No. 84 p. 3715

**THE SOUTH AUSTRALIAN**

**GOVERNMENT GAZETTE**

**Published by Authority**

Adelaide, Thursday, 9 November 2023

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# Governor’s Instruments

## Appointments

Department of the Premier and Cabinet

Adelaide, 9 November 2023

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

Member: from 1 December 2023 until 30 November 2027

Jeremy Wellwood

Melanie Louise Smith

Monique Bareham

By command,

Blair Ingram Boyer, MP

For Premier

HEAC-2023-00052

Department of the Premier and Cabinet

Adelaide, 9 November 2023

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

Member: from 14 November 2023 until 13 November 2026

Peter David Button

Cameron James Devey

Robert Andrew Cadd

Stuart Vaughan McLean

Fiona Jane Gill

Monique Julie Blason

Ana Glavinic

Vlora Dzeladini

Sarah Louise Elding

Michael James Garrod

Laura Copeland

Brooke Aily Swaffer

Kylie Marie Egan

Paul Anthony Yeomans

Marilyn Henderson

Janice Dawn Ferguson

Simon Maddocks

Cherrie De Leiuen

Kirsty Bevan

Deputy Member: from 14 November 2023 until 13 November 2026

Philip Leslie Kilsby (Deputy to Button)

Alison Jayne May (Deputy to Devey)

Jonathan David Lindner (Deputy to Cadd)

John De Candia (Deputy to McLean)

Damon Aivars Ezis (Deputy to Gill)

Peter David Merry (Deputy to Blason)

Karen Narelle Lee-Jones (Deputy to Glavinic)

Ali Morton Walsh (Deputy to Dzeladini)

Jeffery William Sewart (Deputy to Elding)

William James Durack (Deputy to Garrod)

Elena-Gaye Petrenas (Deputy to Copeland)

James Scott Crocker (Deputy to Swaffer)

Jonathan Ray Fischer (Deputy to Egan)

Heidi Lee Greaves (Deputy to Yeomans)

Anthony Ross Vaughan (Deputy to Ferguson)

Benedict James Browne (Deputy to Maddocks)

Toby James Forde (Deputy to De Leiuen)

Tessa Nicole Bignell Roberts (Deputy to Bevan)

By command,

Blair Ingram Boyer, MP

For Premier

23MES0006CS

Department of the Premier and Cabinet

Adelaide, 9 November 2023

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

By command,

Blair Ingram Boyer, MP

For Premier

DPC23/066CS

Department of the Premier and Cabinet

Adelaide, 9 November 2023

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

By command,

Blair Ingram Boyer, MP

For Premier

AGO0197-23CS

Department of the Premier and Cabinet

Adelaide, 9 November 2023

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

By command,

Blair Ingram Boyer, MP

For Premier

AGO0197-23CS

## Proclamations

South Australia

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

under section 9 of the *Youth Court Act 1993*

**1—Short title**

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

**2—Commencement**

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

**3—Designation and classification of magistrates**

The magistrates named in [Schedule 1](#idb8bed244_c63e_45f8_a497_e5ea82e5ac) (being cross-border magistrates within the meaning of section 5A of the [*Magistrates Act 1983*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Magistrates%20Act%201983)) are—

(a) designated as magistrates of the Youth Court of South Australia; and

(b) classified as members of the Court's ancillary judiciary.

**Schedule 1—Magistrates of the Court**

David Woodroffe

Melita Jennifer Medcalf

**Made by the Governor**

with the advice and consent of the Executive Council

on 9 November 2023

## Regulations

South Australia

### Environment Protection Regulations 2023

under the *Environment Protection Act 1993*

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**Part 1—Preliminary**

**1—Short title**

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

**2—Commencement**

These regulations come into operation on 1 April 2024.

**3—Interpretation**

(1) In these regulations—

***accreditation***, in relation to a site contamination auditor, means accreditation under [Part 5 Division 2](#id4be96f62_cf18_47d8_9c84_52d4a27e869c_2);

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

***accredited activity*** means a prescribed activity of environmental significance carried on by a licensee in respect of which accreditation is granted under [regulation 34](#id298a4df2_5a5d_4f62_83e4_e1e10e09f92f_0);

***Act*** means the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993);

***Adelaide airshed*** means the area described in [Schedule 2 clause 2](#idb84690ba_b2ec_4941_859d_909762f381);

***agriculture*** includes horticulture;

***approved estimation or monitoring technique*** for an activity means—

(a) an estimation technique set out in an EET manual for the activity; or

(b) a technique or method approved by the Authority for the activity by condition of licence or otherwise;

***approved weighbridge*** means a weighbridge—

(a) that is operated in accordance with a licence issued under the *National Measurement Act 1960* of the Commonwealth; or

(b) that is approved by the Authority under [regulation 69](#id2585c615_f960_482e_8872_2b38a61fbb9b_1);

***asbestos*** includes unbound or friable asbestos and bound or non‑friable asbestos;

***assessable site***—see [subregulation (2)](#ide646592f_c7c3_4d6f_972b_cda360ed134c_1);

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

***copper*** means copper and its compounds;

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

***designated water pollutant*** means—

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

(b) salt discharged in the course of a desalination plant;

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

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

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

***environment management component*** means the environment management component of an annual authorisation fee for a licence (see [regulation 28](#ida279f9b5_c248_48ab_80ae_28b568c4443f_4) and [Schedule 2 Part 2](#id03e4373f_f647_4305_ab29_ba4ac20c03d2_8));

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

***fee unit***—see [Schedule 4 clause 1](#id06026972_d35b_4a5c_b20f_0c468fe179c2_a);

***flat fee component*** means the flat fee component of an annual authorisation fee for a licence (see [regulation 27](#ide6dfded1_3e6f_412e_8900_b069b713eff3_a));

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

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

***lead*** means lead and its compounds;

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

**Note—**

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

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

***listed substance*** means a substance listed in [Schedule 3 clause 4](#idcebc0e15_14c2_4041_9ec5_e854929630ad_7);

***marine environment*** means—

(a) marine waters; or

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

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

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

***Mount Gambier airshed*** means the area described in [Schedule 2 clause 3](#id32cead10_6da7_4596_8524_9b96c2157c);

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

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

***nitrogen*** means total nitrogen;

***organic matter***—see [subregulation (3)](#id6f83b5b8_0fac_49f7_b966_8fd7f75919f3_e);

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

***pesticides*** includes herbicides and fungicides;

***phosphorous*** means total phosphorus;

***pollutant load‑based component*** means the pollutant load‑based component of the resource efficiency component of an annual authorisation fee for a licence (see [regulation 29](#id105d6ff3_8ef0_4254_ae1c_e997a0a71734_7));

***Port Pirie airshed*** means the area described in [Schedule 2 clause 4](#idc08dc057_128a_4ac5_8356_c88176958e);

***Port River region*** means the area described in [Schedule 2 clause 5](#id0dc14b36_1dc0_464c_9df5_700adab606);

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

***red dust particulates*** means haematite or goethite;

***reporting period*** means—

(a) for a licence authorising an activity in respect of which a report is provided to the Authority for the purposes of the National Pollutant Inventory—the period to which the report relates; or

(b) for any other licence—the 12 month period approved by the Authority for the licence by condition of the licence or by notice in writing to the licensee;

***resource efficiency component***—the resource efficiency component of the annual authorisation fee for a licence is comprised of the pollutant load‑based component and the water reuse component (see [regulation 27](#ide6dfded1_3e6f_412e_8900_b069b713eff3_a));

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

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

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

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

***Upper Spencer Gulf*** means the waters described in [Schedule 2 clause 6](#id85cf4a5e_afbd_493e_9804_9eff7c1362);

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

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

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

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

***wastewater*** includes—

(a) sewage, and septic tank effluent, whether treated or untreated; and

(b) water containing commercial or industrial waste;

***water reuse component*** means the water reuse component of the resource efficiency component of an annual authorisation fee for a licence (see [regulation 30](#iddd4567dd_48db_4367_a1b6_111d7b82d2e0_1));

***Whyalla airshed*** means the area described in [Schedule 2 clause 7](#id30cc4ef4_6760_4174_92c1_b1194bca6b);

***zinc*** means zinc and its compounds.

(2) For the purposes of these regulations, the following principles apply in relation to an ***assessable site***:

(a) each location specified in a licence at which a prescribed activity of environmental significance may be undertaken is to be taken to be an assessable site;

(b) if various places are specified in a licence as a single location, then the various premises are together to be taken to be an assessable site;

(c) if a licence authorises a prescribed activity of environmental significance to be undertaken by means of mobile works, then the various premises at which the mobile works are used are together to be taken to be an assessable site;

(d) the prescribed activities of dredging, earthworks drainage and a waste transport business are not to be regarded as being undertaken at an assessable site.

(3) A reference in these regulations to an amount of ***organic matter*** is—

(a) in the case of organic matter discharged to waters in the course of a desalination plant—a reference to the amount of total organic carbon so discharged (expressed in kilograms); and

(b) in any other case—a reference to the biochemical oxygen demand of the organic matter (expressed in kilograms),

determined in accordance with an approved estimation or monitoring technique for the activity that produces the organic matter.

(4) A reference in these regulations to the discharge of a pollutant in the course of a desalination plant is a reference to the discharge of the pollutant in the course of a prescribed activity of environmental significance specified in Schedule 1 Part A clause 8(6a) of the Act (desalination plant).

**Part 2—General provisions supporting Act**

**4—Prescribed national scheme laws (section 3)**

(1) For the purpose of paragraph (a) of the definition of ***the prescribed national scheme laws*** in section 3(1) of the Act, the *National Environment Protection Council Act 1994* of the Commonwealth is the prescribed law of the Commonwealth.

(2) For the purpose of paragraph (b) of the definition of ***the prescribed national scheme laws*** in section 3(1) of the Act, the [*National Environment Protection Council (South Australia) Act 1995*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=National%20Environment%20Protection%20Council%20(South%20Australia)%20Act%201995) is the prescribed law of this State.

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

(1) For the purposes of paragraph (d) of the definition of ***pollutant*** in section 3(1) of the Act, and for the purposes of section 5(1)(b) of the Act, the following bodies are prescribed:

(a) Australian Conservation Foundation Inc;

(b) Business Council for Sustainable Development Australia;

(c) Conservation Council of South Australia Incorporated;

(d) Environmental Defenders Office (SA) Incorporated;

(e) Environmental Health Australia;

(f) Local Government Association of South Australia Incorporated;

(g) National Environmental Law Association Limited (SA Branch);

(h) Primary Producers SA Incorporated;

(i) Royal Australian Chemical Institute Inc.;

(j) SA Unions;

(k) South Australian Chamber of Mines and Energy Incorporated;

(l) South Australian Employers' Chamber of Commerce and Industry Incorporated (trading as Business SA);

(m) South Australian Fire and Emergency Services Commission (established under Part 2 Division 1 of the [*Fire and Emergency Services Act 2005*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Fire%20and%20Emergency%20Services%20Act%202005));

(n) The Australian Industry Group;

(o) The Nature Conservation Society of South Australia Incorporated;

(p) Waste Management and Resource Recovery Association of Australia Ltd.

(2) For the purposes of section 4(1)(b) of the Act, the following bodies are prescribed:

(a) Conservation Council of South Australia Incorporated;

(b) Local Government Association of South Australia Incorporated;

(c) South Australian Employers' Chamber of Commerce and Industry Incorporated (trading as Business SA);

(d) The Australian Industry Group;

(e) Waste Management and Resource Recovery Association of Australia Ltd.

**6—Board of Authority (section 14B)**

(1) For the purposes of section 14B(4) of the Act, the Minister must, in relation to the selection of persons for appointment to the Board, consult with the following bodies:

(a) in relation to the selection for appointment of a person with practical knowledge of, and experience in, industry, commerce or economic development—

(i) Primary Producers SA Incorporated; and

(ii) South Australian Chamber of Mines and Energy Incorporated; and

(iii) South Australian Employers' Chamber of Commerce and Industry Incorporated (trading as Business SA); and

(iv) The Australian Industry Group;

(b) in relation to the selection for appointment of a person with practical knowledge of, and experience in, environmental conservation and advocacy on environmental matters on behalf of the community—

(i) Conservation Council of South Australia Incorporated; and

(ii) Environmental Defenders Office (SA) Incorporated;

(c) in relation to the selection for appointment of a person with practical knowledge of, and experience in, the reduction, reuse, recycling and management of waste or the environmental management industry—

(i) Business Council for Sustainable Development Australia; and

(ii) Consult Australia; and

(iii) Waste Management and Resource Recovery Association of Australia Ltd;

(d) in relation to the selection for appointment of a person with legal qualifications and experience in environmental law—

(i) Environmental Defenders Office (SA) Incorporated; and

(ii) National Environmental Law Association Limited (SA Branch);

(e) in relation to the selection for appointment of a person with practical knowledge of, and experience in, local government—Local Government Association of South Australia Incorporated.

(2) A body consulted by the Minister under [subregulation (1)](#id6d716780_913c_4076_8a58_5d5b6231ef87_a) must, within a reasonable period of time specified by the Minister, nominate a panel of up to 3 persons, including at least 1 woman and 1 man, from which selection for appointment may be made.

**7—Environment Protection Fund (section 24)**

(1) For the purposes of section 24(3)(a) of the Act, the prescribed percentage of fees (other than expiation fees) to be paid into the Environment Protection Fund is 5%.

(2) For the purposes of section 24(3)(b) of the Act, the prescribed percentage of penalties recovered in respect of offences (other than expiation fees or penalties to which a council is entitled) to be paid into the Environment Protection Fund is 100%.

(3) For the purposes of section 24(3)(ba) of the Act, the prescribed percentage of amounts recovered by the Authority, by negotiation or as a result of civil proceedings, in respect of contraventions to be paid into the Environment Protection Fund is 100%.

(4) For the purposes of section 24(3)(e) of the Act, the prescribed percentage of levy payments under Part 15 of the Act to be paid into the Environment Protection Fund is 5%.

**8—Normal procedure for making policies (section 28)**

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

(a) Australian Conservation Foundation Inc;

(b) Business Council for Sustainable Development Australia;

(c) Conservation Council of South Australia Incorporated;

(d) Environmental Defenders Office (SA) Incorporated;

(e) Environmental Health Australia;

(f) Local Government Association of South Australia Incorporated;

(g) National Environmental Law Association Limited (SA Branch);

(h) Primary Producers SA Incorporated;

(i) Royal Australian Chemical Institute Inc.;

(j) SA Unions;

(k) South Australian Chamber of Mines and Energy Incorporated;

(l) South Australian Employers' Chamber of Commerce and Industry Incorporated (trading as Business SA);

(m) South Australian Fire and Emergency Services Commission (established under Part 2 Division 1 of the [*Fire and Emergency Services Act 2005*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Fire%20and%20Emergency%20Services%20Act%202005));

(n) The Australian Industry Group;

(o) The Nature Conservation Society of South Australia Incorporated;

(p) Waste Management and Resource Recovery Association of Australia Ltd.

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

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

(a) a body (however described) that consists of the Minister of the Commonwealth, and the Minister of each State and Territory, who is responsible, or principally responsible, for matters relating to any of the following:

(i) climate change;

(ii) energy;

(iii) environment;

(iv) health;

(v) heritage;

(vi) mining and petroleum;

(vii) natural resource management;

(viii) planning;

(b) Department of Climate Change, Energy, the Environment and Water (Commonwealth);

(c) Department of Environment and Science (Queensland);

(d) Department of Environment, Food and Rural Affairs (United Kingdom);

(e) Department of Energy, Environment and Climate Action (Victoria);

(f) Department of Environment, Parks and Water Security (Northern Territory);

(g) Department of Natural Resources and Environment (Tasmania);

(h) Department of Planning and Environment (New South Wales);

(i) Department of Water and Environmental Regulation (Western Australia);

(j) enHealth (Commonwealth);

(k) Environment Agency (United Kingdom);

(l) Environment, Planning and Sustainable Development Directorate (Australian Capital Territory);

(m) Environmental Protection Agency (Ireland);

(n) Environmental Protection Agency (United States);

(o) Environment Protection Authority (Northern Territory);

(p) Environment Protection Authority (Victoria);

(q) European Environment Agency;

(r) International Organization for Standardization;

(s) National Health and Medical Research Council;

(t) Scottish Environment Protection Agency;

(u) Standards Australia;

(v) United Nations Environment Programme;

(w) World Health Organisation.

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

(1) For the purposes of section 64(2) of the Act, the period allowed for a response from the Water Resources Minister in respect of an application for an environmental authorisation referred to that Minister is 2 months.

(2) Pursuant to section 64(6) of the Act, the Authority must not make a decision on an application referred to the Water Resources Minister without having regard to the response of that Minister.

**11—Powers of authorised officers (section 87)**

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

(a) a vehicle used to carry waste or other matter;

(b) a vehicle used in the course of or in connection with an activity authorised or required to be authorised by an environmental authorisation;

(c) a vehicle reasonably suspected of being a vehicle referred to in [paragraph (a)](#idf7ae451f_819e_49bf_a183_f2435dcd744c_7) or [(b)](#idb78646d3_4e1c_4e55_bdf8_a0c2a424f221_d).

**12—Issue of warrants (section 88)**

For the purposes of section 88(7)(a) of the Act, the prescribed form of a notice to be prepared by an authorised officer who executes a warrant is the form set out in [Schedule 1 clause 1](#id4fb033cf_0e0d_45e5_916c_1ecbe86c3123_b).

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

For the purposes of section 104A(3)(a) of the Act, the prescribed form of a notice to be served by the Authority is the form set out in [Schedule 1 clause 2](#id01f661e4_1663_46bb_9812_db568152c78b_1).

**14—Public register (section 109)**

(1) For the purposes of section 109(3)(l) of the Act, the following information must be recorded in the register:

(a) if an environmental authorisation is subject to a condition requiring compliance with an environment improvement programme under section 44 of the Act—details of the environment improvement programme;

(b) such information as the Authority considers appropriate as to the results of tests or monitoring or evaluation undertaken in compliance with conditions of an environmental authorisation under section 52 of the Act;

(c) such information as the Authority considers appropriate relating to any determination of the Authority under section 58 of the Act;

(d) details of each environment performance agreement entered into under section 59 of the Act;

(e) details of each report of an environmental assessment carried out in relation to land for the purposes of—

(i) an approved voluntary site contamination assessment proposal under section 103I of the Act; or

(ii) an approved voluntary site remediation proposal under section 103K of the Act;

(f) details of each report of an environmental assessment carried out, for any other purpose and at any time in relation to land, by or on behalf of the Authority;

(g) details of each report known as a "Health Commission Report" prepared on behalf of the South Australian Health Commission (under the repealed [*South Australian Health Commission Act 1976*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=South%20Australian%20Health%20Commission%20Act%201976)) in relation to pollution of land or contamination of land by chemical substances;

(h) copies of each written warning issued by the Authority in relation to an alleged contravention of the Act;

(i) details of each pre‑1 July 2009 site audit report carried out in relation to land;

(j) details of licences to operate a waste depot issued under the repealed [*South Australian Waste Management Commission Act 1979*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=South%20Australian%20Waste%20Management%20Commission%20Act%201979) or the repealed [*Waste Management Act 1987*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Waste%20Management%20Act%201987);

(k) details of licences issued under the repealed [*South Australian Waste Management Commission Act 1979*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=South%20Australian%20Waste%20Management%20Commission%20Act%201979) to produce waste of a prescribed kind (within the meaning of that Act);

(l) details of licences issued under the repealed [*Waste Management Act 1987*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Waste%20Management%20Act%201987) to produce prescribed waste (within the meaning of that Act);

(m) details of any records that the former South Australian Waste Management Commission held under the repealed [*Waste Management Act 1987*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Waste%20Management%20Act%201987) of waste (within the meaning of that Act) being deposited on land between 1 January 1983 and 30 April 1995.

(2) In this regulation—

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

(a) site contamination (as defined in the Act) at the land; or

(b) any other contamination of the land by chemical substances,

and includes such an assessment in relation to water on or below the surface of the land;

***pre-1 July 2009 site audit***, in relation to land, means a review (carried out by a person recognised by the Authority as an environmental auditor) that examines environmental assessments or remediation of the land for the purposes of determining—

(a) the nature and extent of contamination of the land by chemical substances present or remaining on or below the surface of the land; and

(b) the suitability of the land for a particular use; and

(c) what remediation is or remains necessary for a particular use,

but does not include a site contamination audit (as defined in the Act) completed on or after 1 July 2009;

***pre-1 July 2009 site audit report*** means a detailed written report that sets out the findings of a pre‑1 July 2009 site audit.

**Part 3—Environmental authorisations**

**Division 1—General provisions supporting Part 6 of Act**

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

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

(a) the owner or occupier is the applicant; or

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

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

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

(a) in the case of an application that is required to be referred to the Water Resources Minister under Part 8 Division 1 of the Act—3 months; or

(b) in the case of an application in respect of which public notice is not required under section 39 of the Act—1 month; or

(c) in any other case—2 months unless the Authority determines that the application involves matters of special complexity or requires an extended period for consideration of submissions from interested persons, in which case, the period may be extended by the Authority to a period, not exceeding 4 months, determined by the Authority.

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

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

(a) if the Authority has specified a number of days for that purpose by condition of the authorisation—not less than that number of days before the date of expiry of the authorisation; or

(b) in any other case—not less than 60 days before the date of expiry of the authorisation.

**18—Conditions (section 45)**

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

(a) in the case of an environmental authorisation granted for a term of 2 years or more—the higher of $300 or 5% of the holder's annual authorisation fee for each month (or part of a month) for which the default continues; or

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

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

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

(a) the owner or occupier is the holder of the environmental authorisation; or

(b) the proposed variation consists of the revocation of an obsolete condition of the environmental authorisation.

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

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

(a) the following South Australian Acts are prescribed:

(i) [*Adelaide Dolphin Sanctuary Act 2005*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Adelaide%20Dolphin%20Sanctuary%20Act%202005);

(ii) [*Aquaculture Act 2001*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Aquaculture%20Act%202001);

(iii) [*Development Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Development%20Act%201993) (repealed);

(iv) [*Green Industries SA Act 2004*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Green%20Industries%20SA%20Act%202004);

(v) [*Landscape South Australia Act 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Landscape%20South%20Australia%20Act%202019);

(vi) [*Mining Act 1971*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Mining%20Act%201971);

(vii) [*Natural Resources Management Act 2004*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Natural%20Resources%20Management%20Act%202004) (repealed);

(viii) [*Petroleum and Geothermal Energy Act 2000*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Petroleum%20and%20Geothermal%20Energy%20Act%202000);

(ix) [*Planning, Development and Infrastructure Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20Act%202016);

(x) [*Protection of Marine Waters (Prevention of Pollution from Ships) Act 1987*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Protection%20of%20Marine%20Waters%20(Prevention%20of%20Pollution%20from%20Ships)%20Act%201987);

(xi) [*Radiation Protection and Control Act 1982*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Radiation%20Protection%20and%20Control%20Act%201982) (repealed);

(xii) [*Radiation Protection and Control Act 2021*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Radiation%20Protection%20and%20Control%20Act%202021);

(xiii) [*River Murray Act 2003*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=River%20Murray%20Act%202003);

(xiv) [*Water Resources Act 1997*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Water%20Resources%20Act%201997) (repealed); and

(b) the following Acts of other States and Territories are prescribed:

(i) *Environmental Management and Pollution Control Act 1994* of Tasmania;

(ii) *Environment Protection Act 1970* (repealed) of Victoria;

(iii) *Environment Protection Act 1997* of the Australian Capital Territory;

(iv) *Environment Protection Act 2017* of Victoria;

(v) *Environmental Offences and Penalties Act 1989* (repealed) of New South Wales;

(vi) *Environmental Protection Act 1986* of Western Australia;

(vii) *Environmental Protection Act 1994* of Queensland;

(viii) *Protection of the Environment Operations Act 1997* of New South Wales;

(ix) *Waste Management and Pollution Control Act 1998* of the Northern Territory;

(x) *Western Australian Marine (Sea Dumping) Act 1981* (repealed) of Western Australia; and

(c) the following Acts of the Commonwealth are prescribed:

(i) *Environment Protection and Biodiversity Conservation Act 1999*;

(ii) *Environment Protection (Sea Dumping) Act 1981*;

(iii) *Hazardous Waste (Regulation of Exports and Imports) Act 1989*;

(iv) *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

**21—Annual fees and returns (section 48)**

(1) For the purposes of section 48(2)(a) of the Act, the date in each year before which the holder of an environmental authorisation must lodge an annual return with the Authority is—

(a) if the Authority has fixed a date for that purpose by condition of the authorisation—that date; or

(b) in any other case—no later than 90 days before the anniversary of the grant or renewal of the authorisation.

(2) For the purposes of section 48(2)(b) of the Act, the date in each year before which the holder of an environmental authorisation must pay the annual authorisation fee to the Authority is—

(a) if a date is specified for the purpose in the authorisation—that date; or

(b) in any other case—the date falling 1 month after each anniversary of the grant of the authorisation.

(3) For the purposes of section 48(4) of the Act, the penalty for—

(a) a failure to lodge an annual return; or

(b) a failure to pay an annual authorisation fee,

is $300 or 5% of the annual authorisation fee (whichever is higher) for each month (or part of a month) for which the default continues.

**22—Transfer of environmental authorisations (section 49)**

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

(a) the following South Australian Acts are prescribed:

(i) [*Adelaide Dolphin Sanctuary Act 2005*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Adelaide%20Dolphin%20Sanctuary%20Act%202005);

(ii) [*Aquaculture Act 2001*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Aquaculture%20Act%202001);

(iii) [*Development Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Development%20Act%201993) (repealed);

(iv) [*Green Industries SA Act 2004*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Green%20Industries%20SA%20Act%202004);

(v) [*Landscape South Australia Act 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Landscape%20South%20Australia%20Act%202019);

(vi) [*Mining Act 1971*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Mining%20Act%201971);

(vii) [*Natural Resources Management Act 2004*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Natural%20Resources%20Management%20Act%202004) (repealed);

(viii) [*Petroleum and Geothermal Energy Act 2000*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Petroleum%20and%20Geothermal%20Energy%20Act%202000);

(ix) [*Planning, Development and Infrastructure Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20Act%202016);

(x) [*Protection of Marine Waters (Prevention of Pollution from Ships) Act 1987*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Protection%20of%20Marine%20Waters%20(Prevention%20of%20Pollution%20from%20Ships)%20Act%201987);

(xi) [*Radiation Protection and Control Act 1982*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Radiation%20Protection%20and%20Control%20Act%201982) (repealed);

(xii) [*Radiation Protection and Control Act 2021*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Radiation%20Protection%20and%20Control%20Act%202021);

(xiii) [*River Murray Act 2003*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=River%20Murray%20Act%202003);

(xiv) [*Water Resources Act 1997*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Water%20Resources%20Act%201997) (repealed); and

(b) the following Acts of other States and Territories are prescribed:

(i) *Environmental Management and Pollution Control Act 1994* of Tasmania;

(ii) *Environment Protection Act 1970* (repealed) of Victoria;

(iii) *Environment Protection Act 1997* of the Australian Capital Territory;

(iv) *Environment Protection Act 2017* of Victoria;

(v) *Environmental Offences and Penalties Act 1989* (repealed) of New South Wales;

(vi) *Environmental Protection Act 1986* of Western Australia;

(vii) *Environmental Protection Act 1994* of Queensland;

(viii) *Protection of the Environment Operations Act 1997* of New South Wales;

(ix) *Waste Management and Pollution Control Act 1998* of the Northern Territory;

(x) *Western Australian Marine (Sea Dumping) Act 1981* (repealed) of Western Australia; and

(c) the following Acts of the Commonwealth are prescribed:

(i) *Environment Protection and Biodiversity Conservation Act 1999*;

(ii) *Environment Protection (Sea Dumping) Act 1981*;

(iii) *Hazardous Waste (Regulation of Exports and Imports) Act 1989*;

(iv) *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989*.

**23—Conditions requiring financial assurance (section 51)**

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

**Division 2—Application and authorisation fees**

**Subdivision 1—Works approvals**

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

(1) The application fee payable under section 38(1) of the Act for a works approval is the sum of—

(a) a lodgement fee of 10 fee units; and

(b) an assessment fee of 20% of the amount determined by the Authority at the time of lodgement of the application to be the expected authorisation fee for the grant of the works approval (assuming the grant of a works approval on the basis of the application).

(2) However, if public notice is to be given under section 39(1), or section 39(1) and (2), of the Act in respect of the application, the amount otherwise payable under [subregulation (1)](#idd5f998f0_cf0a_483f_9a8c_f56b82e238) is increased by the amount determined by the Authority to be the cost of publication of the notice but not exceeding—

(a) if the notice and other similar notices are to be published together by the Authority—5 fee units; or

(b) in any other case—20 fee units.

(3) The application fee for the renewal of a works approval payable under section 43(2) of the Act is 10 fee units.

(4) The authorisation fee payable under section 40 or 43(5) of the Act, and the annual authorisation fee payable under section 48 of the Act, for a works approval is the number of fee units determined according to the estimated cost at the time of the grant of the works approval of the proposed works as follows:

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

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

(a) the purchase of land; or

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

**Note—**

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

**Subdivision 2—Exemptions**

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

(1) The application fee for an exemption payable under section 38(1) of the Act is 43 fee units.

(2) However, if public notice is to be given under section 39(1), or section 39(1) and (2), of the Act in respect of the application, the amount otherwise payable under [subregulation (1)](#id8dabe35a_05ca_4875_bbc6_b45c445bb1e0_f) is increased by the amount determined by the Authority to be the cost of publication of the notice but not exceeding—

(a) if the notice and other similar notices are to be published together by the Authority—5 fee units; or

(b) in any other case—20 fee units.

(3) The application fee for the renewal of an exemption payable under section 43(2) of the Act is 10 fee units.

(4) The authorisation fee payable under section 40 or 43(5) of the Act, and the annual authorisation fee payable under section 48 of the Act, for an exemption will be at 1 of the following levels:

(a) 10 fee units;

(b) a multiple of 10 fee units up to 100 units;

(c) 100 fee units;

(d) a multiple of 100 fee units up to 2 500 units.

(5) The level of the authorisation fee and annual authorisation fee for an exemption is to be determined by the Authority at its discretion having regard to the following:

(a) the factors specified in section 25(2) of the Act;

(b) any relevant environment protection policy;

(c) whether the applicant will be bound by an environment improvement programme;

(d) the time of the day and the period for which the exemption will operate;

(e) the number of people affected by, or the extent of any other environmental impact of, the activity to which the exemption will relate;

(f) any relevant matter arising under any of the following in relation to the location of the activity to which the exemption will relate:

(i) the [*Development Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Development%20Act%201993) or a Development Plan or development authorisation under that Act;

(ii) the [*Planning, Development and Infrastructure Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20Act%202016), the Planning and Design Code or a development authorisation under that Act;

(g) any other matter considered relevant by the Authority.

**Note—**

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

**Subdivision 3—Licences**

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

(1) The application fee payable under section 38(1) of the Act for a licence is the sum of—

(a) a lodgement fee of 10 fee units; and

(b) an assessment fee of—

(i) in the case of a licence to undertake a waste transport business (category A)—4 fee units; or

(ii) in the case of a licence to undertake a waste transport business (category B)—2 fee units; or

(iii) in the case of a licence to undertake dredging or earthworks drainage—34 fee units; or

(iv) in any other case—20% of the amount determined by the Authority at the time of lodgement of the application to be the expected authorisation fee for the grant of the licence (assuming the grant of a licence on the basis of the application) minus the flat fee component.

(2) Amounts determined under [subregulation (1)(b)(iv)](#idd80b821d_a9af_4e53_b033_adddc0304a90_3) are not subject to adjustment under [regulation 31](#id240b55c8_1ffe_4c9b_9ce3_0da118ca2b73_9).

(3) However, if public notice is to be given under section 39(1), or section 39(1) and (2), of the Act in respect of the application, the amount otherwise payable under [subregulation (1)](#id793441d2_dc79_4e25_8ffd_254b9e74e8f2_e) is increased by the amount determined by the Authority to be the cost of publication of the notice but not exceeding—

(a) if the notice and other similar notices are to be published together by the Authority—5 fee units; or

(b) in any other case—20 fee units.

(4) The application fee for the renewal of a licence payable under section 43(2) of the Act is 10 fee units.

(5) The authorisation fee payable under section 40 of the Act for the grant of a licence is the amount determined by the Authority to be the ***applicant's projected annual authorisation fee***, being the amount of the annual authorisation fee (excluding the resource efficiency component) that would be payable by the applicant if the applicant were the holder of a licence liable to pay an annual authorisation fee under section 48 of the Act in respect of the projected licence period, calculated by reference to the Authority's reasonable assumptions as to what would be the nature and level of the applicant's activities if carried on for the whole of the period to which the calculations relate.

(6) The authorisation fee payable under section 43(5) of the Act for renewal of a licence is the amount determined by the Authority to be the ***applicant's projected annual authorisation fee***, being the amount of the annual authorisation fee that would be payable by the applicant if the applicant were the holder of a licence liable to pay an annual authorisation fee under section 48 of the Act in respect of the projected licence period, calculated by reference to the Authority's reasonable assumptions as to what would be the nature and level of the applicant's activities if carried on for the whole of the periods to which the calculations relate.

(7) For the purposes of determining the applicant's projected annual authorisation fee—

(a) a reference in [regulation 27](#ide6dfded1_3e6f_412e_8900_b069b713eff3_a) to an annual authorisation fee is to be read as if it were a reference to the projected annual authorisation fee; and

(b) subject to [subregulation (8)](#id96ebbaa9_e09d_42df_a0be_3b56e5b7b932_c), a reference in these regulations to the current licence period is to be read as if it were a reference to the projected licence period; and

(c) a reference in these regulations to activities authorised by the licence is to be read as if it were a reference to activities to be authorised by the licence.

(8) If the projected licence period is less than or more than 12 months—

(a) a pro rata adjustment is to be made to the amount of the environment management component, and, in the case of renewal, the resource efficiency component, by applying the proportion that the length of the projected licence period bears to 12 months; and

(b) the pro rata adjustment is to be made on the basis of months, parts of a month being counted as a full month; and

(c) for the purposes of determining the environment management component, if the number of fee units specified in [Schedule 2 Part 2](#id03e4373f_f647_4305_ab29_ba4ac20c03d2_8) depends on an indicator of the level of activity during the licence period, the indicator is to be determined by the Authority on the basis of the Authority's estimates in relation to the activity during a period of 12 months rather than during the projected licence period.

**Examples—**

1 If the term of the licence is 3 months, the proportion that the length of the projected licence period bears to 12 months would be ¼.

2 If the term of the licence is 3½ months, the proportion that the length of the projected licence period bears to 12 months would be ⅓.

(9) In this regulation—

***projected licence period*** means—

(a) in the case of a licence for which the holder is not liable to pay an annual authorisation fee under section 48 of the Act (by reason of the fact that the term of the licence is less than 2 years or that it is an environmental authorisation of a prescribed class)—the term of the licence; or

(b) in the case of a licence for which the holder is liable to pay an annual authorisation fee under section 48 of the Act—the period between the grant or renewal of the licence and the commencement of the first licence period for which an annual authorisation fee will be payable.

**27—Licences—Annual authorisation fee**

(1) The annual authorisation fee payable under section 48 of the Act for a licence is the sum of—

(a) the flat fee component of 1 fee unit; and

(b) the environment management component determined for the current licence period in accordance with [regulation 28](#ida279f9b5_c248_48ab_80ae_28b568c4443f_4); and

(c) the resource efficiency component comprising—

(i) if the pollutant threshold is exceeded for a designated air pollutant or a designated water pollutant in the reporting period immediately preceding the current licence period—the pollutant load‑based component for the pollutant determined in accordance with [regulation 29](#id105d6ff3_8ef0_4254_ae1c_e997a0a71734_7); and

(ii) if the low salinity water threshold is exceeded in the reporting period immediately preceding the current licence period—the water reuse component determined in accordance with [regulation 30](#iddd4567dd_48db_4367_a1b6_111d7b82d2e0_1).

**Note—**

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

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

(a) for a designated air pollutant if—

(i) in the case of sulphur dioxide or nitrogen oxides—more than 10 000 kilograms of the pollutant are emitted to air during the period from an assessable site specified in the licence; or

(ii) in the case of particulates or volatile organic compounds—more than 1 000 kilograms of the pollutant are emitted to air during the period from an assessable site specified in the licence; or

(iii) in the case of lead—more than 100 kilograms of lead are emitted to air during the period from an assessable site specified in the licence; or

(b) for a designated water pollutant if—

(i) in the case of heat—more than 10 megawatts of heat are discharged to waters during the period from an assessable site specified in the licence (in the course of any prescribed activity of environmental significance); or

(ii) in the case of suspended solids, nitrogen, phosphorus, organic matter or zinc—more than 1 000 kilograms of the pollutant are discharged to waters during the period from an assessable site specified in the licence (in the course of any prescribed activity of environmental significance); or

(iii) in the case of copper or lead—more than 100 kilograms of the pollutant are discharged to waters during the period from an assessable site specified in the licence (in the course of any prescribed activity of environmental significance); or

(iv) in the case of salt discharged in the course of a desalination plant—

(A) more than 75 000 tonnes of the salt are discharged to the marine environment during the period from an assessable site specified in the licence; or

(B) any amount of the salt is discharged during the period from an assessable site specified in the licence to other waters of the State that have a background concentration of salt of 13 000 milligrams of total dissolved solids per L or less (when measured during the period by a method approved by the Authority),

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

(3) The ***low salinity water threshold*** is exceeded in a reporting period if 10 megalitres or more of water is discharged to the marine environment during that period (whether directly or indirectly through pipes or channels) from an assessable site specified in the licence and the average salinity of water so discharged is less than 1 500 milligrams of total dissolved solids per litre (assessed in accordance with an approved estimation or monitoring technique for the activity that produces the water).

(4) The pollutant threshold or low salinity water threshold is to be taken to have been exceeded in the reporting period immediately preceding the current licence period (the ***relevant reporting period***) if—

(a) the Authority is satisfied that the threshold has been exceeded in the relevant reporting period on the basis of information reported to the Authority in relation to the activities authorised by the licence (for the purposes of the National Pollutant Inventory, conditions of licence or otherwise); or

(b) the Authority has not received information for the relevant reporting period or has not had an opportunity to determine whether it is satisfied as to the accuracy of information reported to the Authority for the relevant reporting period, but is satisfied that the threshold has been exceeded in the reporting period immediately preceding the relevant reporting period on the basis of information reported to the Authority in relation to the activities authorised by the licence (for the purposes of the National Pollutant Inventory, conditions of licence or otherwise); or

(c) the Authority is satisfied on the basis of its reasonable assumptions as to the nature and level of the activities authorised by the licence that the threshold would be exceeded if the activities were to be carried on over a 12 month period (whether or not they have in fact been carried on over such a period).

