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# Governor’s Instruments

## Appointments, Resignations and General Matters

Department of the Premier and Cabinet

Adelaide, 6 June 2024

Her Excellency the Governor in Executive Council has been pleased to appoint the Honourable Katrine Anne Hildyard MP, as Acting Minister for Human Services and Acting Minister for Seniors and Ageing Well for the period from 9 June 2024 until 18 June 2024 inclusive, during the absence of the Honourable Natalie Fleur Cook MP.

By command,

Peter Bryden Malinauskas, MP

Premier

DHSCS/24/008

Department of the Premier and Cabinet

Adelaide, 6 June 2024

Her Excellency the Governor in Executive Council has been pleased to appoint the Honourable David Wickham Ridgway as Agent-General for South Australia in London, for a term commencing on 19 July 2024 and expiring on 26 May 2026 - pursuant to the Agent-General Act 1901.

By command,

Peter Bryden Malinauskas, MP

Premier

DPC24/036CS

Department of the Premier and Cabinet

Adelaide, 6 June 2024

Her Excellency the Governor in Executive Council has approved the transfer of appropriation from the Consolidated Account between public purposes of the State, an amount of $385,000,000 for the financial year ending 30 June 2024 - pursuant to section 13 of the Public Finance and Audit Act 1987.

By command,

Peter Bryden Malinauskas, MP

Premier

T&F24/041CS

## Proclamations

South Australia

### Statutes Amendment (Use of Devices in Vehicles) Act (Commencement) Proclamation 2024

**1—Short title**

This proclamation may be cited as the *Statutes Amendment (Use of Devices in Vehicles) Act (Commencement) Proclamation 2024*.

**2—Commencement of Act**

The [*Statutes Amendment (Use of Devices in Vehicles) Act 2022*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Statutes%20Amendment%20(Use%20of%20Devices%20in%20Vehicles)%20Act%202022) (No 24 of 2022) will come into operation on 19 June 2024.

**Made by the Governor**

with the advice and consent of the Executive Council

on 6 June 2024

## Regulations

South Australia

### Work Health and Safety (Prescription of Fee) Amendment Regulations 2024

under the *Work Health and Safety Act 2012*

**Contents**

[Part 1—Preliminary](#Elkera_Print_BK1)

[1 Short title](#Elkera_Print_BK2)

[2 Commencement](#Elkera_Print_BK3)

[Part 2—Amendment of *Work Health and Safety Regulations 2012*](#Elkera_Print_BK4)

[3 Amendment of regulation 707—Prescription of fee](#Elkera_Print_BK5)

**Part 1—Preliminary**

**1—Short title**

These regulations may be cited as the *Work Health and Safety (Prescription of Fee) Amendment Regulations 2024*.

**2—Commencement**

These regulations come into operation on 1 July 2024.

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

**3—Amendment of regulation 707—Prescription of fee**

(1) Regulation 707—delete "2023/2024" wherever occurring and substitute in each case:

2024/2025

(2) Regulation 707(1)—delete "$29 500 000" and substitute:

$30 238 000

**Editorial note—**

As required by section 10AA(2) of the [*Legislative Instruments Act 1978*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislative%20Instruments%20Act%201978), the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 6 June 2024

No 42 of 2024

South Australia

### Surveillance Devices (Prescribed Circumstances) Amendment Regulations 2024

under the *Surveillance Devices Act 2016*

**Contents**

[Part 1—Preliminary](#Elkera_Print_BK1)

[1 Short title](#Elkera_Print_BK2)

[2 Commencement](#Elkera_Print_BK3)

[Part 2—Amendment of *Surveillance Devices Regulations 2017*](#Elkera_Print_BK4)

[3 Amendment of regulation 10A—Prescribed circumstances (sections 4(2)(h) and 5(4)(f) of Act)](#Elkera_Print_BK5)

**Part 1—Preliminary**

**1—Short title**

These regulations may be cited as the *Surveillance Devices (Prescribed Circumstances) Amendment Regulations 2024*.

**2—Commencement**

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

**Part 2—Amendment of *Surveillance Devices Regulations 2017***

**3—Amendment of regulation 10A—Prescribed circumstances (sections 4(2)(h) and 5(4)(f) of Act)**

(1) Regulation 10A(1)—after paragraph (e) insert:

(f) the installation, use or maintenance of a listening device or an optical surveillance device by a CBS authorised officer for the purpose of enforcing or ensuring compliance with a relevant Act provided that when the device is being used—

(i) the device is worn by the officer; and

(ii) the device is not concealed; and

(iii) the officer wearing the device advises any person that they are intentionally recording by the use of the device that they are wearing the device and that it is being so used;

(g) the installation, use or maintenance of a listening device or an optical surveillance device by a SafeWork SA inspector for the purpose of enforcing or ensuring compliance with a relevant Act provided that when the device is being used—

(i) the device is worn by the inspector; and

(ii) the device is not concealed; and

(iii) the inspector wearing the device advises any person that they are intentionally recording by the use of the device that they are wearing the device and that it is being so used.

(2) Regulation 10A—after subregulation (2) insert:

(3) For the purposes of subregulation (1)(f), each of the following Acts is a ***relevant Act***:

(a) the [*Associations Incorporation Act 1985*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Associations%20Incorporation%20Act%201985);

(b) the [*Authorised Betting Operations Act 2000*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Authorised%20Betting%20Operations%20Act%202000);

(c) the [*Casino Act 1997*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Casino%20Act%201997);

(d) the [*Gambling Administration Act 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Gambling%20Administration%20Act%202019);

(e) the [*Gaming Machines Act 1992*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Gaming%20Machines%20Act%201992);

(f) the [*Liquor Licensing Act 1997*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Liquor%20Licensing%20Act%201997);

(g) the [*Lotteries Act 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Lotteries%20Act%202019).

(4) For the purposes of subregulation (1)(g), each of the following Acts is a ***relevant Act***:

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

(b) the [*Explosives Act 1936*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Explosives%20Act%201936);

(c) the [*Fair Work Act 1994*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Fair%20Work%20Act%201994);

(d) the [*Long Service Leave Act 1987*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Long%20Service%20Leave%20Act%201987);

(e) the [*Work Health and Safety Act 2012*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Work%20Health%20and%20Safety%20Act%202012).

(5) In this regulation—

***CBS authorised officer*** means—

(a) an authorised person under the [*Associations Incorporation Act 1985*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Associations%20Incorporation%20Act%201985); or

(b) an inspector under the [*Gambling Administration Act 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Gambling%20Administration%20Act%202019); or

(c) an authorised officer within the meaning of section 122 of the [*Liquor Licensing Act 1997*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Liquor%20Licensing%20Act%201997);

***SafeWork SA inspector*** means—

(a) an inspector under the [*Employment Agents Registration Act 1993*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Employment%20Agents%20Registration%20Act%201993); or

(b) an inspector under the [*Explosives Act 1936*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Explosives%20Act%201936); or

(c) an inspector under the [*Fair Work Act 1994*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Fair%20Work%20Act%201994); or

(d) an inspector under the [*Work Health and Safety Act 2012*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Work%20Health%20and%20Safety%20Act%202012).

**Editorial note—**

As required by section 10AA(2) of the [*Legislative Instruments Act 1978*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislative%20Instruments%20Act%201978), the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 6 June 2024

No 43 of 2024

South Australia

### Teachers Registration and Standards (Prescribed Qualifications) Amendment Regulations 2024

under the *Teachers Registration and Standards Act 2004*

**Contents**

[Part 1—Preliminary](#Elkera_Print_BK1)

[1 Short title](#Elkera_Print_BK2)

[2 Commencement](#Elkera_Print_BK3)

[Part 2—Amendment of *Teachers Registration and Standards Regulations 2021*](#Elkera_Print_BK4)

[3 Amendment of regulation 7—Prescribed qualifications, experience and requirements for registration as teacher](#Elkera_Print_BK5)

**Part 1—Preliminary**

**1—Short title**

These regulations may be cited as the *Teachers Registration and Standards (Prescribed Qualifications) Amendment Regulations 2024*.

**2—Commencement**

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

**Part 2—Amendment of *Teachers Registration and Standards Regulations 2021***

**3—Amendment of regulation 7—Prescribed qualifications, experience and requirements for registration as teacher**

(1) Regulation 7(1)(b)(ii)—after "qualification" insert:

(other than a Graduate Diploma or Graduate Certificate that is an approved early childhood teaching qualification under the national regulations)

(2) Regulation 7(1)—after paragraph (b) insert:

or

(c) an approved early childhood teaching qualification under the national regulations, other than a Graduate Diploma or Graduate Certificate, awarded on satisfactory completion of a higher education course of pre‑service teacher education in pre‑school education; or

(d) a qualification determined by the Australian Children's Education and Care Quality Authority under section 169(7) of the [*Education and Care Services National Law (South Australia)*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Education%20and%20Care%20Services%20National%20Law%20(South%20Australia)) to be equivalent to the qualifications mentioned in paragraph (c); or

(e) if the person applying for registration holds a teacher registration (however described) under a corresponding law—a qualification on the list of former qualifications approved as early childhood teaching qualifications and published under regulation 137(2)(a) of the national regulations.

(3) Regulation 7(5)—delete subregulation (5) and substitute:

(3) For the purposes of subregulation (1)(a) and (b), an ***approved*** degree, diploma or other qualification means—

(a) a degree, diploma or other qualification awarded by a higher education institution that is a member of Universities Australia; or

(b) a degree, diploma or other qualification that was at any time nationally registered by the former Australian Council on Awards in Advanced Education or the former Australian Council on Tertiary Awards,

but does not include a degree, diploma or other qualification that the Teachers Registration Board has determined is not an appropriate qualification for registration.

(4) In this regulation—

***approved early childhood teaching qualification*** has the same meaning as in the national regulations;

***Australian Children's Education and Care Quality Authority*** means the Australian Children's Education and Care Quality Authority established under the [*Education and Care Services National Law (South Australia)*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Education%20and%20Care%20Services%20National%20Law%20(South%20Australia));

***corresponding jurisdiction*** means the Commonwealth, another State or a Territory of the Commonwealth or New Zealand;

***corresponding law*** means any law of a corresponding jurisdiction that regulates teachers in the jurisdiction;

***national regulations*** means the *Education and Care Services National Regulations*.

**Editorial note—**

As required by section 10AA(2) of the [*Legislative Instruments Act 1978*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislative%20Instruments%20Act%201978), the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 6 June 2024

No 44 of 2024

South Australia

### Heavy Vehicle National Law (South Australia) (Amendment of Law) Regulations 2024

under section 5 of the *Heavy Vehicle National Law (South Australia) Act 2013*

**Contents**

Preamble

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[1 Short title](#Elkera_Print_BK3)

[2 Commencement](#Elkera_Print_BK4)

[3 Interpretation](#Elkera_Print_BK5)

[4 Amendment provision](#Elkera_Print_BK6)

[Part 2—Amendment of *Heavy Vehicle National Law (South Australia)*](#Elkera_Print_BK7)

[5 Amendment of section 5—Definitions](#Elkera_Print_BK8)

[6 Amendment of section 153A—Using restricted access vehicle](#Elkera_Print_BK9)

**Preamble**

1 Section 5 of the [*Heavy Vehicle National Law (South Australia) Act 2013*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Heavy%20Vehicle%20National%20Law%20(South%20Australia)%20Act%202013) provides that if—

(a) the Parliament of Queensland enacts an amendment to the *Heavy Vehicle National Law* set out in the Schedule to the *Heavy Vehicle National Law Act 2012* of Queensland (the ***Queensland Act***); and

(b) the Governor is satisfied that an amendment that corresponds, or substantially corresponds, to the amendment made by the Parliament of Queensland should be made to the [*Heavy Vehicle National Law (South Australia)*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Heavy%20Vehicle%20National%20Law%20(South%20Australia)),

the Governor may, by regulation, amend the South Australian Heavy Vehicle National Law text.

2 The Parliament of Queensland has enacted the *Transport and Other Legislation Amendment Act 2024* to, among other things, amend the Queensland Act and the Governor is satisfied that the amendments corresponding to the Queensland amendments set out in Part 2 of these regulations should be made to the South Australian Heavy Vehicle National Law text.

**Part 1—Preliminary**

**1—Short title**

These regulations may be cited as the *Heavy Vehicle National Law (South Australia) (Amendment of Law) Regulations 2024*.

**2—Commencement**

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

**3—Interpretation**

In these regulations—

***Act*** means the [*Heavy Vehicle National Law (South Australia) Act 2013*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Heavy%20Vehicle%20National%20Law%20(South%20Australia)%20Act%202013).

**4—Amendment provision**

Pursuant to section 5 of the Act, the [*Heavy Vehicle National Law (South Australia)*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Heavy%20Vehicle%20National%20Law%20(South%20Australia)) is amended as specified in Part 2 of these regulations.

**Part 2—Amendment of *Heavy Vehicle National Law (South Australia)***

**5—Amendment of section 5—Definitions**

Section 5—after the definition of ***route assessment*** insert:

***safer freight vehicle*** has the meaning given by section 153A(2);

**6—Amendment of section 153A—Using restricted access vehicle**

(1) Section 153A(2)—after the definition of ***restricted access vehicle*** insert:

***safer freight vehicle*** means a single heavy motor vehicle that meets the requirements prescribed for the purposes of this definition by the national regulations, but does not include a bus;

***single heavy motor vehicle*** means a motor vehicle that, on its own, is a heavy vehicle;

(2) Section 153A(3)—after paragraph (c) insert:

or

(d) a safer freight vehicle; or

(e) a combination that—

(i) includes a safer freight vehicle, together with its load, that is the only component vehicle wider than 2.5m; and

(ii) is not higher than 4.3m; and

(iii) is not longer than 19m.

**Editorial note—**

As required by section 10AA(2) of the [*Legislative Instruments Act 1978*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislative%20Instruments%20Act%201978), the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 6 June 2024

No 45 of 2024

South Australia

### Road Traffic (Miscellaneous) (Use of Devices in Vehicles) Amendment Regulations 2024

under the *Road Traffic Act 1961*

**Contents**

[Part 1—Preliminary](#Elkera_Print_BK1)

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[3 Amendment of regulation 3—Interpretation](#Elkera_Print_BK5)

[4 Amendment of regulation 29—Apparatus approved as photographic detection devices](#Elkera_Print_BK6)

[5 Amendment of regulation 30—Prescribed offences (section 79B of Act)](#Elkera_Print_BK7)

[6 Insertion of regulation 37A](#Elkera_Print_BK8)

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[43C Evidentiary provision](#Elkera_Print_BK14)

**Part 1—Preliminary**

**1—Short title**

These regulations may be cited as the *Road Traffic (Miscellaneous) (Use of Devices in Vehicles) Amendment Regulations 2024*.

**2—Commencement**

These regulations come into operation on the day on which Part 3 of the [*Statutes Amendment (Use of Devices in Vehicles) Act 2022*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Statutes%20Amendment%20(Use%20of%20Devices%20in%20Vehicles)%20Act%202022) comes into operation.

**Part 2—Amendment of *Road Traffic (Miscellaneous) Regulations 2014***

**3—Amendment of regulation 3—Interpretation**

Regulation 3(1)—after the definition of ***converter dolly*** insert:

***device use detection camera*** means a photographic detection device prescribed for the purposes of section 175B of the Act;

**Note—**

See also regulations 29(1)(f) and 43B.

***device use offence*** has the same meaning as in section 175B of the Act;

**Note—**

See also regulation 43A.

**4—Amendment of regulation 29—Apparatus approved as photographic detection devices**

Regulation 29(1)—after paragraph (e) insert:

(f) in relation to a device use offence, or device use offence and a registration offence arising out of the same incident—an Acusensus Heads‑Up JR DD1 manufactured by Acusensus Australia Pty Ltd.

**5—Amendment of regulation 30—Prescribed offences (section 79B of Act)**

(1) Regulation 30(2)—after paragraph (j) insert:

(ja) rule 300(1) of the *Australian Road Rules* (Use of mobile phones);

(2) Regulation 30(2)—after paragraph (la) insert:

(lb) regulation 44(1) of the [*Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Road%20Traffic%20(Road%20Rules%E2%80%94Ancillary%20and%20Miscellaneous%20Provisions)%20Regulations%202014) (Prohibition of use of mobile phone by holder of learner's permit, P1 licence etc);

**6—Insertion of regulation 37A**

After regulation 37 insert:

**37A—Operation and testing of device use detection cameras**

(1) Where a device use detection camera is used to provide evidence of a device use offence, the following provisions must be complied with:

(a) the camera forming part of the device must be positioned and aimed so that, when activated, the following electronic records are made:

(i) an electronic record of the number plate of the vehicle activating it;

(ii) an electronic record showing the cabin of the vehicle;

(iii) an electronic record of the vehicle at the time it passes the camera;

(b) the date, time and location at which an electronic record of a vehicle is made must be recorded on the electronic record;

(c) when the camera is set up at a given location or temporarily moved or repaired, a check must be carried out to ensure that the camera is correctly positioned and aimed as referred to in [paragraph (a)](#idcb173340_4a7d_4e01_bbde_37e4a717b6) and correctly indicates on an electronic display the date, time and location where the electronic records are made by the camera;

(d) once in every 90 days the camera must be checked to ensure the proper operation of the camera in accordance with this regulation;

(e) if—

(i) a check; or

(ii) an electronic record made by the camera,

indicates a fault that has affected the proper operation of the camera as required by these regulations, any electronic record affected by the fault must be rejected for evidentiary purposes.

(2) Where a device use detection camera is used to provide evidence of a registration offence, the provisions of [subregulation (1)](#id2fb80acc_cd45_4552_af1c_3468918d83) must be complied with.

**7—Insertion of Part 3 Division 4 Subdivision 6**

After regulation 43 insert:

**Subdivision 6—Special provisions relating to device use detection cameras**

**43A—Device use offences (section 175B of Act)**

For the purposes of the definition of ***device use offence*** in section 175B(4) of the Act, the following offences are prescribed:

(a) an offence against rule 300(1) of the *Australian Road Rules* (Use of mobile phones);

(b) an offence against regulation 44(1) of the [*Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Road%20Traffic%20(Road%20Rules%E2%80%94Ancillary%20and%20Miscellaneous%20Provisions)%20Regulations%202014) (Prohibition of use of mobile phone by holder of learner's permit, P1 licence etc).

**43B—Prescribed photographic detection devices (section 175B of Act)**

For the purposes of the definition of ***prescribed photographic detection device*** in section 175B(4) of the Act, a photographic detection device of a kind referred to in regulation 29(1)(f) is prescribed.

**43C—Evidentiary provision**

(1) Subject to this regulation, a vehicle in a photograph or series of photographs obtained from the operation of a device use detection camera and admitted in evidence in proceedings for a device use offence or a section 79B device use offence will be presumed to be moving, or stationary but not parked.

(2) A presumption referred to in [subregulation (1)](#id19f49993_0160_4181_bbf3_9229d8e981) may be rebutted by the defendant establishing on the balance of probabilities that the vehicle was parked.

(3) In this regulation—

***park*** has the same meaning as for the purposes of the *Australian Road Rules*;

***section 79B device use offence*** means an offence against section 79B of the Act constituted of being the owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of a device use offence.

**Editorial note—**

As required by section 10AA(2) of the [*Legislative Instruments Act 1978*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislative%20Instruments%20Act%201978), the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 6 June 2024

No 46 of 2024

South Australia

### Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Use of Devices in Vehicles) Amendment Regulations 2024

under the *Road Traffic Act 1961*

**Contents**

[Part 1—Preliminary](#Elkera_Print_BK1)

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[43B Use of mobile phone](#Elkera_Print_BK6)

[43C Exemption for use of mobile phone for payment etc purposes](#Elkera_Print_BK7)

[4 Amendment of regulation 44—Prohibition of use of mobile phone by holder of learner's permit, P1 licence etc](#Elkera_Print_BK8)

**Part 1—Preliminary**

**1—Short title**

These regulations may be cited as the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Use of Devices in Vehicles) Amendment Regulations 2024*.

**2—Commencement**

These regulations will come into operation on the day on which Part 3 of the [*Statutes Amendment (Use of Devices in Vehicles) Act 2022*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Statutes%20Amendment%20(Use%20of%20Devices%20in%20Vehicles)%20Act%202022) comes into operation.

**Part 2—Amendment of *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014***

**3—Insertion of regulations 43B and 43C**

After regulation 43A insert:

**43B—Use of mobile phone**

For the purposes of rule 300 (Use of mobile phones) and the definition of ***use*** in that rule—

***use***, in relation to a mobile phone, includes any of the following actions by a driver—

(a) holds the body of the phone (whether or not engaged in a phone call), except while in the process of giving the body of the phone to a passenger in the vehicle; or

(b) enters or places, other than by the use of voice, anything into the phone, or sends or looks at anything that is in the phone; or

(c) turns the phone on or off; or

(d) operates any other function of the phone.

**43C—Exemption for use of mobile phone for payment etc purposes**

(1) Despite anything in rule 300 (Use of mobile phones), that rule does not apply to a driver of a vehicle if—

(a) the vehicle is stationary in a road‑related area; and

(b) the mobile phone—

(i) is being used to pay for goods or services required to be paid for in the road‑related area; or

(ii) is being used to display electronic identification required to be shown in the road‑related area; or

(iii) is being used to display an electronic coupon, QR code, voucher, card or similar article that requires the phone to be held in close proximity to another device, or to be presented to a person, located in the road‑related area in order for the article to be used or redeemed; or

(iv) is being used to enable the driver to enter another road‑related area or land adjacent to the road‑related area.

(2) In this regulation—

***mobile phone*** has the same meaning as in rule 300.

**4—Amendment of regulation 44—Prohibition of use of mobile phone by holder of learner's permit, P1 licence etc**

(1) Regulation 44—after subregulation (1) insert:

(1a) For the avoidance of doubt, subregulation (1) does not apply to a driver of a vehicle who is a learner or P1 driver in the circumstances specified in regulation 43C.

(2) Regulation 44(2), definition of ***use***—delete the definition and substitute:

***use*** has the same meaning as for the purposes of rule 300.

**Note—**

As required by section 10AA(2) of the [*Legislative Instruments Act 1978*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislative%20Instruments%20Act%201978), the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 6 June 2024

No 47 of 2024

South Australia

### Environment Protection (Environment Management Fee) Amendment Regulations 2024

under the *Environment Protection Act 1993*

**Contents**

[Part 1—Preliminary](#Elkera_Print_BK1)

[1 Short title](#Elkera_Print_BK2)

[2 Commencement](#Elkera_Print_BK3)

[Part 2—Amendment of *Environment Protection Regulations 2023*](#Elkera_Print_BK4)

[3 Amendment of Schedule 4—Fees and levy](#Elkera_Print_BK5)

**Part 1—Preliminary**

**1—Short title**

These regulations may be cited as the *Environment Protection (Environment Management Fee) Amendment Regulations 2024*.

**2—Commencement**

These regulations come into operation on 1 July 2024.

**Part 2—Amendment of *Environment Protection Regulations 2023***

**3—Amendment of Schedule 4—Fees and levy**

Schedule 4, Part 1, clause 1(a)(ii)—delete "$866.00" and substitute:

$964.00

**Editorial note—**

As required by section 10AA(2) of the [*Legislative Instruments Act 1978*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislative%20Instruments%20Act%201978), the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 6 June 2024

No 48 of 2024

South Australia

### Cost of Living Concessions (Miscellaneous) Amendment Regulations 2024

under the *Cost of Living Concessions Act 1986*

**Contents**

[Part 1—Preliminary](#Elkera_Print_BK1)

[1 Short title](#Elkera_Print_BK2)

[2 Commencement](#Elkera_Print_BK3)

[Part 2—Amendment of *Cost of Living Concessions Regulations 2020*](#id273553e4_c8dd_48aa_a850_e92f1861f7)

[3 Amendment of regulation 3—Interpretation](#Elkera_Print_BK6)

[4 Amendment of regulation 5—Remission of water rates](#Elkera_Print_BK7)

[5 Amendment of regulation 7—Concession eligibility requirements (section 3(2)(b))](#Elkera_Print_BK8)

[6 Substitution of regulation 8](#Elkera_Print_BK9)

[8 Concession payment amount (section 3(2))](#Elkera_Print_BK10)

**Part 1—Preliminary**

**1—Short title**

These regulations may be cited as the *Cost of Living Concessions (Miscellaneous) Amendment Regulations 2024*.

**2—Commencement**

These regulations come into operation on 1 July 2024.

**Part 2—Amendment of *Cost of Living Concessions Regulations 2020***

**3—Amendment of regulation 3—Interpretation**

(1) Regulation 3(1), definition of ***prescribed payments***, (a)(v)—delete subparagraph (v)

(2) Regulation 3(1), definition of ***prescribed payments***, (a)(vii)—delete subparagraph (vii)

(3) Regulation 3(1), definition of ***prescribed payments***, (c)—after "Project" insert:

or Remote Jobs and Economic Development Program

(4) Regulation 3(1), definition of ***prescribed payments***, (d)—delete paragraph (d) and substitute:

(d) Self‑Employment Assistance allowance payments from the Commonwealth Government; or

(5) Regulation 3(3), delete "2019" and substitute:

2023

**4—Amendment of regulation 5—Remission of water rates**

(1) Regulation 5(5), definition of ***prescribed maximum remission***—delete "$317.30" and substitute:

$377.00

(2) Regulation 5(5), definition of ***prescribed minimum remission***—delete "$199.00" and substitute:

$236.40

**5—Amendment of regulation 7—Concession eligibility requirements (section 3(2)(b))**

(1) Regulation 7(3)—delete subregulation (3)

(2) Regulation 7(4)—delete subregulation (4)

**6—Substitution of regulation 8**

Regulation 8—delete the regulation and substitute:

**8—Concession payment amount (section 3(2))**

The amount to be paid to an eligible person in respect of a financial year in accordance with section 3(2) of the Act is determined to be $255.60 (indexed).

**Editorial note—**

As required by section 10AA(2) of the [*Legislative Instruments Act 1978*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislative%20Instruments%20Act%201978), the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 6 June 2024

No 49 of 2024

# 

# State Government Instruments

## Crown Land Management Act 2009

Notice of Application to Lease Crown Land

Notice is hereby given, pursuant to Section 59 of the *Crown Land Management Act 2009*, that the Department for Environment and Water is considering an application to lease Section 275 Hundred of Bonython, being the waterfront Crown land at Thevenard Industrial area comprising the whole of the land in Crown Record Volume 6297 Folio 820.

Written comments may be submitted for consideration by the Minister for Climate, Environment and Water, no later than 27 June 2023.

Correspondence may be addressed to:

Property Officer, Crown Lands West and Outback

PO Box 78

Port Augusta SA 5700

or [DEW.CrownLands@sa.gov.au](mailto:DEW.CrownLands@sa.gov.au)

Dated: 6 June 2024

Melanie Carson

Manager, Crown Land Operations

Department for Environment and Water

Delegate of the Minister for Climate, Environment and Water

## Energy Resources Act 2000

South Australia

**Energy Resources (Fees) Notice 2024**

under the *Energy Resources Act 2000*

**1—Short title**

This notice may be cited as the *Energy Resources (Fees) Notice 2024.*

**2—Commencement**

This notice has effect on 1 July 2024.

**Note—**

This is a fee notice made in accordance with the [*Legislation (Fees) Act 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislation%20(Fees)%20Act%202019).

**3—Interpretation**

In this notice, unless the contrary intention appears—

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

**4—Fees**

The fees set out in [Schedule 1](#id90579222_e541_43cc_85fd_0b246f6933) are prescribed for the purposes of the Act.

**Schedule 1—Fees**

|  |  |  |
| --- | --- | --- |
| **Part 1—Application fees** | |  |
| 1 | Application for a licence under the Act | $5 329.00 |
| 2 | Application for the renewal of a licence under the Act | $2 666.00 |
| 3 | Application to vary or revoke a discretionary condition of a licence | $2 666.00 |
| 4 | Application for the approval of the Minister to vary a work program | $2 666.00 |
| 5 | Application to convert a production licence into a retention licence | $2 666.00 |
| 6 | Application for the authorisation of the Minister to alter or modify  a pipeline | $2 666.00 |
| 7 | Application to the Minister to consolidate adjacent licence areas, or to divide a licence area | $2 666.00 |
| 8 | Application to the Minister to suspend a licence for a specified period | $2 666.00 |
| 9 | Application to the Minister for the approval and registration of a registrable dealing | $2 666.00 |
| 10 | Application to have access to material included in the commercial register | $267.00 |
| **Part 2—Annual licence fees (Section 78 of Act)** | |  |
| 11 | Preliminary survey licence | $4 507.00 or $1.80 per km2  of the total licence area, whichever is the greater |
| 12 | Speculative survey licence | $4 507.00 or $1.80 per km2  of the total licence area, whichever is the greater |
| 13 | Exploration licence— |  |
|  | (a) in relation to the first term of the licence | $4 507.00 or $1.80 per km2  of the total licence area, whichever is the greater |
|  | (b) in relation to a licence granted on terms under which  the licence is renewable for 1 further term—in relation  to the second term | $4 507.00 or $2.50 per km2  of the licence area during the second term, whichever is  the greater |
|  | (c) in relation to a licence granted on terms under which  the licence is renewable for 2 further terms— |  |
|  | (i) in relation to the second term | $4 507.00 or $2.15 per km2  of the licence area during the second term, whichever is  the greater |
|  | (ii) in relation to the third term | $4 507.00 or $4.00 per km2 of the licence area during the third term, whichever is the greater |
|  | (d) in relation to a licence granted on terms under which  the licence is renewable for 3 further terms— |  |
|  | (i) in relation to the second term | $4 507.00 or $2.05 per km2  of the licence area during the second term, whichever is  the greater |
|  | (ii) in relation to the third term | $4 507.00 or $2.50 per km2 of the licence area during the third term, whichever is the greater |
|  | (iii) in relation to the fourth term | $4 507.00 or $5.10 per km2  of the licence area during the fourth term, whichever is  the greater |
| 14 | Retention licence— |  |
|  | (a) in relation to a petroleum retention licence | $4 507.00 or $542.00 per km2 of the total licence area, whichever is the greater |
|  | (b) in relation to a geothermal retention licence or a  gas storage retention licence | $4 507.00 or $196.00 per km2 of the total licence area, whichever is the greater |
| 15 | Production licence— |  |
|  | (a) in relation to a petroleum production licence | $4 507.00 or $829.00 per km2 of the total licence area, whichever is the greater |
|  | (b) in relation to a geothermal production licence or a  gas storage licence | $4 507.00 or $196.00 per km2 of the total licence area, whichever is the greater |
| 16 | Pipeline licence | $4 507.00 or $454.00 per km, whichever is the greater |
| 17 | Associated activities licence— |  |
|  | (a) in relation to a licence to which section 57(1)(a) of  the Act applies | $4 507.00 or $2 255.00 per km2 of the total licence area, whichever is the greater |
|  | (b) in relation to a licence to which Section 57(1)(b) of  the Act applies | $4 507.00 |
| 18 | Special facilities licence | $4 507.00 or $2 407.00 per km2 of the total licence area, whichever is the greater |

**Made by the Minister for Energy and Mining**

On 6 June 2024

## Fisheries Management (Prawn Fisheries) Regulations 2017

June 2024 Fishing for the West Coast Prawn Fishery

Take notice that pursuant to Regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 22 September 2023 on page 3296 of the *South Australian Government Gazette* of 28 September 2023, prohibiting fishing activities in the West Coast Prawn Fishery is hereby varied such that it will not be unlawful for a person fishing pursuant to a West Coast Prawn Fishery licence to use prawn trawl nets in the areas specified in Schedule 1, during the period specified in Schedule 2, and under the conditions specified in Schedule 3.

Schedule 1

The waters of the West Coast Prawn Fishery excluding Ceduna as defined in the West Coast Prawn Fishery Harvest Strategy.

Schedule 2

Commencing at sunset on 4 June 2024 and ending at sunrise on 16 June 2024.

