface contours and revegetation;
- mine voids (open pit and/or underground);
- location of stored and/or exposed PAF material and/or other hazardous materials;
- expected final water level and time to reach this level, and water quality of mine voids;
- location of surface water infrastructure including ponds and diversions; and
- representative plans and cross-sections that show:
  - pre-mining natural surface
  - emplacement areas, waste disposal areas and disturbed areas final rehabilitated surface
  - where relevant, backfilled and remaining underground workings predicted final groundwater levels
  - interpreted geology including all rock types.

Provide a description of the mechanism for transferring responsibility for any potential residual liability (i.e. ongoing maintenance or monitoring) subsequent to surrender of the tenement.

### 2.9.2 *Rehabilitation Liability Estimate*

Provide the maximum third party cost of rehabilitation at any time over the life of mine covered by the PEPR. The estimate must be based on reasonable third party costs of undertaking the rehabilitation strategies as outlined in clause 2 and include costs for project management, inflation, normal project variation, and contingency provision for risk associated with the strategies and uncertainty in the cost estimates.

## 2.10 Resource Inputs

### 2.10.1 Workforce

For the workforce for all operations (mining, processing, waste management and supporting surface infrastructure), describe:

- how operations on the site will be managed;
- number and workforce breakdown by job type;
- number of full-time employee positions that would be directly created by the proposal (not to include existing positions);
- the proportion of the workforce that would reside in the local community and the estimated impact on local employment;
- any programs to target and assist Indigenous or local employment at the mine;
- training to be provided to employees and potential employees;
- approximate timelines for creation of the positions; and
- potential for local business participation, and procurement of local goods and services.

### 2.10.2 Energy Sources

For the energy sources and usage provide:

- estimates of total annual energy usage (from all sources, including personnel transport and ore transport to point of sale);
- expected sources of energy;
- potential for efficiency gains;
- amount and percentage of zero emission energy to be utilised;
- equivalent annual CO<sub>2</sub> generated; and
- any carbon offsets proposed.

### 2.10.3 Water Sources

Provide details on the source(s) of water to be used, expected usage and any discharge, including:

- expected annual water usage by source;
- indicate if any water usage by source will be more than 5% of the total annual water withdrawal for that source;
- percentage of water that will be recycled; and
- water discharge by quality and destination.

## 3. CONSULTATION

In setting out the result of the consultation undertaken in connection with the proposed operations in accordance with regulation 64 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(1)(e) of the *Mining Regulations 2020* that a PEPR must include:

A description of:

- the process undertaken for identifying stakeholders with an interest in, or stakeholders likely to be directly affected by the mining operation;
- the process undertaken for the delivery of information to, gathering of feedback from, and responding to those identified stakeholders;
- if any individual or group of similar affected persons were not able to be consulted, the steps taken to consult with them.

The results of the consultation undertaken with those identified stakeholders, including:

- the persons consulted;
- any concerns / issues raised; and
- the response and steps (if any) taken or proposed to address those concerns.

## 4. ENVIRONMENTAL OUTCOMES, STRATEGIES, CRITERIA AND MONITORING

### 4.1. Environmental Outcomes

A PEPR must set out environmental outcomes (including completion outcomes) in accordance with section 70B(2)(b)(i) of the *Mining Act 1971*, or as required by the lease/licence or change to operations proposal

For each environmental outcome, the information described in clauses 4.2, 4.3 and 4.4 must be provided.

### 4.2. Control and Management Strategies

In setting out the control and management strategies adopted to demonstrate that the environmental outcomes can be and will continue to be achieved in accordance with regulation 63(1)(b) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that a PEPR must:

- demonstrate that the control and management strategies are commensurate with the impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation;
- describe any significant degree of uncertainty in accordance with regulation 63(3)(c) pertaining to the likely effectiveness of control and management strategies, including (but not limited to) lack of site specific information, limitations on modelling and quality of data. Describe any assumptions connected with the identified uncertainty;
- so far as is relevant, identify the sensitivity to change of any assumption that has been made in accordance with regulation 63(3)(d) and assess the likelihood of an outcome not being achieved if an assumption is later found to be incorrect;
- provide a description and list of current and future works (for example (but not limited to) trials, test work, studies, modelling, validations) that are to be undertaken to address the identified uncertainty or assumption;
- provide a schedule of the timing that the future works will be undertaken and completed; and
- based on the schedule of future works, state the timing for review of the PEPR in accordance with Section 70C(1) of the *Mining Act 1971*.

#### 4.3 Measurement Criteria

In preparing a statement of the criteria to be adopted to measure each of the environmental outcomes in accordance with section 70B(2)(c) of the *Mining Act 1971* and regulation 63(1)(c) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* the following:

Set out a statement of criteria for each environmental outcome (including completion outcomes).

The criteria must comply with the five elements of regulation 63(1)(c) and must include details about:

- responsibility (who will measure);
- record keeping; and
- frequency of reporting to management and any external parties.

The statement of criteria must be developed separately for construction, operation and mine completion, as appropriate.

Where appropriate, recognised industry standards, codes of practice or legislative provisions from other Acts can be used as criteria.

All point-related measurement criteria, such as water bores, sampling points and photo points (including direction) must be included on a map.

When control or baseline data is used, this must be included in the PEPR.

Where groundwater modelling is to be relied upon to demonstrate achievement of groundwater completion outcomes, the statement of criteria must include a process must be provided for validation of predictive modelling, including a description of the model and assumptions used.

Where native vegetation clearance is planned and in the case where an on ground offset by the operator is to be used to demonstrate the Significant Environmental Benefit (SEB), the statement of criteria must demonstrate the successful implementation of the on ground offset through the native vegetation management plan.

#### 4.4 Leading Indicator Criteria

If required by the lease/licence and/or where there is a high level of reliance on control strategies to achieve an environmental outcome, set out leading indicator criteria as required by regulation 63(1)(d) of the *Mining Regulations 2020* that will be used to give an early warning that a control strategy may fail or be failing.

Set out leading indicator statement of criteria where required (including mine completion outcomes). The leading indicator criteria must comply with the five elements of regulation 63(1)(c) of the *Mining Regulations 2020* and the statement of criteria must include details about:

- responsibility (who will measure);
- record keeping; and
- frequency of reporting to management and any external parties.

### 5. OPERATOR CAPABILITY

In preparing information about the ability of the tenement holder (and any other person who may be acting on behalf of the tenement holder) in accordance with section 70B(2)(d) of the *Mining Act 1971*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that this information must be accompanied by relevant evidence demonstrating that the tenement holder (and any other person who may be acting on behalf of the tenement holder as an operator) has appropriate experience, processes and procedures in place to be able to achieve the environmental outcomes.

### 6. LEASE/LICENCE

Where the lease or licence includes specific conditions or requirements that are not environmental outcomes, in accordance with regulation 63(1)(e) a PEPR must include a section that demonstrates where the respective conditions or requirements have been addressed in the PEPR (if relevant) or demonstrates how otherwise they have or will be complied with.

### 7. MAPS, PLANS AND CROSS SECTIONS

In preparing a PEPR in accordance with section 70B(2) of the *Mining Act 1971* and regulation 63 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 63(3)(e) of the *Mining Regulations 2020* that all maps, plans and cross sections must comply with the following requirements relating to the amount of detail or information to be provided:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, north arrow, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information; and
- be legible in both the hardcopy and electronic versions of the submission.

All cross-sections must conform to the following standards:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information;
- be legible in both the hardcopy and electronic versions of the submission; and
- be accompanied by a map showing the orientation of the cross-sections.

**7.1 Map(s) and Plan(s) required for Description of Operations (as per clause 2)****7.1.1 Site Layout Map showing all components of the operation including (but not limited to):**

- tenement area boundaries;
- location of surface water and sediment management infrastructure;
- location of process water dams;
- location of fuel and chemical storage areas;
- location of haul/access roads;
- location of fixed plant;
- location of mobile plant for stage 1 of mining;
- location of visual screening measures;
- location of fencing;
- location and extent of topsoil/subsoil and product stockpiles.
- location and extent of all areas proposed to be disturbed from mining including waste rock, silt/slimes dams, mine infrastructure, processing plant, process water ponds, waste disposal facilities; and
- location and extent of open pit(s) and/or underground workings.
- location of key environmental features that are within or in close proximity to the Tenement and that are relevant to the design of the Site Layout Plan, including but not limited to housing and infrastructure, existing heritage sites, existing ephemeral and permanent rivers, watercourses, creeks or dams and/or existing native vegetation

**7.1.2 Sequence of Mining and Progressive Rehabilitation Map showing:**

- tenement area boundaries;
- staging of each progressive mining stage;
- native vegetation clearance;
- location and applicable buffer zones for protection of native vegetation that will not be cleared; and
- conceptual staging of each progressive rehabilitation stage.

**7.1.3 Crushing, Grinding and Processing Plant Plan**

- tenement area boundaries
- layout of crushing, grinding and processing plant(s) and ancillary plant and infrastructure; and
- if required; including lining and drainage systems.

**7.1.4 Heap Leach Pad Plan**

- tenement area boundaries
- construction and design drawings of heap leach pad (including size and batters); and
- solution containment measures

**7.1.5 Tailings Storage Facility (TSF) Plan**

- tenement area boundaries
- drawings and plans for design, construction, operation and completion of all facilities;
- size, shape, height and method of construction; and
- location of any waste material deemed to be hazardous including potentially acid forming material.

**7.1.6 Access Route Map showing:**

- tenement area boundaries
- access route for heavy vehicles;
- exit route for heavy vehicles; and
- any road upgrades or new roads to be constructed.

**7.1.7 Completion Map showing:**

- tenement area boundaries
- conceptual final landforms (including rehabilitated and non-disturbed areas);
- topographical contours of the entire site (including rehabilitated and non-disturbed areas);
- backfilled and remaining underground workings;
- location of waste disposal areas (including waste rock dumps, tailings storage facilities and PAF encapsulation); and
- interpreted geology including all rock types.

**7.2 Cross-Sections required for Description of Operations (as per clause 2)****7.2.1 Mining Operation Cross-Section(s) showing:**

- pre-mining natural surface;
- pit depth;
- pit dimensions (length and width);
- pit batters and benches;
- location of underground shafts and stopes; and
- stages of operation.

7.2.2 *Completion Cross Section(s) showing:*

- pre mining natural surface;
- rehabilitated final batters and benches;
- location of underground backfill in shafts and stopes;
- predicted final groundwater elevations; and
- final rehabilitated surface.

Dated: 15 March 2021

E. LOCK  
A/Manager Mining Assessments  
Mineral Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

MINING ACT 1971

SECTION 36

*Terms of Reference for Mineral Mine Lease/Licence Applications*

An application for a mining lease (ML) for the recovery of metallic and industrial minerals must be accompanied by:

- a proposal that complies with section 36 of the *Mining Act 1971*, regulations 46 and 47 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- information that complies with regulation 30 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- the relevant application fee.

An application for a miscellaneous purposes licence (MPL) for the recovery of metallic and industrial minerals must be accompanied by:

- a proposal that complies with section 49 of the *Mining Act 1971*, regulations 46 and 47 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- information that complies with regulations 37 and 38 of the *Mining Regulations 2020* and any determinations set out in this Terms of Reference; and
- a declaration of accuracy that complies with regulation 84 of the *Mining Regulations 2020*; and
- the relevant application fee.

In accordance with section 36 of the *Mining Act 1971* this Terms of Reference will have effect from 1 January 2021.

**FORM OF APPLICATION**

In accordance with section 36(1)(a) of the *Mining Act 1971* an application for a mining lease ML for the recovery of metallic and industrial minerals must be made in the form and contain such information as set out in this Terms of References, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 36(1)(a) of the *Mining Act 1971*, it is determined that an application for a ML must contain the information as follows:

- Applicant name(s) (company and/or individual and/or related body corporate) and each applicant's percentage share in the application
- Name of project
- Mineral type
- Mineral(s) to be authorised
- Primary mineral(s) sought
- Other mineral(s) sought
- Details of the tenement(s) giving authority to apply for the Mining Lease
- Native title land
- Details of relevant land ownership, notices, consents and agreements
- Declaration of accuracy
- Applicant(s) details including:
  - Name of Company and/or Individual ABN (if applicable)
  - ACN (if applicable) Registered address
  - Applicant contact details including:
    - Postal Address
    - Email
    - Website
    - Phone number(s)

- Contact Person details including:
  - Name
  - Position Title
  - Email
  - Phone number(s)
  - Consent to receive electronic correspondence (or otherwise)

In accordance with section 49(1)(a) of the *Mining Act 1971* an application for a miscellaneous purpose licence (MPL) ancillary to the recovery of metallic and industrial minerals must be made in the form and contain such information as set out in this Terms of References, unless otherwise specified by the Director of Mines or an authorised officer.

For the purposes of section 49(1)(a) of the *Mining Act 1971*, it is determined that an application for a MPL must contain the information as follows:

- Applicant name(s) (company and/or individual and/or related body corporate) and each applicants percentage share in the application
- Name of project
- Related applications/mining operations
- Location of proposed licence including a detailed map/plan (if required)
- Purpose of proposed licence
- Pegging details relating to proposed licence area
- Native title land
- Details of relevant land ownership, notices, consents and agreements
- Declaration of accuracy
- Applicant(s) details including:
  - Name of Company and/or Individual ABN (if applicable)
  - ACN (if applicable) Registered address
  - Applicant contact details including:
    - Postal Address
    - Email
    - Website
    - Phone number(s)
  - Contact Person details including:
    - Name
    - Position Title
    - Email
    - Phone number(s)
    - Consent to receive electronic correspondence (or otherwise)
  - Certification of correctness

An application for an ML and/or MPL must in accordance with section 36(1)(a) and 49(1)(a) of the *Mining Act 1971* be in the following form, unless otherwise specified by the Director of Mines or an authorised officer:

- an electronic version of the Proposal must be submitted in accordance with regulation 88 of the *Mining Regulations 2020*; hardcopies must be submitted upon request; the information in all must be identical;
- each page, plan or other separate sheet of the Proposal must include the mineral claim, retention lease or exploration licence number(s), date of the application submission and sequential page numbering; and
- the electronic version of the Proposal must be submitted in one single Acrobat PDF file or if requested by the Director of Mines or an authorised officer, Microsoft Word compatible files must be submitted.

## PROPOSAL

An application for an ML and/or MPL must be accompanied by a proposal that complies with sections 36 and 49 of the *Mining Act 1971* and regulations 46 and 47 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

### 1. DESCRIPTION OF THE EXISTING ENVIRONMENT

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with sections 36(1)(c)(ii)(A) and 49(1)(c)(ii)(A) of the *Mining Act 1971* and regulation 46(2) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include a description and assessment of the environment as set out in this Terms of Reference. Each of the elements of the existing environment (as defined in section 6(4) of the *Mining Act 1971*) listed in clauses 1.1-1.20 must be described only to the extent that they may need to be considered in assessing the potential impacts of the proposed mine operations. If the element is not likely to be impacted by the operation, a statement to that effect must be included.

#### 1.1 Topography and Landscape

Provide a description and map (as per 5.1.1.1) of the topography and landscape, detailing the:

- application area; and
- general surroundings.

## 1.2 Climate

Provide:

- a summary of rainfall and temperature patterns, evaporation rates, and wind directions and speed (including maximum wind gusts); and
- details of the maximum average recurrence interval or annual exceedance probability rainfall event used for the operational and closure design of the project, and the justification for the value(s) selected.

## 1.3 Topsoil and Subsoil

Provide:

- a description of the soil profile (type and depth), and the characteristics and/or productivity of all soils on the application area (show this information on a map as per 5.1.1.2 if there is a variation in soils over the application area); and
- identify any soil characteristics, including (but not limited to) erodibility, acid sulfate, sodic or non-wettable soils, that may require control measures to reduce environmental impacts during operations or rehabilitation.

## 1.4 Geological Environment

Provide a description of the following, as a minimum:

- regional geology;
- local geology within the application area and geological map(s) (as per 5.1.1.2), including but not limited to:
  - location, dimensions and orientation (dip and strike), and extent of the mineral resource and ore reserve;
  - location and composition of all rock types and rock units that are proposed to be disturbed;
  - interpretation of the stratigraphy of the rocks hosting the deposit as well as any overlying and adjacent rock units;
  - and an indication of the potential for extension to the orebody;
- representative cross-sections and long section (as per 5.2.1.1) of the geology of the application area; and
- the exploration data on which the geological interpretation was based on.

## 1.5 Geochemistry and Geohazards

Provide:

- a geochemical assessment of all rock types that are proposed to be disturbed, based on representative sampling and analysis that includes the identification and quantification of, but not limited to, sulfide minerals that have the potential to generate acid or mobilise metals into the environment; and
- a mineralogical assessment of all the rock types that are proposed to be disturbed, based on representative sampling and analysis for the presence and quantification of (but not limited to) radioactive minerals, asbestiform minerals or minerals that have the potential to produce respirable silica.

Describe the potential for any of the following natural geohazards to be present in the application area and show on a map:

- structural instability, including slips, faults, karst features or geological discontinuities; and
- major seismic events (based on historical data).

## 1.6 Groundwater

If all proposed mining operations are to occur at least 3 m above the seasonally high water table, provide:

- a statement that all proposed mining operations are to occur at least 3 m above the seasonally high water table;
- a statement that the proposed mining operations will not /are unlikely to increase the seasonally high water table to within 3m of the mining operations anywhere within the lease application area;
- an assessment of the position of the seasonally high water table beneath the entire lease application area; and
- the drillhole, borehole and hydrogeological data and information the assessment is based on.