(5) If discharges of liquid pollutants from 2 or more activities authorised by separate licences (whether or not held by the same person) are mixed by use of the same pipe or channel or otherwise so as to constitute a single discharge to waters, the Authority is to—

(a) determine the annual authorisation fee payable for the licence as if the discharge to waters were the result of activities authorised by a single licence; and

(b) apportion the amount so determined between the separate licences concerned—

(i) on such basis as may be nominated by the holder of the licences, or, if there is more than 1 holder, on such basis as may be agreed by the holders; or

(ii) in the absence of such a nomination or agreement, on a basis determined by the Authority having regard to the respective environmental impacts of the discharges resulting from the activities authorised by the separate licences.

**28—Determining environment management component**

(1) The environment management component is comprised of—

(a) a separate amount payable for each assessable site specified in the licence as follows:

(i) if the licence authorises only 1 prescribed activity of environmental significance to be carried on at the site during the licence period—the number of fee units specified in [Schedule 2 Part 2](#id03e4373f_f647_4305_ab29_ba4ac20c03d2_8) for the activity;

(ii) if the licence authorises 2 or more prescribed activities of environmental significance to be carried on at the site during the licence period—the highest number of fee units specified in [Schedule 2 Part 2](#id03e4373f_f647_4305_ab29_ba4ac20c03d2_8) for any of the activities (or the higher number, in the case of only 2 such activities); and

(b) if the licence authorises a waste transport business—the number of fee units determined as follows:

(i) the number of fee units specified in [Schedule 2 Part 2](#id03e4373f_f647_4305_ab29_ba4ac20c03d2_8) for the activity for each vehicle that is an assessable vehicle during the licence period adjusted, if the vehicle is not an assessable vehicle for the whole of the licence period, by applying the proportion that the number of months during the licence period for which the vehicle is an assessable vehicle bears to 12 months;

(ii) for the purposes of the adjustment, part of a month is to be counted as a full month;

(iii) if the same vehicle is an assessable vehicle for the purposes of both a waste transport business (category A) and a waste transport business (category B) and a different number of fee units is specified in [Schedule 2 Part 2](#id03e4373f_f647_4305_ab29_ba4ac20c03d2_8) for the vehicle in those different businesses—the number of fee units for the vehicle is the higher number of fee units so specified adjusted, if the vehicle is not an assessable vehicle for the whole of the licence period, as set out in [subparagraphs (i)](#idd29ed36d_e4f9_43b6_b1a5_a341580b2afd_0) and [(ii)](#idf0410933_336a_4a5a_9a7a_26e1b1c20c57_b); and

(c) if the licence authorises dredging—the number of fee units specified in [Schedule 2 Part 2](#id03e4373f_f647_4305_ab29_ba4ac20c03d2_8) for the activity for each day on which the activity is undertaken during the licence period; and

(d) if the licence authorises earthworks drainage—the number of fee units specified in [Schedule 2 Part 2](#id03e4373f_f647_4305_ab29_ba4ac20c03d2_8) for the activity for each day on which the activity is undertaken during the licence period.

(2) If the number of fee units specified in [Schedule 2 Part 2](#id03e4373f_f647_4305_ab29_ba4ac20c03d2_8) depends on an indicator of the level of activity during the licence period, the indicator is to be determined by the Authority on the basis of the Authority's estimates in relation to the activity during the licence period.

(3) Amounts determined under this regulation are subject to any necessary adjustment under [regulation 31](#id240b55c8_1ffe_4c9b_9ce3_0da118ca2b73_9) after the end of the licence period.

**29—Determining pollutant load‑based component**

(1) The pollutant load‑based component is comprised of a separate amount payable for each assessable site specified in the licence.

(2) The amount payable for an assessable site is the sum of—

(a) the fee units for each designated air pollutant emitted to air from the site in the course of a prescribed activity of environmental significance during the designated reporting period determined in accordance with [subregulation (3)](#id53b2990c_6a17_4603_9265_edadb1c745bf_0); and

(b) the fee units for each designated water pollutant—

(i) in the case of a designated water pollutant discharged to waters (including underground waters) from the site (whether directly or indirectly through pipes or channels) in the course of a desalination plant during the designated reporting period—determined in accordance with [subregulation (4)](#id0f183025_ddfd_44d4_9bcc_20076549f01c_d); or

(ii) in the case of a designated water pollutant discharged to waters (other than underground waters) from the site (whether directly or indirectly through pipes or channels) in the course of any other prescribed activity of environmental significance during the designated reporting period—determined in accordance with [subregulation (5)](#id900bbecb_59bc_4550_accf_8b0fcf8d6606_d).

(3) The number of fee units for a designated air pollutant is to be determined in accordance with the following formula:



where—

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

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

(a) in accordance with an approved estimation or monitoring technique for the activity that resulted in the emission; or

(b) if the pollutant threshold is taken to be exceeded under [regulation 27(4)(c)](#id23fc0a09_e484_45c3_93f1_1f2ed5c0e4c2_c)—on the basis of the Authority's own estimates and reasonable assumptions as to the nature and level of the licensee's activities

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

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

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

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

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



where—

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

***T*** is—

(a) in the case of a designated water pollutant other than heat—

(i) the weight (in tonnes rounded to the nearest 0.1 tonne) of the pollutant discharged to waters during the reporting period; or

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

(b) in the case of heat—the number of megawatts (rounded to the nearest megawatt) of the heat discharged to waters during the reporting period,

assessed—

(c) in accordance with an approved estimation or monitoring technique for the activity resulting in the discharge; or

(d) if the pollutant threshold is taken to be exceeded under [regulation 27(4)(c)](#id23fc0a09_e484_45c3_93f1_1f2ed5c0e4c2_c)—on the basis of the Authority's own estimates and reasonable assumptions as to the nature and level of the licensee's activities

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

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

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

| **Pollutant** | **Fee units** | **Location of waters** | **Zone weighting** |
| --- | --- | --- | --- |
| salt | 0.00177 | Marine environment | 1 |
|  |  | All other waters of the State | 50 |
| heat | 1 | All waters of the State | 1 |
| suspended solids | 10 | Metropolitan coastal waters | 2 |
|  | All other waters of the State | 1 |
| nitrogen | 10 | Port River region or Metropolitan coastal waters | 3 |
|  |  | All other waters of the State | 1 |
| phosphorus | 10 | Port River region | 2 |
|  |  | All other waters of the State | 1 |
| organic matter | 10 | Lake Bonney (South East) | 2 |
|  | All other waters of the State | 1 |
| zinc | 10 | Upper Spencer Gulf | 2 |
|  |  | All other waters of the State | 1 |
| copper, lead | 100 | Upper Spencer Gulf | 2 |
|  | All other waters of the State | 1 |

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



where—

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

***T*** is—

(a) the weight (in tonnes rounded to the nearest 0.1 tonne); or

(b) in the case of heat—the number of megawatts (rounded to the nearest megawatt),

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

(c) in accordance with an approved estimation or monitoring technique for the activity resulting in the discharge; or

(d) if the pollutant threshold is taken to be exceeded under [regulation 27(4)(c)](#id23fc0a09_e484_45c3_93f1_1f2ed5c0e4c2_c)—on the basis of the Authority's own estimates and reasonable assumptions as to the nature and level of the licensee's activities

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

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

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

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

(6) If the pollutant threshold is taken to be exceeded under [regulation 27(4)(b)](#id6d8bea0d_a160_4e6d_ac13_f9bb76cedc70_2) or [regulation 27(4)(c)](#id23fc0a09_e484_45c3_93f1_1f2ed5c0e4c2_c), the pollutant load‑based component is subject to any necessary adjustment under [regulation 31](#id240b55c8_1ffe_4c9b_9ce3_0da118ca2b73_9) after the end of the licence period.

(7) In this regulation—

***designated reporting period*** means—

(a) if the pollutant threshold is taken to be exceeded under [regulation 27(4)(a)](#id131a6fee_f9b7_461f_ae33_243e0d388a58_0)—the reporting period immediately preceding the current licence period; or

(b) if the pollutant threshold is taken to be exceeded under [regulation 27(4)(b)](#id6d8bea0d_a160_4e6d_ac13_f9bb76cedc70_2)—the reporting period immediately preceding the reporting period referred to in [paragraph (a)](#id98132fdc_f8ac_47ba_9ea0_27eb1788e71d_4); or

(c) if the pollutant threshold is taken to be exceeded under [regulation 27(4)(c)](#id23fc0a09_e484_45c3_93f1_1f2ed5c0e4c2_c)—a hypothetical reporting period of 12 months.

(8) For the purposes of [subregulation (4)](#id0f183025_ddfd_44d4_9bcc_20076549f01c_d), a designated water pollutant will be taken to have been discharged back into the same waters from which it was taken if the pollutant was—

(a) taken from the marine environment and discharged back into the marine environment; or

(b) taken from an aquifer and discharged back into the same aquifer; or

(c) taken from a watercourse and discharged back into the same watercourse; or

(d) taken from some other body of waters and discharged back into the same body of waters.

**30—Determining water reuse component**

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

(2) The water reuse component is 1 fee unit for each megalitre (rounded to the nearest megalitre) of wastewater discharged to the marine environment (whether directly or indirectly through pipes or channels) in the course of a prescribed activity of environmental significance during the designated reporting period—

(a) measured in accordance with an approved estimation or monitoring technique for the activity; or

(b) if the low salinity water threshold is taken to be exceeded under [regulation 27(4)(c)](#id23fc0a09_e484_45c3_93f1_1f2ed5c0e4c2_c)—estimated by the Authority on the basis of its reasonable assumptions as to the nature and level of the licensee's activities.

(3) If the low salinity water threshold is taken to be exceeded under [regulation 27(4)(b)](#id6d8bea0d_a160_4e6d_ac13_f9bb76cedc70_2) or [regulation 27(4)(c)](#id23fc0a09_e484_45c3_93f1_1f2ed5c0e4c2_c), the water reuse component is subject to any necessary adjustment under [regulation 31](#id240b55c8_1ffe_4c9b_9ce3_0da118ca2b73_9) after the end of the licence period.

(4) In this regulation—

***designated reporting period*** means—

(a) if the low salinity water threshold is taken to be exceeded under [regulation 27(4)(a)](#id131a6fee_f9b7_461f_ae33_243e0d388a58_0)—the reporting period immediately preceding the current licence period; or

(b) if the low salinity water threshold is taken to be exceeded under [regulation 27(4)(b)](#id6d8bea0d_a160_4e6d_ac13_f9bb76cedc70_2)—the reporting period immediately preceding the reporting period referred to in [paragraph (a)](#id93f9e17f_6b6c_4fac_815d_6a85fc17c4a4_e); or

(c) if the low salinity water threshold is taken to be exceeded under [regulation 27(4)(c)](#id23fc0a09_e484_45c3_93f1_1f2ed5c0e4c2_c)—a hypothetical reporting period of 12 months.

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

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

**Note—**

If no resource efficiency component was payable because the pollutant threshold or low salinity water threshold was determined in accordance with [regulation 27(4)(b)](#id6d8bea0d_a160_4e6d_ac13_f9bb76cedc70_2) or [(c)](#id23fc0a09_e484_45c3_93f1_1f2ed5c0e4c2_c) as not having been exceeded but information subsequently reported to the Authority shows that the threshold would have been exceeded under [regulation 27(4)(a)](#id131a6fee_f9b7_461f_ae33_243e0d388a58_0) if that information had then been available and the Authority had been satisfied as to its accuracy, this subregulation will apply and a resource efficiency component will become payable.

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

(3) In this regulation—

***annual authorisation fee*** includes a projected annual authorisation fee under [regulation 26](#id4bf2305b_ff63_42b1_92c9_be94af9d807a_7);

***licence period*** includes a projected licence period under [regulation 26](#id4bf2305b_ff63_42b1_92c9_be94af9d807a_7).

**32—Cessation of activity**

Despite [regulation 27](#ide6dfded1_3e6f_412e_8900_b069b713eff3_a), the following provisions apply in the case of the cessation of a prescribed activity of environmental significance carried on pursuant to a licence:

(a) if—

(i) the licence has been renewed under section 3(6) of the Act or is subject to conditions under section 52A or 56(2)(b) of the Act; and

(ii) the activity ceased before the commencement of the current licence period,

no environment management component or flat fee component is payable for that period;

(b) in the case of an activity for which the amount of the environment management component does not depend on an indicator of the level of activity during the licence period—

(i) if the licence is subject to conditions under section 52A or 56(2)(b) of the Act and the holder of the licence satisfies the Authority that the activity is to cease during the current licence period, a pro rata adjustment is to be made to the amount of the environment management component for that period by applying the proportion that the number of months in that period before the activity is to cease bears to 12 months; and

(ii) if conditions are imposed on the licence under section 52A or 56(2)(b) of the Act during the current licence period and the activity ceases during that period, the Authority must, no later than the end of that period, refund to the holder of the licence a proportion of the environment management component for that period, being the proportion that the number of months remaining in that period after the cessation of the activity or the imposition of the conditions (whichever is the later) bears to 12 months; and

(iii) for the purposes of this paragraph, a part of a month is to be counted as a full month.

**Division 3—Discounts and other benefits for accredited licensees**

**33—Benefits of accreditation**

An accredited licensee is entitled to—

(a) a 50% reduction in the environment management component of—

(i) the authorisation fee otherwise payable under section 40 or 43 of the Act in relation to the accredited activity; or

(ii) the annual authorisation fee otherwise payable under section 48 of the Act in relation to the accredited activity; and

(b) any other variations to the licence conditions favourable to the licensee considered appropriate by the Authority.

**34—Accredited licences**

(1) A licensee may apply to the Authority to be accredited as an accredited licensee in respect of a particular prescribed activity of environmental significance carried on at premises occupied by the licensee.

(2) An application for accreditation must be made in a manner and form approved by the Authority and accompanied by any information required by the Authority.

(3) Subject to this regulation, the Authority may grant accreditation if satisfied that—

(a) the activity is being carried on at the premises to a high level of environmental performance; and

(b) that performance can be maintained for the duration of the term of the licence.

(4) In determining the level of environmental performance for the purposes of [subregulation (3)](#ide1276edf_cf6f_4d3f_95d7_6dc73c664246_0), the Authority may take into consideration the following:

(a) the licensee's record of compliance with the Act and statutory instruments under the Act;

(b) whether the licensee has an environment improvement programme in place in respect of the activity;

(c) any other matter it considers relevant.

(5) The Authority must not grant accreditation unless satisfied that the licensee has in place in respect of the activity the following:

(a) an environment management system approved by the Authority;

(b) an environmental audit and compliance program approved by the Authority.

(6) The Authority must, within 14 days of granting an application for accreditation, publish a notice in the Gazette specifying the name of the accredited licensee, the premises at which the accredited activity is carried on and the nature of that activity.

(7) An accreditation may, with the approval of the Authority, be transferred simultaneously with the transfer of a licence under section 49 of the Act.

**35—Performance reports**

(1) An accredited licensee must submit a performance report to the Authority within 60 days after the end of each financial year or such further period as the Authority may approve containing details of environmental performance at the premises at which the accredited activity is carried on during the financial year.

(2) A performance report must—

(a) be prepared in a form approved by the Authority; and

(b) contain information or details required by the Authority; and

(c) be authorised by the licensee.

**36—Review of accreditation**

(1) The Authority may, at any time, review the accreditation of an accredited licensee.

(2) The Authority must give the licensee notice of its intention to conduct a review under this regulation.

(3) The Authority may cancel an accreditation if of the opinion that—

(a) the accredited activity is no longer being carried on at the premises to a high level of environmental performance; or

(b) the licensee has contravened the Act or a statutory instrument under the Act; or

(c) the licensee no longer has in place or is implementing in respect of the accredited activity—

(i) an environment management system approved by the Authority; or

(ii) an environment improvement programme approved by the Authority; or

(iii) an environmental audit and compliance program approved by the Authority.

(4) If a licensee's accreditation is cancelled, the licensee must pay to the Authority an amount equal to the licence fee reduction resulting from the accreditation multiplied by the proportion that the number of days in the remainder of the current licence period bears to the number of days in the licence period.

**Division 4—Miscellaneous fees relating to environmental authorisations**

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

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

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

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

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

(1) The prescribed fee payable for an application for an approval required by conditions of an environmental authorisation imposed under section 54C(2) of the Act in relation to—

(a) the construction or alteration of a building or structure, or the installation or alteration of plant or equipment, for use for an activity carried on under the authorisation (***works***); or

(b) a change in process undertaken under the authorisation,

is the number of fee units determined according to the cost of the works or change in process estimated by the Authority as follows:

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

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

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

(a) the purchase of land; or

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

**Part 4—Beverage containers**

**40—Beverage (section 65)**

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

(a) concentrated fruit or vegetable juice, or concentrated fruit and vegetable juice, intended to be diluted before consumption;

(b) a health tonic that is—

(i) included on the Australian Register of Therapeutic Goods under the *Therapeutic Goods Act 1989* of the Commonwealth; and

(ii) supplied with a label or other accompanying document specifying—

(A) that the tonic is for medicinal purposes; and

(B) a recommended maximum dosage; and

(c) a cordial comprised of a concentrated syrup that—

(i) contains the following ingredients (whether or not it also contains other ingredients):

(A) water;

(B) a sweetener (whether natural or artificial);

(C) colouring or flavouring, or both (whether natural or artificial); and

(ii) is intended to be diluted before consumption.

**41—Collection depot (section 65)**

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

**42—Refund amount (section 65)**

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

(a) for category A containers—$0.10;

(b) for category B containers—$0.10.

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

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

(a) containers used for the purpose of containing milk or milk substitute (other than flavoured milk or flavoured milk substitute);

(b) containers used for the purpose of containing 1 litre or more of flavoured milk or flavoured milk substitute;

(c) containers used for the purpose of containing 1 litre or more of pure juice (comprising at least 90% fruit juice or vegetable juice or a mixture of fruit and vegetable juices);

(d) containers used for the purpose of containing more than 3 litres of beverage;

(e) containers constructed of cardboard and plastic, cardboard and foil, or cardboard, plastic and foil (commonly known as casks or aseptic packs) used for the purpose of containing 1 litre or more of wine, wine‑based beverage or water (including mineral or spring water);

(f) containers constructed of plastic or foil or plastic and foil (commonly known as sachets) used for the purpose of containing 250 millilitres or more of wine.

(2) In this regulation—

***flavoured milk*** means milk to which flavouring has been added;

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

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

(a) ultra heat treated or reconstituted milk;

(b) reduced fat milk;

(c) milk with added protein, milk fat, calcium, vitamins, minerals or other supplements;

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

(a) ultra heat treated or reconstituted milk substitute;

(b) reduced fat milk substitute;

(c) milk substitute with added protein, fat, calcium, vitamins, minerals or other supplements;

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

(a) wine and another beverage that is not a grape product; and

(b) less than 10% alcohol by volume at 20° Celsius.

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

(1) For the purposes of section 69A(1) of the Act, the date before which the holder of an approval to operate a collection depot or carry on business as a super collector must lodge an annual return with the Authority, or pay the annual fee to the Authority, is, unless some other date is fixed by the Authority by condition of the approval, 30 September in each year.

(2) For the purposes of section 69A(2) of the Act, the penalty for failure to lodge an annual return or pay the annual fee is $300 or 5% of the annual fee (whichever is higher) for each month (or part of a month) for which the default continues.

**Note—**

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

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

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

(a) the full name and address of the person;

(b) proof of identity of the person in the form of—

(i) the person's driver's licence number; or

(ii) if the person is unable to produce the person's driver's licence—a passport, credit or debit card, concession card, gas, electricity or telephone account or similar document or card that has been issued to the person;

(c) if the person has delivered the containers by vehicle—the registration number of the vehicle and the State or Territory of registration;

(d) the signature of the person.

**46—Certain containers prohibited (section 72)**

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

(a) is designed to contain more than 500 millilitres of beverage; and

(b) is not designed to be refilled; and

(c) is covered on the outside with a plastic sheath or coating,

is a sealed glass container of a prescribed kind.

**Part 5—Site contamination**

**Division 1—General provisions supporting Part 10A of Act**

**47—Occupier (section 103A)**

(1) For the purposes of the definition of ***occupier*** in section 103A of the Act, a person is to be taken to be an occupier of land if the person owns, or has operational control of, a tank or pipeline, or any works or structure, that—

(a) is installed on or traverses the land, whether below or above the ground; and

(b) is used to store or convey chemical substances or for some process employing chemical substances.

(2) For the purposes of [subregulation (1)](#idc501497b_3116_4d23_bc05_4f6283702aa0_b), a person has operational control over a tank, pipeline, works or a structure if the person has the authority to introduce and implement environmental or health and safety policies or any other operating policies for the tank, pipeline, works or structure.

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

(1) For the purposes of sections 103C and 103H of the Act, the following activities are prescribed as potentially contaminating activities:

(a) an activity of a kind set out in [Schedule 3 clause 2](#id1701e9c2_2049_4324_889c_c1960d6552ec_4), undertaken in the course of a business;

(b) any other activity (other than an activity of a kind excluded under [Schedule 3 clause 2](#id1701e9c2_2049_4324_889c_c1960d6552ec_4) from the ambit of potentially contaminating activities) undertaken in the course of a business involving—

(i) the manufacture, production (including as a by‑product or waste) or recycling of a listed substance or a product containing a listed substance; or

(ii) the storage at a discrete premises of the business of—

(A) 500 litres or more of a liquid listed substance; or

(B) 500 kilograms or more of a listed substance other than a liquid;

(c) a domestic activity of a kind set out in [Schedule 3 clause 3](#idd08bb8c3_3d5a_4df7_b8d0_bc6c09391f59_3).

(2) However—

(a) the Authority may determine that an activity of a kind referred to in [subregulation (1)(a)](#id89df2dd3_6b0a_4b64_9b6a_7df39e358355_1) is not a potentially contaminating activity if the Authority is satisfied that the activity has been carried on in such a manner or on such a scale as to present a negligible risk of site contamination; and

(b) the Authority may determine that an activity of a kind referred to in [subregulation (1)(b)](#idcb044456_5320_4e2c_b928_6805b0fdb89a_0) is not a potentially contaminating activity if the Authority is satisfied that the relevant listed substance has, at all times while at the premises of the business, been contained or incorporated in a product (other than a product that itself is or comprises a listed substance) or container—

(i) in insignificant concentrations; or

(ii) in such a way as to present a negligible risk of escape of the substance to the environment.

(3) For the purposes of this regulation, a reference to a discrete premises of a business is, in the case of activities authorised by a licence—

(a) a reference to each location specified in the licence at which activities authorised by the licence may be undertaken; or

(b) if various places are specified in the licence as a single location at which activities authorised by the licence may be undertaken—a reference to the various places taken together.

(4) To avoid doubt, an activity of a kind referred to in [subregulation (1)(a)](#id89df2dd3_6b0a_4b64_9b6a_7df39e358355_1) or [(b)](#idcb044456_5320_4e2c_b928_6805b0fdb89a_0) is not precluded from being undertaken in the course of a business merely because it is undertaken for the purposes of research.

(5) In this regulation—

***recycling*** includes reprocessing, recovery and purification.

**49—Causing site contamination (section 103D)**

(1) Subject to this regulation, the commencement or revival of a particular use of a site is a prescribed change of use for the purposes of section 103D(2) of the Act if—

(a) the use supersedes a previous use of the site; or

(b) the commencement of the use or the revival of the use follows upon a period of non-use; or

(c) the use is additional to a previously established use of the site which continues despite the commencement of the new use.

(2) The revival of a use of a site after a period of discontinuance will be regarded as the continuation of an existing use unless—

(a) the period intervening between the discontinuance and revival of the use exceeds two years; or

(b) during the whole or a part of the period intervening between its discontinuance and revival, the use was superseded by some other use.

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

(1) A person is exempt from the application of section 103M(2) of the Act if the person enters or does anything on land on behalf of the occupier of the land in order to carry out—

(a) the requirements of a site contamination assessment order or site remediation order that has been issued to the occupier; or

(b) a voluntary site contamination assessment proposal or voluntary site remediation proposal that has been approved by the Authority on the application of the occupier.

(2) A person is exempt from the application of section 103M(3) of the Act if the person enters or does anything on land on behalf of the owner of the land in order to carry out—

(a) the requirements of a site contamination assessment order or site remediation order that has been issued to the owner; or

(b) a voluntary site contamination assessment proposal or voluntary site remediation proposal that has been approved by the Authority on the application of the owner.

**Division 2—Site contamination auditors**

**Subdivision 1—Accreditation**

**51—Eligibility for accreditation**

(1) A person is eligible for accreditation as a site contamination auditor if the person—

(a) has the qualifications, experience, knowledge, understanding and ability set out in [subregulation (2)](#id98c5d8d1_9f05_4e0b_9586_e454118579d2_4); and

(b) is a fit and proper person to be accredited.

(2) An applicant for accreditation must—

(a) have a tertiary qualification approved by the Authority in a relevant discipline; and

(b) have a total of at least 8 years of experience in the assessment and remediation of site contamination; and

(c) have knowledge and understanding at a level satisfactory to the Authority of—

(i) the provisions of the Act and these regulations relating to site contamination assessment, remediation, audits and auditors; and

(ii) codes of practice, guidelines and standards prepared or approved by the Authority that apply to site contamination assessment, remediation, audits and auditors; and

(iii) the field of site contamination assessment and remediation; and

(d) have a demonstrated ability to put the knowledge and understanding referred to in [paragraph (c)](#id8c771bf0_f74a_47b6_acb9_cbf1bcb480c7_d) into practice, to a degree satisfactory to the Authority.

(3) For the purposes of determining whether a person is eligible for accreditation under [subregulation (1)](#id07be609c_f01b_4ec2_a129_78290d2dc219_c), the Authority may, without limitation, take into account the following:

(a) any recommendations made in relation to the person by an accreditation committee;

(b) any offence committed by the person against the Act, these regulations or legislation similar to these regulations in force in another State or a Territory of the Commonwealth;

(c) any offence punishable by imprisonment committed by the person;

(d) the cancellation or suspension of accreditation or similar authority held by the person, or the disqualification of the person from practising as a site contamination auditor, under these regulations or under legislation similar to these regulations in force in another State or a Territory of the Commonwealth;

(e) whether, during the period of 10 years preceding the application for accreditation, the person has been an undischarged bankrupt or subject to a composition or deed or scheme of arrangement with or for the benefit of creditors.

**52—Application for accreditation**

(1) An application for accreditation must—

(a) be made to the Authority in the manner and form approved by the Authority; and

(b) be signed by the applicant and completed in accordance with the instructions contained in the form; and

(c) subject to [subregulation (2)](#idbc9291f0_2afe_42c4_bb67_7328f22752a2_9), be accompanied by the fee for an application for accreditation as set out in [Schedule 4](#id55ccd82d_af2a_41f4_8e46_9831ba5279c4_3).

(2) The application fee referred to in [subregulation (1)(c)](#id7fb6c0fa_3efe_4bba_a64f_d3a55dcbe897_8) is not payable in respect of a person entitled under the *Mutual Recognition Act 1992* of the Commonwealth, as adopted by the [*Mutual Recognition (South Australia) Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Mutual%20Recognition%20(South%20Australia)%20Act%201993), to be registered (as defined in that Commonwealth Act) in this State as a site contamination auditor.

(3) An applicant for accreditation must—

(a) consent to the conduct by the Authority of inquiries relating to any accreditation or similar authority held at any time by the person under these regulations or under legislation similar to these regulations in force in another State or Territory of the Commonwealth; and

(b) provide the Authority with any information required by the Authority (verified, if the Authority so requires, by statutory declaration) for the purposes of determining the application including (without limitation) criminal record checks relating to the applicant; and

(c) supply the Authority with 1 or more digital photographs of the applicant as specified by the Authority.

(4) The Authority may, on receipt of an application for accreditation under this regulation, refer the application to an accreditation committee and request the committee's written recommendations in relation to the application within a period specified in the notice (being not less than 14 days after referral of the application to the committee).

**53—Grant of accreditation**

(1) The Authority may refuse an application for accreditation if—

(a) the person has not made due application for accreditation under this Division; or

(b) the applicant has not complied with a requirement of this Part or a requirement of the Authority made in connection with the application; or

(c) the Authority is not satisfied that the applicant is eligible for accreditation.

(2) The Authority is not required, if it has assessed a person's qualifications, experience, knowledge, understanding or ability to be appropriate for accreditation, to assess the person's qualifications, experience, knowledge, understanding or ability again on a subsequent application by the person for accreditation (or renewal of accreditation).

(3) The Authority may decline to grant accreditation unless or until the fee for the grant of accreditation as set out in [Schedule 4](#id55ccd82d_af2a_41f4_8e46_9831ba5279c4_3) is paid.

**54—Conditions of accreditation**

(1) The Authority may impose—

(a) a condition requiring the person to undertake ongoing professional development; and

(b) any other conditions the Authority thinks fit.

(2) Without limiting the effect of [subregulation (1)](#id267d1353_6c3a_457f_a5eb_75d4356381ac_d), the Authority must make it a condition of every accreditation that—

(a) the holder of the accreditation will, when acting as a site contamination auditor, act diligently, impartially and conscientiously; and

(b) the holder of the accreditation will maintain arrangements enabling the holder to have access, from time to time as necessary in the course of carrying out site contamination audits, to a team of persons, constituted in a manner approved by the Authority, to provide technical expertise in fields outside the holder's personal expertise; and

(c) the holder of the accreditation will not, when acting as a site contamination auditor, fail to comply with any guidelines issued from time to time by the Authority (insofar as they may be relevant in the circumstances of any particular case); and

(d) the holder of the accreditation will hold or be covered by a professional indemnity insurance policy approved by the Authority; and

(e) the holder of the accreditation will have an identity card issued by the Authority available for inspection at all times when present as a site contamination auditor at a site the subject of site contamination assessment or remediation; and

(f) if the holder of the accreditation is charged with or convicted of—

(i) an offence against the Act, this Part or legislation similar to this Part in force in another State or a Territory of the Commonwealth; or

(ii) an offence punishable by imprisonment,

the person will, within 14 days, give written notice of the charge or conviction to the Authority containing details of the offence; and

(g) if the holder of the accreditation—

(i) is dismissed from employment in response to allegations of misconduct; or

(ii) resigns from employment following allegations of misconduct,

the person will, within 14 days, give written notice of that fact to the Authority.

(3) The Authority may, by written notice, vary or revoke a condition, or impose a condition, of a person's accreditation as a site contamination auditor.

(4) A condition may only be imposed or varied—

(a) on application by the site contamination auditor or with the auditor's agreement; or

(b) after giving the site contamination auditor reasonable notice of the proposed condition or variation and allowing the auditor at least 14 days within which to make submissions to the Authority in relation to the proposed condition or variation.

**55—Offence to contravene certain conditions of accreditation**

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

Maximum penalty: $4 000.

Expiation fee: $300.

**56—Annual fee**

(1) A site contamination auditor must, on or before the date falling 1 month after each anniversary of the grant of accreditation (other than in a year in which the accreditation is due to expire), pay to the Authority the annual fee for accreditation as set out in [Schedule 4](#id55ccd82d_af2a_41f4_8e46_9831ba5279c4_3).

(2) If an accredited site contamination auditor fails to pay a fee in accordance with this regulation, the Authority may, by written notice, require the auditor to make good the default and, in addition, to pay to the Authority as a penalty for default $20 plus 1% of the annual accreditation fee for the first month (or part of a month) for which the default continues and 2% of the annual fee for accreditation for each further month (or part of a month) for which the default continues.

**57—Term and renewal of accreditation**

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

(2) An application for renewal of accreditation must—

(a) be made not less than 90 days before the expiry of the accreditation; and

(b) be made to the Authority in the manner and form approved by the Authority; and

(c) be signed by the applicant and completed in accordance with the instructions contained in the form; and

(d) be accompanied by the fee for renewal of accreditation as set out in [Schedule 4](#id55ccd82d_af2a_41f4_8e46_9831ba5279c4_3).

(3) The Authority may, at the Authority's discretion, determine a late application for renewal provided that the applicant pays, in addition to the fee for renewal of accreditation, a late fee comprised of $20 plus 1% of the fee for renewal of accreditation for the first month (or part of a month) for which the application is late and 2% of the fee for renewal of accreditation for each further month (or part of a month) for which the application is late.

(4) The Authority may, on receipt of an application for renewal under this Division—

(a) refer the application to an accreditation committee and request the committee's written recommendations in relation to the application within a period specified in the notice (being not less than 14 days after referral of the application to the committee); and

(b) require the applicant to provide any information required by the Authority (verified, if the Authority so requires, by statutory declaration) for the purposes of determining the application including (without limitation) criminal record checks relating to the applicant; and

(c) refuse to renew the applicant's accreditation on any ground on which an application for accreditation may be refused under [regulation 53](#id4b061988_ecdd_48cd_baf2_1e8b547f5dd1_5) or on which accreditation may be cancelled under [regulation 58](#id47ca9110_d9a3_4bb0_a31f_10ffb811c9fd_8).

**58—Disciplinary action against site contamination auditors and voluntary suspension**

(1) The Authority may, if satisfied that there is cause for disciplinary action against a site contamination auditor, do 1 or more of the following:

(a) suspend any accreditation held by the person;

(b) cancel any accreditation held by the person;

(c) disqualify the person from obtaining accreditation.

(2) There is cause for disciplinary action against a site contamination auditor if the Authority is satisfied that—

(a) the person—

(i) obtained accreditation improperly; or

(ii) has contravened the Act or this Part; or

(iii) has contravened a condition of accreditation; or

(iv) has ceased to undertake the activities authorised by accreditation; or

(v) has not paid fees or charges payable under this Part to the Authority within the required time; or

(b) events have occurred such that the person would not, if the person were to apply for accreditation, be eligible for accreditation.

(3) A suspension under this regulation—

(a) may be for a specified period, or until the fulfilment of specified conditions, or until further order of the Authority; and

(b) may be expressed to have effect at a specified future time, or to have effect at a specified future time unless a specified condition is fulfilled.

(4) A disqualification under this regulation may disqualify a person from obtaining accreditation—

(a) permanently; or

(b) for a specified period or until the fulfilment of specified conditions; or

(c) until further order of the Authority.

(5) The Authority must, before acting under this regulation—

(a) give written notice to the site contamination auditor of the proposed action specifying the reasons for the proposed action; and

(b) allow the site contamination auditor at least 14 days within which to make submissions to the Authority in relation to the proposed action.

(6) The Authority may, on application by a site contamination auditor, suspend the auditor's accreditation for a specified period of not less than 3 months and not more than 2 years or the term of the accreditation, whichever is the shorter period, if the Authority is satisfied that the auditor does not intend to undertake site contamination audits during that period.

(7) A person whose accreditation is suspended is taken not to hold accreditation for the period of the suspension.

(8) However—

(a) the person is taken to continue to hold accreditation for the purposes of the requirements of section 103Y of the Act (relating to furnishing the Authority with an annual return and notifying the Authority of a change in the person's particulars); and

(b) the date of expiry of the person's accreditation remains unchanged despite the suspension.

(9) In this regulation—

***site contamination auditor*** means—

(a) a person who is the holder of accreditation; or

(b) a person who was formerly the holder of accreditation; or

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

**59—Surrender of accreditation**

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

**60—Return of certificate of accreditation and identity card**

(1) If accreditation of a person as a site contamination auditor is surrendered, suspended or cancelled, the person must, within 14 days, return the certificate of accreditation and any identity card to the Authority.

Maximum penalty: $2 500.

Expiation fee: $160.

(2) If, on an application under [regulation 52](#id6356ba8f_9163_4941_96b8_52d12d7d1fbb_2), a certificate of accreditation or identity card has been issued to a person but the fee payable in respect of the person's application or accreditation has not been paid (whether because of the dishonouring of a cheque or otherwise), the person must, at the direction of the Authority, return the certificate or card to the Authority.

Maximum penalty: $2 500.

Expiation fee: $160.

(3) The Authority may issue to the holder of accreditation, on payment by the person of the fee for replacement of the certificate of accreditation or identity card as set out in [Schedule 4](#id55ccd82d_af2a_41f4_8e46_9831ba5279c4_3), a certificate of accreditation or identity card in replacement of a current certificate of accreditation or identity card if satisfied that—

(a) the current certificate or card has been lost, destroyed or damaged; or

(b) any particulars appearing on the current certificate or card are incorrect.

(4) If the Authority issues a replacement certificate of accreditation or identity card to a person, the person must, at the direction of the Authority, return any original (or previous duplicate) certificate of accreditation or identity card in the person's possession to the Authority.

Maximum penalty: $2 500.

Expiation fee: $160.

**61—Reviews (section 103V(2)(i))**

(1) A person may seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the [*South Australian Civil and Administrative Tribunal Act 2013*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=South%20Australian%20Civil%20and%20Administrative%20Tribunal%20Act%202013) of a decision of the Authority—

(a) refusing to grant an application by the person for accreditation or renewal of accreditation; or

(b) determining the term of the person's accreditation; or

(c) imposing or varying a condition of the person's accreditation or determining a matter in relation to such a condition; or

(d) suspending or cancelling the person's accreditation or imposing a disqualification on the person.

(2) Subject to this regulation, an application for review must be made within 1 month after the making of the decision.

(3) The Authority must, if so required by the person, state in writing the reasons for the Authority's decision.

(4) If the reasons of the Authority are not given in writing at the time of making the decision and the person to whom the decision relates (within 1 month of the making of the decision) requires the Authority to state the reasons in writing, the time for making an application for review runs from the time at which the person receives the written statement of those reasons.

**62—Register of site contamination auditors**

(1) The Authority must keep a register of persons accredited under this Division.

(2) The register must include, in relation to each accredited person—

(a) the person's full name, personal address and business address (if any); and

(b) the qualifications for accreditation held by the person; and

(c) details of any specialist qualifications held by the person and determined by the Authority to be appropriate for inclusion on the register; and

(d) details of any condition of the person's accreditation requiring supervision of the person or restricting the scope or type of work the person may undertake as site contamination auditor; and

(e) the expiry date of the person's accreditation; and

(f) the person's accreditation number; and

(g) details concerning any disciplinary action taken against the person by the Authority under [regulation 58](#id47ca9110_d9a3_4bb0_a31f_10ffb811c9fd_8),

and may include other information as the Authority thinks fit.

(3) The Authority may remove or correct an entry in the register as required without giving notice to any person.