Schedule 3

1. Each licence holder of a fishing licence undertaking fishing activities pursuant to this notice must ensure that a representative sample of catch (a ‘bucket count’) is taken at least 3 times per night during the fishing activity.

2. Each ‘bucket count’ sample must be accurately weighed to 7kg where possible and the total number of prawns contained in the bucket must be recorded on the daily catch and effort return.

3. Fishing must cease if one of the following limits is reached:

(a) A total of 12 nights of fishing are completed.

(b) The average catch per vessel, per night (for all 3 vessels) drops below 300kg for two consecutive nights.

(c) The average ‘bucket count’ for all vessels exceeds 240 prawns per 7kg bucket on any single fishing night in the Coffin Bay area.

(d) The average ‘bucket count’ for all vessels exceeds 240 prawns per 7kg bucket on any single fishing night in the Venus Bay area.

(e) The average ‘bucket count’ for all vessels exceeds 270 prawns per 7kg bucket on any single fishing night in the Corvisart Bay area.

(f) The average catch for all three vessels exceeds the 6 tonne catch cap in the Corvisart Bay area.

4. Each licence holder, or registered master of a fishing license undertaking fishing activities must provide a daily report by telephone or SMS message, via a nominated representative, to the Department of Primary Industries and Regions, Prawn Fishery Manager, providing the following information for all vessels operating in the fishery from the previous nights fishing:

(a) average prawn catch; and

(b) the average prawn ‘bucket count’.

5. No fishing activity may be undertaken after the expiration of 30 minutes from the prescribed time of sunrise and no fishing activity may be undertaken before the prescribed time of sunset for Adelaide (as published in the *South Australian Government Gazette* pursuant to the requirements of the *Proof of Sunrise and Sunset Act 1923*) during the period specified in Schedule 2.

Dated: 30 May 2024

Steve Shanks

A/Prawn Fishery Manager

Delegate of the Minister for Primary Industries and Regional Development

Fisheries Management (Prawn Fisheries) Regulations 2017

June 2024 Survey in the West Coast Prawn Fishery

Take notice that pursuant to Regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 22 September 2023 on page 3296 of the *South Australian Government Gazette* of 28 September 2023, prohibiting fishing activities in the West Coast Prawn Fishery is hereby varied such that it will not apply to the holders of a West Coast Prawn Fishery licence issued pursuant to the *Fisheries Management (Prawn Fisheries) Regulations 2017* listed in Schedule 1 or their register master insofar as they may use prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of undertaking a prawn survey during the period specified in Schedule 2, subject to the conditions contained in Schedule 3 unless this notice is varied or revoked.

Schedule 1

|  |  |  |  |
| --- | --- | --- | --- |
| **Licence Number** | **Licence Holder/Master** | **Boat Name** | **Trawl Survey Area** |
|  |  |  |  |
| D01 | Bosanquet Bay Pty Ltd/Steve Paleologoudias | *Bosanquet Bay* | Venus Bay |
|  |  |  |  |

Schedule 2

Commencing at sunset on 3 June 2024 and ending at sunrise on 4 June 2024.

Schedule 3

1. The licence holder listed in Schedule 1 or their registered master must operate within the trawl survey area nominated in the table in Schedule 1.

2. For the purposes of this notice the trawl survey areas cannot include any waters of a habitat protection zone or a sanctuary zone of a marine park established under the *Marine Parks Act 2007*.

3. The registered master must keep a ‘skippers log’ to record catch information during the survey.

4. All fish, other than King Prawns, Southern Calamari, Gould’s Squid, Scallops, Octopus and Balmain Bugs taken during the exempted activity for survey purposes, are to be returned to the water immediately after capture.

5. The licence holders listed in Schedule 1 or their registered master must comply with all regulations and conditions that apply to fishing activities undertaken pursuant to their licence, in addition to the conditions imposed by this exemption.

6. While engaged in fishing activities or unloading the survey catch, the licence holder listed in Schedule 1 or their register master must have a copy of this notice on board the boat or near his person. This notice must be produced to a Fisheries Officer if requested.

7. The licence holders listed in Schedule 1 or their registered master must not contravene or fail to comply with the *Fisheries Management Act 2007*, or any other 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*. The notice holder and his agents must comply with any relevant regulations, permits, requirements and directions from the Department for Environment and Water when undertaking activities within a marine park.

Dated: 29 May 2024

Steve Shanks

A/Prawn Fishery Manager

Delegate of the Minister for Primary Industries and Regional Development

Fisheries Management (Prawn Fisheries) Regulations 2017

Prohibiting Fishing Activities in the Spencer Gulf Prawn Fishery—Variation

Take note that pursuant to Regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 22 September 2023 published on page 3296 of the *South Australian Government Gazette* on 28 September 2023 prohibiting fishing activities in the Spencer Gulf Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a Spencer Gulf Prawn Fishery licence to use prawn trawl nets in the areas specified in Schedule 1, during the period specified in Schedule 2, and under the conditions specified in Schedule 3.

Schedule 1

The waters of the Spencer Gulf Prawn Fishery:

(a)

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

1. 33°29.30S 137°16.00E

2. 33°29.30S 137°30.24E

3. 33°23.60S 137°30.24E

4. 33°23.60S 137°33.78E

5. 33°31.00S 137°34.36E

6. 33°36.84S 137°32.80E

7. 33°46.00S 137°44.00E

(ii) Excluding the Stones area, as defined by the area within the following index points:

1. 33°12.30S 137°50.00E

2. 33°12.30S 137°42.00E

3. 33°16.60S 137°36.00E

4. 33°18.00S 137°37.40E

5. 33°20.50S 137°37.40E

6. 33°20.50S 137°36.24E

7. 33°30.50S 137°36.24E

8. 33°30.50S 137°39.50E

9. 33°19.28S 137°50.80E

(b) Except for Channel Closure area, which is defined as the waters contained within the following index points:

1. 33°44.20S 137°24.65E

2. 33°44.20S 137°25.70E

3. 33°47.50S 137°25.10E

4. 33°47.50S 137°23.26E

Then back to point 1

(c) Except for the Southern Closure area, which is defined as the waters contained within the following index points:

1. 33°41.00S 137°10.00E

2. 33°49.40S 137°19.90E

3. 33°54.00S 137°09.00E

4. 33°59.30S 137°09.70E

5. 34°13.29S 136°56.67E

6. 34°31.30S 136°46.56E

7. 34°31.30S 136°43.50E

8. 34°36.00S 136°38.20E

9. 34°36.00S 136°36.50E

10. 34°07.50S 136°45.50E

11. 34°05.00S 136°49.90E

12. 34°02.40S 136°47.50E

13. 33°59.50S 136°53.20E

14. 34°01.70S 136°55.50E

15. 33°58.00S 137°01.00E

16. 33°56.13S 136°59.88E

17. 33°58.00S 136°56.14E

18. 33°56.50S 136°55.00E

19. 33°58.00S 136°52.00E

20. 33°49.40S 136°43.50E

(d) Except the Wardang Closure area, which is defined as the waters contained within the following index points:

1. 34°10.00S 137°28.00E

2. 34°21.00S 137°12.00E

3. 34°45.00S 137°15.00E

4. 34°48.53S 137°09.45E

5. 34°48.53S 137°06.00E

6. 34°50.75S 137°06.00E

7. 34°54.00S 137°01.00E

(e) Except the Corny Closure area, which is defined as the waters within and bounded by the following closure index points:

1. 34°27.00S 136°53.00E

2. 34°27.00S 137°02.00E

3. 34°35.00S 136°56.00E

4. 34°48.60S 136°52.00E

5. 34°54.00S 136°52.00E

6. 34°54.00S 136°48.50E

7. 34°49.50S 136°48.50E

8. 34°49.50S 136°40.50E

9. 34°39.50S 136°40.50E

Then back to point 1

(f) Except the Illusions Park Closure area, which is defined as the waters contained within the following closure index points:

1. 33°28.80S 137°32.20E

2. 33°28.30S 137°33.20E

3. 33°28.85S 137°33.50E

4. 33°29.40S 137°32.50E

Then back to point 1

(g) Except the Jurassic Park Closure area, which is defined as the waters contained within the following closure index points:

1. 33°54.90S 137°17.60E

2. 33°54.40S 137°19.40E

3. 33°54.70S 137°19.60E

4. 33°55.20S 137°17.80E

Then back to point 1

(h) Except the Estelle Star Closure area, which is defined as the waters contained within the following closure index points:

1. 33°58.80S 136°49.80E

2. 33°58.20S 136°51.00E

3. 33°59.10S 136°51.70E

4. 33°59.80S 136°50.40E

Then back to point 1

Schedule 2

Commencing at sunset on 4 June 2024 and ending at sunrise on the 16 June 2024.

Schedule 3

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

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

3. Fishing must cease:

(a) In the fishing area known as the ‘Stones’ area (as identified by the coordinates in this gazette) if the average catch per vessel, per night (based on the best information available to the committee at sea) drops below 700kg or three nights (whichever comes first); and

(b) in the fishing area known as the ‘Mid/North Gulf’ area (as described on page 40 of the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery October 2020) if the average catch per vessel, per night (based on the best information available to the committee at sea) drops below 500kg; and

(c) in the fishing area known as the ‘Southern Gulf’ area (as described on page 40 of the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery October 2020) if the average catch per vessel over two consecutive nights (based on the best information available to the committee at sea) falls below 350kg.

4. Based on the best information available from the fleet, fishing must cease in an area in the Mid/North Gulf if the average prawn bucket count exceeds 260 prawns per 7kg; or in an area in the Southern Gulf if the average prawn bucket count exceeds 260 prawns/7kg.

5. No fishing activity may occur without the authorisation of Coordinator at Sea, Ashley Lukin, or other nominated Coordinator at Sea appointed by the Spencer Gulf and West Coast Prawn Association.

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

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

8. The Spencer Gulf and West Coast Prawn Association must keep records of all authorisations issued pursuant to this notice.

Dated: 30 May 2024

Ashley Lukin

Coordinator at Sea, Spencer Gulf & West Coast Prawn Association Inc.

Delegate of the Minister for Primary Industries and Regional Development

## Geographical Names Act 1991

Notice of Intention to Assign a Name to a Feature

Notice is hereby given that, pursuant to Section 11B(2)(d) 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, seeks public comment on a proposal to assign names in reference to the Port Dock Railway Line Project:

• Assign the name PORT DOCK LINE to be consistent with the naming standards for naming a railway line after the terminus station.

• Assign the name PORT DOCK RAILWAY STATION to the proposed terminus railway station.

A map of a proposal for a project

Description automatically generatedThe location for this naming proposal is shown on the image below.

Further information can be found at [www.sa.gov.au/placenameproposals](http://www.sa.gov.au/placenameproposals).

Submissions in writing regarding this proposal may be lodged with the Surveyor-General, GPO Box 1815, Adelaide SA 5001, or [DTI.PlaceNames@sa.gov.au](mailto:DTI.PlaceNames@sa.gov.au) within one month of the publication of this notice.

Dated: 2 June 2024

Hon Nick Champion MP

Minister for Planning

DTI: 2017/11495/01

## Housing Improvement Act 2016

Rent Control

In the exercise of the powers conferred by the *Housing Improvement Act 2016*, the Delegate of the Minister for Housing and Urban Development hereby fixes the maximum rental amount per week that shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each premises 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** |
|  |  |  |  |
| 4 Main Street, Point Pass, SA 5374 | Allotment 51, Deposited Plan 60140, Hundred of English | CT 5888/651 | $0.00 |
|  |  |  |  |

Dated: 6 June 2024

Craig Thompson

Housing Regulator and Registrar

Housing Safety Authority

Delegate of the Minister for Housing and Urban Development

Housing Improvement Act 2016

Rent Control Revocations

In the exercise of the powers conferred by the *Housing Improvement Act 2016*, the Delegate of the Minister for Housing and Urban Development hereby revokes the maximum rental amount per week that shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each premises described in the following table.

|  |  |  |
| --- | --- | --- |
| **Address of Premises** | **Allotment Section** | **Certificate of Title Volume/Folio** |
|  |  |  |
| 561 Klenke Road (The Cottage), Red Creek SA 5255 | Allotment 220, Deposited Plan 90586, Hundred of Strathalbyn | CT6104/765 |
| 15A Murrays Lane, Adelaide SA 5000 | QP 436 and QP 437, Filed Plan 182998, Hundred of Adelaide | CT5517/82 |
| 11 Mead Street, Birkenhead SA 5015 | Allotment 125, Filed Plan 3379, Hundred of Port Adelaide | CT5510/367  CT5510/368 |
| 7 Fairlie Street, Ottoway SA 5013 | Allotment 63, Filed Plan 126543, Hundred of Port Adelaide | CT5546/96 |
| 66 Margaret Terrace, Rosewater SA 5013 | Allotment 1, Filed Plan 107480, Hundred of Port Adelaide | CT5183/510 |
| 37 Railway Terrace, Port Germein SA 5495 | Allotment 92, Filed Plan 209464, Hundred of Telowie | CT 6139/338 |
|  |  |  |

Dated: 6 June 2024

Craig Thompson

Housing Regulator and Registrar

Housing Safety Authority

Delegate of the Minister for Housing and Urban Development

## Justices of the Peace Act 2005

Section 4

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

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

For a period of ten years for a term commencing on 19 June 2024 and expiring on 18 June 2034:

Neville Thomas WHITTLESEA

Roger William Ronald WESTLAND

Rex Gordon WAY

David Antony WALSH

Allan SLATER

Michael Anthony SHELLEY

Ernst William REICHSTEIN

Roger Maxwell PORTER

Peter Rayne PAGE

Julia MOURANT

Paul Henry MOORE

Peter Joseph MARTIN

Jerry MAGOCH

Deane Wilfred LIDDICOAT

Olga LAPARIDIS

Saroop Singh JOHAL

Allen HARRIS

Arturo DI FEDE

Douglas James CULLEN

Kenneth Ritchie BURTON

Trevor George BRYANS

Carolyn Swales BARNETT

Lawrence Kym BAILEY

Clive Vincent ANSELL

Salvatore ALTERNETTI

Lois Mary ALLEN

Dated: 30 May 2024

Fraser W. Stroud

Commissioner for Consumer Affairs

Delegate of the Attorney-General

## 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 portion of Allotment 53 in Deposited Plan 69272 comprised in Certificate of Title Volume 5974 Folio 242, and being the whole of the land identified as Allotment 2490 in D132583 lodged in the Lands Titles Office, expressly excluding the free and unrestricted right(s) of way over the land marked ‘B’.

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: 4 June 2024

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

Rocco Caruso

Director, Property Acquisition

(Authorised Officer)

Department for Infrastructure and Transport

File Reference: 2022/15480/01

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 9 in Filed Plan 7056 comprised in Certificate of Title Volume 5489 Folio 359.

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: 4 June 2024

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

Rocco Caruso

Director, Property Acquisition

(Authorised Officer)

Department for Infrastructure and Transport

File Reference: 2022/02708/01

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 Unit 4 in Strata Plan 5038 comprised in Certificate of Title Volume 5037 Folio 101.

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: 4 June 2024

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

Rocco Caruso

Director, Property Acquisition

(Authorised Officer)

Department for Infrastructure and Transport

File Reference: 2022/11118/01

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 4 in Deposited Plan 2678 comprised in Certificate of Title Volume 5587 Folio 698.

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: 4 June 2024

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

Rocco Caruso

Director, Property Acquisition

(Authorised Officer)

Department for Infrastructure and Transport

File Reference: 2023/05376/01

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 the whole of the land identified as “5005” and “5006” in D131919 lodged in the Lands Titles Office, being:

First: Portion of the land comprised in Certificate of Title Volume 6292 Folio 169 being portion of Allotment 4003 in Deposited Plan 131152;

Secondly: Portion of the land comprised in Certificate of Title Volume 6292 Folio 168 and being the portion of Allotments 4001 and 4002 in Deposited Plan 131152;

Thirdly: Portion of the land comprised in Certificate of Title Volume 6292 Folio 172 (being that portion of the right(s) of way over the land marked “A” on Deposited Plan 131152, appurtenant to Allotment 12 in Deposited Plan 14796, that is contained within, and forms portion of, the said land marked “5005” on D131919, to the intent that that portion of the right(s) of way will merge and be extinguished in the fee simple in the land marked “5005”.

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: Rob Gardner

GPO Box 1533

Adelaide SA 5001

Telephone: (08) 7133 2415

Dated: 4 June 2024

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

Rocco Caruso

Director, Property Acquisition

(Authorised Officer)

Department for Infrastructure and Transport

File Reference: 2023/07449/01

## Land Tax Act 1936

Change in Site Values and Index Value for the 2024 2025 Financial Year

I, Katherine Bartolo, Valuer-General, as required by Section 8A(6) of the *Land Tax Act 1936* hereby give notice that the average percentage change in site values is 9.5% and the Index Value is 1.626 for the 2024 2025 financial year.

Dated: 6 June 2024

Katherine Bartolo

Valuer-General

Land Tax Act 1936

Land Tax Thresholds for the 2024-2025 Financial Year

I, Julie-Anne Holmes, the Commissioner of State Taxation, as required by Section 8A(7) of the *Land Tax Act 1936*, hereby give notice that the land tax thresholds that will apply with respect to the 2024-25 financial year are:

Threshold A $732,000

Threshold B $1,176,000

Threshold C $1,711,000

Threshold D $2,738,000

Dated: 6 June 2024

Julie-Anne Holmes

Commissioner of State Taxation

## Landscape South Australia Act 2019

Revocation of Notice of Authorisation to Take Water from the Central Adelaide Prescribed Wells Area

Pursuant to Section 105(5) of the *Landscape South Australia Act 2019*, I, Sue Hutchings, delegate of the Minister for Climate, Environment and Water to whom the Act is committed, hereby revoke the *Notice of Authorisation to Take Water from the Central Adelaide Prescribed Wells Area* Ref. 255324 published pursuant to Section 105(1) of the Act in the Government Gazette (pages 2411 and 2412) on 24 June 2021.

Dated: 3 June 2024

Sue Hutchings

A/Executive Director, Water and River Murray

Department for Environment and Water

Delegate of the Minister for Climate, Environment and Water

Landscape South Australia Act 2019

Revocation of Notice of Authorisation to Take Water from the Central Adelaide Prescribed Wells Area

Pursuant to Section 105(5) of the *Landscape South Australia Act 2019*, I, Sue Hutchings, delegate of the Minister for Climate, Environment and Water to whom the Act is committed, hereby revoke the *Notice of Authorisation to Take Water from the Central Adelaide Prescribed Wells Area* Ref. 392551 published pursuant to Section 105(1) of the Act in the Government Gazette (pages 2412 and 2413) on 24 June 2021.

Dated: 3 June 2024

Sue Hutchings

A/Executive Director, Water and River Murray

Department for Environment and Water

Delegate of the Minister for Climate, Environment and Water

## Libraries Board of South Australia

*Fees and Charges Schedule 2024-2025*

| **Description of Activity**  \* Denotes GST included—please see note at document end | **Previous  Charge 2023-24** | **Gazetted  Charge 2024-25** | **Last  Assessed** |
| --- | --- | --- | --- |
|  |  |  |  |
| **Services** |  |  |  |
| *Photocopying/Printing* |  |  |  |
| A4—Black and White | $0.20 | $0.21 | 22.3.2024 |
| A4—Colour | $1.00 | $1.03 | 22.3.2024 |
| A3—Black and White | $0.30 | $0.31 | 22.3.2024 |
| A3—Colour | $2.00 | $2.06 | 22.3.2024 |
| *Reference Queries/Customer Orders* |  |  |  |
| Black and White Photo quality archival paper—up to A4 size print | $19.00 | $19.57 | 22.3.2024 |
| Black and White Photo quality archival paper—up to A3 size print | $22.00 | $22.66 | 22.3.2024 |
| Black and White Photo quality archival paper—up to A2 size print | $30.00 | $30.90 | 22.3.2024 |
| Colour Photo quality archival paper—up to A4 size print | $23.00 | $23.69 | 22.3.2024 |
| Colour Photo quality archival paper—up to A3 size print | $26.00 | $26.78 | 22.3.2024 |
| Colour Photo quality archival paper—up to A2 size print | $40.00 | $41.20 | 22.3.2024 |
| Image downloaded and saved | $10.00 | $10.30 | 22.3.2024 |
| A4 microfiche/film staff operated | $2.50 | $2.58 | 22.3.2024 |
| A3 microfiche/film staff operated | $3.80 | $3.91 | 22.3.2024 |
| A2 microfiche/film staff operated | $10.00 | $10.30 | 22.3.2024 |
| Scan and save microfilm image | $12.00 | $12.36 | 22.3.2024 |
| Priority Service—3 working days maximum | 50% | $0.52 | 22.3.2024 |
| Express Service—1 working day maximum | 100% | $1.03 | 22.3.2024 |
| Staff Operated Scanning (A4/A3) | N/A | $0.30 | 22.3.2024 |
| *Overhead Scanner* |  |  |  |
| Overhead Scanning, up to 3 | $10.00 | $10.30 | 22.3.2024 |
| Overhead Scanning, up to 25 | $40.00 | $41.20 | 22.3.2024 |
| Overhead Scanning, each additional page | $0.50 | $0.52 | 22.3.2024 |
| *Flatbed Scanner* |  |  |  |
| Scanning of undigitised material | $10.00 | $10.30 | 22.3.2024 |
| Rescanning (max. 2400dpi) | $20.00 | $20.60 | 22.3.2024 |
| High-res TIFF files converted to PDF (access copies)—single files, up to 3 | $10.00 | $10.30 | 22.3.2024 |
| High-res TIFF files converted to PDF (access copies)—consecutive pages, up to 25 | $40.00 | $41.20 | 22.3.2024 |
| High-res TIFF files converted to PDF (access copies)—each additional consecutive page | $0.50 | $0.52 | 22.3.2024 |
| *Retrieval* |  |  |  |
| Retrieval for 1 item | $20.00 | $20.60 | 22.3.2024 |
| Retrieval for 5 items | $40.00 | $41.20 | 22.3.2024 |
| each subsequent item | $10.00 | $10.30 | 22.3.2024 |
| **Digitisation and Preservation** |  |  |  |
| Labour Rate per hour | $63.00 | $64.89 | 22.3.2024 |
| *AudioVisual* |  |  |  |
| Digitising from Collections audio format to digital file up to 3 hours | $29.30 | $30.18 | 22.3.2024 |
| Digital File Delivery | $11.70 | $12.05 | 22.3.2024 |
| Digitising from Collections audio format to digital file over 3 hours POA | POA | POA | 22.3.2024 |
| Digitising from collections video format to digital file up to 3 hours | $29.30 | $30.18 | 22.3.2024 |
| Digitising from Collections video format to digital file over 3 hours | POA | POA | 22.3.2024 |
| Digitising from collections film format to digital file | POA | POA | 22.3.2024 |
| *Flatbed Scans* |  |  |  |
| Preservation Standard scan—original material scanned to a minimum of 50Mb  (JPEG or TIFF) | $29.30 | $30.18 | 22.3.2024 |
| Custom size scanning—original material A3 size or smaller (JPEG or TIFF) | $172.20 | $177.37 | 22.3.2024 |
| *Overhead Colour Large Format Plans and Black and White Microform Scans* |  |  |  |
| Overhead/microform scanning up to 3 | $10.00 | $10.30 | 22.3.2024 |
| Overhead/microform scanning up to 25 | $40.00 | $41.20 | 22.3.2024 |
| Overhead/microform scanning—each additional page | $0.50 | $0.52 | 22.3.2024 |
| *Large Format Colour Scans—Roller scanner* |  |  |  |
| [A2-A0](mailto:A@-A0) | $30.10 | $31.00 | 22.3.2024 |
| *Large Format Colour Scans—Flatbed scanner* |  |  |  |
| A2 | $64.80 | $66.74 | 22.3.2024 |
| A1 | $207.50 | $213.73 | 22.3.2024 |
| A0 | $275.50 | $283.77 | 22.3.2024 |
| Transfer file to USB flash drive | POA | POA | 22.3.2024 |
| **Marketing** |  |  |  |
| Facilities Hire \* | POA | POA | 22.3.2024 |
| Tours | POA | POA | 22.3.2024 |
| External Exhibition Loans | POA | POA | 22.3.2024 |
| *Seminars* |  |  |  |
| Hosted by SLSA | $0 | POA | 22.3.2024 |
| Hosted by PLS | $0 | POA | 22.3.2024 |
| Other Seminars, short courses and training sessions | POA | POA | 22.3.2024 |
| **Directorate** |  |  |  |
| Consultancies \* | POA | POA | 22.3.2024 |
| **Document Delivery \*\*** |  |  |  |
| *Document Delivery from State Library Collections (for Public)* |  |  |  |
| Photocopying A4 | $0.30 | $0.35 | 22.3.2024 |
| Photocopying A3 | $0.60 | $0.70 | 22.3.2024 |
| Special loans overdue fine per day | $2.00 | $2.30 | 22.3.2024 |
| *Charges to Public for Items from Other Libraries \** |  |  |  |
| Interlibrary photocopying per article (up to 25 pages) |  |  |  |
| Core—4 working days—electronic delivery | $19.70 | $21.10 | 22.3.2024 |
| Rush—24 Hours Mon to Fri—electronic delivery | $39.30 | $42.00 | 22.3.2024 |
| Express—2 working hours Mon to Fri—electronic delivery | $59.00 | $63.10 | 22.3.2024 |
| Interlibrary photocopying each additional 25 pages | $4.00 | $4.50 | 22.3.2024 |
| *Interlibrary Loans to Australian Libraries* |  |  |  |
| Core—4 working days—including default delivery fees for normal delivery | $30.30 | $32.40 | 22.3.2024 |
| Rush—24 Hours Mon to Fri—including default delivery fees for express post | $55.30 | $59.20 | 22.3.2024 |
| Express—2 working hours Mon to Fri—including default delivery fees for  express post or courier | $74.90 | $80.10 | 22.3.2024 |
| Interlibrary Loans from Overseas Libraries | Cost Recovery | Cost Recovery | 22.3.2024 |
| Interlibrary Copies from Overseas Libraries | Cost Recovery | Cost Recovery | 22.3.2024 |
| *Charges to Libraries for Items from State Library Collections \** |  |  |  |
| Interlibrary photocopying per article (up to 25 pages) | N/A | POA | 22.3.2024 |
| Core—5 working days | $30.30 | $32.40 | 22.3.2024 |
| Rush—AM/PM Mon to Fri | $55.30 | $59.20 | 22.3.2024 |
| Express—2 working hours Mon to Fri | $74.90 | $80.10 | 22.3.2024 |
| Interlibrary photocopying each additional 25 pages | $4.00 | $4.90 | 22.3.2024 |
| Photocopying A4 and A3 for SA Public Libraries—PLASA levy (staff operated)—Maximum of $5.00 per request | $0.30 | $0.35 | 22.3.2024 |
| *Interlibrary Loans to Australian Libraries* |  |  |  |
| Core—4 working days | $30.30 | $32.40 | 22.3.2024 |
| Rush—24 Hours Mon to Fri | $55.30 | $59.20 | 22.3.2024 |
| Express—2 working hours Mon to Fri | $74.90 | $80.10 | 22.3.2024 |
| *Interlibrary Loans to Overseas Libraries* | Cost Recovery | Cost Recovery | 22.3.2024 |
|  |  |  |  |

**Note:** In accordance with a GST Ruling received from the Australian Taxation Office, any supply made by the State Library, being a gift deductible entity, will be GST free where the revenue received recovers less than 75% of the cost of the service provided. Fees for services that include GST are denoted by an asterisk (\*) next to the charge.

\*\* Document Delivery charges are set by LADD and cannot be changed.

Dated: 3 June 2024

Geoff Strempel

Director

State Library of South Australia

## Mental Health Act 2009

Approved Mental Health Professional

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

Ashley Kotz

Ashley Richard

Gino Richter

Susan Barber

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

Dated: 3 June 2024

Dr J. Brayley

Chief Psychiatrist

## National Parks and Wildlife Act 1972

Dingley Dell Conservation Park Management Plan—Draft

I, Michael Joseph Williams, Director of National Parks and Wildlife, hereby give notice under the provisions of Section 38 of the *National Parks and Wildlife Act 1972* that a draft management plan for Dingley Dell Conservation Park has been prepared.

Copies of the draft plans may be obtained from:

• Department for Environment and Water Customer Service Centre, Ground Floor, 81-95 Waymouth Street, Adelaide SA 5000

• Mount Gambier National Parks and Wildlife Service Office, 152 Jubilee Highway East, Mount Gambier SA 5290

Or online at:

• <https://yoursay.sa.gov.au/>

• <https://www.parks.sa.gov.au/park-management/management-plans>

Any person may make representations in connection with the draft plan during the period up to and including 5pm Friday, 6 September 2024.

Written comments should be forwarded to National Parks and Protected Area Program Unit, Department for Environment and Water, GPO Box 1047, Adelaide SA 5001 or e-mailed to [DEWProtectedAreaManagement@sa.gov.au](mailto:DEWProtectedAreaManagement@sa.gov.au).

Dated: 23 May 2024

M. J. Williams

Director of National Parks and Wildlife

Delegate of the Minister for Climate, Environment and Water

National Parks and Wildlife Act 1972

Northern Lofty Woodland Parks Management Plan—Draft

I, Michael Joseph Williams, Director of National Parks and Wildlife, hereby give notice under the provisions of Section 38 of the *National Parks and Wildlife Act 1972* that the draft Northern Lofty Woodland Parks Management Plan has been prepared for Charleston Conservation Park, Cromer Conservation Park, Cudlee Creek Conservation Park, Hale Conservation Park, Sandy Creek Conservation Park, Warren Conservation Park and Wiljani Conservation Park.

Copies of the draft plans may be obtained from:

• Department for Environment and Water Customer Service Centre, Ground Floor, 81-95 Waymouth Street, Adelaide SA 5000

• Black Hill National Parks and Wildlife Service Office, 115 Maryvale Road, Athelstone SA 5076

Or online at:

• <https://yoursay.sa.gov.au/>

• <https://www.parks.sa.gov.au/park-management/management-plans>

Any person may make representations in connection with the draft plan during the period up to and including 5pm Monday, 2 September 2024.

Written comments should be forwarded to National Parks and Protected Area Program Unit, Department for Environment and Water, GPO Box 1047, Adelaide SA 5001 or e-mailed to [DEWProtectedAreaManagement@sa.gov.au](mailto:DEWProtectedAreaManagement@sa.gov.au).

Dated: 20 May 2024

M. J. Williams

Director of National Parks and Wildlife

Delegate of the Minister for Climate, Environment and Water

## 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 23 May 2024 (Version 2024.9) 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:

(a) Undertake minor alterations to the geometry of the spatial layers and data in the Code to maintain the current relationship between the parcel boundaries and Code data as a result of the following:

(i) New plans of division deposited in the Land Titles Office between 15 May 2024 and 28 May 2024 affecting the following spatial and data layers in the Code:

A. Zones and subzones

B. Technical and Numeric Variations

• Building Heights (Levels)

• Building Heights (Metres)

• Minimum Dwelling Allotment Size

• Minimum Frontage

• Minimum Site Area

• Minimum Primary Street Setback

• Minimum Side Boundary Setback

• Future Local Road Widening Setback

C. Overlays

• Dwelling Excision

• Future Local Road Widening

• 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

• Local Heritage Place

• Limited Dwelling

• Limited Land Division

• Significant Landscape Protection

• State Heritage Place

(ii) Improved spatial data for existing land parcels in the following locations (as described in Column A) that affect data layers in the Code (as shown in Column B):

|  |  |
| --- | --- |
| **Location (Column A)** | **Layers (Column B)** |
| A map of a city  Description automatically generated**Carpenter Rocks** | Zones and subzones  Technical and Numeric Variations  - Finished Ground and Floor Levels  - Minimum Dwelling Allotment Size  - Minimum Site Area  Overlays  - Coastal Areas  - Dwelling Excision  - Limited Land Division |
|  |  |

(b) 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: 3 June 2024

Greg Van Gaans

Director, Land and Built Environment

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 23 May 2024 (Version 2024.9) in order to make the following minor or operational amendments:

• to correct errors relating to:

◦ references to the Significant Interface Management Overlay within Table 5—Procedural Matters (PM)—Notification of the Urban Renewal Neighbourhood Zone.