If any part of the proposed mining operations is likely to occur within 3 m of the seasonally high water table, or the proposed mining operations will/are likely to increase the seasonally high water table to within 3 m of the mining operations, or the proposed mining operations are likely to intersect aquifer unit(s), provide:

- a statement describing if the application area is within an area where the water resources are prescribed under the *Landscape South Australia Act 2019* and details on the current availability of groundwater resources within the prescribed area;
- a description of the local and regional hydrogeology, detailing both the stratigraphy and hydrostratigraphy;
- a detailed baseline description of the groundwater characteristics and flow dynamics for aquifers within the application area which includes:
  - static water levels and groundwater heads/groundwater elevations, including seasonal fluctuations for each aquifer;
  - baseline groundwater hydrochemistry and mineralogy, including any seasonal fluctuations and spatial variability for each aquifer;
  - aquifer properties including hydraulic conductivity, transmissivity, specific yield, storage coefficient, total porosity, effective porosity and aquifer thickness;
  - recharge and discharge mechanisms,
  - hydrogeological characteristics of confining strata, including hydraulic conductivity and thickness;
  - connectivity between the proposed mining aquifer and lateral, overlying or underlying aquifers and surface water;
  - conceptualisation of the hydrogeology: a summary of all above and a description of the hydrogeological setting considered important for impact assessment; and
  - a preliminary impact assessment/numerical model of groundwater flow (and contaminant transport model, if applicable), based on the conceptual hydrogeology.



- local and regional potentiometric surface/groundwater elevation map(s) (as per 5.1.1.3) for each aquifer within the application area;
- cross-section(s) (as per 5.2.1.2) of the hydrostratigraphy;
- the environmental value of each aquifer determined according to the Environment Protection (Water Quality) Policy 2015, or any subsequent updates;
- a description of the existence, location, condition and value of all aquatic, terrestrial and subterranean Groundwater Dependent Ecosystems (GDEs) within the application area and within and immediately surrounding the extent of predicted hydrogeological impact of the proposed mine operations; and
- an assessment of any current or historical use of local groundwater by the landowner(s) and other users which includes a baseline survey of bores, including depth to groundwater, groundwater quality, bore construction details, status and purpose and collar/ground elevations.

#### 1.7 Surface water

Provide a topographic map (as per 5.1.1.1) and description of the current drainage patterns for the application area and water catchment including:

- location of watercourses, drains, dams and wetlands;
- surface water catchment boundaries;
- direction of drainage and discharge from the application area;
- a statement describing if the application area is within an area where the water resources are prescribed under the *Landscapes South Australia Act 2019*, and provide details on the current availability of water resources within the prescribed area;
- a statement if the application area is within a water protection area including areas under the *River Murray Act 2003*;
- a statement as to whether the application falls within the Murray Darling Basin; and
- groundwater—surface water interactions.

Provide water quality data for identified watercourses, where there is potential for discharge into that watercourse from the proposed operation (whether intentional or not). Should identified watercourses be ephemeral, and it is not possible to collect water samples, provide a characterisation of sediments sampled from the watercourse bed upstream and downstream of the application area.

If there is potential for changing a flow regime (including change in flow volume) or discharge into these watercourses from the proposed operations, an assessment of the use of this water by the landowner, downstream users and water dependent ecosystems must be included.

#### 1.8 Vegetation, Weeds and Plant Pathogens

Provide:

- a description and map (as per 5.1.1.1) of existing flora (native and introduced) in the application area and surroundings;
- the State conservation status and habitat value of native vegetation present in the application area;
- a description of the presence of *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*, listed species and ecological communities;
- a description of the extent the application area and adjoining land is affected or potentially affected by pathogens and declared weeds; and
- if known, a description of the history of land use to identify if the existing vegetation is the result of deliberate cultivation or natural regrowth arising from previous clearance.

#### 1.9 Fauna

Describe the native and feral fauna that may be present in the application area noting State or Commonwealth conservation status of all species.

#### 1.10 Caves

If the application area is within, or near to, known caves or significant limestone formations a survey for the presence of caves must be performed.

Provide a summary of the results of the survey and describe the presence of any caves in karst (limestone) areas within, or near to, the application area and show on a map (as per 5.1.1.5).

#### 1.11 Local Community

Provide:

- a description of the local population, the economy, services and employment; and
- details of nearest town or urban areas, with a summary of the demographics of the local population.

#### 1.12 Landowners and Land Use

Provide a description of:

- land ownership for all titles within and adjacent to the application area;
- land use (historical and current) for the application area and the surrounding areas;
- the zoning as defined by the Planning and Design Code or relevant council development plans;
- policies relevant to the application area, including region or council wide, zone specific and sub areas within a zone;
- known plans for potential future land use changes by other parties; and
- any other interests or restrictions on the application area, including:
  - public utility easements;
  - if the application is within land used for defence purposes, including (but not limited to) the Woomera Prohibited Area or the Cultana Army Training Area;
  - any overlapping or adjacent tenements under the *Mining Act 1971*, or *Petroleum and Geothermal Energy Act 2000*.

**1.13 Proximity to Infrastructure and Housing**

Provide information and a map (as per 5.1.1.4):

- identifying residences within and near the application area;
- identifying other human infrastructure such as (but not limited to) schools, hospitals, commercial or industrial sites, roads, sheds, bores, dams, ruins, pumps, cemeteries, scenic lookouts, roads, railway lines, fences, transmission lines, gas and water pipelines, and telephone lines (both underground and above ground); and
- identifying public roads to be utilised or affected as part of proposed operations, including an estimate of the existing traffic movements.

**1.14 Exempt Land**

Provide a description and map (as per 5.1.1.4) of any applicable exempt land under Section 9 of the *Mining Act 1971*.

**1.15 Amenity**

Provide a description of scenic or aesthetic values for the application area and immediate surrounds, including features of community, tourist or visitor interest.

**1.16 Air Quality**

Provide a description of the existing levels of dust and contributors to air quality including odour (both natural and anthropogenic).

**1.17 Noise**

Provide a description and measurement data of the existing levels of noise and contributors to noise (both natural and anthropogenic).

**1.18 Heritage (Aboriginal, European, Geological)**

Detail and show on a map (as per 5.1.1.1):

- any registered heritage sites in or adjacent to the application areas that are protected under legislation (in so far as may be permitted under the relevant legislation); and
- include a statement concerning whether or not an Aboriginal cultural heritage survey has been conducted by the proponent and if so, the results of the survey.

**1.19 Proximity to Conservation Areas**

Provide:

- information and a map (as per 5.1.1.1) showing proximity to national parks and reserves, private conservation areas, Commonwealth recognised conservation areas, heritage agreement areas and geological heritage sites; and
- a statement as to whether the application area falls within the Adelaide Dolphin Sanctuary, Adelaide International Bird Sanctuary or a Marine Park.

**1.20 Pre-existing Site Contamination and Previous Disturbance**

Provide information and a map (as per 5.1.1.1) showing:

- any known existing contamination of the site and of any disturbance by previous operations or other activities.

**1.21 Tailings generation and management**

If tailings generation and management is proposed, the standards set out in Minerals Policy MPOL007 must be used for baseline environmental data collection and material characterisation relating to tailings.

**2. DESCRIPTION OF THE PROPOSED OPERATIONS**

In specifying the nature and extent of the authorised operations that are proposed in accordance with sections 36(1)(c)(i) and 49(1)(c)(i) of the *Mining Act 1971*, the Minister determines in accordance with regulation 46(6)(e) of the *Mining Regulations 2020* that a proposal must include a description of the proposed operations as set out in this Terms of Reference. Each of the elements listed in clauses 2.1–2.10 must be described only to the extent that they apply to the proposed mine operation.

**2.1 General Description and Maps/Plans of Operations**

Provide a summary description of all elements of the proposed operation, including mining, processing and waste management (include maps/plans and cross sections as per 5.1.2 and 5.2.2).

**2.1.1 Options**

Provide a summary description of relevant options considered for mining, processing and mine waste management strategies, and provide justification for the chosen strategies, including a description of any elimination or substitution strategies that have been adopted to control a hazard in order to protect the environment.

If tailings generation and management is proposed, relevant tailings options (including TSF site locations) must be analysed using an appropriate multi-criteria assessment tool. The results of the multi-criteria assessment must be provided.

**2.2 Reserves, Products and Market****2.2.1 Ore Reserves or Mineral Resources (or both)**

Provide:

- a statement of the current Australasian Joint Ore Reserves Committee (JORC) compliant ore reserve or mineral resource estimates (or both) in the application area; and
- a statement of what reserve and/or resource forms the basis for the application; or (if a JORC compliant reserve or resource (or both) has not been reported)
- an estimate of the resource to be mined and the basis of this estimate.

Provide steps that have been taken to ensure proposed mining operations will not sterilize/prevent future extraction of mineral resources.

**2.2.2 Production Rate and Products**

Provide:

- a statement of the relevant commodities that are proposed to be extracted, recovered, processed and sold, and the expected market or end use;
- a statement of any other commodities present in the application area that are not proposed to be recovered for sale, and the reasons for this decision;
- a quantitative estimate of production of mine gate product(s) for the life of mine, and a schedule of the annual production of mine gate product(s); and
- a statement if any extractive minerals (as defined by Section 6 of the *Mining Act 1971*) will leave the lease.

**2.3 Exploration Activities**

Provide information that details all exploration activities to be undertaken within the application area as a part of the proposed mining operation, including:

- purpose of the activities (i.e. resource drill-out or resource extension);
- types of drilling;
- geophysical techniques likely to be used;
- earthworks required to conduct exploration activities;
- equipment required to conduct exploration activities; and
- rehabilitation methods for exploration works (including that not yet rehabilitated from previous tenure).

**2.4 Mining Activities****2.4.1 Type or Types of Proposed Mining Operation to be Carried Out**

Provide a clear statement on the type or types of mining operation proposed to be carried out, such as:

- the mining method(s) to be adopted.

**2.4.2 Open Pit**

Describe proposed open pit workings, including (but not limited to):

- overall pit wall angles, bench height, berm width;
- dimensions and depth of pit;
- access ramps; and
- maps, plans and cross-sections (as per 5.1.2 and 5.2.2).

**2.4.3 Underground Workings**

Describe proposed underground workings, including (but not limited to):

- proposed stoping methods;
- potential surface disturbance resulting from underground mining;
- declines, shafts, tunnels, bore holes, ventilation intakes and exhausts; and
- maps, plans and cross-sections (as per 5.1.2 and 5.2.2).

Where underground fill is proposed, describe:

- type of fill to be used;
- the volume percentage of underground void to be filled;
- sequence of filling;
- source and proportion of fill; and
- maps, plans and cross-sections showing the proposed fill (as per 5.1.2 and 5.2.2).

**2.4.4 Material Movements**

Provide:

- expected life of mine (including scope for extension);
- annual mine production rates and mine production schedule of ore and waste rock over the life of mine; and
- life of mine and annual strip ratios.

**2.4.5 Stockpiles**

Describe for all ore, product, subsoil and topsoil stockpiles the:

- location, size, shape and height of all stockpiles;
- method of placement;
- method of stabilisation and erosion control of all stockpiles; and
- water movement through stockpiles.

The location, maximum height and extent of all stockpiles must be shown on a map (as per 5.1.2.1).

**2.4.6 Use of Explosives**

If explosives are proposed to be used, describe:

- type of explosives used on the site;
- proposed timing and frequency of blasting;
- size of blasts; and
- storage of explosives (amount, type, detailed location and method of storage).

**2.4.7 Type of Mining Equipment**

Provide a description of the equipment (fixed and mobile) proposed to be used in the mining operation in terms of:

- type, size and capacity of machines;
- approximate number of units;
- noise outputs;
- exhaust outputs; and
- fire ignition sources.

The location of fixed equipment must be shown on a map (as per 5.1.2.1).

**2.4.8 Mine Dewatering**

Provide:

- estimated inflows of groundwater, stormwater and water from any other mining activities into mine workings;
- details of proposed mine dewatering infrastructure, and mine water management and disposal;
- contingency measures for greater than planned water inflows into mine workings; and
- a mine water balance of water inflows and water outflows during operations and at completion (if not included in the water balance in clause 2.5.4).

**2.4.9 Sequence of Mining and Rehabilitation Operations**

Provide the following information on the sequence of operations in both text and map form (as per 5.1.2.2):

- description of the sequence of mining stages;
- proposed sequencing of progressive and final rehabilitation, including demonstration that progressive rehabilitation has been integrated with the mining plan;
- an estimation of the quantities of sulfide minerals that have the potential to generate acid or mobilise metals, or other hazardous minerals to be mined at each mining stage; and
- any mineral resource that may be sterilised from future mining by the proposed mining operations.

**2.4.10 Rehabilitation Strategies and Timing**

Describe all activities, strategies and designs relating to mine closure for rehabilitation of open pit and/or underground workings, stockpiles, explosives storage, mining equipment and mine dewatering infrastructure. Include timing of these activities and all opportunities for progressive rehabilitation. Include (but not limited to) the maximum area of land disturbed by proposed mining operations at any time, battering of mining faces and other earthworks, mine void backfilling, abandonment bunds, sealing of portals and ventilation shafts, soil management, revegetation and expected water infill rates.

**2.4.11 Modes and Hours of Operation**

State if the proposed mining operation will be worked on a continuous (24 hour, 7 days a week), regular periodical or campaign basis.

If the proposed mining operation is to be worked on a regular periodical basis, specify:

- proposed period(s) (daily, weekly and public holidays) to be worked; and
- proposed start and finish hours the site is to be worked per period. If the operation is to be worked on a campaign basis, specify:
  - minimum hours the site is to be worked per year;
  - the minimum time of each campaign;
  - the maximum and minimum time between campaigns;
  - define the beginning and end of each campaign;
  - hours of mining operations during campaign;
  - days of mining operations during campaign;
  - determining factors for initiating and ceasing a campaign;
  - maximum and minimum tonnage of each campaign; and
  - maximum and minimum tonnage of production per year.

**2.5 Crushing, Grinding, Processing and Product Transport****2.5.1 Crushing and Grinding Plant**

Provide a description of the crushing/grinding plant including:

- area, size, type of construction and location;
- throughput rate;
- a description of ore preparation for processing;
- grind size of the ore;
- noise sources;
- dust sources and composition;
- fire ignition sources; and
- plans (as per 5.1.2.3)

**2.5.2 Processing Plant**

Provide a description of the processing plant including:

- the methods and details of processing and value adding proposed;
- number, location, area, size, type of construction (including lining and drainage systems, as appropriate) of processing plant;
- any ancillary plant and infrastructure to be used for processing the minerals on site; examples of associated structures are concrete batching plants, wheel wash facilities, silos, fuel tanks, water tanks, chemical storage/use, reverse osmosis plants and bore fields;
- if chemicals are to be used in the beneficiation or processing of ore, describe the nature and quantities of the chemicals to be used, their reactions with ore and their ultimate fate;
- noise sources;
- dust sources and composition;
- fire ignition sources;
- other potential air emissions (including odour) and their composition; and
- plans (as per 5.1.2.3).

**2.5.3 Heap Leach**

Provide a description of the Heap Leach Pad and process including:

- type, size and location of the Heap Leach Pad;
- construction and operating specifications for the Heap Leach Pad and process, including solution containment measures;
- geochemical and geotechnical assessment of the material placed on the Heap Leach Pad before and after leaching;
- method and rate of ore deposition and removal;
- chemical characteristics of the leach solution, pregnant liquor and raffinate solutions;
- solution application rates, and method of application;
- removal (where proposed) of the Heap Leach Pad at cessation of production and the method/location of disposal of leached material;
- method of stabilisation and erosion control of Heap Leach Pad;
- an assessment of the long term chemical and physical stability of the Heap Leach Pad post completion;
- the source, pathway and ultimate fate of any potential mobile contaminants; and
- plans (as per 5.1.2.4).

**2.5.4 Process Water Management**

Provide a water balance including:

- approximate water volumes required;
- a summary of the inputs and outputs (with consideration of any purge requirements);
- determination of net surplus or deficit; and
- process flowsheet showing all streams including stormwater management and mine dewatering where these are connected to the processing circuit.

Provide a description of all water ponds, including:

- size, capacity, layout and location of ponds;
- design and construction methods;
- chemical composition of the solution to be stored in each pond;
- minimum freeboard to be maintained; and
- plans (as per 5.1.2.1).

**2.5.5 Type of Mobile Equipment**

For mobile equipment to be used in crushing/grinding, processing ore and in transporting the mine product to the point of sale, describe:

- type, size and capacity of machines;
- approximate number of units;
- noise outputs;
- exhaust outputs; and
- fire ignition sources.

**2.5.6 Conveyors and Pipelines**

Provide a description of any conveyors or pipelines to be used for transporting material to or from the mine, processing facilities and the point of sale including:

- length, size (volumes to be transported), design and type of construction and location;
- the material being transported;
- noise sources;
- dust sources and composition;
- fire ignition sources; and
- plans (as per 5.1.2.1).

**2.5.7 Hours of Operation**

Describe the proposed hours of operation of crushing/grinding, processing and transport activities.

**2.5.8 Rehabilitation Strategies and Timing**

Detail all activities, strategies and designs relating to mine closure for removal, disposal and rehabilitation of processing facilities, and material transport systems, including timing of these activities.

**2.6 Wastes****2.6.1 Waste Rock and Tailings Storage Facilities**

The standards set out in Minerals Policy MPOL007 must be used for the planning, design and assessment of tailings generation and management relating to all aspects of the tailings lifecycle (i.e. construction, operation, rehabilitation, closure and governance).

For waste rock and tailings storage facilities (TSF) provide:

- the estimated tonnes and volumes of all waste rock and tailings to be stored;
- the reserve and any resource or potential resource that the estimated tonnes and volumes of waste rock and tailings is based on;
- the type, location, size, shape, height and method of construction of permanent and temporary waste storage facilities;
- a geochemical and geotechnical assessment of the waste rock and tailings based on the geochemical and geotechnical properties determined from the analysis of representative sampling of all waste rock types and tailings to be disposed;
- an assessment on the weathering and erosive potential of waste rock to be disposed;
- conceptual specifications, drawings and plans for the design, construction, operation and completion of all facilities (as per 5.1.2.5);
- the method and rate of waste rock/tailings disposal;
- where relevant, a description and plan (as per 5.1.2.5) of the placement and encapsulation of waste material deemed to be hazardous, including potentially acid forming material (PAF);
- the method of stabilisation and erosion control of waste storage facilities, both during operations and post completion;
- surface water runoff control on disturbed and rehabilitated areas;
- a geotechnical stability assessment and a factor of safety analysis;
- an assessment of seepage of liquids through the waste rock and tailings storage facilities;
- strategies for the containment of any seepage that has the potential to impact the environment;
- an assessment of the post completion chemical and physical stability of the structure following rehabilitation, including the expected extent of erosion;
- an assessment of the source, pathway and ultimate fate of any potential mobile contaminants; and
- a description of the governance arrangements for the design, construction, operation and closure including when it is proposed to use third party verification.