(4) The Authority must—

(a) make a record of the full name of each site contamination auditor and the information entered in the register under [subregulation (2)(b)](#idaed4d9b8_e821_4aab_a720_97c8540cb5a9_9), [(c)](#ide4f25665_3e08_4806_af45_808441bde6ce_1), [(d)](#id46f6f840_cfe7_491f_8f6d_de9ca2bc30c8_9), [(e)](#id2a8849ea_4f2b_4ce5_b747_9610f537fa74_1) and [(f)](#id6162cf5b_f9c1_4ba2_a392_6bfccacf3a90_8) in relation to the auditor available for inspection on application to the Authority; and

(b) make a record of the full name of each site contamination auditor and the information entered in the register under [subregulation (2)(e)](#id2a8849ea_4f2b_4ce5_b747_9610f537fa74_1) and [(f)](#id6162cf5b_f9c1_4ba2_a392_6bfccacf3a90_8) in relation to the auditor available for inspection on a website established by the Authority.

(5) An apparently genuine document purporting to be signed by the Authority stating that, at a specified date, or during a specified period—

(a) a specified person was accredited under this Division unconditionally or subject to specified conditions; or

(b) a specified person was not accredited under this Division,

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

**Subdivision 2—Requirements applying to auditors**

**63—Annual returns by auditors (section 103Y(2))**

For the purposes of section 103Y(2) of the Act, an annual return relating to site contamination audits for which a site contamination auditor is or was the responsible auditor must be in the form set out in [Schedule 3 clause 5](#id5bd47687_9bfc_4dbe_803e_a97456162089_6).

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

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

(a) a notification by a site contamination auditor after the commencement of a site contamination audit for which the auditor is or was the responsible auditor must be in the form set out in [Schedule 3 clause 6](#id93f5fe27_38a5_4a57_9c34_0cae925ff147_1); and

(b) a notification by a site contamination auditor of the termination before completion of a site contamination audit for which the auditor is or was the responsible auditor must be in the form set out in [Schedule 3 clause 7](#id159d3b6d_fe76_41f2_aa52_670972085f80_c).

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

(1) A site contamination audit report required under section 103Z(4)(a) and (b)(i) of the Act must include a summary of the findings of the site contamination audit to which it relates that—

(a) is in the form set out in [Schedule 3 clause 8](#id22e01ae2_2f49_4d83_8198_1bf160d2e549_7) for site contamination audit statements; and

(b) is certified by the responsible auditor in accordance with the directions contained in the form set out in [Schedule 3 clause 8](#id22e01ae2_2f49_4d83_8198_1bf160d2e549_7).

(2) A site contamination audit statement required under section 103Z(4)(b)(ii) of the Act in relation to a site contamination audit must comprise—

(a) a copy of the summary in the site contamination audit report relating to the audit and itself be certified by the responsible auditor in accordance with the directions contained in the form set out in [Schedule 3 clause 8](#id22e01ae2_2f49_4d83_8198_1bf160d2e549_7); or

(b) a photocopy, faxed copy or electronic copy of the summary as certified by the responsible auditor in accordance with the directions contained in the form set out in [Schedule 3 clause 8](#id22e01ae2_2f49_4d83_8198_1bf160d2e549_7).

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

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

(a) an application for development authorisation under either the [*Development Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Development%20Act%201993) or the [*Planning, Development and Infrastructure Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20Act%202016) relates to land the subject of a site contamination audit; and

(b) a body other than the council for the area in which the land is situated is a relevant authority for the purposes of assessment of the proposed development under the [*Development Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Development%20Act%201993) or the [*Planning, Development and Infrastructure Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20Act%202016) (as the case requires),

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

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

**Division 1—Preliminary**

**67—Interpretation**

(1) In this Part—

***approved operational use***—see [regulation 70(1)](#ida07d021a_5b3b_42ae_b77a_6015108dd9);

***approved operational use declaration***—see [regulation 70(2)](#id7a672613_e23a_4dd2_904d_658f08bc9747_4);

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

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

***mass balance report***—see [regulation 74(2)](#id5fe5e47f_5c3a_4c7b_9b4b_63af7d352005_4);

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

(a) aesthetic or amenity value; or

(b) environmental management; or

(c) vehicle access (including internal road construction and maintenance); or

(d) interim cover of landfill where no additional waste or matter will be placed for at least 30 days; or

(e) final capping of landfill cells; or

(f) other operational needs,

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

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

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

(2) For the purposes of this Part, the ***waste and matter type*** of waste and matter is to be determined in accordance with the *Waste Reporting, Record Keeping and Measurement Standard*.

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

**68—Sharing of information with other persons or bodies**

(1) The Authority may disclose information collected by, or provided to, the Authority under this Part to—

(a) Green Industries SA for the purposes of assisting or supporting the proper performance of its functions under the [*Green Industries SA Act 2004*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Green%20Industries%20SA%20Act%202004); and

(b) an agency or instrumentality of this State for the purposes of supporting and facilitating market development for waste management and resource recovery; and

(c) an agency or instrumentality of the Commonwealth or another State or Territory of the Commonwealth for the purposes of—

(i) national waste reporting; or

(ii) supporting and facilitating market development for waste management and resource recovery.

(2) For the avoidance of doubt, and without limiting the circumstances in which information received directly or indirectly pursuant to [subregulation (1)](#id8de4fd13_8900_417c_add2_ac7f42570079_6) may be disclosed to another person or body, a person or body who receives such information (the ***recipient***) may disclose the information to another person or body if the disclosure is made for a purpose for which the information was received by the recipient and is required to assist the recipient in the proper performance of official functions or duties.

(3) This regulation does not limit disclosure of statistical or other data that is not of a commercially sensitive nature or that could not reasonably be expected to lead to the identification of any person to whom it relates.

(4) Nothing in this regulation affects the operation of the [*Public Sector (Data Sharing) Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Public%20Sector%20(Data%20Sharing)%20Act%202016).

**69—Approval of weighbridges**

(1) The Authority may, on application, or on its own initiative, approve a weighbridge by notice in writing subject to such conditions as it thinks fit.

(2) The Authority may, on its own initiative at any time, or on application by the holder of the approval, vary or revoke an approval by further notice in writing (including by varying or revoking any conditions of the approval, or by imposing new conditions).

(3) Without limiting the generality of [subregulation (1)](#idcb156531_656e_4eda_809a_6e2918849b), the conditions may specify requirements as to—

(a) maintenance of the weighbridge; and

(b) certification of the accuracy of the weighbridge.

(4) The holder of an approval of a weighbridge must not contravene a condition of the approval.

Maximum penalty: $4 000.

Expiation fee: $300.

**70—Approved operational use**

(1) For the purposes of this Part, an ***approved operational use***, in relation to the use of waste or other matter at a waste depot, means—

(a) an operational use of a kind approved in relation to specified waste or matter under the *Approved Operational Use Standard*, and that is carried out in accordance with the requirements specified in that Standard; or

(b) an operational use that is approved by a declaration made under [subregulation (2)](#id7a672613_e23a_4dd2_904d_658f08bc9747_4) (as in force in respect of the depot), and that is carried out in accordance with the conditions or requirements specified in the declaration,

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

(2) The Authority may, on application by the holder of a licence to conduct a waste depot or on its own initiative, make a declaration (an ***approved operational use declaration***) that a use of waste or other matter at the depot is an approved operational use only if satisfied that—

(a) the use of waste or other matter at the depot in the manner proposed is necessary for an operational or environmental management purpose (or purposes); and

(b) the type of waste or other matter proposed to be used for the operational use is suitable for that purpose (or those purposes).

(3) In determining whether to make an approved operational use declaration under this regulation, the Authority must also—

(a) have regard to, and seek to further, the objects of the Act; and

(b) have regard to—

(i) the general environmental duty; and

(ii) any relevant environment protection policy; and

(iii) the waste strategy for the State adopted under the [*Green Industries SA Act 2004*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Green%20Industries%20SA%20Act%202004) (if relevant); and

(iv) any relevant reports, assessments, environmental impact statement, public environmental report, Assessment Report, development authorisation or other document or requirement under the [*Development Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Development%20Act%201993) or the [*Planning, Development and Infrastructure Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20Act%202016); and

(v) any relevant environment improvement programme or agreement.

(4) A declaration under this regulation—

(a) must be by notice in writing; and

(b) must specify—

(i) the type and amount of the waste or other matter to which the declaration applies; and

(ii) the purpose and location of the operational use; and

(c) may be subject to the following conditions, as specified in the declaration:

(i) a condition requiring the operational use to occur in a specified manner or within a specified time frame;

(ii) a condition requiring that the waste or other matter to which the declaration applies meets specified chemical or physical properties or complies with specified standards or specifications;

(iii) a condition requiring plans, specifications or reports in connection with the operational use to be prepared by a person with specified qualifications;

(iv) a condition requiring works in connection with the operational use to be carried out by a person with specified qualifications;

(v) a condition requiring records relating to the operational use to be kept in a specified manner or form or for a specified period;

(vi) a condition requiring such records to be available for inspection by an authorised officer;

(vii) such other conditions as the Authority thinks fit; and

(d) may be varied or revoked by the Authority at any time, by notice in writing to the licence holder, if the Authority is satisfied—

(i) that a condition of the declaration has been contravened; or

(ii) there is potential for environmental harm (or further environmental harm) to occur if an operational use to which the declaration relates were to continue; or

(iii) that the declaration was improperly obtained; or

(iv) that other circumstances exist, which in the opinion of the Authority, make it necessary or appropriate to do so.

**71—Authority may require further information**

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

**Division 2—Waste depot levy**

**72—Waste depot levy (section 113)**

(1) The amount of the waste depot levy is set out in [Schedule 4 Part 2](#id6d1d46d1_6a0f_4db4_a4cc_fbf01b6ca12f_9).

(2) Pursuant to section 113(4) of the Act, the penalty for a failure to pay the levy as required under that section is—

(a) in a case where the licensee satisfies the Authority that all reasonable and practicable measures were taken to prevent the default from occurring—the higher of $200 or 2% of the amount due for each month (or part of a month) for which the default continues; or

(b) in a case where the default is identified and voluntarily reported to the Authority by the licensee before the Authority has notified the licensee of the default—the higher of $200 or 2% of the amount due for each month (or part of a month) for which the default continues; or

(c) in a case where both [paragraphs (a)](#id6845f051_e4fa_468f_939c_e0250375cfa8_e) and [(b)](#id1fb620e1_72ec_4cad_b660_675544273645_5) apply—the higher of $150 or 1.5% of the amount due for each month (or part of a month) for which the default continues; or

(d) in any other case—the higher of $350 or 3.5% of the amount due for each month (or part of a month) for which the default continues.

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

**73—Interpretation**

In this Division—

***prescribed waste depot*** means—

(a) a waste depot that has, in the preceding 12 month period, received 20 000 tonnes or more of solid waste and other matter; or

(b) if the holder of a licence to conduct a waste depot conducts more than 1 waste depot at the same site and the total amount of solid waste and other matter received by all the waste depots at that site in the preceding 12 month period was 20 000 tonnes or more—each waste depot conducted at the site; or

(c) if the holder of a licence to conduct a waste depot conducts 1 or more waste depots at adjacent sites and the total amount of solid waste and other matter received together at the sites of the waste depot or depots (as the case requires) in the preceding 12 month period was 20 000 tonnes or more—each such waste depot or depots; or

(d) if more than 1 waste depot is conducted at the same site by different licence holders who are associates of each other and the total amount of solid waste and other matter received by those waste depots at that site in the preceding 12 month period was 20 000 tonnes or more—each of those waste depots conducted at the site; or

(e) if waste depots are conducted at adjacent sites by different licence holders who are associates of each other and the total amount of solid waste and other matter received at the adjacent sites of the waste depots in the preceding 12 month period was 20 000 tonnes or more—each of those waste depots;

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

**74—Provision of monthly returns by waste depots**

(1) Subject to [regulation 82](#ida6df6e81_6ee8_4025_a131_911fd5a925bc_8), a person licensed to conduct a waste depot must, no later than 28 days after the last day of each month, provide the Authority with a return (in the manner and form approved by the Authority) that contains the following information:

(a) in respect of solid waste disposed of at the depot (including any waste used as cover for landfill)—

(i) the total mass (in tonnes) of waste disposed of during each day of the month to which the return relates; and

(ii) the total mass (in tonnes) of waste disposed of during the whole of the month to which the return relates; and

(iii) if the depot is situated outside of metropolitan Adelaide—the total mass (in tonnes) of waste disposed of during the whole of the month to which the return relates brought to the depot by or on behalf of premises where the waste was generated situated outside of metropolitan Adelaide; and

(iv) if the depot is situated within metropolitan Adelaide—the total mass (in tonnes) of waste disposed of during the whole of the month to which the return relates brought to the depot by or on behalf of a council the area of which lies wholly outside of metropolitan Adelaide; and

(v) if the mass of the waste disposed of is determined in accordance with [regulation 75(3)(b)(i)(B)](#id96821640_b650_4a90_87bb_e2d9869beb2d_8), details relating to the classes and numbers of vehicles on or in which waste was carried during each day of the month and during the whole of the month to which the return relates;

(b) in respect of liquid waste—the total volume (in kilolitres) of waste disposed of at the depot—

(i) during each day of the month to which the return relates; and

(ii) during the whole of the month to which the return relates.

Maximum penalty: $4 000.

Expiation fee: $300.

(2) Subject to [regulations 76](#iddc9950c2_67f0_4e3c_a329_2ae303f9be) and [82](#ida6df6e81_6ee8_4025_a131_911fd5a925bc_8), if a person is licensed to conduct a waste depot that is—

(a) a prescribed waste depot; or

(b) a waste depot that has, in the preceding 12 month period, received 5000 tonnes or more, but less than 20 000 tonnes, of solid waste and other matter, and the Authority has directed, by notice in writing to the licence holder, that the requirements of this subregulation are to apply to and in respect of that depot; or

(c) any other waste depot that receives waste or other matter of a kind determined in accordance with the requirements specified in the *Waste Reporting, Record Keeping and Measurement Standard*,

then the person must (in addition to information required to be provided under [subregulation (1)](#idcdee9296_8c4e_452d_aed9_821a0b65d6a2_7)) no later than 28 days after the last day of each month, provide the Authority with a return (a ***mass balance report***), in the manner and form approved by the Authority, that contains the information referred to in [subregulation (3)](#idbce53916_724e_4428_a82f_87eadc4a0a9d_7).

Maximum penalty: $4 000.

Expiation fee: $300.

(3) A mass balance report must contain the following information:

(a) the total mass (in tonnes) of waste and other matter received at the depot during the month to which the report relates in respect of—

(i) each waste and matter stream received; and

(ii) each waste and matter type received;

(b) if the depot is situated outside of metropolitan Adelaide—the total mass (in tonnes) of waste and other matter brought to the depot by or on behalf of premises where the waste was generated situated outside of metropolitan Adelaide during the month to which the report relates in respect of—

(i) each waste and matter stream received; and

(ii) each waste and matter type received;

(c) if the depot is situated within metropolitan Adelaide—the total mass (in tonnes) of waste and other matter brought to the depot by or on behalf of a council the area of which lies wholly outside of metropolitan Adelaide during the month to which the report relates in respect of—

(i) each waste and matter stream received; and

(ii) each waste and matter type received;

(d) the total mass (in tonnes) of waste and other matter, in respect of each waste and matter type, transported from the depot during the month to which the report relates, and in relation to that waste and other matter—

(i) whether it is material recovered as a result of resource recovery processes or is being transported to another waste depot for further treatment; and

(ii) whether it is to be transported to a place within the State, interstate or overseas;

(e) the total mass (in tonnes) of waste and other matter, in respect of each waste and matter type, used at the depot for operational purposes during the month to which the report relates;

(f) the total mass (in tonnes) of waste and other matter stockpiled at the depot on the final day of the month to which the report relates;

(g) information relating to the method used to measure or calculate the amount of waste and other matter for the purposes of the report;

(h) in accordance with the requirements specified in the *Waste Reporting, Record Keeping and Measurement Standard*—details of any change in the mass of waste and other matter at the depot that occurred during the month to which the report relates (including the reasons for the change and how the amount of change was determined).

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

(1) Subject to [regulation 82](#ida6df6e81_6ee8_4025_a131_911fd5a925bc_8), for the purposes of a return under [regulation 74(1)](#idcdee9296_8c4e_452d_aed9_821a0b65d6a2_7) and [(2)](#id5fe5e47f_5c3a_4c7b_9b4b_63af7d352005_4), the mass or volume of waste and other matter—

(a) received at a waste depot; or

(b) used at a waste depot for operational purposes; or

(c) disposed of at a waste depot (including waste used as cover for landfill); or

(d) transported from a waste depot,

must be determined in accordance with this regulation.

Maximum penalty: $4 000.

Expiation fee: $300.

(2) The mass or volume of waste and other matter received, used or disposed of at, or transported from, a waste depot (as the case requires), is to be calculated as the aggregate of the mass or volume of waste and other matter comprised of—

(a) waste and other matter received at the waste depot; or

(b) waste and other matter used for operational purposes at the depot; or

(c) waste and other matter disposed of at the depot (including waste used as cover for landfill); or

(d) waste and other matter transported from the waste depot.

(3) The mass of solid waste and other matter must be determined as follows:

(a) in the case of a landfill depot with an approved weighbridge (installed in accordance with [regulation 77](#id2f4bb8ec_b7d4_43b8_a034_28d8e7848610_b))—the mass of the waste and other matter received at the depot must, on its receipt and prior to its disposal (including waste used as cover for landfill), be determined by use of the approved weighbridge unless the Authority has, in accordance with the *Waste Reporting, Record Keeping and Measurement Standard*, determined otherwise;

(b) if [paragraph (a)](#id1ba333b2_19c0_4ae7_8b14_07296f8f946b_7) does not apply—

(i) in the case of waste and other matter specified in the *Waste Reporting, Record Keeping and Measurement Standard*—the mass—

(A) may be determined by use of an approved weighbridge; or

(B) if not so determined—will be taken to be the average net mass of waste and other matter, as determined for a relevant class of vehicle or if relevant, the type of waste or other matter, in accordance with the *Waste Reporting, Record Keeping and Measurement Standard*; and

(ii) in any other case—the mass must, subject to [regulation 78](#idc75cfdcf_9fb6_453e_aa54_9f20af6b08b3_4), be determined by use of an approved weighbridge.

(4) If a weighbridge is used under this regulation to measure waste and other matter, it is to be measured—

(a) in the case of waste weighed on a weighbridge installed before 1 September 2009—to the highest level of weighing accuracy for the particular design of weighbridge; or

(b) in any other case—to the nearest 0.02 tonnes or kilolitres.

(5) The volume of liquid waste disposed of at a waste depot—

(a) may be determined by use of a dipstick pre‑calibrated for the liquid waste container used to hold the liquid waste to be disposed of; or

(b) may be measured by means of a volume measuring device, which has been approved in writing by the Authority, installed at the depot; or

(c) may be calculated—

(i) by measuring the net mass of the liquid waste by use of an approved weighbridge; and

(ii) by dividing that measurement by the predetermined mass per kilolitre of the particular liquid waste; or

(d) may be taken to be that certified, in a cartnote signed by both the producer and transporter of the waste, to be the volume of liquid waste to be delivered to the depot; or

(e) if a liquid waste container used to hold the liquid waste to be disposed of is full—

(i) may be calculated from the dimensions of the container; or

(ii) in the case of a container the capacity of which has been predetermined by a volume calibration method (approved in writing by the Authority) and marked on the container—may be taken to be that capacity.

**76—Exemption from requirements relating to mass balance report**

(1) The Authority may, on application by the holder of a waste depot licence or on its own initiative, exempt the holder from compliance with any (or all) of the requirements of, or relating to, a mass balance report under [regulation 74](#id1e889f15_1bc4_4726_8752_fe48600181fd_e).

(2) Before issuing an exemption under [subregulation (1)](#idca078443_b7e9_41f1_9d7e_012b48fbd87d_9), the Authority may consider—

(a) the scale or location of the relevant waste depot; and

(b) the nature of the business or operation conducted at the waste depot by the licence holder; and

(c) any other matters or circumstances the Authority considers relevant.

(3) An exemption issued by the Authority under this regulation—

(a) must be by notice in writing; and

(b) may be subject to conditions; and

(c) may be varied or revoked by the Authority, by further notice in writing, at any time (including by varying or revoking any conditions of the exemption, or by imposing new conditions).

**77—Certain depots must have approved weighbridge**

(1) Subject to this regulation and [regulation 78](#idc75cfdcf_9fb6_453e_aa54_9f20af6b08b3_4), if a waste depot has, in a financial year—

(a) received at the depot 20 000 tonnes or more of solid waste and other matter; or

(b) disposed of at the depot 10 000 tonnes or more of solid waste (including waste used as cover for landfill),

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

Maximum penalty: $4 000.

Expiation fee: $300.

(2) The Authority may, on application by the holder of a waste depot licence within the relevant 4 month period referred to in [subregulation (1)](#idf9e0be9c_921c_4885_adf3_5ab22dc60a7a_a), extend the period within which an approved weighbridge must be installed at the depot by a further period of 2 months.

(3) Despite [subregulation (1)](#idf9e0be9c_921c_4885_adf3_5ab22dc60a7a_a), the holder of a waste depot licence is not required to comply with the requirement to have a weighbridge installed at the depot if—

(a) —

(i) a weighbridge located at a place other than the depot was used by the licence holder before 1 October 2000 for the purpose of weighing waste received for disposal at the depot; and

(ii) the licence holder currently owns and operates the weighbridge for that purpose; or

(b) the depot conducted by the licence holder is not a landfill depot and—

(i) a weighbridge located at a place other than that depot was used by the licence holder before 1 July 2021 for the purpose of weighing waste received for resource recovery at the depot; and

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

**78—Exemptions from approved weighbridge requirements**

(1) The Authority may, on application by the holder of a waste depot licence, exempt the holder from compliance with the requirement in [regulation 75(3)(b)(ii)](#id825f5734_0ddc_4e8e_9a18_6e391a290bd1_d) that the mass of solid waste and other matter is to be determined by use of an approved weighbridge if satisfied—

(a) that—

(i) the depot will receive less than 10 000 tonnes of solid waste and other matter for disposal at the depot in each financial year; and

(ii) the depot uses adequate alternative methods of measuring the mass of solid waste and other matter; or

(b) that—

(i) the depot satisfies circumstances or requirements specified in, or determined in accordance with, the *Waste Reporting, Record Keeping and Measurement Standard*; and

(ii) the depot uses an alternative method of measuring the mass of solid waste and other matter in accordance with the requirements of the *Waste Reporting, Record Keeping and Measurement Standard*.

(2) The Authority may, on application by the holder of a waste depot licence, exempt the holder from compliance with the requirement in [regulation 77(1)](#idf9e0be9c_921c_4885_adf3_5ab22dc60a7a_a) that an approved weighbridge is to be installed at the depot if satisfied that—

(a) the depot will cease operating within 12 months; or

(b) suitable arrangements are in place for the waste to be weighed at an approved weighbridge located at a place other than the depot.

(3) An exemption issued by the Authority under this regulation—

(a) must be by notice in writing; and

(b) may be subject to conditions; and

(c) may be varied or revoked by the Authority, by further notice in writing, at any time (including by varying or revoking any conditions of the exemption, or imposing new conditions).

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

(1) The holder of a waste depot licence who was required to provide to the Authority a survey of the depot or a stocktake of waste and other matter at the depot in accordance with regulation 74(1) of the revoked regulations must—

(a) ensure that the results of the survey or stocktake are kept for at least 5 years after the survey or stocktake was carried out; and

(b) make the results available for inspection and copying by an authorised officer on request.

Maximum penalty: $4 000.

Expiation fee: $300.

(2) In this regulation—

***revoked regulations*** means the [*Environment Protection Regulations 2009*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Environment%20Protection%20Regulations%202009) as in force immediately before the commencement of these regulations.

**80—Verification of returns by survey**

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

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

(b) in any other case, if requested in writing by the Authority during a financial year,

provide the Authority with a survey (as determined, subject to this regulation, in accordance with the *Waste Reporting, Record Keeping and Measurement Standard*) within the prescribed period for the licence that falls in the next financial year.

Maximum penalty: $4 000.

Expiation fee: $300.

(2) A survey under this regulation must—

(a) include a topographic and volumetric survey of the whole depot site; and

(b) in relation to the month in which the survey is conducted, include a report on the movement of waste and other matter at the depot (including, to the extent relevant, the volume of waste and other matter that has been received, disposed of or used for operational purposes or as cover for landfill at the depot, or transported from the depot) during the period of that month immediately preceding the day on which the survey is conducted; and

(c) include information on the change in the total volume of waste and other matter that has occurred at the depot since the preceding survey; and

(d) subject to this subregulation, be undertaken in accordance with any other requirements of, and contain any other information specified in, the *Waste Reporting, Record Keeping and Measurement Standard* (which may, for example, require or specify the type of survey and the related elements, such as details regarding material type, to be included); and

(e) be prepared by a licensed or registered surveyor under the [*Survey Act 1992*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Survey%20Act%201992) or a person, or person of a class, specified in the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: $4 000.

Expiation fee: $300.

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

(a) ensure that the results of a survey under this regulation are kept for at least 5 years after the survey was carried out; and

(b) make the results available for inspection and copying by an authorised officer on request.

Maximum penalty: $4 000.

Expiation fee: $300.

(4) The Authority may, on application by the holder of a waste depot licence or on its own initiative, exempt the holder from compliance with any (or all) of the requirements of this regulation.

(5) An exemption issued by the Authority under this regulation—

(a) must be by notice in writing; and

(b) may be subject to conditions; and

(c) may be varied or revoked by the Authority, by further notice in writing, at any time (including by varying or revoking any conditions of the exemption, or by imposing new conditions).

(6) In this regulation—

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

**81—Verification of returns by stocktake**

(1) The holder of a waste depot licence who is required to provide a mass balance report under [regulation 74(2)](#id5fe5e47f_5c3a_4c7b_9b4b_63af7d352005_4) must, if the licence holder is not required to undertake a survey under [regulation 80](#ide185d351_8501_4915_8be9_0264af91ab48_c) in a given financial year, cause a stocktake of waste and other matter at the depot to be carried out and the results provided to the Authority within the prescribed period for the licence that falls in the next financial year.

Maximum penalty: $4 000.

Expiation fee: $300.

(2) The Authority may, at any time in a financial year, by notice in writing to the holder of a waste depot licence who is required to provide a mass balance report under [regulation 74(2)](#id5fe5e47f_5c3a_4c7b_9b4b_63af7d352005_4), require that the licence holder cause a stocktake of waste and other matter at the depot to be carried out, and the results provided to the Authority, at such intervals (which may not be less than on a monthly basis), or within the period or periods, specified by the notice.

(3) To avoid doubt, a stocktake (or stocktakes) carried out in accordance with [subregulation (2)](#id5bf6e515_24b7_4922_a63e_53c614031383_b) may be in addition to a stocktake required under [subregulation (1)](#id82bb50a5_6a61_45bb_91ae_1b02f413604f_5) and may, if so specified in the notice, be required on an ongoing basis.

(4) The holder of a waste depot licence must comply with a notice under [subregulation (2)](#id5bf6e515_24b7_4922_a63e_53c614031383_b).

Maximum penalty: $4 000.

Expiation fee: $300.

(5) A stocktake under this regulation must—

(a) in relation to the month in which the stocktake is conducted, include a report on the movement of waste and other matter at the depot (including, to the extent relevant, the volume of waste and other matter that has been received, disposed of or used for operational purposes or as cover for landfill at the depot, or transported from the depot) during the period of that month immediately preceding the day on which the stocktake is conducted; and

(b) subject to this regulation, in the case of a stocktake under [subregulation (1)](#id82bb50a5_6a61_45bb_91ae_1b02f413604f_5)—be carried out in accordance with any other requirements of, and contain any other information specified in, the *Waste Reporting, Record Keeping and Measurement Standard*; and

(c) subject to this regulation, in the case of a stocktake under [subregulation (2)](#id5bf6e515_24b7_4922_a63e_53c614031383_b)—be carried out in accordance with any other requirements of, and contain any other information specified in, the notice (and if the notice so specifies, in accordance with the *Waste Reporting, Record Keeping and Measurement Standard*); and

(d) be carried out by a person who holds the qualifications, or otherwise meets the requirements, specified in the *Waste Reporting, Record Keeping and Measurement Standard*.

(6) The holder of a waste depot licence must—

(a) ensure that the results of a stocktake under this regulation are kept for at least 5 years after the stocktake was carried out; and

(b) make the results available for inspection and copying by an authorised officer on request.

Maximum penalty: $4 000.

Expiation fee: $300.

(7) The Authority may, on application by the holder of a waste depot licence or on its own initiative, exempt the holder from compliance with any (or all) of the requirements of this regulation.

(8) An exemption issued by the Authority under this regulation—

(a) must be by notice in writing; and

(b) may be subject to conditions; and

(c) may be varied or revoked by the Authority, by further notice in writing, at any time (including by varying or revoking any conditions of the exemption, or by imposing new conditions).

(9) In this regulation—

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

**82—Special provision for certain councils for waste fees**

(1) This regulation only applies to a council if—

(a) the whole of the council area is outside of metropolitan Adelaide; and

(b) all of the waste disposed of at depots operated by the council has been brought to the depots from premises situated outside of metropolitan Adelaide; and

(c) each depot operated by the council disposes of less than 10 000 tonnes of solid waste at the depot in any financial year.

(2) For the purpose of determining the levy payable by a council under section 113 of the Act in respect of solid waste received at all depots operated by the council, the council may elect, by written notice to the Authority—

(a) not to comply with [regulations 74](#id1e889f15_1bc4_4726_8752_fe48600181fd_e) and [75](#id7c791d2a_6162_409f_a78d_055b1e18bf30_b) in respect of solid waste disposed of at those depots; and

(b) to take the mass of solid waste received during each month at those depots to be the mass determined in accordance with the following formula:



where—

***M*** is the mass of solid waste in tonnes

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

(3) If a council makes an election under this regulation, [regulations 74](#id1e889f15_1bc4_4726_8752_fe48600181fd_e) and [75](#id7c791d2a_6162_409f_a78d_055b1e18bf30_b) do not apply in respect of solid waste and other matter received, used or disposed of at, or transported from, any depot operated by that council.

(4) If a council satisfies the Authority that recycling is operating in a council area so that waste disposed of to landfill is reduced by a certain proportion, the levy payable by the council is reduced by subtracting that proportion from the levy that would otherwise be payable by the council as determined in accordance with this regulation.

**83—Presumptions and estimates if records are inadequate**

(1) If the Authority is of the opinion that records that relate to waste or other matter received or present at a waste depot during any period (being records required for determining the waste depot levy payable under this Part) are inadequate, and as a result, the Authority is of the opinion it is necessary in order to determine the levy payable, the Authority is entitled to make presumptions and estimates in relation to the waste or matter in accordance with this regulation.

(2) For the purposes of [subregulation (1)](#id9d318a30_28b7_480d_bdbc_d33698dd65e7_0), without limiting the circumstances in which records will be taken to be inadequate, records relating to a period will be taken to be inadequate if—

(a) there are no records relating to waste or other matter received or present at the depot during the period; or

(b) the records relating to waste or other matter received or present at the depot during the period are incomplete, inaccurate or inconsistent with other records (whether kept by the licensee, the occupier of the waste depot or another person or body); or

(c) the information contained in the records relating to waste or other matter received or present at the depot during the period has not been obtained by methods that, in the opinion of the Authority, are appropriate.

(3) The Authority is entitled to presume 1 or more of the following in relation to any waste or other matter at the waste depot (subject to the licensee establishing the contrary):

(a) that the waste or matter is waste or matter that has been received at the depot;

(b) that the waste or matter is waste or matter that has been disposed of to landfill at the depot;

(c) that the waste or matter has been used at the depot for an operational use other than an approved operational use;

(d) that unauthorised stockpiling of the waste or matter has occurred at the depot;

(e) that the waste or matter was stockpiled in an area of the depot, or in any manner, in contravention of the relevant licence;

(f) that any matters referred to in a preceding paragraph commenced or occurred on the date on which the Authority first became aware that the relevant records were inadequate;

(g) that the waste or matter at the waste depot is waste or matter of a specified kind;

(h) that the waste or matter has been—

(i) generated within metropolitan Adelaide; or

(ii) generated from waste or other matter generated in metropolitan Adelaide.

(4) In estimating the tonnage of waste or other matter received at the waste depot during the period, the Authority must have regard to the following:

(a) details of any volumetric survey of the depot;

(b) details of any stockpile volume assessment at the depot (made using assessment or modelling methodologies approved by the Authority);

(c) available records in respect of the depot;

(d) any information provided by an authorised officer who has seen or inspected the depot;

(e) any information available to the Authority, including images and data from cameras and GPS devices and information from persons not involved with the operation of the depot;

(f) any other details provided to the Authority in relation to the depot under [regulation 84](#ida14e0392_25df_4674_8c1f_5216a2a51f81_d).

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

(1) If the Authority has formed an opinion under [regulation 83](#idccec7392_14a5_48bb_b811_5fb8949cbebf_7) that records that relate to waste or other matter received or present at a waste depot during any period are inadequate, the Authority may, by notice in writing, for the purposes of determining the amount of the waste depot levy payable by the licensee of the depot, require the licensee to provide the Authority with 1 or more of the following (as specified in the notice), within a reasonable period of time specified in the notice:

(a) details of a volumetric survey (that complies with the requirements of this regulation) of—

(i) landfill at the depot; or

(ii) any other waste or matter that has been abandoned, stockpiled or used at the depot,

prepared by a licensed or registered surveyor under the [*Survey Act 1992*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Survey%20Act%201992) or a person, or person of a class, approved by the Authority;

(b) reports of specified tests or monitoring of—

(i) landfill at the depot; or

(ii) any other waste or matter that has been abandoned, stockpiled or used at the depot,

including, if the Authority considers it necessary, reports prepared, or tests or monitoring undertaken, by a person with specified qualifications;

(c) any other information required by the Authority in connection with the determination of the amount of the waste depot levy, verified, if the Authority so requires, by statutory declaration.

(2) A volumetric survey provided to the Authority under [subregulation (1)](#idc8a095ff_4831_45aa_88ed_3bdab2bc9a2e_f) must be in accordance with any other requirements specified by the Authority in the notice.

(3) It is an offence for a licensee to contravene or fail to comply with the requirements of a notice given by the Authority to the licensee.

Maximum penalty: $4 000.

Expiation fee: $300.

**Division 4—Record keeping**

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

For the purposes of this Division, a person licensed to conduct a waste depot who is not required to have installed an approved weighbridge under [Division 3](#iddf293405_0b34_494b_b4b3_88cfb1efa3e0_4), or uses a method other than an approved weighbridge to measure and record the amount of waste and other matter received, used or disposed of at, or transported from, the depot in accordance with that Division, must record any information in relation to the method used by the licence holder in accordance with the requirements specified in the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: $4 000.

Expiation fee: $300.

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

(1) A person licensed to conduct a waste disposal depot who is required to have installed or use an approved weighbridge under [Division 3](#iddf293405_0b34_494b_b4b3_88cfb1efa3e0_4) must record the following information in relation to the waste and other matter measured by the weighbridge for the purposes of that Division:

(a) the date and time the load is measured;

(b) the registration number of the vehicle on or in which the load is carried;

(c) the business name of the person carrying the waste (if relevant);

(d) the weight of the waste and other matter (in tonnes);

(e) the waste levy rate applied in respect of the waste and other matter in accordance with the waste or matter type and the source of the waste or other matter (for example, whether from within or outside of metropolitan Adelaide);

(f) the name of the operator of the weighbridge.

Maximum penalty: $4 000.

Expiation fee: $300.

(2) In this regulation—

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

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

A person licensed to conduct a waste depot who is required to provide a mass balance report under [regulation 74(2)](#id5fe5e47f_5c3a_4c7b_9b4b_63af7d352005_4) must record the following information in relation to each delivery of waste and other matter received at the depot:

(a) the amount of any waste and other matter delivered, its waste and matter stream and, to the extent that it is reasonably practicable, its waste and matter type;

(b) whether the source of the waste and other matter is from premises situated outside metropolitan Adelaide or premises situated in metropolitan Adelaide;

(c) the amount of any waste and other matter delivered arising from a biological outbreak or natural or other disaster determined by the Authority;

(d) the date and time the delivery of waste and other matter is made;

(e) in the case of waste transported to the waste depot from another waste depot—the name and address of the other depot;

(f) any other information required under the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: $4 000.

Expiation fee: $300.

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

A person licensed to conduct a waste depot who is required to provide a mass balance report under [regulation 74(2)](#id5fe5e47f_5c3a_4c7b_9b4b_63af7d352005_4) must record the following information in relation to each load of waste and other matter transported from the depot for use, recovery, recycling, processing or disposal at another place:

(a) the amount of any waste contained in the load and its waste type;

(b) the amount of any other matter contained in the load and a description of the nature of that other matter;

(c) the amount of any waste and other matter in the load that arose from a biological outbreak or natural or other disaster determined by the Authority;

(d) the date and time the load is transported from the depot;

(e) if the waste and other matter must, under the Act or any other Act or law, be transported to a particular place—

(i) whether it is material recovered as a result of resource recovery processes or is being transported to another waste depot for further treatment; and

(ii) the name and address or location of the place to which the load is being transported;

(f) any other information required under the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: $4 000.

Expiation fee: $300.

**89—Records in relation to vehicles**

(1) A person licensed to conduct a waste depot who is required to provide a mass balance report under [regulation 74(2)](#id5fe5e47f_5c3a_4c7b_9b4b_63af7d352005_4) must record the following particulars in relation to vehicles that enter the depot for a purpose directly related to the operation of the depot (whether or not the vehicle is being, or is intended to be, used to deliver or transport waste or other matter):

(a) the date on which the vehicle enters and leaves the depot;

(b) the time at which the vehicle enters and leaves the depot;

(c) in the case of a vehicle used by the holder of a licence to conduct a waste transport business—the registration number of the vehicle;

(d) the weight of the vehicle on entering and on leaving the depot;

(e) any other information required under the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: $4 000.

Expiation fee: $300.

(2) [Subregulation (1)](#idc0015cb5_0a0f_40cd_b8ec_2f21346aaf8a_7) does not apply to—

(a) a vehicle used by an authorised officer in the course of the officer's duties; or

(b) a vehicle, or vehicle of a class declared by the Authority or specified in the *Waste Reporting, Record Keeping and Measurement Standard* for the purposes of this subregulation.