◦ misapplication of the State Heritage Place Overlay to adjacent parcels at Nailsworth, Medindie Gardens, Felixstow and Adelaide.

◦ missing spatial application of the State Heritage Place Overlay over a State Heritage Place property at North Adelaide.

◦ misapplication of the Local Heritage Place Overlay over incorrect property at Willunga.

1. Pursuant to Section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make the following minor or operational amendments as follows:

(a) In Part 2—Urban Renewal Neighbourhood Zone, Table 5—Procedural Matters (PM)—Notification, replace all references to ‘Significant Interface Management Overlay’ with ‘Interface Management Overlay’.

(b) Amend the spatial layer of the State Heritage Place Overlay for Heritage Number 3191 (being the ‘North Road Church of England Cemetery’) so that it only applies to the following allotments and update the spatial layer of the Heritage Adjacency Overlay to reflect these changes:

(i) 1A Cemetery Avenue, Nailsworth (Lot 2, CT5504/602)

(ii) 1 Cemetery Avenue, Nailsworth (Lots 21 to 43, CT5733/718)

(c) Amend the spatial layer of the State Heritage Place Overlay for Heritage Number 6326 (being ‘Office (‘Forsyth House’, former Dwelling), Aldersgate Nursing Home’) so that it only applies to the following allotments and update the spatial layer of the Heritage Adjacency Overlay to reflect these changes:

(i) 160-168 O.G. Road, Felixstow (Lot 502, D51736, CT5828/286)

(d) Amend the spatial layer of the State Heritage Place Overlay for Heritage Number 27078 (being the ‘Adelaide Fire Station’) so that it only applies to the following allotments and update the spatial layer of the Heritage Adjacency Overlay to reflect these changes:

(i) 97 Wakefield Street, Adelaide (Lot 80, CT6181/979)

(ii) 97 Wakefield Street, Adelaide (Lot 704, CT5943/887)

(iii) 97 Wakefield Street, Adelaide (Lot 705, CT5782/242)

(iv) 97 Wakefield Street, Adelaide (Lot 690, CT5943/888)

(v) 97 Wakefield Street, Adelaide (Lot 668, CT5761/799)

(vi) 97 Wakefield Street, Adelaide (Lot 659, CT5761/798)

(vii) 97 Wakefield Street, Adelaide (Lot 7, CT5346/689)

(e) Amend the spatial layer of the State Heritage Place Overlay so that it applies to (and is linked to Heritage Number 1651 (being ‘Lutheran Seminary, Hebart Hall (former Whinham College, sometime Angas College, sometime Immanuel College) and Front Boundary Wall’) the following property and update the spatial layer of the Heritage Adjacency Overlay to reflect these changes:

(i) Lot 96, CT5388/373, North Adelaide

(f) Amend the spatial layer of the Local Heritage Places Overlay so that:

(i) it does not apply to 134 Edwards Road, Willunga (Lot 56, CT5742/598)

(ii) it applies instead to (and is linked to Heritage Number 5429) 140 Edwards Road, Willunga (Lot 57, CT5396/451)

Update the spatial layer of the Heritage Adjacency Overlay to reflect the above changes.

(g) In Part 11—Local Heritage Places, in the section applying to ‘Onkaparinga’, amend the table of Local Heritage Places by replacing the words ‘134 Edwards Road WILLUNGA’, with the words ‘140 Edwards Road WILLUNGA’.

(h) In Part 13—Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the ‘Table of Planning and Design Code Amendments’ to reflect the amendments to the Code as described in this Notice.

2. Pursuant to Section 76(5)(a) of the Act, I further specify that the amendments to the Code as described in this Notice will take effect upon the date those amendments are published on the SA planning portal.

Dated: 4 June 2024

Jason Bailey

Manager, Planning and Design Code

Department for Trade and Investment

Delegate of the Minister for Planning

Planning, Development and Infrastructure Act 2016

South Australia

**Planning, Development and Infrastructure (Fees) Notice (No 4) 2024**

under the *Planning, Development and Infrastructure Act 2016*

**1—Short title**

This notice may be cited as the [*Planning, Development and Infrastructure (Fees)   
Notice (No 4) 202*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(Fees)%20Notice%202021)*4*.

**Note—**

This is a fee notice made in accordance with the [*Legislation (Fees) Act 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Legislation%20(Fees)%20Act%202019).

**2—Commencement**

This notice has effect on 1 July 2024.

**3—Interpretation**

(1) In this notice, unless the contrary intention appears—

***Act*** means 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);

***allotment*** does not include an allotment for road or open space requirements;

***development cost*** does not include any fit‑out costs;

***regulations*** means the following:

(a) the [*Planning, Development and Infrastructure (Accredited Professionals)   
Regulations 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(Accredited%20Professionals)%20Regulations%202019);

(b) the [*Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(Fees%20Charges%20and%20Contributions)%20Regulations%202019);

(c) the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017).

(2) Words and expressions used in the regulations and in this fee notice have the same respective meanings in this notice as they have in the regulations.

(3) [Subclause (2)](#id82c4f3ba_2468_4169_8cdf_2890004ea8) does not apply to the extent that the context or subject matter otherwise indicates or requires.

**4—Fees payable**

(1) The fees set out in Schedule 1 are prescribed for the purposes of the Act and the regulations and are payable as specified in that Schedule.

(2) A fee set out in Schedule 1 item 8 is payable to the body specified in relation to the fee.

(3) Subject to [subclauses (4)](#id009cc4e6_0357_41af_8a75_71e8126a5c) and [(5)](#iddd08882c_2512_4acb_8961_fa2b8e62ddfb_d), if an application, matter or circumstance falls within more than 1 item under Schedule 1, then the fee under each such item applies and those fees in total will be payable.

(4) If planning consent is sought for development comprising more than 1 element—

(a) a fee is not payable under Schedule 1 item 6 for each element of the development; and

(b) the fee payable under Schedule 1 item 6 is the highest fee applying to a single element of the development; and

(c) if the relevant fee is based on the total development cost, the fee payable will be based on the total cost of all elements of the development.

(5) If an application for planning consent must be referred to the same body under more   
than 1 item of Schedule 9 of the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017), then only 1 prescribed fee under Schedule 1 item 8 is payable with respect to the referral of the application to that body.

(6) A reference in [subclause (5)](#iddd08882c_2512_4acb_8961_fa2b8e62ddfb_d) to a prescribed fee extends to a prescribed fee that, although payable, was waived (in whole or in part) by a relevant authority.

(7) Subject to subclause (8) if a lodgement fee has been paid in respect of an application for planning consent or building consent for a development, no lodgement fee is payable for   
any other consents related to that application or for the issue of the final development approval in respect of that development.

(8) If a lodgement fee has been paid in respect of an application under the repealed Act, a lodgement fee under this notice is payable in respect of the first application for consent related to the application under the repealed Act that is lodged electronically via the SA planning portal.

**5—Assessment requirements—water and sewerage**

(1) A prescribed fee under Schedule 1 item 27 is payable to the South Australian Water Corporation or any other water industry entity identified for the purposes of Section 102(1)(c)(iii) and (1)(d)(vii) of the Act.

(2) The prescribed fee is payable by the person who makes the application to divide the land.

**6—Applications relating to certain electricity infrastructure—issue of certificate by Technical Regulator**

The prescribed fee under Schedule 1 item 32 is payable to the Technical Regulator for the   
issue of a certificate required by the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017) to accompany an application in respect of a proposed development for the purposes of the provision of electricity generating plant with a generating capacity of more   
than 5 MW that is to be connected to the State’s power system.

**Schedule 1—Fees**

**Part 1—Fees under *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019***

The following fees are payable for the purposes of the [*Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(Accredited%20Professionals)%20Regulations%202019):

|  |  |  |
| --- | --- | --- |
| 1 | Application to the accreditation authority for accreditation under the [*Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(Accredited%20Professionals)%20Regulations%202019),  other than where item 2 Applies— |  |
|  | (a) in the case of an application for accreditation as an accredited professional—planning level 1; and | $852.00 |
|  | (b) in any other case | $628.00 |
| 2 | Application to the accreditation authority for accreditation under the [*Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(Accredited%20Professionals)%20Regulations%202019) where the person is a member of a professional association or body recognised by the Chief Executive for the purposes of Regulation 16(2)(a) of the [*Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(Accredited%20Professionals)%20Regulations%202019) and the person is applying as a member of that association or body for a corresponding level of accreditation under Regulation 16(2)(a)(ii) of those regulations | $303.00 |
| 3 | Application to the accreditation authority under Regulation 19 of the [*Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(Accredited%20Professionals)%20Regulations%202019) | $202.00 |
| 4 | Late application fee under Regulation 19(3) of the [*Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(Accredited%20Professionals)%20Regulations%202019) | $67.00 |

**Part 2—Fees relating to development assessment**

The following fees are payable in relation to development assessment under the Act (including   
in connection with the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017)):

|  |  |  |
| --- | --- | --- |
| 5 | Application for outline consent, planning consent or building consent (the ***base amount***)— |  |
|  | (a) a lodgement fee |  |
|  | (i) if the total development cost is no more than $10,000 | $92.50 |
|  | (ii) if the total development cost is greater than $10,000 and no more than $50,000 | $148.00 |
|  | (iii) if the total development cost is greater than $50,000 and no more than $100,000 | $167.00 |
|  | (iv) if the total development cost is greater than $100,000 and no more than $300,000 | $176.00 |
|  | (v) if the total development cost is greater than $300,000 and no more than $500,000 | $185.00 |
|  | (vi) if the total development cost is greater than $500,000 and no more than $700,000 | $426.00 |
|  | (vii) if the total development cost is greater than $700,000 and no more than $1,000,000 | $742.00 |
|  | (viii) if the total development cost is greater than  $1,000,000 and no more than $5,000,000 | $1,669.00 |
|  | (ix) if the total development cost is greater than $5,000,000 and no more than $10,000,000 | $2,225.00 |
|  | (x) if the total development cost is greater than  $10,000,000; and | $3,059.00 |
|  | (b) if the application is lodged at the principal office of the relevant authority—a processing fee | $89.50 |
| 5a | Application for outline consent under Section 120 of the Act | $6,180.00 |
| 6 | Application for planning consent— |  |
|  | (a) if the proposed development is to be assessed as deemed to satisfy development under Section 106 of the Act— |  |
|  | (i) if the total development cost is no more than $10 000 | $142.00 |
|  | (ii) in any other case | $235.00 |
|  | (b) if the proposed development is to be assessed on its merits under Section 107 of the Act | $280.00 or 0.125% of the total development cost up to a maximum of $200 000, whichever is the greater |
|  | (c) if the proposed development is restricted development under Section 108(1)(a) of the Act |  |
|  | (i) if the proposed development is the division of land | $550.00 |
|  | (ii) in any other case | 0.25% of the total development cost up to a maximum of $300 000 |
|  | (d) if the applicant applies for a review of the decision under Section 110(15) of the Act | $573.00 |
|  | (e) if the proposed development is to be assessed as impact assessed development under Section 111 of the Act— |  |
|  | (i) if the proposed development is declared as being impact assessed development by the Minister | $1,963.00 plus 0.25% of the total development cost up to a maximum of $500 000 |
|  | (ii) in any other case | 0.25% of the total development cost up to a maximum of $500 000 |
| 7 | Application for planning consent that must be notified— |  |
|  | (a) if Section 107(3)(a) applies | $280.00 |
|  | (b) if Section 110(2)(a) applies | $280.00 |
| 7a | Application for outline consent that must be notified | $280.00 |
| 8 | Application for outline consent or planning consent that must be referred to 1 or more prescribed bodies under Schedule 9 of the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017)— |  |
|  | (a) for referral to the Commissioner of Highways— |  |
|  | (i) if the proposed development involves a change in the use of land | $447.00 |
|  | (ii) if the proposed development involves the division of land | $447.00 |
|  | (b) for referral to the Environment Protection Authority |  |
|  | (i) non-licensable | $831.00 |
|  | (ii) licensable | $1,870.00 |
|  | (iii) site contamination | $1,539.00 |
|  | (c) for referral to the Minister responsible for the administration of the *Heritage Places Act 1993* | $447.00 |
|  | (d) for referral to the Minister responsible for the administration of the *River Murray Act 2003* | $447.00 |
|  | (e) for referral to the Relevant authority under the  *Landscape South Australia Act 2019* | $447.00 |
|  | (f) for referral to the Chief Executive of the Department of  the Minister responsible for the administration of the *Landscape South Australia Act 2019* | $447.00 |
|  | (g) for referral to the Coast Protection Board | $447.00 |
|  | (h) for referral to the Minister responsible for the administration of the *Historic Shipwrecks Act 1981* | $447.00 |
|  | (i) for referral to the Commonwealth Minister responsible  for the administration of the *Underwater Cultural  Heritage Act 2018* of the Commonwealth | $447.00 |
|  | (j) for referral to the Native Vegetation Council | $717.00 |
|  | (k) for referral to the Government Architect or Associate Government Architect | $546.00 |
|  | (l) for referral to Minister responsible for the administration  of the *South Australian Housing Trust Act 1995* | $270.00 plus $168.00  per stage |
|  | (m) for referral to the Minister responsible for the administration of the *Aquaculture Act 2001* | $464.00 |
|  | (n) for referral to the South Australian Country Fire Service | $447.00 |
|  | (o) for referral to Chief Executive of the Department of the Minister responsible for the administration of the *Petroleum and Geothermal Energy Act 2000* | $367.00 |
|  | (p) for referral to the Minister responsible for the administration of the Mining Acts | $367.00 |
|  | (q) for referral to the Technical Regulator | $187.00 |
|  | (r) for referral to the Airport-operator company for the  relevant airport within the meaning of the *Airports Act 1996* of the Commonwealth or, if there is no airport-operator company, Secretary of the Department of the Minister responsible for the administration of the *Airports Act 1996* of the Commonwealth | $447.00 |
| 9 | Application for building consent (a ***building assessment fee***)— |  |
|  | (a) for a Class 1 building under the Building Code | $505.00 or 0.25% of the  total development cost,  whichever is the greater |
|  | (b) for a Class 10 building under the Building Code | $145.00 or 0.25% of the  total development cost, whichever is the greater |
|  | (c) for any other class of building under the Building Code— |  |
|  | (i) if the total development cost is no more than $20,000 | $752.00 |
|  | (ii) if the total development cost is greater than $20,000 and no more than $200,000 | $752.00 plus 0.4% of  the amount determined by subtracting $20 000 from  the total development cost |
|  | (iii) if the total development cost is greater than $200,000 and no more than $1,000,000 | $1,558.00 plus 0.25% of  the amount determined by subtracting $200 000 from  the total development cost |
|  | (iv) if the total development cost is greater than $1,000,000 | $3,803.00 plus 0.15% of  the amount determined by subtracting $1 000 000 from the total development cost |
| 10 | Application for building consent (a ***compliance fee***)— |  |
|  | (a) for a Class 1 building under the Building Code or a swimming pool or swimming pool safety features | $270.00 |
|  | (b) for a Class 1 building under the Building Code if the building comprises multiple dwellings | $270.00 for each dwelling |
|  | (c) for a Class 10 building under the Building Code— |  |
|  | (i) if the total development cost is no more than $10,000 | no fee |
|  | (ii) if the total development cost is greater than $10,000 | $89.50 |
|  | (d) for any other class of building under the Building Code | Once per building—$270.00 or 0.075% of the total development cost up to a maximum of $2,806.00, whichever is the greater |
| 11 | Application for building consent for the demolition of a building | $163.00 |
| 11a | Where Regulation 39 of the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017)applies | 20% of the total consent  fees payable, excluding  the base amount |
| 12 | Application for the concurrence of the Commission under Section 118(2)(a) of the Act | $387.00 |
| 13 | Referral of application to the Commission for an opinion under Section 118(4) of the Act | $387.00 |
| 14 | Application for a development authorisation under Section 102(1)(c) or (d) of the Act— |  |
|  | (a) if the number of allotments resulting from the division is equal to or less than the existing number of allotments, or creates no more than 4 additional allotments and does not involve the creation of a public road | $197.00 |
|  | (b) if the division creates more than 4 additional allotments | $197.00 plus $17.90 for each additional allotment created |
|  | (c) if the division involves the creation of a public road (regardless of the number of additional allotments created) | $197.00 plus $17.90 for each additional allotment created |
| 15 | Application for final development approval in respect of HomeBuilder development (fee payable to the council for the  area in which the proposed development is to be undertaken) | $132.00 |
| 16 | Advice of the Commission under Regulation 76 of the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017) (payable by the applicant at the time of lodgement of the application) | $225.00 |
| 17 | A Certificate of Approval Fee for the purposes of Section 138 of the Act | $1,154.00 |
| 18 | Application under Section 130 or 131 of the Act  (fee payable to the Commission) | $199.00 plus 0.25% of the total development cost up to a maximum of $300 000 |
| 19 | Amount for public notice under Section 131(13)(a) of the Act (amount payable to the Commission) | An amount determined  by the Commission as  being appropriate to cover  its reasonable costs in  giving public notice  of the application under Section 131(13)(a) of the Act |
| 20 | Application for a variation of a development authorisation previously given that is minor in nature | $142.00 |
| 21 | Application to assessment panel for review of a prescribed matter under Section 202(1)(b)(i)(A) of the Act | $573.00 |

**Part 3—Fees relating to building activity and use**

The following fees are payable in relation to building activity and use (including in connection   
with the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017)):

|  |  |  |
| --- | --- | --- |
| 22 | Issue of a certificate relating to essential safety provisions under Regulation 94 of the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017) | $270.00 |
| 23 | Application for assignment of a classification to a building or a change in the classification of a building under Section 151 of the Act | $190.00 |
| 24 | Application for a certificate of occupancy under Section 152 of the Act | $56.00 |

**Part 4—Funds and off‑set schemes**

The following fees are payable in relation to funds and off‑set schemes:

|  |  |  |
| --- | --- | --- |
| 25 | Rates of contribution under Section 198(1)(d), (2)(c) or (8) of the Act— |  |
|  | (a) where the land to be divided is within Greater Adelaide | $8,707.00 for each new allotment or strata lot delineated by the relevant  plan that does not exceed 1 hectare in area |
|  | (b) where the land to be divided is within any other part of South Australia | $3,496.00 for each new allotment or strata lot delineated by the relevant  plan that does not exceed 1 hectare in area |
| 26 | Rates of contribution for the purposes of Section 199(1) of the Act— |  |
|  | (a) where the prescribed building is within Greater Adelaide | $8,707 for each apartment  or allotment delineated  by the relevant plan |
|  | (b) where the prescribed building is within any other part of South Australia | $3,496.00 for each apartment or allotment delineated  by the relevant plan |

**Part 5—Other fees**

The following fees are also payable:

|  |  |  |
| --- | --- | --- |
| 27 | An assessment, or the update of an assessment, under Regulation 79 of the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=act&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017)— |  |
|  | (a) in relation to an original assessment | $451.00 |
|  | (b) in relation to an updating of the original or a subsequent assessment (including where the update is required because of an amended plan of division) | $130.00 |
| 28 | Application for design review under Section 121 of the Act | $110.00 plus the reasonable costs of the design panel to provide advice on the application |
| 29 | Amount for the purposes of Section 127(6) of the Act | $500.00 for each replacement tree that is not planted |
| 29A | Amount for the purposes of the Urban Tree Canopy Offset Scheme established under Section 197 of the Act— |  |
|  | (a) in relation to a small tree | $500.00 |
|  | (b) in relation to a medium tree | $1,000.00 |
|  | (c) in relation to a large tree | $1,500.00 |
| 29B | Amount for the purposes of Schedule 4, Clause 18(1a)(a)(ii) of the *Planning, Development and Infrastructure (General) Regulations 2017* | $500.00 for each replacement tree that is not planted |
| 30 | Application for the extension of a development authorisation under Section 126(3) of the Act— |  |
|  | (a) if the development authorisation relates to development assessed as restricted development under Section 108(1)(a) of the Act | $142.00 |
|  | (b) if the development authorisation relates to development assessed as impact assessed development under Section 111 of the Act | $10,000 for the first request, with the fee to be double the previously applicable fee  for each subsequent  request thereafter |
|  | (c) in any other case | $119.00 |
| 30a | Application for the extension of a development authorisation under Regulation 104B of the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017)where the development authorisation relates to development assessed under Section 130 of the Act | $142.00 |
| 30b | Application for the extension of a development authorisation under Regulation 108 of the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017): |  |
|  | (a) if the development authorisation relates to development assessed under Section 131(2)(b) of the Act, and the development is undertaken in partnership or joint venture with a person or body that is not a State agency | $10,000 for the first request, with the fee to be double the previously applicable fee  for each subsequent  request thereafter |
|  | (b) if the development authorisation relates to development assessed under Section 131(2)(c) of the Act | $10,000 for the first request, with the fee to be double the previously applicable fee  for each subsequent  request thereafter |
|  | (c) in any other case | $142.00 |
| 31 | Request for initiation of infrastructure scheme under Section 163(3)(b) of the Act | $4,119.00 |
| 32 | Certificate from Technical Regulator | $451.00 |
| 33 | Application to register an agreement under Section 192 or 193  of the Act | $89.50 |
| 34 | Fee for the purposes of Section 192(7) or 193(7) of the Act | $16.70 |
| 35 | Fee for approval under Section 197(5) of the Act | $418.00 |

|  |  |  |
| --- | --- | --- |
| 36 | Application for the approval of the Minister under Section 235  of the Act | $178.00 |
| 37 | Application for approval of building envelope plan under Regulation 19A(1) of the [*Planning, Development and  Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017) | $197.00 plus $17.90 for each allotment delineated under the building envelope plan |
| 38 | Fee for consideration and publication of building envelope plan under Regulation 19A(3) and (4) of the [*Planning, Development and Infrastructure (General) Regulations 2017*](http://www.legislation.sa.gov.au/index.aspx?action=legref&type=subordleg&legtitle=Planning%20Development%20and%20Infrastructure%20(General)%20Regulations%202017) (payable by applicant at the time of making application for approval of building envelope plan) | $225.00 |
| 39 | Fee for registration as a Local Design Review Administrator under the Minister’s Design Review scheme established under Section 121 of the Act | $606.00 |
| 40 | Fee for registration an Independent Design Review Administrator under the Minister’s Design Review scheme established under Section 121 of the Act | $352.00 |
| 41 | Fee for consideration of a proposal to initiate an amendment to the Planning and Design Code under Section 73(2)(b) of the Act | $6,055.00 |
| 42 | Fee for the administration and management of a proposed amendment to the Planning and Design Code, where approval  of the Minister to initiate the amendment has been granted  under Section 73(2)(b) of the Act: |  |
|  | (a) if the proposed amendment is determined to be simple  in nature | $4,625.00 |
|  | (b) if the proposed amendment is determined to be moderately complex in nature | $22,461.00 |
|  | (c) if the proposed amendment is determined to be complex  in nature | $31,379.00 |
| 43 | Fee for the publication of consultation of a proposed amendment of the Planning and Design Code under Section 73(2)(b) of the Act | $9,579.00 |
| 44 | Fee for the consideration by the Minister of a proposed amendment to the Planning and Design Code under Section 73(2)(b) of the Act: |  |
|  | (a) where the proposed amendment is determined to be simple in nature | $4,624.00 |
|  | (b) where the proposed amendment is determined to be moderately complex in nature | $22,460.00 |
|  | (c) where the proposed amendment is determined to be complex in nature | $31,379.00 |
| 45 | Fee for administration of implementing a code amendment adopted to by the Minister under Section 73(2)(b) of the Act | $10,790.00 |
| 46 | Fee for accredited professionals acting in a private capacity to use the SA Planning Portal to assess development applications | $51.50 per consent assessed  in the preceding quarter |

**Made by the Minister for Planning**

**Hon Nick Champion MP**

On 4 June 2024

[Republished]

On Thursday, 18 April 2024, the notice published under the *Professional Standards Act 2004*, on page 738 of the *South Australian Government Gazette* No. 28 was published without the Scheme attached. The notice should be replaced with the following:

## Professional Standards Act 2004

The Bar Association of Queensland Professional Standards Scheme

Pursuant to Section 14 of the *Professional Standards Act 2004*, I authorise the publication in the Gazette of the Bar Association of Queensland Professional Standards Scheme.

Pursuant to Section 15(1)(a) of the *Professional Standards Act 2004*, I specify 1 July 2024 as the date of commencement of the Bar Association of Queensland Professional Standards Scheme.

Dated: 30 May 2024

Kyam Maher

Attorney-General

The Bar Association of Queensland Professional Standards Scheme

A Scheme Under the Professional Standards Act 2004 (Qld)

*Preamble*

**Occupational Association**

A. The Bar Association of Queensland (ACN 009 717 739) (“the Association”) is an occupational association constituted as an Australian Public Company, Limited by Guarantee pursuant to the *Corporations Act 2001* (Cth).

B. The occupational group for the purposes of the Scheme represented by the Association consists of barristers practising in or from Queensland who hold a Queensland practising certificate.

C. The objectives of the Association are expressed in Clause 3 of its Constitution and include:

(a) to promote the cause of justice;

(b) to maintain the high tradition of the Bar;

(c) to uphold the honour and promote the interests of the Association and members of the Association;

(d) to maintain correct and cordial relations with the Bench and the other branches of the profession;

(e) to arrange and promote continuing professional development;

(f) to promote fair and honourable practice amongst barristers; to suppress, discourage and prevent unsatisfactory professional conduct and professional misconduct; to inquire into so far as the law permits and decide questions as to professional conduct and etiquette of barristers; to make rules (including rules for the imposition on members of penalties, including expulsion, suspension or fines), with regard to the foregoing to the extent the law permits and in the absence of other rules and regulations made under the *Legal Profession Act 2007* (Qld) (“the LP Act”) for breach of such rules; and if deemed necessary, to report any of such rules or decisions to the Supreme Court of Queensland and to the Members of the Association and to the public as the Council sees fit;

(g) to raise with the appropriate bodies established under the LP Act all such matters as are necessary in respect of the discipline of members;

(h) to be represented in any matter before any Court, tribunal, body or person;

(i) to exercise such powers as may be conferred upon the Association by the LP Act, any other legislation, Rules of Court, or otherwise;

(j) to confer, and when thought fit, to cooperate with bodies in Australia or elsewhere representing the profession of the law or any branch thereof, or with any other bodies in Australia or elsewhere, as to matters directly or indirectly affecting the profession of the law, or which may affect the Association or its members, or may affect the attainment of the objects of Association; and, form and maintain associations with the Australian Bar Association and the Law Council of Australia, or any other body in Australia or elsewhere whether or not connected with the profession of the law;

(k) to make suggestions upon legislation, Rules of Court, the business and procedure of Courts, and the accommodation and condition of Court buildings;

(l) to inquire into and report upon applications for admission as a legal practitioner and to take such action thereon as may be deemed proper;

(m) to promote, conduct or cooperate in the promotion or conduct of activities of a professional, educational, cultural, sporting and social nature amongst Members of the Association.

**Nature of the Scheme**

D. The Bar Association of Queensland Professional Standards Scheme (“the Scheme”) is a scheme under the *Professional Standards Act 2004* (Qld) (“the PS Act”) that applies to the persons referred to below in Clause 2.

E. The Scheme does not apply to all members of the Association. Article 4.1 of the Bar Association of Queensland Constitution provides for four types of membership: Ordinary Member—Class A, Class B or Class C; Associate Member; Honorary Member; or Life Member. The Constitution provides that a person, who agrees before admission to membership to undertake to abide by the Constitution and Rules of the Association, may be admitted as an Ordinary Member:

(a) in Class A for any local practising barrister;

(b) in Class B for any person who holds a practising certificate issued by the Association who is not a local practising barrister; or

(c) in Class C, being an interstate practising barrister.

Article 4.8 of the Constitution provides that Life Members are members or former members of the Association appointed for exceptional service to justice, the law or the Association upon nomination by the President, seconded by the Vice-President and approved by no less than three-quarters majority of a general meeting. A Life Member may also belong to another class of membership.

The Scheme will only apply to Class A Ordinary members and Life Members.

F. The approximate number of members of the Association to whom the Scheme might apply at its commencement is 1036.

G. The Scheme is intended to operate under the PS Act, which has the purpose of improving the occupational standards of professional persons, and to protect the consumers of their services.

H. The Scheme limits the occupational liability of a person to whom it applies.

I. The occupational liability limited by the Scheme is that provided for by the PS Act, which at present is all civil liability for damages (in tort, contract equity, or otherwise) in relation to a cause of action founded on an act or omission of a person to whom the Scheme applies acting in the performance of the person’s occupation that happens when the Scheme is in force.

J. The Scheme does not apply to any liability to which the PS Act does not apply from time to time, which at present is any liability for damages arising from death or personal injury to a person, any negligence or other fault of a lawyer in acting for a client in a personal injury claim, a breach of trust, fraud or dishonesty or liability that may be the subject of proceedings under the *Land Title Act 1994* (Qld), part 9, division 2, subdivision C.

K. The Scheme does not affect any claim for damages below the monetary ceiling specified in the Scheme for each member.

L. The Scheme limits liability for damages to the monetary ceiling specified for a person to whom it applies provided that the person has insurance as required by s 22 of the PS Act.

M. Notwithstanding anything to the contrary contained in the Scheme, if in particular circumstances giving rise to occupational liability, the liability of any person who is subject to the Scheme should be capped both by this Scheme and also by any other scheme under Professional Standards Legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and, if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

**Risk Management**

N. The Association has adopted strategies which cover requirements for professional entry to practice at the Bar in Queensland, and continuing professional development in the areas of ethics and regulation of the profession management, substantive law, court practice and procedure, and evidence, and advocacy, mediation and other barristers’ skills, including making rules about legal practice in this jurisdiction engaged in by an Australian legal practitioner as a barrister. The Association has provided the Professional Standards Councils with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.

O. The Association will report annually on the implementation and monitoring of its risk management strategies, the effect of those strategies and any changes made or proposed to be made to them.

**Complaints and discipline**

P. Association members are subject to a complaints and discipline system. The system operates pursuant to the requirements of the LP Act.

Q. The Association is actively engaged in that system, and has the functions of investigation and of making a recommendation as to whether a discipline application should be started when a complaint is referred to the Association by the Legal Services Commissioner.

**Standards of Insurance**

R. Members of the Association are required by the LP Act and regulations made under it, as a condition precedent to the issue of a required annual practising certificate, to have professional indemnity insurance:

(a) for at least $1.5m inclusive of defence costs; and

(b) provided by an insurer approved by the Association.

S. The Association annually approves insurers for that purpose to provide annual insurance cover on the terms of particular standard form policies.

T. The standard form policies cover occupational liability in all Australian States and Territories.

**Claims Monitoring**

U. As a condition of approval of an insurer each year, the Association requires that the insurer provide claims data to the Association, so that the Association can continue to monitor claims made against its members from time to time.

V. The Association will establish or maintain relationships with approved insurers from time to time.

W. The Association will report annually to the Professional Standards Councils on claims monitoring, tactics, performance measures and monitoring systems.

**Scheme Administration**

X. Responsibility for administration of the Scheme and ensuring that it complies with the requirements of the PS Act and of the Professional Standards Councils rests with the Association.

**Duration**

Y. It is intended for the Scheme to remain in force for a period of 5 years from its commencement unless it is revoked, extended or ceases in accordance with Section 33 of the PS Act.