Include a water balance for the TSF (if not included in the water balance in clause 2.5.4).

**2.6.2 Other Processing Wastes**

Provide:

- the volumes and composition of all solid and liquid wastes produced;
- estimated volumes of waste processing water, reverse osmosis reject water, water content of solid wastes, and method of disposal or recycling;
- waste water composition;
- disposal and management of any hazardous material or contaminants within waste including radioactive, toxic, corrosive or flammable materials; and
- the source, pathway and ultimate fate of any potential mobile contaminants.

**2.6.3 Industrial and Commercial Wastes**

List any industrial and commercial wastes generated including, but not limited to:

- putrescible waste, including sewage;
- oils and other hydrocarbons; and
- tyres.

For each waste type, describe the method of disposal including:

- offsite disposal;
- on site waste disposal (including size, location on a plan (as per 5.1.2.1 and 5.1.2.7) and construction details);
- recycling (either on or offsite);
- the type, area and layout of sewage systems to be installed at the site; and
- describe what, if any approvals are required for the disposal of waste.

For each type of waste, describe any potential contaminants that may be generated from onsite storage, and the ultimate fate of those contaminants.

#### 2.6.4 Rehabilitation Strategies and Timing

Detail all activities, strategies and designs relating to mine closure, including timing of these activities and all opportunities for progressive rehabilitation of waste rock and tailings and any other waste to be left on site.

The standards set out in Minerals Policy MPOL007 must be used for the planning, design and assessment of tailings generation and management relating to cover systems, rehabilitation, and closure.

### 2.7 Supporting Surface Infrastructure

#### 2.7.1 Access and Roads

Describe:

- access route to the proposed operations and show on a map (as per 5.1.2.1 and 5.1.2.6);
- indicate if any new roads are to be constructed, or if existing roads or intersections (public and private) are to be upgraded;
- transport system(s) used to and from the proposed operations and the estimated number of vehicle movements per day; and
- airport/airstrips to be constructed.

#### 2.7.2 Accommodation and Offices

Describe onsite personnel accommodation and offices, including (but not limited to):

- number, area, size, type of construction and location of accommodation, office, meals or laboratory buildings, caravans or camp, and associated structures to be used on site; and
- if temporary or permanent.

#### 2.7.3 Public and Private Services and Utilities Used by the Operation

Describe:

- sources of services or utilities that are, or are to be supplied to the proposed site, including but not limited to power, water, telecommunications;
- if new connections to services and utilities are required, the proposed routes for connection; and
- the effects to any existing services or utilities that have been or may be affected by the proposed operations.

#### 2.7.4 Visual Screening

Describe the type of screening, including existing or proposed vegetation (i.e. species and density of plantings) and show on a map (as per 5.1.2.1).

#### 2.7.5 Fuel and Chemical Storage

For all fuels and chemicals proposed to be stored on site show the proposed location of storage on a map (as per 5.1.2.1) and provide detail on:

- types of bulk chemicals and the volumes of each; and
- proposed storage, bunding and containment for all chemical and fuel storage vessels.

#### 2.7.6 Site Security

Describe and show on a map (as per 5.1.2.1) infrastructure and measures that will be adopted to prevent unauthorised access by the public, including but not limited to:

- fencing; and
- signage.

#### 2.7.7 Erosion, Sediment and Silt Control

Describe and show on a plan (as per 5.1.2.1):

- location and design of silt management structures;
- management and disposal of silt;
- strategies to control runoff on disturbed and rehabilitated areas;
- storage, diversion and release of clean water (discharge water must comply with the current Environment Protection (Water Quality) Policy; and
- a whole of site stormwater balance, if not included in the water balance in clause 2.5.4.

#### 2.7.8 Rehabilitation Strategies and Timing

Detail all activities, strategies and designs relating to mine closure for rehabilitation of supporting surface infrastructure. Provide details for timing of closure activities, including all opportunities for progressive rehabilitation.

### 2.8 Vegetation Clearance

#### 2.8.1 Description of Vegetation Clearance

If clearing of native vegetation is proposed, a map (as per 5.1.2.2) and description of the vegetation present in the application area must be provided, showing:

- the extent of any proposed vegetation clearance; and
- the likelihood of the presence of threatened flora.

State the estimated quantum of significant environmental benefit (SEB) to be gained in exchange for the proposed clearance and describe how the SEB will be provided.

## 2.9 Completion

### 2.9.1 Description of Site at Completion

Provide a description, plans and cross sections (as per 5.1.2.7 and 5.2.2.2) of the site as it will be at completion after all rehabilitation and closure activities have been completed, including:

- potential land use options;
- landforms;
- proposed vegetation covers (including native vegetation that will not be disturbed due to proposed operations);
- natural contours of land not to be disturbed by proposed operations;
- any infrastructure that will remain on site and will become the responsibility of the landowner;
- location, description and management of waste disposal areas;
- location of reshaped and rehabilitated areas showing proposed surface contours and revegetation;
- mine voids (open pit and/or underground);
- location of stored and/or exposed PAF material and/or other hazardous materials;
- expected final water level and time to reach this level, and water quality of mine voids;
- location of surface water infrastructure including ponds and diversions; and
- representative plans and cross-sections (as per 5.1.2.7 and 5.2.2.2) that show:
  - pre-mining natural surface;
  - emplacement areas, waste disposal areas and disturbed areas; final rehabilitated surface;
  - where relevant, backfilled and remaining underground workings; predicted final groundwater elevations; and
  - interpreted geology including all rock types.

Provide a description of the proposed mechanism for transferring responsibility for any potential residual liability (i.e. ongoing maintenance or monitoring) subsequent to surrender of the tenement.

## 2.10 Resource Inputs

### 2.10.1 Workforce and local procurement

For the proposed workforce (for all operations including mining, processing, waste management and supporting surface infrastructure) describe:

- how operations on the site will be managed;
- number and workforce breakdown by job type;
- number of full-time employee positions that would be directly created by the proposal (not to include existing positions);
- the proportion of the workforce that would reside in the local community and the estimated impact on local employment;
- any programs to target and assist Indigenous or local employment at the quarry;
- training to be provided to employees and potential employees;
- approximate timelines for creation of the positions; and
- potential for local business participation, and procurement of local goods and services.

### 2.10.2 Energy Sources

For the proposed energy sources and usage provide:

- estimates of total annual energy usage (from all sources, including personnel transport and ore transport to point of sale);
- expected sources of energy;
- potential for efficiency gains;
- amount and percentage of zero emission energy to be utilised;
- equivalent annual CO<sup>2</sup> generated; and
- any carbon offsets proposed.

### 2.10.3 Water Sources

Provide details on the source(s) of water to be used at the mine, expected usage and any discharge, including:

- expected annual water usage by source;
- indicate if any water usage by source will be more than 5% of the total annual water withdrawal for that source;
- percentage of water that will be recycled; and
- water discharge by quality and destination.



### 3. CONSULTATION

In setting out the result of the consultation undertaken in connection with the proposed operations in accordance with sections 36(1)(c)(iv) and 49(1)(c)(iv) of the *Mining Act 1971* and regulation 47 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include:

A description of:

- the process undertaken for identifying stakeholders with an interest in, or stakeholders likely to be directly affected by the proposed operation;
- the process undertaken for the delivery of information to, gathering of feedback from, and responding to those identified stakeholders;
- if any individual or group of similar affected persons were not able to be consulted, what steps were taken to consult with them; and
- the extent to which the outcomes proposed in clause 4.2.2 have been developed in consultation with the landowner and any other person who may be directly affected by the proposed mine operations.

The results of the consultation undertaken with those identified stakeholders, including:

- the persons consulted;
- any concerns/issues raised; and
- the response and steps (if any) taken or proposed to address those concerns.

### 4. MANAGEMENT OF ENVIRONMENTAL IMPACTS

#### 4.1 Assessment of Environmental Impacts

In setting out an assessment of the environmental impacts of the proposed authorised operations in accordance with sections 36(1)(c)(ii)(A) and 49(1)(c)(ii)(A) of the *Mining Act 1971* and regulation 46(2) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must include an assessment of the environment as set out in this Terms of Reference.

##### 4.1.1 Elements of the Environment

Describe the specific elements of the environment (the environment is defined in Section 6(4) of the *Mining Act 1971*) that may reasonably be expected to be impacted by the proposed operation during construction, operation, and indefinitely post completion.

For each element of the environment identified:

- provide a summary of any issues or considerations raised by stakeholders, and any relevant legislated or recognised standards in relation to the element of the environment;
- describe all potential environmental receptors; and
- undertake an impact assessment of how the element could be potentially impacted by proposed operations (during construction, operation and post completion) through the provision of the information listed in the following clause 4.1.2.

##### 4.1.2 Potential Impact Events

Describe potential impact events associated with each phase of the proposed operations (construction, operation and post completion) and relevant to each element of the environment.

For the purpose of the impact assessment, a potential impact event is the combination of a source, a pathway and an environmental receptor.

The source, pathway and environmental receptor of each potential impact event must be described prior to the implementation of engineering or administrative control measures.

For each potential impact event identified in clause 4.1.2, provide:

###### 4.1.2.1 Source

A description of the source of the potential impact event which alone or in combination has the potential to cause harm to an environmental receptor.

###### 4.1.2.2 Pathway

A description of the potential pathway, means or route (with consideration of any natural barriers) by which an identified environmental receptor can be exposed to, or may reasonably be expected to be impacted by an identified source.

###### 4.1.2.3 Environmental Receptor

A description of the environmental receptors that may reasonably be expected to be adversely impacted by the source, taking into account the considerations for the element of the environment described under 4.1.1.

###### 4.1.2.4 Description of Uncertainty

Describe any significant degree of uncertainty pertaining to the evaluation of sources, pathways and environmental receptors, including (but not limited to) lack of site specific information, limitations on modelling and quality of data. Describe any assumptions connected with the identified uncertainty.

So far as is relevant, identify the sensitivity to change of any assumption that has been made, including whether a change in assumption may result in a new environmental impact.

###### 4.1.2.5 Confirmation of Impact Events

For each potential impact event provide:

- an analysis of whether a source, pathway and receptor does exist (and if not, or if it remains uncertain, provide an explanation for the conclusion); and
- a description of the likely impact from the source on the environmental receptor.

#### 4.2 Control and Management Strategies, Uncertainty Assessment, Statement of Environmental Outcomes and Criteria

For each impact event confirmed in clause 4.1.2.5, the information listed in clauses 4.2.1-4.2.4 must be provided:

##### 4.2.1 Control and Management Strategies

In setting out an outline of the measures that the applicant intends to take to manage, limit or remedy environmental impacts as confirmed in clause 4.1.2.5 in accordance with sections 36(1)(c)(ii)(B) and 49(1)(c)(ii)(B) of the *Mining Act 1971* and regulation 46(3) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must:

- Include a description of the strategies proposed to manage, limit or remedy each impact event;
- Demonstrate that the control and management strategies proposed are commensurate with the potential impacts, achieve compliance with other applicable statutory requirements and promote progressive rehabilitation;
- Include a description of any significant degree of uncertainty pertaining to the likely effectiveness of proposed control and management strategies, including (but not limited to) lack of site specific information, limitations on modelling and quality of data;
- Include a description of any assumptions connected with the identified uncertainty; and
- So far as is relevant, identify the sensitivity to change of any assumption that has been made and assess the likelihood of an outcome not being achieved if an assumption is later found to be incorrect.

##### 4.2.2 Statement of Proposed Environmental Outcomes

Statements of the environmental outcomes that are expected to occur are required in accordance with sections 36(1)(c)(ii)(C) and 49(1)(c)(ii)(C) of the *Mining Act 1971* and regulation 46(4) of the *Mining Regulations 2020* and must be made for each impact event confirmed in clause 4.1.2.5. The Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that a proposal must:

- Provide a statement of the proposed environmental outcome(s) (including completion outcomes assessed on a long term basis) for each impact event confirmed in clause 4.1.2.5.
- Ensure that the statement of environmental outcome(s) describe the likely consequence of the expected impact on the environment by the proposed mine operations subsequent to the implementation of the control measures described in clause 4.2.1.
- Provide a statement that demonstrates the environmental outcomes would be able to be achieved taking into consideration the effectiveness of the control strategies (clause 4.2.1) and description of uncertainty (clause 4.2.2).

##### 4.2.3 Draft Measurement Criteria

In preparing a draft statement of the criteria to be adopted to measure each of the proposed environmental outcomes in accordance with sections 36(1)(c)(iii) and 49(1)(c)(iii) of the *Mining Act 1971* and regulation 46(5) of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that the draft criteria must:

- as far as practical comply with the five elements set out in regulation 46(5) of the *Mining Regulations 2020*;
- include demonstration of the successful implementation for the significant environmental benefit, if native vegetation is proposed to be cleared and an on-ground off-set proposed;
- be developed separately for construction, operation and completion, as appropriate; and
- where appropriate, recognised industry standards, codes of practice or legislative provisions from other Acts should be used as criteria.

##### 4.2.4 Draft Leading Indicator Criteria

Where there is a high level of reliance on control measures strategies to achieve an environmental outcome, provide a draft statement of leading indicator criteria that will be used to give an early warning that a control measure strategy may fail or be failing.

#### 5. MAPS, PLANS AND CROSS SECTIONS

In preparing a proposal in accordance with sections 36(1)(c) and 49(1)(c) of the *Mining Act 1971* and regulation 46 of the *Mining Regulations 2020*, the Minister determines in accordance with regulation 46(7)(e) of the *Mining Regulations 2020* that all maps and plans must comply with the following requirements relating to the amount of detail or information to be provided:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, north arrow, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information; and
- be legible in both the hardcopy and electronic versions of the submission.

All cross-sections must conform to the following standards:

- state and show the relevant datum (Australian Height Datum (AHD) is preferred);
- metric units;
- title, scale bar, text and legend;
- date prepared and author;
- be of appropriate resolution and scale for represented information; and
- be legible in both the hardcopy and electronic versions of the submission; and
- be accompanied by a map showing the orientation of the cross-sections.

**5.1 List of Maps****5.1.1 Maps required for Description of the Existing Environment (as per clause 2)****5.1.1.1 Topographic Map showing:**

- application area boundaries;
- existing surface contours;
- existing vegetation;
- location of watercourses, including ephemeral and permanent rivers, creeks, swamps, streams, wetlands and any man-made water management structures;
- surface water catchment boundaries;
- direction of drainage and discharge from the application area;
- location and extent of all previously disturbed areas associated with previous mining;
- location and extent of any known existing contamination; and
- location and extent of any adjacent conservation reserves, heritage sites (in so far as may be permitted by the relevant legislation) or any other significant areas.

**5.1.1.2 Local Geological Map showing:**

- application area boundaries;
- geology within the application area, including but not limited to location, dimensions and orientation (dip and strike), and extent of the mineral resource and ore reserve;
- topsoil/subsoil variation if there is a variation in soils over the application area; and
- natural geohazards in the application area.

**5.1.1.3 Aquifer Potentiometric Surface Map(s) showing:**

- application area boundaries;
- potentiometric surface contours/groundwater elevation contours and the time (or time period) the contours relate to;
- interpreted direction(s) of groundwater flow; and
- location of representative bores (where measurements were obtained of which the contours are based on) used to establish this information.

**5.1.1.4 Land Access Map showing:**

- application area boundaries;
- cadastral information for the Tenement (including land title(s) and ownership);
- any exempt land;
- location of residences within and near the application area; and
- human infrastructure as per 1.13.

**5.1.1.5 Caves Map showing:**

- application area boundaries; and
- location of the cave(s).

**5.1.2 Map(s) and Plan(s) required for Description of Proposed Mine Operations (as per clause 3)****5.1.2.1 Site Layout Map showing all components of the proposed mine operation including (but not limited to):**

- application area boundaries;
- location of surface water and sediment management infrastructure;
- location of process water dams;
- location of fuel and chemical storage areas;
- location of haul/access roads;
- location of fixed plant;
- location of mobile plant for stage 1 of mining;
- location of visual screening measures;
- location of fencing;
- location and extent of topsoil/subsoil and product stockpiles.
- location and extent of all areas proposed to be disturbed from mining including waste rock, silt/sludge dams, mine infrastructure, processing plant, process water ponds, waste disposal facilities; and
- location and extent of open pit(s) and/or underground workings.
- location of key environmental features that are within or in close proximity to the Tenement and that are relevant to the design of the Site Layout Plan, including but not limited to housing and infrastructure, existing heritage sites, existing ephemeral and permanent rivers, watercourses, creeks or dams and/or existing native vegetation

**5.1.2.2 Sequence of Mining and Progressive Rehabilitation Map showing:**

- application area boundaries;
- staging of each progressive mining stage;
- proposed native vegetation clearance;
- location and applicable buffer zones for protection of native vegetation that will not be cleared; and
- conceptual staging of each progressive rehabilitation stage.

**5.1.2.3 Crushing, Grinding and Processing Plant Plan**

- application area boundaries
- layout of crushing, grinding and processing plant(s) and ancillary plant and infrastructure; and
- if required; including lining and drainage systems.

**5.1.2.4 Heap Leach Pad Plan**

- application area boundaries
- construction and design drawings of heap leach pad (including size and batters); and
- solution containment measures

**5.1.2.5 Tailings Storage Facility (TSF) Plan**

- application area boundaries
- drawings and plans for design, construction, operation and completion of all facilities;
- size, shape, height and method of construction; and
- location of any waste material deemed to be hazardous including potentially acid forming material.

**5.1.2.6 Access Route Map showing:**

- application area boundaries
- access route for heavy vehicles;
- exit route for heavy vehicles; and
- any road upgrades or new roads to be constructed.