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

A person licensed to conduct a waste depot who is required to provide a mass balance report under [regulation 74(2)](#id5fe5e47f_5c3a_4c7b_9b4b_63af7d352005_4) must record the following information in relation to any waste and other matter used for operational purposes:

(a) the amount of the waste and other matter and its waste and matter type;

(b) the location within the depot at which, and the purpose for which, the waste or other matter is used;

(c) the date the waste or other matter is used;

(d) the particulars of any approval of the Authority in relation to the use of the waste or other matter for operational purposes;

(e) any other information required under the *Waste Reporting, Record Keeping and Measurement Standard*.

Maximum penalty: $4 000.

Expiation fee: $300.

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

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

(a) record and keep the information in the manner and form required under the *Waste Reporting, Record Keeping and Measurement Standard* or as approved by the Authority by notice in writing; and

(b) ensure that each record is kept for at least 5 years after the record was made; and

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

Maximum penalty: $4 000.

Expiation fee: $300.

**92—Exemption from record keeping requirements**

(1) The Authority may, on application by the holder of a waste depot licence or on its own initiative, exempt the holder from compliance with any (or all) of the record keeping requirements under this Division.

(2) Before issuing an exemption under [subregulation (1)](#id40b9330d_451c_4836_9d66_e13a1a0d7408_7), the Authority may consider—

(a) the scale or location of the relevant waste depot; and

(b) the nature of the business or operation conducted at the depot by the licence holder; and

(c) any other matters or circumstances the Authority considers relevant.

(3) An exemption issued by the Authority under this regulation—

(a) must be by notice in writing; and

(b) may be subject to conditions; and

(c) may be varied or revoked by the Authority at any time by further notice in writing (including by varying or revoking any conditions of the exemption, or by imposing new conditions).

**Division 5—Video monitoring**

**93—Video monitoring systems**

(1) Subject to [regulation 94](#id2cc66187_796e_415a_892e_886164322eb5_9), the holder of a licence to conduct a landfill depot must, if the depot has, in the preceding 12 month period, received 20 000 tonnes or more of solid waste and other matter, within such reasonable period as specified by the Authority by notice in writing to the licence holder—

(a) install, operate and maintain a video monitoring system at the landfill depot in accordance with the requirements specified in the notice or the *Waste Reporting, Record Keeping and Measurement Standard*; and

(b) operate the video monitoring system during the times specified in the notice (which may be at all times).

Maximum penalty: $4 000.

Expiation fee: $300.

(2) The Authority may, for any reasonable purpose connected with the administration or enforcement of the Act, direct the holder of a licence to conduct a waste depot (other than a depot to which [subregulation (1)](#id48fd0a39_e0c4_49ed_8f9a_3f6a7018d8dc_a) applies) by notice in writing, within such reasonable period as specified in the notice—

(a) to install, operate and maintain a video monitoring system at the waste depot in accordance with the requirements specified in the notice or the *Waste Reporting, Record Keeping and Measurement Standard* for such period specified in the notice (which must not exceed 5 years); and

(b) to operate the video monitoring system during the times specified in the notice (which may be at all times).

(3) A video monitoring system under [subregulations (1)](#id48fd0a39_e0c4_49ed_8f9a_3f6a7018d8dc_a) and [(2)](#ide729ce03_5906_47ea_8676_e70f78238f) must comply with the specifications specified in the notice or the *Waste Reporting, Record Keeping and Measurement Standard* (as the case requires).

Maximum penalty: $4 000.

Expiation fee: $300.

(4) A licence holder must comply with the requirements of a notice under [subregulation (2)](#ide729ce03_5906_47ea_8676_e70f78238f).

Maximum penalty: $4 000.

Expiation fee: $300.

(5) The licence holder must—

(a) ensure that video monitoring records under this regulation are kept—

(i) for at least 12 months after being made; or

(ii) for any reasonable purpose connected with the administration or enforcement of the Act—

(A) for such longer period as the Authority may direct by notice in writing to the licence holder; or

(B) if the Authority directs by notice in writing to the licence holder—until further notice; and

(b) make video monitoring records under this regulation available for inspection and copying by an authorised officer on request.

Maximum penalty: $4 000.

Expiation fee: $300.

(6) The Authority may, at any time by notice in writing to the licence holder, vary or revoke a notice under this regulation (including by varying or revoking any requirements or specifications specified in the notice or imposing new requirements or specifications).

**94—Exemption from video monitoring system requirements**

(1) The Authority may, on application of the holder of a waste depot licence or on its own initiative, exempt the holder from compliance with any (or all) of the requirements under [regulation 93](#idcb7c3e78_a742_4f16_90e6_dc33fe10149e_4).

(2) Before issuing an exemption under [subregulation (1)](#idcd63f692_529b_4c62_aaa4_d35f46524954_3), the Authority may consider—

(a) the scale or location of the relevant waste depot; and

(b) the nature of the business or operation conducted at the depot by the licence holder; and

(c) any other matters or circumstances the Authority considers relevant.

(3) An exemption issued by the Authority under this regulation—

(a) must be by notice in writing; and

(b) may be subject to conditions; and

(c) may be varied or revoked by the Authority, by further notice in writing, at any time (including by varying or revoking any conditions of the exemption, or by imposing new conditions).

**Division 6—Vehicle flow plans**

**95—Vehicle flow plans**

A person licensed to conduct a waste depot who is required to provide a mass balance report under [regulation 74(2)](#id5fe5e47f_5c3a_4c7b_9b4b_63af7d352005_4) must—

(a) if required by the Authority by notice in writing to the licence holder, within the time specified in the notice, prepare a vehicle flow plan in relation to vehicle movement at the depot in accordance with the requirements specified in the *Waste Reporting, Record Keeping and Measurement Standard*; and

(b) make the plan available for inspection and copying by an authorised officer on request.

Maximum penalty: $4 000.

Expiation fee: $300.

**Part 7—Other fees and charges**

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

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

(a) the prescribed amount recoverable in respect of the registration of an environment protection order in relation to land from the person to whom the order was issued is—

(i) for the first entry made by the Registrar‑General in registering the order—18 fee units; and

(ii) for each subsequent entry made by the Registrar‑General in registering the order—5 fee units; and

(b) the prescribed amount recoverable in respect of the cancellation of registration of an environment protection order in relation to land from the person to whom the order was issued is—

(i) for the first endorsement made by the Registrar‑General in cancelling the registration of the order—13 fee units; and

(ii) for each subsequent endorsement made by the Registrar‑General in cancelling the registration of the order—1 fee unit.

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

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

(a) the prescribed amount recoverable in respect of the registration of a clean‑up order or clean‑up authorisation from the person whose contravention gave rise to the issuing of the order or authorisation is—

(i) for the first entry made by the Registrar‑General in registering the order or authorisation—18 fee units; and

(ii) for each additional entry made by the Registrar‑General in registering the order or authorisation—5 fee units; and

(b) the prescribed amount recoverable in respect of the cancellation of registration of a clean‑up order or clean‑up authorisation from the person whose contravention gave rise to the issuing of the order or authorisation is—

(i) for the first endorsement made by the Registrar‑General in cancelling the registration of the order or authorisation—13 fee units; and

(ii) for each subsequent endorsement made by the Registrar‑General in cancelling the registration of the order or authorisation—1 fee unit.

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

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

(a) the prescribed amount recoverable in respect of the registration of a site contamination assessment order or site remediation order in relation to land from the person to whom the order was issued is—

(i) for the first entry made by the Registrar‑General in registering the order—18 fee units; and

(ii) for each subsequent entry made by the Registrar‑General in registering the order—5 fee units; and

(b) the prescribed amount recoverable in respect of the cancellation of registration of a site contamination assessment order or site remediation order in relation to land from the person to whom the order was issued is—

(i) for the first endorsement made by the Registrar‑General in cancelling the registration of the order—13 fee units; and

(ii) for each subsequent endorsement made by the Registrar‑General in cancelling the registration of the order—1 fee unit.

**99—Prescribed fee for emergency authorisation (section 105)**

(1) Subject to this regulation, the prescribed fee in respect of an emergency authorisation for the purposes of section 105(2)(a) of the Act is 37 fee units.

(2) If the Authority is satisfied that—

(a) the circumstances giving rise to the issuing of the authorisation were within the control of the person to whom it is issued; and

(b) there is no need for inspection by an authorised officer of the place or vehicle in respect of which the authorisation is to apply,

the prescribed fee is 26 fee units.

(3) If the Authority is satisfied that the circumstances giving rise to the issuing of the authorisation were beyond the control of the person to whom it is issued, the prescribed fee is 0 fee units.

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

(1) For the purposes of section 135(1)(c) of the Act, the fee payable in respect of action taken to investigate a contravention of the Act is—

(a) in the case of action commenced during business hours, the sum of—

(i) 11 fee units; and

(ii) if the action exceeds 2 hours in duration—

(A) 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and

(B) 8 fee units for each subsequent hour or part of an hour for action taken outside of business hours; and

(b) in the case of action commenced outside of business hours, the sum of—

(i) 21 fee units; and

(ii) if the action exceeds 2 hours in duration—

(A) 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and

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

(2) For the purposes of section 135(1)(c) of the Act, the fee payable in respect of action taken to issue an order under Part 10 of the Act in respect of a contravention of the Act is 11 fee units.

(3) In this regulation—

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

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

(1) For the purposes of section 135A(2) of the Act, the fee payable in respect of action taken in accordance with section 135A of the Act is the sum of—

(a) the reasonable costs incurred by the Authority to engage a site contamination auditor or site contamination consultant to take action in accordance with that section; and

(b) —

(i) in the case of action commenced during business hours, the sum of—

(A) 11 fee units; and

(B) if the action exceeds 2 hours in duration—

• 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and

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

(ii) in the case of an action commenced outside of business hours, the sum of—

(A) 21 fee units; and

(B) if the action exceeds 2 hours in duration—

• 4 fee units for each subsequent hour or part of an hour for action taken during business hours; and

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

(2) In this regulation—

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

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

(a) taking a sample;

(b) conducting tests, examinations or analyses;

(c) undertaking a site investigation;

(d) undertaking a risk assessment;

(e) undertaking a remediation options assessment;

(f) preparing a site remediation plan;

(g) preparing a remediation validation report;

(h) preparing a site management plan.

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

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

**103—Further fees**

Further fees are payable for the purposes of the Act as set out in [Schedule 4](#id55ccd82d_af2a_41f4_8e46_9831ba5279c4_3).

**Part 8—Miscellaneous**

**104—Payment of fees by instalments and recovery of fees**

(1) The Authority may, in allowing the payment of a fee under the Act or these regulations by instalments, add to each amount payable as an instalment a charge by way of interest, or an administrative fee, as determined by the Authority with the approval of the Minister.

(2) The Authority may recover any instalment of a fee or other amount payable by a person under the Act or these regulations—

(a) as a debt by action in a court of competent jurisdiction; or

(b) by adding the amount so payable to a fee otherwise payable under the Act or these regulations by that person.

(3) If the Authority allows a fee to be paid by instalments, the fee is the amount that would be payable under the Act or these regulations apart from this regulation plus, for each instalment that is not paid by the date for payment $300 or 5% of the instalment (whichever is higher) for each month (or part of a month) for which the default continues.

**105—Authority may require copy of decision on development applications**

If an application for development authorisation is referred to the Authority under the [*Development Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Development%20Act%201993) or the [*Planning, Development and Infrastructure Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20Act%202016), the relevant authority that determines the application under the relevant Act must, if required by the Authority by notice in writing, furnish the Authority with a full copy of the relevant authority's decision on the application as soon as practicable (but not later than 1 month) after the decision is made.

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

(1) A person will be exempt from the requirement under section 36 of the Act to hold a licence in respect of the transportation of controlled waste into or through South Australia from another participating State, or from South Australia to another participating State if—

(a) the person holds a licence or other similar authority that—

(i) has been granted by a participating State other than South Australia; and

(ii) is the same as or has a similar effect to an environmental authorisation that authorises the activities specified in clause 3(5) or clause 3(6) (or both) of Schedule 1 Part A of the Act; and

(b) the person ensures that a copy of the consignment authorisation obtained in relation to the controlled waste being transported is carried in the vehicle transporting the waste; and

(c) the person ensures that the conditions to which the consignment authorisation is subject (if any) are complied with to the extent that those conditions apply to the transportation of the controlled waste; and

(d) the person complies with the conditions of the person's licence or other authority granted by the participating State, to the extent that those conditions apply to the transportation of the controlled waste.

(2) In this regulation—

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

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

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

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

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

**107—Exemption from Act—Maralinga nuclear test site**

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

(a) the Crown in right of the State;

(b) so far as the Act binds the Crown in its other capacities—the Crown in those other capacities;

(c) Maralinga Tjarutja.

(2) An activity undertaken in accordance with the Maralinga nuclear test site handback deed, or the management plan for the Maralinga nuclear test site, is exempt from the application of the Act.

(3) In this regulation—

***British Nuclear Test Program***, ***minor trials***, ***Maralinga nuclear test site***, ***Maralinga nuclear test site handback deed*** and ***Maralinga Tjarutja*** have the same meaning as in the [*Maralinga Tjarutja Land Rights Act 1984*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Maralinga%20Tjarutja%20Land%20Rights%20Act%201984);

***management plan***, for the Maralinga nuclear test site, has the same meaning as in Part 3 Division 1B of the [*Maralinga Tjarutja Land Rights Act 1984*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Maralinga%20Tjarutja%20Land%20Rights%20Act%201984).

**108—Cultana Training Area**

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

(2) In this regulation—

***Cultana Training Area*** means the land comprised by the following:

(a) the Allotment comprising Pieces 81, 82 and 83 in Deposited Plan 85852 Out of Hundreds (Port Augusta);

(b) Allotment 6 in Deposited Plan 88907 Hundred of Handyside County of Manchester and Out of Hundreds (Port Augusta);

(c) Sections 4, 13, 14 and 15, Hundred of Jenkins County of Manchester;

(d) Allotment 7 in Deposited Plan 29397 Out of Hundreds (Port Augusta);

(e) the Allotment comprising the Pieces 8, 9, 10 and 11 in Deposited Plan 29397 Out of Hundreds (Port Augusta);

(f) Allotment 68 in Deposited Plan 85851 Hundred of Cultana County of York;

(g) Allotment 72 in Deposited Plan 85851 Hundred of Cultana County of York;

(h) the Allotment comprising Pieces 30, 31 and 32 in Deposited Plan 85850 Out of Hundreds (Whyalla), Out of Hundreds (Port Augusta) and Hundred of Cultana County of York;

(i) Allotment 67 in Deposited Plan 93251, Hundred of Cultana County of York and Out of Hundreds (Port Augusta).

**109—SA Motorsport Park**

(1) The conduct of—

(a) a motor sport activity on a motor racing circuit; or

(b) a motor sport event on a motor racing circuit, or a recreational, artistic, cultural or other similar activity, including a street party, associated with the motor sport event,

within the SA Motorsport Park is exempt from the application of the general environmental duty under section 25 of the Act in relation to noise and Part 4 of the [*Environment Protection (Commercial and Industrial Noise) Policy 2023*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20(Commercial%20and%20Industrial%20Noise)%20Policy%202023) if the activity or event (as the case requires) is conducted in accordance with any guidelines in relation to noise approved by the Authority.

(2) In this regulation—

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

**110—Transitional provisions relating to bodies corporate under repealed Acts**

(1) In this regulation—

***former body corporate*** means—

(a) the Environmental Protection Council established under the [*Environmental Protection Council Act 1972*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environmental%20Protection%20Council%20Act%201972); and

(b) the South Australian Waste Management Commission continued in existence under the [*Waste Management Act 1987*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Waste%20Management%20Act%201987).

(2) Pursuant to section 140(5) of the Act, the following provisions apply in relation to a former body corporate:

(a) a reference to a former body corporate in an instrument or in a judgment, order or process of a court will be taken to be a reference to the Authority;

(b) legal proceedings commenced by or against a former body corporate may be continued by or against the Authority;

(c) the Registrar‑General will, on application by the Authority and on being furnished with such duplicate certificates of title or other documents as the Registrar‑General may require, register the Authority as the proprietor of an interest in land vested in the Authority by this regulation.

**Schedule 1—Forms**

**1—Form of notice of execution of warrant (**[**regulation 12**](#id1887403a_56d9_4be2_bacc_92d8192ff7f2_a)**)**

**Notice of execution of warrant**

[*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993)—section 88(7)

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

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

TAKE NOTICE that—

• *[insert name of magistrate]*, a magistrate, did at *[insert time]* on *[insert date]* issue a warrant to break into or open any part of, or anything in or on—

\* the place described above.

\* the vehicle described above.

• I *[insert name of authorised officer]*, an authorised officer under the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993) did execute the warrant on *[insert date]*.

• \* No property was seized.

\* The following items of property were seized:

*[insert details]*

Date:

Signature of authorised officer:

\**Strike out whichever is inapplicable*

**2—Form of notice of right to elect to be prosecuted (**[**regulation 13**](#idb0a2ccc4_2da8_4124_9ef4_62545add2dab_c)**)**

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

[*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993)—section 104A(3)

File Number:

Issued by:

Date:

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

**Notice to alleged offender**

1 The Environment Protection Authority (the Authority) is satisfied that you have committed an offence by contravening a provision of the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993) as follows:

Provision contravened:

Address or location of contravention:

Details of contravention:

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

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

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

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

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

(1) The notice must be addressed to the Authority as follows:

*[insert relevant information]*

(2) You may choose to use the Attachment (below) or you may inform the Authority by your own letter, quoting your name and the File Number shown at the top of this document.

(3) Section 104A of the Act may be found at www.legislation.sa.gov.au and additional information about the Act can be obtained from www.epa.sa.gov.au. Information concerning this notice can also be obtained by telephoning the Manager, Investigations Branch on *[insert telephone number]*.

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

**Attachment—Notice to Authority of election to be prosecuted**

To: Environment Protection Authority

*[insert address]*

File number of notice under section 104A(3) of the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993):

*[insert file number]*

**\* Individual**

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

Name in full:

Contact details:

Date:

Signed:

**\* Company**

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

Name of company:

Name in full of person with authority to act:

Contact details:

Date:

Signed:

\**Strike out whichever is inapplicable*

**Schedule 2—Environmental authorisations—application and authorisation fees**

**Part 1—Descriptions and maps of areas (**[**regulation 3**](#id542bbaf2_5a69_478f_bd5c_b3f86ea2b965_f)**)**

**1—Interpretation**

(1) In this Schedule—

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

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

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

(a) all lines are geodesics based on the Geocentric Datum of Australia 2020; and

(b) all coordinates are given according to the Map Grid of Australia 2020.

(3) The point references given in a description in this Schedule are references to the corresponding points in the map that follows the description.

(4) The maps included in this Schedule are provided for convenience of reference only.

**2—Adelaide airshed**

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

A map of the state of maine

Description automatically generated

**3—Mount Gambier airshed**

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

A black and white drawing of a square with lines

Description automatically generated

**4—Port Pirie airshed**

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

A screen shot of a map

Description automatically generated

**5—Port River region**

The Port River region comprises the waters (within the limits of the State and vested in the Crown) of the Adelaide Dolphin Sanctuary established by the [*Adelaide Dolphin Sanctuary Act 2005*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Adelaide%20Dolphin%20Sanctuary%20Act%202005).

A map of a large area with lines

Description automatically generated

**6—Upper Spencer Gulf**

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

A map with lines on it

Description automatically generated

**7—Whyalla airshed**

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

A drawing of a map

Description automatically generated

**Part 2—Environment management component (**[**regulation 28**](#ida279f9b5_c248_48ab_80ae_28b568c4443f_4)**)**

**8—Interpretation**

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

(2) A reference in this Part to a ***prescribed environmental measure*** means a reference to the following measures in place during the licence period:

(a) for an activity specified in clause 1(6) of Schedule 1 Part A of the Act (timber preservation works)—a system for the on‑site containment of the preservatives used in the works and for monitoring whether groundwater is contaminated by a preservative used in the works;

(b) for an activity specified in clause 3(4) of Schedule 1 Part A of the Act (wastewater treatment works)—a system for the disposal of wastewater collected or otherwise managed in the works involving the sustainable reuse of the wastewater or disposal of the wastewater to an evaporation lagoon;

(c) for an activity specified in clause 3(3)(a) of Schedule 1 Part A of the Act (landfill depot)—a leachate and landfill gas management system that complies with the guidelines entitled *Environmental management of landfill facilities—Solid waste disposal* as issued by the Authority in April 2019;

(d) for an activity specified in clause 6(1) of Schedule 1 Part A of the Act (meat processing works)—measures that result in wastewater produced at the works complying with each of the following levels:

(i) less than 100 milligrams per litre of biochemical oxygen demand averaged over the licence period;

(ii) an oil and grease level that is at least 99% less than that of the untreated wastewater;

(iii) less than 50 milligrams per litre of suspended solids averaged over the licence period,

assessed in accordance with an approved estimation or monitoring technique for the activity;

(e) for an activity specified in clause 3(2)(a) of Schedule 1 Part A of the Act (composting works)—a system for preventing the contamination of groundwater by chemical substances in the compost, by means, for example, of a suitable lining under the compost;

(f) for an activity specified in clause 6(7) of Schedule 1 Part A of the Act (rendering or fat extraction works)—measures that result in wastewater produced at the works complying with each of the following levels:

(i) less than 100 milligrams per litre of biochemical oxygen demand averaged over the licence period;

(ii) an oil and grease level that is at least 99% less than that of the untreated wastewater;

(iii) less than 50 milligrams per litre of suspended solids averaged over the licence period,

assessed in accordance with an approved estimation or monitoring technique for the activity;

(g) for an activity specified in clause 6(11) of Schedule 1 Part A of the Act (a winery or distillery)—measures that result in wastewater produced at the winery or distillery complying with each of the following levels:

(i) an electrical conductivity or total dissolved solids load that is at least 50% lower than that of the untreated wastewater;

(ii) less than 100 milligrams per litre of biochemical oxygen demand averaged over the licence period;

(iii) less than 50 milligrams per litre of suspended solids averaged over the licence period,

assessed in accordance with an approved estimation or monitoring technique for the activity;

(h) for an activity specified in clause 8(6a) of Schedule 1 Part A of the Act (desalination plants)—

(i) if wastewater is discharged from a desalination plant to a wastewater lagoon—

(A) in the case of a class 1 prescribed environmental measure for the lagoon—a system for the disposal of the wastewater into the lagoon involving the sustainable reuse of the wastewater; and

(B) in the case of a class 2 prescribed environmental measure for the lagoon—a lining system for the lagoon (for example, HDPE lining or a lining with an equivalent level of impermeability) for preventing the contamination of land and waters from wastewater discharged from the desalination plant into the lagoon; and

(C) in the case of a class 3 prescribed environmental measure for the lagoon—a system enabling the detection of leakage, from the lagoon into surrounding land or waters, of wastewater discharged from the desalination plant into the lagoon; and

(ii) if wastewater is discharged from a desalination plant to land other than a wastewater lagoon, in the case of a class 4 prescribed environmental measure for the discharge—a system for the disposal of the wastewater involving the sustainable reuse of the wastewater;

(i) for an activity specified in clause 8(9) of Schedule 1 Part A of the Act (Pumped hydroelectricity production works) both of the following measures:

(i) a lining system for the water reservoir at the works or facility (for example, high density polyethylene lining or a lining with an equivalent level of impermeability) for preventing the contamination of surrounding land and waters from the storage of water used in the production of hydroelectricity;

(ii) a system enabling the detection of leakage of water into surrounding land or waters from the water reservoir at the works or facility used to store water used in the production of hydroelectricity.

(3) For the purposes of the item relating to clause 8(9) of the Act in the table in [clause 9](#id454205e7_f4d6_4dba_aec5_9dfa417e0976_3) of this Part—

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

(a) at which the water used in the hydroelectricity production process has a salinity of 1 200 milligrams of total dissolved solids per litre or more; and

(b) in respect of which the Authority has determined, in accordance with guidelines issued by the Authority, that there is, or is reasonable potential for, acid rock drainage into nearby underground, surface or marine waters as a result of the hydroelectricity production process at the works or facility;

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

(a) at which the water used in the hydroelectricity production process has a salinity of less than 1 200 milligrams of total dissolved solids per litre; and

(b) in respect of which the Authority has determined, in accordance with guidelines issued by the Authority, that there is, or is reasonable potential for, acid rock drainage into nearby underground, surface or marine waters as a result of the hydroelectricity production process at the works or facility.

