



Northern Territory of Australia

# Government Gazette

ISSN-0157-8324

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No. G51

21 December 2016

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## Christmas/New Year publication

The last General Gazette for 2016 will be published on Wednesday 21 December.

The first General Gazette for 2017 will be published on Wednesday 4 January.

Urgent publication of a Gazette notice required between Thursday 22 December 2016 and Tuesday 3 January 2017 can be arranged by following the usual procedures.

**Please note General and Special Gazettes will not be published on Public Holidays.**

## General information

The Gazette is published by the Office of the Parliamentary Counsel.

The Gazette will be published every **Wednesday**, with the closing date for notices being the previous Friday at 4.00 pm.

Notices not received by the closing time will be held over until the next issue.

Notices will not be published unless a Gazette notice request form together with a copy of the signed notice and a clean copy of the notice in Word or PDF is emailed to [gazettes@nt.gov.au](mailto:gazettes@nt.gov.au)

Notices will be published in the next issue, unless urgent publication is requested.

## Availability

The Gazette will be available online at 12 Noon on the day of publication at <http://www.nt.gov.au/ntg/gazette.shtml>

Unauthorised versions of Northern Territory Acts and Subordinate legislation are available online at <http://www.legislation.nt.gov.au>

Northern Territory of Australia

*Professional Standards Act*

**Extension of The South Australian Bar Association Inc Scheme**

I, Natasha Kate Fyles, Attorney-General and Minister for Justice, under section 33(2) of the *Professional Standards Act*, extend the period for which The South Australian Bar Association Inc Scheme, notified in *Gazette* No. S28 of 20 June 2012, is in force to 30 June 2017.

Dated 9 December 2016

N. K. Fyles  
Attorney-General and Minister for Justice

Northern Territory of Australia

*Construction Contracts (Security of Payments) Act*

**Appointment of Registrar**

I, Natasha Kate Fyles, Attorney-General and Minister for Justice, under section 49(2) of the *Construction Contracts (Security of Payments) Act*, appoint Guy Andrew Riley to be the Construction Contracts Registrar for 3 years on and from 1 January 2017.

Dated 17 November 2016

N. K. Fyles  
Attorney-General and Minister for Justice

Northern Territory of Australia

*Interpretation Act*

**Revocation of Approval and  
Approval and Authorisation**

**Part A – Revocation of Approval and Approval**

I, Natasha Kate Fyles, Attorney-General and Minister for Justice:

- (a) under section 46(1)(b) of the *Interpretation Act* and with reference to section 43 of the Act, revoke all approvals given under the Act approving a person to be authorised by the Construction Contracts Registrar to exercise the powers and perform the functions of the Registrar under the *Construction Contracts (Security of Payments) Act* that are in force immediately before the commencement of this instrument; and
- (b) under section 46(1)(b) of the *Interpretation Act*, approve the person from time to time holding, acting in or performing the duties of the position of Director of Legal Policy in the Department of the Attorney-General and Justice being authorised by the Registrar to exercise the powers and perform the functions of the Registrar under the *Construction Contracts (Security of Payments) Act* when the Registrar is absent from duty.

Dated 17 November 2016

N. K. Fyles  
Attorney-General and Minister for Justice

**Part B – Authorisation**

*(Complete only if Part A has been signed by the Minister.)*

I, Guy Andrew Riley, Construction Contracts Registrar, under section 46(1)(b) of the *Interpretation Act*, authorise the person from time to time holding, acting in or performing the duties of the position of Director of Legal Policy in the Department of the Attorney-General and Justice to exercise my powers and perform my functions under the *Construction Contracts (Security of Payments) Act* when I am absent from duty.

Dated 24 November 2016

G. A. Riley  
Construction Contracts Registrar

Northern Territory of Australia

*Cobourg Peninsula Aboriginal Land, Sanctuary and Marine Park Act*

**Cobourg Peninsula Sanctuary and Marine Park Board  
Termination of Appointment of Member**

I, Lauren Jane Moss, Minister for Tourism and Culture, under section 21(1)(a) of the *Cobourg Peninsula Aboriginal Land, Sanctuary and Marine Park Act*, terminate the appointment of Paul Charles Josif as a member of the Cobourg Peninsula Sanctuary and Marine Park Board.

