



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

ALL PUBLIC ACTS appearing in this GAZETTE are to be considered official, and obeyed as such

ADELAIDE, THURSDAY, 23 JUNE 2016

CONTENTS

	Page		Page
Acts Assented To.....	2482	Land Services—Notice.....	2492
Administrative Arrangements Act 1994—Notice.....	2482	Liquor Licensing (Dry Areas) Notices 2016.....	2519
Appointments, Resignations, Etc.....	2482	Motor Vehicles Act 1959—Notice.....	2492
Boxing and Martial Arts Act 2000—Notice.....	2483	National Energy Retail Law—Notice.....	2492
Communities and Social Inclusion, Department for—Notice.....	2483	National Electricity Law—Notice.....	2493
Communities and Social Inclusion, Disability Services, Department for—Notice.....	2483	Natural Resources Management Act 2004—Notices.....	2493
Consumer and Business Services, Office of—Notice.....	2499	Passenger Transport Regulations 2009—Notice.....	2525
Controlled Substances Act 1984—Notices.....	2502	Petroleum and Geothermal Energy Act 2000—Notices.....	2499
Corporations and District Councils—Notices.....	2624	Police Service—Fees and Charges.....	2527
Development Act 1993—Notices.....	2483, 2503	Professional Standards Act 2004—Notice.....	2528
Domiciliary Care Services—Notice.....	2484	Proclamations.....	2617
Emergency Services Funding Act 1998—Notice.....	2485	Public Trustee Office—Administration of Estates.....	2638
Emergency Services Funding (Declaration of Levy and Area and Land Use Factors) Notice 2016.....	2611	Roads (Opening and Closing) Act 1991—Notices.....	2499
Emergency Services Funding (Declaration of Levy for Vehicles and Vessels) Notice 2016.....	2613	Road Traffic Act 1961—Notice.....	2500
Environment Protection Act 1993— [REPUBLICISHED].....	2510		
Firearms Act 1977—Notice.....	2485	RULES	
Fisheries Management Act 2007—Notices.....	2485	District Court Criminal Supplementary Rules 2014 (Amendment No. 2).....	2559
Geographical Names Act 1991—Notices.....	2488	District Court Criminal Rules 2014 (Amendment No. 3).....	2573
Harbors and Navigation Act 1993—Notices.....	2488	Supreme Court Criminal Supplementary Rules 2014 (Amendment No. 2).....	2576
Health Care Act 2008—Notices.....	2489, 2511	Supreme Court Criminal Rules 2014 (Amendment No. 3).....	2606
Land Acquisition Act 1969—Notices.....	2489	South Australian Water Corporation—Notice.....	2531
		Treasurer's Quarterly Statement.....	2553

GOVERNMENT GAZETTE NOTICES

Notices for publication in the *South Australian Government Gazette* should be emailed to GovernmentGazetteSA@sa.gov.au. Content should be sent as Word format attachment(s). Covering emails should include the date the notice is to be published and to whom the notice will be charged. **Closing time for lodgement is 4 p.m. on the Tuesday preceding the regular Thursday publication.** Gazette enquiries to: **Phone 8207 1045**. The *Government Gazette* is available online at: www.governmentgazette.sa.gov.au.

Department of the Premier and Cabinet
Adelaide, 23 June 2016

HIS Excellency the Governor directs it to be notified for general information that he has in the name and on behalf of Her Majesty The Queen, this day assented to the undermentioned Acts passed by the Legislative Council and House of Assembly in Parliament assembled, viz.:

No. 30 of 2016—Family Relationships (Parentage Presumptions) Amendment Act 2016. An Act to amend the Family Relationships Act 1975; and to make a related amendment to the Births, Deaths and Marriages Registration Act 1996.

By command,
TOM KOUTSANTONIS, for Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 23 June 2016

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

Member: (from 23 June 2016 until 22 June 2017)
Justin Scott Jamieson

By command,
TOM KOUTSANTONIS, for Premier

ASACAB004-11

Department of the Premier and Cabinet
Adelaide, 23 June 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Health Services Charitable Gifts Board, pursuant to the provisions of the Health Services Charitable Gifts Act 2011:

Commissioner: (from 1 July 2016 until 30 June 2019)
Villis Raymond Marshall

By command,
TOM KOUTSANTONIS, for Premier

HEAC-2016-00043

Department of the Premier and Cabinet
Adelaide, 23 June 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Susan Elizabeth Close, MP, Minister for Education and Child Development and Minister for Higher Education and Skills to be appointed as Acting Deputy Premier, Acting Attorney-General, Acting Minister for Justice Reform, Acting Minister for Industrial Relations, Acting Minister for Child Protection Reform, Acting Minister for the Public Sector and Acting Minister for Consumer and Business Services for the period from 11 July 2016 until 17 July 2016 inclusive, during the absence of the Honourable John Robert Rau, MP.

By command,
TOM KOUTSANTONIS, for Premier

DPR0005/16CS

Department of the Premier and Cabinet
Adelaide, 23 June 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable John James Snelling, MP, Minister for Health, Minister for the Arts and Minister for Health Industries to be appointed as Acting Deputy Premier, Acting Attorney-General, Acting Minister for Justice Reform, Acting Minister for Industrial Relations, Acting Minister for Child Protection Reform, Acting Minister for the Public Sector and Acting Minister for Consumer and Business Services for the period from 1 October 2016 until 9 October 2016 inclusive, during the absence of the Honourable John Robert Rau, MP.

By command,
TOM KOUTSANTONIS, for Premier

DPR0005/16CS

Department of the Premier and Cabinet
Adelaide, 23 June 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Stephen Campbell Mullighan, MP, Minister for Transport and Infrastructure and Minister for Housing and Urban Development to be appointed as Acting Minister for Planning and Acting Minister for the City of Adelaide for the periods from 11 July 2016 until 17 July 2016 inclusive and from 1 October 2016 until 9 October 2016 inclusive, during the absence of the Honourable John Robert Rau, MP.

By command,
TOM KOUTSANTONIS, for Premier

DPR0005/16CS

Department of the Premier and Cabinet
Adelaide, 23 June 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint Patricia Marjorie Christie to act as the Independent Commissioner Against Corruption for a term commencing on 27 June 2016 and expiring on 4 August 2016, pursuant to Section 11 of the Independent Commissioner Against Corruption Act 2012.

By command,
TOM KOUTSANTONIS, for Premier

AGO0083/16CS

Department of the Premier and Cabinet
Adelaide, 23 June 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint David Graeme Hardy as the Commissioner of the Lotteries Commission of South Australia for a term commencing on 1 July 2016 and expiring on 31 December 2016 inclusive, pursuant to the provisions of the State Lotteries Act 1966.

By command,
TOM KOUTSANTONIS, for Premier

T&F16/047CS

ADMINISTRATIVE ARRANGEMENTS ACT 1994

INSTRUMENT OF DELEGATION

Under Section 99A of the Motor Vehicles Act 1959

I, STEPHEN MULLIGHAN, Minister for Transport and Infrastructure, note that:

1. The Motor Vehicles Act 1959 (MV Act) is committed to me.
2. By Instrument of Delegation published in the *Government Gazette* on 20 June 2013, the then Minister for Transport and Infrastructure delegated to the Minister to whom the Motor Accident Commission Act 1992 is committed (presently the Minister for Finance) relevant powers and functions exercisable under Part 4 of the MV Act with respect to the compulsory third party insurance scheme established under that Part (CTP Powers and Functions).
3. The Compulsory Third Party Insurance Regulation Act 2016 which commenced operation on 12 May 2016 amended Part 4, Section 99A of the MV Act so as to confer further powers and functions on me which are related to the CTP Powers and Functions.
4. Given that relationship it is appropriate that the same Minister be able to exercise both the new powers and functions and the CTP Powers and Functions.

By this Instrument, I, STEPHEN MULLIGHAN, the Minister for Transport and Infrastructure in the State of South Australia, pursuant to Section 9 of the Administrative Arrangements Act 1994, hereby delegate to the Minister to whom the Motor Accident Commission Act 1992 is committed the following powers and functions exercisable by me under the Motor Vehicles Act 1959:

5. the power and function under Section 99A (2) of the MV Act to determine a scheme for the selection of approved insurers by the CTP Regulator; and

6. the power and function under Section 99A (2a) of the MV Act to determine a scheme for the selection of approved insurers by the CTP Regulator where a person is a participant in the periodic payment scheme.

This Instrument of Delegation has effect from the day on which it is published in the *Government Gazette*.

This Instrument of Delegation may be revoked or varied at any time by me by further notice published in the *Government Gazette*.

Dated 19 June 2016.

S. MULLIGHAN, Minister for Transport
and Infrastructure

16MTR/1019

BOXING AND MARTIAL ARTS ACT 2000

SCHEDULE OF BOXING AND MARTIAL ARTS UNREGULATED FEES AND CHARGES

Effective from 1 July 2016

Boxing and Martial Arts

THE Boxing and Martial Arts Act 2000 was introduced to regulate professional or public boxing and martial arts events, and to promote safety and probity within the Boxing and Martial Arts (Combat Sport) sector. The Boxing and Martial Arts Regulations 2015, carries out the intentions of the Act. These Regulations introduced registration fees for competitors and promoters and the charges for 2016-17 are:

Category	GST Exempt	Fee Charge 2016-17
Trainer's Registration Fee	Subject to GST	\$51.00
Promoter's Application Fee	Subject to GST	\$407.00
Contestant Registration fee	Subject to GST	\$102.00

Where noted, the fees are inclusive of GST.

Dated 7 June 2016.

L. BIGNELL, Minister for Recreation and Sport

DEPARTMENT FOR COMMUNITIES AND SOCIAL INCLUSION DISABILITY SERVICES

NOTICE BY THE MINISTER FOR DISABILITIES

Fees Payable for Services Provided by Disability Services and Disability SA

THE fees set out in the table below will be charged by Disability Services and Disability SA for services specified in the table where the services are provided to compensable disability clients:

The Chief Executive of the department may waive payment of, or remit, the whole or any part of a fee payable under this notice.

Table of Fees (ex GST)

	\$
1. Disability Services / Disability SA—Fee for campus based or residential accommodation—per day or part day	481.00
2. Disability Services / Disability SA—Fee for arrangement or co-ordination of access of client to disability services—per hour or part hour	39.00
3. Disability Services / Disability SA—Fee for preparation of report on access of client to disability services (for purpose of compensation or legal proceedings)—per report	388.00
4. In addition, where transportation is provided or arranged by Disability Services, an additional fee equal to the cost of providing, or arranging for the provision of that transportation is payable.	

Non-compensable disability clients provided with a supported accommodation service by Disability Services are charged a percentage of their Disability Support Pension. The rate charged depends on the type of supported accommodation provided. Fees are increased twice yearly in line with Disability Support Pension increases.

In this notice:

Department means the Department for Communities and Social Inclusion;

Disability Services means the division of the department known as Disability Services;

Disability SA means the division of the department known as Disability SA;

Compensable client means a client receiving services who is, or may be, entitled to payment, or has received payment, by way of compensation in respect of the injury, illness or disease for which the client is receiving those services;

Day means 24 hours (whether a continuous period or in aggregate); and

Client means a person to whom services or care is provided.

This notice will come into operation on 1 July 2016.

Dated 26 April 2016.

LEESA VLAHOS, Minister for Disabilities

DEPARTMENT FOR COMMUNITIES AND SOCIAL INCLUSION

NOTICE BY THE MINISTER FOR COMMUNITIES AND SOCIAL INCLUSION

Fees Payable for Services Provided by the Screening Unit

THE fees set out in the table below will be charged by the Department for Communities and Social Inclusion for services specified in the table as provided by the Screening Unit.

The Chief Executive of the department may waive payment of, or remit, the whole or any part of a fee payable under this notice.

\$
(ex GST)

1. Screening Unit—employed individual—

Fee for screening assessment for:

- Vulnerable Person-Related Employment Screening 78.50
- Aged Care Sector Employment Screening 78.50
- General Employment Probity Screening 78.50

2. Screening Unit—volunteer or student

individual—Fee for criminal history check and background screening service 52.00

This notice will come into operation on 1 July 2016.

Dated 5 May 2016.

ZOE BETTISON, Minister for Communities
and Social Inclusion

DEVELOPMENT ACT 1993

Recognition of an Approved Building Industry Accreditation Authority

FOR the purposes of Regulation 87 (6) and Regulation 91 (2) of the Development Regulations 2008, the following are recognised as an approved building industry accreditation authority:

1. Australian Institute of Building Surveyors.
2. Royal Institution of Chartered Surveyors.

Dated 16 June 2016.

SALLY SMITH, General Manager,
Investment Management, Department of
Planning, Transport and Infrastructure
Delegate, Minister for Planning

DEVELOPMENT ACT 1993

*Mixed Use (Glenside) Zone Policy Review Development Plan Amendment Prepared by the Minister—
For Public Consultation*

NOTICE is hereby given that the Minister for Planning, pursuant to Sections 24 and 26 of the Development Act 1993, has prepared a Mixed Use (Glenside) Zone Policy Review Development Plan Amendment (DPA) to amend the following Development Plan:

- Burnside (City) Development Plan

The DPA proposes to enable the implementation of the State Government's intent for Glenside as described in the draft Glenside Master Plan. The DPA seeks to review the policies applying to the land to enable increased density, building heights and land use mix. Particular consideration has been given to innovative design, a transition of building heights adjacent sensitive development, creating a distinctive sense of place with the integration of State Heritage Places and new development, traffic access, retention of existing significant trees and the establishment of open space.

The DPA will be on public consultation from 23 June 2016 to 17 August 2016.

For more information and to view the DPA online visit the Mixed Use (Glenside) Zone Policy Review amendment webpage at www.sa.gov.au/planning/ministerialdpas.

Copies of the DPA also are available during normal office hours at:

- the Department of Planning, Transport and Infrastructure, Level 2, 211 Victoria Square, Adelaide.
- City of Burnside Civic Centre, 401 Greenhill Road, Tasmore.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on 17 August 2016. Submissions should be addressed to:

The Presiding Member, Development Policy Advisory Committee, Mixed Use (Glenside) Zone Policy Review Development Plan Amendment:

- c/o Department of Planning, Transport and Infrastructure, G.P.O. Box 1815, Adelaide, S.A. 5001
- Email dpac@sa.gov.au.