(4) In [subclause (3)](#ide5052fb6_e305_432a_a688_24e490d95012_e)—

***surface waters*** means waters other than underground waters;

***underground waters*** means—

(a) waters occurring naturally under the ground; or

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

**9—Environment management component**

| **Schedule 1 of Act (clause reference)** | **Prescribed activity of environmental significance**  **(including indicator of level of activity if applicable)** | **Fee units** |
| --- | --- | --- |
| **Clause 1** | **Petroleum and chemical** |  |
| cl 1(1) | Chemical storage and warehousing facilities | 3 |
| cl 1(2)(a)(i) | Chemical works (inorganic) comprising— |  |
|  | (a) a soda ash plant | 80 |
|  | (b) works associated with a uranium plant (where the main or a significant product is uranium) | 20 |
|  | (c) works of any other kind | 8 |
| cl 1(2)(a)(ii) | Chemical works (organic) comprising— |  |
|  | (a) works emitting less than 100 tonnes of volatile organic compounds during the licence period | 8 |
|  | (b) works emitting 100 tonnes or more of volatile organic compounds during the licence period | 12 |
| cl 1(2)(b) | Chemical works (salt production) | 3 |
| cl 1(2)(c) | Chemical works (hydrogen production) | 8 |
| cl 1(3) | Coke works | 80 |
| cl 1(5a) | Petrol stations | 3 |
| cl 1(5)(a) | Hydrocarbon storage works | 10 |
| cl 1(5)(b) | Hydrocarbon production works comprising— |  |
|  | (a) works or facilities emitting less than 500 tonnes of volatile organic compounds during the licence period | 8 |
|  | (b) works or facilities emitting 500 tonnes or more but less than 1 000 tonnes of volatile organic compounds during the licence period | 50 |
|  | (c) works or facilities emitting 1 000 tonnes or more of volatile organic compounds during the licence period | 80 |
| cl 1(6) | Timber preservation works comprising— |  |
|  | (a) works using, during the licence period, boron or other light organic solvents approved by the Authority as preservatives presenting a low environmental risk | 8 |
|  | (b) works using, during the licence period, other preservatives (eg preservatives containing heavy metals or creosote)— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works | 20 |
|  | (ii) in any other case | 50 |
| **Clause 2** | **Manufacturing and mineral processing** |  |
| cl 2(1) | Abrasive blasting comprising— |  |
|  | (a) mobile works | 3 |
|  | (b) works other than mobile works | 2 |
| cl 2(2) | Hot mix asphalt preparation comprising— |  |
|  | (a) mobile works | 12 |
|  | (b) works other than mobile works | 8 |
| cl 2(3) | Cement works comprising— |  |
|  | (a) works emitting less than 100 tonnes of particulates during the licence period | 20 |
|  | (b) works emitting 100 tonnes or more of particulates during the licence period | 50 |
| cl 2(4) | Ceramic works comprising— |  |
|  | (a) glass works emitting 25 tonnes or more of particulates during the licence period | 50 |
|  | (b) brick works emitting 2 tonnes or more of fluorides during the licence period | 12 |
|  | (c) other glass works or brick works | 8 |
|  | (d) works of any other kind (eg pottery works) | 2 |
| cl 2(5) | Concrete batching works (whether or not mobile) | 2 |
| cl 2(6) | Drum reconditioning or treatment works | 3 |
| cl 2(7) | Ferrous and non‑ferrous metal melting works comprising— |  |
|  | (a) works producing emissions of more than 2 500 kilograms of volatile organic compounds during the licence period in respect of which— |  |
|  | (i) the Authority is satisfied of compliance by the licensee with the EPA odour criteria | 12 |
|  | (ii) the Authority is satisfied of non‑compliance by the licensee with the EPA odour criteria | 50 |
|  | (b) works producing emissions of 2 500 kilograms or less of volatile organic compounds during the licence period | 4 |
| cl 2(8) | Metallurgical works | 80 |
| cl 2(9) | Mineral works | 12 |
| cl 2(10) | Pulp or paper works | 80 |
| cl 2(12)(a) | Surface coating works (metal finishing) | 8 |
| cl 2(12)(b) | Surface coating works (hot dip galvanizing) comprising— |  |
|  | (a) works producing emissions to air during the licence period of 1 000 kilograms or more of zinc | 12 |
|  | (b) works producing emissions to air during the licence period of 100 kilograms or more but less than 1 000 kilograms of zinc | 8 |
|  | (c) works producing emissions to air during the licence period of less than 100 kilograms of zinc | 4 |
| cl 2(12)(c) | Surface coating works (spray painting or powder coating) | 3 |
| cl 2(13) | Timber processing works comprising— |  |
|  | (a) works producing emissions to air during the licence period of 50 tonnes or more of particulates | 12 |
|  | (b) works producing emissions to air during the licence period of less than 50 tonnes of particulates | 3 |
| cl 2(14) | Maritime construction works | 3 |
| cl 2(15) | Vehicle production works | 20 |
| **Clause 3** | **Resource recovery, waste disposal and related activities** |  |
| cl 3(1) | Waste recovery facility comprising a depot, facility or works that, during the licence period, receives for preliminary treatment (or has the capacity for preliminary treatment of)— |  |
|  | (a) more than 200 000 tonnes of waste or other matter | 77 |
|  | (b) more than 100 000 tonnes but not more than 200 000 tonnes of waste or other matter | 38 |
|  | (c) more than 50 000 tonnes but not more than 100 000 tonnes of waste or other matter | 20 |
|  | (d) more than 20 000 tonnes but not more than 50 000 tonnes of waste or other matter | 12 |
|  | (e) more than 5 000 tonnes but not more than 20 000 tonnes of waste or other matter | 5 |
|  | (f) more than 2 000 tonnes but not more than 5 000 tonnes of waste or other matter | 3 |
|  | (g) more than 1 000 tonnes but not more than 2 000 tonnes of waste or other matter | 2 |
|  | (h) 1 000 tonnes or less of waste or other matter | 1 |
| cl 3(2)(a) | Composting works comprising— |  |
|  | (a) depot, facility or works producing or capable of producing, during the licence period, compost from green waste only— |  |
|  | (i) in the case of depot, facility or works the floor of which is 15 metres or less above groundwater— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works | 2 |
|  | (B) in any other case | 4 |
|  | (ii) in the case of depot, facility or works the floor of which is more than 15 metres above groundwater | 2 |
|  | (b) depot, facility or works producing or capable of producing, during the licence period, compost from only animal manure or from only animal manure and green waste— |  |
|  | (i) in the case of depot, facility or works the floor of which is 15 metres or less above groundwater— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works | 3 |
|  | (B) in any other case | 8 |
|  | (ii) in the case of depot, facility or works the floor of which is more than 15 metres above groundwater | 3 |
|  | (c) depot, facility or works producing or capable of producing, during the licence period, compost from waste of any other kind (whether or not in addition to animal manure or green waste)— |  |
|  | (i) in the case of depot, facility or works the floor of which is 15 metres or less above groundwater— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works | 4 |
|  | (B) in any other case | 12 |
|  | (ii) in the case of depot, facility or works the floor of which is more than 15 metres above groundwater | 4 |
| cl 3(2)(b) | Scrap metal treatment works | 3 |
| cl 3(2)(c) | Tyre waste treatment works comprising a depot, facility or works, that has, during the licence period, the capacity to treat— |  |
|  | (a) more than 200 000 tonnes of tyre waste | 77 |
|  | (b) more than 100 000 tonnes but not more than 200 000 tonnes of tyre waste | 38 |
|  | (c) more than 50 000 tonnes but not more than 100 000 tonnes of tyre waste | 20 |
|  | (d) more than 20 000 tonnes but not more than 50 000 tonnes of tyre waste | 12 |
|  | (e) more than 5 000 tonnes but not more than 20 000 tonnes of tyre waste | 5 |
|  | (f) more than 2 000 tonnes but not more than 5 000 tonnes of tyre waste | 3 |
|  | (g) more than 1 000 tonnes but not more than 2 000 tonnes of tyre waste | 2 |
|  | (h) 1 000 tonnes or less of tyre waste | 1 |
| cl 3(2)(d) | Waste lead acid battery treatment works | 1 |
| cl 3(2)(e) | Any other waste reprocessing facility comprising a depot, facility or works that, during the licence period, receives or has the capacity to treat— |  |
|  | (a) more than 200 000 tonnes of waste or other matter | 77 |
|  | (b) more than 100 000 tonnes but not more than 200 000 tonnes of waste or other matter | 38 |
|  | (c) more than 50 000 tonnes but not more than 100 000 tonnes of waste or other matter | 20 |
|  | (d) more than 20 000 tonnes but not more than 50 000 tonnes of waste or other matter | 12 |
|  | (e) more than 5 000 tonnes but not more than 20 000 tonnes of waste or other matter | 5 |
|  | (f) more than 2 000 tonnes but not more than 5 000 tonnes of waste or other matter | 3 |
|  | (g) more than 1 000 tonnes but not more than 2 000 tonnes of waste or other matter | 2 |
|  | (h) 1 000 tonnes or less of waste or other matter | 1 |
| cl 3(3)(a) | Landfill depot comprising— |  |
|  | (a) a depot, facility or works receiving more than 200 000 tonnes of solid waste (other than waste fill) during the licence period— |  |
|  | (i) if—  (A) the waste is inert waste; or  (B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works | 50 |
|  | (ii) in any other case | 80 |
|  | (b) a depot, facility or works receiving more than 100 000 tonnes but not more than 200 000 tonnes of solid waste (other than waste fill) during the licence period— |  |
|  | (i) if—  (A) the waste is inert waste; or  (B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works | 20 |
|  | (ii) in any other case | 50 |
|  | (c) a depot, facility or works receiving more than 50 000 tonnes but not more than 100 000 tonnes of solid waste (other than waste fill) during the licence period— |  |
|  | (i) if—  (A) the waste is inert waste; or  (B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works | 12 |
|  | (ii) in any other case | 20 |
|  | (d) a depot, facility or works receiving more than 20 000 tonnes but not more than 50 000 tonnes of solid waste (other than waste fill) during the licence period— |  |
|  | (i) if—  (A) the waste is inert waste; or  (B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works | 8 |
|  | (ii) in any other case | 12 |
|  | (e) a depot, facility or works receiving more than 5 000 tonnes but not more than 20 000 tonnes of solid waste (other than waste fill) during the licence period— |  |
|  | (i) if—  (A) the waste is inert waste; or  (B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works | 4 |
|  | (ii) in any other case | 8 |
|  | (f) a depot, facility or works receiving more than 2 000 tonnes but not more than 5 000 tonnes of solid waste (other than waste fill) during the licence period— |  |
|  | (i) if—  (A) the waste is inert waste; or  (B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works | 3 |
|  | (ii) in any other case | 4 |
|  | (g) a depot, facility or works receiving more than 1 000 tonnes but not more than 2 000 tonnes of solid waste (other than waste fill) during the licence period— |  |
|  | (i) if—  (A) the waste is inert waste; or  (B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works | 2 |
|  | (ii) in any other case | 3 |
|  | (h) a depot, facility or works receiving 1 000 tonnes or less of solid waste (other than waste fill) during the licence period— |  |
|  | (i) if—  (A) the waste is inert waste; or  (B) the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the depot, facility or works | 1 |
|  | (ii) in any other case | 2 |
| cl 3(3)(b) | Liquid waste depot comprising— |  |
|  | (a) a depot, facility or works receiving more than 100 000 kilolitres of liquid waste during the licence period— |  |
|  | (i) involving disposal to a sewer or other off‑site wastewater treatment plant subject to a licence | 50 |
|  | (ii) involving disposal other than to a sewer | 80 |
|  | (b) a depot, facility or works receiving more than 50 000 kilolitres but not more than 100 000 kilolitres of liquid waste during the licence period— |  |
|  | (i) involving disposal to a sewer or other off‑site wastewater treatment plant subject to a licence | 20 |
|  | (ii) involving disposal other than to a sewer | 50 |
|  | (c) a depot, facility or works receiving more than 20 000 kilolitres but not more than 50 000 kilolitres of liquid waste during the licence period— |  |
|  | (i) involving disposal to a sewer or other off‑site wastewater treatment plant subject to a licence | 12 |
|  | (ii) involving disposal other than to a sewer | 20 |
|  | (d) a depot, facility or works receiving more than 5 000 kilolitres but not more than 20 000 kilolitres of liquid waste during the licence period— |  |
|  | (i) involving disposal to a sewer or other off‑site wastewater treatment plant subject to a licence | 8 |
|  | (ii) involving disposal other than to a sewer | 12 |
|  | (e) a depot, facility or works receiving more than 2 000 kilolitres but not more than 5 000 kilolitres of liquid waste during the licence period— |  |
|  | (i) involving disposal to a sewer or other off‑site wastewater treatment plant subject to a licence | 4 |
|  | (ii) involving disposal other than to a sewer | 8 |
|  | (f) a depot, facility or works receiving more than 1 000 kilolitres but not more than 2 000 kilolitres of liquid waste during the licence period— |  |
|  | (i) involving disposal to a sewer or other off‑site wastewater treatment plant subject to a licence | 3 |
|  | (ii) involving disposal other than to a sewer | 4 |
|  | (g) a depot, facility or works receiving 1 000 kilolitres or less of liquid waste during the licence period— |  |
|  | (i) involving disposal to a sewer or other off‑site wastewater treatment plant subject to a licence | 2 |
|  | (ii) involving disposal other than to a sewer | 3 |
| cl 3(3)(c) | Incineration depot, facility or works— |  |
|  | (a) for disposal of chemical waste | 50 |
|  | (b) for disposal of medical waste, cytotoxic waste and quarantine waste | 50 |
|  | (c) for disposal of solid municipal waste | 50 |
|  | (d) for disposal of solid trade waste | 50 |
| cl 3(4)(a) | Wastewater treatment works located wholly or partly within the Mount Lofty Ranges Water Protection Area involving— |  |
|  | (a) the discharge of 500 megalitres or more of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme | 50 |
|  | (ii) in any other case | 80 |
|  | (b) the discharge of 100 megalitres or more but less than 500 megalitres of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme | 20 |
|  | (ii) in any other case | 50 |
|  | (c) the discharge of 50 megalitres or more but less than 100 megalitres of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme | 8 |
|  | (ii) in any other case | 12 |
|  | (d) the discharge of 20 megalitres or more but less than 50 megalitres of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme | 4 |
|  | (ii) in any other case | 8 |
|  | (e) the discharge of less than 20 megalitres of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme | 3 |
|  | (ii) in any other case | 4 |
| cl 3(4)(b) | Wastewater treatment works located wholly outside of the Mount Lofty Ranges Water Protection Area or any other water protection area involving— |  |
|  | (a) the discharge of 1 000 megalitres or more of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme | 50 |
|  | (ii) in any other case | 80 |
|  | (b) the discharge of 500 megalitres or more but less than 1 000 megalitres of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme | 20 |
|  | (ii) in any other case | 50 |
|  | (c) the discharge of 100 megalitres or more but less than 500 megalitres of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme | 8 |
|  | (ii) in any other case | 12 |
|  | (d) the discharge of 50 megalitres or more but less than 100 megalitres of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme | 4 |
|  | (ii) in any other case | 8 |
|  | (e) the discharge of 20 megalitres or more but less than 50 megalitres of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme | 3 |
|  | (ii) in any other case | 4 |
|  | (f) the discharge of less than 20 megalitres of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or scheme | 2 |
|  | (ii) in any other case | 3 |
| cl 3(5)(a) | Activity producing listed waste comprising— |  |
|  | (a) an activity producing medical waste and no other listed waste during the licence period | 1 |
|  | (b) in any other case— |  |
|  | (i) an activity producing more than 250 tonnes of listed waste during the licence period | 8 |
|  | (ii) an activity producing more than 100 tonnes but not more than 250 tonnes of listed waste during the licence period | 3 |
|  | (iii) an activity producing more than 5 tonnes but not more than 100 tonnes of listed waste during the licence period | 2 |
|  | (iv) an activity producing 5 tonnes or less of listed waste during the licence period | 1 |
| cl 3(5)(b) | Reception or storage of listed waste comprising— |  |
|  | (a) a depot, facility or works receiving more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 77 |
|  | (b) a depot, facility or works receiving more than 100 000 tonnes but not more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 38 |
|  | (c) a depot, facility or works receiving more than 50 000 tonnes but not more than 100 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 20 |
|  | (d) a depot, facility or works receiving more than 20 000 tonnes but not more than 50 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 12 |
|  | (e) a depot, facility or works receiving more than 5 000 tonnes but not more than 20 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 5 |
|  | (f) a depot, facility or works receiving more than 2 000 tonnes but not more than 5 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 3 |
|  | (g) a depot, facility or works receiving more than 1 000 tonnes but not more than 2 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 2 |
|  | (h) a depot, facility or works receiving 1 000 tonnes or less of listed waste during the licence period for resource recovery or transfer to another location | 1 |
| cl 3(5)(c) | Treatment of listed waste comprising— |  |
|  | (a) a depot, facility or works receiving more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 77 |
|  | (b) a depot, facility or works receiving more than 100 000 tonnes but not more than 200 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 38 |
|  | (c) a depot, facility or works receiving more than 50 000 tonnes but not more than 100 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 20 |
|  | (d) a depot, facility or works receiving more than 20 000 tonnes but not more than 50 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 12 |
|  | (e) a depot, facility or works receiving more than 5 000 tonnes but not more than 20 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 5 |
|  | (f) a depot, facility or works receiving more than 2 000 tonnes but not more than 5 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 3 |
|  | (g) a depot, facility or works receiving more than 1 000 tonnes but not more than 2 000 tonnes of listed waste during the licence period for resource recovery or transfer to another location | 2 |
|  | (h) a depot, facility or works receiving 1 000 tonnes or less of listed waste during the licence period for resource recovery or transfer to another location | 1 |
| cl 3(6)(a) | Waste transport business (category A)— |  |
|  | (a) for each vehicle that is an assessable vehicle during the licence period and is not used other than to collect and transport medical waste not exceeding 40 litres at any 1 time | 0.3 |
|  | (b) for each vehicle that is an assessable vehicle during the licence period other than a vehicle referred to in [paragraph (a)](#idf45b06c6_41ee_45e1_9f04_1335e116bc81_0) | 0.9 |
| cl 3(6)(b) | Waste transport business (category B)—for each vehicle that is an assessable vehicle during the licence period | 0.3 |
| **Clause 4** | **Activities in specified areas** |  |
| cl 4(1) | Brukunga mine site and associated acid neutralisation plant | 30 |
| cl 4(2)(a) | Discharge during the licence period of stormwater to underground aquifers by means other than a stormwater drainage system from land or premises situated in the area of the City of Mount Gambier | 12 |
| cl 4(2)(b) | Discharge during the licence period of stormwater to underground aquifers from a stormwater drainage system situated in the City of Mount Gambier | 12 |
| cl 4(2)(c) | Discharge during the licence period of stormwater to underground aquifers from a stormwater drainage system situated in metropolitan Adelaide— |  |
|  | (a) if 50 megalitres or more is discharged during the licence period | 4 |
|  | (b) if 10 megalitres or more but not more than 50 megalitres is discharged during the licence period | 3 |
|  | (c) if less than 10 megalitres is discharged during the licence period | 2 |
| **Clause 5** | **Animal husbandry, aquaculture and other activities** |  |
| cl 5(1) | Cattle feedlots | 4 |
| cl 5(3) | Saleyards comprising— |  |
|  | (a) a saleyard located within the South East Water Protection Area— |  |
|  | (i) if 20 megalitres or more of effluent is produced at the saleyard during the licence period | 12 |
|  | (ii) if less than 20 megalitres is produced at the saleyard during the licence period | 4 |
|  | (b) a saleyard located outside the South East Water Protection Area— |  |
|  | (i) if 20 megalitres or more of effluent is produced at the saleyard during the licence period | 8 |
|  | (ii) if less than 20 megalitres is produced at the saleyard during the licence period | 3 |
| cl 5(4) | Piggeries comprising— |  |
|  | (a) a piggery producing more than 200 000 kilograms of nitrogen during the licence period | 12 |
|  | (b) a piggery producing more than 100 000 kilograms but not more than 200 000 kilograms of nitrogen during the licence period | 8 |
|  | (c) a piggery producing more than 50 000 kilograms but not more than 100 000 kilograms of nitrogen during the licence period | 4 |
|  | (d) a piggery producing more than 20 000 kilograms but not more than 50 000 kilograms of nitrogen during the licence period | 3 |
|  | (e) a piggery producing not more than 20 000 kilograms of nitrogen during the licence period | 2 |
| cl 5(5) | Poultry farm comprising a broiler farm— |  |
|  | (a) where the total area of the sheds or structures used to keep the poultry is 13 500 square metres or more but less than 27 000 square metres | 2 |
|  | (b) where the total area of the sheds or structures used to keep the poultry is 27 000 square metres or more but less than 54 000 square metres | 3 |
|  | (c) where the total area of the sheds or structures used to keep the poultry is 54 000 square metres or more | 4 |
| **Clause 6** | **Food production and animal and plant product processing** |  |
| cl 6(1) | Meat processing works comprising— |  |
|  | (a) an abattoir and rendering plant producing 100 megalitres or more of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the plant or that all the wastewater is discharged to a sewer or to some other off‑site wastewater treatment works that are licensed or carried on under a licence | 12 |
|  | (ii) in any other case | 20 |
|  | (b) an abattoir and rendering plant producing less than 100 megalitres of wastewater during the licence period | 12 |
|  | (c) works not associated with a rendering plant producing 100 megalitres or more of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority that all the wastewater is discharged to a sewer or to some other off‑site wastewater treatment works that are licensed or carried on under a licence | 3 |
|  | (ii) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works | 4 |
|  | (iii) in any other case | 8 |
|  | (d) works not associated with a rendering plant producing less than 100 megalitres of wastewater during the licence period | 3 |
| cl 6(2) | Breweries comprising— |  |
|  | (a) a brewery producing 20 megalitres or more of wastewater during the licence period | 20 |
|  | (b) a brewery producing less than 20 megalitres of wastewater during the licence period | 4 |
|  | (c) a brewery disposing of all wastewater to a sewer or other off‑site wastewater treatment works that are licensed or carried on under a licence during the licence period | 3 |
| cl 6(4) | Fish processing works comprising— |  |
|  | (a) works disposing of wastewater to land (and not to marine or inland waters) during the licence period | 4 |
|  | (b) works disposing, during the licence period, of all wastewater to a sewer or other off-site wastewater treatment works that are licensed or carried on under a licence or works not disposing of wastewater at all during the licence period | 3 |
| cl 6(5) | Milk processing works comprising— |  |
|  | (a) works disposing, during the licence period, of all wastewater to a sewer or other off‑site wastewater treatment works that are licensed or carried on under a licence | 8 |
|  | (b) works of any other kind | 12 |
| cl 6(6)(a) | Produce processing works (deep fat frying, roasting or drying) | 4 |
| cl 6(6)(b) | Produce processing works (disposing, during the licence period, of wastewater otherwise than to a sewer or community wastewater management system) comprising— |  |
|  | (a) olive processing works | 12 |
|  | (b) works of any other kind | 8 |
| cl 6(7) | Rendering or fat extraction works comprising— |  |
|  | (a) works producing 100 megalitres or more of wastewater during the licence period— |  |
|  | (i) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or that all the wastewater is discharged to a sewer or other off‑site wastewater treatment works that are licensed or carried on under a licence | 12 |
|  | (ii) in any other case | 20 |
|  | (b) works producing less than 100 megalitres of wastewater during the licence period | 12 |
| cl 6(8) | Curing or drying works | 3 |
| cl 6(9) | Tanneries or fellmongeries comprising— |  |
|  | (a) works disposing, during the licence period, of all wastewater to a sewer or other off‑site wastewater treatment works that are licensed or carried on under a licence | 3 |
|  | (b) works of any other kind— |  |
|  | (i) if the works produce more than 10 megalitres of wastewater during the licence period | 12 |
|  | (ii) if the works produce 10 megalitres or less of wastewater during the licence period | 3 |
| cl 6(10) | Woolscouring or wool carbonising works comprising— |  |
|  | (a) works disposing, during the licence period, of all wastewater to a sewer or other off‑site wastewater treatment works that are licensed or carried on under a licence | 3 |
|  | (b) works of any other kind | 8 |
| cl 6(11)(a) | Wineries or distilleries (works outside the Mount Lofty Ranges Water Protection Area) comprising— |  |
|  | (a) works disposing, during the licence period, of all wastewater to a sewer or other off‑site wastewater treatment works that are licensed or carried on under a licence | 3 |
|  | (b) works of any other kind (ie works not disposing, during the licence period, of all wastewater to a sewer or other off‑site wastewater treatment works that are licensed or carried on under a licence)— |  |
|  | (i) in the case of works producing 20 megalitres or less of wastewater during the licence period— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works | 3 |
|  | (B) in any other case | 4 |
|  | (ii) in the case of works producing more than 20 megalitres but no more than 60 megalitres of wastewater during the licence period— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works | 12 |
|  | (B) in any other case | 20 |
|  | (iii) in the case of works producing more than 60 megalitres of wastewater during the licence period— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works | 20 |
|  | (B) in any other case | 50 |
| cl 6(11)(b) | Wineries or distilleries (works within the Mount Lofty Ranges Water Protection Area) comprising— |  |
|  | (a) works disposing, during the licence period, of all wastewater to a sewer or other off‑site wastewater treatment works that are licensed or carried on under a licence | 4 |
|  | (b) works not disposing, during the licence period, of all wastewater to a sewer or other off‑site wastewater treatment works that are licensed or carried on under a licence— |  |
|  | (i) in the case of works producing 10 megalitres or less of wastewater during the licence period— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works | 4 |
|  | (B) in any other case | 8 |
|  | (ii) in the case of works producing more than 10 megalitres but no more than 60 megalitres of wastewater during the licence period— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works | 12 |
|  | (B) in any other case | 20 |
|  | (iii) in the case of works producing more than 60 megalitres of wastewater during the licence period— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works | 20 |
|  | (B) in any other case | 50 |
| **Clause 7** | **Materials handling and transportation** |  |
| cl 7(1) | Bulk shipping facilities | 8 |
| cl 7(2) | Railway operations | 8 |
| cl 7(3)(a) | Crushing, grinding or milling works (chemicals or rubber) | 4 |
| cl 7(3)(b) | Crushing, grinding or milling works (agricultural crop products) comprising— |  |
|  | (a) olive processing works (whether or not mobile)— |  |
|  | (i) in the case of works disposing, during the licence period, of all wastewater to a sewer or other off‑site wastewater treatment works that are licensed or carried on under a licence | 3 |
|  | (ii) in any other case | 12 |
|  | (b) mobile works other than olive processing works | 8 |
|  | (c) works of any other kind | 4 |
| cl 7(3)(c) | Crushing, grinding or milling works (rock, ores or minerals) | 4 |
| cl 7(4) | Dredging—for each day on which dredging occurs during the licence period | 1 |
| cl 7(5) | Coal handling and storage | 3 |
| cl 7(6) | Earthworks drainage—for each day on which earthworks drainage is carried on during the licence period | 0.25 |
| cl 7(7) | Extractive industries— |  |
|  | (a) within the Mount Lofty Ranges Water Protection Area | 4 |
|  | (b) in any other area | 3 |
| **Clause 8** | **Other** |  |
| cl 8(1) | Aerodromes | 3 |
| cl 8(2)(a) | Fuel burning comprising— |  |
|  | (a) the burning of coal or timber— |  |
|  | (i) at premises within the Adelaide airshed— |  |
|  | (A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period | 80 |
|  | (B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period | 50 |
|  | (C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period | 12 |
|  | (ii) at premises in any other area— |  |
|  | (A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period | 50 |
|  | (B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period | 12 |
|  | (C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period | 4 |
|  | (b) the burning of diesel in internal combustion engines for a total of less than 25 hours during the licence period | 1 |
|  | (c) the burning of diesel in any other circumstances or for any other purpose or the burning of any fuel other than coal, timber or diesel— |  |
|  | (i) at premises within the Adelaide airshed— |  |
|  | (A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period | 50 |
|  | (B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period | 20 |
|  | (C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period | 8 |
|  | (ii) at premises in any other area— |  |
|  | (A) resulting in the emission of 500 tonnes or more of nitrogen oxides during the licence period | 20 |
|  | (B) resulting in the emission of 30 tonnes or more but less than 500 tonnes of nitrogen oxides during the licence period | 8 |
|  | (C) resulting in the emission of less than 30 tonnes of nitrogen oxides during the licence period | 3 |
| cl 8(2)(b) | Fuel burning comprising the burning of fuel to stove enamel or to bake or dry substances releasing dust or air impurities | 3 |
| cl 8(3) | Helicopter landing facilities | 1 |
| cl 8(4)(a) | Marinas and boating facilities (moorings or dry storage) | 2 |
| cl 8(4)(b) | Marinas and boating facilities (repair and maintenance facilities) | 3 |
| cl 8(5) | Motor racing or testing venues | 3 |
| cl 8(6) | Shooting ranges | 1 |
| cl 8(6a) | Desalination plants comprising— |  |
|  | (a) a desalination plant that discharges wastewater to the marine environment— |  |
|  | (i) for discharges of more than 2 megalitres but not more than 1 000 megalitres of wastewater during the licence period | 5 |
|  | (ii) for discharges of more than 1 000 megalitres but not more than 10 000 megalitres of wastewater during the licence period | 12 |
|  | (iii) for discharges of more than 10 000 megalitres during the licence period | 30 |
|  | (b) a desalination plant that discharges wastewater to a wastewater lagoon— |  |
|  | (i) for discharges of more than 2 megalitres but not more than 50 megalitres of wastewater during the licence period— |  |
|  | (A) if the licensee satisfies the Authority of the existence of effective class 1, class 2 and class 3 prescribed environmental measures for the lagoon | 1 |
|  | (B) if the licensee satisfies the Authority of the existence of effective class 2 and class 3 prescribed environmental measures for the lagoon | 2 |
|  | (C) if the licensee satisfies the Authority of the existence of an effective class 1 prescribed environmental measure for the lagoon | 3 |
|  | (D) in any other case | 4 |
|  | (ii) for discharges of more than 50 megalitres but not more than 500 megalitres of wastewater during the licence period— |  |
|  | (A) if the licensee satisfies the Authority of the existence of effective class 1, class 2 and class 3 prescribed environmental measures for the lagoon | 3 |
|  | (B) if the licensee satisfies the Authority of the existence of effective class 2 and class 3 prescribed environmental measures for the lagoon | 4 |
|  | (C) if the licensee satisfies the Authority of the existence of an effective class 1 prescribed environmental measure for the lagoon | 5 |
|  | (D) in any other case | 6 |
|  | (iii) for discharges of more than 500 megalitres of wastewater during the licence period— |  |
|  | (A) if the licensee satisfies the Authority of the existence of effective class 1, class 2 and class 3 prescribed environmental measures for the lagoon | 9 |
|  | (B) if the licensee satisfies the Authority of the existence of effective class 2 and class 3 prescribed environmental measures for the lagoon | 10 |
|  | (C) if the licensee satisfies the Authority of the existence of an effective class 1 prescribed environmental measure for the lagoon | 11 |
|  | (D) in any other case | 12 |
|  | (c) a desalination plant that discharges wastewater to inland waters or land (other than to a wastewater lagoon)— |  |
|  | (i) for discharges of more than 2 megalitres but not more than 50 megalitres of wastewater during the licence period— |  |
|  | (A) if, in the case of the discharge of the wastewater to land, the licensee satisfies the Authority of the existence of an effective class 4 prescribed environmental measure for the discharge | 3 |
|  | (B) in any other case | 4 |
|  | (ii) for discharges of more than 50 megalitres but not more than 500 megalitres of wastewater during the licence period— |  |
|  | (A) if, in the case of the discharge of the wastewater to land, the licensee satisfies the Authority of the existence of an effective class 4 prescribed environmental measure for the discharge | 5 |
|  | (B) in any other case | 6 |
|  | (iii) for discharges of more than 500 megalitres of wastewater during the licence period— |  |
|  | (A) if, in the case of the discharge of the wastewater to land, the licensee satisfies the Authority of the existence of an effective class 4 prescribed environmental measure for the discharge | 11 |
|  | (B) in any other case | 12 |
| cl 8(7) | Discharges to marine or inland waters (heat, or antibiotic or chemical water treatments)— |  |
|  | (a) for discharges of 100 megalitres or more during the licence period | 20 |
|  | (b) for discharges of 10 megalitres or more but less than 100 megalitres during the licence period | 8 |
|  | (c) for discharges of less than 10 megalitres during the licence period | 4 |
| cl 8(8) | Cremation or incineration of human or animal remains | 2 |
| cl 8(9) | Pumped hydroelectricity production works comprising— |  |
|  | (a) works or a facility located in whole or in part in a water protection area— |  |
|  | (i) in the case of a category 1 pumped hydroelectricity works or facility— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility | 26 |
|  | (B) in any other case | 37 |
|  | (ii) in the case of a category 2 pumped hydroelectricity works or facility— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility | 23 |
|  | (B) in any other case | 34 |
|  | (iii) in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of 1 200 milligrams of total dissolved solids per litre or more— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility | 15 |
|  | (B) if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility | 15 |
|  | (C) in any other case | 26 |
|  | (iv) in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of less than 1 200 milligrams of total dissolved solids per litre— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility | 12 |
|  | (B) if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility | 12 |
|  | (C) in any other case | 23 |
|  | (b) works or a facility located outside a water protection area— |  |
|  | (i) in the case of a category 1 pumped hydroelectricity works or facility— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility | 23 |
|  | (B) in any other case | 34 |
|  | (ii) in the case of a category 2 pumped hydroelectricity works or facility— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility | 20 |
|  | (B) in any other case | 31 |
|  | (iii) in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of 1 200 milligrams of total dissolved solids per litre or more— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility | 12 |
|  | (B) if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility | 12 |
|  | (C) in any other case | 23 |
|  | (iv) in the case of a pumped hydroelectricity works or facility (other than a category 1 or category 2 pumped hydroelectricity works or facility) at which the water used in the hydroelectricity production process has a salinity of less than 1 200 milligrams of total dissolved solids per litre— |  |
|  | (A) if the licensee satisfies the Authority of the existence of an effective prescribed environmental measure for the works or facility | 9 |
|  | (B) if the licensee satisfies the Authority that a prescribed environmental measure is not required for the works or facility | 9 |
|  | (C) in any other case | 20 |

**Schedule 3—Site contamination**

**Part 1—Potentially contaminating activities (**[**regulation 48**](#id7a3c4d4a_49a9_4132_b6cd_097cc09802eb_5)**)**

**1—Interpretation**

In this Part—

***recycling*** includes reprocessing, recovery and purification.

**2—Activities undertaken in course of business**

| **Activity** | **Definition** |
| --- | --- |
| Abrasive blasting | Operation of works for abrasive blast cleaning or disposal of abrasive blasting material (including mobile abrasive blasting works and abrasive blast cleaning carried out in fully enclosed booths but excluding abrasive blast cleaning undertaken for residential purposes) |
| Acid sulphate soil generation | Oxidation of iron sulphide in potential acid sulphate soil material (sulphidic material) resulting in formation of actual acid sulphate soil material or sulphuric material |
| Agricultural activities | Any of the following activities undertaken in the course of agriculture: |
|  | (a) burial of animals or parts of animals; |
|  | (b) burial of other waste; |
|  | (c) irrigation using wastewater; |
|  | (d) intensive application or administration of a listed substance to animals, plants, land or water (excluding routine spraying, in accordance with manufacturers' instructions, of pesticides used in broad‑acre farming) |
| Airports, aerodromes or aerospace industry | Operation of premises for commercial or charter aircraft take‑off and landing or manufacture, repair or maintenance of commercial or charter aircraft or aircraft equipment |
| Animal burial | Burial of animals or parts of animals other than in the course of agriculture |
| Animal dips or spray race facilities | Operation of animal dips or spray race facilities |
| Animal feedlots | Operation of confined yards or areas for holding of animals and feeding of animals principally by mechanical means or by hand |
| Animal saleyards | Operation of yards at which cattle, sheep or other animals are gathered and confined for the purpose of their sale, auction or exchange (including associated transport loading facilities and associated wastewater disposal) |
| Asbestos disposal | Disposal of asbestos or asbestos products |
| Asphalt or bitumen works | Operation of works for manufacture of asphalt or bitumen |
| Battery manufacture, recycling or disposal | Assembly, disassembly, manufacture or recycling of batteries (excluding storage of batteries for sale) |
| Breweries | Production of beer by infusion, boiling or fermentation |
| Brickworks | Production of bricks (including glazing of bricks) |
| Bulk shipping facilities | Operation of facilities for bulk handling of agricultural crop products, rock, ores, minerals or liquid organic chemical substances to or from wharf or wharfside facility (including sea‑port grain terminals) |
| Cement works | Operation of works for production of cement clinker or grinding of cement clinker using argillaceous and calcareous materials |
| Ceramic works | Operation of works for manufacture of tiles, pipes, pottery goods, refractories or other ceramic products |
| Charcoal manufacture | Manufacture of charcoal |
| Coal handling or storage | Handling of coal, coke or carbonaceous material by any means or storage of coal, coke or carbonaceous reject material |
| Coke works | Production, quenching, cutting, crushing or grading of coke |
| Compost or mulch production or storage | Production or storage of compost, mulch or garden soils |
| Concrete batching works | Operation of works for production of concrete or concrete products manufactured by inclusion of cement, sand, rock, aggregate or similar materials |
| Curing or drying works | Operation of works for smoking, drying or curing meat, fish or other edible products by application of heat or smoke |
| Defence works | Operation of military defence establishments (including training areas) |
| Desalination plants | Operation of desalination plants |
| Dredge spoil disposal or storage | Disposal of dredge spoil onto land or storage of dredge spoil |
| Drum reconditioning or recycling works | Operation of works for reconditioning or recycling of metal or plastic drums |
| Dry cleaning | Operation of premises for dry cleaning |
| Electrical or electronics component manufacture | Manufacture of electrical or electronics components |
| Electrical substations | Operation of electrical substations |
| Electrical transformer or capacitor works | Operation of works for manufacture, repair, storage or disposal of electrical transformers, capacitors or associated equipment or fluids |
| Electricity generation or power plants | Operation of electricity generation or power plants |
| Explosives or pyrotechnics facilities | Operation of facilities for manufacture of explosives or pyrotechnics |
| Fertiliser manufacture | Manufacture of agricultural fertiliser |
| Fibreglass manufacture | Manufacture of fibreglass products |
| Fill or soil importation | Importation, to premises of a business, of soil or other fill originating from a site at which another potentially contaminating activity has taken place |
| Fire extinguisher or retardant manufacture | Manufacture of fire extinguishers or fire retardants |
| Fire stations | Underground storage of fuel at fire stations |
| Fire training areas | Operation of premises for fire training involving the use of liquid fuel, fire accelerants, aqueous film forming foam or similar substances |
| Foundry | Manufacture of metal products by injecting or pouring molten metal into moulds |
| Fuel burning facilities | Burning of solid or liquid fuel (including for generation of power or steam at rate of heat release exceeding 1MW) |
| Furniture restoration | Restoration of furniture |
| Gasworks | Operation of gasworks or gas holders |
| Glass works | Operation of works for manufacture of glass products |
| Glazing | Glazing of ceramics or pottery |
| Hat manufacture or felt processing | Manufacture of hats or processing of felt |
| Incineration | Incineration within the meaning of Schedule 1 Part A clause 3(1) of the Act |
| Iron or steel works | Operation of works for manufacture of iron or steel |
| Laboratories | Operation of laboratories |
| Landfill sites | Operation of sites for disposal of waste onto or into land |
| Lime burner | Manufacture (by means of kiln) of cement or lime from limestone (including associated storage of waste) |
| Metal coating, finishing or spray painting | Finishing, treating or coating of metal (including anodising, galvanising, pickling, electroplating, heat treatment, powder coating, enamelling and spray painting) |
| Metal forging | Forging of metal products |
| Metal processing, smelting, refining or metallurgical works | Operation of works for melting (by means of furnace) of ferrous or non‑ferrous metal or smelting or reduction of ores to produce metal |
| Mineral processing, metallurgical laboratories or mining or extractive industries | Chemical or physical extraction or processing of metalliferous ores, storage of mining or exploration waste (for example, in tailings dams, overburden or waste rock dumps) mining or processing of minerals or operation of laboratories or pilot facilities for processing or testing of minerals |
| Mirror manufacture | Manufacture of mirrors |
| Motor vehicle manufacture | Manufacture of motor vehicles |
| Motor vehicle racing or testing venues | Operation of facilities designed and used for motor vehicle competitions or motor vehicle speed or performance trials |
| Motor vehicle repair or maintenance | Operation of premises for repair or maintenance of motor vehicles or parts of motor vehicles (including engine reconditioning works) |
| Motor vehicle wrecking yards | Operation of yards for wrecking or dismantling of motor vehicles or parts of motor vehicles |
| Mushroom farming | Farming of mushrooms |
| Oil recycling works | Operation of works for recycling of oil |
| Oil refineries | Operation of works for refining of crude petroleum oil or shale |
| Paint manufacture | Manufacture (including blending, mixing and formulation) of paint |
| Pest control works | Operation of premises for storage of pesticides or filling or washing of tanks used in pest control operations |
| Plastics manufacture works | Operation of works for manufacture (including blending, mixing and formulation) of plastics or plastic components (excluding processing and moulding of plastics manufactured elsewhere) |
| Printing works | Operation of printing works |
| Pulp or paper works | Operation of works for manufacture of timber pulp or paper |
| Railway operations | Railway operations within the meaning of Schedule 1 Part A clause 7(2) of Act |
| Rubber manufacture or processing | Manufacture or processing of rubber or rubber products |
| Scrap metal recovery | Recovery (including cleaning) of scrap metal |
| Service stations | Operation of retail fuel outlets |
| Ship breaking | Wrecking or dismantling of ships |
| Spray painting | Spray painting other than spray painting of metal |
| Tannery, fellmongery or hide curing | Operation of works for preservation or treatment of animal skins or hides |
| Textile operations | Manufacture or dyeing of fabrics or materials |
| Transport depots or loading sites | Operation of transport depots or loading sites |
| Tyre manufacture or retreading | Manufacture or retreading of tyres |
| Vermiculture | Cultivation of earthworms for production of earthworms or earthworm castings |
| Vessel construction, repair or maintenance | Operation of works or facilities (whether on water or land) for construction, repair or maintenance of vessels |
| Waste depots | Reception, storage or treatment (including recycling) of waste or disposal of waste to land or water |
| Wastewater storage, treatment or disposal | Storage (including in tanks, lagoons and ponds) or treatment (including recycling) of wastewater or disposal of wastewater to land or water |
| Water discharge to underground aquifer | Direct discharge of water from surface of land to underground aquifer |
| Wetlands or detention basins | Operation of bodies of water less than 6 metres deep for collection and management of stormwater or other wastewater for urban amenity, flood mitigation or ecological or other environmental purposes |
| Wineries or distilleries | Operation of works for processing grapes or other produce to make wine or spirits |
| Wood preservation works | Operation of works involving treatment or preservation of timber using chemicals |
| Woolscouring or wool carbonising works | Operation of works involving cleaning or carbonising of wool other than in course of handicraft business where wool is further processed for retail sale |
| Works depots | Operation of works depots by councils or utilities |

**3—Domestic activities**

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

**4—Listed substances**

Acidic solutions

Acids

Adhesives (excluding solid inert polymeric materials)

Alkali metals

Alkaline earth metals

Alkaline solutions

Alkalis

Antimony

Antimony compounds

Antimony solutions

Arsenic

Arsenic compounds

Arsenic solutions

Asbestos

Barium compounds

Barium solutions

Beryllium

Beryllium compounds

Boron

Boron compounds

Cadmium

Cadmium compounds

Cadmium solutions

Calcium carbide

Carbon disulphide

Carcinogens

Chlorates

Chromium compounds

Chromium solutions

Copper compounds

Copper solutions

Cyanide complexes

Cyanides

Cyanide solutions

Cytotoxic wastes

Dangerous substances within the meaning of the [*Dangerous Substances Act 1979*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Dangerous%20Substances%20Act%201979)

Distillation residues

Equipment containing mercury

Fluoride compounds

Halogens

Heterocyclic organic compounds containing oxygen, nitrogen or sulphur

Isocyanate compounds (excluding solid inert polymeric materials)

Laboratory chemicals

Lead compounds

Lead solutions

Lime sludges or slurries

Liquid organic chemical substances

Manganese compounds

Medical waste within the meaning of Schedule 1 Part B of the Act

Mercaptans

Mercury compounds

Mutagens

Nickel compounds

Nickel solutions

Nitrates

Organic halogen compounds (excluding solid inert polymeric materials)

Organic phosphates

Organic solvents

Organometallic residues

Oxidising agents

Paint sludges or residues

Perchlorates

Peroxides

Pesticides

Pharmaceutical wastes or residues

Phenolic compounds (excluding solid inert polymeric materials)

Phosphorus

Phosphorus compounds

Poisons within the meaning of the [*Controlled Substances Act 1984*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Controlled%20Substances%20Act%201984)

Polychlorinated biphenyls

Radionuclides

Reactive chemicals

Reducing agents

Selenium

Selenium compounds

Selenium solutions

Silver compounds

Silver solutions

Solvent recovery residues

Sulphides

Sulphide solutions

Surfactants

Teratogens

Thallium

Thallium compounds

Thallium solutions

Vanadium compounds

Zinc compounds

Zinc solutions

**Part 2—Annual returns by auditors (**[**regulation 63**](#idb9513505_a7d6_4637_bde9_b111d135600b_6)**)**

**5—Form of annual return**

**Annual return by auditor**

(under section 103Y of the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993))

Period to which annual return relates\*\*\*:

Name of auditor\*:

Auditor’s accreditation number:

Term of auditor’s accreditation:                                        to

Name of auditor’s company or business:

Auditor’s business address:

Auditor’s business telephone number(s):

Auditor’s fax number:

Auditor’s email address:

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

• the EPA reference and site location;

• if the person for whom the audit has been commissioned is different to the person last notified to the EPA, the name of the new person and the person's commissioning authority (eg EPA, owner, occupier, developer or other);

• whether the audit was, during that period, commenced, ongoing, completed or terminated before completion;

• if the audit was commenced, completed or terminated during that period, the date of commencement, completion or termination.

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

|  |  |
| --- | --- |
| • been the subject of disciplinary action (or any preliminary investigations preceding such possible action)? | Yes/No |
| • had their accreditation or similar authority suspended or cancelled? | Yes/No |
| • been disqualified from acting as a site contamination auditor? | Yes/No |
| • had conditions imposed on their accreditation or similar authority limiting the range of activities that they may undertake? | Yes/No |
| • had an application for such accreditation or similar authority refused? | Yes/No |

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

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

Indicate auditor’s current employment status:

|  |  |
| --- | --- |
| Employee | Yes/No |
| Self employed | Yes/No |
| Partner | Yes/No |
| Unemployed | Yes/No |
| Other *[provide details]*: |  |

Indicate auditor’s current accreditation status under these regulations:

|  |  |
| --- | --- |
| Accredited | Yes/No |
| Under suspension other than voluntary suspension | Yes/No |
| Under voluntary suspension | Yes/No |
| Previously accredited | Yes/No |
| Other *[provide details]*: |  |

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

**Declaration**

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

Signed\*:

Dated:

*\* This form must be completed and signed by the responsible auditor, being, under the* [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993) *and these regulations, the auditor who personally carried out or directly supervised the work involved in the audits.*

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

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

*This annual return must be lodged with the EPA in accordance with section 103Y of the* [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993)*.*

**Part 3—Notifications by auditors after commencement or termination of audit (**[**regulation 64**](#id396f71e5_9817_44af_b840_4fe001f8dc36_a)**)**

**6—Form of notification by auditor after commencement of audit**

**Notification by auditor after commencement of audit**

(under section 103Z of the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993))

Name of auditor\*:

Auditor’s accreditation number:

Term of auditor’s accreditation:                                        to

Name of auditor’s company or business:

Auditor’s project reference:

Name of audit site *[if applicable]*:

Address of audit site:

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

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

• certificates of title of all the relevant land and an indication of whether the audit site comprises all or part only of the land shown on or described in the certificates of title;

• details sufficient to identify the location of the land, including section or allotment numbers, area and hundred and coordinates (GDA2020/MGA2020 and associated zone (52, 53 or 54));

• audit plans indicating the location and extent of the audit site (which must comply with the guidelines issued by the EPA from time to time).

Name of owner of audit site:

Name of occupier of audit site:

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

Indicate authority of person who commissioned audit:

|  |  |
| --- | --- |
| EPA | Yes/No |
| Owner | Yes/No |
| Occupier | Yes/No |
| Developer | Yes/No |
| Other *[please specify]*: |  |

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

|  |  |
| --- | --- |
| Required under the [*Development Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Development%20Act%201993) | Yes/No |
| Required under the [*Planning, Development and Infrastructure Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20Act%202016) | Yes/No |
| Required under the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993) | Yes/No |
| Other *[please specify]*: |  |

If audit is required under the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993), provide EPA reference number:

Indicate audit purposes *[indicate all purposes]*:

|  |  |
| --- | --- |
| Determining the nature and extent of any site contamination present or remaining on or below the surface of the site | Yes/No |
| Determining the suitability of the site for a sensitive use or another use or range of uses | Yes/No |
| Determining what remediation is or remains necessary for a specified use or range of uses | Yes/No |
| *[NB: An audit may be required for all of the above purposes.]* | |

Date of commencement of audit:

Estimated date of completion of audit:

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

Indicate:

• proposed site use:

• current site use, or, if currently unoccupied, most recent site use:

• any potentially contaminating activities (within the meaning of [regulation 48](#id7a3c4d4a_49a9_4132_b6cd_097cc09802eb_5) of these regulations) known to have occurred at the site:

If audit is required under the [*Development Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Development%20Act%201993) or the [*Planning, Development and Infrastructure Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20Act%202016), indicate:

• relevant authority:

• development application number *[if known]*:

• site zoning:

**Declaration**

I am not aware of any conflict of interest within the meaning of section 103X of the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993) that would preclude me from undertaking this audit.

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

Signed\*:

Dated:

*\* This form must be completed and signed by the "responsible auditor", being, under the* [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993) *and these regulations, the auditor who personally carried out or directly supervised the work involved in the audit.*

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

*This notification must be lodged with the EPA.*

*Details of this notification will be recorded in the public register kept by the EPA under section 109 of the* [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993)*.*

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

**Notification by auditor after termination (before completion) of audit**

(under section 103Z of the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993))

Name of auditor\*:

Auditor’s accreditation number:

Name of auditor’s company or business:

EPA reference:

Name of audit site *[if applicable]*:

Address of audit site:

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

Indicate authority of person who terminated audit:

|  |  |
| --- | --- |
| EPA | Yes/No |
| Owner | Yes/No |
| Occupier | Yes/No |
| Developer | Yes/No |
| Auditor | Yes/No |
| Other *[please specify]*: |  |

Date audit terminated:

Reasons for termination\*\*:

**Declaration**

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

Signed\*:

Dated:

*\* This form must be completed and signed by the "responsible auditor", being, under the* [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993) *and these regulations, the auditor who personally carried out or directly supervised the work involved in the audit.*

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

*This notification must be lodged with the EPA.*

*Details of this notification will be recorded in the public register kept by the EPA under section 109 of the* [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993)*.*

**Part 4—Site contamination audit statement (**[**regulation 65**](#idadc14adc_85d5_4eff_93c0_600ebd776a47_3)**)**

**8—Form of site contamination audit statement**

**Site contamination audit statement**

(under section 103Z of the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993))

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

Name of auditor\*:

Auditor’s accreditation number:

Name of auditor’s company or business:

Auditor’s project reference:

EPA reference:

Name of audit site *[if applicable]*:

Address of audit site:

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

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

• certificates of title of all the relevant land and an indication of whether the audit site comprises all or part only of the land shown on or described in the certificates of title;

• details sufficient to identify the location of the land, including section or allotment numbers, area and hundred and coordinates (GDA2020/MGA2020 and associated zone (52, 53 or 54));

• if the audit site comprises part only of the land described in the certificates of title, or if there is no certificate of title for the land comprising the audit site—survey plans prepared by a licensed surveyor;

• audit plans indicating the location and extent of the audit site (which must comply with the guidelines issued by the EPA from time to time).