**Operation as an interstate scheme**

Z. The Scheme is intended to operate in a jurisdiction other than Queensland in accordance with the corresponding law to the PS Act of that jurisdiction and subject to the requirements of the corresponding law, so that references to a provision of the PS Act, the application of the Scheme to a liability, the limit of a liability under the PS Act or what constitutes occupational liability are intended to pick up the relevant provisions of the corresponding law, applied mutatis mutandis, to the extent that is necessary for the application of the Scheme in that jurisdiction as an interstate scheme.

The Bar Association of Queensland Scheme

**1. Occupational association**

1.1 The Bar Association of Queensland Scheme (“the Scheme”) is a scheme under the PS Act.

1.2 The Scheme was prepared by the Association, whose business address is:

Ground Floor, Inns of Court, 107 North Quay, Brisbane, Queensland. 4000.

**2. Persons to Whom the Scheme Applies**

2.1 The Scheme applies to any barrister who holds a Queensland practising certificate issued under the LP Act or regulations made under it, is a Class A Ordinary member or a Life member of the Association and is insured under an approved professional indemnity insurance policy which complies with the requirements under the LP Act and regulations made under it (or any Act replacing those requirements) and Clause 3.1 below.

2.2 This Scheme also applies to any person to whom it applies by the operation of ss 20, 21 or 21A of the PS Act.

2.3 The Scheme limits the occupational liability, in relation to a cause of action founded on an act or omission that happens when the Scheme is in force, of any person to whom the Scheme applies when the act or omission happens.

2.4 The Association may, upon application by a person to whom the Scheme applies, exempt that person from participation in the Scheme with effect from a date specified by the Bar Council on or after the date on which the exemption is granted.

2.5 The Association may, upon application by a person exempted from the Scheme under Clause 2.4, revoke such exemption with effect from a date specified by the Bar Council.

**3. Limitation of Liability**

3.1 If a person to whom this Scheme applies and against whom a cause of action relating to occupational liability is brought is able to satisfy the Court that:

(a) the person has the benefit of an insurance policy insuring the person against the occupational liability; and

(b) the amount payable under the insurance policy in relation to the occupational liability is at least the amount of the monetary ceiling specified in Clause 3.8 in relation to the class of person and the kind of work to which the cause of action relates;

the person is not liable in damages in relation to that cause of action above the amount of that monetary ceiling. For the purposes of s 27 of the PS Act, the Scheme only affects a liability for damages arising from a single cause of action to the extent that the liability results in damages exceeding $1,500,000.

3.2 For the operation of this Scheme in Queensland or in a jurisdiction other than Queensland pursuant to the PS Act, “occupational liability” in this Scheme means any civil liability arising whether in tort, contract or otherwise, directly or vicariously from anything done or omitted by a member of the Association acting in the performance of the member’s occupation and any other liability included in the meaning of “occupational liability” under the PS Act from time to time.

3.3 For the operation of this Scheme in a jurisdiction other than Queensland under a corresponding law of that jurisdiction, “occupational liability” means any liability included in the meaning of “occupational liability” in the corresponding law which is in force in that jurisdiction from time to time.

3.4 The occupational liability for which a person is not liable above the amount of the monetary ceiling is an occupational liability in relation to a cause of action founded on an act or omission that happens when the Scheme is in force in a jurisdiction to which the Scheme applies.

3.5 Notwithstanding Clause 3.1, for the operation of this Scheme in Queensland or in a jurisdiction other than Queensland pursuant to the PS Act the occupational liability to which this Scheme applies does not include liability to which the PS Act states, from time to time, that it does not apply.

3.6 Notwithstanding Clause 3.1, for the operation of this Scheme in a jurisdiction other than Queensland under a corresponding law of that jurisdiction the occupational liability to which this Scheme applies does not include liability to which the corresponding law states, from time to time, that it does not apply.

3.7 The Scheme is intended to apply in respect of occupational liability of a person to whom the Scheme applies arising in the jurisdictions of Queensland, New South Wales, Victoria, South Australia, Western Australia, the Australian Capital Territory, the Northern Territory and Tasmania and to apply in each of those jurisdictions from the time the Scheme commences under the PS Act or, to the extent required by a corresponding law of another jurisdiction, by the corresponding law of the relevant jurisdiction.

3.8 The monetary ceiling is $1,500,000.

3.9 The monetary ceiling is in Australian currency.

**4. Conferral of discretionary authority**

4.1 The Scheme confers on the Association a discretionary authority, on application by a person to whom the Scheme applies, to specify a higher maximum amount of liability than would otherwise apply under the Scheme in relation to the person, either in all cases or in any specified case or class of case, being a specified monetary ceiling not exceeding $50 million.

**5. Duration**

5.1 The Scheme will commence:

(a) In New South Wales, the Northern Territory, Tasmania, Western Australia, Victoria and Queensland on 1 July 2024; and

(b) In the Australian Capital Territory and in South Australia, on this same date, or such other later date, provided the date is specified in the relevant Minister’s notice in relation to the scheme; or,

(c) In all other cases, subject to the statutory provisions of each applicable jurisdiction.

5.2 The Scheme will remain in force for a period of 5 years from its commencement in Queensland.

5.3 Clause 5.2 is subject to the provisions of each jurisdiction in relation to the revocation, extension, or cessation of a scheme.

[Republished]

On Thursday, 18 April 2024, the notice published under the *Professional Standards Act 2004*, on page 738 of the *South Australian Government Gazette* No. 28 was published without the Scheme attached. The notice should be replaced with the following:

Professional Standards Act 2004

The Law Society of Western Australia Professional Standards Scheme

Pursuant to Section 14 of the *Professional Standards Act 2004*, I authorise the publication in the Gazette of the Law Society of Western Australia Professional Standards Scheme.

Pursuant to Section 15(1)(a) of the *Professional Standards Act 2004*, I specify 1 July 2024 as the date of commencement of the Law Society of Western Australia Professional Standards Scheme.

Dated: 30 May 2024

Kyam Maher

Attorney-General

The Law Society of Western Australia Professional Standards Scheme

Professional Standards Act 1997 (WA)

*Preamble*

A. The Law Society of Western Australia Inc. (“Law Society WA”) is an occupational association for legal practitioners in Western Australia for the purposes of the *Professional Standards Act 1997* (WA) (“the Act”).

B. The Scheme is prepared by the Law Society WA for the purposes of limiting Occupational liability to the extent to which such liability may be limited under the Act.

C. The Scheme applies to all Participating Members, as defined in the Scheme.

D. The Scheme will have force in Western Australia, Victoria, New South Wales, Queensland, South Australia, the Northern Territory, Tasmania and the Australian Capital Territory. To the extent that the Scheme applies to limit liability in jurisdictions other than Western Australia, it is subject to the Professional Standards Legislation of those jurisdictions.

E. The Law Society WA has furnished the Council with a detailed list of the risk management strategies to be implemented in respect of its Participating Members and the means by which those strategies are to be implemented.

F. The Law Society WA has furnished the Council with details of its insurance standards and professional indemnity insurance claims monitoring process. The Law Society WA will not amend these insurance standards while the Scheme is in force without prior approval of the Council.

G. The Law Society of WA has advised its Participating Members that they must have the benefit of a professional indemnity policy that complies with Law Society WA’s insurance standards and that they remain liable for the amount of any difference between the amounts payable to a plaintiff under the policy and the monetary ceiling specified in the Scheme.

H. The Law Society WA has furnished the Council with details of its complaints system and discipline system.

I. The Law Society WA and its members to whom the Scheme applies have undertaken to comply with all reporting obligations associated with the Scheme, in furtherance of the statutory objects of improvement of the occupational standards of its members, and protection of the consumers of such members’ services.

J. The Law Society WA has undertaken to remit all fees payable under the *Professional Standards Regulations 1998* (WA) to the Council as and when these become due.

K. The Scheme is intended to commence on 1 July 2024 and remain in force for a period of five (5) years from its commencement, unless, prior to that time, it is revoked, its operation ceases, or it is extended.

L. Sections 12GNA(2) of the *Australian Securities and Investments Commission Act 2001* (Cth), 137(2) of the *Competition and Consumer Act 2010* (Cth), and 1044B(2) of the *Corporations Act 2001* (Cth) provide for a limited liability where a professional standards scheme is prescribed in the relevant regulation. The Scheme does not apply to limit any liability under a Commonwealth law unless it has been prescribed under regulations by the Commonwealth.

The Law Society of Western Australia Scheme

**1. Occupational association**

1.1 The Law Society of Western Australia Inc. Professional Standards Scheme is a scheme under the *Professional Standards Act 1997* (WA) (“the Act”) prepared by the Law Society of Western Australia Inc. (“Law Society of WA”) whose business address is: Level 4, 160 St Georges Terrace, Perth, Western Australia.

**2. Persons to Whom the Scheme Applies**

2.1 The Scheme applies to:

2.1.1 All Ordinary Members and Life Members holding an Australian Practising Certificate, who are not a Corporate Legal Practitioner or a Government Legal Practitioner, and who are not exempted under Clause 2.2 of the Scheme;

2.1.2 Incorporated Legal Practice Members that are not exempted under clause

2.2 of the Scheme; and

2.1.3 All persons to whom, by virtue of Sections 31, 32 or 33 of the Act, the Scheme applies.

2.2 A person referred to in Clause 2.1 may, on application by that person, be exempted from the Scheme from the date specified by the Law Society WA. This clause does not apply to persons to whom the Scheme applies by virtue of Sections 31, 32 or 33 of the Act.

**3. Jurisdiction**

3.1 The Scheme applies in Western Australia.

3.2 In addition to Western Australia, the Scheme is intended to operate in New South Wales, Victoria, Queensland, South Australia, Tasmania, the Northern Territory and the Australian Capital Territory in accordance with the Professional Standards Legislation of those states and territories and subject to the requirements of that legislation (‘the Corresponding laws’), so that references to a provision of the Act, the application of the Scheme to a liability, the limit of a liability under the Act or what constitutes Occupational liability are intended to pick up the relevant provisions of the corresponding laws, applied mutatis mutandis, to the extent that is necessary for the application of the Scheme in any of those jurisdictions as an interstate scheme.

**4. Limitation of liability**

4.1 The Scheme only affects the liability for damages arising from a single cause of action to the extent to which the liability results in Damages exceeding $1.5 million.

4.2 If a person who is, or was, at the time of the act or omission giving rise to Occupational liability, a person to whom the Scheme applies, or applied, and against whom a proceeding relating to Occupational liability is brought, is able to satisfy the Court that such person has the benefit of an insurance policy:

(a) Of a kind which complies with the standards determined by the Law Society WA;

(b) Insuring such person against the Occupational liability to which the cause of action relates; and

(c) Under which the amount payable in respect of that Occupational liability is not less than the applicable monetary ceiling specified in Clause 4.3 of this Scheme;

then that person is not liable in Damages in relation to that cause of action above the monetary ceiling specified in Clause 4.3 of this Scheme.

4.3 The applicable monetary ceiling is to be determined according to the table below:

| **Tier** | **Description** | **Monetary Ceiling  (Maximum amount of liability)** |
| --- | --- | --- |
|  |  |  |
| 1 | Participating Members who were at the Relevant Time in a Law Practice that generated a Total Annual Fee Income for the financial year immediately preceding the Relevant Time up to and including $5 million | $1.5 million |
| 2 | Participating Members who were at the Relevant Time in a Law Practice that generated a Total Annual Fee Income for the financial year immediately preceding the Relevant Time of more than $5 million and up to $10 million | $5 million |
| 3 | Participating Members who were at the Relevant Time in a Law Practice that Generated a Total Annual Fee Income for the financial year immediately preceding the Relevant Time of more than $10 million | $10 million |
|  |  |  |

4.4 Clause 4.2 does not limit the amount of Damages to which a person to whom the Scheme applies is liable if the amount is less than the amount specified for the purpose in this Scheme in relation to a person to whom the Scheme applies.

4.5 This Scheme limits the Occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the Scheme was in force of an person to whom the Scheme applied at the time the act or omission occurred.

4.6 Notwithstanding anything to the contrary contained in this Scheme if, in particular circumstances giving rise to Occupational liability, the liability of any person who is subject to this Scheme should be capped by both this Scheme and also by any other scheme under Professional Standards Legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and, if the amount of such caps should differ, then the higher cap shall be the applicable cap.

**5. Conferral of discretional authority**

5.1 The Law Society WA has discretionary authority, on application by a person referred to in Clause 2.1, to specify in relation to that person, a higher maximum amount of liability than would otherwise apply under the Scheme in relation to that person, either in all cases or in any.

**6. Commencement and duration**

6.1 The Scheme will commence:

6.1.1 in Western Australia, New South Wales, Queensland, Tasmania, and the Northern Territory on 1 July 2024; and

6.1.2 in Victoria, on 1 July 2024 if the Scheme is published in the Government Gazette at least two months prior to that date; or in any other case, two months after the date the Scheme is published in the Government Gazette.

6.1.3 in the Australian Capital Territory and in South Australia, on this same date, or such other later date, provided the date is specified in the relevant Minister’s notice in relation to the Scheme; or

6.1.4 in all other cases, subject to the statutory provisions of each applicable jurisdiction.

6.2 The Scheme will be in force in all applicable jurisdictions for a period of five (5) years from its commencement in Western Australia.

6.3 Clauses 6.2 is subject to the provisions of the Corresponding laws in each jurisdiction in relation to the revocation, extension, or cessation of a scheme.

**7. Definitions**

7.1 Relevant definitions for the purpose of this Scheme are as follows:

“Act” means the *Professional Standards Act 1997* (WA).

“Australian Practising Certificate” has the same meaning as it has in the Legal Profession Uniform Law (Western Australia)1.

“Corporate Legal Practitioner” has the same meaning as it has in the Legal Profession Uniform Law (Western Australia)2.

“Corresponding laws” means the *Professional Standards Act 1994* (NSW), the *Professional Standards Act 2003* (Vic), the *Professional Standards Act 2004* (Qld), the *Professional Standards Act 2004* (SA), the *Professional Standards Act 2005* (Tas), the *Professional Standards Act 2004* (NT), and the *Civil Law (Wrongs) Act 2002* (ACT), as applicable.

“Council” means the Professional Standards Council established under Section 8(1) of the Act.

“Court” has the same meaning as it has in the Act. “Damages” has the same meaning as it has in the Act.

“Exempted Member” means a member of the Law Society WA who is, or was, at the Relevant Time, exempted by the Law Society WA from participation in the Scheme pursuant to Clause 2.2;

“Financial Year” means a financial accounting period ending 30 June.

“Government Legal Practitioner” has the same meaning as it has in the Legal Profession Uniform Law (Western Australia)3.

“Incorporated Legal Practice Member” means an incorporated legal practice within the meaning of the Legal Profession Uniform Law (Western Australia) that is a member of the Law Society WA under Rule 15 of the Constitution of the Law Society WA, as amended from time to time4.

“Law Practice” has the same meaning as it has in the Legal Profession Uniform Law (Western Australia)5.

“Law Society WA” means the Law Society of Western Australia Inc.

“Life Member” means a person who is a Life Member of the Law Society WA within the meaning of Rule 13 of the Constitution of the Law Society WA, as amended from time to time.

“Occupational liability” has the same meaning as it has in the Act.

“Ordinary Member” means a person who is an Ordinary Member of the Law Society WA within the meaning of Rule 9 of the Constitution of the Law Society WA, as amended from time to time.

“Participating Members” means those persons specified in Clause 2.1 of the Scheme.

“Person” means an individual or a body corporate.

“Professional Standards Legislation” means the legislation applicable in each State and Territory, namely, the *Professional Standards Act 1994* (NSW), the *Professional Standards Act 2003* (Vic), the *Professional Standards Act 2004* (Qld), the *Professional Standards Act 2004* (SA), the *Professional Standards Act 2005* (Tas), the *Professional Standards Act 2004* (NT), and the *Civil Law (Wrongs) Act 2002* (ACT), as applicable.

“Relevant Time” refers to the time at which the act or omission occurs, not the time when the claim is brought.

“Scheme” means the Law Society of Western Australia Inc. Professional Standards Scheme.

“Total Annual Fee Income” means the amount charged during a Financial Year for services provided by or on behalf of a law practice some of whose members are Participating Members.

1 Refer *Legal Profession Uniform Law Application Act 2022*, Section 6.

2 Refer *Legal Profession Uniform Law Application Act 2022*, Section 6.

3 Refer *Legal Profession Uniform Law Application Act 2022*, Section 6.

4 Refer *Legal Profession Uniform Law Application Act 2022*, Section 6.

5 Refer *Legal Profession Uniform Law Application Act 2022*, Section 6.

## Retirement Villages Act 2016

Section 59(1)

Voluntary Termination of Retirement Village Scheme

Take notice that I, Chris Picton, Minister for Health and Wellbeing, pursuant to Section 59(1) of the *Retirement Villages Act 2016*, HEREBY TERMINATE the Barossa Village Inc—Park Ave retirement village scheme situated at 22-30 Park Avenue, Nuriootpa SA 5355 and comprising all of the land and improvements in Certificate of Title Register Book Volume 5925 Folio 360. I do so being satisfied for the purposes of Section 59(2) of the Act that there are no retirement village residents in occupation. The date of termination was 2 November 2021.

Dated: 3 June 2024

Chris Picton MP

Minister for Health and Wellbeing

## Return to Work Act 2014

*Industry Premium Rates Determination 2024-2025*

In accordance with the power delegated to me by the Board of the Return to Work Corporation of South Australia (‘the Corporation’) under the current Instrument of Delegation of the Corporation, I, Michael Francis, Chief Executive Officer, determine that the Industry Premium Rates for the purpose of Section 142 of the *Return to Work Act 2014* (‘the Act’) are as follows:

**Part 1—Preliminary Matters**

1. This determination may be cited as the *Industry Premium Rates Determination 2024-2025*.

2. The Industry Premium Rates Determination is made pursuant to subsection 142(1) of the Act and published in the Government Gazette in accordance with subsection 142(2)(a) of the Act.

3. This determination commences on 1 July 2024.

4. If before 1 July 2025, an Industry Premium Rates Determination has not been made for the 2025-2026 period, this determination will apply pending the making of such a determination.

**Part 2—Terms of Industry Premium Rates Determination**

1. This determination establishes the Industry Premium Rates set out in the Appendix to this determination.

2. The industry premium rate for each South Australian Industry Classification (SAIC) referred to in Column 2 of the Appendix, is fixed by the Corporation as the industry premium rate (expressed as a percentage) opposite each SAIC in Column 3 of the Appendix.

3. Any *RTWSA Premium Provisions, RTWSA Premium Order (Return to Work Premium System) and RTWSA Premium Order (Retro-Paid Loss Arrangement)* having application for the 2024-2025 premium period will be applied for the purpose of detailing how the industry premium rate is used in the premium calculation for an employer in respect of whom those Premium Orders apply.

**Part 3—Specified criteria for fixing Industry Premium Rates**

1. In respect of the premium rate applicable to the classes of industry, the Industry Premium Rates Determination takes into account the criteria prescribed in Regulation 56 of the *Return to Work Regulations 2015*.

I confirm that this is a true and correct record of the decision of the Corporation made in the exercise of my delegated authority.