Your submission should clearly indicate whether you wish to be heard at the public meeting.

Copies of all public submissions will be available for inspection by interested persons at the Department of Planning, Transport and Infrastructure, Level 2, 211 Victoria Square, from 18 August 2016 until 31 August 2016 conclusion of the public meeting, and will also be available for viewing online in the Mixed Use (Glenside) Zone Policy Review amendment webpage at:

www.sa.gov.au/planning/ministerialdpas.

An information session will be held on Wednesday, 13 July 2016 from 4.30 p.m. to 6.30 p.m. at the Margaret Bond Room 2, Glenunga Hub, 70 Conyngham Street, Glenunga.

The public meeting will be held on Wednesday, 31 August 2016 at 7 p.m. at The Burnside Community Centre Hall, 401 Greenhill Road, Tasmore, at which time interested persons may appear to be heard in relation to the DPA and the submissions. The public meeting may not be held if no submissions are received or if no-one requests to be heard. Please check the Mixed Use (Glenside) Zone Policy Review amendment webpage at www.sa.gov.au/planning/ministerialdpas or the Development Policy Advisory Committee website at www.dpac.sa.gov.au before the scheduled date of the meeting to find out whether it is being held.

If you would like more information about the DPA, please contact Nadia Gencarelli on telephone number 7109 7036 or via email at nadia.gencarelli@sa.gov.au.

Dated 23 June 2016.

D. VRANAT, Secretary, Development Policy Advisory Committee

DOMICILIARY CARE SERVICES

NOTICE BY THE MINISTER FOR HEALTH AND THE MINISTER FOR COMMUNITIES AND SOCIAL INCLUSION

Fees payable for services provided by the Department for Communities and Social Inclusion (DCSI) and the Country Health South Australia Local Health Network (CHSALHN).

THIS notice by the Minister for Health is pursuant to Section 44 of the Health Care Act 2008, for fees payable for Domiciliary Care Services.

The fees set out in the table below will be charged by DCSI and CHSALHN for services specified in the table where the services are provided to a client—

- who is a compensable client; or
- who is a non-compensable client.

The Chief Executive (or delegate) of the agency may waive payment of, or remit, the whole or any part of a fee payable under this notice.

Table of fees—

1. Domiciliary maintenance and care visit (compensable client):

- attendance involving a service provided by a medical practitioner or other health professional (other than a paramedical aide)—per visit \$129.00
- any other attendance—per visit \$58.00

2. Domiciliary Care fees (non-compensable client):

	Unit Measure	Non Concession	Concession
Service Cap	(per 4 weeks)	\$ 70.00	\$ 50.00
Fee per service (Service Cap applies)			
Domestic Assistance	(per hour)	\$ 10.00	\$ 6.50
Other Food Services	(per hour)	\$ 10.00	\$ 6.50
Personal Care	(per hour)	\$ 10.00	\$ 6.50
Social Support, individual	(per hour)	\$ 10.00	\$ 6.50
Nursing Care	(per hour)	\$ 15.00	\$ 8.50
Social Support, Group	(per hour)	\$ 8.00	\$ 5.00
Home Maintenance	(per hour)	\$ 10.00	\$ 6.50
Flexible Respite	(per hour)	\$ 10.00	\$ 6.50
Centre-based Respite	(per hour)	\$ 4.50	\$ 2.50
Allied Health and Therapy	(per hour)	\$ 15.00	\$ 8.50
Day Care attendance*	(per session)	\$ 20.00	\$ 12.00
*excludes meals and transport			
Centre-based meals (DCSI)	(per meal)	\$ 8.50	\$ 7.40
Transport—one way trip	(per trip)	\$ 6.00	\$ 4.00
Fee per service (No Service Cap applies)			
Cottage respite*	(per night)	\$ 45.00	\$ 30.00
*for up to 24 hours			
Equipment Hire	(hire per week)	\$ 5.60	\$ 4.20
Equipment Loan	(per item)	50%	15%
Equipment Purchase	(per item)	50%	15%
Home Modification	(per modification)	50%	15%
Meals (CHSALHN)	(per meal)	\$ 8.50	\$ 7.40

In this notice—

Agency means either the Department for Communities and Social Inclusion or the Country Health South Australia Local Area Network

Compensable client means a client receiving services who is, or may be, entitled to payment, or has received payment, by way of compensation in respect of the injury, illness or disease for which the patient is receiving those services.

Client means a person to whom treatment or care is provided (including, outreach services or domiciliary maintenance and care).

Service cap means the maximum fee payable for services provided in a 4 week billing period (excludes equipment and home modifications).

Per hour means the time taken to deliver the service charged for the hour or part thereof.

Per session means a block of hours to deliver a service program (i.e. 3 hours).

Equipment loan—per item means an annual fee for the term of the loan.

Equipment purchase—per item means the cost to procure and deliver the item.

Home modification—per modification means the estimated cost to prepare and install the modification.

The notice will come into operation on 1 July 2016.

Dated 2 June 2016.

JACK SNELLING, Minister for Health and Ageing
ZOE BETTISON, Minister for Communities
and Social Inclusion

EMERGENCY SERVICES FUNDING ACT 1998

Section 14—Fees

I, HON. TOM KOUTSANTONIS MP, Treasurer and Minister for Finance, set the fee pursuant to Section 14 of the Emergency Services Funding Act 1998 at \$15.20:

- to inspect the Assessment Book during ordinary office hours; or
 - for a copy of an entry made in the Assessment Book;
- commencing on 1 July 2016.

Dated 31 March 2016.

T. KOUTSANTONIS, Treasurer,
Minister for Finance

FIREARMS ACT 1977: SECTION 37

Notice of General Amnesty

TAKE notice that with the approval of the Minister and pursuant to Section 37 of the Firearms Act 1977, I, Grant Stevens, Registrar of Firearms do hereby vary my previous declaration of a General Amnesty from those provisions of the Firearms Act 1977 and Firearms Regulations 2008 specified in Schedule 1, subject to the conditions specified in Schedule 2.

This Amnesty was previously declared to commence on 1 December 2015 and remain in force until midnight on 30 June 2016. I hereby vary my previous declaration to the effect that this Amnesty will now remain in force until midnight on 31 December 2016, or until midnight on the date upon which the Firearms Act 2015 is proclaimed, which ever date is reached sooner.

SCHEDULE 1

1. This Amnesty relates to the following provisions of the Firearms Act 1977: Sections 11 (1), 14 (1), 15B (13), 21B (2), 23 (1), 23 (3), 24A (1), 24A (7) (b), 29A (1), 29A (2), 29B (1) and 29B (4).

2. This Amnesty relates to the following provisions of the Firearms Regulations 2008: Regulations 41 (2) and 41 (3).

SCHEDULE 2

1. This Amnesty relates to all firearms, firearm parts, ammunition, fittings, mechanisms, prohibited firearm accessories and silencers.

2. This Amnesty relates only to persons who are in possession of a firearm, firearm part, ammunition, fitting, mechanism, prohibited firearm accessory or silencer for the purpose of surrendering that item to a member of the police force or a participating licensed firearms dealer.

3. For the purpose of this Amnesty a person can surrender a firearm, firearm part, ammunition, fitting, mechanism, prohibited firearm accessory or silencer to a member of the police force or a participating licensed firearms dealer for the purpose of having the item destroyed or de-activated.

4. For the purpose of this Amnesty a person who is the holder of a South Australian firearms licence can surrender a firearm to a participating licensed firearms dealer for the purpose of applying

to become the registered owner of the firearm or selling the firearm to the participating licensed firearms dealer.

5. For the purpose of this Amnesty participating licensed dealers must nominate to participate; hold an unrestricted firearm dealers licence; and conduct a self-audit confirming the suitability of his or her business premises and practices to safely and effectively participate.

6. For the purpose of this Amnesty South Australia Police have published a list of participating licensed firearms dealers that can be accessed from the SAPOL internet site at the following web page address: <https://www.police.sa.gov.au/services-and-events/firearms-and-weapons>.

Dated 23 June 2016.

G. STEVENS, Registrar of Firearms

FISHERIES MANAGEMENT ACT 2007: SECTION 79

Haul Net Pocket Mesh Size Increase

TAKE notice that pursuant to Section 79 of the Fisheries Management Act 2007, it is hereby declared that it shall be unlawful for a person fishing pursuant to a fishery licence of the fisheries listed in Schedule 1, to engage in the class of fishing activities specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

Marine Scalefish Fishery; Restricted Marine Scalefish Fishery, Lakes and Coorong Fishery (coastal waters), Southern Zone Rock Lobster Fishery, or Northern Zone Rock Lobster Fishery.

SCHEDULE 2

The act of taking, possessing or landing any fish species in the marine waters of the State using a haul net that has a pocket mesh size less than 35 mm where knotted mesh is used or less than 36 mm where knotless mesh is used.

SCHEDULE 3

Between 1200 hours on 1 July 2016 until 1200 hours on 1 July 2017.

Dated 17 June 2016.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT ACT 2007: SECTION 79

Spencer Gulf Garfish Closure

TAKE notice that pursuant to Section 79 of the Fisheries Management Act 2007, it is hereby declared that it shall be unlawful for a person fishing pursuant to a fishery licence of the fisheries listed in Schedule 1, to engage in the class of fishing activities or have possession or control of aquatic resources specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

Marine Scalefish Fishery; Restricted Marine Scalefish Fishery or Northern Zone Rock Lobster Fishery.

SCHEDULE 2

The act of taking, possessing or landing Southern Garfish (*Hyporhamphus melanochir*) in the waters contained within the Spencer Gulf, points from which the closing lines are drawn: Cape Catastrophe (position latitude 34°59'07.15"S, longitude 136°00'11.06"E) to Cape Spencer (position latitude 35°17'59.6"S, longitude 136°52'50.11"E) (Datum GDA 94).

SCHEDULE 3

Between 1200 hours on 1 July 2016 until 1200 hours on 30 August 2016.

Dated 17 June 2016.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT ACT 2007: SECTION 79

Gulf St Vincent Garfish Closure and Use of Modified Net

TAKE notice that pursuant to Section 79 of the Fisheries Management Act 2007, it is hereby declared that it shall be unlawful for a person fishing pursuant to a fishery licence of the fisheries listed in Schedule 1, to engage in the class of fishing activities or have possession or control of aquatic resources specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

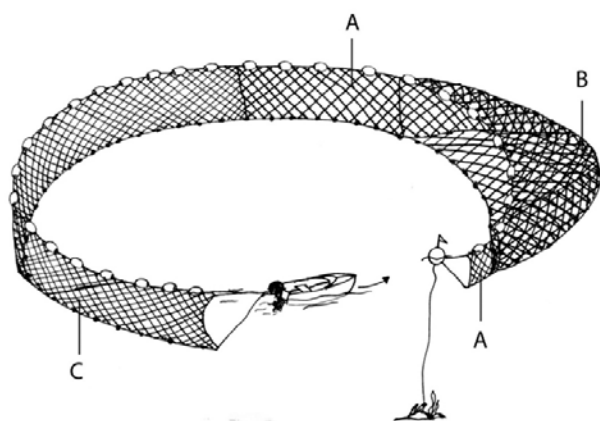
Marine Scalefish Fishery; Restricted Marine Scalefish Fishery or Northern Zone Rock Lobster Fishery.

SCHEDULE 2

The act of taking, possessing or landing Southern Garfish (*Hyporhamphus melanochir*) in the waters contained within Gulf St Vincent, points from which the closing lines are drawn: Cape Jervis (position latitude 35°36'48.51"S, longitude 138°05'44.01"E) to Troubridge Point (position latitude 35°10'04.74"S, longitude 137 40'38.64"E) (Datum GDA 94); and or

The act of taking fish using a haul net other than a haul net that has a maximum bunt length of 120 m, a minimum pocket mesh size of 35 mm where knotted mesh is used or 36 mm where knotless mesh is used, panels immediately adjacent to the pocket with a minimum mesh size of 30 mm and 50 mm minimum mesh size in the remainder of the haul net. The haul net must not exceed 600 m in length.

A diagram of the haul net for the purposes of Schedule 2 is provided below:



Key:

- A. Mesh panel(s) immediately adjacent to the pocket.
- B. Pocket.
- C. Wings (remainder of the net).

The mesh panel(s) immediately adjacent the pocket (A) and the pocket (B) are collectively known as the bunt of the haul net.

SCHEDULE 3

Between 1200 hours on 1 July 2016 until 1200 hours on 30 August 2016.

Dated 17 June 2016.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under Section 79 of the Fisheries Management Act 2007, dated 18 December 2015, and published in the *South Australian Government Gazette* on 24 December 2015, on page 5304, being the sixth notice on that page, referring to 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 waters specified in Schedule 1, under the conditions specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

The waters of the West Coast Prawn Fishery adjacent to Coffin Bay, Venus Bay and Ceduna.

SCHEDULE 2

1. Each licence holder must ensure that a representative sample of the 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 7 kg 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 14 nights of fishing are completed;
- (b) The average catch per vessel, per night (for all three vessels) drops below 300 kg for two consecutive nights;
- (c) The average prawn 'bucket count' for all three vessels exceeds 240 prawns per bucket on any single fishing night in the Venus Bay area; or
- (d) The average prawn 'bucket count' for all three vessels exceeds 270 prawns per bucket on any single fishing night in the Ceduna area.
- (e) The average prawn 'bucket count' for all three vessels exceeds 240 prawns per bucket on any single fishing night in the Coffin Bay area.

4. The fleet must nominate a licence holder to provide a daily update by telephone or SMS message to the PIRSA Fisheries Manager, to report the average prawn catch per vessel and the average prawn 'bucket count' information.

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 3.

SCHEDULE 3

Commence at sunset on 28 June 2016 and end after the expiration of 30 minutes from sunrise on 14 July 2016.

Dated 16 June 2016.

S. SHANKS, Prawn Fisheries Manager

FISHERIES MANAGEMENT ACT 2007: SECTION 79

Closure of Pipi Fishery—Goolwa Beach—Commercial

TAKE notice that pursuant to Section 79 of the Fisheries Management Act 2007, it is hereby declared that it shall be unlawful for any licensed person to engage in the class of fishing activity specified in Schedule 1, in the area specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

The act of taking or an act preparatory to the taking of Pipi (*Donax deltoides*) for the purpose of trade or business.