Name of owner of audit site:

Name of occupier of audit site:

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

Indicate authority of person who commissioned audit:

|  |  |
| --- | --- |
| EPA | Yes/No |
| Owner | Yes/No |
| Occupier | Yes/No |
| Developer | Yes/No |
| Other *[please specify]*: |  |

Reasons for audit *[indicate all reasons]*:

|  |  |
| --- | --- |
| Required under the [*Development Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Development%20Act%201993) | Yes/No |
| Required under the [*Planning, Development and Infrastructure Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20Act%202016) | Yes/No |
| Required under the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993) | Yes/No |
| Other *[please specify]*: |  |

If audit was required under the [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993), provide EPA reference number:

Audit purposes *[indicate all purposes]*:

|  |  |
| --- | --- |
| Determining the nature and extent of any site contamination present or remaining on or below the surface of the site | Yes/No |
| Determining the suitability of the site for a sensitive use or another use or range of uses | Yes/No |
| Determining what remediation is or remains necessary for a specified use or range of uses | Yes/No |
| *[NB: An audit may be required for all of the above purposes.]* | |

If audit was required under the [*Development Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Development%20Act%201993) or the [*Planning, Development and Infrastructure Act 2016*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20Act%202016), provide:

• name of relevant authority:

• development application number *[if known]*:

• site zoning:

• proposed site use:

Date of commencement of audit:

Date of notification of commencement of audit to EPA:

Date of completion of audit:

**Summary of findings**

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

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

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

**Certification of copy of summary of findings**

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

Signed\*:

Dated:

*\* This form must be completed and signed by the "responsible auditor", being, under the* [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993) *and these regulations, the auditor who personally carried out or directly supervised the work involved in the audit.*

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

*This site contamination audit statement must be lodged, on completion of the audit, with the council for the area in which the audit site is situated and any prescribed body (see* [*regulation 66*](#id1dbdcb58_db2c_4c3e_913c_75903691db11_5) *of these regulations).*

*The report (including the summary of findings) will be recorded in the public register kept by the EPA under section 109 of the* [*Environment Protection Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Environment%20Protection%20Act%201993)*.*

**Schedule 4—Fees and levy**

**Part 1—Fees**

**1—Fee unit**

In these regulations (except [Part 2](#id6d1d46d1_6a0f_4db4_a4cc_fbf01b6ca12f_9) of this Schedule), the monetary value of a fee unit is—

(a) for the purposes of the annual authorisation fee for a licence (including a projected annual authorisation fee under [regulation 26(5)](#idf54b7694_6bc9_465f_a7d2_7eb548ca0956_e) and [(6)](#idc0c5d25a_ffe2_4b84_b322_faa2211c9267_c)—

(i) for the flat fee component—$77.50;

(ii) for the environment management component—$866.00;

(iii) for the pollutant load‑based component—$7.65;

(iv) for the water reuse component—$19.20;

(b) for all other purposes—$23.80.

**2—Miscellaneous fees**

|  |  |  |
| --- | --- | --- |
| 1 | **Application for approval of the transfer of an environmental authorisation** (section 49(5) of the Act)— |  |
|  | (a) if the authorisation fee last paid or payable was less than $1 000 | 5 fee units |
|  | (b) if the authorisation fee last paid or payable was not less than $1 000 but not more than $1 999 | 10 fee units |
|  | (c) if the authorisation fee last paid or payable was not less than $2 000 but not more than $4 999 | 20 fee units |
|  | (d) if the authorisation fee last paid or payable was not less than $5 000 but not more than $9 999 | 30 fee units |
|  | (e) if the authorisation fee last paid or payable was not less than $10 000 but not more than $49 999 | 50 fee units |
|  | (f) if the authorisation fee last paid or payable was $50 000 or more | 100 fee units |
| 2 | **Beverage container approvals and annual fees** (Part 8 Division 2 of the Act)— |  |
|  | (a) application for approval of a class of containers as category A or category B containers (section 68 of the Act)— |  |
|  | (i) for 1 class of container | 15 fee units |
|  | (ii) for 2 to 5 classes of container (inclusive) | 25 fee units |
|  | (iii) for 6 to 10 classes of container (inclusive) | 37 fee units |
|  | (iv) for 11 to 20 classes of container (inclusive) | 61 fee units |
|  | (v) for more than 20 classes of container | 109 fee units |
|  | (b) application for approval to operate a collection depot (section 69 of the Act)— |  |
|  | (i) for a collection depot other than a reverse vending machine | 7 fee units |
|  | (ii) for a reverse vending machine | 18 fee units |
|  | (c) application for approval to carry on business as a super collector (section 69 of the Act) | 43 fee units |
|  | (d) annual fee for operating a collection depot (section 69A of the Act)— |  |
|  | (i) for a collection depot within metropolitan Adelaide | 15 fee units |
|  | (ii) for a collection depot outside metropolitan Adelaide | 7.5 fee units |
|  | (e) annual fee for carrying on business as a super collector (section 69A of the Act) | 32 fee units |
| 3 | **Accreditation as site contamination auditor** (section 103V of the Act and [Part 5 Division 2](#id4be96f62_cf18_47d8_9c84_52d4a27e869c_2) of the regulations)— |  |
|  | (a) application for accreditation ([regulation 52](#id6356ba8f_9163_4941_96b8_52d12d7d1fbb_2)) | $584.00 |
|  | (b) grant of accreditation ([regulation 53](#id4b061988_ecdd_48cd_baf2_1e8b547f5dd1_5)) or renewal of accreditation ([regulation 57](#id6bcfc95d_0544_4d0c_a3ab_562492dd35d2_6)) | $5 998.00 |
|  | (c) annual fee for accreditation ([regulation 56](#id056d8e4a_8e3f_4f96_8212_eae13753a8fc_c)) | $3 471.00 |
|  | (d) replacement of certificate of accreditation or identity card ([regulation 60](#id5abbd6b0_0add_4267_8d5a_ea3028ad49eb_8)) | $77.50 |
| 4 | **Inspection of the register** (section 109(5) of the Act)— |  |
|  | (a) each manual inspection | 1 fee unit |
|  | (b) each inspection requiring access to a computer— |  |
|  | (i) for the first 10 minutes (or part of that 10 minutes) of access | 1 fee unit |
|  | (ii) for each additional 10 minutes (or part of that 10 minutes) of access | 1 fee unit |
| 5 | **Copy of part of the register** (section 109(6) of the Act)— |  |
|  | (a) first page | $6.10 |
|  | (b) each additional page | $2.20 |

**Part 2—Waste depot levy**

**3—Waste depot levy**

(1) Pursuant to section 113 of the Act (but subject to [Part 6](#id20f938b6_7a0c_450f_9069_227b67a394d4_0) of these regulations and this clause), the prescribed levy payable by the holder of a licence to conduct a waste disposal depot in respect of waste received at the depot is—

|  |  |
| --- | --- |
| (a) for solid waste— |  |
| (i) in the case of a licence holder that is a council that has made an election under [regulation 82](#ida6df6e81_6ee8_4025_a131_911fd5a925bc_8) (per tonne of solid waste disposed of at the depot) | $78.00 |
| (ii) in the case of the holder of a licence to conduct a landfill depot or incineration depot (not being a licence holder referred to in subparagraph (i)) (per tonne of designated solid waste disposed of, used or handled at the depot)— |  |
| (A) if the depot is situated outside of metropolitan Adelaide and the waste has been brought to the depot by or on behalf of premises where the waste was generated situated outside of metropolitan Adelaide | $78.00 |
| (B) if the depot is situated within metropolitan Adelaide and the waste has been brought to the depot by or on behalf of a council the area of which lies wholly outside of metropolitan Adelaide | $78.00 |
| (C) in any other case | $156.00 |
| (b) for liquid waste (per kilolitre disposed of at the depot) | $42.50 |

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



where—

***PCD*** is the percentage cover deduction of 10%

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

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

**Note—**

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

(3) For the purposes of this clause, ***designated solid waste*** means the following solid waste (including waste fill):

(a) solid waste disposed of at the depot;

(b) solid waste used as cover for landfill at the depot on a daily or more frequent basis;

(c) solid waste used at the depot for an operational use, other than an approved operational use;

(d) solid waste that is the subject of unauthorised stockpiling at the depot;

(e) solid waste that has been stockpiled at the depot in contravention of the relevant licence.

(4) In this clause—

***approved operational use*** has the same meaning as in [regulation 70](#id6dc06c4b_3644_4335_8743_f5af5ee3880e_4);

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

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

***operational use*** has the same meaning as in [regulation 67(1)](#idd086e771_49fb_48e7_b6c1_ad175172e97e_2);

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

**Schedule 5—SA Motorsport Park Map**

A blueprint of a park

Description automatically generated

**Schedule 6—Repeals and transitional provisions**

**Part 1—Repeal of *Environment Protection Regulations 2009***

**1—Repeal of regulations**

The [*Environment Protection Regulations 2009*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Environment%20Protection%20Regulations%202009) are repealed.

**Part 2—Transitional provisions**

**2—Interpretation**

In this Part—

***repealed regulations*** means the [*Environment Protection Regulations 2009*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Environment%20Protection%20Regulations%202009).

**3—Continuation of exemptions**

(1) An exemption issued under regulation 71B of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under [regulation 76](#iddc9950c2_67f0_4e3c_a329_2ae303f9be) of these regulations.

(2) An exemption issued under regulation 73 of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under [regulation 78](#idc75cfdcf_9fb6_453e_aa54_9f20af6b08b3_4) of these regulations.

(3) An exemption issued under regulation 74A(5) of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under [regulation 80(4)](#id12991e0c_69d7_44ee_ab9c_1730f522f0) of these regulations.

(4) An exemption issued under regulation 74B(8) of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under [regulation 81(7)](#id14c8e9e6_3a80_4bdf_9e99_52fe1327f0) of these regulations.

(5) An exemption issued under regulation 75H of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under [regulation 92](#id794fd68c_6e40_4964_a9a3_7663140d2e) of these regulations.

(6) An exemption issued under regulation 75J of the repealed regulations (and in force immediately before the commencement of this subclause) will continue to have effect as if it had been issued under [regulation 94](#id2cc66187_796e_415a_892e_886164322eb5_9) of these regulations.

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

An accreditation as an accredited licensee in respect of a particular prescribed activity of environmental significance in force under regulation 36 of the repealed regulations immediately before the commencement of this clause will be taken to be an accreditation granted in respect of the licensee and activity under [regulation 34](#id298a4df2_5a5d_4f62_83e4_e1e10e09f92f_0) of these regulations.

**5—Continuation of accreditation of site contamination auditors**

(1) An accreditation of a site contamination auditor in force under Part 5 Division 2 of the repealed regulations immediately before the commencement of this subclause will be taken to be an accreditation of the site contamination auditor under [Part 5 Division 2](#id4be96f62_cf18_47d8_9c84_52d4a27e869c_2) of these regulations.

(2) The accreditation under [Part 5 Division 2](#id4be96f62_cf18_47d8_9c84_52d4a27e869c_2) of these regulations is subject to the same conditions as the accreditation under the repealed regulations and will expire on the date on which the accreditation under those regulations would have expired.

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

(1) An application for accreditation as a site contamination auditor under regulation 54 of the repealed regulations made but not determined immediately before the commencement of this subclause will be taken to be an application made under [regulation 52](#id6356ba8f_9163_4941_96b8_52d12d7d1fbb_2) of these regulations.

(2) An application for renewal of accreditation as a site contamination auditor under regulation 59 of the repealed regulations made but not determined immediately before the commencement of this subclause will be taken to be an application made under [regulation 57](#id6bcfc95d_0544_4d0c_a3ab_562492dd35d2_6) of these regulations.

**7—Continuation of approved weighbridges**

An approval of a weighbridge in force under regulation 69 of the repealed regulations immediately before the commencement of this clause will be taken to be an approval of the weighbridge under [regulation 69](#id2585c615_f960_482e_8872_2b38a61fbb9b_1) of these regulations.

**8—Continuation of approved operational use declarations**

An approved operational use declaration in force under regulation 69A(2) of the repealed regulations immediately before the commencement of this clause will be taken to be an approved operational use declaration under [regulation 70(2)](#id7a672613_e23a_4dd2_904d_658f08bc9747_4) of these regulations.

**9—Continuation of approved volume measuring devices**

An approval of a volume measuring device in force under regulation 71A(5)(b) of the repealed regulations immediately before the commencement of this clause will be taken to be an approval of the volume measuring device under [regulation 75(5)(b)](#id8ed472f5_e2ad_4f5d_8820_332e03b436) of these regulations.

**10—Continuation of approved volume calibration methods**

An approval of a volume calibration method in force under regulation 71A(5)(e)(ii) of the repealed regulations immediately before the commencement of this clause will be taken to be an approval of the volume calibration method under [regulation 75(5)(e)](#ideb8f7b81_2a8a_46a7_82e4_102ab78fb8) of these regulations.

**11—Continuation of video monitoring system notices**

A notice in force under regulation 75I(1) or (2) of the repealed regulations immediately before the commencement of this clause will be taken to be a notice issued under [regulation 93(1)](#id48fd0a39_e0c4_49ed_8f9a_3f6a7018d8dc_a) or [(2)](#ide729ce03_5906_47ea_8676_e70f78238f) (respectively) of these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 9 November 2023

No 109 of 2023

# 

# State Government Instruments

## Associations Incorporation Act 1985

Order Pursuant to Section 42(2)

*Dissolution of Association*

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

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

Lisa Berry

A delegate of the Corporate Affairs Commission

Environment Protection Act 1993

*Prohibition on Taking Water affected by Site Contamination*

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

This Notice relates to groundwater in:

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

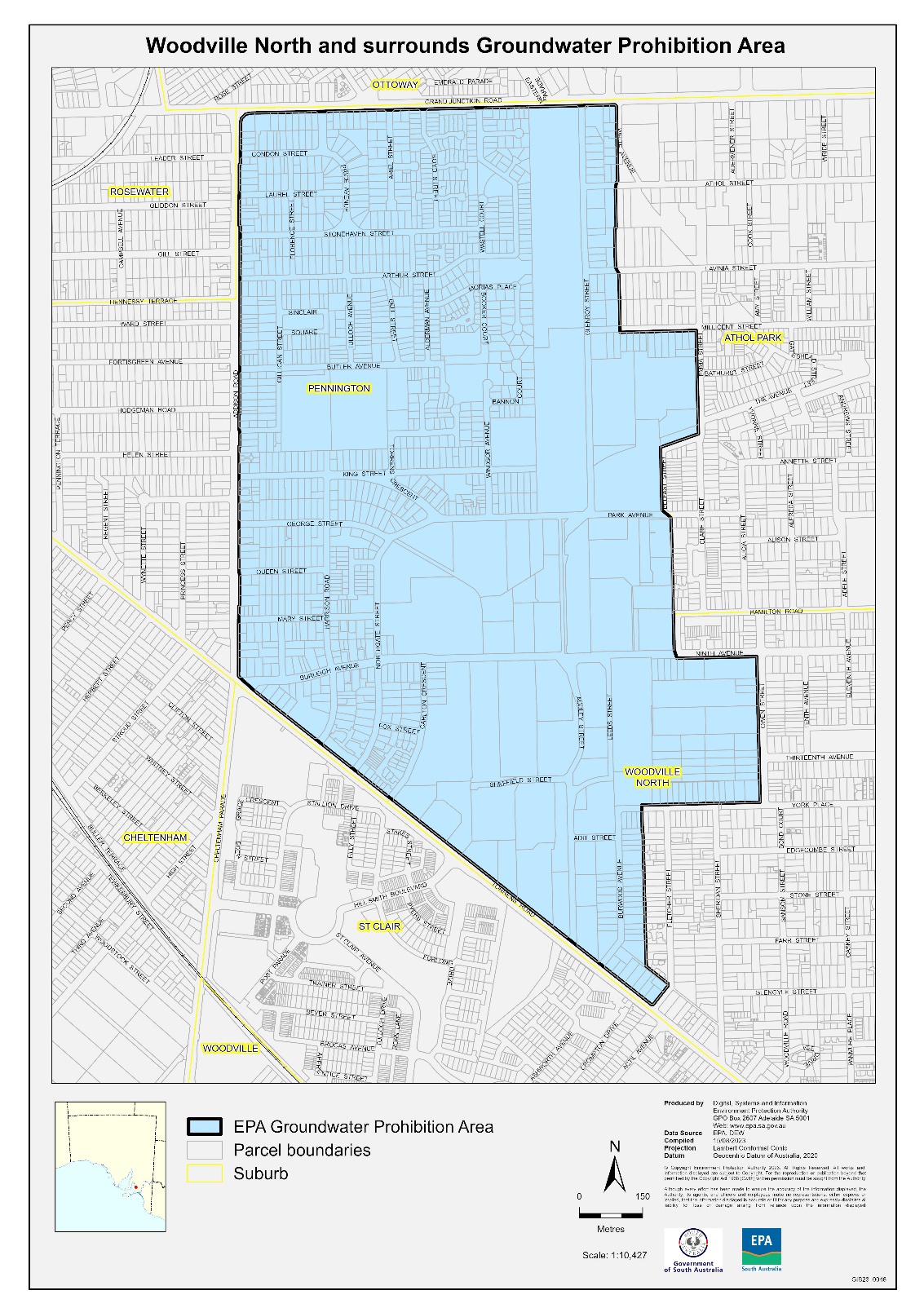
The site contamination affecting the groundwater is in the form of chlorinated hydrocarbons which represent actual or potential harm to human health or safety. This prohibition becomes official upon the gazettal of this notice.

Dated: 9 November 2023

R. Hughes

Manager Site Contamination

Environment Protection Authority



## Fisheries Management Act 2007

Section 79

*Closure of Northern Gulf St Vincent to Prawn Fishing Operations*

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

Schedule 1

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

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

Schedule 2

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

Dated: 9 November 2023

Prof. Gavin Begg

Executive Director

Fisheries and Aquaculture

Delegate of the Minister for Primary Industries and Regional Development

Fisheries Management Act 2007

Section 115

Ministerial Exemption ME9903287

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

Schedule 1

The following persons are nominated agents of the exemption holder:

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

Schedule 2

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

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

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

Schedule 3

1. The exemption holder or nominated agent may take and possess Pipi that are less than 3.5 cm in length but only when undertaking an activity permitted in accordance with Miscellaneous Research Fishing Permit MRP016.
2. The exemption holder must record all Pipi taken within the terms of this notice using the Deckhand Logbook Software or the Research Data Form provided in conjunction with MRP016 before relocating Pipi from each day fishing occurs. The recorded information must be provided to the Department of Primary Industries and Regions (PIRSA) within 28 days of making the record.
3. While engaging in the exempted activity, the exemption holder and nominated agent must be in possession of a copy of this exemption. The exemption must be produced to a PIRSA Fisheries Officer, if requested.
4. The exemption holder or nominated agent must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under that Act, except where specifically exempted by this notice.

This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the *Marine Parks Act 2007* and the *National Parks and Wildlife Act 1972*. The exemption holder and their nominated agent must comply with any relevant regulations, permits, requirements and directions from the Department for Environment and Water when undertaking activities within a marine park, national park or specially protected area.

Dated: 3 November 2023

Prof. Gavin Begg

Executive Director

Fisheries and Aquaculture

Delegate of the Minister for Primary Industries and Regional Development

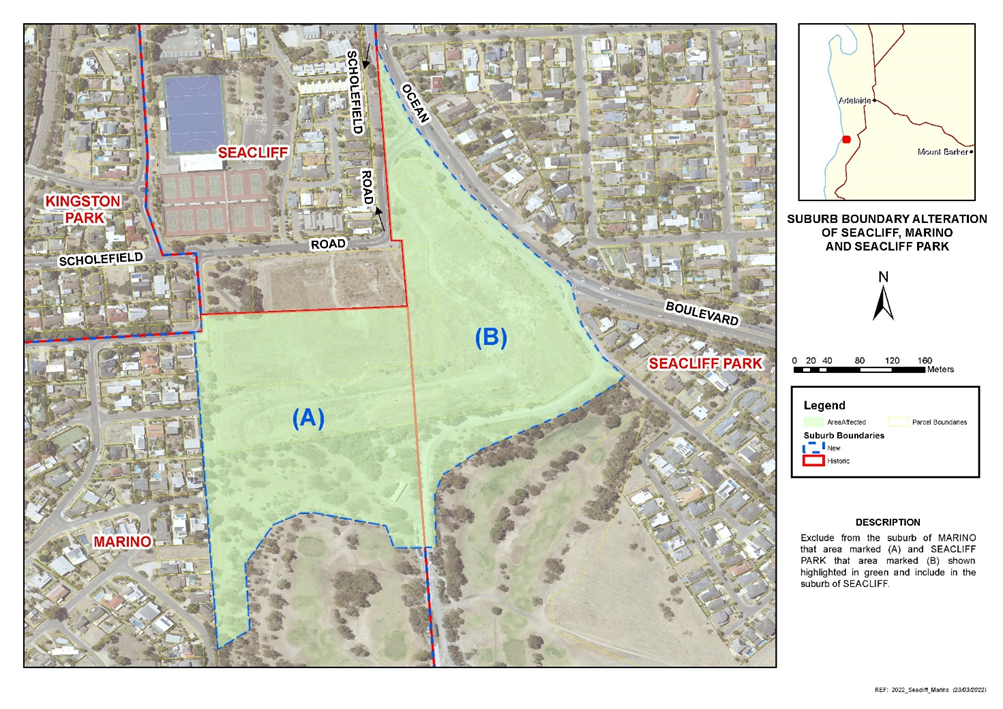
## Geographical Names Act 1991

*Notice to Alter the Boundary of a Place*

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

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

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



Dated: 9 November 2023

Hon Nick Champion MP

Minister for Planning

DTI: 2022/04690/01

## Housing Improvement Act 2016

*Rent Control*

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

| **Address of Premises** | **Allotment Section** | **Certificate of Title Volume/Folio** | **Maximum Rental per week payable** |
| --- | --- | --- | --- |
|  |  |  |  |
| 27 Dyson Road, Port Noarlunga SA 5167 | Allotment 24 Deposited Plan 6375  Hundred of Noarlunga | CT 5291/494 | $0.00 |
| 48 Hookings Terrace, Woodville Gardens SA 5012 | Allotment 386 Deposited Plan 3369  Hundred Yatala | CT 5573/246 | $0.00 |
|  |  |  |  |

Dated: 9 November 2023

Craig Thompson

Housing Regulator and Registrar

Housing Safety Authority, SAHA

Delegate of Minister for Human Services

Housing Improvement Act 2016

*Rent Control Revocations*

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

|  |  |  |
| --- | --- | --- |
| **Address of Premises** | **Allotment Section** | **Certificate of Title Volume/Folio** |
|  |  |  |
| 3/ 16 Grundy Terrace, Christies Beach  SA 5165 | Allotment 43 Deposited Plan 3074 Hundred of Noarlunga | CT5177/436 |
| 65 Brandis Road, Munno Para West  SA 5115 | Allotment 61 Deposited Plan 33421  Hundred of Munno Para | CT5061/31 |
| Lot 21 Dalkeith Road, Munno Para Downs SA 5115 | Allotment 21 Deposited Plan 6153  Hundred of Munno Para | CT5124/565 |
| 13 Joslin Avenue, Ingle Farm SA 5098 | Allotment 24 Deposited Plan 10062 Hundred of Yatala | CT5510/855 |
|  |  |  |

Dated: 9 November 2023

Craig Thompson

Housing Regulator and Registrar

Housing Safety Authority, SAHA

Delegate of Minister for Human Services

## Land Acquisition Act 1969

Section 16

Form 5—Notice of Acquisition

**1. Notice of acquisition**

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

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

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

**2. Compensation**

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

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

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

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

**3. Inquiries**

Inquiries should be directed to: William Ridgway

GPO Box 1533

Adelaide SA 5001

Telephone: 08 7133 2465

Dated: 3 November 2023

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

Rocco Caruso

Manager, Property Acquisition

(Authorised Officer)

Department for Infrastructure and Transport

DIT: 2023/01358/01

Land Acquisition Act 1969

Section 16

Form 5—Notice of Acquisition

**1. Notice of acquisition**

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

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 1 in Filed Plan 144429 comprised in Certificate of Title Volume 5663 Folio 27, expressly excluding right(s) of way over Allotment B in RP 6311 (T407302).

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

**2. Compensation**

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

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

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

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

**3. Inquiries**

Inquiries should be directed to: Daniel Tuk

GPO Box 1533

Adelaide SA 5001

Telephone: 08 7133 2479

Dated: 7 November 2023

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

Rocco Caruso

Manager, Property Acquisition

(Authorised Officer)

Department for Infrastructure and Transport

DIT: 2022/09656/01

## Landscape South Australia Act 2019

Declaration of Penalty in Relation to the Unauthorised or Unlawful Taking of Water from the

River Murray Prescribed Watercourse

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

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

Schedule 1

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

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

Unit of measure kL is the abbreviation of kilolitre.

For the purposes of this notice:

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

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

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

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

Dated: 3 November 2023

Sue Hutchings

A/Executive Director, Water and River Murray

Department for Environment and Water

Delegate of the Minister for Climate, Environment and Water

## Liquor Licensing Act 1997

South Australia

**Liquor Licensing (Dry Areas) Notice 2023**

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

**1—Short title**

This notice may be cited as the [*Liquor Licensing (Dry Areas) Notice*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Liquor%20Licensing%20(Dry%20Areas)%20Notice%202015) *2023*.

**2—Commencement**

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

**3—Interpretation**

(1) In this notice—

***principal notice*** means the [*Liquor Licensing (Dry Areas) Notice 2015*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Liquor%20Licensing%20(Dry%20Areas)%20Notice%202015) published in the Gazette on 5.1.15, as in force from time to time.

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

**4—Consumption etc of liquor prohibited in dry areas**

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

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

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

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

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

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

(ii) the container has not been opened; or

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

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

**Schedule 1 – Middleton Area 1**

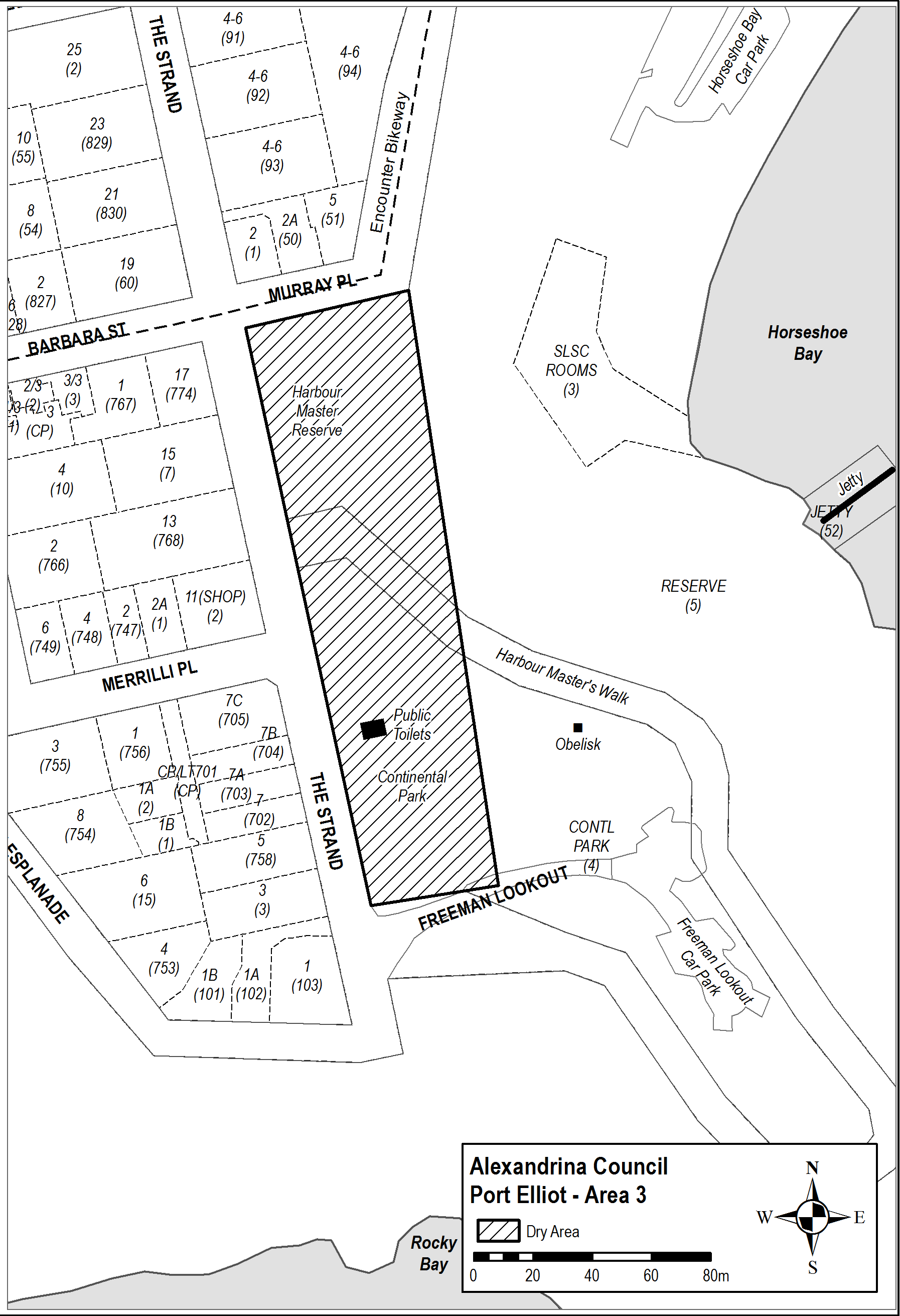
|  |  |
| --- | --- |
| **1—Extent of prohibition** | |
|  | The consumption of liquor is prohibited and the possession of liquor is prohibited. |
| **2—Period of prohibition** | |
|  | From 8.00am on Friday 17 November 2023 to 10.00am on Monday 20 November 2023. |
| **3—Description of area** | |
|  | The area in and adjacent to Middleton bounded as follows: commencing at Basham Beach Conservation Park car park along to the point at which the prolongation in a straight line of the western boundary of Basham Beach Road intersects the high water mark of Encounter Bay, then north-westerly along that prolongation and boundary to the point at which it is intersected by the prolongation in a straight line of the southern boundary of Set Road, then north-easterly along that prolongation and boundary of Set Road to the western boundary of Seaview Avenue, then generally south-easterly and north-easterly along that boundary of Seaview Avenue to the point at which it meets the eastern boundary of Lot 101 DP 10654, then south-easterly along that boundary of Lot 101 to the south-western corner of Lot 19 DP 3145, then generally north-easterly along the south-eastern boundary of Lot 19, the south-eastern boundaries of the adjoining Lots and the northern boundary of Ocean Parade to the south-eastern corner of Lot 133 FP 166507, then generally north-easterly and northerly along the easternmost boundaries of Lot 133 and the adjoining Lots (including the eastern boundary of Dover Road) to the north-eastern corner of Lot 39 DP 3262, then in a straight line by the shortest route to the north-western corner of Lot 160 DP 9417, then easterly along the southern boundary of the Esplanade to the western boundary of Lot 3 DP 13398, then northerly, easterly and southerly along the western, northern and eastern boundaries of that Lot to its south-eastern corner, then along the northern boundary of Section 345, Hundred of Goolwa, (the southern boundary of Surfer's Parade) to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of Lot 39 DP 6156, then along that prolongation to the point at which it intersects the high water mark of Encounter Bay, then generally westerly and south-westerly along the high water mark to the point of commencement. |

A map of a neighborhood

Description automatically generated

**Schedule 2 – Port Elliot Area 3**

|  |  |
| --- | --- |
| **1—Extent of prohibition** | |
|  | The consumption of liquor is prohibited and the possession of liquor is prohibited. |
| **2—Period of prohibition** | |
|  | From 8.00am on Friday 17 November 2023 to 10.00am on Monday 20 November 2023. |
| **3—Description of area** | |
|  | Commencing at the South Eastern corner of the intersection of The Strand and Murray Place and then traversing along the Eastern side of The Strand until the North Eastern side of the intersection of The Stand and Freeman Lookout. Then traverse along the Northern side of Freeman Lookout until the Eastern post of the gate into the Obelisk reserve then head West North West along the Western edge of the Soldiers’ Memorial Gardens until Murray Place returning to the point of commencement. |



**Made by the Liquor and Gambling Commissioner**

on 6 November 2023

Liquor Licensing Act 1997

South Australia

**Liquor Licensing (Dry Areas) Notice 2023**

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

**1—Short title**

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

**2—Commencement**

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

**3—Interpretation**

(1) In this notice—

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

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

**4—Consumption etc of liquor prohibited in dry areas**

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

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

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

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

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

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

(ii) the container has not been opened; or

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

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

**Schedule 1 – Chiton Rocks Area 1**

**1 – Extent of prohibition**

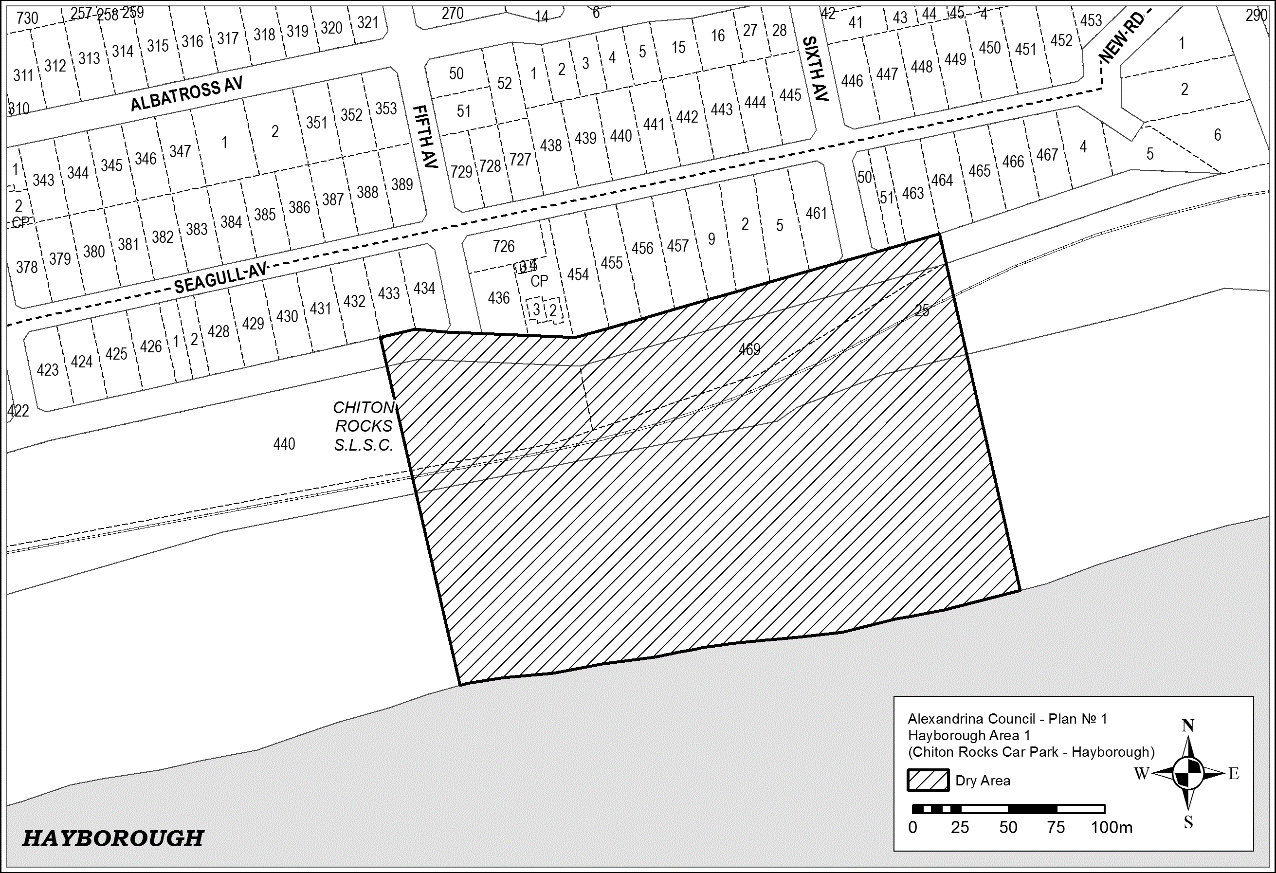
The consumption of liquor is prohibited and the possession of liquor is prohibited.

**2 – Period of prohibition**

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

**3 – Description of area**

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



**Schedule 2 – Port Elliot Area 2**

**1 – Extent of prohibition**

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

**2 – Period of prohibition**

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

**3 – Description of area**

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

A map of the coast

Description automatically generated

**Schedule 3 – Middleton Area 1**

**1 – Extent of prohibition**

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

**2 – Period of prohibition**

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

**3 – Description of area**

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

A map of a neighborhood

Description automatically generated

**Schedule 4 – Goolwa Area 3**

**1 – Extent of prohibition**

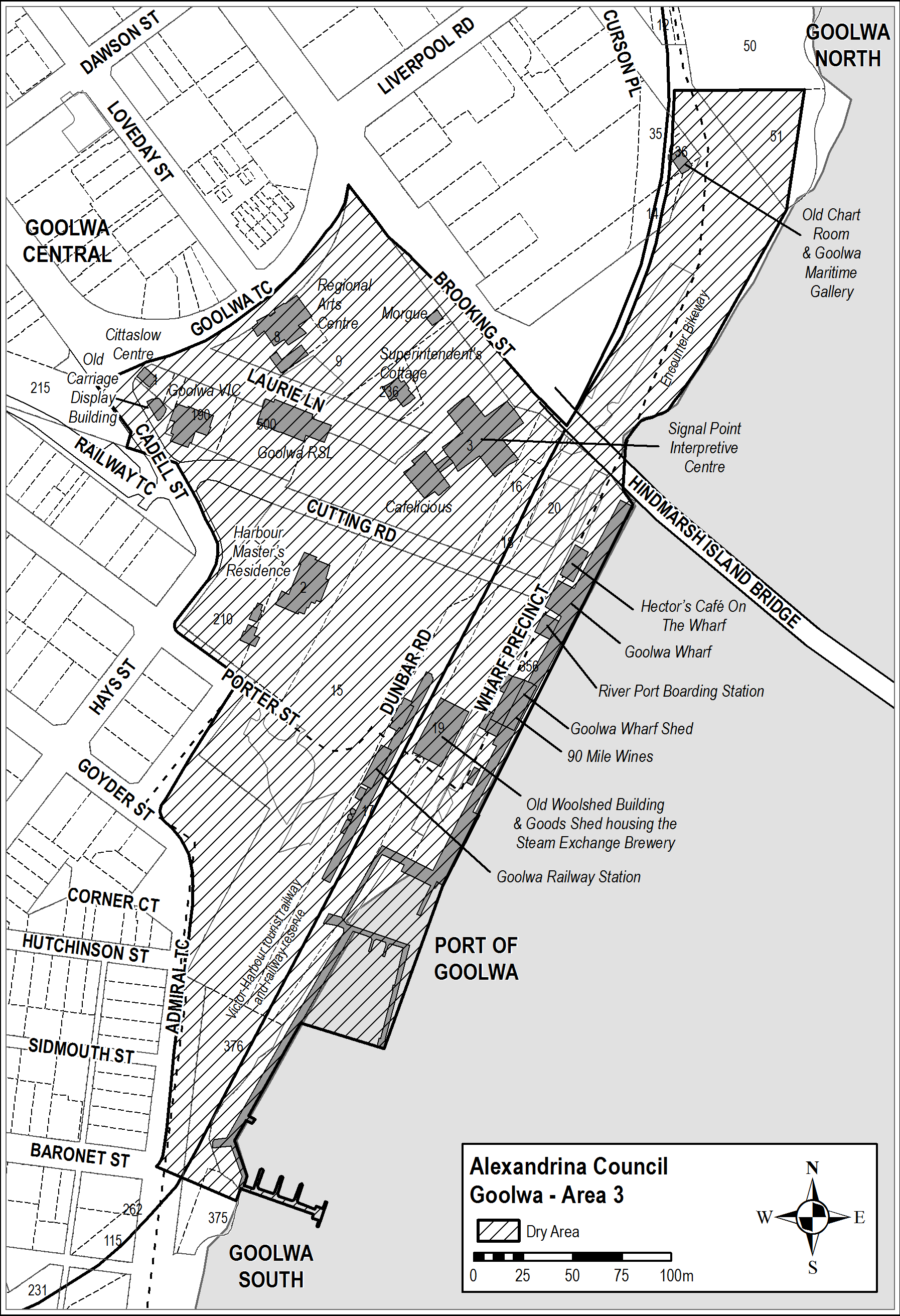
The consumption of liquor is prohibited and the possession of liquor is prohibited.