Dated 12 December 2016

L. J. Moss  
Minister for Tourism and Culture

Northern Territory of Australia

***Building Act***

**Revocation of Determinations and  
Determinations Relating to Building Practitioners**

I, Natasha Kate Fyles, Attorney-General and Minister for Justice:

- (a) under section 24G of the *Building Act* and with reference to section 43 of the *Interpretation Act*, revoke the determinations made by instrument dated 27 December 2012 and published in *Gazette* No. S85 on 28 December 2012; and
- (b) under section 24G(a) of the *Building Act*, determine that the qualifications and experience for registration as a building practitioner in a category of building practitioner are as specified in Schedule 1; and
- (c) under section 24G(c) of the *Building Act*, determine that the types of insurance policies, and amounts of insurance to be provided under the policies, that may be prescribed by regulation for section 24(3), 24B(3) or 24F(5) of the Act are as specified in Schedule 2.

Dated 9 December 2016

N. K. Fyles  
Attorney-General and Minister for Justice

## Schedule 1

### Qualifications and experience for registration as building practitioner

#### 1 Building contractor residential (restricted)

The qualifications and experience for registration in the category of building contractor residential (restricted) are:

- (a) one of the following:
- (i) successful completion of the following units for a Certificate IV in Building:
    - ABC001 Construction 1
    - ABC002 Construction 2
    - ABC005 Materials 1
    - ABC061 Builders Working Drawings 1
    - ABC064 Building Computer Applications
    - ABC069 Cost Control and Planning 1
    - ABC076 Building Quantities and Estimating 1
    - ABC077 Building Quantities and Estimating 2
    - ABC082 Building Site Supervision
    - ABC083 Building Site Surveying and Set Out 1
    - ABC086 Structures 1
    - ABC091 Business Management for Building 1A
    - ABC092 Business Management for Building 1B
    - ABC102 Residential Site Safety
    - ABC105 Timber Framing Code;
  - (ii) successful completion of the following units for a BCG40106 Certificate IV in Building and Construction (Building) – Low Rise and 3 elective units from the BCG03 General Construction Training Package:
    - BCGBC4001A Apply building codes and standards to the construction process for low-rise building projects
    - BCGBC4002A Manage occupational health and safety in the building and construction workplace
    - BCGBC4003A Select and prepare a construction contract
    - BCGBC4004A Identify and produce estimated costs for building and construction projects
    - BCGBC4005A Produce labour and material schedules for ordering

BCGBC4006A	Select, procure and store construction materials for low-rise projects
BCGBC4007A	Plan building or construction work
BCGBC4008A	Conduct on-site supervision of the building and construction project
BCGBC4009A	Apply legal requirements to building and construction projects
BCGBC4010A	Apply structural principles to residential low rise constructions
BCGBC4011A	Apply structural principles to commercial low rise constructions
BSBSBM406A	Manage finances;

- (iii) successful completion of a course, or units of a course, that in the opinion of the Practitioners Board is at least equivalent to the satisfaction of the requirements in subparagraph (i) or (ii);
  - (iv) a statement of attainment of competency equivalent to the satisfaction of the requirements in subparagraph (i) or (ii) issued by a registered training organisation as defined in the *Training and Skills Development Act*, and
- (b) at least 3 years practical experience in carrying out building work for which a building contractor residential (restricted) is a prescribed building contractor under regulation 41B(1) of the *Building Regulations*.

## 2 Building contractor residential (unrestricted)

- (1) The qualifications and experience for registration in the category of building contractor residential (unrestricted) are:
- (a) the qualifications specified in clause 1(a); and
  - (b) at least 3 years practical experience in carrying out building work for which a building contractor residential (unrestricted) is a prescribed building contractor under regulation 41C(1) of the *Building Regulations*.
- (2) However, if the applicant for registration in the category of building contractor residential (unrestricted) is currently registered as a building practitioner in the category of building contractor residential (restricted), the applicant has the qualifications and experience for registration if the applicant can satisfy the requirements of subclauses (3) to (6).
- (3) The applicant must demonstrate that, under the supervision of a registered building contractor residential (unrestricted), the applicant has had substantial personal involvement in, and responsibility for, the design and construction of at least one building:
- (a) that involved carrying out relevant (unrestricted) building work; and
  - (b) for which an occupancy permit has been granted.
- (4) For subclause (3), the applicant's level of involvement and responsibility must be confirmed in writing by the registered building contractor residential

(unrestricted) who supervised the building work.