SCHEDULE 2

The Sir Richard Peninsula between the Murray Mouth and Goolwa Beach Road.

SCHEDULE 3

From 12.01 a.m. on 1 July 2016, until 11.59 p.m. on 30 June 2017.

Dated 17 June 2016.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT ACT 2007: SECTION 79

Closure of Pipi Fishery—Coorong Beach—Recreational

TAKE notice that pursuant to Section 79 of the Fisheries Management Act 2007, it is hereby declared that it shall be unlawful for any unlicensed person to engage in the class of fishing activity specified in Schedule 1, in the area specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

The act of taking or an act preparatory to the taking of Pipi (*Donax deltoides*).

SCHEDULE 2

The Youngusband Peninsula between the Murray Mouth and 28 mile crossing.

SCHEDULE 3

From 12.01 a.m. on 1 November 2016, until 11.59 p.m. on 31 May 2017.

Dated 17 June 2016.

S. SLOAN, Director,
Fisheries and Aquaculture

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, the persons listed in Schedule 2 (the 'exemption holders') are exempt from Sections 55 and 70 of the Fisheries Management Act 2007 and Regulation 7, Schedule 6, Clause 122 of the Fisheries Management (General) Regulations 2007, but only insofar as they may engage in the taking of Pipi (*Donax* spp) using cockle rakes endorsed on their licences (the 'exempted activity'), during the period specified in Schedule 1 (unless varied or revoked earlier) and subject to the conditions set out in Schedule 2. Exemption Number ME9902866.

SCHEDULE 1

From 12.01 a.m. on 1 July 2016, until 11.59 p.m. 31 October 2016, and from 12.01 a.m. 1 June 2017, until 11.59 p.m. 30 June 2017.

SCHEDULE 2

1. The licence holder specified in Column 1, or his agents, may only take Pipi (*Donax* spp) pursuant to this notice:

Licence Number and Licence Holder Name

L03—Glendan Hill	L30—Daryl Edson
L08—John Reeves	L31—Adrian Phillips
L10—Michael Jolly	L33—Timothy Richards
L13—Gary Hera-Singh	L35—Brian Brooks
L18—Raymond Modra	L36—Robert Brooks
L19—Nathan Mammone	L44—Rodney Ayres
L20—Brett Goodwin	L45—Darren Hoad
L26—Trevor Lucieer	L47—Matthew Hoad
L27—Krikor Kessegian	M236—Michael Jolly
L29—Barry Moore	M301—James Willis

2. The exempted activity may only be undertaken along the Youngusband Peninsula between the Murray Mouth and Kingston S.E. and includes specially protected areas, namely Encounter Marine Park and the Upper South East Marine Park.

3. All Pipi taken pursuant to this notice are taken as part of the Individual Catch Quota System established under the Fisheries Management (Lakes and Coorong Fishery) Regulations 2009. Licence holders must continue to submit CDR forms and SARDI catch and effort returns during the exemption period accounting for all Pipi taken. All present fishing arrangements and obligations continue to apply during the exemption period.

4. The exemption holder must comply with all licence conditions when undertaking the exempted activity, except where specifically exempted by this notice.

5. While engaging in the exempted activity, the exemption holder must be in possession of a copy of this notice. This notice must be produced to a Fisheries Officer if requested.

6. The exemption holders must not contravene or fail to comply with the Fisheries Management Act 2007 or any regulations made under that Act, except where specifically exempted by this notice.

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

Dated 17 June 2016.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that the Ministerial exemption ME9902796 notice issued pursuant to Section 115 of the Fisheries Management Act 2007, in the name of Leslie Morrison of the School of Biological Sciences at Flinders University, Sturt Road, Bedford Park, (the 'exemption holder'), dated 27 August 2015, being the second notice published on page 3931 of the *South Australian Government Gazette* dated 27 August 2015, is hereby varied by deleting 16/0 size hooks and inserting the item below in Schedule 2 under Research Activities:

SCHEDULE 2

- any size hooks.

Dated 16 June 2016.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Qifeng Ye on behalf of SARDI Aquatic Sciences, 2 Hamra Avenue, West Lakes, S.A. 5024 (the 'exemption holder') or their agents are exempt from Sections 71 and 72 (2) (b) and of the Fisheries Management Act 2007, but only insofar as the exemption holder or their agents shall not be guilty of an offence when taking Murray Cod during the Murray Cod Section 79 closure as provided in the notice dated 24 December 2015 (the 'exempted activity') between the dates and from the waters described in Schedule 1 and subject to the conditions in Schedule 2, unless varied or revoked earlier.

SCHEDULE 1

The waters of the Murray Darling Basin:

- Within 50 km of Swan Reach—Saturday 18 and Sunday 19 June 2016;
- Within 50 km of Cadell—Saturday 30 and Sunday 31 July 2016; and
- Within 50 km of Loxton—Saturday 3 to Sunday 26 March 2017.

SCHEDULE 2

1. The exemption holder or their agent may, for the purposes of tagging and taking biopsies, lift part of the Murray Cod out of the water. The exemption holder or agent must as far as reasonably practical follow PIRSA's handling guidelines to ensure the Murray Cod caught has the best chance of survival. All Murray Cod taken under this exemption must be immediately returned to the water once all information is collected and the tagging and taking of biopsies has been completed.

2. Any protected native fish other than a Murray Cod caught pursuant to this notice must be recorded in the log book and immediately returned to the water. Any exotic fish caught must be disposed of appropriately and not returned to the water.

3. Agents may be nominated and grouped for each of the locations described in Schedule 1 by the exemption holder and must be recorded in a document that is retained at the location where the exempted activities are being undertaken. The document must provide the full names of each agent together with any other identifying information about the agents that may be specifically required from time to time. All agents shall be identifiable by a tamper proof wrist band. The exemption holder will nominate the dates, time and location of the fishing events.

4. While engaged in the exempted activity the exemption holder and agents must display a sign indicating they are undertaking SARDI approved Murray Cod research and be in possession of a copy of this notice, which must be produced to a Fisheries Officer if requested. Notice number ME9902859.

5. The exemption holder and agents must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 16 June 2016.

S. SLOAN, Director Fisheries
and Aquaculture Policy

GEOGRAPHICAL NAMES ACT 1991

Notice to Alter Boundaries of Places

NOTICE is hereby given pursuant to Section 11B (4) of the Geographical Names Act 1991, that I, KIM NISBET, Acting Surveyor-General and Delegate appointed by Honourable Stephen Mullighan, Minister for Transport and Infrastructure, Minister of the Crown to whom the administration of the Geographical Names Act 1991 is committed, do hereby alter the following boundaries as listed in the schedule below:

THE SCHEDULE

Description	File Reference	Date of Approval
Alter the boundary between Beetaloo Valley and Warnertown to include all of Section 71 and Section 238, Hundred of Howe, within the locality of Beetaloo Valley.	DPTI 2016/05944/01	8.6.2016
Alter the boundary between American River and Ballast Head to include Allotment 50, 51 and 52 in Deposited Plan 92892, and Allotment 106 in Filed Plan 216290, within the locality of American River.	DPTI 2016/05557/01	8.6.2016

The altered boundary can be viewed on the Land Services Property Location Browser (PLB) website at: www.landservices.sa.gov.au/1Online_Services/20PLB/0default.asp or by contacting Land Boundaries, DPTI on (08) 8226 3983.

K. NISBET, Acting Surveyor-General,
Department of Planning, Transport and Infrastructure

GEOGRAPHICAL NAMES ACT 1991

Notice to Alter the Boundaries of Places

NOTICE is hereby given pursuant to Section 11B (1) (b) of the Geographical Names Act 1991, that I, KIM NISBET, Acting Surveyor-General and Delegate appointed by Honourable Stephen Mullighan, Minister for Transport and Infrastructure, Minister of the Crown to whom the administration of the Geographical Names Act 1991 is committed DO HEREBY:

1. Exclude from **LAURIE PARK** and add to **HYNAM** that area marked (A) and shown highlighted orange on the plan.

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

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

Dated 23 June 2016.

K. NISBET, Acting Surveyor-General, Department
of Planning, Transport and Infrastructure

DPTI 2014/18464/01

HARBORS AND NAVIGATION ACT 1993

SCHEDULE OF SHIPPING CHARGES PURSUANT TO SECTION 31

Effective from 1 July 2016*Navigation Services Charge*

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

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

The base charge (GST inclusive) to be applied is \$1 491.00 + \$0.16421 per Gross Tonnage (GT) per trading voyage within South Australian waters.

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

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

Harbor Services Charge (Applied at Port Bonython only)

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

The base charge (GST inclusive) to be applied is \$4 010.00 + \$0.00744 per Gross Tonnage (GT) of the boat per hour at berth.

Dated 20 May 2016.

S. MULLIGHAN, Minister for Transport
and Infrastructure

HARBORS AND NAVIGATION ACT 1993

SCHEDULE OF SHIPPING CHARGES PURSUANT TO SECTION 31

Effective from 1 July 2016*Marine Facilities Ferry Services Charge*

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

Passengers departing from or arriving at Cape Jervis, Kingscote, Penneshaw and American River: \$0.1424 per passenger.

Vehicles (irrespective of size and including prime-mover, motorcycle or equivalent but not including a bicycle): \$1.27 per vehicle per departure or arrival.

Trailers/caravans: \$1.27 per trailer/caravan per departure or arrival.

Freight: \$1.72 per lineal metre of the semi-trailer per trip.

Boat mooring fee: \$70.50 per boat per day (or part thereof).

Dated 20 May 2016.

S. MULLIGHAN, Minister for Transport
and Infrastructure

HARBORS AND NAVIGATION ACT 1993

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

Effective from 1 July 2016

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

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

Port MacDonnell Boat Yard

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

- \$729.00 per boat or trailer for 12 months, or
- \$182.00 per boat or trailer per month or part thereof.

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

Beachport Boat Yard

A boat yard fee is to be charged at the Beachport boat yard for all boats at \$4 182 per boat for one year or part thereof. This fee entitles the recipient to boat storage, 4 slippages, 4 yard shifts using the straddle carrier and unlimited use of the dirty work area for one year.

A casual boat storage fee is to be charged at the Beachport boat yard for all boats at \$629.00 per month or part thereof.

A casual slipping fee (up to two hours) is to be charged at the Beachport boat yard for all boats at \$393.00.

A casual yard shift fee is to be charged for use of the straddle carrier to move a boat in one operation within the boat yard for all boats at \$259.00.

Additional to the above and only when applicable, an after hours yard shift fee or an after hours slipping fee of \$144.00 may apply.

Slipway Fees - Kingscote

Use of the Kingscote slipway will be charged a fee of \$153.00 per day or part thereof.

Dated 20 May 2016.

S. MULLIGHAN, Minister for Transport
and Infrastructure

HEALTH CARE ACT 2008

Fees and Charges

I, JACK SNELLING, Minister for Health, hereby give notice pursuant to Section 59 of the Health Care Act 2008, of the following fees to apply for ambulance services:

These charges will operate from 1 July 2016, to 30 June 2017.

	\$
Emergency 1 call out fee.....	934.00
Emergency 2 call out fee.....	673.00
Non Emergency Fee.....	208.00
Per Kilometre Charge.....	5.40

These charges will be GST-free where the service is in the course of treatment of a patient who pays for the supply of the ambulance service. GST may be charged in addition to the above amounts in circumstances where the Commissioner of Taxation has ruled that the services are not GST-free, for example, for services contracted by a hospital.

Dated 5 April 2016.

JACK SNELLING, Minister for Health

HEALTH CARE ACT 2008

Fees and Charges

I, JACK SNELLING, Minister for Health, hereby give notice pursuant to Section 58 of the Health Care Act 2008, of the following fee to apply for the application of a non-emergency ambulance licence:

These charges will operate from 1 July 2016, to 30 June 2017.

	\$
Application fee for licence.....	171.00

Dated 5 April 2016.

JACK SNELLING, Minister for Health

HEALTH CARE ACT 2008

Fees and Charges

I, JACK SNELLING, Minister for Health, hereby give notice pursuant to the Health Care Act 2008, of the following fees to apply for the purpose of private hospital licensing:

These charges will operate from 1 July 2016, to 30 June 2017.

	\$
Licence application fee (Section 80 (2)).....	228.00
Fee for grant of licence (Section 81 (3)).....	228.00
Annual licence fee (Section 84 (2)).....	228.00
Application fee for transfer of licence (Section 85 (2))....	32.50

Dated 5 April 2016.