**2 – Period of prohibition**

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

**3 – Description of area**

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



**Schedule 5 – Goolwa Beach Area 1**

**1 – Extent of prohibition**

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

**2 – Period of prohibition**

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

**3 – Description of area**

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

A drawing of a square with lines

Description automatically generated

**Schedule 6 – Basham Beach Area 1**

**1 – Extent of prohibition**

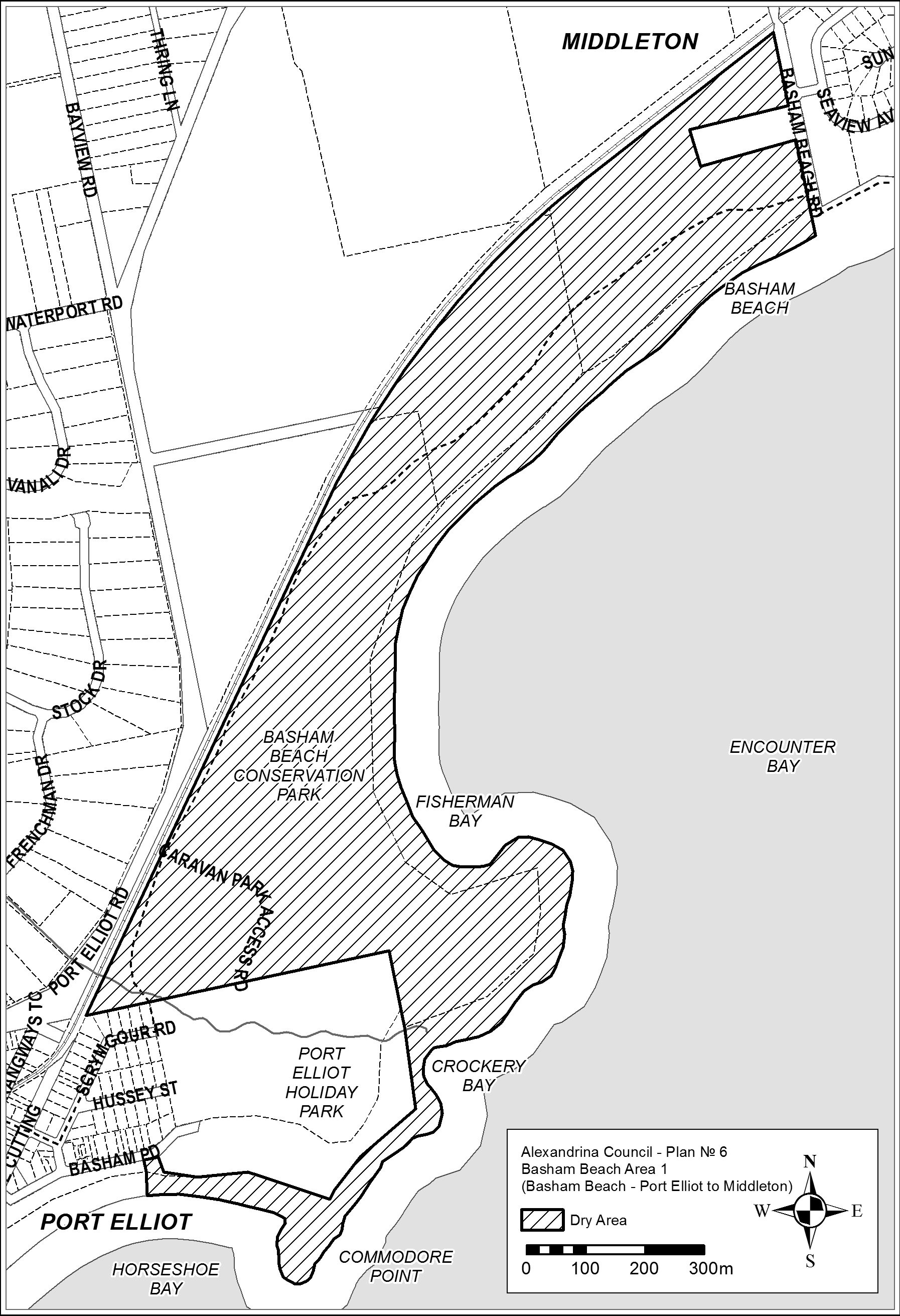
The consumption of liquor is prohibited and the possession of liquor is prohibited.

**2 – Period of prohibition**

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

**3 – Description of area**

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



**Made by the Liquor and Gambling Commissioner**

on 6 November 2023

## Local Government (Elections) Act 1999

Section 6A

Adelaide Plains Council

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

Formal Ballot Papers – 1942

New Exhaust Ballot Papers – 38

Informal Ballot Papers – 109

Quota – 972

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

Mick Sherry

Returning Officer

## Motor Vehicles Act 1959

South Australia

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

under the *Motor Vehicles Act 1959*

**1—Short title**

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

**2—Commencement**

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

**3—Approved motor bikes and motor trikes**

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

**Schedule 1—Approved motor bikes and motor trikes**

The following are approved:

* All motor bikes and motor trikes built before December 1960 with an engine capacity not exceeding 660ml
* All motor bikes and motor trikes with an engine capacity not exceeding 260 milliliters and a power to weight ratio not exceeding 150 kilowatts per tonne, except the following:

Suzuki RGV250

Kawasaki KR250 (KR-1 and KR1s models)

Honda NSR250

Yamaha TZR250

Aprilia RS250

* All motor bikes and motor trikes with electric powered engines, with a power output not in excess of 25 kw

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

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

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

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

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

| **MAKE** | **MODEL** | **VARIANT NAME** | **YEAR(S)** | **CAPACITY** |
| --- | --- | --- | --- | --- |
| **AJP** | PR7 | PR7 | 2017 | 600 |
| **AJS** | MODEL 18 | MODEL 18 | pre 1963 | 497 |
|  | MODEL 20 | MODEL 20 | 1955-61 | 498 |
| **APRILIA** | Moto 6.5 | Moto 6.5 | 1998-99 | 649 |
|  | M35 | SR MAX 300 | 2012 | 278 |
|  | PEGASO 650 | DUAL SPORTS | 1994-01 | 652 |
|  | PEGASO 650 | OUTBACK | 2000-01 | 652 |
|  | PEGASO 650 | Factory 650 | 2007-08 | 660 |
|  | PEGASO 650 I.E. | OUTBACK | 2001-02 | 652 |
|  | PEGASO 650 I.E. | DUAL SPORTS | 2001-06 | 652 |
|  | SCARABEO 300 | VRG | 2009 | 278 |
|  | SCARABEO 400 | SCARABEO 400 | 2007 | 399 |
|  | SCARABEO 500 | SCARABEO 500 | 2007-08 | 460 |
|  | SPORTCITY300 | SPORTCITY300 | 2010-12 | 300 |
|  | STRADA 650 | ROAD | 2006-08 | 659 |
|  | STRADA 650 | TRAIL | 2006-08 | 659 |
|  | VP (RXV 450) | VPV-VPT-VPH 18.3kW | 2006-10 | 449 |
|  | VP (RXV 550) | VPZ- VPX- VPL 20kW | 2006-10 | 553 |
|  | VS (SXV 450) | SXV 450 (VSR-VSH) 14kW | 2006-08 | 449 |
|  | VS (SXV 550) | SXV 550 (VSS-VSL) 14.5kW | 2006-08 | 553 |
| **ASIAWING** | LD450 | ODES MCF450 | 2011-13 | 449 |
| **ATK** | 605 | 605 | 1995 | 598 |
| **BENELLI** | LEON | Leoncino 500 | 2018-20 | 500 |
|  | P10 | BN 302 | 2015 on | 300 |
|  | P16 | TRK 502X | 2018 on | 500 |
|  | P18 | LEONCINO 500 | 2017 on | 500 |
|  | P18 | LEONCINO 500 TRAIL | 2018 on | 500 |
|  | P18  P16 | BENELLI  TRK502 | 2017  2017 | 500  500 |
|  | P25 | GT600 RESTRICTED | 2014-15 | 600 |
|  | P25 | BN 600 RESTRICTED | 2013-on | 600 |
|  | P36 | 502C | 2019 | 500 |
|  | VELVET DUSK | VELVET DUSK | 2003-05 | 383 |
| **BETA** | BETA | FUPA RR E3 | 2018 | 293 |
|  | BMA RR | RR350 15 | 2018 | 349 |
|  | BMA RR | RR390 16 | 2018 | 386 |
|  | BMA RR | RR430 17 | 2018 | 431 |
|  | BMA RR | RR480 18 | 2018 | 478 |
|  | FUPA E5 | E5 00 | 2015 | 293 |
|  | FUPA E5 | E8/03 | 2016/17 | 293 |
|  | FUPA RR E3 | RR 2T 300 | 2012-17 | 293 |
|  | FUPA RR E3 | RR350 20 & RR350 15 | 2016-17 | 349 |
|  | FUPA RR E3 | RR390 31 & RR390 16 | 2016-17 | 386 |
|  | FUPA RR E3 | RR430 32 & RR430 17 | 2016-17 | 431 |
|  | FUPA RR E3 | RR480 33 & RR480 18 | 2016-17 | 478 |
|  | RR E3 | RR350 | 2011 | 349 |
|  | RR E3 | RR400 | 2010-11 | 398 |
|  | RR E3 | RR450 | 2010-11 | 449 |
|  | RR E3 | RR520 | 2010-11 | 498 |
|  | RR300 2T | RR300 2T | 2019 | 293 |
|  | RR350 4T | RR350 4T | 2019 | 349 |
|  | RR390 4T | RR390 4T | 2019 | 386 |
|  | RR430 4T | RR430 4T | 2019 | 431 |
|  | RR450 | RR450 | 2008 | 448 |
|  | RR450 | RR450 | 2000-07 | 448 |
|  | RR480 4T | RR480 4T | 2019 | 478 |
|  | RR525 | RR525 | 2008 | 510 |
|  | RR525 | RR525 | 2000-07 | 510 |
|  | XTRAINER 300 2T | XTRAINER 300 2T | 2019 | 293 |
| **BMW** | C400X | 0C09/C400X | 2018-20 | 350 |
|  | C650 | C600 SPORT | ALL | 647 |
|  | C650 | C650 GT/Sport | All | 647 |
|  | F650 | FUNDURO | 1995-00 | 652 |
|  | F650 | G650 GS | 2009-2016 | 652 |
|  | F650 | G650 GS Sertao | 2012-2016 | 652 |
|  | F650CS | SCARVER | 2002-05 | 652 |
|  | F650CS | SE ROAD | 2004-06 | 652 |
|  | F650GS | DAKAR | 2000-08 | 652 |
|  | F650GS | F650GS | 2000-08 | 652 |
|  | F650ST | F650ST | 1998 | 652 |
|  | G 450 X | G 450 X | 2008-10 | 450 |
|  | G310 | G310R-0G01 | 2016-17 | 313 |
|  | G310GS | G310GS-0G02 | 2016 | 313 |
|  | G650GS | Sertao | All | 650 |
|  | R45 | R45 | All | 453 |
|  | R50 | R50 | 1969 | 499 |
|  | R60 | R60 | 1967 | 590 |
|  | R65 | R65 | 1981-88 | 650 |
|  | R65LS | R65LS | 1982-86 | 650 |
|  | R69 | R69 | 1961 | 600 |
| **BOLWELL** | LM25W | FIRENZE | 2009 | 263 |
| **BRAAAP** | ST | 450 | 2016-17 | 450 |
|  | ST400 | Shadow | 2022-on | 367 |
| **BSA** | A50 | A50 | 1964-70 | 500 |
|  | A65 | A65 | 1966-69 | 650 |
|  | A7 | A7 | 1961 | 500 |
|  | B40 | B40 | 1969 | 350 |
|  | B44 | B44 | 1967-71 | 440 |
|  | B50 | B50 | 1971 | 495 |
|  | B50SS GOLDSTAR | B50SS GOLDSTAR | 1971 | 498 |
|  | GOLD STAR | GOLD STAR | 1962 | 500 |
|  | LIGHTNING | LIGHTNING | 1964 | 654 |
|  | SPITFIRE MKIII | SPITFIRE MKIII | 1967 | 650 |
|  | THUNDERBOLT | THUNDERBOLT | 1968 | 499 |
| **BUELL** | Blast | STREET FIGHTER | 2002-07 | 491 |
| **BUG** | SEE KYMCO |  |  |  |
| **BULTACO** | ALPINA | ALPINA | 1974 | 350 |
|  | FRONTERA | FRONTERA | 1974 | 360 |
|  | SHERPA | SHERPA | 1974 | 350 |
| **CAGIVA** | 360WR | 360WR | 1998-02 | 348 |
|  | 410TE | 410TE | 1996 | 399 |
|  | 610TEE | 610TEE | 1998 | 576 |
|  | 650 ALAZZURA | 650 ALAZZURA | 1984-88 | 650 |
|  | 650 ELFANT | 650 ELFANT | 1985-88 | 650 |
|  | CANYON 500 | DUAL SPORTS | 1999-06 | 498 |
|  | CANYON 600 | DUAL SPORTS | 1996-98 | 601 |
|  | RIVER 600 | RIVER 600 | 1995-98 | 601 |
|  | W16 600 | W16 600 | 1995-97 | 601 |
| **CCM** | GP Series | GP450-1(A1 30kW) | 2015-16 | 450 |
|  | GP Series | GP450-2(A1 30kW) | 2015-16 | 450 |
| **CFMOTO** | CF300-7F | 300CL-X | 2023-on | 292 |
|  | CF 400-6F | 450SR | 2022-on | 449 |
|  | CF 650 | CF650NK-LAM | 2012-16 | 649 |
|  | CF 650 | CF650TK-LAM | 2013-17 | 649 |
|  | CF 650 | 650NK-LAM | 2016-17 | 649 |
|  | CF 650 | 650MT | 2016-17 | 649 |
|  | CF 650 | 650GT | 2019-on | 649 |
|  | CF 650 (400NK) | 400NK | 2016-17 | 400 |
| **CHANGJIANG** | CJ650B with sidecar | Nomad, Tourer | 2023-on | 649 |
| **COSSCK** | 650 | Ural | 1974 | 649 |
| **DERBI** | MULHACEN | MULHACEN | 2008 | 659 |
|  | RAMBLA | RA 300 | 2010 | 278 |
| **DNEPR** | K650 | K650 | 1972 | 650 |
|  | K650 | K650 DNEPR | 1967-74 | 650 |
|  | MT9 | MT9 | 1974 | 650 |
| **DUCATI** | 400 MONSTER | 400 MONSTER | 2002 | 398 |
|  | 400 SIE | 400 S I E monster |  | 398 |
|  | 400 SS JUNIOR | 400 SS | 1989-96 | 398 |
|  | 400SS | 400SS | 1992-95 | 398 |
|  | 500 DESMO | 500 Sport Desmo | 1978 | 497 |
|  | 500GTL | 500GTL | 1975-77 | 497 |
|  | 500SL | PANTAH | 1984 | 499 |
|  | 600 MONSTER | 600 MONSTER | 1994-01 | 583 |
|  | 600 MONSTER | DARK | 1998-01 | 583 |
|  | 600 S | 600 SUPERSPORT | 1994-97 | 583 |
|  | 600M | 600M | 1994-01 | 583 |
|  | 600SL | PANTAH | 1980-84 | 583 |
|  | 600SS | 600SS | 1994-98 | 583 |
|  | 620 MONSTER LITE | M620 LITE | 2003-07 | 618 |
|  | 620 MULTISTRADA LITE | MTS620 24.5Kw | 2005-07 | 618 |
|  | 659 Monster | Monster 659 | All | 659 |
|  | DM 350 | 350 | pre 85 | 350 |
|  | DM 450 | 450 | pre 85 | 448 |
|  | DM450 | DM450 | 1972 | 450 |
|  | DM500 | DM500 | 1981-84 | 498 |
|  | F3 | 350 F3 | 1986-1989 | 349 |
|  | F4 | 400 F4 | 1986 | 400 |
|  | KA (Scrambler) | 00AA Sixty2 | 2015-16 | 399 |
|  | M4 | M620ie LITE | 2003-04 | 620 |
|  | M5 | Monster 659 | 2011 | 659 |
|  | MD | 02AU | 2017 | 659 |
| **ELSTAR SHINERAY** | XY400 | CAFÉ RACER | 2018 | 397 |
|  | XY400 | CAFÉ RACER F | 2018 | 397 |
|  | XY400 | CLASSIC C | 2018 | 397 |
|  | XY400 | SCRAMBLER C | 2018 | 397 |
|  | XY400 | WB400 & WB400c | 2015-16 | 397 |
| **ENFIELD** | BULLET | CLASSIC | 1993-08 | 499 |
|  | BULLET | DELUXE | 1993-08 | 499 |
|  | BULLET | ELECTRA ROAD | 2006-08 | 499 |
|  | BULLET 350 | DELUXE | 1988-01 | 346 |
|  | BULLET 350 | SUPERSTAR | 1988-95 | 346 |
|  | BULLET 350 | CLASSIC | 1993-01 | 346 |
|  | BULLET 500 | 500 | 1995 | 499 |
|  | BULLET 65 | ROAD | 2003-04 | 499 |
|  | LIGHTNING | ROAD | 2000-08 | 499 |
|  | MILITARY | ROAD | 2002-08 | 499 |
|  | TAURUS | DIESEL | 2001 | 325 |
| **FANTIC** | CA50 | Flat Track | 2020-current | 449 |
|  | CA50 | Scrambler | 2020-current | 449 |
|  | CA50 | Rally | 2020-current | 449 |
|  | TZ | EC300 | 2011-12 | 300 |
|  | TZ | Gas Gas EC30 | 2012 | 300 |
| **GAS-GAS** | 4E | EC 30 | 2017 | 299 |
|  | 4E | EC25 | 2017 | 299 |
|  | 4E (IPA 48807) | EC 30 | 2018 | 299 |
|  | CONTACT ES | 280 ES | 2018 | 272 |
|  | EC ENDURO | EC30 | 2016-17 | 299 |
|  | EC Series | EC300 | 2001-current | 293 |
|  | EC Series | EC350F | 2021-current | 350 |
|  | EC400 | FSE ENDURO | 2002-03 | 399 |
|  | EC450 | FSE ENDURO | 2003-05 | 449 |
|  | EC450 | FSE SUPERMOTARD | 2003-08 | 449 |
|  | EC450 | FSR ENDURO | 2006-08 | 449 |
|  | FS 400 | FS40A | 2006 | 398 |
|  | FS 450 | FS45 | 2006 | 443 |
|  | FS 500 | FS50 (503) | 2006-2009 | 503 |
|  | FSE 400 | 400 | 2002 | 398 |
|  | FSE 450 | 450 | 2003-08 | 398 |
|  | PAMPERA | 320 TRAIL | 1998-02 | 333 |
|  | PAMPERA | 400 TRAIL | 2006-08 | 399 |
|  | PAMPERA | 450 | 2007-08 | 443 |
|  | SM400 | SUPERMOTARD | 2003-08 | 399 |
|  | SM450 | SUPERMOTARD | 2003-08 | 443 |
|  | TT300 | EC300 | 1998-08 | 295 |
| **GILERA** | NEXUS 500 | NEXUS 500 | 2003-08 | 460 |
| **HARLEY DAVIDSON** | SS350 | Sprint | 69-1974 | 350 |
|  | XGS SERIES | Street 500 -XG500 16MY | 2014-15 | 494 |
|  | XGS SERIES | Street 500 | 2015-on | 494 |
|  | XGS SERIES | XG500 17MY | 2016-17 | 494 |
| **HONDA** | 600V TRANSALP | 600V | 1988 | 583 |
|  | BROS | BROS | 1992 | 399 |
|  | C70 | DREAM | pre 1970 | 305 |
|  | CB300 (FA) | CB300FA | 2014-17 | 286 |
|  | CB300R | CBF300NA | 2018-20 | 286 |
|  | CB350 | CB350 | 1969 | 348 |
|  | CB350F | CB350F | 1973 | 325 |
|  | CB360 | CB360 | 1973-75 | 360 |
|  | CB400 | CB400 | 1981 -2013 | 395 |
|  | CB400 ABS | CB400 ABS | 2008 - 2013 | 399 |
|  | CB400F | CB400F | 1975-77 | 408 |
|  | CB400N | CB400N | 1981 | 395 |
|  | CB400T | CB400T | 1977 | 408 |
|  | CB450 | CB450 | 1967-75 | 450 |
|  | CB500 FOUR | CB500-FOUR K,K1,K2 | 1971-73 | 498 |
|  | CB500 TWIN | CB500T | 1974-78 | 498 |
|  | CB500F | CB500FA/F | 2012-19 | 471 |
|  | CB500X | CB500XA | 2013-17 | 471 |
|  | CB550 | CB550 | 1974-78 | 544 |
|  | CB650 | CB650 | All | 650 |
|  | CB650F | CB650FA-LTD-16ym | 2015-2017 | 649 |
|  | CBR300R | CBR300R | 2014-15 | 286 |
|  | CBR300R | CBR300RA | 2014-15 | 286 |
|  | CBR500R | CBR500RA | 2012-19 | 471 |
|  | CBR650F | CBR650F LAMS (CBR650FL) | 2015-2019 | 649 |
|  | CBR650R | CBR650R | 2019 | 649 |
|  | CBX550 | CBX550F | 1982-85 | 572 |
|  | CJ360 | CJ360 | 1976 | 356 |
|  | CL450 | CL450 | 1965-77 | 444 |
|  | CL500A | CL500 | 2023-on | 471 |
|  | CMX500 | CMX500 | 2017-on | 471 |
|  | CMX500A | CMX500A | 2016-20 | 471 |
|  | CRF150 | 150R/RB | All | 149 |
|  | CRF300 | CRF300 Rally | 2020 | 286 |
|  | CRF300 | CRF300L | 2020 | 286 |
|  | CRF400R | CRF400R | 2013 | 399 |
|  | CRF450L | CRF450L | 2018 | 449 |
|  | CRF450L | CRF450L2019YM | 2018 | 449 |
|  | CRF450X | CRF450X | 2005-09 | 449 |
|  | CX500 | CX500 | 1979 | 500 |
|  | CX500 | CX500 | 1977-82 | 495 |
|  | DEAUVILLE | NT650V | 2002-06 | 647 |
|  | FJS400A | SW-T400 | 2009 | 399 |
|  | Fortza 300 | NSS300 Forza | All | 279 |
|  | FT500 | FT500 | 1984 | 498 |
|  | FTS600D | SILVERWING | 2006-08 | 582 |
|  | GB400 | GB400 | All | 399 |
|  | GB500 | GB507 | 1987-91 | 498 |
|  | GL400 | GL400 | 1985 | 396 |
|  | NF02 | SH300 | 2009 | 279 |
|  | NSS300 | NSS300 | 2013 | 279 |
|  | NSS350 | NSS350 Forza | 2020 | 330 |
|  | NT400 | NT400 | 1989-92 | 400 |
|  | NT650V | DEAUVILLE | 2003-06 | 647 |
|  | NTV650 | REVERE | 1989-92 | 647 |
|  | NX650 | DOMINATOR | 1988-00 | 644 |
|  | OBI RVF400 VFR400 | OBI RVF400 Otobai import model only | All | 400 |
|  | PCX150 | PCX150 | 153 |  |
|  | REVERE | REVERE | 1990 | 647 |
|  | SL350 | SL350 | 1972 | 348 |
|  | Steed | steed | 2002 | 398 |
|  | VT400 | VT 400 | All | 398 |
|  | VT400C | SHADOW | 2009 | 399 |
|  | VT500 | VT500 | 1983-87 | 491 |
|  | VT600C | VT600C | 1993-00 | 583 |
|  | VT600C | SHADOW VLX | 1988-2008 | 583 |
|  | XBR500 | XBR500 | 1986-89 | 499 |
|  | XBR500SH | XBR500 | 1986-89 | 499 |
|  | XL350 | XL350 | 1984-87 | 339 |
|  | XL500 | XL500 | 1979-84 | 498 |
|  | XL600R | XL600R | 1984-87 | 589 |
|  | XL600RMG | XL600RMG | 1986-88 | 591 |
|  | XL600VH | TRANSALP | 1987-89 | 583 |
|  | XL650 | TRANSALP | 2005 | 647 |
|  | XL650V | TRANSALP | 2002-08 | 647 |
|  | XR250 | XR250R | All |  |
|  | XR350 | XR350 | 1983 | 339 |
|  | XR350R | XR350R | 1983-84 | 339 |
|  | XR350R | XR350R | 1985-86 | 353 |
|  | XR400 | XR400 | 1996-08 | 397 |
|  | XR400 MOTARD | XR400M | 1996-08 | 397 |
|  | XR400R | XR400R | 1996-08 | 397 |
|  | XR500R | XR500R | 1983-84 | 498 |
|  | XR600R | XR600R | 1985-00 | 591 |
|  | XR650L | XR650L/ XR650R | 2001-06 | 644 |
|  | XR650R | XR650R Kss and Mss (only) | 2004-05 | 649 |
|  | XR650R | XR650R (Australian version only) | 1999-2001 | 649 |
| **HUNTER** | DD350E-2 | BOBBER | 2011-13 | 320 |
|  | DD350E-6C | DAYTONA | 2010-13 | 320 |
|  | DD350E-6C | SPYDER | 2010-13 | 320 |
| **HUSABERG** | FE01 | FE450 MY05 (Ab) | 2004 | 449 |
|  | FE01 | FS650 MY05 (Db) | 2004 | 628 |
|  | FE350 | ENDURO | All | 350 |
|  | FE400 | ENDURO | All | 399 |
|  | FE450 | ENDURO | 2008-14 | 449 |
|  | FE501 | ENDURO | 2012-14 | 510 |
|  | FE501E | ENDURO | 1997-12 | 501 |
|  | FE570 | ENDURO | 2008-10 | 565 |
|  | FE600E | ENDURO | 1997-00 | 595 |
|  | FE650E | ENDURO | 2004-08 | 628 |
|  | FE650E | ENDURO | 2000-04 | 644 |
|  | FS450 | SUPERMOTARD | 2008-10 | 449 |
|  | FS450E | ENDURO | 2004 | 449 |
|  | FS570 | SUPERMOTARD | 2009-10 | 565 |
|  | FS650C/E | SUPERMOTARD | 2004-08 | 628 |
|  | FS650E | SUPERMOTARD | 2002-04 | 644 |
|  | TE300 | TE Series | 2010-14 | 293 |
| **HUSQVARNA** | 300WR | WR300 | 2008-12 | 298 |
|  | 310TE | TE310 A3 | 2009-13 | 303 |
|  | 310TE | TE310 A2 | 2008-10 | 298 |
|  | 350TE | TE350 | 1995 | 349 |
|  | 400SM | SUPERMOTARD | 2002-04 | 400 |
|  | 400TE | ENDURO | 2000-01 | 400 |
|  | 410TE | ENDURO | 1998-00 | 400 |
|  | 410TE | ENDURO | 1994-97 | 415 |
|  | 450SM/R/RR | SUPERMOTARD | 2003-08 | 449 |
|  | 450TC | MOTOCROSS | 2001-08 | 449 |
|  | 450TE | ENDURO | 2001-07 | 449 |
|  | 450TE-IE | ENDURO | 2007-08 | 449 |
|  | 450TXC | TRAIL | 2007-08 | 449 |
|  | 510SM | SUPERMOTARD | 2006-10 | 501 |
|  | 510TC | MOTOCROSS | 2004-07 | 501 |
|  | 510TE | ENDURO | 1986-2008 | 510 |
|  | 510TE-IE | TE510IE | 2008 | 510 |
|  | 570TE | 570TE(RP) | 2000 | 577 |
|  | 610SM | SUPERMOTARD | 2000-08 | 577 |
|  | A6 SMR 449 | A600AB | 2010-12 | 450 |
|  | A6 SMR 511 | A601AB | 2010-12 | 478 |
|  | A6 SMR 511 | A602AB | 2012 | 478 |
|  | A6 TE 449 | A600AATE449 | 2010-13 | 450 |
|  | A6 TE 511 | A601AATE511 | 2010-13 | 478 |
|  | A8 | 0H11B 35kW | 2013 | 652 |
|  | AE430 | ENDURO | 1986-88 | 430 |
|  | FE | FE350 | 2014-on | 350 |
|  | FE | FE450 | 2014 on | 449 |
|  | FE | FE450 | 2016-17 | 450 |
|  | FE | FE501 | 2014 on | 501 |
|  | FE | FE501 | 2016-17 | 510 |
|  | Pilen Series | VP 401 | 2018-on | 373 |
|  | Pilen Series | SP 401 | 2018-on | 373 |
|  | SMR449 | SMR449 | 2011 | 449.6 |
|  | SMR511 | SMR511 | 2012 | 447.5 |
|  | SMS630 | A401AB SMS630 | 2010-on | 600 |
|  | TE | TE300 | 2014 on | 298 |
|  | TE | TE300 | 2016-17 | 293 |
|  | TE449 | Enduro 2014 | 2013 | 449.6 |
|  | TE510 (A2) | Enduro 2013 | 2006-2013 | 477.5 |
|  | TE610 | TE610(RP), dual sports | 2000 on | 577 |
|  | TE630 | A401AA TE630 | 2010-on | 600 |
|  | TR650 | TR650 Terra | 2013 | 652 |
|  | TR650 Strada | 0H11F 35kW | 2013-on | 652 |
|  | TR650 Terra | 0H11B 35kW and 0H11D 35kW | 2013-on | 652 |
|  | WR260 | ENDURO | 1990-91 | 260 |
|  | WR300 | ENDURO | 2010-13 | 293 |
|  | WR360 | ENDURO | 1991-03 | 349 |
|  | WR400 | ENDURO | 1984-88 | 396 |
|  | WR430 | ENDURO | 1988 | 430 |
| **HYOSUNG** | GT650 EFI | GT650EFI Lams | All | 647 |
|  | GT650R EFI | GT650R EFI Learner | All | 647 |
|  | GV650C/S | Lams model | All | 647 |
| **INDIAN** | VELO | VELO | 1969 | 500 |
| **JAWA** | 350 | 350 | 1974 | 350 |
|  | 634 ROAD | 634 ROAD | 1984-85 | 343 |
|  | 638 ROAD | 638 ROAD | 1985-86 | 343 |
| **JONWAY** | MALIBU | MALIBU 320 | 2012 | 320 |
| **KAWASAKI** | BR250E | Z250SL/Z250SL ABS |  |  |
|  | EN400 | Vulcan | 1986 | 400 |
|  | EN450 | 450LTD | 1985-87 | 454 |
|  | EN500 | Vulcan | 1990-02 | 500 |
|  | EN650B | Vulcan S ABS/ABS L | 2014-current | 649 |
|  | EN650B | EN650E ABS L 1&2 | 2016-17 | 649 |
|  | ER300B | ER300B (Z300 ABS) | 2015-on | 296 |
|  | ER-5 | ER500 | 1999-06 | 498 |
|  | ER-650C | ER-6nL | 2009 | 649 |
|  | ER-650C | ER-6nL ABS | 2009-11 | 649 |
|  | ER650F | ER-6nl ABS learner model | 2012-2016 | 649 |
|  | ER650H | ER650H LAMS (Z650L) | 2016-17 | 649 |
|  | ER650H | ER659K LAM (Z650L) | 2019 | 649 |
|  | ER650H | ER650M LAMS (Z650RS) | 2021-on | 649 |
|  | ER650H | ER650R L | 2023-on | 649 |
|  | ER650H | ER650S L | 2021-on | 649 |
|  | EX300A (Ninja 300) | EX300B Ninja/ special (A&B) | 2012-16 | 296 |
|  | EX300B | EX300B | 2015-2018 | 296 |
|  | EX400 | GPX 400R | 1987-94 | 399 |
|  | EX400G | Ninja 400 & EX400G | 2018 - on | 399 |
|  | EX400G | KAWASAKI | 2018 | 399 |
|  | EX400G | Z400 and ER400G | 2019 | 399 |
|  | EX650F | Ninja 650L (2012) | 2011 | 649 |
|  | EX650K | EX650S L | 2021-on | 649 |
|  | EX650K (LAMS) | Ninja 650 L | 2016-current | 649 |
|  | GPZ550 | GPZ550 | 1981-90 | 553 |
|  | GT550 | Z550 | 1984-88 | 553 |
|  | KL600 | KLR600 | 1984-87 | 564 |
|  | KL650 | KLR650 | 1987-99 | 651 |
|  | KL650E | KLR650 | 2013-2016 | 651 |
|  | KLE300C | KLE300C VERSYS-X 300 | 2017 | 295 |
|  | KLE500 | DUAL SPORTS | 1992-08 | 498 |
|  | KLE500 | KLE500 | 1992-2008 | 498 |
|  | KLE650F | Versys 650L ABS | 2014-current | 649 |
|  | KLE650F | KLE650F ABS L & ABS L MY17 | 2016-current | 649 |
|  | KLE650F | KLE650H L | 2021-current | 649 |
|  | KLR600 | KL600 | 1984-87 | 564 |
|  | KLR650E | KL650E | 1987-2012 | 651 |
|  | KLX150 | KLX150E/KLX150 L | All |  |
|  | KLX250S | KLX250S | All | 249 |
|  | KLX300R | KLX300R | 1996-04 | 292 |
|  | KLX400 | KLX400 | 2003 | 400 |
|  | KLX450R | KLX450R | 2007-16 | 449 |
|  | KLX650 | KLX650 | 1989-95 | 651 |
|  | KLX650R | ENDURO | 1993-04 | 651 |
|  | KZ400 | KZ400 | 1974-84 | 398 |
|  | KZ440 | KZ440 | 1985 | 443 |
|  | KZ500 | KZ500 | 1979 | 497 |
|  | KZ550 | KZ550 | 1986 | 547 |
|  | LE650D | Versys 650L ABS | 2010 | 649 |
|  | LE650D | Versys 650L ABS | 2011-14 | 649 |
|  | LTD440 | LTD440 | 1982 | 443 |
|  | LX400 | LX400 Eliminator | 1989 | 398 |
|  | Ninja 650 | Ninja 650RL ABS | 2009-11 | 649 |
|  | Ninja 650 | Ninja 650L ABS | 2011-16 | 649 |
|  | Ninja 650 L model | Ninja 650RL | 2009 | 649 |
|  | S2 | S2 | 1972 | 346 |
|  | S3 | S3 | 1974 | 400 |
|  | W400 | EJ400AE | 2006-09 | 399 |
|  | Z400B2 | KZ400B2 | 1979 | 398 |
|  | Z400D | KZ400D | 1975 | 398 |
|  | Z500 | Z500 | 1980 | 498 |
|  | ZR550 | ZEPHYR | 1991-99 | 553 |
|  | ZZR400 | ZZR400 | 1991 | 399 |
|  | ZZR400 | ZZR400 | 1992 | 399 |
| **KTM** | 125 EXC | 125 EXC | All | 125 |
|  | 2T-EXC | 300 EXC | 2012-2017 | 293 |
|  | 300 exc | 300exc | All | 300 |
|  | 300EXC | ENDURO | 84-2011 | 293 |
|  | 300EXC-E | ENDURO | 2007-08 | 293 |
|  | 300GS | ENDURO | 1990-95 | 280 |
|  | 350EXC Special-R | ENDURO | 2005-06 | 350 |
|  | 350EXC-F | ENDURO | 2011-on | 347 |
|  | 360EXC | ENDURO | 1996-98 | 360 |
|  | 380EXC | ENDURO | 2000 | 368 |
|  | 390 Duke | 390 Duke | All | 390 |
|  | 400EXC | ENDURO | 2008-11 | 393 |
|  | 400GS | ENDURO | 1993-99 | 400 |
|  | 400SC | 400SC | 1996-98 | 400 |
|  | 400TE | 400TE | 2001 | 400 |
|  | 450EXC | ENDURO | 2002-07 | 448 |
|  | 450EXC | ENDURO | 2005-11 | 449 |
|  | 450EXC | ENDURO | 2011-on | 449 |
|  | 4T-EXC RACING | 350 EXC-F | 2012-on | 350 |
|  | 4T-EXC RACING | 450 EXC | 2012-on | 449 |
|  | 4T-EXC RACING | 500 EXC | 2012-on | 510 |
|  | 500EXC | ENDURO | 2011-on | 510 |
|  | 500GS | ENDURO | 1984-91 | 553 |
|  | 510EXC | ENDURO | 1999-02 | 510 |
|  | 520EXC | ENDURO | 2000-02 | 510 |
|  | 525EXC | ENDURO | 2002-05 | 510 |
|  | 525EXC-R | ENDURO | 2005-07 | 510 |
|  | 530EXC | ENDURO | 2008-11 | 510 |
|  | 600 ENDURO | ENDURO | 1987-93 | 553 |
|  | 600 ENDURO 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 |
|  | Adventure | 390 Adventure | 2020-on | 373 |
|  | Freeride | Freeride (MY12 on) | 2012 | 350 |
|  | IS DUKE | 390 DUKE (C3) | 2013 | 373 |
|  | IS RC | RC 390 | 2016-17 | 373 |
|  | Rally | 450 RALLY | 2017-current | 449 |
|  | Rally | 690 RALLY | 2017 | 654 |
|  | RC390 | RC390 | all | 390 |
| **KYMCO** | AGILITY 300 | T4 (300) | 2020 | 276 |
|  | All model | All models |  | under 300 |
|  | DT Series | DT X360/E70000 | 2021-on | 321 |
|  | V2 | Downtown 350i (V200010, V20020, V20030, V23010-V23000, C71100)) | 2015-20 | 321 |
|  | XCITING S 400 | D62001 & D62000 | 2019-20 | 400 |
|  | X-Town | KS60A (300i) | 2016-17 | 276 |
| **LAMBRETTA** | All model | Lambretta | pre 2008 | under 660 |
| **LARO** | DD350E-6C | Pro Street 350 | 2011 | 320 |
|  | SPT series | SPT350 | 2011 | 320 |
| **LAVERDA** | 500 | 500 | 1979 | 497 |
| **LIFAN** | All model | All models | 2009-10 | under 300 |
| **LIFENG** | Regal Raptor | CRUISER 350 | 2011 | 320 |
| **MAICO** | Enduro | 500E | 1984-88 | 488 |
| **MATCHLESS** | G12 | G12 | pre 1966 | 646 |
|  | G80 | HARRIS | 1988-90 | 494 |
|  | G80 | G80 | pre 1963 | 497 |
| **MCI** | All models | All models under 250 | all | 250 |
| **MBK** | FALCONE | YAMAHA XT660R/X | 2005-08 | 660 |
| **MONTESA** | COTA 330 | TRIAL | 1985-86 | 328 |
|  | COTA 335 | TRIAL | 1986-88 | 327 |
|  | COTA 348T | TRIAL | 1984-87 | 305 |
|  | COTA 350 | TRIAL | 1984-85 | 349 |
| **MOTO GUZZI** | 350 GT | 350 GT | 1992 | 350 |
|  | Falcone | Falcone | 1972 | 498 |
|  | V35 | V35 | 1977-90 | 346 |
|  | V50 | V50 | 1977-79 | 490 |
|  | V50 | Monza | 1980-85 | 490 |
|  | V65 | V65 | 1982-94 | 643 |
|  | V65 | Lario | 1984-89 | 643 |
| **MOTO MORINI** | 3.5 ROAD | 3.5 ROAD | 1984-85 | 344 |
|  | 350 SPORT | 350 SPORT | 1974-85 | 344 |
|  | 500 CAMEL | TRAIL | 1984-86 | 479 |
|  | 500 SEI | 500 SEI | 1984-85 | 479 |
|  | 500 STRADA | 500 STRADA | 1977-85 | 479 |
| **MUZ** | BAGHIRA | ENDURO | 1999-02 | 660 |
|  | MASTIFF | SUPERMOTARD | 1999-02 | 660 |
|  | SKORPION | REPLICA | 1998-02 | 660 |
|  | SKORPION | SPORT | 1998-02 | 660 |
|  | SKORPION | TRAVELLER | 1998-02 | 660 |
|  | SKORPION | TOUR | 1998-02 | 660 |
| **MV AGUSTA** | 350 | 350 | 1972-76 | 349 |
| **NORTON** | 650SS | 650SS | 1961-68 | 650 |
|  | ES2 | ES2 | pre 1963 | 490 |
|  | MANXMAN | b | 1961 | 650 |
|  | MODEL 50 | MODEL 50 | 1933-63 | 348 |
|  | MODEL 88 | DOMINATOR | pre 1966 | 497 |
|  | NAVIGATOR | NAVIGATOR | 1964 | 350 |
| **PANTHER** | MODEL 100 | 600 | pre 1963 | 598 |
|  | MODEL 120 | 650 | pre 1966 | 645 |
| **PEUGEOT** | GEOPOLIS | AEAA | 2007-08 | 399 |
|  | SATELIS | AEAA | 2007-08 | 399 |
|  | SATELIS | AFAA | 2007-08 | 493 |
| **PGO** | All models | All models under 220 | All | 220 |
| **PIAGGIO** | All Models | All models | 2010-17 | under 350 |
|  | PSI M59 (MP3 400) | M59101 (400ie RL) | 2006-08 | 399 |
|  | PSI M52 | M52101 XEVO 400ie | 2006-08 | 399 |
| **QJ MOTORCYCLES** | BJ60 | BJ60 | All | 600 |
|  | P25 | BJ600 | All | 600 |
| **RICKMAN** | 650 | Triumph | 1964 | 649 |
| **RIEJU** | MR5E | MR300 ENDURO | 2020 | 293 |
|  | MR5E | MR300 ENDURO PRO | 2020 | 293 |
| **RIYA** | RY300T (RY) | RY300T | 2012-15 | 288 |
| **ROYAL ALLOY** | GP300 | GP300 |  | 278 |
| **ROYAL ENFIELD** | All models under660 | All models under 660 | till 2014 |  |
|  | Classic 350 |  | 2016-on | 349 |
|  | CNEX | CNEG | 2018 | 648 |
|  | CNEX | CNEH | 2018 | 648 |
|  | CNEX | CNEG (CONTINENTAL GT 650) | 2018-19 | 648 |
|  | CNEX | CNEH (INTERCEPTOR GT 650) | 2018-19 | 648 |
|  | CNEX | Super Meteor 650 | 2023-on | 648 |
|  | CNEX | Super Meteor 650 Touring | 2023-on | 648 |
|  | D4A5C | Himalayan | 2016-2019 | 411 |
|  | D4A5C EFI | Himalayan | 2019-20 | 411 |
|  | D4A5C or D4A5C EFI | Scram 411 | 2022-on | 411 |
|  | Hunter 350 |  | 2022-on | 349 |
|  | Meteor | Meteor 350 | 2020-current | 349 |
|  | UMI BULLET | U3S | 2015-19 | 346 |
|  | UMI BULLET | BULLET 500 CKE | 2015-19 | 499 |
|  | UMI CONTINENTAL | CONTINENTAL GT | 2015 | 535 |
| **RS HONDA** | XR400M | MOTARD | 2005-08 | 397 |
| **RUDGE WHITWORTH** | 650 | Rudge | pre 1961 | 650 |
| **SHERCO** | S4 | ENDURO 450 | 2007-2010 | 448 |
|  | S4 | ENDURO 510 | 2007-2010 | 510 |
|  | S4 | ENDURO 300 | 2010 | 290 |
|  | S6 | 300 2ST | 2016-17 | 293 |
|  | S6 | 300 4ST | 2015-on | 303 |
|  | S6 | 450 4ST | 2015-on | 449 |
|  | S6 | 480ST | 2021-on | 479 |
| **SUZUKI** | AN400 | AN 400 | 2016-17 | 400 |
|  | AN400 | BURGMAN | 2008-14 | 400 |
|  | AN400 | AN400 | 2018 | 400 |
|  | AN650 | BURGMAN | 2002-15 | 638 |
|  | Burgman 400ABS | Burgman 400ABS | All | 400 |
|  | Burgman 650 | Burgman 650 | All | 638 |
|  | DL650 | DL650 AUE & DL650X AUE | 2016-20 | 645 |
|  | DL650AUE | V Strom | 2013-2015 | 649 |
|  | DL650XAUE | V-Strom 650 XT learner approved | 2014-15 | 645 |
|  | DR350 | All | 1991-98 | 349 |
|  | DR400 | DR400 | 1999 | 400 |
|  | DR500 | All | 1981-84 | 498 |
|  | DR600R | DR600R | 1985-90 | 598 |
|  | DR650 | All | 1990-08 | 644 |
|  | DR650SE | DR650SE | 1997-19 | 644 |
|  | DR650SE | DR650SE | 2018 | 644 |
|  | DR-Z250 | DR-Z250 | All | 249 |
|  | DR-Z400E | DR-Z400E | All | 398 |
|  | DR-Z400E | DR-Z400E | 2018 | 398 |
|  | DR-Z400E | DR-Z400 (2006 MY~) | 2018 | 398 |
|  | DR-Z400E | DR-Z400 | 2018 |  |
|  | DR-Z400S | DR-Z400S | 2005-14 | 398 |
|  | DR-Z400SM | DR-Z400SM | 2005-17 | 398 |
|  | GN400 | GN400 | 1980-81 | 400 |
|  | GR650 | All | 1983-88 | 651 |
|  | GS400 | GS400 | 1976-82 | 400 |
|  | GS450 | All | 1981-89 | 450 |
|  | GS500 | GS500 | 2000-13 | 487 |
|  | GS500E | GS500E | 1976-99 | 492 |
|  | GS500F | GS500F | 2003-13 | 487 |
|  | GS550 | All | 1977-82 | 549 |
|  | GSR400 | GSR400 | 2006-08 | 398 |
|  | GSX400 | F | 1981-04 | 398 |
|  | GSX400 | E | 1981-84 | 398 |
|  | GSX650F | GSX650 /FU | 2008-12 | 656 |
|  | GT380 | GT380 | 1973-78 | 380 |
|  | GT500 | GT500 | 1976-78 | 500 |
|  | GT550 | GT550 | 1973-78 | 550 |
|  | KATANA 550 | KATANA 550 | 1981-83 | 550 |
|  | LS650 | Boulevard S40 | 2015-17 | 652 |
|  | LS650 | SAVAGE | 1986-89 | 652 |
|  | LS650 | LS650 | 2018 | 652 |
|  | LS650 | LS650 | 2018 | 652 |
|  | MY18 | SV650 | 2018 |  |
|  | MY18 | SV650AUL8 | 2018 |  |
|  | PE400 | PE400 | 1980-81 | 400 |
|  | RE5 | ROTARY | 1974 | 500 |
|  | RMX450 (market name RMX450Z) | RMX450 | 2014-15 | 449 |
|  | SFV650U | SFV650U | 2009-17 | 645 |
|  | SP370 | ENDURO | 1978 | 370 |
|  | SV650-3 | SV650 UA | 2015-2017 | 645 |
|  | SV650S LAMS | SV650SU LAMs Gladdius | 2008/2013 | 645 |
|  | SVF650  (Market name-Gladius) | SVF650 U/UA | 2009-2014 | 645 |
|  | T500 | T500 | 1970-74 | 500 |
|  | TS400 | TS400 | 1976 | 400 |
|  | XF650 | FREEWIND | 1997-01 | 644 |
| **SWM** | A1 | 01/AA and 01/AB | 2015-2017 | 600 |
|  | A2 | 01/AA | 2016 | 300 |
|  | A2 | 03/AA and 03/AB | 2016 | 500 |
|  | A3 | 00-01-02 | 2016 | 445 |
|  | B3 | Silver Vase, Gran Milano | 2019-20 | 445 |
| **SYM** | All Models | All models under 400 | 2008-12 | 400 |
|  | LN | GTS 300i Sport | 2015-16 | 278 |
| **TGB** | All Models | All models under 300 | 2012 | 300 |
| **TM** | 3002T | ENDURO | 2010 | 297 |
|  | 300E | ENDURO | 2000-08 | 294 |
|  | 400E | ENDURO | 2002-03 | 400 |
|  | 4504T | ENDURO | 2010 | 450 |
|  | 450E | ENDURO | 2003-08 | 449 |
|  | 450MX | 450MX | 2008 | 449 |
|  | 5304T | ENDURO | 2010 | 528 |
|  | 530E | ENDURO | 2003-08 | 528 |
|  | 530MX | 530MX | 2008 | 528 |
| **TRIUMPH** | 21 | 21 | 1963 | 350 |
|  | DAYTONA 500 | DAYTONA 500 | 1970 | 490 |
|  | HD Series | HD418MY | 2017 | 660 |
|  | L Series | TRIDENT | 2020 | 660 |
|  | L Series | TIGER SPORT 660 | 2022-on | 660 |
|  | Street triple | LAMs Street Triple 659 L67Ls7 | 2014 | 659 |
|  | T100 | TIGER | pre-1970 | 498 |
|  | T120 | BONNEVILLE | 1959-1974 | 649 |
|  | TR5 | TROPHY | 1969 | 449 |
|  | TR6 | TROPHY | 1961 - 73 | 649 |
|  | TR7 | TIGER | 1971 | 649 |
|  | TRIBSA | TRIBSA | 1960-70 | 650 |
| **UBCO** | 2018 2X2 | UBCO | 2018 |  |
| **URAL** | DNEPR | DNIEPNER | 1974 | 650 |
|  | K650 | K650 | 1967-74 | 650 |
|  | MT9 | MT9 | 1974 | 650 |
|  | THRUXTON | THRUXTON | 1965-67 | 499 |
| **VESPA** | All Models | All models | until 1/09/2013 | 50-300 |
|  | GTS 300 | GTS 300 (Super/Sport/Super Sport/Tech) | 2008-on | 278 |
|  | PSI M45 | M45200 300 S/SS | 2016-20 | 278 |
|  | PSI M45 | M45202 300 ABS | 2018-20 | 278 |
|  | PSI M45 | M45710 300 S/SS | 2018-20 | 278 |
|  | PSI M45 | M45715 300 S/TECH | 2019-20 | 278 |
|  | PSI M45 | M45710 300 | 2018 | 278 |
|  | PSI M45 | M45719 GTS 300 SS HPE | 2020 | 278 |
|  | PSI M45 | M45724 GTS 300 SG | 2020 | 278 |
|  | PSI M45 | M45200 300 S/SS M45202 300 ABS | 2016-2018 | 278 |
|  | PSI M45 | M45202 300 ABS | 2018 | 278 |
|  | PSI M45 | M452710 300 S/SS | Jul-05 | 278 |
|  | PSI MA3 | MA330 300 E4 (GTS/SUPER/SS) | 2016-17 | 278 |
| **VOR** | 400 ENDURO | 400 ENDURO | 2000 | 399 |
|  | 450 ENDURO | 450 ENDURO | 2002 | 450 |
|  | 500 ENDURO | 500 ENDURO | 2001 | 503 |
|  | 530 ENDURO | 530 ENDURO | 2001 | 530 |
|  | VOR ENDURO | 400SM | 2000-01 | 399 |
|  | VOR ENDURO | 500SM | 2000-01 | 503 |
| **XINGYUE** | XY400Y | XY400Y | 2008-09 | 400 |
| **YAMAHA** | CZD300 (X-Max300) | CZD300-A | 2016-20 | 292 |
|  | DT400 | DT400 | 1976-77 | 400 |
|  | FZ600 | FZ600 | All | 600 |
|  | FZ6R | FZ6R | All | 600 |
|  | IT426 | IT426 | 1987 | 426 |
|  | IT465 | IT465 | 1987 | 465 |
|  | IT490 | IT490 | 1983 | 490 |
|  | MT 07 | MT07 LAMS, MTN660-A | 2015-on | 655 |
|  | MT 07 | MT07, MTN660 | 2015-on | 655 |
|  | MT-03 | MT03 | 2011 on | 660 |
|  | MT-07 | MT-07 LAMs | 2015-19 | 655 |
|  | MTM660 | XSR700 | 2016-on | 655 |
|  | MTM660 | XSR700 | 2017-20 | 655 |
|  | MTN320 | MTN320-A | All | 321 |
|  | MTT660-A | RM 161 | 2016-17 | 655 |
|  | MX400 | MX400 | 1976 | 400 |
|  | RD350 | RD350 | to 1975 | 350 |
|  | RD400 | RD400 | 1976 | 398 |
|  | RT2 | RT2 | 1970 | 360 |
|  | RT350 | RT350 | 1972 | 347 |
|  | SR400 | SR400 | All | 400 |
|  | SR500 | SR500 | 1978-1981 | 499 |
|  | SRX400 | SRX400 | 1985-90 | 400 |
|  | SRX600 | SRX600 | 1986-96 | 608 |
|  | SZR660 | SZR660 | 1997 | 659 |
|  | T MAX | Tmax 530 | All | 530 |
|  | Tenere | Tener | All | 660 |
|  | Tricity 300 (MWD300) | Tricity 300 (MWD300) | 2020-current | 292 |
|  | TT350 | TT350 | 1986-01 | 346 |
|  | TT500 | TT500 | 1975 | 500 |
|  | TT600 | TT600 | All | 595 |
|  | TT600E | TT600E | All | 595 |
|  | TT600R | TT600R | All | 595 |
|  | TX650 | TX650 | 1976 | 653 |
|  | WR400F | WR400F | 1998 - 2000 | 399 |
|  | WR426F | Belgarda import ONLY | 2001 | 426 |
|  | WR450F | WR450F | All | 450 |
|  | WR450F | WR450F (2GC) | All | 449 |
|  | XJ550 | XJ550 | 1981-82 | 528 |
|  | XJ6 | XJ6FL/NL (25kW & 35kW) | All | 600 |
|  | XJ6 | XJ6SL (25kW) | All | 600 |
|  | XJR400 | ZJR400 | 1999 | 400 |
|  | XJR400 | 4HM | 2003 | 399 |
|  | XP500 | XP500 | All | 499 |
|  | XP500 | XP500 | All | 530 |
|  | XS360 | XS360 | All | 359 |
|  | XS400 | XS400 | All | 391 |
|  | XS650 | XS650 | 1972-1984 | 653 |
|  | XSR700 | RM131 | 2015-17 | 655 |
|  | XT250 | XT250 | All | 249 |
|  | XT350 | XT350 | All | 346 |
|  | XT500 | XT500 | All | 499 |
|  | XT550 | XT550 | All | 552 |
|  | XT600 | XT600 | All | 590 |
|  | XT660R | XT660R | All | 659 |
|  | XT660X | XT660X | All | 659 |
|  | XT660Z T N R | XT660Z | All | 660 |
|  | XTZ660 | XT660Z Tenere | All | 659 |
|  | XV400 | XV400 Virago | 1983 | 399 |
|  | XV535 | XV535 Virago | All years | 535 |
|  | XVS400 | XVS400 Dragstar | 2001-08 | 399 |
|  | XVS650A/custom | XVS650 custom and classic | All years | 649 |
|  | XZ400 | XZ400 | 1982 | 399 |
|  | XZ550 | XZ550 | 1982-83 | 550 |
|  | YP400 | MAJESTY | All | 395 |
|  | YZF R3 | YZF R3A | All | 321 |
|  | YZF320-A | YZF320-A | 2022-on | 321 |
|  | YZF660 |  | 2021-current | 649 |
| **ZHEJIANG** | HT300T | Base | 2015 | 275 |