**5.1.2.7 Completion Map showing:**

- application area boundaries
- conceptual final landforms (including rehabilitated and non-disturbed areas);
- proposed topographical contours of the entire site (including rehabilitated and non-disturbed areas);
- backfilled and remaining underground workings;
- location of waste disposal areas (including waste rock dumps, tailings storage facilities and paf encapsulation); and
- interpreted geology including all rock types

**5.2 Summary of Cross-Sections and Long Sections**

Following is a summary of all cross-sections and long sections required in the proposal:

**5.2.1 Cross-Sections required for Description of the Existing Environment (as per clause 2)****5.2.1.1 Long Section and Geological Cross-Section(s) showing:**

- a representation of the geological profile within the application area; and
- depth of the resource and any overlying overburden.

**5.2.1.2 Hydrogeological Cross-Section(s) showing:**

Include a series of hydrogeological cross-sections that represent the following at a regional scale and/or tenement application scale, as specified:

- application area boundaries;
- major geological units (regional scale);
- geological units showing aquifer and confining units (tenement scale);
- aquifer systems (regional and tenement scale) including any palaeochannels;
- interpreted hydrostratigraphy showing the known and inferred groundwater heads/groundwater elevations, interpreted groundwater flow direction, recharge and discharge mechanisms (if applicable);
- location of GDEs;
- interpreted faults (regional and tenement scale);
- mineralised zone (tenement scale);
- location of representative drill log sites from which geological information was obtained (regional and tenement scale); and
- location of representative monitoring bores from which baseline groundwater information was obtained.

**5.2.2 Cross-Sections required for Description of Operations (as per clause 3)****5.2.2.1 Mining Operation Cross-Section(s) showing:**

- pre-mining natural surface;
- proposed pit depth;
- proposed pit dimensions (length and width);
- proposed pit batters and benches;
- location of underground shafts and stopes; and
- stages of operation.

**5.2.2.2 Completion Cross Section(s) showing:**

- pre mining natural surface;
- proposed conceptual rehabilitated final batters and benches;
- location of underground backfill in shafts and stopes;
- predicted final groundwater elevations; and
- proposed conceptual final rehabilitated surface.

**ADDITIONAL INFORMATION TO ACCOMPANY APPLICATION**

An application for an ML and/or MPL must be accompanied by additional information as set out in regulations 30, 37 and 48 of the *Mining Regulations 2020*, and must comply with the following determinations of this Terms of Reference as set out below:

**6. REASONABLE PROSPECT OF ACCESS TO LAND**

In preparing a statement under regulation 30(1)(e)(i) of the *Mining Regulations 2020* that demonstrates that there is a reasonable prospect that the land in respect of which an ML is sought could be effectively and efficiently mined, the Minister determines in accordance with regulation 30(2) of the *Mining Regulations 2020* that this statement must be supported by the following evidence:

- A description of any waivers of exemption obtained, and/or information on the status of waivers of exemption yet to be negotiated/finalised under Section 9AA of the *Mining Act 1971*; and
- A description of any native title mining agreements obtained under the *Mining Act 1971* or Indigenous Land Use Agreements (ILUA) under the *Native Act 1993* (Cth).

**7. DESCRIPTION OF CONTRIBUTIONS TO THE ECONOMY**

For the purposes of regulation 30(1)(g) of the *Mining Regulations 2020*, the Minister determines that the following information must accompany an application for an ML:

Describe:

- goods and services used in the local community, state and external to state;
- wages and other employee benefits;
- economic benefits derived from local employment;
- approximate royalty payments and other direct state government taxes; and
- any other potential economic contributions proposed during the development of the mine, operation of the proposed mine and post completion.

**8. RESERVES OR RESOURCES (OR BOTH)**

Provide:

- a JORC compliant reserve or resource estimate (or both); and
- the accompanying JORC Public Report and competent person statement;

or (if a JORC compliant reserve or resource (or both) has not been reported)

- a detailed estimate of the resource to be mined, the basis of this estimate, and evidence that demonstrates that the resource can be economically mined at current market prices.

Dated: 15 March 2021

E. LOCK  
A/Manager Mining Assessments  
Mineral Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

## MOTOR VEHICLES ACT 1959

South Australia

## Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2021 No 2

under the *Motor Vehicles Act 1959*

### 1—Short title

This notice may be cited as the *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2021*.

### 2—Commencement

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

### 3—Approved motor bikes and motor trikes

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

## Schedule 1—Approved motor bikes and motor trikes

The following are approved:

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

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

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
FONZARELLI	125	125	2014-2015	Electric
ZERO	DS	Zero DS	Unit 2015	Electric
	S	Zero S	Until 2015	Electric

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

<b>MAKE</b>	<b>MODEL</b>	<b>VARIANT NAME</b>	<b>YEAR(S)</b>	<b>CAPACITY</b>
<b>AJP</b>	PR7	PR7	2017	600
<b>AJS</b>	MODEL 18	MODEL 18	pre 1963	497
	MODEL 20	MODEL 20	1955-61	498
<b>APRILIA</b>	Moto 6.5	Moto 6.5	1998-99	649
	M35	SR MAX 300	2012	278
	PEGASO 650	DUAL SPORTS	1994-01	652
	PEGASO 650	OUTBACK	2000-01	652
	PEGASO 650	Factory 650	2007-08	660
	PEGASO 650 I.E.	OUTBACK	2001-02	652
	PEGASO 650 I.E.	DUAL SPORTS	2001-06	652
	SCARABEO 300	VRG	2009	278
	SCARABEO 400	SCARABEO 400	2007	399
	SCARABEO 500	SCARABEO 500	2007-08	460
	SPORTCITY300	SPORTCITY300	2010-12	300
	STRADA 650	ROAD	2006-08	659
	STRADA 650	TRAIL	2006-08	659
	VS (SXV 550)	SXV 550 (VSS-VSL) 14.5kW	2006-08	553
	VS (SXV 450)	SXV 450 (VSR-VSH) 14kW	2006-08	449
	VP (RXV 450)	VPV-VPT-VPH 18.3kW	2006-10	449
	VP (RXV 550)	VPZ- VPX- VPL 20kW	2006-10	553
<b>ASIAWING</b>	LD450	ODES MCF450	2011-13	449
<b>ATK</b>	605	605	1995	598
<b>BENELLI</b>	VELVET DUSK	VELVET DUSK	2003-05	383
	LEON	Leoncino 500	2018-20	500
	P10	BN 302	2015 on	300
	P18	LEONCINO 500	2017 on	500
	P18	LEONCINO 500 TRAIL	2018 on	500
	P18	BENELLI	2017	500
	P16	TRK502	2017	500
	P16	TRK 502X	2018 on	500
	P25	GT600 RESTRICTED	2014-15	600
	P25	BN 600 RESTRICTED	2013-14	600
	P36	502C	2019	500
<b>BETA</b>	RR E3	RR350	2011	349
	RR E3	RR400	2010-11	398
	RR E3	RR450	2010-11	449
	RR450	RR450	2008	448
	RR450	RR450	2000-07	448
	RR E3	RR520	2010-11	498
	RR300 2T	RR300 2T	2019	293
	RR350 4T	RR350 4T	2019	349
	RR390 4T	RR390 4T	2019	386
	RR430 4T	RR430 4T	2019	431
	RR480 4T	RR480 4T	2019	478
	RR525	RR525	2008	510
	RR525	RR525	2000-07	510
	FUPA RR E3	RR 2T 300	2012-17	293
	FUPA RR E3	RR350 20 & RR350 15	2016-17	349
	FUPA RR E3	RR390 31 & RR390 16	2016-17	386
	FUPA RR E3	RR430 32 & RR430 17	2016-17	431

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	FUPA RR E3	RR480 33 & RR480 18	2016-17	478
	FUPA E5	E5 00	2015	293
	FUPA E5	E8/03	2016/17	293
	BETA	FUPA RR E3	2018	293
	BMA RR	RR350 15	2018	349
	BMA RR	RR390 16	2018	386
	BMA RR	RR430 17	2018	431
	BMA RR	RR480 18	2018	478
	XTRAINER 300 2T	XTRAINER 300 2T	2019	293
<b>BMW</b>	C400X	0C09/C400X	2018-20	350
	C650	C600 SPORT	ALL	647
	C650	C650 GT/Sport	All	647
	F650	FUNDURO	1995-00	652
	F650CS	SCARVER	2002-05	652
	F650CS	SE ROAD	2004-06	652
	F650GS	DAKAR	2000-08	652
	F650GS	F650GS	2000-08	652
	F650ST	F650ST	1998	652
	F650	G650 GS	2009-2016	652
	F650	G650 GS Sertao	2012-2016	652
	G 450 X	G 450 X	2008-10	450
	G650GS	Sertao	All	650
	G310	G310R-0G01	2016-17	313
	G310GS	G310GS-0G02	2016	313
	R45	R45	All	453
	R50	R50	1969	499
	R60	R60	1967	590
	R65	R65	1981-88	650
	R65LS	R65LS	1982-86	650
	R69	R69	1961	600
<b>BOLWELL</b>	LM25W	FIRENZE	2009	263
<b>BRAAAP</b>	ST	450	2016-17	450
<b>BRP</b>	Can am Ryker	Rotax 600 ACE	2018	599
<b>BSA</b>	A50	A50	1964-70	500
	A65	A65	1966-69	650
	A7	A7	1961	500
	B40	B40	1969	350
	B44	B44	1967-71	440
	B50	B50	1971	495
	B50SS GOLDSTAR	B50SS GOLDSTAR	1971	498
	GOLD STAR	GOLD STAR	1962	500
	LIGHTNING	LIGHTNING	1964	654
	SPITFIRE MKIII	SPITFIRE MKIII	1967	650
	THUNDERBOLT	THUNDERBOLT	1968	499
<b>BUELL</b>	Blast	STREET FIGHTER	2002-07	491
<b>BUG</b>	SEE KYMCO			
<b>BULTACO</b>	ALPINA	ALPINA	1974	350
	FRONTERA	FRONTERA	1974	360
	SHERPA	SHERPA	1974	350
<b>CAGIVA</b>	360WR	360WR	1998-02	348
	410TE	410TE	1996	399
	610TEE	610TEE	1998	576
	650 ALAZZURA	650 ALAZZURA	1984-88	650



MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	650 ELFANT	650 ELFANT	1985-88	650
	CANYON 500	DUAL SPORTS	1999-06	498
	CANYON 600	DUAL SPORTS	1996-98	601
	RIVER 600	RIVER 600	1995-98	601
	W16 600	W16 600	1995-97	601
<b>CCM</b>	GP Series	GP450-1(A1 30kW)	2015-16	450
	GP Series	GP450-2(A1 30kW)	2015-16	450
<b>CFMOTO</b>	CF 650	CF650NK-LAM	2012-16	649
	CF 650	CF650TK-LAM	2013-17	649
	CF 650 (400NK)	400NK	2016-17	400
	CF 650	650NK-LAM	2016-17	649
	CF650	650MT	2016-17	649
<b>COSSCK</b>	650	Ural	1974	649
<b>DERBI</b>	MULHACEN	MULHACEN	2008	659
	RAMBLA	RA 300	2010	278
<b>DNEPR</b>	K650	K650	1972	650
	K650	K650 DNEPR	1967-74	650
	MT9	MT9	1974	650
<b>DUCATI</b>	400 MONSTER	400 MONSTER	2002	398
	400 SIE	400 S I E monster		398
	400 SS JUNIOR	400 SS	1989-96	398
	400SS	400SS	1992-95	398
	500SL	PANTAH	1984	499
	500 DESMO	500 Sport Desmo	1978	497
	600 MONSTER	600 MONSTER	1994-01	583
	600 MONSTER	DARK	1998-01	583
	600 S	600 SUPERSPORT	1994-97	583
	600M	600M	1994-01	583
	600SL	PANTAH	1980-84	583
	600SS	600SS	1994-98	583
	620 MONSTER LITE	M620 LITE	2003-07	618
	620 MULTISTRADA LITE	MTS620 24.5Kw	2005-07	618
	659 Monster	Monster 659	All	659
	DM 350	350	pre 85	350
	DM 450	450	pre 85	448
	DM450	DM450	1972	450
	DM500	DM500	1981-84	498
	F3	350 F3	1986-1989	349
	F4	400 F4	1986	400
	M4	M620ie LITE	2003-04	620
	M5	Monster 659	2011	659
	KA (Scrambler)	00AA Sixty2	2015-16	399
	MD	02AU	2017	659
<b>ELSTAR SHINERAY</b>	XY400	WB400 & WB400c	2015-16	397
	XY400	CLASSIC C	2018	397
	XY400	SCRAMBLER C	2018	397
	XY400	CAFÉ RACER	2018	397
	XY400	CAFÉ RACER F	2018	397
<b>ENFIELD</b>	BULLET	CLASSIC	1993-08	499
	BULLET	DELUXE	1993-08	499
	BULLET	ELECTRA ROAD	2006-08	499
	BULLET 350	DELUXE	1988-01	346

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	BULLET 350	SUPERSTAR	1988-95	346
	BULLET 350	CLASSIC	1993-01	346
	BULLETT 500	500	1995	499
	BULLET 65	ROAD	2003-04	499
	LIGHTNING	ROAD	2000-08	499
	MILITARY	ROAD	2002-08	499
	TAURAS	DIESEL	2001	325
<b>FANTIC</b>	TZ	EC300	2011-12	300
	TZ	Gas Gas EC30	2012	300
<b>GAS-GAS</b>	4E (IPA 48807)	EC 30	2018	299
	4E	EC 30	2017	299
	4E	EC25	2017	299
	EC Series	EC300	2001-current	293
	EC Series	EC350F	2021-current	350
	EC400	FSE ENDURO	2002-03	399
	EC450	FSE ENDURO	2003-05	449
	EC450	FSE SUPERMOTARD	2003-08	449
	EC450	FSR ENDURO	2006-08	449
	FS 400	FS40A	2006	398
	FS 450	FS45	2006	443
	FS 500	FS50 (503)	2006-2009	503
	FSE 400	400	2002	398
	FSE 450	450	2003-08	398
	PAMPERA	320 TRAIL	1998-02	333
	PAMPERA	400 TRAIL	2006-08	399
	PAMPERA	450	2007-08	443
	SM400	SUPERMOTARD	2003-08	399
	SM450	SUPERMOTARD	2003-08	443
	TT300	EC300	1998-08	295
	EC ENDURO	EC30	2016-17	299
	CONTACT ES	280 ES	2018	272
<b>GILERA</b>	FUOCO 500	FUOCO 500	2007-13	493
	NEXUS 500	NEXUS 500	2003-08	460
<b>HARLEY DAVIDSON</b>	SS350	Sprint	69-1974	350
	XGS SERIES	Street 500 -XG500 16MY	2014-15	494
	XGS SERIES	Street 500	2016-on	494
	XGS SERIES	XG500 17MY	2016-17	494
<b>HONDA</b>	600V TRANSALP	600V	1988	583
	BROS	BROS	1992	399
	C70	DREAM	pre 1970	305
	CB300R	CBF300NA	2018-20	286
	CB300 (FA)	CB300FA	2014-17	286
	CB350	CB350	1969	348
	CB350F	CB350F	1973	325
	CB360	CB360	1973-75	360
	CB400	CB400	1981-2013	395
	CB400F	CB400F	1975-77	408
	CB400N	CB400N	1981	395
	CB400T	CB400T	1977	408
	CB400 ABS	CB400 ABS	2008-2013	399
	CB450	CB450	1967-75	450
	CB500 FOUR	CB500-FOUR K,K1,K2	1971-73	498

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	CB500 TWIN	CB500T	1974-78	498
	CB500F	CB500FA/F	2012-19	471
	CB500X	CB500XA	2013-17	471
	CB550	CB550	1974-78	544
	CB650F	CB650FA-LTD-16ym	2015-2017	649
	CBR650F	CBR650FA-LTD-16ym	2015-2016	649
	CB650	CB650	All	650
	CBR500R	CBR500RA	2012-19	471
	CBR650R	CBR650R	2019	649
	CBX550	CBX550F	1982-85	572
	CX500	CX500	1979	500
	CMX500A	CMX500A	2016-20	471
	CJ360	CJ360	1976	356
	CL450	CL450	1965-77	444
	CRF150	150R/RB	All	149
	CRF400R	CRF400R	2013	399
	CRF450L	CRF450L	2018	449
	CRF450X	CRF450X	2005-09	449
	CX500	CX500	1977-82	495
DEAUVILLE		NT650V	2002-06	647
	CBR300R	CBR300R	2014-15	286
	CBR300R	CBR300RA	2014-15	286
	Fortza 300	NSS300 Forza	All	279
	FJS400A	SW-T400	2009	399
	FT500	FT500	1984	498
	FTS600D	SILVERWING	2006-08	582
	GB400	GB400	All	399
	GB500	GB507	1987-91	498
	GL400	GL400	1985	396
	NF02	SH300	2009	279
	NSS300	NSS300	2013	279
	NT400	NT400	1989-92	400
	NT650V	DEAUVILLE	2003-06	647
	NTV650	REVERE	1989-92	647
	NX650	DOMINATOR	1988-00	644
	PCX150	PCX150	153	
	REVERE	REVERE	1990	647
	SL350	SL350	1972	348
OBI RVF400 VFR400		OBI RVF400 Otobai import model only	All	400
	Steed	steed	2002	398
	VT400	VT 400	All	398
	VT400C	SHADOW	2009	399
	VT500	VT500	1983-87	491
	VT600C	VT600C	1993-00	583
	VT600C	SHADOW VLX	1988-2008	583
	XBR500	XBR500	1986-89	499
	XBR500SH	XBR500	1986-89	499
	XL350	XL350	1984-87	339
	XL500	XL500	1979-84	498
	XL600R	XL600R	1984-87	589
	XL600RMG	XL600RMG	1986-88	591
	XL600VH	TRANSALP	1987-89	583
	XL650V	TRANSALP	2002-08	647