JACK SNELLING, Minister for Health

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Comprising the entirety of the right, title, estate or interest of Chau Ly, Truong Phuoc Hong and Xiu Thi Nguyen, whether as lessee or as licensee or otherwise, in that piece of land situated at 1277-1291 Port Wakefield Road, Waterloo Corner, S.A. 5110, being the whole of Allotment 47 in Filed Plan 114708 and being the whole of the land comprised in Certificate of Title Volume 5544, Folio 626.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Philip Cheffirs
G.P.O. Box 1533
Adelaide, S.A. 5001
Telephone: (08) 7424 7015

Dated 20 June 2016.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

S. MCQUILLAN, General Manager,
Property (Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2009/03628/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 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 comprising Pieces 91 and 92 in Filed Plan No 207067, being the remaining land contained in General Registry Office Memorial Number 210 Book 372.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Chris Southam
G.P.O. Box 1533
Adelaide, S.A. 5001
Telephone: (08) 7424 7036

Dated 20 June 2016.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

S. MCQUILLAN, General Manager,
Property (Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2015/16279/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the Authority), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an estate in fee simple in that piece of land being a portion of Allotment 501 in Deposited Plan 47092 comprised in Certificate of Title Volume 5913, Folio 506 and being the whole of the land numbered Allotment 34 in plan numbered D112820 that has been lodged in the Land Titles Office and subject only to the existing easement(s) over the land marked 'Q' on the Certificate of Title and created by TG9723792.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Chris Southam
G.P.O. Box 1533
Adelaide, S.A. 5001
Telephone: (08) 7424 7036

Dated 17 June 2016.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2009/03605/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the Authority), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an estate in fee simple in that piece of land situated at Lot 9, Whites Road, Globe Derby Park, S.A. 5110, being a portion of Allotment 9 in Deposited Plan No 44407 comprised in Certificate of Title Volume 5913, Folio 505, and being the whole of the land numbered Allotment 31 in plan numbered D112819 that has been lodged in the Land Titles Office, subject only to the existing easement(s) over the land marked 'C' on the Certificate of Title to Transmission Lessor Corporation of 1 undivided 2nd part (subject to lease 9061500) and Electranet Pty Ltd of 1 undivided 2nd part created by T2543419 but expressly excluding the existing easement(s) over the land marked 'A' created by T3076192.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Chris Southam
G.P.O. Box 1533

Adelaide, S.A. 5001
Telephone: (08) 7424 7036

Dated 20 June 2016.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2009/25695/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the Authority), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an estate in fee simple in that piece of land being the whole of Allotment 42 in Filed Plan No 218350 comprised in Certificate of Title Volume 5847 Folio 307, subject only to the following: the existing easement(s) over the within land for water supply purposes to the South Australian Water Corporation created in VM 8239271, the existing easement(s) over the within land to the ETSA Corporation created in VM 8239271 and the existing easement(s) over the land marked 'P' created in VM 8239271.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Chris Southam
G.P.O. Box 1533
Adelaide, S.A. 5001
Telephone: (08) 7424 7036

Dated 20 June 2016.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2015/16679/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the Authority), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an estate in fee simple in that piece of land being a portion of Allotment 7 in Filed Plan No 218864 comprised in Certificate of Title Volume 5913, Folio 504 and being the whole of the land numbered Allotment 28 in plan numbered D112818 that has been lodged in the Land Titles Office, subject only to the existing easement(s) over the land marked 'A' on the Certificate of Title to Transmission Lessor Corporation of 1 undivided 2nd part (subject to lease 9061500) and Electranet Pty Ltd of 1 undivided 2nd part created by T2543419.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Chris Southam
G.P.O. Box 1533
Adelaide, S.A. 5001
Telephone: (08) 7424 7036

Dated 20 June 2016.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2015/16685/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the Authority), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an estate in fee simple in that piece of land being the whole of Allotment 57 in Filed Plan No 114618 comprised in Certificate of Title Volume 5913, Folio 507, subject only to the existing easement(s) over the land marked 'Q' on the Certificate of Title and created by TG9723792.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Chris Southam
G.P.O. Box 1533
Adelaide, S.A. 5001
Telephone: (08) 7424 7036

Dated 20 June 2016.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2015/16878/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the Authority), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an estate in fee simple in that piece of land being a portion of Allotment 3 in Filed Plan No 2871 comprised in Certificate of Title Volume 5913, Folio 503 and being the whole of the land numbered Allotment 20 in plan numbered D112815 that has been lodged in the Land Titles Office, subject only to the existing easement(s) over the land marked 'Q' on the Certificate of Title and created by TG9723792.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Chris Southam
G.P.O. Box 1533
Adelaide, S.A. 5001
Telephone: (08) 7424 7036

Dated 20 June 2016.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2015/16688/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Comprising the entirety of the right, title, estate or interest of Van Thang & Thi The Nguyen (ABN: 98 138 762 472), Vo Van Dung and Van Tuan Tran, whether as lessee or as licensee or otherwise, in that piece of land situated at 1293-1299 Port Wakefield Road, Waterloo Corner, S.A. 5110, being the whole of Allotment 48 in Filed Plan No. 114709 and being the whole of the land comprised in Certificate of Title Volume 5544 Folio 627.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Philip Cheffirs
G.P.O. Box 1533
Adelaide, S.A. 5001
Telephone: (08) 7424 7015

Dated 20 June 2016.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

S. MCQUILLAN, General Manager,
Property (Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2009/03628/01

LAND SERVICES

Schedule of Land Services Unregulated Enquiry and Information Products—Effective from 1 July 2016

LAND Services provides a guaranteed system of land titling, survey infrastructure, impartial property valuation services and property information within South Australia.

The products in the attached Schedule offer access to information that is either related to Land ownership, Valuation or a combination of both.

SCHEDULE—RECOMMENDED CHARGES

Land Information Enquiries		
Category	GST Status	Fee Change 2016-17
Title for Owner Name	GST Exempt	\$7.30
Title Detail	GST Exempt	\$9.75
Valuation Detail	GST Exempt	\$9.75
Title and Valuation Detail	GST Exempt	\$14.15
Building Detail	GST Exempt	\$1.80
Historical Valuation Listing	GST Exempt	\$9.75
Annual Property Valuation	Subject to GST	\$345.00
Listing Subscription fee		
Production of Documents to Stamp Duty Office	Subject to GST	\$49.00

Valuation Fees		
Category	GST Status	Fee Change 2016-17
Stamp Duty Opinion	Subject to GST	\$120.00
Special Valuations—General (per hour)	Subject to GST	\$266.00
Special Valuations—Freeholding (per hour)	Subject to GST	\$266.00
Special Valuations—Native Vegetation (per hour)	Subject to GST	\$266.00
Special Valuations—Purch/Acquisition (per hour)	Subject to GST	\$266.00
Special Valuations—Rentals (per hour)	Subject to GST	\$266.00
Special Valuations—Disposals (per hour)	Subject to GST	\$266.00
Special Valuations—FBT (per hour)	Subject to GST	\$266.00
Site History report	Subject to GST	\$161.00
Travelling Time	Subject to GST	\$131.00
Special Valuation—SACHA Full Inspection	Subject to GST	\$397.00
Special Valuation—SAHT Sale to Tenant	Subject to GST	\$397.00

Where noted the fees are inclusive of GST.

Dated 8 May 2016.

S. MULLIGHAN, Minister for Transport and Infrastructure

MOTOR VEHICLES ACT 1959: SECTION 119

Motor Vehicles (Scheme Under Which Approved Insurers Indemnify Nominal Defendant Liabilities) Notice 2016

I, ANASTASIOS KOUTSANTONIS, Minister for Finance, note that:

- I am the delegate of the Minister for Transport and Infrastructure (the Minister to whom the Motor Vehicles Act 1959 (MV Act) is committed) pursuant to an Instrument of Delegation dated 20 June 2013, in respect of the powers and functions under Section 119 of the MV Act.
- Section 119 (1) of the MV Act empowers me to publish a scheme under which all insurers approved to provide compulsory third party insurance (CTPI) under Part 4 of the MV Act (Approved Insurers) will contribute money in proportions provided for in the scheme for:
 - satisfying claims made, or judgments pronounced, against the nominal defendant under Part 4 of the MV Act; and

(b) otherwise indemnifying the nominal defendant against payments made, and costs incurred, in respect of claims under Part 4 of the MV Act,

(each, a Nominal Defendant Claim).

- Each Approved Insurer is party to an Industry Deed dated 2 November 2015 (each, an Industry Deed), being an undertaking and an agreement for the purposes of Section 101 (4) of the MV Act, under which they have agreed to indemnify liabilities incurred by the nominal defendant being Nominal Defendant Claims.

By this *Gazette* Notice, I, the Minister for Finance, pursuant to Section 119 of the Motor Vehicles Act 1959, hereby determine a Scheme, which comes into operation on 1 July 2016, under which Approved Insurers indemnify liabilities incurred by the nominal defendant comprising Nominal Defendant Claims as follows:

- Subject to Item 6 of this Notice, Nominal Defendant Claims must be satisfied in accordance with Clauses 9.5 and 9.6 of the Industry Deed as follows:

(a) each Approved Insurer:

- must meet and pay any Nominal Defendant Claim allocated to the Approved Insurer under Clause 9 of the Industry Deed; and
- may retain any sum awarded to the nominal defendant or recovered from the claimant in connection with a Nominal Defendant Claim allocated to the Approved Insurer under Clause 9 of the Industry Deed,

provided that:

- each Approved Insurer who handles a Nominal Defendant Claim which has been allocated to it is not entitled to recover from the nominal defendant any amount incurred or paid by it in handling the claim, but the Approved Insurer may retain any legal or other costs recovered from the claimant in relation to the claim.

- Clause 8.1 of the Industry Deed allows Approved Insurers, with the prior approval of the CTPI Regulator (established under the Compulsory Third Party Insurance Regulation Act 2016), to enter into a sharing agreement which addresses a number of different matters (Sharing Agreement), including:

- the sharing or adjustment of the cost of Nominal Defendant Claims as between Approved Insurers; and
- the sharing or adjustment of the costs of handling Nominal Defendant Claims as between Approved Insurers.

- If the Approved Insurers enter into a Sharing Agreement with respect to the matters outlined at Items 5 (a) and 5 (b) of this Notice, the arrangements set out in that Sharing Agreement will then immediately apply as part of this Scheme to the extent that they supplement or vary the arrangements described at Items 4 (a) to 4 (b) of this Notice.

Dated 20 June 2016.

ANASTASIOS KOUTSANTONIS, Minister For Finance

NATIONAL ENERGY RETAIL LAW

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

Under ss 259 and 261, the making of the *National Energy Retail Amendment (Meter Read and Billing Frequency) Rule 2016 No. 1* and related final determination. All provisions commence on **23 June 2016**.

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

Australian Energy Market Commission

Level 6, 201 Elizabeth Street
Sydney NSW 2000

Telephone: (02) 8296 7800

www.aemc.gov.au

23 June 2016.

NATIONAL ELECTRICITY LAW

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

Under s 107, the time for making the final determination on the Large Generator connections (ERC0205) proposal has been extended to **18 August 2016**.

Under s 107, the time for making the draft determination on the *Local Generation Network Credits* (Ref. ERC0191) proposal has been extended to **22 September 2016**.

Under ss 102 and 103, the making of the *National Electricity Amendment (Extension of the Reliability and Emergency Reserve Trader) Rule 2016 No. 5* and related final determination. All provisions of Schedules 1 and 3 commence on **23 June 2016**. All provisions of Schedule 2 commence on **1 November 2017**.

Under s 95, COAG Energy Council has requested the *Register of Large Generator connections* proposal (Ref. ERC0205). The proposal seeks to require transmission network service providers (TNSPs) to create and maintain a register of Large Generator connections to their network. TNSPs would also be required to undertake impact assessments for new Large Generator connections. The AEMC intends to expedite the proposal under s 96 as it considers the proposed Rule is non-controversial, subject to requests not to do so. Written requests not to expedite the proposal must be received by **7 July 2016**. Submissions must be received by **21 July 2016**.

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

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

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

Australian Energy Market Commission

Level 6, 201 Elizabeth Street
Sydney NSW 2000

Telephone: (02) 8296 7800

www.aemc.gov.au

23 June 2016.

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levies for the Barossa Prescribed Water Resources Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare the following levies, payable by persons authorised by a water licence, to take or hold water from the prescribed surface water resources, wells and watercourses within the Barossa Prescribed Water Resources Area:

- (1) A levy of 0.6 cents per kilolitre of water allocated as endorsed on the water licence.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levies for the McLaren Vale Prescribed Wells Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare a levy payable by persons authorised by a water licence to take or hold water from prescribed wells within the McLaren Vale Prescribed Wells Area:

- (1) A levy of 0.6 cents per kilolitre of water allocated as endorsed on the water licence.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levies for the Northern Adelaide Plains Prescribed Wells Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare the following levies, payable by persons authorised by a water licence to take water from prescribed wells within the Northern Adelaide Plains Prescribed Wells Area:

- (1) A levy of 0.6 cents per kilolitre of water allocated as endorsed on the water licence.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levy for the Western Mount Lofty Ranges Prescribed Water Resources Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare the following water levy, payable by SA Water Corporation which is authorised by a water licence to take surface water in the Western Mount Lofty Ranges Prescribed Water Resources Area for the purpose of providing a public water supply:

- (1) A fixed charge of \$1.2 million.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levy for the Western Mount Lofty Ranges Prescribed Water Resources Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare a levy payable by persons authorised by a water licence to take or hold water from prescribed wells or watercourses in the Western Mount Lofty Ranges Prescribed Water Resources Area or to take or hold surface water in the Western Mount Lofty Ranges Prescribed Water Resources Area:

- (1) A levy of 0.6 cents per kilolitre of water allocated as endorsed on the water licence.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming or by SA Water for the purpose of providing a public water supply.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levy for Water Authorised Pursuant to Section 128 of the Natural Resources Management Act 2004

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare a levy payable by persons authorised to take source water for the purpose of a managed aquifer recharge and recovery or reuse scheme or aquifer storage and recovery scheme or dewatering from the prescribed water resources of the Western Mount Lofty Ranges Prescribed Water Resources Area, the Barossa Prescribed Water Resources Area, the McLaren Vale Prescribed Wells Area and the Northern Adelaide Plains Prescribed Wells Area:

- (1) A rate of 0.6 cents per kilolitre of water taken, where the taking of water is authorised under Section 128 of the Natural Resources Management Act 2004.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock that are not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levies for the Far North Prescribed Wells Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare the following water levies, payable by persons authorised by a water licence to take water from the prescribed wells within the Far North Prescribed Wells Area:

- (1) A levy of 4.15 cents per kilolitre of water allocated for the purpose of providing a public water supply;
- (2) A levy of 6.42 cents per kilolitre of water allocated to the mining, energy, gas and petroleum sector;
- (3) A levy of 4.15 cents per kilolitre of water allocated for the operation of tourist parks and associated irrigation activities;
- (4) A levy of 3.56 cents per kilolitre for water allocated for the co-production of water during gas and oil extraction.

The amount of levy payable is based on the water allocation as endorsed on the water licence.

The levy does not apply where:

- (5) the water is taken for domestic purposes or for the watering of stock not subject to intensive farming; or
- (6) the water is allocated for bore-fed wetlands.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levies for the Musgrave and Southern Basins Prescribed Wells Areas

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare the following levies payable by persons authorised by a water licence to take water from prescribed wells within the Musgrave and Southern Basins Prescribed Wells Areas:

- (1) A levy of 4.27 cents per kilolitre of water allocated for the purpose of providing a public water supply.
- (2) A levy of 2.36 cents per kilolitre of water allocated where the water is allocated for Irrigation, Industrial and Recreational purposes.

- (3) A levy of 4.27 cents per kilolitre of water allocated where water is allocated for Mining and Energy sectors.