An approved motor bike and motor trike must:

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

**Schedule 2—Revocation**

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

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

Stuart Gilbert

**DEPUTY REGISTRAR OF MOTOR VEHICLES**

7 November 2023

## Petroleum and Geothermal Energy Act 2000

Application for the Renewal of Pipeline Licence—PL 15

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

**Santos Limited**

**Delhi Petroleum Pty Ltd**

**Santos Petroleum Pty Ltd**

**Beach Energy (Operations) Limited**

**Vamgas Pty Ltd**

**Santos Australian Hydrocarbons P/L**

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

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

Further information regarding the pipeline and its location can be found on the Department for Energy and Mining website at:

<https://www.energymining.sa.gov.au/industry/energy-resources/licensing-and-land-access/onshore-licensing/registers>

Dated: 7 November 2023

Vince Duffy

A/Chief Executive

Department for Energy and Mining

Delegate of the Minister for Energy and Mining

## Planning, Development and Infrastructure Act 2016

Section 76

*Amendment to the Planning and Design Code*

*Preamble*

It is necessary to amend the Planning and Design Code (the Code) in operation at 26 October 2023 (Version 2023.15) in order to make the following minor or operational amendments:

* to remove irrelevant material relating to:
  + the Minimum Building Height (Metres) TNV spatial layer which has no policy functionality in the Code
  + the misapplication of the Local Heritage Place Overlay to adjacent parcels to a property at Semaphore following its subdivision.
* to correct errors relating to:
  + incorrect date references in Historic Area Overlay – Historic Area Statements – City of Norwood, Payneham and St Peters – The Avenues Historic Area Statement (NPSP20)
  + missing performance assessed development policy (built form and character) for ‘outbuilding’ in the Open Space Zone
  + incorrect address details and the missing application of the Local Heritage Place Overlay over properties at Craigburn Farm.

1. PURSUANT to section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make the following minor or operational amendments as follows:
2. Remove the spatial layer of the Minimum Building Height (Metres) Technical and Numeric Variation (TNV) from wherever it has been spatially applied.
3. In Part 6 – index of Technical and Numeric Variations, amend ‘Part 6.3 Building Heights (Metres)’ by deleting the table of minimum building heights (metres) and its associated heading ‘Minimum Building Height (Metres)’.
4. In Part 3 – Overlays, amend The Avenues Historic Area Statement (NPSP20) of the Historic Area Overlay by replacing the words ‘Late 1870s and 1900, 1900s and the 1920s, and inter-war’ with the words ‘Between the late 1870s and 1900, between the 1900s and the 1920s, and inter-war’.
5. In Part 2 – Zones and Sub Zones, amend ‘Table 3 - Applicable Policies for Performance Assessed Development’ of the Open Space Zone by inserting Open Space Zone ‘Built Form and Character PO 2.1, 2.2’ as applicable ‘Zone’ policy for Class of Development ‘Outbuilding’.
6. Amend the spatial layer of the Local Heritage Place Overlay so that it is not applied to 113 Semaphore Road, Semaphore (Lot 107, CT6287/369) and update the spatial layer of the Heritage Adjacency Overlay to reflect this change.
7. Amend the spatial layer of the Local Heritage Place Overlay so that it is applied to Lot 1934, Deposited Plan 133000, Craigburn Farm (New allotment, street address not yet available) and is linked to Heritage ID 3482. Update the spatial layer of the Heritage Adjacency Overlay to reflect this change.
8. In Part 11 of the Code in the table of Local Heritage Places applying to Mitcham replace the following row

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

With (arrange row in alphabetical order):

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

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

Dated: 7 November 2023

Sally Smith

Executive Director, Planning and Land Use Services

Department for Trade and Investment

Delegate of the Minister for Planning

Planning, Development and Infrastructure Act 2016

Section 76

*Amendment to the Planning and Design Code*

*Preamble*

It is necessary to amend the Planning and Design Code (the Code) in operation at 26 October 2023 (Version 2023.15) in order to make changes of form relating to the Code’s spatial layers and their relationship with land parcels. NOTE: There are no changes to the application of zone, subzone or overlay boundaries and their relationship with affected parcels or the intent of policy application as a result of this amendment.

1. PURSUANT to section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make changes of form (without altering the effect of underlying policy), correct errors and make operational amendments as follows:
2. Undertake minor alterations to the geometry of the spatial layers and data in the Code to maintain the current relationship between the parcel boundaries and Code data as a result of the following:
   1. New plans of division deposited in the Land Titles Office between 18 October 2023 and 31 October 2023 affecting the following spatial and data layers in the Code:
      1. Zones and subzones
      2. Technical and Numeric Variations
         * Building Heights (Levels)
         * Building Heights (Metres)
         * Concept Plan
         * Finished Ground and Floor Levels
         * Interface Height
         * Minimum Dwelling Allotment Size
         * Minimum Frontage
         * Minimum Site Area
         * Minimum Primary Street Setback
         * Minimum Side Boundary Setback
         * Future Local Road Widening Setback
         * Site Coverage
      3. Overlays
         * Affordable Housing
         * Character Area
         * Coastal Areas
         * Defence Aviation Area
         * Design
         * Dwelling Excision
         * Environment and Food Production Area
         * Future Road Widening
         * Hazards (Bushfire - High Risk)
         * Hazards (Bushfire - Medium Risk)
         * Hazards (Bushfire - General Risk)
         * Hazards (Bushfire - Urban Interface)
         * Hazards (Bushfire - Regional)
         * Hazards (Bushfire - Outback)
         * Heritage Adjacency
         * Historic Area
         * Limited Land Division
         * Local Heritage Place
         * Major Urban Transport Routes
         * Noise and Air Emissions
         * State Heritage Place
         * Stormwater Management
         * Urban Tree Canopy
   2. Improved spatial data for existing land parcels in the following locations (as described in Column A) that affect data layers in the Code (as shown in Column B):

| **Location (Column A)** | **Layers (Column B)** |
| --- | --- |
| **Caurnamont** | Zones  Technical and Numeric Variations   * Building Heights (Metres) * Finished Ground and Floor Levels |

| **Location (Column A)** | **Layers (Column B)** |
| --- | --- |
| **Cowirra / Younghusband** | Zones and SubZones  Technical and Numeric Variations   * Building Heights (Metres) * Finished Ground and Floor Levels |
| **Strathalbyn** | Zones  Overlays   * Affordable Housing * Environment and Food Production Area * Hazards (Bushfire – Medium Risk) * Hazards (Bushfire – Urban Interface) * Limited Land Division * Major Urban Transport Routes |

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

Dated: 8 November 2023

Greg Van Gaans

Director, Land and Built Environment,

Department for Trade and Investment

Delegate of the Minister for Planning

## Roads (Opening and Closing) Act 1991

Sections 6 and 34

**NOTICE OF CONFIRMATION OF   
ROAD PROCESS ORDER**

Road Closure—Public Road, William Creek

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

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

On 1 November 2023 that order was confirmed by the Minister for Planning conditionally upon the deposit by the Registrar-General of Deposited Plan 133009 being the authority for the new boundaries.

Pursuant to section 24(5) of the *Roads (Opening and Closing) Act 1991*, NOTICE of the Order referred to above and its confirmation is hereby given.

Dated: 9 November 2023

B. J. Slape

Surveyor-General

2023/04105/01

Roads (Opening and Closing) Act 1991

Section 24

**NOTICE OF CONFIRMATION OF   
ROAD PROCESS ORDER**

Road Closure—Grove Road, Beetaloo Valley

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

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

On 1 November 2023 that order was confirmed by the Minister for Planning conditionally upon the deposit by the Registrar-General of Deposited Plan 132566 being the authority for the new boundaries.

Pursuant to section 24(5) of the *Roads (Opening and Closing) Act 1991*, NOTICE of the Order referred to above and its confirmation is hereby given.

Dated: 9 November 2023

B. J. Slape

Surveyor-General

2022/16849/01

Roads (Opening and Closing) Act 1991

Section 24

**NOTICE OF CONFIRMATION OF   
ROAD PROCESS ORDER**

Road Closure—Old Port Wakefield Road, Virginia

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

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

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

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

Dated: 9 November 2023

B. J. Slape

Surveyor-General

2022/11664/01

Roads (Opening and Closing) Act 1991

Section 24

**NOTICE OF CONFIRMATION OF   
ROAD PROCESS ORDER**

Road Closure—Public Road, Rocky Gully & Monarto

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

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

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

Grant to the South Australian Water Corporation an easement for water supply and maintenance purposes over the land marked ‘T’ in Deposited Plan 122491.

Grant a free and unrestricted right of way over the land marked ‘J’ in Deposited Plan 122491 in favour of Allotment 21 in Deposited Plan 122491

On 1 November 2023 that order was confirmed by the Minister for Planning conditionally upon the deposit by the Registrar-General of Deposited Plan 122491 being the authority for the new boundaries.

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

Dated: 9 November 2023

B. J. Slape

Surveyor-General

2017/04121/01

## South Australian Motor Sport Act 1984

Section 20 (1)

*Declaration of Area, Period and Prescribed Works Period*

**Notice by the Minister**

PURSUANT to Section 20 (1) of the *South Australian Motor Sport Act 1984*, I, the Minister to whom the administration of that Act has been committed, in respect of the motor sport event promoted by the South Australian Motor Sport Board under the name ‘2023 VAILO Adelaide 500’, acting on the recommendation of the Board, declare:

* that the area delineated on the plan in the schedule will be the declared area under the Act for the purposes of the event;

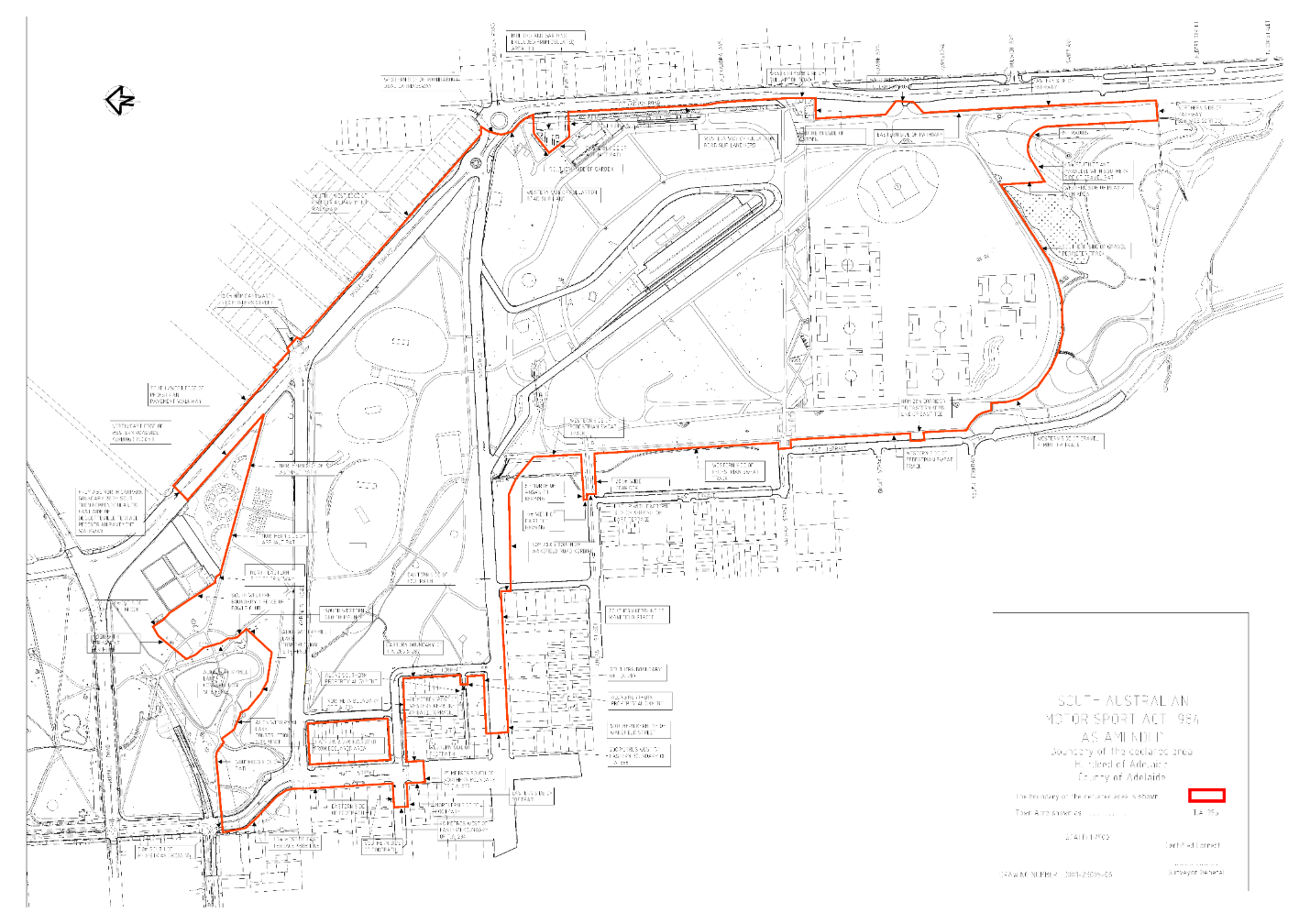
Dated: 3 November 2023

Hon Peter Bryden Malinauskas MP

Premier

Schedule

*Map of Revised Declared Area*



## South Australian Motor Sport Regulations 2014

Regulation 10

*Opening and Closing Time of the Declared Area*

**Notice by the Board**

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

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

Dated: 3 November 2023

Mark Warren

Chief Executive

South Australian Motor Sport Board

## South Australian Skills Act 2008

Part 4—Apprenticeships, traineeships and training contracts

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

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

Dated: 6 November 2023

John Evangelista

Director, Traineeship and Apprenticeship Services

Department for Education

# Local Government Instruments

## City of Adelaide

Local Government Act 1999

*Conversion of Private Road to Public Road*

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

Dated: 3 November 2023

C. Mockler

Chief Executive Officer

## City of Mitcham

Local Government Act 1999

*Adoption of amended Community Land Management Plans*

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

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

The adopted Community Land Management Plan can be viewed at [www.mitchamcouncil.sa.gov.au](http://www.mitchamcouncil.sa.gov.au).

Dated: 2 November 2023

Matthew Pears

Chief Executive Officer

## City of Port Adelaide Enfield

Roads (Opening and Closing) Act 1991

Road Closure—Portion of Tennyson Street, Clearview

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

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

Any person is entitled to object to the proposed road process, or any person affected by the proposed closure is entitled to apply for an easement to be granted in that person’s favour over the land subject to the proposed closure. An objection or application for an easement must set out the full name and address of the person making the objection or application and must be fully supported by reasons. Any application for an easement must give full particulars of the nature and location of the easement that is being applied for, and where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed.

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

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

Dated: 9 November 2023

M Withers

Chief Executive Officer

## Adelaide Hills Council

Liquor Licencing (Liquor Review) Amendment Act 2017

Short Term Dry Area Declaration (48 hours or less)

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

**Event:** Woodside Christmas Pageant2023

**Event date/s:** Thursday 14 December 2023

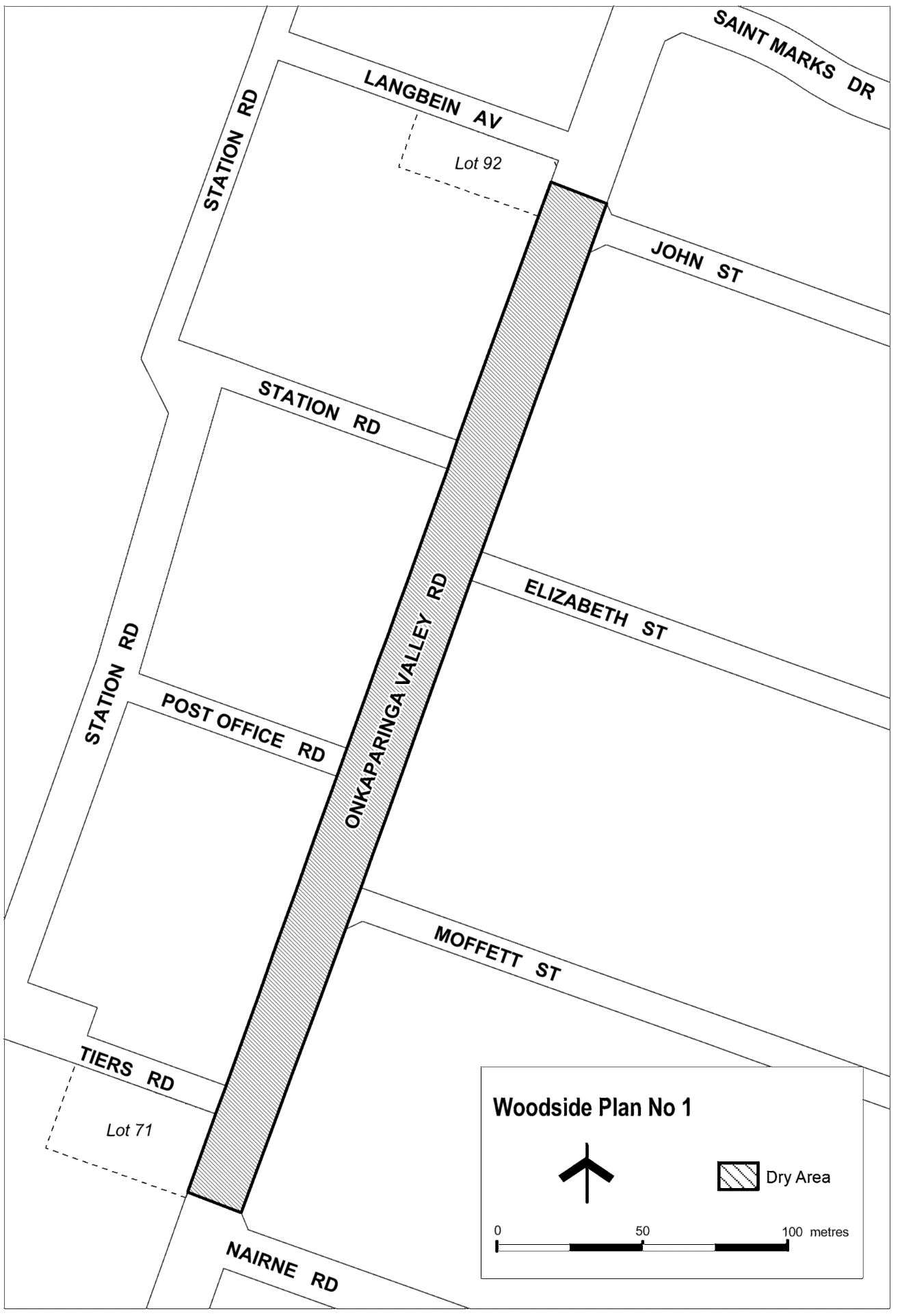
**Period of prohibition:** 5:00pm – 11:59pm

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

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

**Description of area:**

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



NATALIE ARMSTRONG

Acting Chief Executive Officer

## District Council of Mount Remarkable

Local Government Act 1999

Vacancy in the Office of Willochra Ward Councillor

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

Dated: 6 November 2023

Sam Johnson OAM

Chief Executive Officer

# Public Notices

## National Electricity Law

Notice of Final Rule

Notice of Extension of Final Determination

Notice of Fast Track Rule Initiation

Notice of Extensions of Draft Determinations

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

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

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

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

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

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

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

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

Australian Energy Market Commission

Level 15, 60 Castlereagh St

Sydney NSW 2000

Telephone: (02) 8296 7800

[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 9 November 2023

## Trustee Act 1936

Public Trustee

*Estates of Deceased Persons*

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

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

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

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

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

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

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

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

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

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

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

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

Notice is hereby given pursuant to the *Trustee Act 1936*, the *Inheritance (Family Provision) Act 1972* and the *Family Relationships Act 1975* that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the office of Public Trustee at GPO Box 1338, Adelaide SA 5001, full particulars and proof of such claims, on or before 8 December 2023 otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated: 9 November 2023

N. S. Rantanen

Public Trustee

**Notice Submission**

The South Australian Government Gazette is published each Thursday afternoon.

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

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

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

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

• Title—the governing legislation

• Subtitle—a summary of the notice content

• Body—structured text, which can include numbered lists, tables, and images

• Date—day, month, and year of authorisation

• Signature block—name, role, and department/organisation authorising the notice

**Please provide the following information in your email:**

• Date of intended publication

• Contact details of the person responsible for the notice content

• Name and organisation to be charged for the publication—Local Council and Public notices only

• Purchase order, if required—Local Council and Public notices only

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

Printed and published weekly by authority of M. Dowling, Government Printer, South Australia

$8.55 per issue (plus postage), $430.00 per annual subscription—GST inclusive

Online publications: [www.governmentgazette.sa.gov.au](http://www.governmentgazette.sa.gov.au)