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	XL650	TRANSALP	2005	647
	XR250	XR250R	All	
	XR350	XR350	1983	339
	XR350R	XR350R	1983-84	339
	XR350R	XR350R	1985-86	353
	XR400	XR400	1996-08	397
	XR400 MOTARD	XR400M	1996-08	397
	XR400R	XR400R	1996-08	397
	XR500R	XR500R	1983-84	498
	XR600R	XR600R	1985-00	591
	XR650L	XR650L/ XR650R	2001-06	644
	XR650R	XR650R Kss and Mss (only)	2004-05	649
	XR650R	XR650R (Australian version only)	1999-2001	649
	CRF450L	CRF450L2019YM	2018	449
<b>HUNTER</b>	DD350E-6C	DAYTONA	2010-13	320
	DD350E-6C	SPYDER	2010-13	320
	DD350E-2	BOBBER	2011-13	320
<b>HUSABERG</b>	FE350	ENDURO	All	350
	FE400	ENDURO	All	399
	FE450	ENDURO	2008-14	449
	FE501E	ENDURO	1997-12	501
	FE501	ENDURO	2012-14	510
	FE570	ENDURO	2008-10	565
	FE600E	ENDURO	1997-00	595
	FE650E	ENDURO	2004-08	628
	FE650E	ENDURO	2000-04	644
	FS450E	ENDURO	2004	449
	FS450	SUPERMOTARD	2008-10	449
	FS570	SUPERMOTARD	2009-10	565
	FS650C/E	SUPERMOTARD	2004-08	628
	FS650E	SUPERMOTARD	2002-04	644
	TE300	TE Series	2010-14	293
	FE01	FE450 MY05 (Ab)	2004	449
	FE01	FS650 MY05 (Db)	2004	628
<b>HUSQVARNA</b>	300WR	WR300	2008-12	298
	310TE	TE310 A3	2009-13	303
	310TE	TE310 A2	2008-10	298
	350TE	TE350	1995	349
	400SM	SUPERMOTARD	2002-04	400
	400TE	ENDURO	2000-01	400
	410TE	ENDURO	1998-00	400
	410TE	ENDURO	1994-97	415
	450SM/R/RR	SUPERMOTARD	2003-08	449
	450TC	MOTOCROSS	2001-08	449
	450TE	ENDURO	2001-07	449
	450TE-IE	ENDURO	2007-08	449
	450TXC	TRAIL	2007-08	449
	A6 SMR 449	A600AB	2010-12	450
	A6 TE 449	A600AATE449	2010-13	450
	A6 SMR 511	A601AB	2010-12	478
	A6 TE 511	A601AATE511	2010-13	478
	A6 SMR 511	A602AB	2012	478
	A8	0H11B 35kW	2013	652

<b>MAKE</b>	<b>MODEL</b>	<b>VARIANT NAME</b>	<b>YEAR(S)</b>	<b>CAPACITY</b>
	510SM	SUPERMOTARD	2006-10	501
	510TC	MOTOCROSS	2004-07	501
	510TE	ENDURO	1986-2008	510
	510TE-IE	TE510IE	2008	510
	570TE	570TE(RP)	2000	577
	610SM	SUPERMOTARD	2000-08	577
	TE610	TE610(RP), dual sports	2000 on	577
	AE430	ENDURO	1986-88	430
	SMS630	A401AB SMS630	2010-on	600
	SMR449	SMR449	2011	449.6
	SMR511	SMR511	2012	447.5
	TE	TE300	2014 on	298
	TE	TE300	2016-17	293
	FE	FE350	2014-on	350
	FE	FE450	2014 on	449
	FE	FE450	2016-17	450
	FE	FE501	2014 on	501
	FE	FE501	2016-17	510
	TE449	Enduro 2014	2013	449.6
	TE510 (A2)	Enduro 2013	2006-2013	477.5
	TE630	A401AA TE630	2010-on	600
	TR650	TR650 Terra	2013	652
	WR260	ENDURO	1990-91	260
	WR300	ENDURO	2010-13	293
	WR360	ENDURO	1991-03	349
	WR400	ENDURO	1984-88	396
	WR430	ENDURO	1988	430
	Pilen Series	VP 401	2018	373
	Pilen Series	SP 401	2018	373
<b>HYOSUNG</b>	GT650 EFI	GT650EFI Lams	All	647
	GT650R EFI	GT650R EFI Learner	All	647
	GV650C/S	Lams model	All	647
<b>INDIAN</b>	VELO	VELO	1969	500
<b>JAWA</b>	350	350	1974	350
	634 ROAD	634 ROAD	1984-85	343
	638 ROAD	638 ROAD	1985-86	343
<b>JONWAY</b>	MALIBU	MALIBU 320	2012	320
<b>KAWASAKI</b>	EN400	Vulcan	1986	400
	EN450	450LTD	1985-87	454
	EN500	Vulcan	1990-02	500
	ER-5	ER500	1999-06	498
	ER-6NL ABS	ER-6nl ABS learner model	2012-2016	649
	ER-650C	ER-6nL	2009	649
	ER-650C	ER-6nL ABS	2009-11	649
	ER650H	ER650H LAMS (Z650L)	2016-17	649
	ER650H	ER659K LAM (Z650L)	2019	649
	EX300A (Ninja 300)	EX300B Ninja/ special (A&B)	2012-16	296
	ER300B	ER300B (Z300 ABS)	2015	296
	EX300B	EX300B	2015-2018	296
	EX400	GPX 400R	1987-94	399
	EX400G	Ninja 400 & EX400G	2018 - on	399
	EX650F	Ninja 650L (2012)	2011	649
	Ninja 650 L model	Ninja 650RL	2009	649

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	Ninja 650	Ninja 650RL ABS	2009-11	649
	Ninja 650	Ninja 650L ABS	2011-16	649
	EX650K (LAMS)	Ninja 650 L	2016-current	649
	GPZ550	GPZ550	1981-90	553
	GT550	Z550	1984-88	553
	KL600	KLR600	1984-87	564
	KL650	KLR650	1987-99	651
	KLE500	DUAL SPORTS	1992-08	498
	KLE300C	KLE300C VERSYS-X 300	2017	295
	KLR600	KL600	1984-87	564
	KLR650E	KL650E	1987-2012	651
	KL650E	KLR650	2013-2016	651
	KLX150	KLX150E/KLX150 L	All	
	KLX300R	KLX300R	1996-04	292
	KLX400	KLX400	2003	400
	KLX450R	KLX450R	2007-16	449
	KLX650	KLX650	1989-95	651
	KLX650R	ENDURO	1993-04	651
	KZ400	KZ400	1974-84	398
	KZ440	KZ440	1985	443
	KZ500	KZ500	1979	497
	KZ550	KZ550	1986	547
	LE650D	Versys 650L ABS	2010	649
	LE650D	Versys 650L ABS	2011-14	649
	LTD440	LTD440	1982	443
	LX400	LX400 Eliminator	1989	398
	S2	S2	1972	346
	S3	S3	1974	400
	KLE500	KLE500	1992-2008	498
	KLE650F	Versys 650L ABS	2014-17	649
	KLE650F	KLE650F ABS L & ABS L MY17	2016-17	649
	EN650B	Vulcan S ABS/ABS L	2014-current	649
	EN650B	EN650E ABS L 1&2	2016-17	649
	W400	EJ400AE	2006-09	399
	Z400B2	KZ400B2	1979	398
	Z400D	KZ400D	1975	398
	Z500	Z500	1980	498
	EX400G	KAWASAKI	2018	399
	ZR550	ZEPHYR	1991-99	553
	ZZR400	ZZR400	1991	399
	ZZR400	ZZR400	1992	399
<b>KTM</b>	2T-EXC	300 EXC	2012-2017	293
	Adventure	390 Adventure	2020-on	373
	300 exc	300exc	All	300
	390 Duke	390 Duke	All	390
	125 EXC	125 EXC	All	125
	300EXC	ENDURO	84-2011	293
	300EXC-E	ENDURO	2007-08	293
	300GS	ENDURO	1990-95	280
	350EXC-F	ENDURO	2011-on	347
	350EXC Special-R	ENDURO	2005-06	350
	360EXC	ENDURO	1996-98	360
	380EXC	ENDURO	2000	368

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	RC390	RC390	all	390
	4T-EXC RACING	350 EXC-F	2012-2016	350
	4T-EXC RACING	450 EXC	2012-2016	449
	4T-EXC RACING	500 EXC	2012-2016	510
	400EXC	ENDURO	2008-11	393
	400GS	ENDURO	1993-99	400
	400SC	400SC	1996-98	400
	400TE	400TE	2001	400
	450EXC	ENDURO	2002-07	448
	450EXC	ENDURO	2005-11	449
	450EXC	ENDURO	2011-on	449
	500EXC	ENDURO	2011-on	510
	500GS	ENDURO	1984-91	553
	510EXC	ENDURO	1999-02	510
	520EXC	ENDURO	2000-02	510
	525EXC	ENDURO	2002-05	510
	525EXC-R	ENDURO	2005-07	510
	530EXC	ENDURO	2008-11	510
	600 ENDURO	ENDURO	1987-93	553
	600 ENDURO INCAS	ENDURO	1989-90	553
	625SMC	625SMC	2004	609
	640 4T -EGS	640 LC4-EMY04	2004-05	625
	640 4T -EGS	640 LC4-MY05	2004-05	625
	660 SMC	4T-EGS	2004	654
	Freeride	Freeride (MY12 on)	2012	350
	IS DUKE	390 DUKE (C3)	2013	373
	Rally	450 RALLY	2017-current	449
	Rally	690 RALLY	2017	654
	IS RC	RC 390	2016-17	373
<b>KYBURZ</b>	DXP	KYBURZ	2017	
<b>KYMCO</b>	All model	All models		under 300
	V2	Downtown 350i (V200010, V20020, V20030, V23010-V23000, C71100))	2015-20	321
	X-Town	KS60A (300i)	2016-17	276
	XCITING S 400	D62001 & D62000	2019-20	400
	AGILITY 300	T4 (300)	2020	276
<b>LAMBRETTA</b>	All model	Lambretta	pre 2008	under 660
<b>LARO</b>	DD350E-6C	Pro Street 350	2011	320
	SPT series	SPT350	2011	320
<b>LAVERDA</b>	500	500	1979	497
<b>LIFAN</b>	All model	All models	2009-10	under 300
<b>LIFENG</b>	Regal Raptor	CRUISER 350	2011	320
<b>MAICO</b>	Enduro	500E	1984-88	488
<b>MATCHLESS</b>	G12	G12	pre 1966	646
	G80	HARRIS	1988-90	494
	G80	G80	pre 1963	497
<b>MCI</b>	All models	All models under 250	all	250
<b>MBK</b>	FALCONE	YAMAHA XT660R/X	2005-08	660
<b>MONTESA</b>	COTA 330	TRIAL	1985-86	328
	COTA 335	TRIAL	1986-88	327
	COTA 348T	TRIAL	1984-87	305
	COTA 350	TRIAL	1984-85	349

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
<b>MOTO GUZZI</b>	350 GT	350 GT	1992	350
	Falcone	Falcone	1972	498
	V35	V35	1977-90	346
	V50	V50	1977-79	490
	V50	Monza	1980-85	490
	V65	V65	1982-94	643
	V65	Lario	1984-89	643
<b>MOTO MORINI</b>	3.5 ROAD	3.5 ROAD	1984-85	344
	350 SPORT	350 SPORT	1974-85	344
	500 CAMEL	TRAIL	1984-86	479
	500 SEI	500 SEI	1984-85	479
<b>MUZ</b>	500 STRADA	500 STRADA	1977-85	479
	BAGHIRA	ENDURO	1999-02	660
	MASTIFF	SUPERMOTARD	1999-02	660
	SKORPION	REPLICA	1998-02	660
	SKORPION	SPORT	1998-02	660
	SKORPION	TRAVELLER	1998-02	660
	SKORPION	TOUR	1998-02	660
<b>MV AGUSTA NORTON</b>	350	350	1972-76	349
	650SS	650SS	1961-68	650
	ES2	ES2	pre 1963	490
	MANXMAN	b	1961	650
	MODEL 50	MODEL 50	1933-63	348
	MODEL 88	DOMINATOR	pre 1966	497
	NAVIGATOR	NAVIGATOR	1964	350
	<b>OZ TRIKE PANTHER</b>	FUN 500	FUN 500	pre 2008
MODEL 100		600	pre 1963	598
<b>PEUGEOT</b>	MODEL 120	650	pre 1966	645
	GEOPOLIS	AEEA	2007-08	399
	SATELIS	AEEA	2007-08	399
<b>PGO</b>	SATELIS	AFAA	2007-08	493
	METROPOLIS	AA	2018	399
	All models	All models under 220	All	220
<b>PIAGGIO</b>	All Models	All models	2010-17	under 350
	PSI M59 (MP3 400)	M59101 (400ie RL)	2006-08	399
	PSI M52	M52101 XEVO 400ie	2006-08	399
<b>QJ MOTORCYCLES</b>	BJ60	BJ60	All	600
	P25	BJ600	All	600
<b>RICKMAN</b>	650	Triumph	1964	649
<b>RIYA</b>	RY300T (RY)	RY300T	2012-15	288
<b>ROYAL ENFIELD</b>	All models under 660	All models under 660	till 2014	
	CNEX	CNEG	2018	648
	CNEX	CNEH	2018	648
	CNEX	CNEG (CONTINENTAL GT 650)	2018-19	648
	CNEX	CNEH (INTERCEPTOR GT 650)	2018-19	648
	UMI CONTINENTAL	CONTINENTAL GT	2015	535
	UMI BULLET	U3S	2015-19	346
	UMI BULLET	BULLET 500 CKE	2015-19	499
	D4A5C	Himalayan	2016-2019	411
	D4A5C EFI	Himalayan	2019-20	411



MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
<b>RS HONDA</b>	XR400M	MOTARD	2005-08	397
<b>RUDGE</b>	650	Rudge	pre 1961	650
<b>WHITWORTH</b>	S4	ENDURO 450	2007-2010	448
<b>SHERCO</b>	S4	ENDURO 510	2007-2010	510
	S4	ENDURO 300	2010	290
	S6	300 2ST	2016-17	293
<b>SUZUKI</b>	AN400	BURGMAN	2008-14	400
	AN 400	AN 400	2016-17	400
	AN650	BURGMAN	2002-15	638
	Burgman 650	Burgman 650	All	638
	Burgman 400ABS	Burgman 400ABS	All	400
	DR350	All	1991-98	349
	DR400	DR400	1999	400
	DR500	All	1981-84	498
	DR600R	DR600R	1985-90	598
	DR650	All	1990-08	644
	DR650SE	DR650SE	1997-19	644
	DR-Z250	DR-Z250	All	249
	DR-Z400E	DR-Z400E	All	398
	DR-Z400S	DR-Z400S	2005-14	398
	DR-Z400SM	DR-Z400SM	2005-17	398
	DL650XAUE	V-Strom 650 XT learner approved	2014-15	645
	DL650AUE	V Strom	2013-2014	645
	DL650	DL650 AUE & DL650X AUE	2016-20	645
	SVF650 (Market name- Gladius)	SVF650 U/UA	2009-2014	645
	SV650-3	SV650 UA	2015-2017	645
	GN400	GN400	1980-81	400
	GR650	All	1983-88	651
	GS400	GS400	1976-82	400
	RMX450 (market name RMX450Z)	RMX450	2014-15	449
	GS450	All	1981-89	450
	GS500	GS500	2000-13	487
	GS500E	GS500E	1976-99	492
	GS500F	GS500F	2003-13	487
	GS550	All	1977-82	549
	GSR400	GSR400	2006-08	398
	GSX400	F	1981-04	398
	GSX400	E	1981-84	398
	GSX650F	GSX650 /FU	2008-12	656
	GT380	GT380	1973-78	380
	GT500	GT500	1976-78	500
	GT550	GT550	1973-78	550
	KATANA 550	KATANA 550	1981-83	550
	LS650	Boulevard S40	2015-17	652
	LS650	SAVAGE	1986-89	652
	PE400	PE400	1980-81	400
	RE5	ROTARY	1974	500
	SFV650U	SFV650U	2009-17	645
	SP370	ENDURO	1978	370
	SV650S LAMS	SV650SU LAMs Gladius	2008/2013	645
	MY18	SV650	2018	

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	MY18	SV650AUL8	2018	
	T500	T500	1970-74	500
	TS400	TS400	1976	400
	XF650	FREEWIND	1997-01	644
	LS650	LS650	2018	652
	DR650SE	DR650SE	2018	644
	DR-Z400E	DR-Z400E	2018	398
	DR-Z400E	DR-Z400 (2006 MY~)	2018	398
	DR-Z400E	DR-Z400	2018	
	AN400	AN400	2018	400
	LS650	LS650	2018	652
<b>SWM</b>	AI	01/AA and 01/AB	2015-2017	600
	A2	01/AA	2016	300
	A2	03/AA and 03/AB	2016	500
	A3	00-01-02	2016	445
	B3	Silver Vase, Gran Milano	2019-20	445
<b>SYM</b>	All Models	All models under 400	2008-12	400
	LN	GTS 300i Sport	2015-16	278
<b>TGB</b>	All Models	All models under 300	2012	300
<b>TM</b>	300E	ENDURO	2000-08	294
	3002T	ENDURO	2010	297
	400E	ENDURO	2002-03	400
	450E	ENDURO	2003-08	449
	450MX	450MX	2008	449
	4504T	ENDURO	2010	450
	530E	ENDURO	2003-08	528
	530MX	530MX	2008	528
	5304T	ENDURO	2010	528
<b>TRIUMPH</b>	21	21	1963	350
	DAYTONA 500	DAYTONA 500	1970	490
	Street triple	LAMs Street Triple 659 L67Ls7	2014	659
	HD Series	HD418MY	2017	660
	T100	TIGER	pre-1970	498
	T120	BONNEVILLE	1959-1974	649
	TR5	TROPHY	1969	449
	TR6	TROPHY	1961 - 73	649
	TR7	TIGER	1971	649
	TRIBSA	TRIBSA	1960-70	650
<b>UBCO</b>	2018 2X2	UBCO	2018	
<b>URAL</b>	DNIEPNER	DNIEPNER	1974	650
	K650	K650	1967-74	650
	MT9	MT9	1974	650
	THRUXTON	THRUXTON	1965-67	499
<b>VESPA</b>	All Models	All models	until 1/09/2013	50-300
	PSI M45	M45200 300 S/SS	2016-20	278
	PSI M45	M45202 300 ABS	2018-20	278
	PSI M45	M45710 300 S/SS	2018-20	278
	PSI M45	M45715 300 S/TECH	2019-20	278
	PSI M45	M45710 300	2018	278
	PSI M45	M45719 GTS 300 SS HPE	2020	278
	PSI M45	M45724 GTS 300 SG	2020	278
	PSI M45	M45200 300 S/SS M45202 300 ABS	2016-2018	278
	PSI M45	M45202 300 ABS	2018	278