Dated: 29 May 2024

M. Francis

Chief Executive Officer

Appendix

*Return to Work Corporation of South Australia*

*ReturnToWorkSA Industry Premium Rates 2024-2025*

| **Column 1** | **Column 2** | **Column 3** |
| --- | --- | --- |
| **SAIC Code Number** | **Industry Description** | **Industry Premium Rate per $100** |
|  |  |  |
|  | **AGRICULTURE, FORESTRY AND FISHING** |  |
| 011101 | Nursery Production | 3.313 |
| 011301 | Turf Growing | 3.471 |
| 011401 | Floriculture Production | 3.760 |
| 012101 | Mushroom Growing | 3.838 |
| 012201 | Vegetable Growing | 3.684 |
| 013101 | Grape Growing | 2.707 |
| 013406 | Apple, Pear, Stone Fruit, Berry Fruit, Kiwifruit and Citrus Growing | 3.585 |
| 013701 | Olive growing | 3.972 |
| 013901 | Other Fruit and Tree Nut Growing | 3.494 |
| 014406 | Sheep-Beef Cattle Farming | 5.350 |
| 014501 | Grain-Sheep or Grain-Beef Cattle Farming | 3.083 |
| 014901 | Other Grain Growing | 3.032 |
| 015901 | Other Crop Growing n.e.c. | 4.660 |
| 016001 | Dairy Cattle Farming | 6.705 |
| 017101 | Poultry Farming (Meat) | 5.199 |
| 017201 | Poultry Farming (Eggs) | 5.285 |
| 018001 | Deer Farming | 5.280 |
| 019101 | Horse Farming | 5.401 |
| 019201 | Pig Farming | 6.981 |
| 019306 | Beekeeping | 4.692 |
| 019901 | Other Livestock Farming n.e.c. | 4.742 |
| 020101 | Offshore Longline and Rack Aquaculture | 3.030 |
| 020201 | Offshore Caged Aquaculture | 3.013 |
| 020301 | Onshore Aquaculture | 2.950 |
| 030101 | Forestry | 2.888 |
| 030201 | Logging | 5.240 |
| 041101 | Rock Lobster and Crab Potting | 3.273 |
| 041201 | Prawn Fishing | 2.805 |
| 041301 | Line Fishing | 4.599 |
| 041901 | Other Fishing | 5.250 |
| 042001 | Hunting and Trapping | 5.934 |
| 051001 | Forestry Support Services | 3.002 |
| 052201 | Shearing Services | 7.130 |
| 052901 | Other Agriculture and Fishing Support Services | 3.204 |
|  | **MINING** |  |
| 060001 | Coal Mining | 3.171 |
| 070001 | Oil and Gas Extraction | 1.932 |
| 080101 | Iron Ore Mining | 2.847 |
| 080201 | Bauxite Mining | 3.667 |
| 080301 | Copper Ore Mining | 1.858 |
| 080401 | Gold Ore Mining | 3.288 |
| 080501 | Mineral Sand Mining | 2.730 |
| 080601 | Nickel Ore Mining | 3.667 |
| 080701 | Silver-Lead-Zinc Ore Mining | 3.208 |
| 080901 | Other Metal Ore Mining | 4.119 |
| 091101 | Gravel and Sand Quarrying | 3.491 |
| 091901 | Other Construction Material Mining | 4.344 |
| 099001 | Other Non-Metallic Mineral Mining and Quarrying | 2.580 |
| 101101 | Petroleum Exploration | 4.357 |
| 101201 | Mineral Exploration | 1.190 |
| 109001 | Other Mining Support Services | 2.163 |
| 109002 | Drilling and Boring Support Services | 2.893 |
|  | **MANUFACTURING** |  |
| 111106 | Meat Processing | 7.581 |
| 111107 | Livestock Processing | 5.307 |
| 111201 | Poultry Processing | 5.366 |
| 111301 | Cured Meat and Smallgoods Manufacturing | 8.124 |
| 112001 | Seafood Processing | 3.556 |
| 113101 | Milk and Cream Processing | 3.601 |
| 113201 | Ice Cream Manufacturing | 1.466 |
| 113301 | Cheese and Other Dairy Product Manufacturing | 4.441 |
| 114001 | Fruit and Vegetable Processing | 4.216 |
| 115001 | Oil and Fat Manufacturing | 3.671 |
| 116101 | Grain Mill Product Manufacturing | 1.710 |
| 116201 | Cereal, Pasta and Baking Mix Manufacturing | 3.746 |
| 117101 | Bread Manufacturing (Factory based) | 4.512 |
| 117201 | Cake and Pastry Manufacturing (Factory based) | 3.189 |
| 117301 | Biscuit Manufacturing (Factory based) | 5.496 |
| 117401 | Bakery Product Manufacturing (Non-factory based) | 1.516 |
| 118101 | Sugar Manufacturing | 4.197 |
| 118201 | Confectionery Manufacturing | 4.223 |
| 119101 | Potato, Corn and Other Crisp Manufacturing | 4.763 |
| 119201 | Prepared Animal and Bird Feed Manufacturing | 4.924 |
| 119901 | Other Food Product Manufacturing n.e.c. | 3.947 |
| 121101 | Soft Drink, Cordial and Syrup Manufacturing | 2.276 |
| 121201 | Beer Manufacturing | 1.525 |
| 121301 | Spirit Manufacturing | 1.768 |
| 121401 | Wine and Other Alcoholic Beverage Manufacturing | 1.730 |
| 122001 | Cigarette and Tobacco Product Manufacturing | 4.763 |
| 131101 | Wool Scouring | 3.461 |
| 131201 | Natural Textile Manufacturing | 2.946 |
| 131301 | Synthetic Textile Manufacturing | 2.627 |
| 132001 | Leather Tanning, Fur Dressing and Leather Product Manufacturing | 2.870 |
| 133101 | Textile Floor Covering Manufacturing | 2.226 |
| 133201 | Rope, Cordage and Twine Manufacturing | 2.558 |
| 133301 | Cut and Sewn Textile Product Manufacturing | 3.433 |
| 133401 | Textile Finishing and Other Textile Product Manufacturing | 2.401 |
| 134001 | Knitted Product Manufacturing | 2.472 |
| 135101 | Clothing Manufacturing | 2.257 |
| 135201 | Footwear Manufacturing | 3.247 |
| 141101 | Log Sawmilling | 5.785 |
| 141201 | Wood Chipping | 3.855 |
| 141301 | Timber Resawing and Dressing | 7.141 |
| 149101 | Prefabricated Wooden Building Manufacturing | 3.918 |
| 149201 | Wooden Structural Fitting and Component Manufacturing | 3.646 |
| 149301 | Veneer and Plywood Manufacturing | 5.600 |
| 149401 | Reconstituted Wood Product Manufacturing | 3.074 |
| 149901 | Other Wood Product Manufacturing n.e.c. | 3.682 |
| 149902 | Wooden Containers Manufacturing | 5.556 |
| 151001 | Pulp, Paper and Paperboard Manufacturing | 3.633 |
| 152101 | Corrugated Paperboard and Paperboard Container Manufacturing | 3.851 |
| 152201 | Paper Bag Manufacturing | 6.074 |
| 152301 | Paper Stationery Manufacturing | 2.875 |
| 152401 | Sanitary Paper Product Manufacturing | 4.225 |
| 152901 | Other Converted Paper Product Manufacturing | 4.346 |
| 161106 | Printing | 1.313 |
| 161206 | Printing Support Services | 1.042 |
| 162007 | Reproduction of Recorded Media | 0.400 |
| 170101 | Petroleum Refining and Petroleum Fuel Manufacturing | 1.456 |
| 170901 | Other Petroleum and Coal Product Manufacturing | 2.084 |
| 181101 | Industrial Gas Manufacturing | 1.686 |
| 181201 | Basic Organic Chemical Manufacturing | 2.575 |
| 181301 | Basic Inorganic Chemical Manufacturing | 2.494 |
| 182101 | Synthetic Resin and Synthetic Rubber Manufacturing | 5.907 |
| 182901 | Other Basic Polymer Manufacturing | 4.503 |
| 183101 | Fertiliser Manufacturing | 3.550 |
| 183201 | Pesticide Manufacturing | 2.744 |
| 184101 | Human Pharmaceutical and Medicinal Product Manufacturing | 2.017 |
| 184201 | Veterinary Pharmaceutical and Medicinal Product Manufacturing | 2.747 |
| 185101 | Cleaning Compound Manufacturing | 2.507 |
| 185201 | Cosmetic and Toiletry Preparation Manufacturing | 1.605 |
| 189101 | Photographic Chemical Product Manufacturing | 2.409 |
| 189201 | Explosive Manufacturing | 2.836 |
| 189901 | Other Basic Chemical Product Manufacturing n.e.c. | 2.284 |
| 191101 | Polymer Film and Sheet Packaging Material Manufacturing | 3.282 |
| 191201 | Rigid and Semi-Rigid Polymer Product Manufacturing | 4.637 |
| 191301 | Polymer Foam Product Manufacturing | 4.362 |
| 191401 | Tyre Manufacturing | 3.898 |
| 191501 | Adhesive Manufacturing | 2.358 |
| 191601 | Paint and Coatings Manufacturing | 2.710 |
| 191602 | Inks and Toners Manufacturing | 0.742 |
| 191901 | Other Polymer Product Manufacturing | 4.975 |
| 192001 | Natural Rubber Product Manufacturing | 3.579 |
| 201001 | Glass and Glass Product Manufacturing | 3.171 |
| 202101 | Clay Brick Manufacturing | 3.606 |
| 202901 | Other Ceramic Product Manufacturing | 2.586 |
| 203101 | Cement and Lime Manufacturing | 1.084 |
| 203201 | Plaster Product Manufacturing | 5.277 |
| 203301 | Ready-Mixed Concrete Manufacturing | 5.163 |
| 203401 | Concrete Product Manufacturing | 7.210 |
| 209001 | Other Non-Metallic Mineral Product Manufacturing | 5.579 |
| 211001 | Iron Smelting and Steel Manufacturing | 3.686 |
| 212106 | Iron and Steel Casting | 6.593 |
| 212201 | Steel Pipe and Tube Manufacturing | 3.061 |
| 213106 | Alumina Production | 2.799 |
| 213201 | Aluminium Smelting | 4.083 |
| 213301 | Copper, Silver, Lead and Zinc Smelting and Refining | 4.531 |
| 213901 | Other Basic Non-Ferrous Metal Manufacturing | 6.051 |
| 214101 | Non-Ferrous Metal Casting | 2.862 |
| 214201 | Aluminium Rolling, Drawing, Extruding | 3.083 |
| 214901 | Other Basic Non-Ferrous Metal Product Manufacturing | 2.821 |
| 221001 | Iron and Steel Forging | 5.784 |
| 222101 | Structural Steel Fabricating | 4.298 |
| 222201 | Prefabricated Metal Building Manufacturing | 4.110 |
| 222301 | Architectural Aluminium Product Manufacturing | 4.245 |
| 222401 | Metal Roof and Guttering Manufacturing (except Aluminium) | 3.098 |
| 222901 | Other Structural Metal Product Manufacturing | 4.732 |
| 223101 | Boiler, Tank and Other Heavy Gauge Metal Container Manufacturing | 6.697 |
| 223901 | Other Metal Container Manufacturing | 2.749 |
| 224001 | Sheet Metal Product Manufacturing (except Metal Structural and Container Products) | 3.705 |
| 229101 | Spring and Wire Product Manufacturing | 4.338 |
| 229201 | Nut, Bolt, Screw and Rivet Manufacturing | 2.799 |
| 229301 | Metal Coating and Finishing | 4.522 |
| 229901 | Other Fabricated Metal Product Manufacturing n.e.c. | 3.101 |
| 229902 | Cutlery and Hand Tool Manufacturing | 10.349 |
| 231101 | Motor Vehicle Manufacturing | 2.912 |
| 231201 | Motor Vehicle Body and Trailer Manufacturing | 5.070 |
| 231301 | Automotive Electrical Component Manufacturing | 2.709 |
| 231901 | Other Motor Vehicle Parts Manufacturing | 3.338 |
| 239101 | Shipbuilding and Repair Services | 5.552 |
| 239102 | Submarine Building and Repair Services | 1.622 |
| 239201 | Boatbuilding and Repair Services | 4.247 |
| 239301 | Railway Rolling Stock Manufacturing and Repair Services | 2.761 |
| 239401 | Aircraft Manufacturing and Repair Services | 0.647 |
| 239901 | Other Transport Equipment Manufacturing n.e.c. | 2.628 |
| 241101 | Photographic, Optical and Ophthalmic Equipment Manufacturing | 0.500 |
| 241201 | Medical and Surgical Equipment Manufacturing | 1.799 |
| 241901 | Other Professional and Scientific Equipment Manufacturing | 0.555 |
| 242101 | Computer and Electronic Office Equipment Manufacturing | 0.521 |
| 242201 | Communication Equipment Manufacturing | 0.539 |
| 242901 | Other Electronic Equipment Manufacturing | 0.453 |
| 243101 | Electric Cable and Wire Manufacturing | 2.793 |
| 243201 | Electric Lighting Equipment Manufacturing | 2.209 |
| 243901 | Other Electrical Equipment Manufacturing | 2.516 |
| 244101 | Whiteware Appliance Manufacturing | 2.745 |
| 244901 | Other Domestic Appliance Manufacturing | 2.729 |
| 245101 | Pump and Compressor Manufacturing | 3.590 |
| 245201 | Fixed Space Heating, Cooling and Ventilation Equipment Manufacturing | 1.774 |
| 246101 | Agricultural Machinery and Equipment Manufacturing | 3.359 |
| 246201 | Mining and Construction Machinery Manufacturing | 2.772 |
| 246301 | Machine Tool and Parts Manufacturing | 2.594 |
| 246901 | Other Specialised Machinery and Equipment Manufacturing | 3.064 |
| 249101 | Lifting and Material Handling Equipment Manufacturing | 4.952 |
| 249901 | Other Machinery and Equipment Manufacturing n.e.c. | 3.198 |
| 251101 | Wooden Furniture and Upholstered Seat Manufacturing | 3.431 |
| 251201 | Metal Furniture Manufacturing | 4.437 |
| 251301 | Mattress Manufacturing | 4.615 |
| 251901 | Other Furniture Manufacturing | 3.393 |
| 259101 | Jewellery and Silverware Manufacturing | 1.348 |
| 259201 | Toy, Sporting and Recreational Product Manufacturing | 3.639 |
| 259901 | Other Manufacturing n.e.c. | 2.238 |
|  | **ELECTRICITY, GAS, WATER AND WASTE SERVICES** |  |
| 261101 | Fossil Fuel Electricity Generation | 0.676 |
| 261901 | Other Electricity Generation | 0.652 |
| 262001 | Electricity Transmission and Distribution | 0.593 |
| 264001 | On Selling Electricity and Electricity Market Operation | 0.576 |
| 270001 | Gas Supply | 0.913 |
| 281101 | Water Supply | 0.841 |
| 281201 | Sewerage and Drainage Services | 2.183 |
| 291101 | Solid Waste Collection Services | 5.332 |
| 291901 | Other Waste Collection Services | 6.042 |
| 292101 | Waste Treatment and Disposal Services | 5.762 |
| 292201 | Waste Remediation and Materials Recovery Services | 6.622 |
|  | **CONSTRUCTION** |  |
| 301101 | House Construction | 2.557 |
| 301901 | Other Residential Building Construction | 3.559 |
| 302001 | Non-Residential Building Construction | 2.511 |
| 310101 | Heavy and Civil Engineering Construction | 3.051 |
| 321101 | Land Development and Subdivision | 1.468 |
| 321201 | Site Preparation Services | 3.995 |
| 322101 | Concreting Services | 6.185 |
| 322201 | Bricklaying Services | 6.197 |
| 322301 | Roofing Services | 7.387 |
| 322401 | Structural Steel Erection Services | 5.860 |
| 323106 | Plumbing Services | 3.148 |
| 323206 | Electrical Services | 2.019 |
| 323306 | Air Conditioning and Heating Services | 3.602 |
| 323406 | Fire and Security Alarm Installation Services | 2.198 |
| 323901 | Other Building Installation Services | 4.178 |
| 324106 | Plastering and Ceiling Services | 6.065 |
| 324206 | Carpentry Services | 5.048 |
| 324306 | Tiling and Carpeting Services | 4.391 |
| 324406 | Painting and Decorating Services | 4.498 |
| 324506 | Glazing Services | 5.625 |
| 329101 | Landscape Construction Services | 4.108 |
| 329201 | Hire of Construction Machinery with Operator | 3.683 |
| 329901 | Other Construction Services n.e.c. | 5.224 |
|  | **WHOLESALE TRADE** |  |
| 331101 | Wool Wholesaling | 2.829 |
| 331201 | Cereal Grain Wholesaling | 3.457 |
| 331901 | Other Agricultural Produce Wholesaling | 2.097 |
| 331902 | Other Agricultural Supply Wholesaling | 0.609 |
| 332101 | Petroleum Product Wholesaling | 1.344 |
| 332201 | Metal Wholesaling | 4.113 |
| 332202 | Mineral Wholesaling | 1.973 |
| 332301 | Industrial and Agricultural Chemical Product Wholesaling | 1.449 |
| 333101 | Timber Wholesaling | 3.516 |
| 333201 | Plumbing Goods Wholesaling | 2.002 |
| 333901 | Builders Hardware Goods Wholesaling | 1.933 |
| 333902 | Household Hardware Goods Wholesaling | 1.105 |
| 341101 | Agricultural and Construction Machinery Wholesaling | 1.585 |
| 341901 | Other Specialised Industrial Machinery and Equipment Wholesaling | 1.692 |
| 349101 | Professional and Scientific Goods Wholesaling | 0.622 |
| 349201 | Computer and Computer Peripheral Wholesaling | 0.427 |
| 349301 | Telecommunication Goods Wholesaling | 0.723 |
| 349401 | Other Electrical and Electronic Goods Wholesaling | 0.766 |
| 349402 | Photographic Equipment Wholesaling | 0.400 |
| 349901 | Other Machinery and Equipment Wholesaling n.e.c. | 1.318 |
| 350101 | Car Wholesaling | 1.387 |
| 350201 | Commercial Vehicle Wholesaling | 2.186 |
| 350301 | Trailer and Other Motor Vehicle Wholesaling | 2.095 |
| 350401 | Motor Vehicle New Parts Wholesaling | 2.372 |
| 350501 | Motor Vehicle Dismantling and Used Parts Wholesaling | 2.717 |
| 360101 | General Line Grocery Wholesaling | 2.962 |
| 360201 | Meat Wholesaling | 5.629 |
| 360202 | Poultry and Smallgoods Wholesaling | 2.217 |
| 360301 | Dairy Produce Wholesaling | 2.833 |
| 360302 | Milk Vending | 4.574 |
| 360401 | Fish and Seafood Wholesaling | 2.948 |
| 360501 | Fruit and Vegetable Wholesaling | 4.399 |
| 360601 | Liquor and Tobacco Product Wholesaling | 1.352 |
| 360901 | Other Grocery Wholesaling | 3.289 |
| 360902 | Confectionery and Soft Drink Wholesaling | 2.165 |
| 371101 | Textile Product Wholesaling | 0.863 |
| 371201 | Clothing and Footwear Wholesaling | 0.447 |
| 372001 | Pharmaceutical and Toiletry Goods Wholesaling | 0.876 |
| 373101 | Furniture and Floor Covering Wholesaling | 1.317 |
| 373201 | Jewellery and Watch Wholesaling | 0.869 |
| 373301 | Kitchen and Dining ware Wholesaling | 1.115 |
| 373401 | Toy and Sporting Goods Wholesaling | 1.108 |
| 373501 | Book and Magazine Wholesaling | 1.284 |
| 373601 | Paper Product Wholesaling | 1.443 |
| 373901 | Other Goods Wholesaling n.e.c. | 1.532 |
| 380001 | Commission-Based Wholesaling | 1.491 |
| 380002 | Wholesaling goods not physically handling any stock | 0.727 |
|  | **RETAIL TRADE** |  |
| 391101 | Car Retailing | 1.623 |
| 391201 | Motor Cycle Retailing | 1.591 |
| 391301 | Trailer and Other Motor Vehicle Retailing | 1.871 |
| 392101 | Motor Vehicle Parts Retailing | 1.446 |
| 392201 | Tyre Retailing | 3.733 |
| 400001 | Fuel Retailing | 2.650 |
| 411001 | Supermarket and Grocery Stores | 1.873 |
| 412102 | Fresh Fish Retailing | 1.374 |
| 412106 | Fresh Meat and Poultry Retailing | 3.256 |
| 412206 | Fruit and Vegetable Retailing | 1.668 |
| 412301 | Liquor Retailing | 1.383 |
| 412901 | Other Specialised Food Retailing | 1.563 |
| 421101 | Furniture Retailing | 3.031 |
| 421201 | Floor Coverings Retailing | 2.112 |
| 421301 | Housewares Retailing | 1.704 |
| 421401 | Manchester and Other Textile Goods Retailing | 3.035 |
| 422101 | Electrical, Electronic and Gas Appliance Retailing | 1.269 |
| 422102 | Photographic Equipment Retailing | 0.506 |
| 422201 | Computer and Computer Peripheral Retailing | 1.222 |
| 422901 | Other Electrical and Electronic Goods Retailing | 1.531 |
| 423106 | Hardware and Building Supplies Retailing | 1.962 |
| 423206 | Garden Supplies Retailing | 2.510 |
| 424106 | Sport and Camping Equipment Retailing | 0.775 |
| 424206 | Entertainment Media and Musical Instrument Retailing | 0.443 |
| 424306 | Toy and Game Retailing | 0.400 |
| 424406 | Newspaper and Book Retailing | 0.988 |
| 424506 | Marine Equipment Retailing | 1.503 |
| 425101 | Clothing Retailing | 1.444 |
| 425201 | Footwear Retailing | 0.922 |
| 425301 | Watch and Jewellery Retailing | 0.753 |
| 425901 | Other Personal Accessory Retailing | 1.295 |
| 426001 | Department Stores | 1.764 |
| 426002 | General Variety Stores | 2.492 |
| 427101 | Pharmaceutical, Cosmetic and Toiletry Goods Retailing | 0.953 |
| 427201 | Stationery Goods Retailing | 0.916 |
| 427301 | Antique and Used Goods Retailing | 3.626 |
| 427302 | Coin and stamp dealing | 0.400 |
| 427401 | Flower Retailing | 2.633 |
| 427901 | Other Store-Based Retailing n.e.c. | 1.208 |
| 427902 | Tobacco Products Retailing | 2.001 |
| 431001 | Non-Store Retailing | 0.792 |
| 432001 | Retail Commission-Based Buying and/or Selling | 0.767 |
|  | **ACCOMMODATION AND FOOD SERVICES** |  |
| 440001 | Accommodation | 2.170 |
| 451101 | Cafes and Restaurants | 1.834 |
| 451201 | Takeaway Food Services | 1.184 |
| 451301 | Catering Services | 2.998 |
| 452001 | Pubs, Taverns and Bars | 2.170 |
| 453001 | Clubs (Hospitality) | 2.601 |
|  | **TRANSPORT, POSTAL AND WAREHOUSING** |  |
| 461001 | Road Freight Transport | 7.513 |
| 461002 | Towing Services | 4.957 |
| 462101 | Interurban and Rural Bus Transport | 3.734 |
| 462201 | Urban Bus Transport (Including Tramway) | 2.548 |
| 462301 | Taxi and Other Road Transport | 3.566 |
| 471006 | Rail Freight Transport | 1.678 |
| 472001 | Rail Passenger Transport | 2.585 |
| 481001 | Water Freight Transport | 3.639 |
| 482001 | Water Passenger Transport | 2.816 |
| 490001 | Scheduled Air and Space Transport | 1.543 |
| 490002 | Non-Scheduled Air and Space Transport | 1.101 |
| 501001 | Scenic and Sightseeing Transport | 2.921 |
| 502101 | Pipeline Transport | 0.987 |
| 502901 | Other Transport n.e.c. | 1.135 |
| 510101 | Postal Services | 1.408 |
| 510201 | Courier Pick-up and Delivery Services | 6.011 |
| 521101 | Stevedoring Services | 4.774 |
| 521201 | Port and Water Transport Terminal Operations | 3.467 |
| 521901 | Other Water Transport Support Services | 1.695 |
| 522001 | Airport Operations and Other Air Transport Support Services | 0.482 |
| 529101 | Customs Agency Services | 0.902 |
| 529201 | Freight Forwarding Services | 2.136 |
| 529202 | Freight Forwarding Services - not physically handling any stock | 0.400 |
| 529206 | Freight Forwarding Services (Water) | 1.579 |
| 529901 | Other Transport Support Services n.e.c. | 2.761 |
| 529902 | Radio Base Operation | 1.781 |
| 530101 | Grain Storage Services | 3.073 |
| 530906 | Other Warehousing and Storage Services | 3.582 |
| 530907 | Cold Storage | 6.839 |
|  | **INFORMATION MEDIA AND TELECOMMUNICATIONS** |  |
| 541101 | Newspaper Publishing | 0.788 |
| 541201 | Magazine and Other Periodical Publishing | 0.758 |
| 541301 | Book Publishing | 0.797 |
| 541401 | Directory and Mailing List Publishing | 0.826 |
| 541901 | Other Publishing (except Software, Music and Internet) | 0.779 |
| 542001 | Software Publishing | 0.400 |
| 551101 | Motion Picture and Video Production | 0.825 |
| 551201 | Motion Picture and Video Distribution | 0.622 |
| 551301 | Motion Picture Exhibition | 1.324 |
| 551401 | Post-production Services and Other Motion Picture and Video Activities | 0.689 |
| 552101 | Music Publishing | 0.811 |
| 552201 | Music and Other Sound Recording Activities | 0.400 |
| 561001 | Radio Broadcasting | 0.400 |
| 562101 | Free-to-Air Television Broadcasting | 0.449 |
| 562201 | Cable and Other Subscription Broadcasting | 0.455 |
| 570001 | Internet Publishing and Broadcasting | 0.869 |
| 580106 | Wired Telecommunications Network Operation | 0.651 |
| 580206 | Other Telecommunications Network Operation | 0.636 |
| 580901 | Other Telecommunications Services | 0.630 |
| 591001 | Internet Service Providers and Web Search Portals | 0.648 |
| 592101 | Data Processing and Web Hosting Services | 0.421 |
| 592201 | Electronic Information Storage Services | 0.947 |
| 601001 | Libraries and Archives | 0.400 |
| 602001 | Other Information Services | 0.401 |
|  | **FINANCIAL AND INSURANCE SERVICES** |  |
| 621001 | Central Banking | 0.449 |
| 622101 | Banking | 0.453 |
| 622201 | Building Society Operation | 0.400 |
| 622301 | Credit Union Operation | 0.436 |
| 622901 | Other Depository Financial Intermediation | 0.400 |
| 623001 | Non-Depository Financing | 0.400 |
| 624006 | Financial Asset Investing | 0.400 |
| 631006 | Life Insurance | 0.400 |
| 632101 | Health Insurance | 0.567 |
| 632206 | General Insurance | 0.482 |
| 633001 | Superannuation Funds | 0.400 |
| 641101 | Financial Asset Broking Services | 0.400 |
| 641901 | Other Auxiliary Finance and Investment Services | 0.400 |
| 642001 | Auxiliary Insurance Services | 0.482 |
|  | **RENTAL, HIRING AND REAL ESTATE SERVICES** |  |
| 661101 | Passenger Car Rental and Hiring | 1.431 |
| 661901 | Other Motor Vehicle and Transport Equipment Rental and Hiring | 1.632 |
| 662001 | Farm Animal and Bloodstock Leasing | 3.137 |
| 663101 | Heavy Machinery and Scaffolding Rental and Hiring | 2.877 |
| 663201 | Video and Other Electronic Media Rental and Hiring | 0.893 |
| 663901 | Other Goods and Equipment Rental and Hiring n.e.c. | 3.475 |
| 663902 | Party Hire | 5.365 |
| 664001 | Non-Financial Intangible Assets (Except Copyrights) Leasing | 0.400 |
| 671101 | Residential Property Operators | 1.685 |
| 671201 | Non-Residential Property Operators | 1.325 |
| 672001 | Real Estate Services | 0.482 |
|  | **PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES** |  |
| 691001 | Scientific Research Services | 0.400 |
| 692101 | Architectural Services | 0.400 |
| 692201 | Surveying and Mapping Services | 0.901 |
| 692301 | Engineering Design and Engineering Consulting Services | 0.400 |
| 692401 | Other Specialised Design Services | 0.400 |
| 692501 | Scientific Testing and Analysis Services | 0.534 |
| 693101 | Legal Services | 0.507 |
| 693201 | Accounting Services | 0.400 |
| 694001 | Advertising Services | 0.443 |
| 695001 | Market Research and Statistical Services | 0.426 |
| 696101 | Corporate Head Office Management Services | 0.443 |
| 696201 | Management Advice and Related Consulting Services | 0.400 |
| 697001 | Veterinary Services | 1.151 |
| 699101 | Professional Photographic Services | 1.459 |
| 699901 | Other Professional, Scientific and Technical Services n.e.c. | 0.455 |
| 700001 | Computer System Design and Related Services | 0.400 |
|  | **ADMINISTRATIVE AND SUPPORT SERVICES** |  |
| 721101 | Employment Placement and Recruitment Services | 1.786 |
| 721201 | Labour Supply Services | 0.690 |
| 721202 | Employment Programs | 2.386 |
| 722001 | Travel Agency and Tour Arrangement Services | 0.458 |
| 729101 | Office Administrative Services | 0.442 |
| 729201 | Document Preparation Services | 1.243 |
| 729301 | Credit Reporting and Debt Collection Services | 0.746 |
| 729401 | Call Centre Operation | 0.807 |
| 729901 | Other Administrative Services n.e.c. | 0.726 |
| 731101 | Building and Other Industrial Cleaning Services | 4.825 |
| 731201 | Building Pest Control Services | 4.293 |
| 731301 | Gardening Services | 3.759 |
| 731302 | Tree Lopping and Arborist Services | 7.345 |
| 732001 | Packaging Services | 2.545 |
|  | **PUBLIC ADMINISTRATION AND SAFETY** |  |
| 751001 | Central Government Administration | 0.453 |
| 752001 | State Government Administration | 0.454 |
| 753001 | Local Government Administration | 2.486 |
| 754001 | Justice | 0.635 |
| 755101 | Domestic Government Representation | 0.502 |
| 755201 | Foreign Government Representation | 0.502 |
| 760001 | Defence | 2.949 |
| 771101 | Police Services | 2.097 |
| 771201 | Investigation and Security Services | 4.219 |
| 771202 | Security Support Services | 2.102 |
| 771301 | Fire Protection and Other Emergency Services | 3.622 |
| 771401 | Correctional and Detention Services | 3.605 |
| 771901 | Other Public Order and Safety Services | 4.279 |
| 772001 | Regulatory Services | 0.559 |
|  | **EDUCATION AND TRAINING** |  |
| 801001 | Preschool Education | 1.488 |
| 802101 | Primary Education | 0.828 |
| 802201 | Secondary Education | 0.816 |
| 802301 | Combined Primary and Secondary Education | 0.892 |
| 802401 | Special School Education | 1.811 |
| 810101 | Technical and Vocational Education and Training | 1.474 |
| 810201 | Higher Education | 0.560 |
| 821101 | Sports and Physical Recreation Instruction | 1.397 |
| 821201 | Arts Education | 1.423 |
| 821901 | Adult, Community and Other Education n.e.c. | 1.348 |
| 822001 | Educational Support Services | 1.368 |
|  | **HEALTHCARE AND SOCIAL ASSISTANCE** |  |
| 840101 | Hospitals (Except Psychiatric Hospitals) | 2.180 |
| 840201 | Psychiatric Hospitals | 1.820 |
| 851101 | General Practice Medical Services | 0.465 |
| 851201 | Specialist Medical Services | 0.400 |
| 852001 | Pathology Services | 1.458 |
| 852002 | Diagnostic Imaging Services | 0.410 |
| 853101 | Dental Services | 0.458 |
| 853201 | Optometry, Optical Dispensing and Audiology Services | 0.461 |
| 853301 | Physiotherapy Services | 0.623 |
| 853401 | Chiropractic and Osteopathic Services | 0.400 |
| 853901 | Other Allied Health Services | 0.888 |
| 853902 | Nursing Services (own account) | 3.080 |
| 859101 | Ambulance Services | 3.031 |
| 859901 | Other Health Care Services n.e.c. | 1.029 |
| 859902 | Community Health Centres (Medical) | 2.096 |
| 859903 | Community Health Centres (Paramedical) | 3.840 |
| 860101 | Aged Care Residential Services | 3.667 |
| 860901 | Other Residential Care Services | 4.480 |
| 871001 | Child Care Services | 2.062 |
| 879001 | Other Social Assistance Services | 2.795 |
|  | **ARTS AND RECREATION SERVICES** |  |
| 891001 | Museum Operation | 1.679 |
| 892101 | Zoological and Botanical Gardens Operation | 3.222 |
| 892201 | Nature Reserves and Conservation Parks Operation | 3.058 |
| 900101 | Performing Arts Operation | 2.326 |
| 900201 | Creative Artists, Musicians, Writers and Performers | 0.405 |
| 900301 | Performing Arts Venue Operation | 1.685 |
| 911101 | Health and Fitness Centres and Gymnasia Operation | 1.389 |
| 911201 | Sports and Physical Recreation Clubs and Sports Professionals | 1.377 |
| 911202 | Thoroughbred Horse Racing | 23.345 |
| 911301 | Sports and Physical Recreation Venues, Grounds and Facilities Operation | 1.519 |
| 911401 | Sports and Physical Recreation Administrative Service | 0.897 |
| 912101 | Horse and Dog Racing Administration and Track Operation | 1.763 |
| 912901 | Other Horse Racing Activities | 10.04 |
| 912902 | Other Dog Racing Activities | 1.489 |
| 913106 | Amusement Parks and Centres Operation | 1.790 |
| 913901 | Amusement and Other Recreational Activities n.e.c. | 1.722 |
| 920101 | Casino Operation | 1.683 |
| 920201 | Lottery Operation | 0.815 |
| 920901 | Other Gambling Activities | 0.732 |
|  | **OTHER SERVICES** |  |
| 941101 | Automotive Electrical Services | 2.191 |
| 941201 | Automotive Body, Paint and Interior Repair | 3.550 |
| 941203 | Automotive Glass Replacement and Repair Services | 1.953 |
| 941901 | Other Automotive Repair and Maintenance | 2.737 |
| 942101 | Domestic Appliance Repair and Maintenance | 2.312 |
| 942201 | Electronic (except Domestic Appliance) and Precision Equipment Repair  and Maintenance | 0.645 |
| 942901 | Other Machinery and Equipment Repair and Maintenance | 2.517 |
| 942902 | Agricultural, Farm, Construction and Earthmoving Machinery and Equipment  Repair and Maintenance | 1.496 |
| 949101 | Clothing and Footwear Repair | 1.139 |
| 949901 | Other Repair and Maintenance n.e.c. | 2.264 |
| 951101 | Hairdressing and Beauty Services | 1.274 |
| 951201 | Diet and Weight Reduction Centre Operation | 2.539 |
| 952001 | Funeral Services | 2.058 |
| 952002 | Crematorium and Cemetery Services | 5.701 |
| 953101 | Commercial Laundries and Linen Hire Services | 5.839 |
| 953102 | Laundrettes and Dry-Cleaners | 3.349 |
| 953201 | Photographic Film Processing | 0.908 |
| 953301 | Parking Services | 2.768 |
| 953401 | Brothel Keeping and Prostitution Services | 1.790 |
| 953901 | Other Personal Services n.e.c. | 1.756 |
| 953902 | Pet Care Services | 4.211 |
| 954001 | Religious Services | 0.852 |
| 955101 | Business and Professional Association Services | 0.734 |
| 955201 | Labour Association Services | 1.136 |
| 955901 | Other Interest Group Services n.e.c. | 1.855 |
| 955902 | Political Parties | 0.400 |
| 960101 | Private Households Employing Staff | 3.109 |
|  | **NON-CLASSIFIABLE** |  |
| 990001 | Non-Classifiable Economic Unit | 23.345 |

Return To Work Act 2014

Publication of Designated Manners and Forms Notice 2024

*Preamble*

Subsection 4(15) of the *Return to Work Act 2014* (“the Act”) provides that the Return to Work Corporation of South Australia (“the Corporation”) may, by notice in the Gazette, designate manners and forms for the purposes of the Act.

In accordance with the power delegated to me by the Corporation under the current Instrument of Delegation of the Corporation, I, Michael Francis, Chief Executive Officer, designate pursuant to the sections of the Act specified herein the forms by which information is to be provided by an employer.

**Part 1—Preliminary Matters**

1. This notice may be cited as the Publication of Designated Manners and Forms Notice 2024.

**Part 2—Designated Forms**

2. *Employer remuneration return*

Pursuant to subsection 149(1) of the Act, I give notice that the form at Attachment 1 is the designated form for the purpose of that subsection in respect of a return required at the beginning of the 2024-25 premium period.

This form will come into effect on 1 July 2024, and supersedes only the form designated under subsection 149(1) of the Act previously published in the Government Gazette No. 36 dated 1 June 2023.

**Part 3—Designated Manners**

3. Employers may supply the information required in the form designated in Clause 2 of this Notice titled ‘Employer remuneration return’ in the following designated manners:

3.1. by post

3.2. by phone

3.3. by email

3.4. by lodging via ReturntoWorkSA’s website

4. The information shall be deemed to have been provided if one of the designated manners in Clause 3 of this Part is used.

5. No signature is required for the purposes of Clause 3.2, 3.3 and 3.4 of this Part.

I confirm that this is a true and correct record of the decision of the Corporation made in the exercise of my delegated authority.

Dated: 29 May 2024

M. Francis

Chief Executive Officer

A close-up of a form

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A close-up of a document

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Return to Work Act 2014

RTWSA Premium Order (Retro-Paid Loss Arrangement) 2024-2025

The Board of the Return to Work Corporation of South Australia (‘the Corporation’) after consultation with the Minister publishes the principles fixing the manner in which a premium payable by an employer (or person who proposes to become an employer) will be calculated for the purposes of Section 143 of the *Return to Work Act 2014* (‘the Act’), referred to as the ‘RTWSA Premium Order (Retro Paid Loss Arrangement) 2024-2025’ (‘this Order’).

This Order fixes the manner in which such a premium is to be calculated for the Retro-Paid Loss Arrangement authorised under subsection 143(7)(e) of the Act for the period beginning 1 July 2024 to and including 30 June 2025.

**Part 1—Preliminary Matters**

1. This Order is the RTWSA Premium Order (Retro-Paid Loss Arrangement) 2024-2025 published pursuant to subsection 143(3) of the Act.

2. This Order takes effect on 1 July 2024.

**Part 2—Application**

3. This Order applies to employers who, in accordance with subsection 143(7)(e) of the Act, on application and at the discretion of the Corporation, satisfy specified criteria so as to pay a premium determined according to an alternative set of principles. The Corporation delegates to its Chief Executive Officer the function and power to specify such criteria.

4. In accordance with subsection 143(7)(e) of the Act and as determined in Part 7 of the RTWSA Premium Order (Return to Work Premium System) 2024-2025 this Order fixes such an alternative set of principles for calculating premiums (to be known as the Retro-Paid Loss Arrangement premium calculation).

5. If, before 1 July 2025, a RTWSA Premium Order (Retro-Paid Loss Arrangement) has not been made for the 2025-2026 period (or such further period thereafter), this Order continues to apply pending the making of such an order.

6. The terms and conditions in the RTWSA Premium Provisions 2024-2025 apply to, and in respect of, a Retro-Paid Loss Arrangement unless this Order provides otherwise.

7. In this Order, words and expressions have the same meaning as they have in the RTWSA Premium Provisions 2024-2025, unless this Order provides otherwise.

**Part 3—Retro-Paid Loss Arrangement premium calculation**

8. The Retro-Paid Loss Arrangement premium calculated at the commencement of the premium period is the initial premium, determined in accordance with Part 6 of this Order.

9. The Retro-Paid Loss Arrangement premium is then recalculated at each adjustment date as the adjusted premium, determined in accordance with Part 6 of this Order.

**Part 4—Returns and payment terms**

10. Any initial premium will be payable in accordance with the provisions in the then current Payment of Statutory Payments Notice.

11. Any adjusted premium is to be paid in full on the date specified on the adjustment note.

**Part 5—Adjustment dates**

12. In this Order:

12.1 adjustment date, in relation to the Retro-Paid Loss Arrangement, means each of the following dates:

(a) the date that is 15 months after the date of the commencement of the premium period (the first adjustment date),

(b) the date that is 27 months after the date of the commencement of the premium period (the second adjustment date),

(c) the date that is 39 months after the date of the commencement of the premium period (the third adjustment date),

(d) the date that is 48 months after the date of the commencement of the premium period (the fourth adjustment date).

**Part 6—Calculation of initial premium and adjusted premium**

13. The method for calculating the premium for an employer or group of employers:

13.1 at the commencement of the premium period, the premium (initial premium) is calculated as defined in the RTWSA Premium Order (RTW Premium System) 2024-2025, but where, in calculating base premium, ‘ra, rb…rn’ are each part of the total remuneration in respect of the 2024-2025 premium period, being a part of the total remuneration attributable to each of the employer’s relevant SAICs.

13.2 at the 15 month adjustment date, the premium (adjusted premium) is as follows:

P = (BP – A) x 0.6 + C + SUR + GST + WHS

but not more than Pmax.

13.3 at the 27 month adjustment date, the premium (adjusted premium) is as follows:

P = (BP – A) x 0.5 + C + SUR + GST + WHS

but not more than Pmax.

13.4 at the 39 month adjustment date, the premium (adjusted premium) is as follows:

P = (BP – A) x 0.4 + C + SUR + GST + WHS

but not more than Pmax.

13.5 at the 48 month adjustment date, the premium (adjusted premium) is as follows:

P = (BP – A) x 0.4 + C + SUR + GST + WHS

but not more than Pmax.

Where:

**BP** is the base premium calculated in accordance with Part 4 of the RTWSA Premium Provisions 2024-2025 but where ‘ra, rb…rn’ are each part of the total remuneration in respect of the 2024-2025 premium period, being a part of the total remuneration attributable to each of the employer’s relevant SAICs.

**A** is the Apprentice and Trainee incentive amount, if any, for an employer or group of employers determined with respect to the premium period or part thereof in accordance with Part 5 of the RTWSA Premium Provisions 2024-2025.

**SUR** is the Supplementary Underwriting Rate being a premium adjustment (either a decrease or an increase) to allow the premium of an employer, within a particular category or class, to be adjusted. Any adjustment is at the discretion of the Corporation and subject to the claims experience and a specific risk assessment of the employer by the Corporation.

**GST** is the Goods and Services Tax as defined in Part 2 of the RTWSA Premium Provisions 2024-2025.

**WHS** is the work health and safety registration fee as defined in accordance with Part 2 of the RTWSA Premium Provisions 2024-2025.

**P** is the adjusted premium for the time being payable by an employer or group of employers in respect of the premium period (including, where adjustments are required to be made to that premium by reason of the operation of this Order, the premium so payable by reason of those adjustments).

**C** is the total of the cost of claims for an employer or group of employers as defined in Part 8 of this Order in respect of claims with a date of injury in the premium period. For this purpose date of injury is the date the person suffered the injury, or the deemed date of injury under the Act.

**Pmax** is the maximum premium that is payable by an employer or group of employers calculated in accordance with Part 7 of this Order.

14. The method to apportion adjusted premium for each member of a group at each adjustment date (the adjusted premium) is as follows:

PE = P x BP – A

BPG – AG

Where:

**PE** is the premium for the time being payable by an employer who is a member of a group in respect of the premium period calculated in accordance with 13.2, 13.3, 13.4 and 13.5 of Part 6 of this Order (including, where adjustments are required to be made to that premium by reason of the operation of this Order, the premium so payable by reason of those adjustments).

**BP** is the base premium for an employer that is a member of a group calculated in accordance with Part 4 of the RTWSA Premium Provisions 2024-2025, but where ‘ra, rb…rn’ are each part of the total remuneration in respect of the 2024-2025 premium period, being a part of the total remuneration attributable to each of the employer’s relevant SAICs.

**A** is the Apprentice and Trainee incentive amount, if any, for an employer determined with respect to the premium period or part thereof in accordance with Part 5 of the RTWSA Premium Provisions 2024-2025.

**BPG** is the sum of the BP for all the members of a group of which the employer is a member.

**AG** is the sum of A for all members of a group of which the employer is a member.

**Part 7—Maximum and minimum premium payable**

15. For the purposes of this Order, the maximum premium (Pmax) that is payable by an employer or group of employers in respect of the premium period is calculated as follows:

Pmax = [(BP x 2) – A] + SUR + GST + WHS

16. Despite any other provision of this Order, an initial premium or an adjusted premium is to be no less than the minimum premium specified in the RTWSA Premium Provisions 2024-2025.