The amount of levy payable is based on the water allocation as endorsed on the water licence.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levy for the Angas Bremer Prescribed Wells Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare the following levy payable by persons authorised by a water licence to take water from prescribed wells within the Angas Bremer Prescribed Wells Area:

- (1) A levy of 0.630 cents per kilolitre of water allocated as endorsed on the water licence; or
 - (2) A levy of \$200;
- whichever is the greater.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levy for the River Murray Prescribed Watercourse

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare the following levies payable by persons authorised by a water licence to take water from the River Murray Prescribed Watercourse:

- (1) A levy per unit share held by the water licensee as endorsed on the water licence of:
 - (i) 1.96 cents per unit share of class 2 and class 6 water access entitlements;
 - (ii) 0.63 cents per unit share of class 3a, class 4 and class 5 water access entitlements;
 - (iii) 0.60 cents per unit share of class 3b water access entitlements; or
 - (2) A levy of \$200;
- whichever is the greater.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levies for the Mallee Prescribed Wells Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability,

Environment and Conservation, hereby declare the following levies payable by persons authorised by a water licence to take water from the prescribed wells in the Mallee Prescribed Wells Area:

- (1) A levy per kilolitre of water allocated as endorsed on the water licence of:
 - (i) 1.96 cents per kilolitre of water allocated for the purpose of providing a reticulated water supply; or
 - (ii) 0.63 cents per kilolitre of water allocated where the water allocation on the licence is not for the purpose of providing a reticulated water supply; or

(2) A levy of \$200;

whichever is the greater.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levy for the Peake, Roby and Sherlock Prescribed Wells Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare a levy payable by persons authorised by a water licence to take water from the Peake, Roby and Sherlock Prescribed Wells Area:

- (1) A levy of 0.63 cents per kilolitre of water allocated as endorsed on the water licence; or

(2) A levy of \$200;

whichever is the greater.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levy for the Marne Saunders Prescribed Water Resources Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare a levy payable by persons authorised by a water licence to take or hold water from prescribed wells or watercourses in the Marne Saunders Prescribed Water Resources Area or to take or hold surface water in the Marne Saunders Prescribed Water Resources Area:

- (1) A levy of 0.63 cents per kilolitre of water allocated as endorsed on the water licence; or

(2) A levy of \$200;

whichever is the greater.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levy for the Eastern Mount Lofty Ranges Prescribed Water Resources Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare a levy payable by persons authorised by a water licence to take water from prescribed wells, prescribed watercourses or prescribed surface water in the Eastern Mount Lofty Ranges Prescribed Water Resources Area:

- (1) A levy per kilolitre of water as endorsed on the water licence of:

(i) 0.630 cents per kilolitre of water allocated where the water allocation is specified as an annual volume in kilolitres (except for water allocated as a Taking Lower Angas Bremer Allocation (LABA) (Flood) in which case paragraph (ii) below applies); or

(ii) 0.150 cents per kilolitre of water allocated as Taking LABA (Flood); or

(2) A levy of \$200;

whichever is the greater.

No levy will be applied where the water is allocated as Taking LABA (Flood Delivery), and where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

For the purpose of this Notice:

“Taking LABA (Flood)” means an allocation granted to take water sourced from a watercourse in surface water management zones 426AR026 and/or 426BR062, or that flows from these zones, and to be taken by means of a pump or flood gate for the purpose of flood irrigation.

“Taking LABA (Flood Delivery)” means an allocation granted to take water sourced from a watercourse in surface water management zones 426AR026 and/or 426BR062, or that flows from these zones, and to be taken by means of a pump or flood gate as a delivery supplement for the purpose of flood irrigation.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levy for the Clare Valley Prescribed Water Resources Area

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare the following water levies payable by persons authorised by a water licence to take or hold water from prescribed wells or watercourses in the Clare Valley Prescribed Water Resources Area or to take or hold surface water in the Clare Valley Prescribed Water Resources Area:

- (1) A levy of \$100 as a fixed amount per water licence; and

(2) A levy of 2.958 cents per kilolitre of water allocated as endorsed on the water licence.

These levies do not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levies in the Lower Limestone Coast, Padthaway, Tintinara Coonalpyn and Tatiara Prescribed Wells Areas

PURSUANT to Section 101 of the Natural Resources Management Act 2004 (the Act), I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare the following water levies payable by persons authorised by a water licence to take water from the prescribed wells in the Lower Limestone Coast, Padthaway, Tintinara Coonalpyn and Tatiara Prescribed Wells Areas:

- (1) A levy of \$200 as a fixed charge per water licence; and
- (2) A levy per kilolitre of water allocated as endorsed on the water licence of:
 - (i) 1.522 cents per kilolitre of water allocated in the Lower Limestone Coast, Padthaway and Tatiara Prescribed Wells Areas where water is allocated for the supply of water by means of reticulated systems by the South Australian Water Corporation established pursuant to the South Australian Water Corporation Act 1994 or where a water allocation on a water licence is specified as a public water supply;
 - (ii) 0.240 cents per kilolitre of water allocated in the Lower Limestone Coast, Padthaway, Tatiara and Tintinara Coonalpyn Prescribed Wells Areas where the water allocation on a water licence is specified as a water taking allocation (excluding delivery supplements);
 - (iii) 0.317 cents per kilolitre of water allocated in the Lower Limestone Coast, Padthaway, Tatiara and Tintinara Coonalpyn Prescribed Wells Areas where the water allocation on a water licence is specified as an industrial, aquaculture, industrial-dairy, intensive animal keeping, environmental Pulp and Paper mill operations and recreational allocation;
 - (iv) 0.240 cents per kilolitre of water allocated in the Lower Limestone Coast, Padthaway, Tatiara and Tintinara Coonalpyn Prescribed Wells Areas, where the water allocation on a water licence is specified as a water (holding) allocation;
 - (v) 0.024 cents per kilolitre of water allocated in the Lower Limestone Coast, Padthaway, Tatiara and Tintinara Coonalpyn Prescribed Wells Areas, where the water allocation from the unconfined aquifer is specified as a delivery supplement allocation;
 - (vi) 0.240 cents per kilolitre of water allocated in the Lower Limestone Coast, Padthaway, Tatiara and Tintinara Coonalpyn Prescribed Wells Areas, where the water allocation from the confined aquifer on a water licence is specified as a delivery supplement allocation;
 - (vii) 0.240 cents per kilolitre of water allocated in the Lower Limestone Coast, Padthaway, Tatiara and Tintinara Coonalpyn Prescribed Wells Areas, where the water allocation on a water licence is specified as a specialised production requirement allocation (excluding Specialised production requirement-frost allocations in the Lower Limestone Coast);
 - (viii) 0.080 cents per kilolitre of water allocated in the Lower Limestone Coast Prescribed Wells Areas, where the water allocation is specified as a specialised production requirement frost allocation;
 - (ix) 0.240 cents per kilolitre of water allocated in the Lower Limestone Coast Prescribed Wells Areas, where the water allocation on a licence is specified as a forest water allocation.

The levies do not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Establishment of Water Levy for the Morambro Creek and Nyroca Channel Prescribed Water Resources

PURSUANT to Section 101 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, hereby declare the following levies payable by persons authorised by a water licence to take or hold water from the Morambro Creek and Nyroca Channel Prescribed Watercourses including Cockatoo Lake and the Prescribed Surface Water Area:

- (1) A levy as endorsed on the water licence of:
 - (i) \$20.93 per percentage share; or
 - (ii) 0.240 cents per kilolitre of water allocated; and
- (2) A levy of \$200 as a fixed charge per water licence.

The levy does not apply where the water is taken for domestic purposes or for the watering of stock not subject to intensive farming.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 17 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

NOTICE OF CONTRIBUTION IN 2016-17 BY CONSTITUENT COUNCILS IN THE ADELAIDE AND MOUNT LOFTY RANGES NATURAL RESOURCES MANAGEMENT REGION

PURSUANT to Section 92 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, having determined the shares of Councils pursuant to subsection 92 (4) and having submitted them to the Governor pursuant to subsection 92 (6) and the Governor having approved those shares on 23 June 2016, hereby advise, pursuant to subsection 92 (7) that the shares of the Constituent Councils in the Adelaide and Mount Lofty Ranges Natural Resources Management Region will be as follows:

Council	Contribution \$ 2016-2017
Adelaide Hills Council	886 896
Adelaide City Council	1 465 202
Alexandrina Council	162 145
The Barossa Council	432 886
City of Burnside	1 466 668
Campbelltown City Council	1 001 895
City of Charles Sturt	2 504 213
Town of Gawler	328 948
Holdfast Bay City Council	1 093 763
Light Regional Council	309 488
District Council of Mallala	162 513
Corporation of the City of Marion	1 682 675
City of Mitcham	1 468 661
District Council of Mount Barker	101 077
City of Norwood, Payneham and St Peters	1 111 232
City of Onkaparinga	2 606 295
City of Playford	994 500
City of Port Adelaide Enfield	2 337 467
City of Prospect	489 370
City of Salisbury	1 874 664
City of Tea Tree Gully	1 588 699
Corporation of the City of Unley	1 175 788
City of Victor Harbor	379 019
Corporation of the Town of Walkerville	270 392
City of West Torrens	1 260 136
District Council of Yankalilla	182 808
Total	27 337 400

Dated 23 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

NOTICE OF CONTRIBUTION IN 2016-17 BY CONSTITUENT COUNCILS IN THE EYRE PENINSULA NATURAL RESOURCES MANAGEMENT REGION

PURSUANT to Section 92 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, having determined the shares of councils pursuant to subsection 92 (4) and having submitted them to the Governor pursuant to subsection 92 (6) and the Governor having approved those shares on 23 June 2016, hereby advise, pursuant to subsection 92 (7) that the shares of the constituent councils in the Eyre Peninsula Natural Resources Management Region will be as follows:

Council	Contribution \$ 2016-2017
District Council of Ceduna	158 050
District Council of Cleve	91 137
District Council of Elliston	82 103
District Council of Franklin Harbour.....	76 986
District Council of Kimba	50 365
District Council of Lower Eyre Peninsula	287 081
City of Port Lincoln.....	642 594
District Council of Streaky Bay.....	141 662
District Council of Tumbly Bay	147 977
City of Whyalla	914 965
District Council of Wudinna.....	57 080
Total	2 650 000

Dated 23 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

NOTICE OF CONTRIBUTION IN 2016-17 BY THE CONSTITUENT COUNCIL IN THE KANGAROO ISLAND NATURAL RESOURCES MANAGEMENT REGION

PURSUANT to Section 92 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, having determined the share of the Kangaroo Island Council, pursuant to subsection 92 (4) and having submitted it to the Governor pursuant to subsection 92 (6) and the Governor having approved that share on 23 June 2016, hereby advise, pursuant to subsection 92 (7) that the share of the Council, as the sole constituent council in the Kangaroo Island Natural Resources Management Region will be as follows:

Council	Contribution \$ 2016-2017
Kangaroo Island Council	176 402
Total	176 402

Dated 23 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

NOTICE OF CONTRIBUTION IN 2016-17 BY CONSTITUENT COUNCILS IN THE NORTHERN AND YORKE NATURAL RESOURCES MANAGEMENT REGION

PURSUANT to Section 92 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, having determined the shares of councils pursuant to subsection 92 (4) and having submitted them to the Governor pursuant to subsection 92 (6) and the Governor having approved those shares on 23 June 2016, hereby advise, pursuant to subsection 92 (7) that the shares of the constituent councils in the Northern and Yorke Natural Resources Management Region will be as follows:

Council	Contribution \$ 2016-2017
District Council of Barunga West	183 363
Clare and Gilbert Valleys Council.....	420 470
District Council of Copper Coast	584 883
The Flinders Ranges Council.....	41 630
Goyder Regional Council	72 059
District Council of Mount Remarkable.....	108 652
Northern Areas Council.....	240 845
District Council of Orroroo Carrieton	31 954
District Council of Peterborough.....	31 786
Port Augusta City Council.....	294 317
Port Pirie Regional Council.....	378 584
Wakefield Regional Council.....	317 141
District Council of Yorke Peninsula.....	954 366
Total	3 660 050

Dated 23 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

NOTICE OF CONTRIBUTION IN 2016-17 BY CONSTITUENT COUNCILS IN THE SOUTH AUSTRALIAN MURRAY-DARLING BASIN NATURAL RESOURCES MANAGEMENT REGION

PURSUANT to Section 92 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, having determined the shares of councils pursuant to subsection 92 (4) and having submitted them to the Governor pursuant to subsection 92 (6) and the Governor having approved those shares on 23 June 2016, hereby advise, pursuant to subsection 92 (7) that the shares of the constituent councils in the South Australian Murray-Darling Basin Natural Resources Management Region will be as follows:

Council	Contribution \$ 2016-2017
Adelaide Hills Council	6 421
Alexandrina Council.....	1 329 994
The Barossa Council.....	64 645
Berri Barmera Council	316 658
Coorong District Council.....	187 611
Regional Council of Goyder.....	176 091
District Council of Karoonda East Murray.....	66 668
District Council of Loxton Waikerie	448 951
Mid Murray Council.....	543 999
Mount Barker District Council	1 324 060
Rural City of Murray Bridge	725 877
City of Onkaparinga	4 087
Renmark Paringa Council.....	324 543
Southern Mallee District Council	110 804
City of Victor Harbor	3 990
Total	5 634 400

Dated 23 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

NOTICE OF CONTRIBUTION IN 2016-17 BY CONSTITUENT COUNCILS IN THE SOUTH AUSTRALIAN ARID LANDS NATURAL RESOURCES MANAGEMENT REGION

PURSUANT to Section 92 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, having determined the shares of councils pursuant to subsection 92 (4) and having submitted them to the Governor pursuant to subsection 92 (6) and the Governor having approved those shares on 23 June 2016, hereby advise, pursuant to subsection 92 (7) that the shares of the constituent councils in the South Australian Arid Lands Natural Resources Management Region will be as follows:

Council	Contribution \$ 2016-2017
District Council of Coober Pedy.....	94 800
Municipal Council of Roxby Downs.....	112 200
Total	207 000

Dated 23 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004
NOTICE OF CONTRIBUTION IN 2016-17 BY CONSTITUENT
COUNCILS IN THE SOUTH EAST NATURAL RESOURCES
MANAGEMENT REGION

PURSUANT to Section 92 of the Natural Resources Management Act 2004, I, Ian Hunter, Minister for Sustainability, Environment and Conservation, having determined the shares of councils pursuant to subsection 92 (4) and having submitted them to the Governor pursuant to subsection 92 (6) and the Governor having approved those shares on 23 June 2016, hereby advise, pursuant to subsection 92 (7) that the shares of the constituent councils in the South East Natural Resources Management Region will be as follows:

Council	Contribution \$ 2016-2017
Coorong District Council.....	145 597
District Council of Grant.....	554 073
Kingston District Council.....	251 390
City of Mount Gambier.....	1 041 246
Naracoorte Lucindale Council.....	651 936
District Council of Robe.....	228 031
Tatiara District Council.....	530 597
Wattle Range Council.....	954 929
Total	4 357 800

Dated 23 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004
NOTICE OF LEVY PAYABLE IN 2016-17 BY PERSONS WHO
OCCUPY LAND OUTSIDE COUNCIL AREAS IN THE EYRE
PENINSULA NATURAL RESOURCES MANAGEMENT REGION

1. Pursuant to Section 97 of the Natural Resources Management Act 2004 ('the Act'), I, Ian Hunter, Minister for Sustainability, Environment and Conservation, having determined the levy payable by persons who occupy land outside council areas in the Eyre Peninsula Natural Resources Management Region, and having received, as required by Section 97 (1) of the Act, the approval of His Excellency the Governor, hereby declare:

1.1 a fixed charge levy amount of \$79.20 on all rateable land.