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	PSI M45	M452710 300 S/SS	Jul-05	278
	PSI MA3	MA330 300 E4 (GTS/SUPER/SS)	2016-17	278
<b>VOR</b>	400 ENDURO	400 ENDURO	2000	399
	450 ENDURO	450 ENDURO	2002	450
	500 ENDURO	500 ENDURO	2001	503
	530 ENDURO	530 ENDURO	2001	530
	VOR ENDURO	400SM	2000-01	399
	VOR ENDURO	500SM	2000-01	503
<b>XINGYUE</b>	XY400Y	XY400Y	2008-09	400
<b>YAMAHA</b>	DT400	DT400	1976-77	400
	FZ6R	FZ6R	All	600
	FZ600	FZ600	All	600
	IT426	IT426	1987	426
	IT465	IT465	1987	465
	IT490	IT490	1983	490
	MT-03	MT03	2011 on	660
	MT 07	MT07 & MT07LAF	2015-2016	655
	MT 07	MT07 & MT07A	2016-17	655
	MTM660	XSR700	2017	655
	MTT660-A	RM 161	2016	655
	MTN320	MTN320-A	All	321
	MX400	MX400	1976	400
	RD350	RD350	to 1975	350
	RD400	RD400	1976	398
	RT2	RT2	1970	360
	RT350	RT350	1972	347
	SR400	SR400	All	400
	SR500	SR500	1978-1981	499
	SRX400	SRX400	1985-90	400
	SRX600	SRX600	1986-96	608
	SZR660	SZR660	1997	659
	Tenere	Tener	All	660
	Tricity 300 (MWD300)	Tricity 300 (MWD300)	2020-current	292
	T MAX	Tmax 530	All	530
	TT350	TT350	1986-01	346
	TT500	TT500	1975	500
	TT600	TT600	All	595
	TT600E	TT600E	All	595
	MT-07	MT-07 LAMs	2015-19	655
	MTM660	XSR700	2017-20	655
	TT600R	TT600R	All	595
	TX650	TX650	1976	653
	WR400F	WR400F	1998 - 2000	399
	WR426F	Belgarda import ONLY	2001	426
	WR450F	WR450F	All	450
	WR450F	WR450F (2GC)	All	449
	XJ550	XJ550	1981-82	528
	XJ6	XJ6FL/NL (25kW & 35kW)	All	600
	XJ6	XJ6SL (25kW)	All	600
	XJR400	ZJR400	1999	400
	XJR400	4HM	2003	399
	XS360	XS360	All	359

MAKE	MODEL	VARIANT NAME	YEAR(S)	CAPACITY
	XS400	XS400	All	391
	XSR700	RM131	2015-17	655
	XP500	XP500	All	499
	XP500	XP500	All	530
	XS650	XS650	1972-1984	653
	XT250	XT250	All	249
	XT350	XT350	All	346
	XT500	XT500	All	499
	XT550	XT550	All	552
	XT600	XT600	All	590
	XT660R	XT660R	All	659
	XT660X	XT660X	All	659
	XT660Z T N R	XT660Z	All	660
	XTZ660	XT660Z Tenere	All	659
	XV400	XV400 Virago	1983	399
	XV535	XV535 Virago	All years	535
	XVS400	XVS400 Dragstar	2001-03	400
	XVS650A/custom	XVS650 custom and classic	All years	649
	XZ400	XZ400	1982	399
	XZ550	XZ550	1982-83	550
	YP400	MAJESTY	All	395
	YZF R3	YZF R3A	All	321
	CZD300 (X-Max300)	CZD300-A	2016-20	292
ZHEJIANG	HT300T	Base	2015	275

An approved motor bike and motor trike must:

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

## Schedule 2—Revocation

The *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2020 No 1* made on 4 February 2021.

(Gazette no.8, p.296) is revoked.

Stuart Gilbert

**DEPUTY REGISTRAR OF MOTOR VEHICLES**

15 March 2021

## NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS) REGULATIONS 2016

*Dogs in Reserves*

PURSUANT to Regulation 26(1) of the *National Parks and Wildlife (National Parks) Regulations 2016*, I, Stuart Anthony Maxwell Paul, Director of Regional Operations, hereby grant permission for members of the public to bring dogs into the following Reserves proclaimed under the *National Parks and Wildlife Act 1972*:

Chowilla Game Reserve

Murray River National Park (Lyrup Flats, Kingston, Rodeo Grounds and Paringa Paddock)

Loch Luna Game Reserve (Kaiser Strip)

This permission is conditional on the dog being under effective control of a person, and the dog being restrained by a lead not exceeding 3m in length whilst in the reserve.

Dated: 12 March 2021

STUART ANTHONY MAXWELL PAUL  
Delegate of the Director of National Parks and Wildlife

PASSENGER TRANSPORT ACT 1994 ('THE ACT')  
PASSENGER TRANSPORT REGULATIONS 2009 ('THE REGULATIONS')

*Exemption—Carpooling*

I, Corey Wingard, Minister for Infrastructure and Transport:

Pursuant to section 5(2) of the Act hereby EXEMPT:

1. Liftango Pty Ltd (CAN 608 116 463) ('Liftango') from the requirement to hold an accreditation to operate a centralised booking service under section 29(2) of the Act in relation to the following specified services:
  - 1.1 Booking services provided to adult drivers who are employees of the Royal Automobile Association of South Australia Incorporated (ARBN 020 001 807) ('the RAA') to the extent that such drivers solely provide services of the following nature:
    - (a) other adult employees of the RAA are driven to and/or from RAA work premises; and
    - (b) bookings are made for the service using Liftango's Carpooling Technology Platform only; and
    - (c) the vehicles used by the drivers are provided by each driver; and
    - (d) each driver would be undertaking the relevant journey himself or herself in any event; and
    - (e) the total number of persons travelling in any vehicle is 8 or less as legally allowed for the particular vehicle taking the journey; and
    - (f) any payment or other benefit given by a passenger to a driver directly relates to the costs associated with the particular journey taken and does not exceed those costs.
2. Adult persons employed by the RAA from the requirement to hold an accreditation as an operator of a passenger transport service within section 27(1) of the Act in relation to the following specified services:
  - 2.1 Services consisting of the carriage of adult passengers who are each an employee of the RAA at the time of travel to the extent that such services are solely of the following nature:
    - (a) the journey travelled is to and/or from RAA work premises; and
    - (b) bookings are made for the service using Liftango's Carpooling Technology Platform only; and
    - (c) the vehicles used by the drivers are provided by each driver; and
    - (d) each driver would be undertaking the relevant journey himself or herself in any event; and
    - (e) the total number of persons travelling in any vehicle is 8 or less as legally allowed for the particular vehicle taking the journey; and
    - (f) any payment or other benefit given by a passenger to a driver directly relates to the costs associated with the particular journey taken and does not exceed those costs.
3. Adult persons employed by the RAA from the requirement to hold an accreditation as a driver of a public passenger vehicle under section 28(1) of the Act in relation to the following specified services:
  - 3.1 Services consisting of the carriage of adult passengers who are each an employee of the RAA at the time of travel to the extent that such services are solely of the following nature:
    - (a) the journey travelled is to and/or from RAA work premises; and
    - (b) bookings are made for the service using Liftango's Carpooling Technology Platform only; and
    - (c) the vehicles used by the drivers are provided by each driver; and
    - (d) each driver would be undertaking the relevant journey himself or herself in any event; and
    - (e) the total number of persons travelling in any vehicle is 8 or less as legally allowed for the particular vehicle taking the journey; and
    - (f) any payment or other benefit given by a passenger to a driver directly relates to the costs associated with the particular journey taken and does not exceed those costs.

This exemption will take effect from the date published in the *South Australian Government Gazette* and will remain in force until 30 June 2022 or until varied or revoked by a subsequent notice issued pursuant to section 5(4) of the Act.

Dated: 18 March 2021

HON COREY WINGARD MP  
Minister for Infrastructure and Transport

## PASTORAL LAND MANAGEMENT AND CONSERVATION ACT 1989

## PUBLIC ACCESS ROUTE CLOSURES

*Notice of Intent to Temporarily Close Public Access Route Number 8, named Pedirka*

Notice is hereby given of the intent to temporarily close the Pedirka Public Access Route from Hamilton Homestead to the Witjira National Park boundary, from 15 March 2021 until further notice, pursuant to section 45(7) of the *Pastoral Land Management and Conservation Act 1989*. Notification of the re-opening of the Public Access Route will be provided on the Department of Planning, Transport and Infrastructure's Outback Road Warnings website at [www.dpti.sa.gov.au/OutbackRoads/outback\\_road\\_warnings/special\\_notices](http://www.dpti.sa.gov.au/OutbackRoads/outback_road_warnings/special_notices).

Dated: 15 March 2021

BENGY PAOLO  
Pastoral Board Delegate  
Director Major Programs, Rural Solutions SA  
Department of Primary Industries and Regions SA

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Grant of Preliminary Survey Licence—PSL 39*

Pursuant to section 92(1) of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the undermentioned Preliminary Survey Licence has been granted under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018.

No. of Licence	Licencees	Locality	Area in km <sup>2</sup>	Reference
PSL 39	Epic Energy South Australia Pty Limited	Bolivar	1.14	MER-2021/0086

**Description of Area**

All that part of the State of South Australia, bounded as follows:

-34°46'28.82" 138°35'19.08"  
 -34°46'39.09" 138°35'20.35"  
 -34°46'37.70" 138°35'42.20"  
 -34°46'42.96" 138°35'42.77"  
 -34°47'02.45" 138°35'25.42"  
 -34°47'03.61" 138°35'13.37"  
 -34°47'03.48" 138°35'10.95"  
 -34°47'00.60" 138°35'05.11"  
 -34°47'12.24" 138°35'05.31"  
 -34°47'14.62" 138°35'05.28"  
 -34°47'22.47" 138°35'07.88"  
 -34°47'23.41" 138°35'06.99"  
 -34°47'14.73" 138°35'04.04"  
 -34°47'13.41" 138°35'04.16"  
 -34°47'21.23" 138°34'56.45"  
 -34°46'59.37" 138°34'53.96"  
 -34°46'57.39" 138°34'54.40"  
 -34°46'57.40" 138°34'53.73"  
 -34°46'29.74" 138°34'50.57"  
 -34°46'28.82" 138°35'19.08"

All coordinates in GDA2020

AREA: 1.14 square kilometres approximately.

Dated: 15 March 2021

BARRY A. GOLDSTEIN  
Executive Director  
Energy Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

## 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.
3. It is now necessary to make further variations to the Building Code through an amendment to a Ministerial Building Standard.

## NOTICE

PURSUANT to section 79(2) of the *Planning, Development and Infrastructure Act 2016*, notice is given of an alteration to the Building Code of Australia, being Volume One and Volume Two in the National Construction Code series (NCC 2019 Amendment 1), as set out and published in a Ministerial building standard.

Pursuant to section 80(1) and 80(4) of the *Planning, Development and Infrastructure Act 2016*, and following consultation with the State Planning Commission as required by section 80(1) and 80(4), notice is given of an alteration to a Ministerial building standard set out in Schedule 1.

## SCHEDULE 1

*Ministerial Building Standard MBS 007—Modifications to the Building Code of Australia*, dated December 2020 and adopted by gazettal notice on 18 February 2021, has been amended to include the following further variations and republished as Ministerial Building Standard MBS 007—Modifications to the Building Code of Australia, dated March 2021:

After the item relating to A2.2(4), under the additions for South Australia contained in Volume Two, add the following:

- 2.2.1aa In the South Australian additions, under **SA 2 Water efficiency**, delete the current Limitation and replace with the following:

**Limitation:**

SA2 only applies to applications for new Class 1 buildings and extensions to existing Class 1 buildings that are designated under Regulation 3(1) of the *Planning, Development and Infrastructure (General) Regulations 2017* as HomeBuilder grant development, and where:

- (a) the *roof catchment area* is 50 m<sup>2</sup> or more; and
- (b) the building or extension is located in a Council area, excluding the Municipal Council of Roxby Downs and the District Council of Coober Pedy; and
- (c) for an extension, where it incorporates a water closet or a water heater or laundry cold water outlet.

For the purposes of this part, *Council* means: A municipal or district Council as constituted under the *Local Government Act 1999*.

## SCHEDULE 2

*Ministerial building standard as further varied and confirmed*

*Ministerial Building Standard MBS 007—Modifications to the Building Code of Australia*, dated March 2021, containing the modifications and variations in this notice has been published on the PlanSA portal and is adopted as part of the Building Rules on 19 March 2021.

Dated: 16 March 2021

HON VICKIE CHAPMAN MP  
Attorney-General  
Minister for Planning and Local Government

## PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

## SECTION 42

*Practice Directions**Preamble*

The State Planning Commission may issue a practice direction for the purposes of this Act.

A practice direction may specify procedural requirements or steps in connection with any matter arising under this Act.

A practice direction must be notified in the *Gazette* and published on the SA planning portal.

## NOTICE

PURSUANT to Section 42(4)(a) of the *Planning, Development and Infrastructure Act 2016*, I, Michael Lennon, State Planning Commission Chairperson:

- (a) vary State Planning Commission Practice Direction 3 (Notification of Performance Assessed Development Applications) 2019, fixing 19 March 2021 as the day on which the varied practice direction commences operation;
- (b) vary State Planning Commission Practice Direction 11 (Deemed Planning Consent Standard Conditions) 2020, fixing 19 March 2021 as the day on which the varied practice direction commences operation;
- (c) vary State Planning Commission Practice Direction 12 (Conditions) 2020, fixing 19 March 2021 as the day on which the varied practice direction commences operation;
- (d) issue State Planning Commission Practice Direction 14 (Site Contamination Assessment) 2021, fixing 19 March 2021 as the day on which the practice direction commences operation;
- (e) issue State Planning Commission Practice Direction 15 (Building Envelope Plans) 2021, fixing 19 March 2021 as the day on which the practice direction commences operation.

Dated: 15 March 2021

MICHAEL LENNON  
State Planning Commission Chairperson

## PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

## SECTION 80(1)

*Publication of Ministerial Building Standard**Preamble*

Sections 80(1) and 80(4) of the *Planning, Development and Infrastructure Act 2016* provides that the Minister for Planning and Local Government may, after consultation with the State Planning Commission, publish, vary or revoke a Ministerial building standard that relates to building matters.

## NOTICE

PURSUANT to section 80(1) and 80(4) of the *Planning, Development and Infrastructure Act 2016*, and following consultation with the State Planning Commission as required by section 80(1) and 80(4), notice is given of an alteration to a Ministerial building standard as set out in Schedule 1.

## SCHEDULE 1

*Ministerial Building Standard MBS 010—Construction requirements for the control of external sound*, dated July 2020 and adopted on 1 July 2020 by Gazette Notice on 25 June 2020, has been amended to include additional provisions for sound attenuation in buildings exposed to aircraft noise and is republished as *Ministerial Building Standard MBS 010—Construction requirements for the control of external sound*, dated March 2021.

## SCHEDULE 2

*Ministerial building standard as amended and confirmed*

*Ministerial Building Standard MBS 010—Construction requirements for the control of external sound*, dated March 2021, as amended by this notice has been published on the PlanSA portal and is adopted as part of the Building Rules on 19 March 2021.

Dated: 16 March 2021

HON VICKIE CHAPMAN MP  
Attorney-General  
Minister for Planning and Local Government

## PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

## SCHEDULE 8, CLAUSE 9(7)

*Revocation of Development Plans**Preamble*

The Minister may, by notice in the *Gazette*, revoke a Development Plan if or when she considers that it is no longer required or appropriate for the purposes of the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016*.

On 19 March 2021, the Phase Three (Urban Areas) Amendment to the Planning and Design Code under the *Planning, Development and Infrastructure Act 2016* was given effect. Accordingly, development plans are no longer required and should therefore be revoked.

## NOTICE

PURSUANT to Schedule 8, Clause 9(7) of the *Planning, Development and Infrastructure Act 2016*, I, Vickie Chapman MP, Minister for Planning and Local Government, hereby revoke the following Development Plans created under the *Development Act 1993* with effect from 19 March 2021:

Adelaide	Murray Bridge
Adelaide Hills	Norwood, Payneham & St Peters
Alexandrina	Onkaparinga
Barossa	Playford
Burnside	Port Adelaide Enfield
Campbelltown	Port Augusta
Charles Sturt	Port Lincoln
Copper Coast	Port Pirie
Gawler	Prospect
Holdfast Bay	Salisbury
Kangaroo Island	Tea Tree Gully
Light	Unley
Mallala	Victor Harbor
Marion	Walkerville
Mid Murray	West Torrens
Mitcham	Whyalla
Mount Barker	Yankalilla
Mount Gambier	Land not within a Council area (Metropolitan)

Dated: 7 March 2021

VICKIE CHAPMAN  
Attorney-General  
Minister for Planning and Local Government



## RADIATION PROTECTION AND CONTROL ACT 1982

## SECTION 44

*Notice by Delegate of the Minister for Environment and Water*

PURSUANT to Section 44 of the *Radiation Protection and Control Act 1982* (the Act), I, Massey de los Reyes, Acting Team Leader, Radiation Health, Mining and Radiation Branch of the Environment Protection Authority, being a person to whom the powers of the Minister under that section have been delegated under the Act, exempt Special Care Services Pty Ltd ATF Special Care Dental Trust ('the owner') from the requirements of Regulation 90(10) of the *Radiation Protection and Control (Ionising Radiation) Regulations 2015* in respect of a NOMAD Pro-2 Hand Held Dental Apparatus ('the apparatus') subject to the following conditions:

The owner must:

1. ensure the apparatus is used only in special needs dentistry as defined by the Dental Board of Australia (DBA) and approved by the Australian Health Workforce Ministerial Council. These conditions can be intellectual disabilities and/or a combination of medical, physical or psychiatric conditions;
2. ensure the apparatus is used only in locations such as aged care facilities, nursing homes and homes with disabilities which can be treated as a similar entity referred to in Condition 1;
3. ensure the apparatus shall not be used in operation theatres or surgical suites;
4. comply with the registration conditions set by the EPA; and
5. ensure that persons operating the apparatus are specifically licensed to do so and comply with the licence conditions set by the EPA.