**Part 8—Cost of claims**

17. Cost of claims means the total of:

17.1 costs paid on, and in respect of, each claim for compensation allocated to a particular employer (irrespective of whether the claim for compensation was withdrawn by the worker, accepted or rejected); and

17.2 for claims in which a worker has or is expected to have an entitlement for a lump sum payment in accordance with Part 4 Division 6 and/or Part 4 Division 7 of the Act where the payment has not been made, the cost of claims will include an estimate assessed by the Corporation of the outstanding liability for expected lump sum payment(s); and

17.3 for claims in which a worker is a seriously injured worker (as defined in Part 2 Division 4 of the Act), the current and most accurate estimate assessed by the Corporation of the outstanding liability for each claim.

18. The costs of each claim are the total costs for the claim, as described in Clause 17 of this Part, based on the evidence available at the time of the relevant adjustment date.

19. Excluded from the costs of each claim are:

19.1 Costs associated with claims for unrepresentative injuries,

19.2 Costs associated with successfully prosecuted fraudulent claims,

19.3 Actual recoveries for compulsory third party and common law actions under Section 66 of the Act,

19.4 the amount of income support paid in the first two weeks of a worker’s incapacity where the Corporation has undertaken the liability of the employer in accordance with subsection 64(14) of the Act, and

19.5 Claims costs in excess of $500,000.

20. But, in any case where a single event leads to 3 or more individual claims, the maximum total combined costs of all those claims in relation to that event will not exceed $1,000,000.

**Part 9—Exit to Self-Insurance**

21. If an employer to whom this Order applies is registered as a self-insured employer under Section 129 of the Act:

21.1 within 15 months from the commencement of the premium period, premium will be calculated in accordance with Clause of 13.1 of Part 6 of this Order; or

21.2 on or after 15 months and prior to 48 months from the commencement of the premium period, then adjusted premium will be payable within 28 days of commencement of the self-insurance registration. The calculation of adjusted premium will be based on the balance of all premium that would have been payable under Part 6 of this Order, by applying the adjustment formula applicable immediately prior to commencement of the self-insurance registration with C (in that formula). This will be calculated as at the date immediately prior to commencement of the self-insurance registration.

I confirm that this is a true and correct record of the decision of the Board of the Corporation made on the 23rd day of April 2024.

Dated 23 April 2024

G. McCarthy

Board Chair

Return to Work Act 2014

RTWSA Premium Order (Return to Work Premium System) 2024-2025

The Board of the Return to Work Corporation of South Australia (‘the Corporation’) after consultation with the Minister publishes the principles fixing the manner in which a premium payable by an employer (or person who proposes to become an employer) will be calculated for the purposes of Section 143 of the *Return to Work Act 2014* (‘the Act’), referred to as the ‘RTWSA Premium Order (Return to Work Premium System) 2024-2025’ (‘this Order’). This Order fixes the manner in which such a premium is to be calculated so as to take effect on 1 July 2024 and up to and including 30 June 2025.

**Part 1—Preliminary Matters**

This Order is the RTWSA Premium Order (Return to Work Premium System) 2024-2025 published pursuant to subsection 143(3) of the Act and takes effect on 1 July 2024.

**Part 2—Application**

1. This Order applies to all employers other than a newly registered employer in the circumstance described in Clause 2 or unless another Order applies.

2. A newly registered employer, who commenced to be an employer after 1 July 2023 and who employed workers after 1 July 2023, who is not subject to the transfer of business provisions in Section 160 of the Act, will have their premium calculated in accordance with Part 6 of the RTWSA Premium Provisions 2024-2025 until that employer has experienced a full premium period.

3. If before 1 July 2025, a RTWSA Premium Order (Return to Work Premium System) has not been made for the 2025-2026 period, this Order continues to apply pending the making of such an Order.

4. The terms and conditions in the RTWSA Premium Provisions 2024-2025 apply unless this Order provides otherwise.

5. In this Order, words and expressions have the same meaning as they have in the RTWSA Premium Provisions 2024-2025, unless this Order provides otherwise.

**Part 3—Calculation of premium payable by an employer**

6. The premium payable by an employer for a premium period, or part thereof, is to be calculated by the following formula:

P = BP x (1 – D) + C\* – A + SUR + GST + WHS

\* C is subject to a maximum of 3 x D x BP

Where:

**P** is the total premium

**D** is the base premium discount factor calculated in accordance with Part 4 of this Order

**BP** is the base premium calculated in accordance with Part 4 of the RTWSA Premium Provisions 2024-2025

**C** is the cost of claims calculated in accordance with Part 5 of this Order

**A** is the Apprentice and Trainee incentive amount, if any, for an employer determined with respect to the premium period or part thereof in accordance with Part 5 of the RTWSA Premium Provisions 2024-2025

**SUR** is the Supplementary Underwriting Rate being a premium adjustment (either a decrease or an increase) to allow the premium of an employer, within a particular category or class, to be adjusted. Any adjustment is at the discretion of the Corporation and subject to the claims experience and a specific risk assessment of the employer by the Corporation.

**GST** is the Goods and Services Tax as defined in Part 2 of the RTWSA Premium Provisions 2024-2025

**WHS** is the work health and safety registration fee as defined in Part 2 of the RTWSA Premium Provisions 2024-2025

**Part 4—Base premium discount factor**

7. The base premium discount factor (D) for an employer is as follows:

7.1. Where the employer’s annualised Base Premium is less than $10,000, the premium discount factor is 0.05.

7.2. Where the employer’s annualised Base Premium is or exceeds $10,000 and is less than $50,000, the premium discount factor is 0.1.

7.3. Where the employer’s annualised Base Premium is or exceeds $50,000 and is less than $100,000, the premium discount factor is 0.15.

7.4. Where the employer’s annualised Base Premium is or exceeds $100,000 and is less than $500,000, the premium discount factor is 0.2.

7.5. Where the employer’s annualised Base Premium is or exceeds $500,000 and is less than $1,000,000, the premium discount factor is 0.25.

7.6. Where the employer’s annualised Base Premium is or exceeds $1,000,000 the premium discount factor is 0.30.

**Part 5—Cost of claims**

8. Cost of claims means income support payments, where:

8.1. payments were made in the financial year preceding the premium period to which the premium applies, and

8.2. the payments were paid with respect to claims with a date of injury in the three financial years preceding the commencement of the premium period to which the premium applies, but excluding:

8.2.1. the amount of income support paid in the first two weeks of a worker’s incapacity where the Corporation has undertaken the liability of the employer in accordance with subsection 64(14) of the Act, and

8.2.2. the income support payments paid in respect of claims arising from an unrepresentative injury as defined by Section 4 of the Act, and

8.2.3. the income support payments associated with successfully prosecuted fraudulent claims.

**Part 6—Group Training Organisation arrangement**

9. Where an employer is registered with the South Australian Government as meeting the National Standards for Group Training Organisations in the relevant premium period, the premium (P) will be calculated in accordance with the following formula:

P = BP – A + SUR + GST + WHS

10. This arrangement shall only apply if the employer has registered and obtained a separate employer number with ReturnToWorkSA for the purpose of reporting apprentice and trainee remuneration.

**Part 7—Alternative set of Principles (Retro Paid Loss Arrangement)**

11. For the purposes of Section 143(7)(e) of the Act, the RTWSA Premium Order (Retro-Paid Loss Arrangement) 2024-2025 is an alternative set of principles for the payment of premium for an employer or employers.

**Part 8—Provision of a deposit, bond or guarantee or other security**

12. As permitted by Section 143(7) of the Act the Corporation will be entitled, in its discretion, to require any employer within a class set out below to provide security for the due payment of premium or other money due to the Corporation. Such security may, at the discretion of the Corporation, be constituted by a deposit, bond, guarantee, and/or a security over assets of that employer or over the assets of any person or entity providing a guarantee.

13. The following classes of employer are specified for the purposes of Section 143(7)(f):

(a) An employer who has been or is a non-compliant employer;

(b) An employer in respect of which any manager, director, officer or other person having material influence over the affairs of the employer:

(i) has previously been a manager director officer or person having material influence over the affairs of a non-compliant employer; or

(ii) is a related person to a manager, director, officer or other person having material influence over the affairs of a non-compliant employer;

(c) An employer who would be capable of being treated as a member of a group under the *Payroll Tax Act 2009* where any other member of the group has been or is a non-compliant employer;

(d) An employer who is or has been or is an associated entity of a non-compliant employer;

(e) An employer who has not disclosed information to which the Corporation is entitled under either Section 149 or 150 of the Act in a timely manner.

14. In this Part 8 the following terms have the meanings set out below:

“**non-compliant employer**” is an employer who has defaulted in the payment of premium or other money due to the Corporation, within the 3 years prior to the commencement of this Premium Order or who has failed to comply with Section 128 of the Act or any equivalent provision in prior legislation;

“**associated entity**” means entities that are associated under Section 50AAA of the *Corporations Act 2001*;

“**related person**” means spouse, domestic partner, parent, grandparent, child, grandchild, stepchild, brother, sister, stepbrother, stepsister, half-brother, half-sister, aunt, uncle, cousin or a spouse or domestic partner of any of those persons.

I confirm that this is a true and correct record of the decision of the Board of the Corporation made on the 23rd day of April 2024.

Dated: 23 April 2024

G. McCarthy

Board Chair

Return to Work Act 2014

RTWSA Premium Provisions 2024-2025

The Board of the Return to Work Corporation of South Australia (‘the Corporation’) after consultation with the Minister publishes the following terms and conditions that will apply in relation to the calculation, imposition and payment of premiums for the purposes of subsection 138(1) of the *Return to Work Act 2014* (‘the Act’) and these terms and conditions will be referred to as the ‘RTWSA Premium Provisions 2024-2025’.

The RTWSA Premium Provisions 2024-2025 apply for the premium period 2024-2025 (and each premium period thereafter until modified in accordance with subsection 138(1) of the Act).

**Part 1—Preliminary Matters**

1. These terms and conditions apply to the calculation, imposition and payment of premiums on or after 1 July 2024.

**Part 2—Definitions**

2. For the purposes of the RTWSA Premium Provisions 2024-2025, RTWSA Premium Order (Return To Work Premium System) 2024-2025 (as amended from time to time) and the RTWSA Premium Order (Retro-Paid Loss Arrangement) 2024-2025 (as amended from time to time) the following definitions will apply except where otherwise modified:

**apprentice**: A person who is or will be trained by their employer under an approved training contract in an occupation declared to be a ‘trade’ under Section 6 of the *South Australian Skills Act 2008*.

**approved training contract**: Has the same meaning as a contract approved as a training contract under the *South Australian Skills Act 2008.*

**ceasing employer**: A registered employer that ceases to be an employer required to be registered under Part 9 of the Act.

**employer**: Has the same meaning as in Section 4 of the Act.

**financial year**: The period from 1 July in a calendar year to 30 June in the next calendar year with a **full** **financial year** being the whole of that 12 month period and **part financial year** being any period less than the whole 12 month period.

**GST**: The Goods and Services Tax, has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth.

**GTO**: A Group Training Organisation which is registered as such under the National Standards for Group Training Organisations in South Australia and which has a registered office in South Australia.

**industry premium rate**: A rate that corresponds to a SAIC as determined by the Corporation from time to time and published in the Government Gazette.

**new employer**: An employer who takes over a business on account of a transfer of business as defined by Section 160 of the Act.

**newly registered employer**: An employer who has not been registered for one full premium period.

**old employer**: An employer who has disposed of a business under a transfer of business as defined by Section 160 of the Act.

**period**: Includes any financial year, or as provided in Part 8.

**premium period**: Refers to any financial year for which premium is calculated.

**Regulations**: The *Return to Work Regulations 2015*.

**remuneration**: is the remuneration payable by an employer to or for the benefit of workers during a premium period and includes all liabilities for payment made or to be made to or for the benefit of a worker which by the determination of the Corporation constitute remuneration but does not include payments determined by the Corporation not to constitute remuneration.

**SAIC**: South Australian Industry Classification.

**the Act**: *Return to Work Act 2014*.

**trainee**: A person who is or will be trained by their employer under an approved training contract (entered into prior to 23 May 2013 or with a GTO) in an occupation which is a declared ‘vocation’ under Section 6 of the *South Australian Skills Act 2008*.

**WHS**: The work health and safety registration fee calculated for each financial year and collected by the Corporation on behalf of SafeWork SA in accordance with Schedule 5 of the *Work Health and Safety Act 2012*.

**Part 3—Liability to pay premiums**

3. For the purposes of Section 139(1) of the Act, an employer will be liable to pay a premium for each premium period.

**Part 4—Calculation of Base Premium for employers**

4. Pursuant to Section 142(4) of the Act, the base premium (BP) is to be calculated in accordance with the following formula:

BP = (Ra x Ia) + (Rb x Ib) + …(Rn x In)

Where:

**Ra, Rb, …Rn** are each a part of the total remuneration in respect of the period:

(a) for which the premium is to be calculated; or

(b) preceding the period for which the premium is to be calculated,

as chosen by the employer at the time of completing the return for the current premium period, being a part of the total remuneration attributable to each of the employer’s relevant SAICs.

**Ia, Ib, …In** are each an industry premium rate expressed as a percentage that corresponds to each relevant SAIC applicable to the employer.

*Non-payment or underpayment of remuneration lawfully payable will not reduce the remuneration used as a basis for calculation of an employer’s base premium.*

**Part 5—Apprentice and Trainee Incentive Amount**

5. The Apprentice and Trainee incentive amount (A) for an employer is to be calculated in accordance with the following formula:

A = (Aa x Ia) + (Ab x Ib) + …(An x In)

Where:

**Aa, Ab, …An** are each a part of the total remuneration payable by the employer to:

5.1. apprentices (as defined in Part 2) in respect of the period for which the premium is to be calculated, being a part of the total remuneration attributable to a SAIC applicable to the employer.

5.2. trainees (as defined in Part 2) but only for the term or the balance of the term of an approved training contract (as defined in Part 2) entered into prior to 23 May 2013 and in respect of the period for which the premium is to be calculated, being a part of the total remuneration attributable to a SAIC applicable to the employer.

5.3. in the case of an employer who is a GTO, GTO trainees (both as defined in Part 2) employed by that GTO in respect of the period for which the premium is to be calculated, being a part of the total remuneration applicable to a SAIC applicable to the employer.

**Ia, Ib, …In** are each an industry premium rate being a percentage rate that corresponds to each relevant SAIC applicable to the employer.

6. If the employer has not supplied a return with respect to remuneration (as required under the Act) in respect of any relevant period, the apprentice and trainee incentive amount (“A”) is taken to be zero for the purposes of the calculation of the employer’s premium but the premium may be recalculated when the required return as to remuneration has been supplied.

**Part 6—Premium payable by a newly registered employer**

7. Where an employer is a newly registered employer, the premium payable (“P”) is calculated in accordance with the following formula:

P = (BP – A) + SUR + GST + WHS

Where:

**P** is the premium payable for a premium period or part thereof

**SUR** is the Supplementary Underwriting Rate being a premium adjustment (either a decrease or an increase) to allow the premium of an employer, within a particular category or class, to be adjusted. Any adjustment is at the discretion of the Corporation and subject to the claims experience and a specific risk assessment of the employer by the Corporation.

**Part 7—Transfer of Business**

8. For the purposes of Section 160 of the Act it is determined that the claims history of the old employer will be applied to the calculation of the premium payable by the new employer in the following circumstances:

8.1. Where the new employer has employed workers who constituted all or a majority of the workers employed by the old employer at any time at the business location or locations transferred to the new employer, and

8.2. The workers at any time carried out activities/services for the new employer that are the same or similar to activities/services carried out by those workers for the old employer.

In any other case involving a transfer of business pursuant to Section 160 of the Act, the Corporation will be entitled in its discretion to apply claims experience with respect to the employer before the transfer, to the employer who takes over the business on account of the transfer.

These provisions apply whether or not the business of the new employer or the activities and/or services performed are at the same business location.

**Part 8—Designated period and designated minimum premium**

9. For the purposes of Section 143(9)(a) of the Act, the designated period is a financial year.

10. For the purposes of Section 143(9)(b) of the Act, the designated minimum premium is $200, subject to any instalment payment rounding.

**Part 9—Cessations**

11. For the purposes of Section 139(3) of the Act, the Corporation will calculate a ceasing employer’s refund as follows:

11.1. the ceasing employer’s premium (**“final premium”**) will be calculated in accordance with the formula in Part 3 of the RTWSA Premium Order (Return to Work Premium System) 2024-2025, but where, in calculating base premium, ‘Ra, Rb, …Rn’ is the remuneration declared in the return for the current premium period multiplied by the percentage of that period that the ceasing employer was registered; and

11.2. if the premium already paid by the ceasing employer is greater than the final premium, the ceasing employer is entitled to a refund of an amount equal to the difference between the premium already paid and the final premium.

12. If the premium already paid by a ceasing employer in the current premium period is less than the final premium, the ceasing employer is required to pay the Corporation an amount equal to the difference between the premium already paid in the current premium period and the final premium (being an adjusted premium).

13. For the avoidance of doubt, nothing in this Part 9 impacts the Corporation’s power under Section 144(6)(b) of the Act.

I confirm that this is a true and correct record of the decision of the Board of the Corporation made on the 23rd day of April 2024.

Dated: 23 April 2024

G. McCarthy

Board Chair

## The South Australian Superannuation Board (Super SA)

Superannuation Funds Management Corporation of South Australia Board (Funds SA)  
Southern Select Super Corporation (Super Sa Select)

Upcoming Board Member Elections

Ballots for the following elections will open on Monday 12 August 2024:

• Super SA Board (South Australian Superannuation Board)

• Funds SA Board (board of the Superannuation Funds Management Corporation of South Australia)

• Super SA Select Board (board of the Southern Select Super Corporation)

In addition, eligible members of SA Police Super (Police Superannuation Scheme) as at 5pm (ACST) on 28 June 2024 will be notified of how to vote in the Funds SA Board election.

Voting will be by ballot paper delivered to the address linked to members’ Super SA or SA Police Super account (as the case may be) and eligible members will be further notified of how to vote. However, to receive voting packs and cast votes, members will need to ensure their postal address details are up to date by Friday, 28 June 2024.

Super SA members—please update your postal address via the member portal at [supersa.sa.gov.au](https://www.supersa.sa.gov.au/) or call Super SA on (08) 8214 7800.

SA Police Super member—please update your postal address by calling SA Police Super on (08) 8470 0370 or email [admin@policesuper.sa.gov.au](mailto:admin@policesuper.sa.gov.au).

Information about the nomination process for the elections will be published in the Government Gazette on 4 July 2024, the Advertiser on Saturday, 6 July 2024, the Sunday Mail on Sunday, 7 July 2024 and at [supersa.sa.gov.au](https://www.supersa.sa.gov.au/).

Dated: 6 June 2024

Kathy O’Donnell

Manager, Board Services,

Policy and Governance, Super SA

# Local Government Instruments

## Rural City of Murray Bridge

Local Government Act 1999

Permits and Penalties By-Law 2024

By-law No. 1 of 2024

To provide for a permit system, set penalties for breaches of by-laws, provide for certain matters pertaining to liability and evidence, set regulatory requirements, clarify the construction of Council’s by-laws and for related purposes.

Part 1—Preliminary

**1. Short Title**

This by-law may be cited as the *Permits and Penalties By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the Gazette in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

3.1 In any by-law of the Council, unless the contrary intention is clearly indicated:

3.1.1 **authorised person** means a person appointed as an authorised person pursuant to Section 260 of the *Local Government Act 1999*;

3.1.2 **Council** means Rural City of Murray Bridge;

3.1.3 **drive** a vehicle means to be in control of the steering, movement or propulsion of the vehicle;

3.1.4 **driver** of a vehicle means the person driving the vehicle;

3.1.5 **motor vehicle** has the same meaning as in the *Road Traffic Act 1961*;

3.1.6 **person** includes a natural person, a body corporate or incorporated association;

3.1.7 **road** has the same meaning as in the *Local Government Act 1999*;

3.1.8 **vehicle** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules* and includes a motor vehicle.

3.2 In this by-law:

3.2.1 **owner** has the same meaning as in the *Road Traffic Act 1961*;

3.2.2 **prescribed offence** means an offence against a by-law of the Council relating to the driving, parking or standing of vehicles.

**4. Construction**

Every by-law of the Council shall be subject to any Act of Parliament and Regulations made thereunder.

Part 2—Permits

**5. Council May Grant Permits**

If any by-law of the Council states that a person needs a ‘permit’ or ‘permission’ to do a specified thing, then the following provisions apply:

5.1 The permit must be in writing.

5.2 A person may apply for permission by:

5.2.1 making a written application for permission to the Council or its duly authorised agent;

5.2.2 making application by way of a website established by the Council for the purpose of issuing a permit of a particular kind;

5.2.3 obtaining a permit from a permit vending-machine installed and maintained by the Council that has been designated by the Council for the purposes of issuing a permit of a particular kind.

5.3 The Council may:

5.3.1 provide that the permit applies for a particular term;

5.3.2 attach conditions to the permit the Council considers appropriate;

5.3.3 change or revoke a condition, by notice in writing; or

5.3.4 add new conditions, by notice in writing.

5.4 A person who holds a permit must comply with every condition attached to it. Failure to do so constitutes a breach of this by-law.

5.5 The Council may revoke a permit, by notice in writing, if:

5.5.1 the holder of the permit fails to comply with a condition attached to it; or

5.5.2 the permit is of a continuing nature, and the Council has reasonable grounds for revoking it.

5.6 The Council may, by resolution, fix, vary or revoke fees or charges for the granting of a permit to do a specified thing.

5.7 A person who applies for permission by way of subparagraph 5.2.2 or 5.2.3 is taken to have been granted permission when the following steps have been completed:

5.7.1 the person pays the permit fee (if any) by (as the case may be):

5.7.1.1 inserting sufficient coins or notes into the permit vending-machine;

5.7.1.2 credit or debit card; or

5.7.1.3 such other method of payment that may be approved by the Council by resolution;

5.7.2 the person receives a notice identifying itself as a permit from the Council to undertake the activity specified in the permit.

Part 3—Enforcement

**6. Penalties**

6.1 A person who contravenes, or fails to comply with any by-law of the Council is guilty of an offence and is liable to a maximum penalty, being the maximum penalty referred to in the *Local Government Act 1999*, which may be fixed for offences against a by-law.

6.2 A person who is convicted of an offence against any by-law of the Council in respect of a continuing act or omission is liable, in addition to the penalty otherwise applicable, to a further penalty, being the maximum penalty referred to in the *Local Government Act 1999* which may be fixed for offences of a continuing nature against a by-law.

**7. Liability of Vehicles Owners and Expiation of Certain Offences**

7.1 Without derogating from the liability of any other person, but subject to this paragraph, if a vehicle is involved in a prescribed offence, the owner of the vehicle is guilty of an offence and liable to the same penalty as is prescribed for the principal offence and the expiation fee that is fixed for the principal offence applies in relation to an offence against this paragraph.

7.2 The owner and driver of a vehicle are not both liable through the operation of this paragraph to be convicted of an offence arising out of the same circumstances, and consequently conviction of the owner exonerates the driver and conversely conviction of the driver exonerates the owner.

7.3 An expiation notice or expiation reminder notice given under the *Expiation of Offences Act 1996* to the owner of a vehicle for an alleged prescribed offence involving the vehicle must be accompanied by a notice inviting the owner, if they were not the driver at the time of the alleged prescribed offence, to provide the Council or officer specified in the notice, within the period specified in the notice, with a nomination:

7.3.1 setting out the name and address of the driver; or

7.3.2 if they had transferred ownership of the vehicle to another prior to the time of the alleged offence and has complied with the *Motor Vehicles Act 1959* in respect of the transfer—setting out details of the transfer (including the name and address of the transferee).

7.4 Before proceedings are commenced against the owner of a vehicle for an offence against this paragraph 7 involving the vehicle, the Informant must send the owner a notice:

7.4.1 setting out particulars of the alleged prescribed offence; and

7.4.2 inviting the owner, if they were not the driver at the time of the alleged prescribed offence, to provide the Informant, within 21 days of the date of the notice, with a nomination setting out the matters referred to in subparagraph 7.3.

7.5 Subparagraph 7.4 does not apply to:

7.5.1 proceedings commenced where an owner has elected under the *Expiation of Offences Act 1996* to be prosecuted for the offence; or

7.5.2 proceedings commenced against an owner of a vehicle who has been named in a nomination under this paragraph 7 as the driver of the vehicle.

7.6 The Council, Informant or officer to whom a nomination is provided in response to a notice under subparagraphs 7.3 or 7.4 may require the person who made the nomination to verify the information contained in the nomination by statutory declaration.

7.7 If the Council, Informant or officer specified in the notice under subparagraphs 7.3 or 7.4 believes that a nomination made in response to the notice has been made in error, the Council, Informant or officer (as the case may be) may permit the nomination to be withdrawn and a new nomination to be made.

7.8 Subject to subparagraph 7.9, in proceedings against the owner of a vehicle for an offence against this paragraph, it is a defence to prove:

7.8.1 that, in consequence of some unlawful act, the vehicle was not in the possession or control of the owner at the time of the alleged prescribed offence; or

7.8.2 that the owner provided the Informant with a nomination in accordance with an invitation under this paragraph.

7.9 The defence in paragraph 7.8.2 does not apply if it is proved that the owner made the nomination knowing it to be false in a material particular.

7.10 If:

7.10.1 an expiation notice is given to a person named as the alleged driver in a nomination under this paragraph; or

7.10.2 proceedings are commenced against a person named as the alleged driver in such a nomination,

the notice or Information, as the case may be, must be accompanied by a notice setting out particulars of the nomination that named the person as the alleged driver.

7.11 The particulars of the nomination provided to the person named as the alleged driver must not include the address of the person who provided the nomination.

7.12 A nomination under this paragraph must be made in a manner and form approved by the Council.

7.13 A person must not, in making a nomination for the purposes of this paragraph, make a statement that is false or misleading in a material particular.

**8. Evidence**

In proceedings for a prescribed offence, an allegation in an Information that:

8.1 a specified place was a road or local government land; or

8.2 a specified vehicle was driven, parked or left standing in a specified place; or

8.3 a specified vehicle was parked or left standing for the purposes of soliciting business from a person or offering or exposing goods for sale; or

8.4 a specified place was not formed or otherwise set aside by the Council for the purposes of the driving, parking or standing of vehicles; or

8.5 a specified person was an authorised person; or

8.6 a specified provision was a condition of a specified permit granted under paragraph 5 of this by-law; or

8.7 a specified person was the owner or driver of a specified vehicle; or

8.8 a person named in a nomination under paragraph 7 of this by-law for the prescribed offence to which the declaration relates was the driver of the vehicle at the time at which the alleged offence was committed; or

8.9 an owner or driver of a vehicle for a prescribed offence was given notice under paragraph 7 of this by-law on a specified day,

is proof of the matters so alleged in the absence of proof to the contrary.

Part 4—Miscellaneous

**9. Revocation**

Council’s *Permits and Penalties By-law 2016*, published in the Gazette on 5 January 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of Rural City of Murray Bridge held on 13May 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

Dated: 6 June 2024

Heather Barclay

Chief Executive Officer

Rural City of Murray Bridge

Local Government Act 1999

Local Government Land By-law 2024

By-Law No. 2 of 2024

For the management and regulation of the use of and access to local government land vested in or under the control of the Council, including the prohibition and regulation of particular activities on local government land.

Part 1—Preliminary

**1. Short Title**

This by-law may be cited as the *Local Government Land By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the Gazette in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

In this by-law:

3.1 **aquatic life** means any animal or plant living or growing in water including but not limited to yabbies, fish, insects, insect pupa or larvae and water plants;

3.2 **authorised person** has the same meaning as in the *Local Government Act 1999*;

3.3 **boat** includes a raft, pontoon, houseboat, personal watercraft or other similar device;

3.4 **camp** includes setting up a camp, or cause a tent, caravan, motorhome or other vehicle to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;

3.5 **e-cigarette** means:

3.5.1 a device that is designed to generate or release an aerosol or vapour for inhalation by its user in a manner similar to the inhalation of smoke from an ignited tobacco product; or

3.5.2 a device of a kind resolved by the Council and notified by notice in the Gazette to be an e-cigarette;

3.6 **electoral matter** has the same meaning as in the *Electoral Act 1985*;

3.7 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*;

3.8 **inflatable castle** includes a bouncy castle, jumping castle and any other inflatable structure used for recreational purposes;

3.9 **liquor** has the same meaning as in the *Liquor Licensing Act 1997*;

3.10 **local government land** and **land** means all land owned by the Council or under the Council’s care, control and management other than roads;

3.11 **model aircraft** includes a drone;

3.12 **moveable sign** has the same meaning as in the *Local Government Act 1999*;

3.13 **open container** means a container which:

3.13.1 after the contents thereof have been sealed at the time of manufacture and:

3.13.1.1 being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);

3.13.1.2 being a can, it has been opened or punctured;

3.13.1.3 being a cask, has had its tap placed in a position to allow it to be used;

3.13.1.4 being any form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or

3.13.2 is a flask, glass, may or container used for drinking purposes;

3.14 **park** has the same meaning as in the *Local Government Act 1999*;

3.15 **public place** has the same meaning as in the *Local Government Act 1999*;

3.16 **reserve** has the same meaning as in the *Local Government Act 1999*;

3.17 **road** has the same meaning as in the *Local Government Act 1999*;

3.18 **smoke** means:

3.18.1 in relation to a tobacco product, smoke, hold, or otherwise have control over, an ignited tobacco product; or

3.18.2 in relation to an e-cigarette, to inhale from, hold or otherwise have control over, an e-cigarette that is in use;

3.19 **vehicle** has the same meaning as in the *Australian Road Rules*;

3.20 **waters** includes any body of water including a pond, lake, river, creek or wetland under the care, control and management of the Council;

3.21 **wheeled recreational device** has the same meaning as in the *Road Traffic Act 1961*.