- (5) The applicant must provide at least 3 independent references in relation to the applicant's knowledge and understanding of multistorey construction, including, as a minimum, references from the project architect/designer, the structural engineer and the building certifier who were directly involved in the construction phase of the project.
- (6) The applicant must demonstrate to the satisfaction of the Practitioners Board that the applicant has a comprehensive working knowledge and understanding of the regulatory and technical issues associated with the construction of buildings of more than 2 storeys, including the relevant requirements of the Building Code as defined in regulation 2(1) of the *Building Regulations* (the **Code**).
- (7) A reference in subclause (3) to a substantial personal involvement in, and responsibility for, the design and construction of a building is a reference to a level of involvement and responsibility that precludes 2 persons being able to demonstrate that level of involvement and responsibility for the same building.

### **3 Building certifier (residential)**

The qualifications and experience for registration in the category of building certifier (residential) are:

- (a) a degree or other educational qualification required for accreditation as a building surveyor by the Australian Institute of Building Surveyors; and
- (b) at least 3 years practical experience in building surveying of buildings of Classes 1 and 10 as specified under the classification under Part A3.2 of the Code.

### **4 Building certifier (unrestricted)**

The qualifications and experience for registration in the category of building certifier (unrestricted) are:

- (a) a degree or other educational qualification required for accreditation as a building surveyor by the Australian Institute of Building Surveyors; and
- (b) at least 4 years practical experience in building surveying of buildings of Classes 1 to 10 as specified under the classification under Part A3.2 of the Code.

### **5 Certifying architect**

The qualifications and experience for registration in the category of certifying architect are:

- (a) registration as an architect under the *Architects Act*, and
- (b) at least 4 years practical experience in building surveying of buildings of Classes 1 to 10 as specified under the classification under Part A3.2 of the Code.

**6 Certifying plumber and drainer**

The qualification for registration in the category of certifying plumber and drainer is a licence as an advanced tradesman in the trades of plumbing and draining issued under the *Plumbers and Drainers Licensing Act*.

**7 Certifying plumber and drainer (design)**

The experience for registration in the category of certifying plumber and drainer (design) is at least 5 years practical experience in the design of plumbing and drainage systems and on-site sewage disposal systems.

**8 Certifying engineer (structural)**

The qualifications and experience for registration in the category of certifying engineer (structural) are:

- (a) a degree or other educational qualification required for membership of Engineers Australia as a professional engineer eligible to use the post-nominals "MIEAust" and at least 3 years practical experience in the design and supervision of the construction of structural engineering works for buildings, including:
  - (i) at least 12 months practical experience in the design of structural engineering works for buildings; and
  - (ii) at least 12 months practical experience in the supervision of the construction of structural engineering works for buildings; or
- (b) a certificate of registration as a structural engineer on the National Engineering Register (the **NER**).

**9 Certifying engineer (hydraulic)**

The qualifications and experience for registration in the category of certifying engineer (hydraulic) are:

- (a) a degree or other educational qualification required for membership of Engineers Australia as a professional engineer eligible to use the post-nominals "MIEAust" and at least 3 years' experience in the design and supervision of the construction of building hydraulic services, including:
  - (i) at least 12 months practical experience in the design of building hydraulic services; and
  - (ii) at least 12 months practical experience in the supervision of the construction of building hydraulic services; or
- (b) a certificate of registration as a building services engineer on the NER.



**10 Certifying engineer (mechanical)**

The qualifications and experience for registration in the category of certifying engineer (mechanical) are:

- (a) a degree or other educational qualification required for membership of Engineers Australia as a professional engineer eligible to use the post-nominals "MIEAust" and at least 3 years practical experience in the design and supervision of the construction of mechanical services in buildings, including:
  - (i) at least 12 months practical experience in the design of mechanical services in buildings; and
  - (ii) at least 12 months practical experience in the supervision of the construction of mechanical services in buildings; or
- (b) a certificate of registration as a mechanical engineer on the NER.