Dated: 11 March 2021

M. DE LOS REYES  
Delegate of the Minister for Environment and Water

## THE REMUNERATION TRIBUNAL

## REPORT NO. 2 OF 2021

*2021 Review of Salary of the Governor of South Australia***INTRODUCTION**

1. The Remuneration Tribunal ('the Tribunal') has jurisdiction under section 14 of the *Remuneration Act 1990* ('the Act') and section 73 of the *Constitution Act 1934* ('the Constitution Act'), to determine the rate of salary payable to His Excellency the Governor of South Australia ('the Governor').

**BACKGROUND**

2. The Tribunal has had jurisdiction to determine the salary applicable to the office of the Governor since 11 February 2016, at which time the *Constitution (Governor's Salary) Amendment Act 2015* came into operation. Prior to that, the rate of salary of the Governor was fixed by the Constitution Act at an amount equivalent to 75% of the salary of a puisne judge of the Supreme Court of South Australia.
3. In 2020, the Tribunal conducted its annual review of the salary of the Governor. At the time of that review, a Determination was in force which provided that the salary of the Governor was fixed at an amount equivalent to 75% of the salary of a puisne Judge of the Supreme Court of South Australia, until further Determination by the Tribunal. The Tribunal revoked that Determination, and, upon request of the Governor, did not apply any increase to the salary of the Governor due to the economic and social circumstances of the State at that time.
4. The Tribunal made the following remarks in its 2020 Report<sup>1</sup>:  
*"The Tribunal intends to review the salary of the Governor again in the early part of 2021. At that time, the Tribunal will further consider, among other things, the economic circumstances of the State and the relevance of the previous relationship to the salary of a puisne Judge of the Supreme Court."*
5. The 2021 annual review of the Governor's salary has now fallen due, and, as such, the Tribunal will now turn its mind to the relevance of the salary relationship which existed prior to the making of Determination 1 of 2020.

**PROCEDURAL HISTORY**

6. Section 10(2) of the Act provides that prior to the making of a Determination, the Tribunal must allow an affected person, or persons of an affected class, a reasonable opportunity to make submissions orally or in writing to the Tribunal.
7. Section 10(4) provides that the Minister responsible for the Act may intervene, personally or by counsel or other representative, in proceedings before the Tribunal for the purpose of introducing evidence, or making submissions, on any question relevant to the public interest.
8. The Tribunal, by letter dated 2 February 2021, invited the Governor to make a submission in relation to the review of the salary applicable to the office of the Governor.
9. The Tribunal, by letter dated 2 February 2021, invited the Honourable Premier of South Australia ('the Premier'), as the Minister responsible for the Act, to make submissions in the public interest.
10. In addition, on 2 February 2021, a notification of the review was placed on the Tribunal's public website.

**SUBMISSIONS**

11. The Official Secretary to the Governor wrote to the Tribunal advising that the Governor did not intend to make a submission in relation to the Tribunal's 2021 review of the Governor's salary.
12. The Crown Solicitor's Office, on behalf of the Premier, notified the Tribunal that the Premier does not wish to make a submission in relation to the review of the Governor's salary by the Tribunal in 2021.
13. No other submissions were received by the Tribunal in relation to this Review.

**ECONOMIC DATA AND INFORMATION**

14. The Tribunal has considered the following economic data and information in the making of its decision:

<sup>1</sup> *Report 1 of 2020—Review of Salary of the Governor of South Australia*

**SA Public Sector increase—SA Modern Public Sector Enterprise Agreement: Salaried 2017**

This is the largest enterprise agreement for public sector workers in South Australia. The weighted average of all of the increases in this agreement is 2.3%, operative from 1 October 2019. At the time of writing, no agreement has been made for a 2020 salary increase, as this agreement is currently the subject of industrial negotiations.

**Public Service Executives**

The remuneration of Public Service executives was placed on hold in 2020. The remuneration of Public Service executives is determined by Cabinet (Members of the Executive Government). The previous increase, which took effect in July 2019 was 2.0%. No 2021 decision on executive remuneration has been made as at the time of writing.

**ABS Consumer Price Index**

The Consumer Price Index (“CPI”) data for the year ending December 2020 reflects an annualised increase of 1.0% in the all groups Adelaide index.

**ABS Wage Price Index**

The latest Wage Price Index (“WPI”) data the year ending December 2020 reflects an increase of 1.5% (annualised increase) for the Public Sector in South Australia.

**Reserve Bank of Australia—Statement on Monetary Policy—February 2021:**

RBA inflation forecasts for the year ending:

- June 2021: 3.0%
- December 2021: 1.5%
- June 2022: 1.5%
- December 2022: 1.5%
- June 2023: 1.75%

**Reserve Bank of Australia, Monetary Policy Decision, 2 February 2021**

*“Wage and price pressures remain subdued. The CPI increased by just 0.9 per cent over the year to the December quarter and wages (as measured by the Wage Price Index) are increasing at the slowest rate on record. Both inflation and wages growth are expected to pick up, but to do so only gradually, with both remaining below 2 per cent over the next couple of years. In underlying terms, inflation is expected to be 1¼ per cent over 2021 and 1½ per cent over 2022.”*

**The Salaries of Governors in Other Jurisdictions**

Jurisdiction*	Governor Salary Per Annum	Operative Date	Relevant Authority
NSW	\$503,590	7 Sep 20	Independent Tribunal
CTH	\$495,000	6 Apr 19	Act of Parliament
VIC	\$468,020	17 Sep 19	Act of Parliament
TAS	\$464,729	31 May 20	Act of Parliament
WA†	\$454,028	21 Jan 18	Independent Tribunal
QLD	\$421,218	1 Jul 19	Act of Parliament & Regulation

Median Salary ex SA	\$466,375
Average Salary ex SA	\$467,764

SA	\$351,015	1 Jan 20	Independent Tribunal
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\* NT and ACT have not been included as there is no office of Governor in those jurisdictions.

† The salary of the Governor in Western Australia is subject to the restrictive provisions of the Salaries and Allowances (Debt and Deficit Remediation) Act 2018 (WA), which prevents the WA Tribunal, until July 2021, from increasing that salary.

**CONSIDERATION**

15. The most recent increase in salary applicable to the office of the Governor was 2 per cent which came into effect on 1 January 2020. That is the date upon which the salary of a puisne judge of the Supreme Court was also increased.
16. With effect 9 April 2020, the Tribunal revoked its determination which maintained the salary of the Governor in a 75% relationship with a puisne judge of the Supreme Court.
17. The Tribunal remains unable to identify any practical basis for a salary relationship between the Governor and a puisne judge of the Supreme Court. Accordingly, the Tribunal will not restore the previous salary relationship that existed prior to the making of Determination 1 of 2020.
18. The Tribunal has considered whether an increase ought to be applied to the level of salary applicable to the office of the Governor. The Tribunal notes the operative date of the previous increase applied to the Governor’s salary was 1 January 2020, which is approximately 14 months prior to the time of this review. Further, that salary was reviewed but placed on hold in April 2020 due to the economic and social effects of the COVID-19 pandemic.
19. In light of the timing of the most recent salary increase, the Tribunal is of the view that applying an increase to the Governor’s salary at the time of this review would not be appropriate.
20. Notwithstanding the Tribunal’s decision to not increase the Governor’s salary at the time of this Review, the Tribunal is conscious of the level of the Governor’s salary when compared against the salaries of Governors in other jurisdictions. That information is detailed in the above table. The Tribunal considers that this is one of a range of factors which mitigate in favour of a more comprehensive review of the Governor’s salary. The Tribunal will invite submissions from affected persons to enable such a review to be carried out in mid-2021. The Tribunal will provide an appropriate notice period for the making of submissions.

**CONCLUSION**

21. The rate of salary applicable to the office of the Governor is currently \$351,015. That salary has not been increased upon review on this occasion.

Dated: 11 March 2021

MATTHEW O'CALLAGHAN  
President

DEBORAH BLACK  
Member

PETER DE CURE  
Member

**THE REMUNERATION TRIBUNAL**

DETERMINATION NO. 3 OF 2021

*Electoral Districts Boundaries Commission*

**SCOPE**

1. This Determination applies to the Members of the Electoral Districts Boundaries Commission (other than the Chair).

**DETERMINATION**

2. Having regard to the work performed by the members of the 2020 Electoral Districts Boundaries Commission (other than the Chair), the Electoral Commissioner (Mr Michael Sherry) and the Surveyor-General (Mr Michael Burdett) shall each be entitled to be paid remuneration at the rate of \$20,103.
3. The above remuneration shall be paid as a lump sum one off payment for all purposes.

**OPERATIVE DATE**

4. This Determination shall operate on and from 11 March 2021.

Dated: 11 March 2021

MATTHEW O'CALLAGHAN  
President

DEBORAH BLACK  
Member

PETER DE CURE  
Member

**THE REMUNERATION TRIBUNAL**

REPORT NO. 3 OF 2021

*Electoral Districts Boundaries Commission*

**INTRODUCTION**

1. The Remuneration Tribunal ("the Tribunal") has jurisdiction under section 14 of the *Remuneration Act 1990* ("the Act") and section 78(7) of the *Constitution Act 1934* ("the Constitution Act"), to determine the remuneration payable to the members of the Electoral Districts Boundaries Commission (other than the chair).
2. The Constitution Act provides for the establishment of an Electoral Districts Boundaries Commission ("the Commission") to review and carry out periodic redistribution of the boundaries of the State's House of Assembly electoral districts. The Commission has perpetual succession and the powers and functions of a Royal Commission.

**BACKGROUND**

3. The Commission conducts boundary reviews on a four-yearly basis. Hence, Determinations in relation to this matter are made by the Tribunal on a four-yearly basis, following the completion of the Commission's official Report. Those Determinations prescribe a one-off payment of remuneration for all purposes in relation to the work performed by the Commission.
4. The previous Determination made by the Tribunal under Section 78(7) of the Constitution Act was in 2017<sup>2</sup>, whereby the Tribunal determined remuneration of \$18,963 each for the Electoral Commissioner and the Surveyor-General. The operative date of that Determination was 3 October 2017.

**LEGISLATIVE PROVISIONS**

5. Section 78(7) of the Constitution Act, from which the Tribunal sources its jurisdiction in relation to members of the Commission, is set out as follows:

**"78—The Commission**

- (1) *There shall be a Commission by the name of the Electoral Districts Boundaries Commission constituted of the following members:*
  - (a) *the Chairman of the Commission who shall be a Judge of the Supreme Court appointed by the Chief Justice to be Chairman of the Commission; and*
  - (b) *the Electoral Commissioner or a person appointed pursuant to subsection (3) of this section; and*
  - (c) *the Surveyor-General or a person appointed pursuant to subsection (4) of this section.*
- (2) *The Judge appointed by the Chief Justice under subsection (1) of this section should be the most senior puisne Judge who is available to undertake the duties of Chairman of the Commission.*

<sup>2</sup> Determination 7 of 2017—*Electoral Districts Boundaries Commission*

- (3) *If there is no Electoral Commissioner, or the Electoral Commissioner is for any reason unable to act as a member of the Commission, then, subject to subsection (5) of this section, the Chief Justice shall appoint as a member of the Commission, for such term as the Chief Justice considers expedient, a person who, in the opinion of the Chief Justice, has wide knowledge of, and experience in, electoral matters.*
- (4) *If there is no Surveyor-General, or the Surveyor-General is for any reason unable to act as a member of the Commission, then, subject to subsection (5) of this section, the Chief Justice shall appoint as a member of the Commission, for such term as the Chief Justice considers expedient a person who, in the opinion of the Chief Justice, has wide knowledge of, and experience in, surveying.*
- (5) *Where the Chairman is for the time being acting in the office of the Chief Justice any appointment to the Commission under subsection (3) or subsection (4) of this section shall be made by the puisne judge next in order of seniority after the Chairman.*
- (6) *A member appointed under subsection (3) or subsection (4) of this section, may by instrument in writing addressed to the Governor resign the member's office.*
- (7) *The members of the Commission (other than the Chairman) are entitled to remuneration determined by the Remuneration Tribunal."*

[emphasis added to original]

6. As presently constituted, the Commission is comprised of:

Office Held	Office Holder
Chair	The Hon. Justice Trish Kelly (Supreme Court Judge appointed by the Chief Justice)
Member	Mr Michael Sherry (Electoral Commissioner)
Member	Mr Michael Burdett (Surveyor-General)

7. The Tribunal notes that its jurisdiction under the above legislative provisions is limited and specific. It is not permissible for the Tribunal to make a Determination of remuneration for the Chair of the Commission. The statutory role assigned to the Tribunal is to determine an appropriate amount of remuneration for the two members of the Commission (other than the Chair).

#### PROCEDURAL HISTORY

8. Section 10(2) of the Act provides that prior to the making of a Determination, the Tribunal must allow an affected person, or persons of an affected class, a reasonable opportunity to make submissions orally or in writing to the Tribunal.
9. Section 10(4) provides that the Minister responsible for the Act may intervene, personally or by counsel or other representative, in proceedings before the Tribunal for the purpose of introducing evidence, or making submissions, on any question relevant to the public interest.
10. The Tribunal, by letter dated 2 February 2021, invited the members of the Commission to make a submission prior to the making of any Determination by the Tribunal.
11. The Tribunal, by letter dated 2 February 2021, invited the Honourable Premier of South Australia ("the Premier"), as the Minister responsible for the Act, to make submissions in the public interest.
12. In addition, on 2 February 2021, a notification of the review was placed on the Tribunal's public website.

#### SUBMISSIONS

13. A summary of the submissions received in relation to this matter are included below:

##### **The Chair of the Commission, the Hon. Justice Kelly submitted that:**

- Having regard to the statutory provisions, I ask that the Tribunal determine the remuneration for the Electoral Commissioner and the Surveyor-General being the other members of the Commission.
- The nature of the Commission's work including the number of hearings and meetings at which the members participated is detailed in its report, including the timing of those events.
- The Electoral Commissioner and the Surveyor-General discharged their statutory duties under the Constitution Act in addition to both their respective offices. Their contributions have spanned an extended period across the past 16 months since July 2019.
- It is my view that the Tribunal should take into consideration the significant contributions of the relevant roles having regard to the nature of the Commission's work in developing the electoral geography as the foundation of a representative democracy that the accepted as fair by the people of South Australia.
- That the Tribunal should be guided by the highest order of the work of the relevant roles, which is consistent with its previous Determination 8 of 2017<sup>3</sup>.

##### **The Electoral Commissioner (Mr Michael Sherry) and the Surveyor-General (Mr Michael Burdett) jointly submitted that:**

- The work of the previous commission was substantial with very significant alterations made the electoral boundaries of the State.
- At that time, it was envisaged that this work would place the electorates in a position that would allow a modest redrafting by the 2020 Commission.
- However, in 2017, the Parliament made amendments to the Constitution Act that changed the criteria for a redistribution. This change led to the 2020 redistribution again being a substantial piece of the work for the Commission.
- The Commission held five public hearings, received over 60 written submissions from nine parties through the public hearing.
- The work of the Commission generated media interest in Adelaide and in the regions.
- In assessing the work value and commensurate level of remuneration, we respectfully submit the following:
  - The statutory obligation placed upon each member requires them to operate at a very senior level and possibly significantly higher than their substantive level.
  - The "public position" under which the Commission is viewed, scrutinized and judged needs to be given full consideration.

<sup>3</sup> Determination 8 of 2017—Electoral Districts Boundaries Commission

- The three member Commission is headed by the Chairman, with the other two Commissioners carrying an equal responsibility and workload whilst bringing their own expertise to the Commission's work.
- That any assessment acknowledges that each member was required to maintain their base workload in addition to their obligations as members of the Commission.
- That each member expended many hours outside normal working hours.
- That the length of service with respect to the work of the Commission will endure for a period of at least 12 months.
- The Constitution Act clearly establishes that the members of the Commission (other than the Chairman) are entitled to remuneration regardless of the fact that they are already in receipt of salaries as part of their substantive roles.
- That the Tribunal consider the key conclusions from its previous Report, that the level of remuneration be determined having regard to the highest order of the work of the members of the Commission.

14. No other submissions were received by the Tribunal in relation to this matter.

#### CONSIDERATIONS

15. The Tribunal has noted the submissions made by the Chair of the Commission and its two members. The Tribunal has also examined the material provided, including the final report of the Commission which outlines its role and functions, as well as a summary of the Commission's work. Upon examining that material, the Tribunal considers that the nature, scope and complexity of the work, and the level of responsibility exercised by the Commission's members is similar to the work performed by the previous Commission in 2016.
16. The Tribunal accepts the submission made by the Hon. Justice Kelly that the statutory powers and responsibilities exercised by the Commission's members are foundational to the State's democracy. The Tribunal considers that the full and proper performance of the statutory duties assigned to the members of the Commission by the Constitution Act is critically important to maintaining public confidence in our State's independent institutions such as the Commission.
17. Moreover, it is clear upon reading the Commission's Report that the members of the Commission draw upon significant levels of individual skill and expertise in order to properly execute the statutory duties assigned by the Constitution Act. The Tribunal considers that the application of that skill and expertise to the Commission's work should attract a fair and reasonable rate of remuneration.

#### CONCLUSION

18. In determining an appropriate amount of remuneration for the 2020 Commission, the Tribunal has decided to apply an increase to the amount of remuneration previously payable to the 2016 Commission, having regard to any salary increases provided to the Statutory Office Holders within its jurisdiction. However, the Tribunal has not included the 2020 increase in its methodology due to the adverse effects of the COVID-19 pandemic.
19. Accordingly, the Tribunal will issue the accompanying Determination which provides for remuneration to be payable to each of the members of the Commission (other than the Chair) at the rate of \$20,103.
20. The Tribunal considers that the amount of remuneration determined under the accompanying Determination is a one off lump sum payment for all purposes in relation to the work performed by the 2020 Commission.