Part 2—Management of Local Government Land

**4. Activities Requiring Permission**

A person must not, without permission, on local government land:

4.1 *Admission Charges*

impose any charge for admission onto the land;

4.2 *Advertising*

display any sign for the purpose of commercial advertising;

4.3 *Aircraft*

subject to the *Civil Aviation Act 1988* (Cth), land or take off any aircraft on or from the land;

4.4 *Alteration to Local Government Land*

make an alteration to the land, including:

4.4.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property; or

4.4.2 erecting or installing a structure (including pipes, wires, cables, pavers, fixtures, fittings and other objects) in, on, across, under or over the land; or

4.4.3 changing or interfering with the construction, arrangement or materials of the land; or

4.4.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the land; or

4.4.5 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land;

4.5 *Amplification*

use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;

4.6 *Animals*

to which the Council has resolved this paragraph shall apply:

4.6.1 cause or allow any animal to stray onto, move over, graze or be left unattended except where the Council has set aside a track or other area for use by or in connection with an animal of that kind;

4.6.2 cause or allow any animal to enter, swim, bathe or remain in any waters;

4.6.3 lead or drive a horse, cattle or sheep, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind;

4.7 *Aquatic Life*

take, interfere with, disturb, or introduce any aquatic life in any waters to which the Council has resolved this paragraph shall apply;

4.8 *Attachments*

attach, suspend, hang or fix anything to a tree, plant, equipment, fence, post, structure or fixture;

4.9 *Bees*

place or allow any beehive to remain;

4.10 *Boats and Boat Ramps*

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

4.10.1 launch or retrieve a boat to or from any waters or part of any waters where the Council has determined that this clause applies;

4.10.2 launch or retrieve a boat without using a boat ramp or thoroughfare constructed or set aside by the Council for that purpose;

4.10.3 propel, float or otherwise use a boat on or in any waters or part of any waters where the Council has determined that this clause applies;

4.10.4 hire out a boat or otherwise use a boat for commercial purposes in any waters or part of any waters where the Council has determined that this clause applies;

4.10.5 moor a boat on or to local government land to which the Council has determined this clause applies;

4.10.6 moor any boat on or to local government land other than in accordance with such time limits and other conditions determined by the Council by resolution and set out in a notice on or in the vicinity of the land to which the time limits or conditions apply;

4.10.7 obstruct any boat, mooring site or access (either by water or land) to any boat (either floating, or sunk);

4.10.8 allow a vehicle to remain stationary on a boat ramp longer than is necessary to launch or retrieve a boat;

4.11 *Bridge Jumping*

jump from or dive from a bridge;

4.12 *Burials and Memorials*

4.12.1 bury, inter or spread the ashes of any human or animal remains;

4.12.2 erect any memorial;

4.13 *Camping and Tents*

4.13.1 camp or sleep overnight; or

4.13.2 pitch, erect or construct any tent or other structure of calico, canvas, plastic or any similar material; or

4.13.3 use, occupy, or cause, suffer or permit any other person to use or occupy any caravan, motorhome or other vehicle as a place of habitation;

on any park, reserve or other local government land except:

4.13.4 where a sign or signs erected by the Council indicate that camping on the land is permitted; or

4.13.5 where the person is in a caravan park on local government land, the proprietor of which has been given permission to operate the caravan park on that land;

4.14 *Cemeteries*

comprising a cemetery:

4.14.1 bury or inter any human or animal remains; or

4.14.2 erect any memorial;

4.15 *Closed Lands*

enter or remain on any part of the land:

4.15.1 at any time during which the Council has declared that part shall be closed to the public, and which is indicated by a sign to that effect;

4.15.2 where the land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked;

4.15.3 where admission charges are payable for that person to enter that part, without paying those charges; or

4.15.4 where that person has been requested by an officer, employee or agent of the Council or a Council subsidiary to leave that land;

4.16 *Distributing of Bills*

give out or distribute to any bystander or passer-by any handbill, book, notice, or other printed matter;

4.17 *Donations*

ask for or receive or indicate that they desire a donation of money or any other valuable item or thing;

4.18 *Entertainment and Busking*

4.18.1 sing, busk or play any recording or use any musical instrument so as to appear to be for the purpose of entertaining other persons or receiving money;

4.18.2 conduct or hold any concert, festival, show, circus, performance or any other similar activity;

4.18.3 erect or inflate any inflatable castle;

4.19 *Fires*

subject to the *Fire and Emergency Services Act 2005*, light any fire except:

4.19.1 in a place provided by the Council for that purpose; or

4.19.2 in a portable barbeque as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres;

4.20 *Fireworks*

use, discharge or ignite any fireworks;

4.21 *Fishing*

4.21.1 fish in any waters on local government land to which the Council has resolved this subparagraph shall apply;

4.21.2 fish from any bridge or other structure on local government land to which the Council has resolved this subparagraph shall apply;

4.21.3 fish with a bow or crossbow;

4.22 *Flora and Fauna*

subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:

4.22.1 damage, pick, disturb, interfere with or remove any tree, shrub or other vegetation;

4.22.2 lead or drive any animal, or stand or walk, on any flower bed or garden plot;

4.22.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;

4.22.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature or the eggs or young of any animal, bird or marine creature;

4.22.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries, flowers or native seeds;

4.22.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;

4.22.7 collect or take any timber or dead wood;

4.22.8 allow any animal to damage any flower bed, garden plot, tree, lawn or other item or place;

4.23 *Games*

4.23.1 participate in, promote or organise any game, recreation or amusement which involves the use of a ball, missile or other object; or

4.23.2 fly any model aircraft or operate any power model boat or remote control vehicle; or

4.23.3 play or practice any game which involves kicking, hitting or throwing a ball or other object on any local government land to which this subparagraph applies;

in circumstances which may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person’s lawful use and enjoyment of that land; or

4.23.4 promote, organise or take part in any organised competition sport or organised athletic sport, as distinct from organised social play on any local government land to which this subparagraph applies;

4.24 *Golf*

except on a properly constructed golf course or practice fairway, play or practice the game of golf on any local government land to which this paragraph applies;

4.25 *No Liquor*

4.25.1 consume, carry or be in possession or charge of any liquor on any local government land constituting a park or reserve to which this subparagraph applies;

4.25.2 consume, carry or be in possession or charge of any liquor in an open container on any local government land constituting a park or reserve to which this subparagraph applies;

4.26 *Obstruction*

obstruct:

4.26.1 any path or cycle track;

4.26.2 any door, entrance, stairway or aisle on any building; or

4.26.3 any gate or entrance to the land;

4.27 *Objects on Local Government Land*

4.27.1 erect, place, use or allow to remain any object including, but not limited to any planter box, table, chairs, display stand, hoarding, crane, cherry picker, elevated platform vehicle, scaffolding, stage, ladder, trestle, appliance or other equipment; or

4.27.2 tie any rope, rug or article to any tree, stake, plant or other object;

4.27.3 place any buoy, cable, chain, hawser, rope or net in or across any waters;

4.28 *Playing Area*

use or occupy any playing area:

4.28.1 in such a manner as is likely to or does damage the surface of the playing area and/or infrastructure (above or below ground level);

4.28.2 in any manner contrary to the purpose for which the playing area was intended to be used or occupied; or

4.28.3 contrary to the directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area;

4.29 *Preaching and Canvassing*

preach, canvass, harangue, tout for business or conduct any survey or opinion poll except on any land or part thereof where the Council has, by resolution, determined that this restriction shall not apply;

4.30 *Rubbish and Rubbish Dumps*

4.30.1 interfere with, remove or take away any rubbish that has been discarded at any rubbish dump;

4.30.2 remove, disperse or interfere with any rubbish that has been discarded in a bin, or placed on the land for collection by the Council or its agents; or

4.30.3 deposit in any Council rubbish bin any rubbish emanating from domestic, commercial or trade purposes, unless permission is designated by a sign;

4.31 *Times of Sport*

play or practice any game or sport other than at the times indicated on a sign applicable to such area and displayed by the Council;

4.32 *Trading*

4.32.1 carry on the business of buying, selling, offering or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing;

4.32.2 set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing;

4.33 *Vehicles Generally*

4.33.1 drive or propel a motor vehicle, except on any road or other land constructed or set aside by the Council for the parking or travelling of vehicles;

4.33.2 except on a properly constructed area for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters, or bicycles take part;

4.34 *Vehicle Repairs*

perform the work of repairing, washing, painting, panel beating or other work of any nature on any vehicle, provided that this paragraph shall not extend to running repairs in the case of accidental break down;

4.35 *Weddings, Funerals or Special Events*

4.35.1 conduct or participate in a marriage ceremony, funeral or special event on any park or reserve;

4.35.2 erect a marquee, stage or structure for the purposes of holding or conducting a wedding, funeral or special event on any park or reserve;

4.35.3 hold or conduct any filming for commercial purpose, other than for the purposes of reporting the news;

**5. Prohibited Activities**

A person must not on any local government land:

5.1 *Annoyances*

5.1.1 annoy or unreasonably interfere with any other person’s use of the land or occupation of nearby premises by making a noise, being annoying, offensive, indecent or creating a disturbance that has not been authorised by the Council;

5.1.2 spit, urinate or defecate other than in provided toilet;

5.2 *Climbing*

climb on or over any fixture, fitting, plant, object or building other than in a playground or similar area that the Council has set aside for that purpose;

5.3 *Defacing Property*

deface, paint, write, cut or etch names, letters or make marks on any tree, rock, gate, fence, building, sign or property of the Council;

5.4 *Glass*

wilfully break any glass, china or other brittle material;

5.5 *Interference with Permitted Use*

interrupt, disrupt or interfere with any other person’s use of local government land which is permitted or for which permission has been granted;

5.6 *Public Conveniences*

in any public convenience:

5.6.1 smoke tobacco or any other substance;

5.6.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;

5.6.3 use it for a purpose or manner for which it was not designed or constructed;

5.6.4 subject to Clause 5.6.5, enter the public convenience unless the person is of the gender indicated in writing or on a sign located on the public convenience;

5.6.5 Clause 5.6.4 does not apply—

5.6.5.1 in a genuine emergency; or

5.6.5.2 to a vulnerable person being assisted by the vulnerable person’s caregiver, parent or guardian; or

5.6.5.3 to a person that is intersex, transgender or gender diverse; or

5.6.5.4 to a person with a disability; or

5.6.5.5 to a person assisting a person with a disability;

5.7 *Smoking*

5.7.1 smoke tobacco or any other substance in any building on the land; or

5.7.2 smoke tobacco or any other substance on any land or part thereof that the Council has resolved this subparagraph shall apply;

5.8 *Use of Equipment*

use or occupy any appliance, equipment, structure or property belonging to the Council:

5.8.1 other than for the purpose and in the manner for which it was designed, constructed or intended to be used; or

5.8.2 in such a manner as is likely to damage or destroy it;

5.9 *Wheeled Recreational Devices*

subject to the *Road Traffic Act 1961* and the *Local Government Act 1999*, ride a wheeled recreational device on any local government land to which this paragraph applies.

**6. Removal of Animals, Objects and Directions to Persons**

6.1 If any animal or object is found on any part of local government land in breach of this by-law:

6.1.1 any person in charge of the animal or object shall forthwith remove it from the land upon a reasonable request of an authorised person;

6.1.2 an authorised person may remove and dispose of the animal or object from the land if the person in charge of it fails to comply with the request, or if no person is in charge of it; and

6.1.3 the Council may recover the cost of doing so from the person in charge of the animal or object.

6.2 An authorised person may direct any person who is reasonably considered to be committing or having committed a breach of this by-law to leave that part of the local government land. Failure to comply with that direction forthwith is a breach of this by-law.

Part 3—Miscellaneous

**7. Directions**

A person must comply with any reasonable direction or request from an authorised person relating to:

7.1 that person’s use of any local government land;

7.2 that person’s conduct and behaviour on local government land;

7.3 that person’s safety on any local government land;

7.4 the safety and enjoyment of any local government land by another person; and/or

7.5 that person entering or remaining on premises on any local government land in circumstances where that person has been known to misbehave on those premises.

**8. Removal of Encroachment or Interference**

Any person who encroaches onto, interferes with, or alters local government land contrary to this by‐law must at the request in writing of an authorised person:

8.1 cease the encroachment or interference; and

8.2 remove the source of the encroachment or interference; and

8.3 reinstate the land to the same standard it was prior to the encroachment, interference or alteration.

**9. Council May do Work**

If a person fails to remove an encroachment or interference on local government land in accordance with a request of an authorised officer pursuant to paragraph 8 of this by-law, then an authorised person may:

9.1 undertake the work; and

9.2 recover the cost of doing so from that person.

**10. Exemptions**

10.1 The restrictions in this by-law do not apply to any Police Officer, emergency worker, Council Officer or employee acting in the course and within the scope of that person’s normal duties or to a contractor while performing work for the Council and while acting under the supervision or authorisation of a Council Officer.

10.2 The restrictions in paragraphs 4.5, 4.16 and 4.29 do not apply to:

10.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or

10.2.2 any matter that is posted during the course of and for the purpose of a referendum.

10.3 The restriction in paragraph 4.10.2 does not apply to a canoe, kayak or similar boat.

**11. Applications**

Any of the subparagraphs 4.6, 4.7, 4.10.1, 4.10.3, 4.10.4, 4.10.5, 4.21.1, 4.21.2, 4.23.3, 4.23.4, 4.24, 4.25.1, 4.25.2, 4.29, 5.7.2 and 5.9 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

**12. Revocation**

Council’s *Local Government Land By-law 2016*, published in the Gazette on 5 January 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of Rural City of Murray Bridge held on 13 May 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Dated: 6 June 2024

Heather Barclay

Chief Executive Officer

Rural City of Murray Bridge

Local Government Act 1999

Roads By-law 2024

By-law No. 3 of 2024

For the management of public roads.

Part 1—Preliminary

**1. Short Title**

This by-law may be cited as the *Roads By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the Gazette in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

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

3.1 **adjacent land** has the same meaning as in the *Australian Road Rules*;

3.2 **animal** includes birds and poultry but does not include a dog;

3.3 **camp** includes setting up a camp, or causing a tent, caravan, motorhome or other vehicle to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;

3.4 **dog** has the same meaning as in the *Dog and Cat Management Act 1995*;

3.5 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;

3.6 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*;

3.7 **model aircraft** includes a drone.

Part 2—Management of Roads

**4. Activities Requiring Permission**

A person must not on any road, without the permission of Council:

4.1 *Advertising*

4.1.1 display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed on a public road in accordance with the Council’s *Moveable Signs By-law 2024*;

4.1.2 place or maintain any goods or sign on the road or park or stand a vehicle on the road for the purpose of:

4.1.2.1 soliciting any business from any person; or

4.1.2.2 offering or exposing goods or services for sale.

provided that this paragraph 4.1.2 shall not apply to a person who is simply travelling along a road.

4.2 *Amplification*

use an amplifier or other device whether mechanical or electrical for the purposes of amplifying sound to the public;

4.3 *Animals*

4.3.1 cause or allow any animal, to stray onto, graze, wander on or be left unattended on any road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind and, then only if under the effective control of a person;

4.3.2 lead, drive or exercise any animal in such a manner as to endanger the safety of any person;

4.4 *Bridge Jumping*

jump from or dive from a bridge;

4.5 *Camping*

4.5.1 camp;

4.5.2 erect any tent or other structure of calico, canvas, plastic or similar material;

4.5.3 camp in a motorhome or caravan, except where a sign or signs erected by the Council indicates that camping on the road in such a vehicle is permitted;

4.6 *Donations*

ask for or receive or indicate that they desire a donation of money or any other thing;

4.7 *Driving on Formed Surface*

drive a motor vehicle other than on a portion of the road that has been formed or otherwise set aside by the Council for the driving of motor vehicles, unless it is not reasonably practical to do so;

4.8 *Fires*

light any fire except:

4.8.1 in a place provided by the Council for that purpose; or

4.8.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres; and

4.8.3 in accordance with the *Fire and Emergency Services Act 2005*;

4.9 *Fishing*

fish from any bridge or other structure on a road to which the Council has resolved this subparagraph shall apply;

4.10 *Flora and Fauna*

subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:

4.10.1 lead, drive or allow any animal to wander, stand, walk on or damage any flowerbed or garden plot;

4.10.2 dig, damage, disturb, interfere with, take or remove any soil, stone, wood, clay, rubble, pebbles, timber, dead wood, bark or seeds;

4.10.3 take, interfere with, tease, harm or disturb any animal or bird or the eggs or young of any animal or bird;

4.10.4 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird; or

4.10.5 allow any animal to damage any tree or lawn;

4.11 *Model Aircraft*

fly any model aircraft in circumstances which may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that road or detract from or be likely to detract from another person’s lawful use and enjoyment of the road;

4.12 *Obstructions*

Erect, install or place or cause to be erected, installed or placed any structure, object or material of any kind so as to obstruct a road or footway, water-channel or watercourse on a road;

4.13 *Preaching*

preach or harangue, other than at a place set aside by the Council for that purpose;

4.14 *Public Exhibitions and Displays*

4.14.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;

4.14.2 conduct or hold any concert, festival, show, public gathering, street party, circus, performance or any other similar activity;

4.14.3 erect a stage or structure for the purposes of conducting or holding a concert, festival, show, circus, performance or similar activity;

4.14.4 cause any public exhibitions or displays;

4.15 *Working on Vehicles*

perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

Part 3—Miscellaneous

**5. Directions**

A person must comply with any reasonable direction or request from an authorised person relating to:

5.1 that person’s use of the road;

5.2 that person’s conduct and behaviour on the road;

5.3 that person’s safety on the road;

5.4 the safety and enjoyment of the road by other persons.

**6. Removal of Animals**

If any animal is found on a road in breach of this by-law:

6.1 any person in charge of the animal shall forthwith remove it from that land upon a reasonable request from an authorised person; and

6.2 any authorised person may remove any animal from the road if the person fails to comply with the request, or if no person is in charge of the animal.

**7. Exemptions**

7.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person’s normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker performing emergency duties.

7.2 The restrictions in paragraph 4.2, 4.13 and 4.14 of this by-law do not apply to:

7.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or

7.2.2 matters which relate to, and occur during the course of and for the purpose of a referendum.

7.3 Paragraph 4.7 of this by-law does not apply to a motor vehicle being driven to or from adjacent land by the shortest practical route.

**8. Application**

Paragraph 4.9 of this by law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

**9. Revocation**

Council’s *Roads By-law 2016*, published in the Gazette on 5 January 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of Rural City of Murray Bridge held on 13 May 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

Dated: 6 June 2024

Heather Barclay

Chief Executive Officer

Rural City of Murray Bridge

Local Government Act 1999

Moveable Signs By-law 2024

By-law No. 4 of 2024

To protect visual amenity and public safety on roads and footpaths by setting standards for moveable signs and regulating their placement in a manner which recognises the advertising needs of businesses to maximise economic viability.

Part 1—Preliminary

**1. Short Title**

This by-law may be cited as the *Moveable Signs By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the Gazette in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

In this by-law, unless the contrary intention is clearly indicated:

3.1 **authorised person** has the same meaning as in the *Local Government Act 1999*;

3.2 **arterial road** means:

3.2.1 the roads set out in Schedule 1 to this by-law; and

3.2.2 any other road which the Council resolves is an arterial road for the purposes of this by-law, provided Council provides public notice of the resolution;

3.3 **banners** means a moveable sign constituted of a strip of cloth, plastic or other material hung or attached to a pole, fence or other structure designed to direct people to or to promote a community event;

3.4 **business premises** means the premises from which a business, trade or calling is conducted;

3.5 **community event** means an event to which members of the community may attend at no charge which is held within the Council’s area;

3.6 **footpath area** means an area:

3.6.1 between the edge of the carriageway of a road and adjacent land; or

3.6.2 open to the public that is designed for, or has one of its main uses, use by pedestrians;

3.7 **moveable sign** has the same meaning as in the *Local Government Act 1999*;

3.8 **public notice** has the same meaning as in the *Local Government Act 1999*;

3.9 **road** has the same meaning as in the *Local Government Act 1999*;

3.10 **road related area** has the same meaning as in the *Road Traffic Act 1961*;

3.11 **tear drop sign** means a sign in the style or a tear drop sign or feather sign.

Part 2—Provisions Applicable to Moveable Signs

**4. Construction and Design**

A moveable sign must:

4.1 be of a kind known as an ‘A’ Frame or Sandwich Board sign, an inverted ‘T’ sign, a tear drop sign, or a flat sign, or, with the permission of the Council, a sign of some other kind; and

4.2 be designed, constructed and maintained in good condition so as not to present a hazard to any member of the public; and

4.3 be of strong construction so as to be stable when in position and to be able to keep its position in adverse weather conditions; and

4.4 not contain sharp or jagged edges or corners; and

4.5 not be unsightly or offensive in appearance or content; and

4.6 not rotate or contain moving parts; and

4.7 not contain flashing lights or be illuminated internally; and

4.8 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials; and

4.9 not exceed:

4.9.1 900mm in perpendicular height, or have a base with any side exceeding 600mm in length when placed on a footpath area of a road to which a speed limit of 60km/h or less applies; or

4.9.2 1,200mm in perpendicular height, or have a base with any side exceeding 900mm in length when placed on a footpath area of a road to which a speed limit of more than 60km/h applies; and

4.10 not have a display area exceeding 1 metre square in total or, if the sign is two-sided, 1 metre square on each side; and

4.11 be stable when in position; and

4.12 in the case of an ‘A’ Frame or Sandwich Board sign:

4.12.1 be hinged or joined at the top; and

4.12.2 be of such construction that it’s sides shall be securely fixed or locked in position when erected; and

4.13 in the case of an inverted ‘T’ sign, contain no struts or supports that run between the display area and the base of the sign.

**5. Appearance**

A moveable sign on a road must, in the opinion of an authorised person:

5.1 be painted or otherwise detailed in a competent and professional manner; and

5.2 be aesthetically appealing, legible and simply worded to convey a precise message; and

5.3 be of such design and contain such colours:

5.3.1 as are compatible with the architectural design of the premises adjacent to the sign; and

5.3.2 which relate well to the townscape and overall amenity of the locality in which it is situated; and

5.3.3 which do not detract from or conflict with traffic, safety or direction signs or signals; and

5.4 contain combinations of colours and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.

**6. Placement**

A moveable sign must:

6.1 only be placed on the footpath area of a road; and

6.2 be directly in front of the business premises to which it relates; and

6.3 where there is no kerb to define the footpath area, must allow a set back of 500mm from the edge of the carriageway; and

6.4 in the case of a flat sign, be in line with and against the property boundary of the road; and

6.5 be placed no less than 1.2 metres away from any structure, fixed object, tree, bush or plant (including another moveable sign); and

6.6 not be fixed, tied or chained to or leaned against any other structure, fixed object, tree, bush or plant (including another moveable sign); and

6.7 not be placed on a sealed part of any footpath area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.8 metres wide; and

6.8 in the case of a A-frame sign or inverted ‘T’ sign, where there is a kerb to define the footpath area, must allow no less than 1.8 metres between the sign and the front boundary of the adjacent business premises to which relates; and

6.9 not be placed within six metres of the corner or intersection of a road; and

6.10 not be placed on a landscaped area other than landscaping that comprises only lawn; and

6.11 not be placed on a designated parking area or within 1 metre of an entrance to or exit from business premises; and

6.12 not unreasonably:

6.12.1 restrict the use of the footpath area or road; or

6.12.2 endanger the safety of members of the public.

**7. Restrictions**

A moveable sign displayed on a public street or road shall:

7.1 subject to subparagraph 7.3.1, be placed adjacent to the business premises to which it relates;

7.2 display:

7.2.1 material about the products available from the business to which it relates; or

7.2.2 subject to subparagraph 7.3.1, material which advertises a business being conducted on business premises adjacent to the sign;

7.3 be, in respect of:

7.3.1 business premises located:

7.3.1.1 on a road other than an arterial road; and

7.3.1.2 within 500m of the intersection of an arterial road,

limited to two per business, one of which must be located on the footpath area of the arterial road, directing persons to the business;

7.3.2 business premises other than those to which subparagraph 7.3.1 applies, limited to one per business premises;

7.4 only be displayed when the business is open to the public; and

7.5 be securely fixed in position such that it cannot be blown over or swept away; and

7.6 not in such a position or in such circumstances that the safety of any user of the road is at risk; and

7.7 not be displayed during the hours of darkness unless it is clearly visible; and

7.8 not to be displayed on a median strip, traffic island or on a carriageway of a road.

**8. Exemptions**

This by-law does not apply to a moveable sign which:

8.1 is a moveable sign that is placed on a public road pursuant to an authorisation under the *Local Government Act 1999* or another Act;

8.2 directs people to a current open inspection of any land or building that is available for purchase or lease;

8.3 directs people to a current garage sale that is being held on residential premises provided the sign does not restrict the use of the road or endanger the safety of members of the public;

8.4 is a flat sign containing only the banner or headlines of a newspaper or magazine provided:

8.4.1 the sign does not restrict the use of the road or endanger members of the public; and

8.4.2 only three such signs are displayed in relation to a business premises;

8.5 is related to a Commonwealth election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day;

8.6 is related to a State election and is otherwise authorised to be exhibited under the Section 226 of *Local Government Act 1999* or the *Electoral Act 1985*;

8.7 is related to a referendum and is displayed during the course and for the purpose of that referendum;

8.8 is displayed with permission of the Council and in accordance with any conditions attached to that permission; or

8.9 is a sign of a class prescribed in the regulations.

**9. Banners**

9.1 The provisions of this paragraph apply to banners, notwithstanding the other provisions of this Part.

9.2 Subject to paragraph 9.5, a banner must:

9.2.1 only be displayed on a road, footpath area or road related area;

9.2.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;

9.2.3 not be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, or other improvement to a road owned by the Council;

9.2.4 not be displayed more than one month before and two days after the event it advertises;

9.2.5 not be displayed for a continuous period of more than one month and two days in any 12 month period;

9.2.6 be aesthetically appealing, legible and simply worded to convey a precise message;

9.2.7 be securely fixed in position such that it cannot be blown or swept away;

9.2.8 not in such a position or in such circumstances that the safety of any user of the road is at risk;

9.2.9 not to be displayed on a median strip, traffic island or on a carriageway of a road;

9.2.10 not exceed 3m² in size.

9.3 The Council may adopt location guidelines relating to the display of banners.

9.4 The location guidelines may apply to all banners or banners of a particular type of kind, may modify the application of this clause to banners, or provide additional requirements in relation to banners.

9.5 A banner must comply with any location guidelines made by the Council.

Part 3—Enforcement

**10. Removal of Non-complying Moveable Signs**

10.1 If:

10.1.1 the design or construction of a moveable sign that has been placed on a road does not comply with a requirement of this by-law; or

10.1.2 the positioning of a moveable sign does not comply with a requirement of this by law; or

10.1.3 any other relevant requirement of this by-law is not complied with; or

10.1.4 the moveable sign unreasonably:

10.1.4.1 restricts the use of the footpath area or road; or

10.1.4.2 endangers the safety of members of the public,

an authorised person may order the owner of the sign to remove the sign from the road.

10.2 A person must comply with an order of an authorised person made pursuant to subparagraph 10.1 of this by-law.

10.3 If the authorised person cannot find the owner, or the owner fails to comply immediately with the order of an authorised person, the authorised person may remove and dispose of the moveable sign.

10.4 The owner or other person entitled to recover a moveable sign removed pursuant to paragraph 10.3 of this by-law must pay to the Council any reasonable costs incurred by the Council in removing, storing and attempting to dispose of the moveable sign before being entitled to recover the moveable sign.

**11. Removal of Complying Moveable Signs**

11.1 The owner of, or other person responsible for, a moveable sign must remove or relocate the moveable sign at the request of an authorised person if, in the reasonable opinion of that authorised person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign.

11.2 The owner of, or other person responsible for, a moveable sign must remove or relocate the moveable sign at the request of an authorised person for the purpose of special events, parades, road works or in any other circumstances which, in the reasonable opinion of the authorised person, requires relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.

Part 4—Miscellaneous

**12. Revocation**

Council’s *Moveable Signs By-law 2016*, published in the Gazette on 5 January 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of Rural City of Murray Bridge held on 13 May 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

Dated: 6 June 2024

Heather Barclay

Chief Executive Officer

Schedule 1—Arterial Roads

| **Road** | **Locality** |
| --- | --- |
|  |  |
| East Terrace | Callington, from Cemetery Road to Jaensch Road |
| Drummond Street | Jervois |
| Rayson Street | Jervois |
| Adelaide Road | Murray Bridge |
| Bridge Street | Murray Bridge |
| Cypress Terrace | Murray Bridge |
| Hindmarsh Road | Murray Bridge |
| Maurice Road | Murray Bridge, from Mulgundawah Road to Cypress Terrace |
| Swanport Road | Murray Bridge |
| Mannum Road | From Murray Bridge to Council Boundary |
| Princess Highway | Murray Bridge East |
| Green Street | Mypolonga |
| Jervois/Langhorne Creek Road | Wellington, from Sharkland Road to Richards Street |
|  |  |

Rural City of Murray Bridge

Dog and Cat Management Act 1995  
Local Government Act 1999

Dogs By-law 2024

By-law No. 5 of 2024

For the management and control of dogs within the Council’s area and to limit the number of dogs kept in premises.

Part 1—Preliminary

**1. Short Title**

This by-law may be cited as the *Dogs By-law 2024*.

**2. Commencement**

This by-law will come into operation four months after the day on which it is published in the Gazette in accordance with Section 249(5) of the *Local Government Act 1999*.

**3. Definitions**

In this by-law:

3.1 **Act** means the *Dog and Cat Management Act 1995*;

3.2 **approved kennel establishment** means a building, structure, premises or area approved by the relevant authority, pursuant to the *Planning, Development and Infrastructure Act 2016*, for the keeping of dogs on a temporary or permanent basis;

3.3 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled and includes a dog undergoing training of a kind approved by the Board for assistance dogs;

3.4 **children’s playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children’s play (or within 3 metres of such devices if there is no enclosed area);

3.5 **effective control** means a person exercising effective control of a dog either:

3.5.1 by means of a physical restraint; or

3.5.2 by command, the dog being in close proximity to the person, and the person being able to see the dog at all times;

3.6 **local government land** has the same meaning as in the *Local Government Act 1999*;

3.7 **premises** includes any land and part of any premises or land whether used or occupied for domestic and non-domestic purposes, except an approved kennel establishment;

3.8 **small dwelling** means a self-contained dwelling commonly known as a flat, service flat, home unit or the like where the property, or part thereof, contains a secured unobstructed yard area of less than 100 square metres;

3.9 **township** has the same meaning as in the *Local Government Act 1999*;

3.10 **working livestock dog** has the same meaning as in the Act.

Part 2—Dog Management and Control

**4. Limit on Dog Numbers**

4.1 The limit on the number of dogs kept in any premises in a township (other than a small dwelling) shall be two dogs.

4.2 The limit on the number of dogs kept in any small dwelling in a township shall be one dog.

4.3 The limit on the number of dogs kept in any premises outside of a township shall be three dogs.

4.4 A person must not, without obtaining written permission of the Council, keep any dog on any premises where the number of dogs exceeds the limit unless the premises is an approved kennel establishment.

4.5 A person must not keep a dog on any premises where, in the opinion of an authorised person, there is no secure or appropriate area where the dog may be effectively confined.

**5. Dog Free Areas**

A person must not cause, suffer or permit any dog under that person’s control, charge or authority to be, or remain:

5.1 on any local government land to which this paragraph applies, in accordance with paragraph 10 of this by-law;

5.2 on any enclosed tennis, basketball or netball court;

5.3 on any synthetic sports playing surfaces;

5.4 on any children’s playground or skate park.

**6. Dogs on Leashes**

A person must not allow a dog under that person’s control to be or remain:

6.1 on local government land or public place to which the Council has resolved that this paragraph applies;

6.2 on any park or reserve during times when organised sport is being played;

unless the dog is secured by a strong leash not exceeding two metres in length which is either tethered securely to a fixed object capable of securing the dog or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

**7. Dog Exercise Areas**

7.1 Any person may enter upon any part of local government land to which this paragraph applies in accordance with paragraph 10 of this by-law for the purpose of exercising a dog under their effective control.

7.2 Where a person enters upon such part of local government land for that purpose, they shall ensure that the dog or dogs under their control remain under effective control while on the land.

7.3 The Council must erect a sign or signs to denote the local government land or public places to which this paragraph applies, and information will be provided, in a manner determined by the Chief Executive Officer of the Council, to inform the public about such public places.

**8. Dog Faeces**

A person must not, on local government land or a public place, be in control of a dog, unless the person has, in their possession, a bag or other suitable receptacle for the purpose of picking up and lawfully disposing of any faeces that the dog may generate while in that place.

**9. Exemptions**

9.1 Paragraph 4 does not apply where the dog is under three months of age.

9.2 Paragraph 4.3 does not apply to any working livestock dog, provided no more than five of such dogs are kept on the premises.

9.3 Paragraphs 5 and 6 do not apply where the dog is an assistance dog.

Part 3—Miscellaneous

**10. Application**

Paragraphs 5.1, 6.1 and 7 of this by-law shall apply only in such portion or portions of the area as the council may by resolution direct (in accordance with Section 246(3)(e) of the *Local Government Act 1999*).

**11. Revocation**

Council’s *Dogs By-law 2016*, published in the Gazette on 5 January 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of Rural City of Murray Bridge held on 13 May 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

Dated: 6 June 2024

Heather Barclay

Chief Executive Officer

## Southern Region Waste Resource Authority

Regional Subsidiary

Local Government Act 1999

Charter 2024

**PART I: GENERAL**

**1. INTRODUCTION**

1.1*Name*

The name of the subsidiary is Southern Region Waste Resource Authority (referred to as ‘***the Authority***’ in this Charter).