**11 Registration on renewal**

The qualifications and experience for a person's registration in a category of building practitioner on the renewal of that registration are the qualifications and experience required for registration in that category at the time the person was first registered in the category.

**Schedule 2**

**Types and amounts of insurance that may be prescribed**

- 1 For a building certifier (residential) – professional indemnity insurance for \$500 000.
- 2 For a building certifier (unrestricted) – professional indemnity insurance for \$1 000 000.
- 3 For a certifying architect – professional indemnity insurance for \$100 000.
- 4 For a certifying plumber and drainer (design) – professional indemnity insurance for \$1 000 000.
- 5 For a certifying engineer (structural) – professional indemnity insurance for \$1 000 000.
- 6 For a certifying engineer (hydraulic) – professional indemnity insurance for \$100 000.
- 7 For a certifying engineer (mechanical) – professional indemnity insurance for \$100 000.

Northern Territory of Australia

*Public Sector Employment and Management Act*

**Appointment of Chief Executive Officer**

I, Michael Patrick Francis Gunner, Chief Minister, under section 19A(1) of the *Public Sector Employment and Management Act*, appoint Jamie Andrew Chalker to be the Chief Executive Officer of the Department of Housing and Community Development with effect on and from 19 December 2016.

Dated 12 December 2016

M. P. F. Gunner  
Chief Minister

Northern Territory of Australia

*Public Sector Employment and Management Act*

**Appointment of Chief Executive Officer**

I, Michael Patrick Francis Gunner, Chief Minister, under section 19A(1) of the *Public Sector Employment and Management Act*, appoint Vicki Faith Baylis to be the Chief Executive Officer of the Department of Education with effect on and from 12 December 2016.

Dated 12 December 2016

M. P. F. Gunner  
Chief Minister

Northern Territory of Australia

*Environment Protection (Beverage Containers and Plastic Bags)  
Legislation Amendment Act 2014*

**Commencement Notice**

I, John Laurence Hardy, Administrator of the Northern Territory of Australia, under section 2 of the *Environment Protection (Beverage Containers and Plastic Bags) Legislation Amendment Act 2014* (No. 17 of 2014), fix 1 January 2017 as the day on which the remaining provisions of the Act (including sections 9, 11 and 20 to the extent that they have not been commenced) commence.

Dated 9 December 2016

J. L. Hardy  
Administrator

***Legal Profession Act 2006***

1. The Law Society Northern Territory pursuant to section 375 of the *Legal Profession Act 2006* (the Act) exempts Greta Jane Driscoll from compliance with the section 376 of the Act and Regulations.
2. Pursuant to section 375 of the Act, the period of exemption shall be from **4.00pm on 30 November 2016 to 4.00pm on 30 June 2017**, unless the instrument is earlier terminated by the Law Society Northern Territory.
3. This exemption is subject to the following conditions:
  - (a) This exemption is limited to the activities of Greta Jane Driscoll whilst acting within her role at the Australian Health Practitioner Regulation Agency.

Dated this 14<sup>th</sup> day of December 2016

Kellie Anne Grainger

Executed by the Acting CEO

Pursuant to a delegation from the Law Society Northern Territory under section 647 of the Act

Northern Territory of Australia

*Law Officers Act*

**Authorisation**

I, Gregory John Shanahan, the Chief Executive Officer of the Department of the Attorney-General and Justice, in pursuance of section 8(4) of the *Law Officers Act*, authorise Elise Mary Roussos an officer of the Department, being a legal practitioner, to act in the name of the Solicitor for the Northern Territory.

Dated 14 December 2016

G. J. Shanahan  
Chief Executive Officer

Northern Territory of Australia

*Fisheries Legislation Amendment Act 2016*

**Commencement Notice**

I, John Laurence Hardy, Administrator of the Northern Territory of Australia, under section 2 of the *Fisheries Legislation Amendment Act 2016* (No. 23 of 2016), fix 1 January 2017 as the day on which the Act commences.