2. The approval of this Declaration was granted by His Excellency the Governor on 23 June 2016.

Dated 23 June 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

NATURAL RESOURCES MANAGEMENT ACT 2004

SECTION 106

*Notice of Assessment of Quantity of Water Taken when
Meter Readings are Not Used*

I, IAN HUNTER, Minister for Sustainability, Environment and Conservation, hereby declare pursuant to Section 106 (3) of the Natural Resources Management Act 2004 (the Act) that, if meter readings are not used, the quantity of water taken during the 2016-2017 water use year will be determined on the basis and the method set out in Schedule 1.

SCHEDULE 1

Basis

1. For the purpose of Section 106 (1) (c) of the Act, the quantity of water taken will be assessed:

- (a) on the basis of crop area;
- (b) if the Minister is satisfied that crop area is not a reasonable basis to determine the quantity of water taken, on the basis of pump capacity;
- (c) if the Minister is satisfied that pump capacity is not a reasonable basis to determine the quantity of water taken, on the basis of historical usage;
- (d) if the Minister is satisfied that historical usage is not a reasonable basis to determine the quantity of water taken, on the basis of usage data; or
- (e) if the Minister is satisfied that usage data is not a reasonable basis to determine the quantity of water taken, on the basis of the water allocation.

2. Where the Minister has granted an exemption from the requirement to install a meter on a water source, the quantity of water taken will be assessed on the basis of the water allocation.

Method

3. The method that will be used in assessing the quantity of water on the basis of crop area will be as follows:

The estimation of water requirements for crops will be based on the methodology in *Crop Evaporation—Guidelines for Computing Crop Water Requirements—Food and Agriculture Organisation of the United Nations Irrigation and Drainage Paper 56* (Allen, Pereira *et al*, 1998, ISBN No. 92-5-104219-5). Local data (including rainfall and evaporation data) will be used in the estimation of the quantity of water taken. Water usage to account for irrigation system efficiency and for specific crop production process will be added where appropriate.

4. The method that will be used in assessing the quantity of water on the basis of pump capacity will be as follows:

Details of the duration of pumping and the normal operating capacity of the pump used to take water will be used to determine the quantity of water taken. The duration of pumping will be multiplied by the normal operating capacity of the pump. The maximum capacity of the pump will be used if the Minister is satisfied that the normal operating capacity of the pump is not a reasonable basis to determine the quantity of water taken.

5. The method that will be used in assessing the quantity of water on the basis of historical usage will be as follows:

The average of metered usage over the preceding two water use years, providing that the Minister is satisfied that the water was being used during that period for a similar purpose and in a similar manner, and is a reliable estimate of the quantity of water taken.

6. The method that will be used in assessing the quantity of water on the basis of usage data will be as follows:

Details of the usage data (including system operating times and flow rates, and/or the number of transfer tanks or dams filled used to take water) from the infrastructure used.

This notice has effect in relation to the financial year commencing on 1 July 2016.

Dated 16 June 2016.

I. HUNTER, Minister for Sustainability,
Environment and Conservation

OFFICE OF CONSUMER AND BUSINESS SERVICES

Fees Payable for Marriage Services Provided by Births, Deaths and Marriages Registration Office

I, JOHN RAU, Attorney-General, hereby give notice that the fees set out below will be charged by Consumer and Business Services for marriage services at the Births, Deaths and Marriages Registration Office:

	\$
Lodgement Fee	106.00
Solemnisation Fee	179.00

These charges are inclusive of GST. and will come into operation from 1 July 2016.

In this notice:

Marriage has the same meaning as that under the Commonwealth Marriage Act 1961, defined as the union of a man and a woman to the exclusion of all others, voluntarily entered into for life.

Lodgement means notice to be given under Section 42 of the Commonwealth Marriage Act 1961.

Dated 4 April 2016.

JOHN RAU, Deputy Premier Attorney-General

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Application for Grant of Associated Activities Licence—
AAL 241*

PURSUANT to Section 65 (6) of the Petroleum and Geothermal Energy Act 2000 and Delegation dated 21 March 2012, notice is hereby given that an application for the grant of an Associated Activities Licence within the area described below has been received from:

Discovery Energy SA Ltd

The application will be determined on or after 7 July 2016.

Description of Application Area

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

Commencing at a point being the intersection of latitude 28°04'22"S GDA94 and longitude 139°09'32"E GDA94, thence east to longitude 139°18'31"E GDA94, south to latitude 28°08'29"S GDA94, east to longitude 139°20'32"E GDA94, south to latitude 28°13'00"S GDA94, west to longitude 139°20'00"E GDA94, north to latitude 28°09'00"S GDA94, west to longitude 139°18'00"E GDA94, north to latitude 28°05'00"S AGD66, west to longitude 139°10'00"E AGD66, south to latitude 28°13'02"S GDA94, west to longitude 139°09'32"E GDA94 and north to the point of commencement.

Area: 44.10 square kilometres approximately.

Dated 20 June 2016.

B. A. GOLDSTEIN,
Executive Director,
Energy Resources Division,
Department of State Development,
Delegate of the Minister for Mineral
Resources and Energy

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Condition
Extension of Licence Term
Petroleum Exploration Licence—PEL 516**Extension of Licence Term
Associated Activities Licence—AAL 179*

PURSUANT to Section 76A of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that Condition 1 of Petroleum Exploration Licence PEL 516 has been suspended for the period from and including 2 November 2016 to 1 November 2017, under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 21 March 2012.

The term of PEL 516 has been extended by a period corresponding to the period of suspension, such that PEL 516 will now expire on 2 May 2018.

The effect of this Suspension of Licence Condition 1 would not have altered the outcome of the original competitive tender process.

As a consequence of the suspension and extension of PEL 516, the term of the adjunct Associated Facilities Licence AAL 179 is extended, such that AAL 179 will now expire on 2 May 2018.

Dated 17 June 2016.

B. A. GOLDSTEIN, Executive Director
Energy Resources Division
Department of State Development
Delegate of the Minister for Mineral Resources and Energy

ROADS (OPENING AND CLOSING) ACT, 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Road Closure—Alma Terrace and Todville Street,
Woodville West*

BY Road Process Order made on 1 April 2016, City of Charles Sturt ordered that:

1. Portions of Public Road (Alma Terrace and Todville Street) both situated between Lawton Crescent and Nicholls Terrace, Woodville West more particularly delineated and lettered 'B' in Preliminary Plan 10/0019 be closed.
2. Transfer the land subject to closure to Urban Renewal Authority in accordance with the agreement for transfer dated 1 April 2016, entered into between the City of Charles Sturt and Urban Renewal Authority.

3. The following easement be granted over the land subject to the closure:

- i) Grant to Australian Gas Networks (SA) Ltd. an easement for gas supply purposes.
- ii) Grant to Distribution Lessor Corporation an easement for the transmission of underground electricity by underground cable.
- iii) Grant to South Australian Water Corporation an easement for sewerage purposes.
- iv) Grant to South Australian Water Corporation an easement for water supply purposes.

On 16 June 2016, that order was confirmed by the Minister for Transport and Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 112741 being the authority for the new boundaries.

Pursuant to Section 24 (5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 23 June 2016.

K. NISBET, Acting Surveyor-General

ROADS (OPENING AND CLOSING) ACT, 1991:
SECTION 34**ORDER BY THE MINISTER TO CLOSE ROAD**

Public Road, Murray Bridge

BY an Order made on 16 June 2016 under Sections 6 and 34 of the Roads (Opening and Closing) Act 1991, the Minister for Transport and Infrastructure ordered that:

1. That portion of unmade Public Road situated between Section 489 Hundred of Mobilong and Allotment 105 in Deposited Plan 77623 and more particularly identified as "A" on Preliminary Plan 15/0006, be closed.
2. Vest in the Crown the whole of the closed road described in order (1) and issue a Certificate of Title for the closed road in the name of Minister for Sustainability, Environment and Conservation.

On 16 June 2016, that order was confirmed by the Minister for Transport and Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 111601 being the authority for the new boundaries.

Notice of the Order is hereby published in accordance with Section 34 (7) of the said Act.

Dated 23 June 2016.

K. NISBET, Acting Surveyor-General

DPTI 2015/07347/01

ROAD TRAFFIC ACT 1961

Authorised Officers to Operate Breath Analysing Instruments

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 16 June 2016, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

Road Traffic Act 1961;
Harbors and Navigation Act 1993;
Security and Investigation Industry Act 1995; and
Rail Safety National Law (South Australia) Act 2012.

PD Number	Officer Name
74580	Ashworth, Danica Lee
75101	Ayling, Natalie Helen
75270	Dawber, Victoria Anne
75525	Jones, Robin Jaime
75861	Lambert, Scott Richard
74812	Paterson, Andrew Jarzabek
73771	Todd, Rebecca Louise
75671	Vonow, Adam Luke

GRANT STEVENS, Commissioner of Police

This page of the South Australian Government Gazette has been removed.

Please refer any queries regarding this matter to Government Publishing SA on telephone 8207 1046 or e-mail governmentgazettesa@sa.gov.au

CONTROLLED SUBSTANCES ACT 1984

Fees and Charges

I, LEESA VLAHOS, Minister for Mental Health and Substance Abuse, hereby give notice pursuant to Section 55 of the Controlled Substances Act 1984, of the following fees to apply for licences issued under the Act:

These charges will operate from 1 July 2016 to 30 June 2017.

1. Annual fee for manufacturer's licence—

(a) for a manufacturer who manufactures only Schedule 1 poisons	No fee
(b) for a manufacturer who manufactures Schedule 2 poisons	\$281.00
(c) for a manufacturer who manufactures Schedule 3 poisons	\$281.00
(d) for a manufacturer who manufactures Schedule 4 poisons	\$281.00
(e) for a manufacturer who manufactures Schedule 7 poisons	\$281.00
(f) for a manufacturer who manufactures drugs of dependence	\$367.00

NOTE:

The maximum cumulative annual fee—

• for a manufacturer of poisons other than drugs of dependence	\$935.00
• for a manufacturer of drugs of dependence	\$1171.00

2. Annual fee for wholesale dealers licence—

(a) for a wholesaler who sells only Schedule 1 poisons	No fee
(b) for a wholesaler who sells Schedule 2 poisons	\$93.00
(c) for a wholesaler who sells Schedule 3 poisons	\$93.00
(d) for a wholesaler who sells Schedule 4 poisons	\$188.00
(e) for a wholesaler who sells Schedule 7 poisons	\$188.00
(f) for a wholesaler who sells drugs of dependence	\$367.00

NOTE:

The maximum cumulative annual fee—

• for a wholesaler who sells poisons other than drugs of dependence	\$469.00
• for a wholesaler who sells drugs of dependence	\$717.00

3. Annual fee for retail sellers licence \$188.00

4. Annual fee for medicine sellers licence \$42.75

5. Annual fee for licence to supply, possess or administer—

(a) S4 drugs (other than drugs of dependence) (Section 18)	\$93.00
(b) drugs of dependence or equipment (Section 31)	\$93.00

NOTE:

The maximum cumulative fee—

• for a licence to supply or administer S4 drugs and drugs of dependence	\$124.00
--	----------

6. Annual fee for licence to possess Schedule F poisons \$140.00

Dated 18 April 2016.

L. VLAHOS, Minister for Mental Health
and Substance Abuse

DEVELOPMENT ACT 1993: SECTION 48
DECISION BY THE GOVERNOR

Preamble

1. On 7 May 2015, the Minister for Planning published in the *South Australian Government Gazette* a declaration under Section 46 of the *Development Act 1993* (the Act) in respect of any development of a kind listed in Schedule 1 of that notice in the parts of the State listed in Schedule 2 of that notice.
2. A development proposed by Q Developments to redevelop the Comfort Haven Inn Marina Motel site at 6-10 Adelphi Terrace. Q Development to construct a new 14 storey 4.5 star hotel, conference facilities, retail, café, residential apartments and penthouses, associated car parking and landscaping, is the subject of a development application lodged in June 2015.
3. In accordance with the declaration referred to in paragraph 1 of this Preamble, the proposed development has been under consideration under Division 2 of Part 4 of the Act. The proposed development has been the subject of a Public Environmental Report and an Assessment Report under Sections 46 and 46 C of the Act, and is hereafter referred to as the "proposed Major Development".
4. I am satisfied that the Development Report and Assessment Report prepared in relation to the proposed Major Development are appropriate and have had regard, when considering the proposed Major Development, to all relevant matters under Section 48(5).
5. I have decided to grant a development authorisation to the proposed Major Development.

Decision

PURSUANT to Section 48 of the *Development Act 1993* and with the advice and consent of the Executive Council, and having due regard to the matters set out in Section 48(5) and all other relevant matters, I:

- (a) grant development authorisation in relation to the proposed Major Development under Section 48(2)(b)(i), subject to the conditions set out below
- (b) specify under Section 48(7)(b)(i) all matters which are the subject of conditions herein as matters in respect of which the conditions of this authorisation may be varied or revoked, or new conditions attached, and
- (c) specify for the purposes of Section 48(11)(b) the period of two years from the date of this development authorisation as the time within which substantial work must be commenced on site, failing which I may cancel this authorisation under Section 48(11).