1.2*Definitions*

1.2.1 ***absolute majority*** means a majority of the whole number of the Board members or of the Constituent Councils as the case may be;

1.2.2 ***Act*** means the *Local Government Act 1999*;

1.2.3 ***Board*** means the board of management of the Authority;

1.2.4 ***Budget*** means a budget consistent with Clause 6.5 and last adopted by the Board

1.2.5 ***Constituent Councils*** means the Councils identified at Clause 2.1 of this Charter;

1.2.6 ***Gazette*** means the *South Australian Government Gazette*;

1.2.7 ***net assets*** means total assets (current and non-current) less total liabilities (current and non-current) as reported in the annual audited financial statements of the Authority together with the net present value of the projected future cash inflows net of cash outflows of the remaining useable airspace over the SRWRA Landfill Operation as licensed by the Environment Protection Authority;

1.2.8 ***simple majority*** means a majority of those present and entitled to vote;

1.2.9 ***SRWRA Landfill Operation*** means that land which is held by the Authority under certificates of title volume 5822, folio 967; volume 5822, folio 966; volume 5822, folio 965; volume 5299, folio 719; volume 5299, folio 720; volume 6199, folio 621 and volume 6217, folio 132;

1.2.10 ***waste*** means any or all waste as approved under the Environment Protection Act licence held by the Authority or its contractor.

**PART II: GOVERNANCE**

**2. THE AUTHORITY**

2.1*Establishment and Charter*

2.1.1 The Authority is a regional subsidiary established pursuant to Section 43 of and Schedule 2 to the Act by the:

2.1.1.1 City of Holdfast Bay;

2.1.1.2 City of Marion; and

2.1.1.3 City of Onkaparinga.

2.1.2 This Charter may be amended at any time by unanimous decision (expressed by resolution) of the Constituent Councils.

2.1.3 Before the Constituent Councils vote on a proposal to alter this Charter, they must take into account any recommendations of the Board.

2.1.4 For the purposes of Clause 19(5)(b) of Schedule 2 to the Act, the Chief Executive Officers of the Constituent Councils have determined that a copy of the Charter, must be published on the website of the Authority.

2.1.5 This Charter must be read in conjunction with Parts 2 and 3 of Schedule 2 to the Act. The Authority shall conduct its affairs in accordance with Schedule 2 to the Act except as modified by this Charter in a manner permitted by Schedule 2.

2.2*Objects and Purposes*

2.2.1 The Authority is established to:

2.2.1.1 provide and operate services at a place or places for the management of waste by or on behalf of the Constituent Councils and/or any other approved councils;

2.2.1.2 undertake anything relevant (including educational programmes and processes) to the management of waste;

2.2.1.3 provide a forum for discussion and/or research for the ongoing improvement of management of waste;

2.2.1.4 undertake management of waste on behalf of the Constituent Councils on a competitive basis;

2.2.1.5 fulfil, on behalf of the Constituent Councils, any ongoing obligation in relation to rehabilitation and monitoring of waste management facilities under its control;

2.2.1.6 secure best value and value for money in waste management activities and services;

2.2.1.7 develop or facilitate activities or enterprises that result in a beneficial use of waste;

2.2.1.8 be financially self-sufficient;

2.2.1.9 develop or facilitate activities or enterprises that result in a beneficial use of the landfill site or infrastructure;

2.2.1.10 keep the Constituent Councils informed about relevant emerging opportunities, trends or issues in waste management; and

2.2.1.11 have regard in the performance of its functions to sustainable, environmentally efficient practices with regard to waste management

2.2.2 The Authority must in the performance of its role and functions and in all of its plans, policies and activities:

2.2.2.1 operate in a sustainable manner by giving due weight to economic, social and environmental considerations; and

2.2.2.2 conduct its activities in compliance with all regulatory requirements and in a manner that minimises risk to the Constituent Councils.

2.3*Powers and Functions of the Authority*

Subject to this Charter, the Authority may exercise the following powers in the performance or discharge of its objects and purposes:

2.3.1 the accumulation of surplus funds including for investment purposes;

2.3.2 investing any of the funds of the Authority in any investment authorised by the *Trustee Act 1936*, or with the Local Government Finance Authority provided that:

2.3.2.1 in exercising this power to invest the Authority must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and

2.3.2.2 the Authority must avoid investments that are speculative or hazardous in nature;

2.3.3 setting aside a reserve fund or funds clearly identified for the upkeep and/or replacement of fixed assets of the Authority or meeting any deferred liability of the Authority;

2.3.4 borrowing money and/or to incurring expenditure in accordance with Clause 6.2 of this Charter;

2.3.5 opening and operating bank accounts;

2.3.6 entering into contracts, purchasing, selling, leasing, hiring, renting or otherwise acquiring or disposing of any personal property or interests therein;

2.3.7 purchasing, selling, leasing, hiring, renting or otherwise acquiring or disposing of any real property or interests therein, provided that it is a condition precedent, that in any such transaction where the Authority will incur a singular or a total liability of $1,000,000 or more that unless the liability is included in the Budget; the prior written approval of two-thirds of the Constituent Councils is obtained;

2.3.8 participating in a joint venture, trust, partnership or similar for the purpose of engaging in a commercial activity or enterprise;

2.3.9 appointing, managing, suspending and dismissing the Chief Executive Officer of the Authority;

2.3.10 engaging retaining, and dispensing with the services of professional advisers to the Authority;

2.3.11 charging whatever fees, the Authority considers appropriate for services rendered to any person, body or Council;

2.3.12 making any election for the purpose of any tax or statutory charge;

2.3.13 determining the types of waste which shall be received and the method of collection, treatment, recycling and disposal of that waste;

2.3.14 undertaking all manner of things relating and incidental to the collection, treatment, recycling and disposal of waste;

2.3.15 pursuing the concept of co-operative regionalism in the collection, treatment, recycling and disposal of waste for which the Constituent Councils are or may become responsible

2.3.16 causing all waste collected by the Authority to be treated, recycled and disposed of in a sanitary and environmentally acceptable way;

2.3.17 providing a forum for the discussion and consideration of topics related to the Constituent Councils’ obligations and responsibilities in respect of waste;

2.3.18 adopting and using a trading name provided that the Authority shall first register the trading name with the Australian Securities and Investment Commission;

2.3.19 commencing legal proceedings provided that any legal proceedings seeking urgent relief be the subject of an urgent report to the Constituent Councils by the Chief Executive Officer;

2.3.20 without limiting the Authority’s powers and functions, making submissions to and negotiating with the Federal Government, State Government and other sources of grant funding in relation to the provision and receipt of funding for the Authority; and

2.3.21 anything else necessary or convenient for or incidental to the exercise, performance or discharge of its powers and, functions or the attainment of its objects and purposes.

2.4*National Competition Policy*

If the Authority engages in any commercial activity or enterprise which constitutes a significant business activity of the Authority, it will, where necessary and having regard to a cost/benefit analysis, apply relevant principles of competitive neutrality to that activity.

2.5*Acting Outside Areas of Constituent Councils*

The Authority may undertake its activities outside the areas of the Constituent Councils in accordance with the Act but only where such activities have been approved by the Constituent Councils as being necessary or expedient to the performance by the Authority of its functions and the activity is included in the annual business plan of the Authority.

2.6*Delegation by the Authority*

The Authority may delegate any of its powers except those to:

2.6.1 impose charges;

2.6.2 enter into transactions in excess of $250,000

2.6.3 subject to this Charter, borrow money or obtain any other form of financial accommodation;

2.6.4 approve expenditure of money on the works, services or operations of the Authority not set out in the Budget or where required by this Charter, approved by the Constituent Councils;

2.6.5 approve the payment of allowances to members of the Board;

2.6.6 adopt or revise an annual business plan or Budget or any financial estimates and reports; and

2.6.7 make any application or recommendation to the Minister.

2.7*Committees*

2.7.1 The Board may establish a committee comprised of any persons to deal with any matter within the Authority’s functions and as detailed in the terms of reference adopted by the Board for the committee.

2.7.2 The Board may delegate powers and functions to a committee.

2.7.3 A member of a committee established under this Clause holds office at the pleasure of the Board.

2.7.4 The Chair of the Board is an ex-officio a member of any committee established by the Board.

**3. CONSTITUENT COUNCILS**

3.1*Withdrawal*

3.1.1 A Constituent Council may not withdraw from the Authority except with the approval of the Minister and subject to the Act and this Charter.

3.1.2 A Constituent Council which intends to withdraw from the Authority shall give to the Board and the other Constituent Councils written notice of such intention, specifying the date of intended withdrawal. The notice shall be a minimum of twenty-four months’ notice expiring on 30 June of the relevant financial year.

3.1.3 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council for the payment of its contribution towards any actual or contingent deficiency in the net assets of the Authority at the end of the financial year in which such withdrawal occurs.

3.1.4 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by the Authority at any time before or after such withdrawal in respect of any act or omission by the Authority prior to such withdrawal. For the avoidance of doubt, any and all costs associated with closure processes (including but not limited to capping and post-closure monitoring and necessary actions) of a waste cell or the landfill site generally is a liability incurred before the withdrawal of a Constituent Council and is, therefore, a continuing liability for the purposes of this Clause.

3.1.5 Payment by or to the withdrawing Constituent Council must be fully paid by 30 June of the financial year following 30 June of the year in which the withdrawal occurs unless there is agreement of alternative payment arrangements made by the Constituent Councils.

3.2*New Members*

Subject to the provisions of the Act, the Constituent Councils may unanimously agree to admit a new Constituent Council or Councils, to membership of the Authority, with or without conditions.

3.3*Direction by Constituent Councils*

To be effective, a direction of the Constituent Councils for the purposes of Clause 26 of Schedule 2 to the Act must be evidenced by a minute signed by the Chief Executive Officer of each of the Constituent Councils and provided to the Chief Executive Officer of the Authority, as a true and accurate record of the decision made by the delegate or at the relevant Council meeting.

**4. BOARD OF MANAGEMENT**

The Authority is a body corporate and is governed by the Board, which has the responsibility to manage the business and other affairs of the Authority in accordance with this Charter and any delegations made to it by the Constituent Councils.

4.1*Functions of the Board*

4.1.1 The formulation of strategic plans and strategies aimed at improving the business of the Authority.

4.1.2 To provide professional input and policy direction to the Authority.

4.1.3 Monitoring, overseeing and measuring the performance of the Chief Executive Officer of the Authority.

4.1.4 Implementing effective risk management policies, practices, procedures and strategies, including by ensuring the protection of assets under the care and control of the Authority.

4.1.5 Ensuring that a code of ethical behaviour and integrity is established and implemented in all business dealing of the Authority.

4.1.6 Developing business plans.

4.1.7 Exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

4.1.8 Observing all plans, targets, structures, systems and practices required or applied to the Authority by the Constituent Councils.

4.1.9 Ensuring that all information furnished to a Constituent Council is accurate.

4.1.10 Ensuring that the Constituent Councils are advised, as soon as practicable, of any material development that affects the financial or operating capacity of the Authority or gives rise to the expectation that the Authority may not be able to meet its debts as and when they fall due.

4.2*Membership of the Board*

4.2.1 The Board shall consist of eight members appointed as follows:

4.2.1.1 two persons appointed by each Constituent Council, one of whom must be a senior officer of the Constituent Council making the appointment;

4.2.1.2 two persons appointed jointly by the Constituent Councils who are not members or officers of a Constituent Council but who, in the opinion of the Constituent Councils, have expertise in waste management and/or business. These persons will be chosen from a list of persons circulated to the Constituent Councils and appointed by a panel comprising the Chief Executive Officer (or nominee) and one other person from each Constituent Council nominated by the Chief Executive Officer.

4.2.2 With the exception of the persons appointed pursuant to subclause 4.2.1.2, a Board Member shall, subject to this Charter, be appointed for a term not exceeding the term determined by the Constituent Council and specified in the instrument of appointment and at the expiration of the term of office will be eligible for re-appointment.

4.2.3 The maximum term of service for Board Members appointed pursuant to subclause 4.2.1.2 should not exceed 10 years.

4.2.4 The Constituent Councils may appoint either a specific Deputy for each Board Member appointed pursuant to subclause 4.2.1.1 or one non-specific Deputy for both such Board Members and a second Deputy to that Deputy. In the absence of a Board Member, the specific Deputy or the non-specific Deputy will be deemed to be the Board Member for that time or, where a non-specific Deputy and second Deputy have been appointed and both Board Members are absent then both Deputies will be deemed to be the Board Members for that time, exercising all of the rights and privileges and being subject to all of the obligations and liabilities of the Board Member(s) during the absence of the Board Member(s).

4.2.5 The Constituent Councils should give consideration to the skills that may be required for the Board to operate effectively when making Board appointments.

4.2.6 In addition to the circumstances provided for under Clause 20(3) of Schedule 2 to the Act, the office of a Board Member will become vacant upon:

4.2.6.1 the Constituent Council (or Constituent Councils as the case may be) responsible for appointing the Board Member providing written notice to the Board Member and the Board of the Constituent Council’s (or Constituent Councils’) decision to remove the Board Member from office. The Board Members appointed under subclause 4.2.1.2, can only be removed from office by a unanimous decision of the Constituent Councils; or

4.2.6.2 if the Board Member is an elected member or officer of a Constituent Council, upon ceasing to be either an elected member of or an employee of the Constituent Council as the case may be; or

4.2.6.3 if the Board Member has been appointed pursuant to subclause 4.2.1.1, upon the Constituent Council withdrawing from the Authority.

4.2.7 The Board may by a two-thirds majority vote of the Board Members present (excluding the Board Member subject to this subclause 4.2.7) make a recommendation to the relevant Constituent Council requesting the Constituent Council to terminate the appointment of a Board Member that it has appointed under subclause 4.2.1.1 or, to all of the Constituent Councils to terminate the appointment of a Board Member appointed under subclause 4.2.1.2 for:

4.2.7.1 any behaviour of the Board Member which, in the opinion of the Board, amounts to impropriety and includes, but is not limited to, a breach of the Member’s obligations under the Act;

4.2.7.2 serious neglect of duty in attending to his/her responsibilities as a Board Member;

4.2.7.3 breach of fiduciary duty to the Authority;

4.2.7.4 breach of the duty of confidentiality to the Authority; or

4.2.7.5 any other behaviour which, in the opinion of the Board, may discredit the Authority.

4.2.8 If any casual vacancy occurs in the membership of the Board it will be filled in the same manner as the original appointment for the balance of the term of the original appointment.

4.2.9 The Board Member appointed pursuant to subclause 4.2.1.2 shall be eligible for an allowance from the funds of the Authority as the Board shall determine from time to time.

4.3*Propriety of Members of the Board*

4.3.1 Whilst all Board Members must comply with their statutory obligations under the Act, only the Board Members appointed pursuant to subclause 4.2.1.2 are required to comply with Division 2, Part 4 (Register of Interests) of Chapter 5 of the Act.

4.4*Chair of the Board*

4.4.1 The Chair of the Board shall be a person appointed pursuant to subclause 4.2.1.2 and shall hold office for a term of three years, unless he/she resigns, is removed from office pursuant to subclause 4.2.6 or, is otherwise no longer eligible to act as a Board Member.

4.4.2 Subject to Clause 4.2.3, the Chair is eligible for re-appointment at the expiration of the term of office. The decision regarding re-appointment is made by the panel formed pursuant to subclause 4.2.1.2.

4.4.3 The Board will choose a person appointed pursuant to subclause 4.2.1.1 or 4.2.1.2 to be the Deputy Chair of the Board for a term determined by the Board.

4.4.4 In the event of the Chair being absent from a meeting, the Deputy Chair shall preside and in the event of both the Chair and the Deputy Chair being absent from a meeting, the Board Members present shall appoint a person from amongst themselves to chair the meeting.

4.4.5 In the event that the Chair either resigns or is no longer eligible to act as a Board Member prior to the expiration of their term, the Deputy Chair shall hold office until a further appointment is made pursuant to subclause 4.2.1.2 whereupon the person so appointed will hold office for the duration of the original appointment. The Deputy Chair is not entitled to any allowance that is paid to the Chair whilst acting in the office of the Chair.

4.5*Meetings of the Board*

4.5.1 Subject to the requirements of Schedule 2 to the Act, this Charter and any direction of the Constituent Councils, the Board must determine its own meeting procedures for the proceedings and conduct of all Board meetings and set them out in a Code of Practice for Meetings which shall be reviewed every two years.

4.5.2 Ordinary meetings of the Board must take place at such times and places as may be fixed by the Board or the Chief Executive Officer of the Authority from time to time. There shall be at least six ordinary meeting of the Board held in each financial year. Meetings shall not be held before 5 p.m. unless the Board resolves otherwise by resolution supported unanimously by all of the Board Members present at the meeting which determines the issue.

4.5.3 An ordinary meeting of the Board will constitute an ordinary meeting of the Authority.

4.5.4 Notice of ordinary meetings of the Board must be given by the Chief Executive Officer to each Board Member in the same manner as notice is given by a Chief Executive Officer of a council for an ordinary meeting of a council and for these purposes Section 83 of the Act extends to the Authority as if it were a council.

4.5.5 Any Constituent Council or Board Member may by delivering a written request to the Chief Executive Officer of the Authority require a special meeting of the Board to be held. The request will only be valid if it is accompanied by the agenda for the special meeting. On receipt of the request the Chief Executive Officer shall send a notice of the special meeting to all Board Members at least 24 hours prior to the commencement of the special meeting. Such notice shall comply with subclauses 4.5.7 and 4.5.9 of this Charter.

4.5.6 The quorum for a meeting of the Board is one-half of the members in office, ignoring any fraction plus one.

4.5.7 Each Board Member present at a Board Meeting, excluding the Chairperson, is entitled to vote on a matter. All matters for decision at a meeting of the Board will be decided by a simple majority of votes of the Board Members present and entitled to vote on the matter except where this Charter provides otherwise. In the event that the votes are equal the Chairperson may exercise a casting vote.

4.5.8 Subject to complying with their statutory obligations, all Board Members present at a meeting shall vote.

4.5.9 Chapter 6, Part 3 of the Act does not apply to the Authority. Meetings of the Board will not be open to the public unless the Board otherwise resolves.

4.5.10 Each Board Member must be supplied with a copy of all minutes of the proceedings of a meeting within five days of the meeting.

4.5.11 Prior to the conclusion of each meeting of the Board, the Board must identify which agenda items considered by the Board at that meeting will be the subject of an information report to the Constituent Councils.

**PART III: BUSINESS & FINANCIAL REQUIREMENTS**

**5. STAFF**

5.1 The Board must appoint a Chief Executive Officer of the Authority to manage the business of the Authority on terms determined by the Board, acting reasonably. The Chief Executive Officer may be a natural person or a body corporate.

5.2 The Chief Executive Officer shall cause records to be kept of the business and financial affairs of the Authority in accordance with this Charter.

5.3 In the absence or likely absence of the Chief Executive Officer for any period exceeding two weeks, a suitable person to act in the position of Chief Executive Officer of the Authority must be appointed by the Chief Executive Officer after consultation with the Chair or, in default, by the Chair.

5.4 The Chief Executive Officer is responsible for the day to day management of the Authority and will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of the Authority.

5.5 The functions of the Chief Executive Officer shall be specified in the terms and conditions of appointment and shall include but not be limited to:

5.5.1 attending at all meetings of the Board unless excluded by resolution of the Board;

5.5.2 ensuring that lawful decisions of the Board are implemented in a timely and efficient manner;

5.5.3 providing information to assist the Board to assess the Authority’s performance against its Strategic and business plans;

5.5.4 appointing, managing, suspending and dismissing other employees of the Authority;

5.5.5 determining the conditions of employment of employees of the Authority, within budgetary constraints set by the Board;

5.5.6 providing advice and reports to the Board on the exercise and performance of the powers and functions under this Charter or any Act;

5.5.7 ensuring that the Authority is at all times complying with all relevant statutory obligations;

5.5.8 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Authority;

5.5.9 ensuring that the assets and resources of the Authority are properly managed and maintained;

5.5.10 ensuring that records required under the Act or any other legislation are properly kept and maintained;

5.5.11 exercising, performing or discharging other powers, functions or duties conferred on the Chief Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board;

5.5.12 achieving financial outcomes in accordance with adopted plans and the Budget of the Authority;

5.5.13 inviting any person to attend at a meeting of the Board to act in an advisory capacity; and

5.5.14 providing reports to the Constituent Councils in accordance with subclause 4.5.11.

5.6 The Chief Executive Officer may delegate or sub-delegate to an employee of the Authority any power or function vested in the Chief Executive Officer or, in the case of a sub-delegation, any power delegated to the office by the Board. A delegation or   
sub-delegation by Chief Executive Officer may be subject to any conditions or limitations as determined by the Chief Executive Officer.

5.7 A written record of all delegations and sub-delegations must be kept by the Chief Executive Officer.

5.8 The Chief Executive Officer and any other officer declared by the Board to be subject to this provision is required to comply with Division 2 of Part 4 of Chapter 7 (Register of Interests) of the Act. Section 118 (Inspection of Register) of the Act and Section 119 (Restrictions on disclosure) of the Act will apply in respect of the returns furnished by officers of the Authority.

**6. MANAGEMENT**

6.1*Financial Management*

6.1.1 The Authority must ensure that appropriate policies, practices and procedures of internal control are implemented and maintained in order to assist it to carry out its activities in an efficient and orderly manner to achieve its objectives, to ensure adherence to management policies, to safeguard its assets and to secure (as far as possible) the accuracy and reliability of its records.

6.1.2 The Authority must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.

6.1.3 Any cheques must be signed by two persons authorised by resolution of the Board. Any payments made by Electronic Funds Transfer must be made in accordance with procedures which have received the prior written approval of the Board.

6.1.4 The Chief Executive Officer must act prudently in the handling of all financial transactions for the Authority and must provide quarterly financial and corporate reports to the Board.

6.1.5 The Authority’s books of account are available for inspection by any Board Member or authorised representative of any Constituent Council at any reasonable time on request.

6.2 *Borrowings and Expenditure*

6.2.1 The Authority has the power to incur expenditure and/or to borrow money:

6.2.1.1 in accordance with the Budget of the Authority; or

6.2.1.2 pursuant to the provisions of subclauses 2.3.4 and 6.2.4 of this Charter; or

6.2.1.3 with the prior approval of two-thirds of the Constituent Councils for amounts which do not exceed 25% of the value of the net assets of the Authority and with the prior approval of all the Constituent Councils for other amounts, which approval must be evidenced by formal resolution of the Councils, or

6.2.1.4 otherwise for genuine emergency or hardship.

6.2.2 For the purpose of exercising the powers at Clause 6.2.1 of this Charter the Authority may borrow money from the Local Government Finance Authority or from a registered bank or financial institution within Australia.

6.2.3 For the purposes of Clause 6.2.2 but subject to this Charter borrowings of the Authority:

6.2.3.1 must not be used for the purpose of funding operational costs; and

6.2.3.2 where the borrowings are undertaken with the prior approval of the Constituent Councils, must be drawn down within a period of twenty-four months from the date of approval.

6.2.4 The Authority may operate an overdraft facility or facilities as required provided that the overdrawn balance must not exceed $100,000 or the amount set out in the annual business plan, whichever is the greater, without the prior approval of two-thirds of the Constituent Councils.

6.3 *Audit*

6.3.1 The Authority shall appoint an auditor in accordance with the *Local Government (Financial Management) Regulations 2011*, on terms and conditions set by the Board.

6.4 *Strategic Plan*

The Authority shall:

6.4.1 prepare a five-year Strategic Plan linking the core business activities of the Authority to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period; and

6.4.2 review the Strategic Plan annually; and

6.4.3 consult with the Constituent Councils prior to adopting or amending the Strategic Plan.

6.5 *Annual Business Plan and Budget*

6.5.1 The Authority shall, after 31 May but before the end of June in each financial year, prepare and adopt an annual business plan and Budget for the ensuing financial year in accordance with the Act.

6.5.2 The draft annual business plan and the draft Budget must be referred to the Constituent Councils with sufficient time to receive any comments from the Councils for consideration by the Board at the time it is considered by the Board for adoption.

6.5.3 For the purposes of subclause 6.5.2, a Constituent Council may comment in writing to the Chief Executive Officer on the draft annual business plan and draft Budget but may only do so at least five business days before the Board meeting at which it will be considered

6.5.4 The Authority must provide a copy of its annual business plan and Budget to the Constituent Councils within five business days after adoption by the Board.

6.5.5 Reports summarising the financial position and performance of the Authority against the annual business plan and the Budget shall be prepared and presented to the Board every three calendar months and copies provided to the Constituent Councils within five days of the Board meeting to which they have been presented.

6.6 *Reporting*

6.6.1 The Authority must submit to the Constituent Councils by 30 September in each year in respect of the immediately preceding financial year, a report on the work and operations of the Authority detailing achievement of the aims and objectives of its Business Plan and incorporating the audited Financial Statements of the Authority and any other information or reports required by the Constituent Councils.

6.6.2 The Board shall present a balance sheet and full financial report to the Constituent Councils at the end of each financial year.

**7. MISCELLANEOUS**

7.1 *Equitable Interest*

7.1.1 Subject to subclause 7.1.2 the equitable interest of the Constituent Councils in the Authority is agreed as follows:

7.1.1.1 City of Holdfast Bay: 15%.

7.1.1.2 City of Marion: 30%.

7.1.1.3 City of Onkaparinga: 55%.

7.1.2 The equitable interests of the Constituent Councils in the Authority as set out at subclause 7.1.1 may be varied by agreement of the Constituent Councils and will be varied where a new Constituent Council or Councils is admitted to or and existing Constituent Council withdraws from the Authority pursuant to Clause 3.1.

7.2 *Insurance Requirements*

7.2.1 The Authority shall register with the Local Government Mutual Liability Scheme and comply with the Rules of that Scheme.

7.2.2 The Authority shall advise Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of the Authority.

7.2.3 The Authority must register with the Local Government Workers Compensation Scheme and comply with the Rules of that Scheme.

7.3 *Winding Up and Statutory Guarantee*

7.3.1 On winding up of the Authority, the surplus assets or liabilities of the Authority, as the case may be, shall be distributed between or becomes the responsibility of the Constituent Councils in the same proportion as their equitable interest in the Authority in accordance with subclause 7.1.

7.3.2 If there are insufficient funds to pay all expenses due by the Authority on winding up (or at any other time there are unfunded liabilities which the Authority cannot meet), the Constituent Councils must financially contribute in proportion to their equity share for the purpose of satisfying their statutory guarantee of the liabilities of the Authority.

7.4 *Common Seal*

7.4.1 The Authority will have a common seal, which may be affixed to documents requiring execution under seal and where affixed must be witnessed by two Board Members or where authority has been conferred by instrument executed under the common seal of the Authority, by the Chair of the Board and the Chief Executive Officer.

7.4.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board.

7.4.3 The Chief Executive Officer must maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with the particulars of persons who witnessed the fixing of the seal and the date that the seal was affixed.

**8. DISPUTE RESOLUTION**

8.1 About this Clause:

8.1.1 The procedure in this Clause must be applied to any dispute that arises between the Authority and a Constituent Council concerning the affairs of the Authority, or between Constituent Councils concerning the affairs of the Authority, including as to the meaning or effect of this Charter.

8.1.2 The Authority and a Constituent Council must continue to observe and perform this Charter despite the dispute.

8.1.3 This Clause does not prejudice the right of a party:

8.1.3.1 to require the continuing observance and performance of this Charter by all parties; or

8.1.3.2 to institute proceedings to enforce payment due under this Charter or to seek injunctive relief to prevent immediate and irreparable harm.

8.1.4 Subject to this Clause, a dispute must not be the subject of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this provision, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedure set out in this Clause.

8.2 **Dispute Resolution Process**

8.2.1 The Constituent Councils and the Authority agree to work together in good faith to resolve any matter requiring their direction or resolution.

8.2.2 A party to the dispute must promptly notify each other party to the dispute:

8.2.2.1 of the nature of the dispute, giving reasonable details; and

8.2.2.2 what action (if any) the party giving notice thinks will resolve the dispute; but a failure to give such notice does not entitle any other party to damages.

8.2.3 Upon receipt of a notice under subclause 8.2.2, the parties to a dispute may agree to refer the dispute for mediation by a mediator agreed by the parties or, if no agreement can be reached, a mediator nominated by the then President of the of the South Australian Bar Association (or equivalent officer of any successor organisation). The cost of any mediation are to be borne by the parties to the dispute in equal shares.

8.2.4 Where the parties are unable to resolve a matter (including by way of any mediation process) within ninety (90) days of the matter being presented to them, the matter will be referred for arbitration in accordance with this Clause 8.2.

8.2.5 There must be only one arbitrator who must be a natural person agreed by the parties or, if they cannot agree within fourteen business days, an arbitrator nominated by the then Chairperson of the Resolution Institute.

8.2.6 The role of the arbitrator is to resolve the dispute and make decisions binding on the parties; The arbitration must take place in a location in Adelaide determined by the arbitrator.

8.2.7 A party must cooperate in arranging and expediting arbitration.

8.2.8 A party must send to the arbitration a senior manager with authority to resolve the dispute.

8.2.9 The parties may provide evidence and given written and verbal submissions to the arbitrator within the time set by the arbitrator.

8.2.10 The arbitrator must:

8.2.10.1 consider the evidence and submissions, decide the dispute; and

8.2.10.2 give written reasons to each party.

8.2.11 Subject to this Clause, the arbitration must take place in accordance with the provisions of the *Commercial Arbitration Act 2011* or subject to this Clause, the arbitrator must fix the rules of arbitration.

8.2.12 The costs and expenses of the arbitrator and of each party must be borne as the arbitrator decides.

**9. CIRCUMSTANCES NOT PROVIDED FOR**

If any circumstances arise about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Board has the power to consider the circumstance and determine the action to be taken.

Dated: 6 June 2024

Chris Adams

Chief Executive Officer

# Public Notices

## Trustee Act 1936

Public Trustee

*Estates of Deceased Persons*

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

ANDERSON Roger Clement Henry late of 15 Rosemary Street Woodville West Landscape Gardner who died 25 November 2023

CARROLL John Edward Keith late of 7 East Terrace Port Broughton Retired carpenter/builder who died 5 December 2023

CHICK Margaret late of 17 Hill Street Kingswood Retired Nurse who died 27 January 2024

DONALDSON George Garland late of 56 High Street Grange of no occupation who died 9 December 2023

FOOTE Gregory Allen late of 78 Windsor Grove Windsor Gardens Postal delivery driver who died 26 July 2023

HICKEY John Francis late of 76 Connell Street Davoren Park Retired Factory Hand who died 14 May 2023

McLEAN Barry late of 58 Chief Street Brompton Retired Wharfie who died 24 August 2023

OLAVESEN Melva Florence late of 5 Bradford Court Enfield Home Duties who died 30 June 2023

PHILLIPS Valerie late of 80 Moseley Street Glenelg of no occupation who died 6 September 2023

PICKEN Frances Audrey late of 17 Victoria Road Clare of no occupation who died 9 February 2024

RIEFF Elkan Malcolm late of 49 Buxton Street North Adelaide Aeroplane mechanic who died 27 June 2023

SMITH David John late of 39 Butler Avenue Pennington Retired Soldier who died 8 September 2023

SMYTH Lois Lenore late of Unit 4, 86 Lockwood Road Burnside Retired secretary who died 16 February 2024

VELLA Joseph late of Unit 3, 18 Miller Street Whyalla Norrie of no occupation who died 6 April 2023

WILSON Heather Coral late of 18 West Terrace Quorn of no occupation who died 25 December 2023

WORTLEY William John late of Unit 3, 102 Military Road Henley Beach South Retired Public Servant who died 29 August 2023

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 the 5 July 2024 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: 6 June 2024

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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