Dated 29 November 2016

J. L. Hardy  
Administrator

Notice pursuant to section 54 of the  
Northern Territory of Australia

**Associations Act**

Notice is hereby given that Young Mens Christian Association Katherine Inc ABN 37 144 871 995 has passed a resolution in accordance with its constitution:

- pursuant to section 54 of the Associations Act, determining subject to section 110 of the Associations Act, to transfer all of its real and personal property (other than “prescribed property” as that term is defined in the Associations Act) to The Young Men’s Christian Association of the Northern Territory Ltd. ACN 616 111 463, subject to YMCA of Central Australia Inc. ABN 13 381 977 987 resolving to transfer all of its real and personal property (other than “prescribed property”) to The Young Men’s Christian Association of the Northern Territory Ltd. ACN 616 111 463.
- subject to section 110 of the Associations Act and receiving written consent from the Minister, determining to transfer all of its “prescribed property” (as that term is defined in section 4 of the Act) to The Young Men’s Christian Association of the Northern Territory Ltd. ACN 616 111 463, subject to YMCA of Central Australia Inc. ABN 13 381 977 987 resolving to transfer all of its real and personal property (other than “prescribed property”) to The Young Men’s Christian Association of the Northern Territory Ltd. ACN 616 111 463.

Dated: 16 December 2016



Tammy Frean  
Chief Executive Officer  
Young Mens Christian Association Katherine Inc

Notice pursuant to section 54 of the  
Northern Territory of Australia

**Associations Act**

Notice is hereby given that YMCA of the Top End Inc. ABN 70 566 158 706 has passed a resolution in accordance with its constitution:

- pursuant to section 54 of the Associations Act, determining subject to section 110 of the Associations Act, to transfer all of its real and personal property (other than “prescribed property” as that term is defined in the Associations Act) to The Young Men’s Christian Association of the Northern Territory Ltd. ACN 616 111 463, subject to YMCA of Central Australia Inc. ABN 13 381 977 987 resolving to transfer all of its real and personal property (other than “prescribed property”) to The Young Men’s Christian Association of the Northern Territory Ltd. ACN 616 111 463.
- subject to section 110 of the Associations Act and receiving written consent from the Minister, determining to transfer all of its “prescribed property” (as that term is defined in section 4 of the Act) to The Young Men’s Christian Association of the Northern Territory Ltd. ACN 616 111 463, subject to YMCA of Central Australia Inc. ABN 13 381 977 987 resolving to transfer all of its real and personal property (other than “prescribed property”) to The Young Men’s Christian Association of the Northern Territory Ltd. ACN 616 111 463.

Dated: 16 December 2016



Ronald George Mell  
Chief Executive Officer  
YMCA Top End Inc.

Notice pursuant to section 54 of the  
Northern Territory of Australia

**Associations Act**

Notice is hereby given that YMCA of the Top End Community Services Inc ABN 85 146 189 249 has passed a resolution in accordance with its constitution:

- pursuant to section 54 of the Associations Act, determining subject to section 110 of the Associations Act, to transfer all of its real and personal property (other than “prescribed property” as that term is defined in the Associations Act) to The YMCA of the Northern Territory Youth & Community Services Limited ACN 616 412 072, subject to YMCA of Central Australia Inc. ABN 13 381 977 987 resolving to transfer all of its real and personal property (other than “prescribed property”) to The Young Men’s Christian Association of the Northern Territory Ltd. ACN 616 111 463.
- subject to section 110 of the Associations Act and receiving written consent from the Minister, determining to transfer all of its “prescribed property” (as that term is defined in section 4 of the Act) to The YMCA of the Northern Territory Youth & Community Services Limited ACN 616 412 072, subject to YMCA of Central Australia Inc. ABN 13 381 977 987 resolving to transfer all of its real and personal property (other than “prescribed property”) to The Young Men’s Christian Association of the Northern Territory Ltd. ACN 616 111 463.

Dated: 16 December 2016



Ronald George Mell  
Chief Executive Officer  
YMCA of the Top End Community Services Inc.

### **Assent to Proposed Laws**

His Honour the Administrator assented to the following proposed law:

**20 December 2016**

Public Information Amendment Act 2016 (**Act No 34 of 2016**)

Stamp Duty Amendment Act 2016 (**Act No 35 of 2016**)

Youth Justice Legislation Amendment Act 2016 (**Act No 36 of 2016**)

Yours sincerely

**Marianne Conaty**

A/g Clerk of the Legislative Assembly

Date 20 December 2016