CONDITIONS OF DEVELOPMENT AUTHORISATION

General

1. The proponent shall carry out the development generally in accordance with the:
 - (a) Development Application, prepared by Q Developments, dated June 2015
 - (b) Development Report, prepared by Q Developments, dated September 2015, and
 - (c) Response Document prepared by Q Developments, dated February 2016.
2. For the purposes of Section 48(11)(b) of the *Development Act 1993*, the proponent shall commence the development by substantial work on the site of the development within two years of the date of this authorisation, failing which the authorisation may be cancelled.
3. The proponent shall have completed the development within five years of the date of this authorisation, failing which the authorisation may be cancelled.
4. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and following plans submitted:

Prior to the Commencement of Construction Works

The following information shall be submitted for further assessment and approval by the Minister for Planning, prior to the commencement of construction works:

1. Building Rules compliance, following assessment and certification by a private certifier, the Holdfast Bay Council or by a person determined by the Minister for Planning, as complying with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the Development Regulations 2008). For the purposes of this condition 'building work' does not include plant and equipment or temporary buildings that are not permanently attached to the land (refer to relevant Advisory Notes below).
2. Final detailed plans for all structures on site and for each component of the development (including site plans, floor plans, elevations, cross-sections, rendered perspectives and other relevant specifications), car parking configuration and location of secure bicycle parking for residents and employees.
3. In consultation with the Government Architect, further design details including:
 - detailed layouts for the large single aspect apartment type at the podium level
 - the provision of additional details to demonstrate how the ambition in the visualisations will be achieved
 - provision of access to natural light to the residential corridors in the podium
 - provision of additional details of the façade and balcony, to achieve the linear expression while providing private amenity
 - provision of detailed information to demonstrate the maintenance and access strategies for the landscaping, to ensure the ongoing quality of the podium interface with neighbouring properties, and
 - a final detailed schedule of proposed external material finishes.

4. A detailed Landscaping Plan and schedule for the site including the green wall on the boundary.
5. A dilapidation report (i.e. condition survey) shall be prepared by a qualified structural engineer to ensure the stability and protection of abutting buildings, structures and Council assets. The dilapidation report shall include written and photographic/video footage of the internal and external of the adjoining residences, including 1 Canning Street.
6. Detailed acoustic treatments to be provided at the detailed design stage to meet the noise requirements set out in the Aurecon Development Application Acoustic Report for Q Developments dated 3 August 2015 (Revision:1, Reference: 248366) particularly in relation to noise impacts to neighbouring properties.
7. A Construction Environmental Management and Monitoring Plan (CEMMP), prepared in consultation with the Environment Protection Authority and the City of Holdfast Bay. The CEMMP must incorporate measures to address (but not be limited to) the following matters:
 - a. traffic management for the duration of demolition and construction
 - b. construction and works noise management to ensure compliance with the *Environment Protection (Noise) Policy 2007*
 - c. management of air quality (including odour and dust)
 - d. sequencing of development (including construction timelines for works on site, as well as periods and hours of construction)
 - e. occupational health and safety matters
 - f. stormwater management, prior to implementation of a permanent solution;
 - g. groundwater (including prevention of groundwater contamination)
 - h. site contamination and remediation (where required)
 - i. waste management for all waste streams and overall site clean-up
 - j. use and storage of chemicals, oil, construction-related hazardous substances and other materials that have the potential to contaminate the environment (including proposed emergency responses)
 - k. site security, fencing and safety (including the management of public access and local traffic), and
 - l. air monitoring for car park intake and out-takes.

During Construction Works and Prior to Operation of the Development

8. All works shall be undertaken in accordance with the approved plans, drawings, specifications and other documentation (and approved by the Minister for Planning where required) in accordance with conditions 1-7 listed above.
9. That all external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
10. Pedestrian walkways on the subject site shall be adequately lit in accordance with

Australian/New Zealand Standard AS/NZS 1158.3.1:19999 "Road Lighting Part 3.1: Pedestrian area (Category P) lighting – Performance and installation design guidelines". Such lighting shall be maintained at all times to the reasonable satisfaction of the Minister for Planning.

11. That the Stormwater Management recommendations contained within the PT Design Stormwater and Flood Impact Report dated 28 July 2015 for Q Developments shall be incorporated into the detailed design.
12. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.
13. That all vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with the relevant Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked.
14. Bicycle parking facilities shall be designed in accordance with Australian Standard 2890.3-1993 and the AUSTROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.
15. That all Council, utility or state agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc.) that are demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, Utility or State Agency specifications. All cost associate with these works shall be met by the proponent.
16. All loading and unloading, parking and manoeuvring areas shall be designed and constructed to ensure that all vehicles can safely enter and exit the subject land in a forward direction.
17. That the recommendations from LBW/Environmental Projects regarding the removal and treatment of potential asbestos containing material shall be implemented.
18. That recommendations from LBW/Environmental Projects regarding the disposal of soil shall be implemented.
19. Exhaust from the kitchen must be dispersed in accordance with Australian Standards AS/NZS 1668.1 and AS 1688.2.
20. Waste disposal vehicles and general delivery vehicles shall only service the development between the hours of 7.00am and 7.00pm, Monday to Saturday inclusive, and shall only load or unload within the confines of the subject land.
21. Normal operating hours for construction activities and truck movements to and from the site shall be from 7:00am to 7:00pm, Monday to Saturday inclusive.
22. That the green wall plus all landscaping proposed shall be established within 3 months of completion of the project.

During Operation of the Development

23. Operations on the site shall be undertaken in accordance with all plans and details submitted as part of the Major Development Application, and where provided (and endorsed by the Minister for Planning where required) in accordance with conditions 8-22 as listed above.

24. The development/site shall be maintained in a serviceable condition and operated in an orderly manner at all times consistent with conditions of approval.
25. The green wall plus all landscaping shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced to the reasonable satisfaction of the Minister for Planning.

ADVISORY NOTES

1. Pursuant to Development Regulation 64, the applicant is advised that the City of Holdfast Bay or private certifier conducting a Building Rules assessment must-
 - provide to the Minister a certification in the form set out in Schedule 12A of the *Development Regulations 2008* in relation to the building works in question, and
 - to the extent that may be relevant and appropriate -
 - (i) issue a Schedule of Essential Safety Provisions under Division 4 of Part 12
 - (ii) assign a classification of the building under these regulations, and
 - (iii) ensure that the appropriate levy has been paid under the *Construction Industry Training Fund Act 1993*.

Regulation 64 of the *Development Regulations 2008* provides further information about the type and quantity of all Building Rules certification documentation for Major Developments required for referral to the Minister for Planning.
2. The City of Holdfast Bay or private certifier undertaking Building Rules assessments must ensure that the assessment and certification are consistent with this provisional development authorisation (including any Conditions or Advisory Notes that apply in relation to this provisional development authorisation).
3. Should the applicant wish to vary the Major Development or any of the components of the Major Development, an application may be submitted, provided that the development application variation remains within the ambit of the Development Report and Assessment Report referred to in this provisional development authorisation. If an application variation involves substantial changes to the proposal, pursuant to Section 47 of the *Development Act 1993*, the applicant may be required to prepare an amended Development Report for public inspection and purchase. An amended Assessment Report may also be required to assess any new issues not covered by the original Assessment Report and a decision made by the Governor pursuant to Section 48 of the *Development Act 1993*.
4. The applicant's CEMMP and other Plans should be prepared taking into consideration (and with explicit reference to) relevant EPA policies and guideline documents, including, but not limited to:
 - a. the *Environment Protection (Air Quality) Policy 1994*
 - b. the *Environment Protection (Noise) Policy 2007*
 - c. the *Environment Protection (Water Quality) Policy 2015*
 - d. the *Environment Protection (National Pollutant Inventory) Policy 2008*
 - e. the Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry (1999)
 - f. handbooks for pollution avoidance, and

- g. any other legislative requirements, Guidelines and Australian Standards requiring compliance.
5. All works and activities must be undertaken in accordance with the General Environmental Duty as defined in Part 4, section 25(1) of the *Environment Protection Act 1993* (which requires that a person must not undertake any activity, which pollutes, or may pollute; without taking all reasonable and practical measures to prevent or minimise harm to the environment), relevant Environment Protection Policies made under Part 5 of the *Environment Protection Act 1993* and other relevant publications and guidelines.
6. *Landscaping Plan and schedule shall provide the following:*
- details shall be provided showing street furniture, shading devices and lighting
 - planting details
 - Adelphi Terrace streetscape details
 - location of tanks for water reuse for irrigation purposes, and
 - green wall details and management in relation to 1 Canning Street.
7. Any further proposed addition to the structure, including aerials, masts and vent/exhaust stacks, must be subject to a separate assessment by the Commonwealth Department of Infrastructure and Transport. Crane operations associated with construction shall be the subject of a separate application. Adelaide Airport Limited requires 48 days prior notice of any crane operations during the construction.

Given under my hand at Adelaide, 23 June 2016

Hieu Van Le

GOVERNOR

DEVELOPMENT ACT 1993: SECTION 48**DELEGATION OF POWER BY THE GOVERNOR***Preamble*

1. I have granted a development authorisation pursuant to Section 48 of the *Development Act 1993* for the development of the Adelphi Terrace Integrated Hotel Development by Q Developments, which authorisation is published in the *South Australian Government Gazette* of 23 June 2016.
2. I wish to delegate certain of my powers under Section 48 to the Minister for Planning.

Delegation

PURSUANT to Section 48 (8) of the *Development Act 1993* and with the advice and consent of the Executive Council, I delegate to the Minister for Planning:

- (a) my power under Section 48(7a) to vary the development authorisation granted for the Adelphi Terrace Integrated Hotel Development under Section 48
- (b) in relation to the said development authorisation, or any variation thereof- my power to vary or revoke conditions, or to attach new conditions, under Section 48 (7)(b), and
- (c) my power to cancel the development authorisation under Section 48(11) or in accordance with the terms of any of the conditions of the authorisation providing a right to cancel the authorisation.

Given under my hand at Adelaide, 23 June 2016.

Hieu Van Le

GOVERNOR

[REPUBLICATED]

IN *Government Gazette* No. 36 dated 16 June 2016 at page 2104, the notice was published with errors, please substitute this notice with the original one.

ENVIRONMENT PROTECTION ACT 1993

Revocation of Approval of Category A Containers

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

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

These approvals are revoked as the Authority is satisfied that the condition of approval relating to the waste management arrangement for the class of containers has been contravened.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4
Product Name	Size (mL)	Container Type	Approval Holder
Barleta Lemon Flavour Drink	300	Glass	Persian Grocery
Barleta Pineapple Flavour Drink	300	Glass	Persian Grocery
Bavaria Apple Malt	250	Glass	Persian Grocery
Bavaria Malt	250	Glass	Persian Grocery
Bavaria Malt	330	Can—Aluminium	Persian Grocery
Bavaria Peach Malt	250	Glass	Persian Grocery
Brighty Mangosteen Juice	330	Can—Aluminium	Persian Grocery
Choopan Yogurt Soda Mint Flavor	473	PET	Persian Grocery
Damavand Natural Mineral Water	1 500	PET	Persian Grocery
Damavand Natural Mineral Water	500	PET	Persian Grocery
Delster Apple	330	Glass	Persian Grocery
Delster Lemon Non Alcoholic Beer	330	Glass	Persian Grocery
Delster Non Alcoholic Beer Malt	330	Can—Aluminium	Persian Grocery
Delster Non Alcoholic Beer Malt	330	Glass	Persian Grocery
Delster Orange	330	Glass	Persian Grocery
Delster Peach	330	Glass	Persian Grocery
Delster Pomegranate	330	Glass	Persian Grocery
Delster Tropical	330	Glass	Persian Grocery
Hypi Energy Drink	250	Can—Aluminium	Persian Grocery
Naab Natural Yoghurt Drink	600	PET	Persian Grocery
Naab Natural Yoghurt Drink	350	PET	Persian Grocery
Naab Natural Yoghurt Drink	1 250	PET	Persian Grocery
Naab Natural Yoghurt Drink	350	PET	Persian Grocery
Rita Mango Juice	330	Can—Aluminium	Persian Grocery
Rita Natural Aloe Vera Juice	330	Can—Aluminium	Persian Grocery
Rita Tamarind Juice	330	Can—Aluminium	Persian Grocery
Saravneh Mango Drink	200	Guala Pack	Persian Grocery
Saravneh Orange Drink	200	Guala Pack	Persian Grocery
Saravneh Pomegranate Drink	200	Guala Pack	Persian Grocery
Saravneh Sourcherry Drink	200	Guala Pack	Persian Grocery
Saravneh Tropical Drink	200	Guala Pack	Persian Grocery
Sundis Pomegranate Juice	330	Can—Aluminium	Persian Grocery
Sundis Sour Cherry Juice	330	Can—Aluminium	Persian Grocery
Takdaneh Grape Juice	200	LPB—Aseptic	Persian Grocery
Takdaneh Mango	240	Can—Aluminium	Persian Grocery
Takdaneh Orange	240	Can—Aluminium	Persian Grocery
Takdaneh Peach	240	Can—Aluminium	Persian Grocery
Takdaneh Pineapple	240	Can—Aluminium	Persian Grocery
Takdaneh Pomegranate Juice	200	LPB—Aseptic	Persian Grocery
Takdaneh Sour Cherry Juice	200	LPB—Aseptic	Persian Grocery
Zam Zam Cola	300	PET	Persian Grocery
Zam Zam Lemonade	300	PET	Persian Grocery
Zam Zam Orange	300	PET	Persian Grocery

HEALTH CARE ACT 2008

SECTIONS 57 (1) (c) and 62—EXEMPTIONS

Notice by the Minister

TAKE notice that I, John James Snelling, Minister for Health, pursuant to sub-section 57 (1) (c) and Section 62 of the Health Care Act 2008, do hereby exempt the persons named in Column A of the Schedule from the application of Part 6—Division 2 and Division 3, Section 59 of the Health Care Act 2008, in relation to the emergency ambulance services specified in Column B of the Schedule, and on the conditions (if any) specified in Column C of the Schedule, with effect on and from 1 July 2016 and for the period expiring on 30 June 2017.