#### OPERATIVE DATE

21. The operative date of the accompanying Determination shall be 11 March 2021.

Dated: 11 March 2021

MATTHEW O'CALLAGHAN  
President

DEBORAH BLACK  
Member

PETER DE CURE  
Member

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#### ROADS (OPENING AND CLOSING) ACT 1991

##### SECTION 24

#### NOTICE OF CONFIRMATION OF ROAD PROCESS ORDER

##### *Road Closure—Un-named Public Road, Cockaleechee*

BY Road Process Order made on 7 May 2019, The District Council of Tumby Bay ordered that:

1. Portions of the Un-named Public Road, Cockaleechee, situated adjoining Allotment 505 in Filed Plan 178917 and Section 52, Hundred of Stokes, more particularly delineated and lettered 'A', 'B' and 'C' in Preliminary Plan 18/0045 be closed.
2. Transfer portions of the land subject to closure lettered 'A' and 'B' to Terrence Morris Fitzgerald in accordance with the Agreement for Transfer dated 3 May 2019 entered into between The District Council of Tumby Bay and Terrence Morris Fitzgerald.
3. Transfer portion of the land subject to closure lettered 'C' to Gary James Fitzgerald and Jacqueline Fitzgerald in accordance with the Agreement for Transfer dated 3 May 2019 entered into between The District Council of Tumby Bay and Gary James Fitzgerald and Jacqueline Fitzgerald.

On 12 March 2021 that order was confirmed by the Attorney-General conditionally upon the deposit by the Registrar-General of Deposited Plan 120936 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: 18 March 2021

M. P. BURDETT  
Surveyor-General

DPTI: 2018/21017/01

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## SHOP TRADING HOURS ACT 1977

*Trading Hours—Exemption*

NOTICE is hereby given that pursuant to section 5(9)(b) of the *Shop Trading Hours Act 1977* (the Act), I, Rob Lucas MLC, Treasurer, on my own initiative, do hereby declare that shops within the ambit of sections 13(5a) and 13(5b), situated within the Greater Adelaide Shopping District, are exempt from the provisions of the Act, subject to the following conditions:

- Exemption will apply on Saturday, 3 April 2021 until 5.00 pm.
- Normal trading hours prescribed by section 13 of the Act shall apply at all other times.
- All employees working during these extended hours will do so on a strictly voluntary basis.
- Any and all relevant industrial instruments are to be complied with.
- All work health and safety issues (in particular those relating to extended trading hours) must be appropriately addressed.

Dated: 15 March 2021

HON ROB LUCAS MLC  
Treasurer

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## LOCAL GOVERNMENT INSTRUMENTS

CITY OF ADELAIDE

ROAD TRAFFIC ACT 1961—SECTION 32

*Permanent Closure Traffic Proposal—Portion of Chesser Street between Grenfell Street and French Street, City of Adelaide for Public Consultation*

The City of Adelaide hereby gives notice that it is proposing to permanently close a portion of Chesser Street between Grenfell Street and French Street, Adelaide to improve pedestrian amenity, safety and to increase vibrancy in Adelaide's emerging laneways.

Pursuant to the Section 32 of the *Road Traffic Act 1961*, the City of Adelaide is required to undertake public consultation when proposing to close a road as a through road for motor vehicles.

For further information on the consultation process, or to provide feedback on this proposal, you can visit [yoursay.cityofadelaide.com.au](https://yoursay.cityofadelaide.com.au) at any time or Council's principal office, 25 Pirie Street, Adelaide or any of its libraries and community centres (except for the Box Factory) during ordinary office hours.

Consultation is open from 19 March 2021. All submissions must be received by 5 pm Tuesday, 20 April 2021.

Dated: 18 March 2021

CLARE MOCKLER  
Acting Chief Executive Officer

CITY OF HOLDFAST BAY

DEVELOPMENT ACT 1993

*Local Heritage in Transition Development Plan Amendment—Public Consultation*

Notice is hereby given that the City of Holdfast Bay Council, pursuant to Sections 24 and 25 of the *Development Act 1993*, has prepared a Development Plan Amendment Report (DPA) to amend its Development Plan.

The DPA seeks to elevate 29 Contributory Items from Council's list of 534 Contributory Items to become Local Heritage Places.

Local Heritage Places are buildings or structures that are significant to the heritage of the City of Holdfast Bay Council. They provide us with a physical connection to the past and reflect the practices, attitudes, architecture, design and values that have shaped the environment.

Local Heritage Place listings will help to ensure ongoing heritage protection for future generations to appreciate.

Public consultation will occur from Thursday, 18 March 2021 until Thursday, 13 May 2021.

For more information and to view the DPA online visit: [www.yourholdfast.com/dpa](http://www.yourholdfast.com/dpa)

Copies of the DPA are available for purchase or viewing at the following locations:

- The Brighton Civic Centre, 24 Jetty Road, Brighton
- Brighton Library, 20 Jetty Road, Brighton
- Glenelg Library, 2 Colley Terrace, Glenelg

To comment on the DPA please provide a written submission marked Local Heritage DPA and sent to:

Roberto Bria  
Chief Executive Officer  
City of Holdfast Bay Council  
PO Box 19, Brighton SA 5048

Written submissions regarding the DPA should be received no later than 5.00 pm on Thursday, 13 May 2021.

Your submission should clearly indicate whether you wish to be heard in support of your submission at the public hearing. If you wish to lodge your submission electronically, please email it to [mail@holdfast.sa.gov.au](mailto:mail@holdfast.sa.gov.au) or Council's Your Say Page [www.yourholdfast.com/dpa](http://www.yourholdfast.com/dpa).

Copies of all submissions will be available for inspection at the City of Holdfast Bay Council 24 Jetty Road, Brighton from 13 May 2021 until the conclusion of the public hearing.

A public hearing will be held in June 2021 at the City of Holdfast Bay Civic Centre, 24 Jetty Road, Brighton at which time interested persons may be heard in relation to the DPA and the submissions. The public hearing will not be held if no submissions are received or if no submission makes a request to be heard.

If you would like further information about the DPA, contact Michael Gates, (08) 8229 9999 or [mgates@holdfast.sa.gov.au](mailto:mgates@holdfast.sa.gov.au).

Dated: 13 March 2021

ROBERTO BRIA  
Chief Executive Officer

CITY OF MITCHAM

*Review of Elector Representation*

Notice is hereby given that the City of Mitcham is undertaking a review to determine whether a change of arrangements are required in respect to elector representation, so as to ensure that the electors of the area are being adequately and fairly represented.

Pursuant to the provisions of Section 12(7) of the *Local Government Act 1999*, notice is hereby given that Council has prepared a Representation Options Paper which examines the advantages and disadvantages of the various options available in regards to the composition and structure of Council, and the division of the council area into wards.

A copy of the Representation Options Paper is available on the Council's website [yoursay.mitchamcouncil.sa.gov.au/representation-review](https://yoursay.mitchamcouncil.sa.gov.au/representation-review); and for inspection and/or purchase at the Council offices at 131 Belair Road, Torrens Park.

Written submissions are invited from interested persons from Wednesday, 17 March 2021 and should be directed to the Chief Executive Officer, PO Box 21, Mitcham Shopping Centre, Torrens Park SA 5062; or emailed to [mitcham@mitchamcouncil.sa.gov.au](mailto:mitcham@mitchamcouncil.sa.gov.au) by close of business on Friday, 7 May 2021. Alternatively, electronic submissions can be made via the Council website ([www.mitchamcouncil.sa.gov.au](http://www.mitchamcouncil.sa.gov.au)).

Information regarding the elector representation review can be obtained from the Council website or by contacting Council on telephone (08) 8372 8888 or email [mitcham@mitchamcouncil.sa.gov.au](mailto:mitcham@mitchamcouncil.sa.gov.au).

Dated: 18 March 2021

MATTHEW PEARS  
Chief Executive Officer

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CITY OF PORT ADELAIDE ENFIELD

*Assignment of Names for New Roads*

NOTICE is hereby given that the Council of the City of Port Adelaide Enfield under delegated authority resolved pursuant to Section 219(1) of the *Local Government Act 1999* that the names of certain new roads located in the suburbs of North Haven, Gillman, Enfield and Port Adelaide be assigned the street names as detailed below:

- A new road be assigned the name Oceanic Circuit, North Haven.
- New roads be assigned the names McMillan Circuit, Taylor Court, Tawurri Street and Manmarra St in Gillman.
- A new road be assigned the name Tapa Lane, Enfield.
- New roads be assigned the names Beech Street, Atelier Lane and Le Messurier Street in Port Adelaide.

A copy of the plan that delineates the new roads that are the subject to the assignment of street names, are available for inspection on the Council's website [www.cityofpae.sa.gov.au/connect/media-hub/public-notices](http://www.cityofpae.sa.gov.au/connect/media-hub/public-notices).

Dated: 18 March 2021

MARK WITHERS  
Chief Executive Officer

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CLARE AND GILBERT VALLEYS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

*Road Closure—Portion of Raglan Street, Auburn*

Notice is hereby given, pursuant to section 10 of the *Roads (Opening and Closing) Act 1991*, that the Clare and Gilbert Valleys Council proposes to make a Road Process Order to close and merge with adjoining Allotment 12 in F147461, portion of Raglan Street Auburn, as delineated and lettered 'A' on the Preliminary Plan No. 21/0001.

A copy of the plan and a statement of persons affected are available for public inspection at the Council Office, 4 Gleeson Street, Clare SA 5453 and the Adelaide Office of the Surveyor-General during normal office hours. The Preliminary Plan may also be viewed at [www.sa.gov.au/roadsactproposals](http://www.sa.gov.au/roadsactproposals).

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, 4 Gleeson Street, Clare SA 5453 within 28 days of this notice and a copy must be forwarded to the Surveyor-General at GPO Box 1354 Adelaide 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated: 3 March 2021

DR HELEN MACDONALD  
Chief Executive Officer

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COPPER COAST COUNCIL

*Resignation of Councillor*

Notice is hereby given in accordance with Section 54(6) of the *Local Government Act 1999*, that a vacancy has occurred in the office of Area Councillor due to the resignation of Councillor Timothy Love, effective 12 March 2021.

Dated: 18 March 2021

RUSSELL PEATE  
Chief Executive Officer

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COPPER COAST COUNCIL

*Close of Roll for Supplementary Election*

Due to the resignation of a member of the council, and an existing council vacancy, a supplementary election will be necessary to fill two vacancies for Area Councillor.

The voters roll for this supplementary election will close at 5.00pm on Wednesday, 31 March 2021.

You are entitled to vote in the election if you are enrolled on the State electoral roll for the council area. If you have recently turned 18 or changed your residential or postal address you must complete an electoral enrolment form available online at [www.ecsa.sa.gov.au](http://www.ecsa.sa.gov.au)

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

Nominations to fill the vacancies will open on Thursday, 22 April 2021 and will be received until 12 noon on Thursday, 6 May 2021.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Tuesday, 15 June 2021.

Dated: 18 March 2021

MICK SHERRY  
Returning Officer

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THE FLINDERS RANGES COUNCIL  
FIRE AND EMERGENCY SERVICES ACT 2005  
*Schedule 11—Regulation 34 Declaration*

Notice is hereby given of the declaration of an area of the State in which a person may operate a gas fire or electric element for cooking purposes in the open air contrary to the terms of a total fire ban.

PURSUANT to regulations under the *Fire and Emergency Services Act 2005*, The Flinders Ranges Council declares that persons may operate gas fires or electric elements for cooking purposes in the open air contrary to the terms of a total fire ban at the following places:

1. Quorn Pioneer Machinery Society/Quorn Lions Park, Flinders Ranges Way/Arden Vale Road, Quorn
2. Quorn and Districts Memorial Swimming Pool, Silo Road, Quorn
3. Hawker Swimming Pool, Cradock Road, Hawker
4. Quorn Bush Food Precinct, Silo Road and Park Terrace, Quorn
5. Thompson Memorial Playground, Railway Terrace, Quorn
6. Blue Burt Park, Elder Terrace, Hawker
7. Quorn Town Hall, Railway Terrace, Quorn
8. Hawker Community Sports Centre, Cradock Road, Hawker
9. Hawker Racecourse, Jarvis Hill Road, Hawker
10. Quorn Racecourse, Kingswood Bore Road, Quorn
11. Quorn Community Hall and Oval Precinct, Park Terrace, Quorn
12. Stockyard Arena, Silo Road, Quorn

This notice operates at all times until revoked.

The operation of a gas fire or electric element under this notice is subject to the following conditions:

- (1) The space immediately around and above the gas fire or electric element must be cleared of all flammable material to a distance of at least four metres.
- (2) A person who is able to control the gas fire or electric element must be present at all times while it is lighted or charged.
- (3) An appropriate agent adequate to extinguish any fire must be at hand.

Dated: 11 March 2021

ERIC BROWN  
Chief Executive Officer

REGIONAL COUNCIL OF GOYDER  
ROADS (OPENING AND CLOSING) ACT 1991  
*Road Closure—Portion of South Terrace, Farrell Flat*

Notice is hereby given, pursuant to section 10 of the *Roads (Opening and Closing) Act 1991*, that the Regional Council of Goyder proposes to make a Road Process Order to close and merge with Allotment 6, Town of Farrell Flat, portion of South Terrace, Farrell Flat as delineated and lettered 'A' on the Preliminary Plan No. 21/0007.

A copy of the plan and a statement of persons affected are available for public inspection at the Council Office at 1 Market Square, Burra SA 5417 and the Adelaide Office of the Surveyor-General during normal office hours. The Preliminary Plan may also be viewed at [www.sa.gov.au/roadsactproposals](http://www.sa.gov.au/roadsactproposals).

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, 1 Market Square, Burra SA 5417 within 28 days of this notice and a copy must be forwarded to the Surveyor-General at GPO Box 1354 Adelaide 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated: 13 January 2021

DAVID STEVENSON  
Chief Executive Officer

KANGAROO ISLAND COUNCIL  
SUPPLEMENTARY ELECTION OF AREA COUNCILLOR  
*Election Results*

Conducted on Wednesday, 3 March 2021

Formal Ballot Papers—1054

Informal Ballot Papers—30

Quota—352

Candidates	First Preference Votes	Elected/Excluded	Votes at Election/Exclusion	Count
COTTERILL, Richard	451	Elected 1	Quota	1
COMPTON, Sharon	180		180	1
MEPHAM, David	423	Elected 2	Quota	1

Dated: 18 March 2021

MICK SHERRY  
Returning Officer

## MID MURRAY COUNCIL

*Representation Review*

Pursuant to the provisions of Section 12(7) of the *Local Government Act 1999*, notice is hereby given that the Mid Murray Council has prepared a Representation Options Paper that examines the advantages and disadvantages of various options available to the Council with respect to its composition and ward structure.

Copies of the Representation Options Paper are available for inspection and/or purchase at the following locations:

- Council's website [www.mid-murray.sa.gov.au](http://www.mid-murray.sa.gov.au)
- Council's offices located in Mannum, Cambrai or Morgan

Interested persons are invited to make written submissions to the Chief Executive Officer of the Council by close of business on 5 May 2021 by email [postbox@mid-murray.sa.gov.au](mailto:postbox@mid-murray.sa.gov.au) or by post (PO Box 28, Mannum SA 5238).

Information regarding the Representation Review can be obtained by contacting Mr Ben Scales, Chief Executive Officer, by telephone (08) 8569 0100 or by email [postbox@mid-murray.sa.gov.au](mailto:postbox@mid-murray.sa.gov.au).

Dated: 18 March 2021

BEN SCALES  
Chief Executive Officer

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## WUDINNA DISTRICT COUNCIL

*Resignation of Councillor*

Notice is hereby given in accordance with Section 54(6) of the *Local Government Act 1999*, that a vacancy has occurred in the office of Area Councillor, due to the resignation of Councillor Candice Lea effective Monday, 15 February 2021.

Dated: 18 March 2021

ALAN MCGUIRE  
Chief Executive Officer

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## WUDINNA DISTRICT COUNCIL

*Close of Roll for Supplementary Election*

Due to the resignation of a member of the council, a supplementary election will be necessary to fill the vacancy of Area Councillor.

The voters roll for this supplementary election will close at 5.00pm on Wednesday, 31 March 2021.

You are entitled to vote in the election if you are enrolled on the State electoral roll for the council area. If you have recently turned 18 or changed your residential or postal address you must complete an electoral enrolment form available online at [www.ecsa.sa.gov.au](http://www.ecsa.sa.gov.au).

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

Nominations to fill the vacancy will open on Thursday, 22 April 2021 and will be received until 12 noon on Thursday, 6 May 2021.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Tuesday, 15 June 2021.

Dated: 18 March 2021

MICK SHERRY  
Returning Officer

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## PUBLIC NOTICES

### NATIONAL ELECTRICITY LAW

#### *Extension of Draft Determinations*

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

Under s 107, the time for making the draft determination on the *Synchronous services markets* (Ref. ERC0290) proposal has been extended to **30 September 2021**.

Under s 107, the time for making the draft determination on the *Capacity Commitment Mechanism for Security and Reliability* (Ref. ERC0306) proposal has been extended to **24 June 2021**.

Australian Energy Market Commission  
Level 15, 60 Castlereagh St  
Sydney NSW 2000

Telephone: (02) 8296 7800

[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 18 March 2021

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### NATIONAL ENERGY RETAIL LAW

#### *Making of Final Determination and Final Rule*

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

Under ss 259 and 261, the making of the *National Energy Retail Amendment (Bill contents and billing requirements) Rule 2021 No. 2* (Ref. RRC0036) and related final determination. Schedule 1 commences operation on **4 August 2022**. Schedule 2 commences operation on **25 March 2021**.

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](http://www.aemc.gov.au)

Dated: 18 March 2021

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# 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)
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WEBSITE: [www.governmentgazette.sa.gov.au](http://www.governmentgazette.sa.gov.au)

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