SCHEDULE

Column A	Column B	Column C
Alinta Energy, trading as Flinders Operating Services Pty Ltd	Emergency ambulance services provided at Leigh Creek Coalfield.	Nil.
Alinta Energy, trading as Flinders Operating Services Pty Ltd	Emergency ambulance services provided in surrounding areas to Leigh Creek Coalfield and Leigh Creek township.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service as soon as practical to determine if SA Ambulance Service have a more appropriate response or can support the response.
Arrium Limited	Emergency ambulance services provided at the Iron Knob mine site.	Nil.
Arrium Limited	Emergency ambulance services provided in surrounding areas to the Iron Knob mine site for purposes of rendezvousing with SA Ambulance Service.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service as soon as practical to determine if SA Ambulance Service have a more appropriate response or can support the response.
Arrium Limited	Emergency ambulance services provided at Iron Duke, Iron Duchess, Iron Knight and Iron Chieftain mine sites.	Nil.
Arrium Limited	Emergency ambulance services provided in surrounding areas to Iron Duke, Iron Duchess, Iron Knight and Iron Chieftain mine sites for purposes of rendezvousing with SA Ambulance Service.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service as soon as practical to determine if SA Ambulance Service have a more appropriate response or can support the response.
Arrium Limited	Emergency ambulance services provided at Iron Baron mine site.	Nil.
Arrium Limited	Emergency ambulance services provided in surrounding areas to Iron Baron mine site for the purpose of rendezvousing with SA Ambulance Service.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service as soon as practical to determine if SA Ambulance Service have a more appropriate response or can support the response.
BHP Billiton Olympic Dam Corporation Pty Ltd	Emergency ambulance services provided at Olympic Dam Operations.	Nil.

BHP Billiton Olympic Dam Corporation Pty Ltd	Emergency ambulance services provided in surrounding areas to Olympic Dam Operations, Roxby Downs and Andamooka.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service as soon as practical to determine if SA Ambulance Service have a more appropriate response or can support the response.
Broadspectrum (Australia) Pty Ltd	Emergency ambulance services provided at Defence Centre Woomera.	Nil.
Broadspectrum (Australia) Pty Ltd	Emergency ambulance services provided in surrounding areas to Defence Centre Woomera.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service as soon as practical to determine if SA Ambulance Service have a more appropriate response or can support the response.
Heathgate Resources Pty Ltd	Emergency ambulance services provided at Beverley Uranium Mine and surrounding areas.	Nil.
Iluka Resources Limited	Emergency ambulance services provided at Jacinth Ambrosia mineral sands mine and associated access roads.	Nil.
Nganampa Health Council Incorporated	Emergency ambulance services provided on the Anangu Pitjantjatjara Yankunytjatjara Lands.	Nil.
Nganampa Health Council Incorporated	Emergency ambulance services in Marla and surrounding areas including the Stuart Highway north of Marla to the Northern Territory border.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service as soon as practical to determine if SA Ambulance Service have a more appropriate response or can support the response.
OZ Minerals Limited	Emergency ambulance services provided at Prominent Hill mine, associated access roads and ore delivery roads.	Nil.
OZ Minerals Limited	Emergency ambulance services provided on the Stuart Highway in proximity to Prominent Hill mine turnoff.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service as soon as practical to determine if SA Ambulance Service have a more appropriate response or can support the response.
OZ Minerals Carrapateena Pty Ltd	Emergency ambulance services provided at the Carrapateena mine site.	Nil.
OZ Minerals Carrapateena Pty Ltd	Emergency ambulance services provided in surrounding areas to the Carrapateena mine site for the purpose of rendezvousing with SA Ambulance Service.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service within a time and with details as requested by SA Ambulance Service.
Royal Flying Doctor Service of Australia Central Operations	Emergency ambulance services provided at Marla, Marree and Andamooka.	Nil.

Royal Flying Doctor Service of Australia Central Operations	Emergency ambulance services provided in areas surrounding Marla, Marree and Andamooka.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service as soon as practical to determine if SA Ambulance Service have a more appropriate response or can support the response.
Royal Flying Doctor Service of Australia (South Eastern Section)	Emergency ambulance services provided at Santos Moomba gas field and surrounding areas including Innamincka.	Nil.
Wilson Security	Emergency ambulance services provided for Santos at Port Bonython.	Nil.
Wilson Security	Emergency ambulance services provided for Santos in surrounding areas to Port Bonython.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service as soon as practical to determine if SA Ambulance Service have a more appropriate response or can support the response.
Wilson Security	Emergency ambulance services provided in the Port Lowly shack area.	That the emergency services are provided either at the request of SA Ambulance Service or, in circumstances where SA Ambulance Service has not made a request, the organisation notifies SA Ambulance Service as soon as practical to determine if SA Ambulance Service have a more appropriate response or can support the response.

Dated 30 May 2016.

JOHN JAMES SNELLING, Minister for Health

HEALTH CARE ACT 2008
SECTIONS 58 (1) (d) and 62—EXEMPTIONS

Notice by the Minister

TAKE notice that I, John James Snelling, Minister for Health, pursuant to sub-section 58 (1) (d) and Section 62 of the Health Care Act 2008, do hereby exempt the persons named in Column A of the Schedule from the application of Part 6—Division 2 and Division 3, Section 59 of the Health Care Act 2008, in relation to the non-emergency ambulance services specified in Column B of the Schedule, and on the conditions (if any) specified in Column C of the Schedule, with effect on and from 1 July 2016 and for the period expiring on 30 June 2017.

SCHEDULE

Column A	Column B	Column C
Alinta Energy, trading as Flinders Operating Services Pty Ltd	Non-emergency ambulance services provided at Leigh Creek Coalfield.	Nil.
Alinta Energy, trading as Flinders Operating Services Pty Ltd	Non-emergency ambulance services provided in surrounding areas to Leigh Creek Coalfield and Leigh Creek township.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.
Arrium Limited	Non-emergency ambulance services provided at the Iron Knob mine site.	Nil.
Arrium Limited	Non-emergency ambulance services provided in surrounding areas to the Iron Knob mine site.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.
Arrium Limited	Non-emergency ambulance services provided at Iron Duke, Iron Duchess, Iron Knight and Iron Chieftain mine sites.	Nil.
Arrium Limited	Non-emergency ambulance services provided in surrounding areas to Iron Duke, Iron Duchess, Iron Knight and Iron Chieftain mine sites.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.
Arrium Limited	Non-emergency ambulance services provided at Iron Baron mine site.	Nil.
Arrium Limited	Non-emergency ambulance services provided in surrounding areas to Iron Baron mine site for purposes of rendezvousing with SA Ambulance Service.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.
BHP Billiton Olympic Dam Corporation Pty Ltd	Non-emergency ambulance services provided at Olympic Dam Operations.	Nil.
BHP Billiton Olympic Dam Corporation Pty Ltd	Non-emergency ambulance services provided in surrounding areas to Olympic Dam Operations, Roxby Downs and Andamooka.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.
Broadspectrum (Australia) Pty Ltd	Non-emergency ambulance services provided at Defence Centre Woomera.	Nil.
Broadspectrum (Australia) Pty Ltd	Non-emergency ambulance services provided in surrounding areas to Defence Centre Woomera.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.
Heathgate Resources Pty Ltd	Non-emergency ambulance services provided at Beverley Uranium Mine and surrounding areas.	Nil.
Iluka Resources Limited	Non-emergency ambulance services provided at Jacinth Ambrosia mineral sands mine and associated access roads.	Nil.

Nganampa Health Council Incorporated	Non-emergency ambulance services provided on the Anangu Pitjantjatjara Yankunytjatjara Lands.	Nil.
Nganampa Health Council Incorporated	Non-emergency ambulance services in Marla and surrounding areas including the Stuart Highway north of Marla to the Northern Territory border.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.
OZ Minerals Limited	Non-emergency ambulance services provided at Prominent Hill mine, associated access roads and ore delivery roads.	Nil.
OZ Minerals Limited	Non-emergency ambulance services provided on the Stuart Highway in proximity to Prominent Hill mine turnoff.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.
OZ Minerals Carrapateena Pty Ltd	Non-emergency ambulance services provided at the Carrapateena mine site.	Nil.
OZ Minerals Carrapateena Pty Ltd	Non-emergency ambulance services provided in surrounding areas to the Carrapateena mine site for the purposes of rendezvousing with SA Ambulance Service.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.
Royal Flying Doctor Service of Australia Central Operations	Non-emergency ambulance services provided at Marla, Marree and Andamooka.	Nil.
Royal Flying Doctor Service of Australia Central Operations	Non-emergency ambulance services provided in areas surrounding Marla, Marree and Andamooka.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.
Royal Flying Doctor Service of Australia (South Eastern Section)	Non-emergency ambulance services provided at Santos Moomba gas field and surrounding areas including Innamincka.	Nil.
Southern Adelaide Local Health Network Inc	Non-emergency ambulance services provided for patients of the Repatriation General Hospital, Flinders Medical Centre and the Noarlunga Hospital.	Nil.
Unified Security Group (Australia) Pty Ltd	Non-emergency ambulance services provided at OneSteel Whyalla Steelworks.	Nil.
Wilson Security	Non-emergency ambulance services provided for Santos at Port Bonython.	Nil.
Wilson Security	Non-emergency ambulance services provided for Santos in surrounding areas to Port Bonython.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.
Wilson Security	Non-emergency ambulance services provided in the Port Lowly shack area.	That the organisation notifies SA Ambulance Service of each occasion that non-emergency ambulance services are provided within a time and with details as requested by SA Ambulance Service.

Dated 30 May 2016.

JOHN JAMES SNELLING, Minister for Health

HEALTH CARE ACT 2008

SECTIONS 57 (1) (c), 58 (1) (d) and 62—EXEMPTIONS

Notice by the Minister

TAKE notice that I, John James Snelling, Minister for Health, pursuant to sub-section 57 (1) (c), 58 (1) (d) and Section 62 of the Health Care Act 2008, do hereby exempt the persons named in Column A of the Schedule from the application of Part 6—Division 2 and Division 3, Section 59 of the Health Care Act 2008, in relation to the emergency ambulance services and non-emergency ambulance services specified in Column B of the Schedule, and on the conditions (if any) specified in Column C of the Schedule, with effect on and from 1 July 2016 and for the period expiring on 30 June 2019.

SCHEDULE

Column A	Column B	Column C
St John Ambulance Australia South Australia Incorporated	Emergency ambulance services.	That the emergency ambulance services are provided only with an authorisation from, or at the request or direction, of SA Ambulance Service.
St John Ambulance Australia South Australia Incorporated	Non-emergency ambulance services at events at which the organisation is in official attendance on duty.	(a) the non-emergency ambulance services are provided at the request of SA Ambulance Service ; or (b) in circumstances where SA Ambulance Service has not made a request, that the organisation notifies SA Ambulance Service of each occasion that such services are provided within a time and with details as requested by SA Ambulance Service.

Dated 30 May 2016.

JOHN JAMES SNELLING, Minister for Health

HEALTH CARE ACT 2008

Fees and Charges

I, JACK SNELLING, Minister for Health, hereby give notice pursuant to Section 44 of the Health Care Act 2008, of the fees in the list attached to apply to a Medicare patient who is not a compensable patient:

These charges will operate from 1 July 2016 to 30 June 2017.

Interpretation

- (1) unless the contrary intention appears—

admitted patient means a patient of a public hospital site who has undergone the formal admission process of the public hospital site;

Commonwealth benefit, in relation to a patient, means the aggregate of the following amounts:

- (a) the maximum amount (expressed on a daily basis) payable as an age pension under the Social Security Act 1991 of the Commonwealth to a person who is not a member of a couple within the meaning of that Act, excluding the amount of any pharmaceutical allowance payable under that Act; and
- (b) —
- (i) if the patient receives rent assistance under that Act—the amount (expressed on a daily basis) received; or
- (ii) if the patient is not entitled to an age pension or disability support pension under that Act—the maximum amount (expressed on a daily basis) payable as rent assistance under that Act;

hospital in the home service, in relation to a public hospital site, means treatment or care provided by the public hospital site to a patient at a location outside of the public hospital site's premises (being treatment or care provided as a direct substitute for treatment or care that would normally be provided as an inpatient service on the public hospital site's premises);

incorporated hospital means a hospital incorporated under the Health Care Act 2008;

long stay patient means a patient who has been an admitted patient in a public hospital site for a continuous period exceeding 35 days;

Medicare patient means a patient who is an eligible person for the purpose of receiving medical benefits under the Health Insurance Act 1973 of the Commonwealth;

overnight stay patient means an admitted patient of a public hospital site who remains an admitted patient of the public hospital site until a day subsequent to the day of his or her admission;

patient means a person to whom a public hospital site provides medical or diagnostic services or other treatment or care and includes a person to whom a public hospital site provides outreach services;

private, in relation to a patient, connotes that the patient receives medical or diagnostic services from a medical practitioner selected by the patient;

public, in relation to a patient, connotes that the patient receives medical or diagnostic services from a medical practitioner selected by the public hospital site;

public hospital site means a hospital facility which is operated by and is part of an incorporated hospital and which can have buildings and facilities at more than one location in the State;

same day patient means an admitted patient of a public hospital site who, on the same day, is both admitted to and leaves the care of the public hospital site (whether on formal discharge by the public hospital site or voluntary discharge by the patient);

single room, in relation to the accommodation of a patient, means the accommodation of the patient in a room in which he or she is the only patient.

- (2) a patient will be regarded as being acutely ill during a particular period if a medical practitioner has certified that the patient will require extensive medical treatment and supervision during that period.
- (3) A certificate referred to in subsection (2) remains in force for the period specified in the certificate (not exceeding 30 days) or, if no period is specified, for a period of 30 days.

Fees for services provided to Medicare patients

- (1) The fee to be charged by a public hospital site for a service of a kind set out in the Schedule provided to a Medicare patient who is not a compensable patient is as set out in the Schedule.
- (2) A person who is—
- (a) a resident of a State or Territory of the Commonwealth other than South Australia; or
- (b) a member of the armed forces of the Commonwealth; or
- (c) entitled to a benefit under the Veterans' Entitlements Act 1986 of the Commonwealth, may, with the approval of the Minister, be released from liability to pay the fees contained in the Schedule.
- (3) A public hospital site may remit the whole or part of a fee payable to it in order to alleviate financial hardship.

SCHEDULE

Fees for services provided to Medicare patients by incorporated hospitals and public hospital sites	Fee (per day)
1. For the accommodation, maintenance, care and treatment at a public hospital site of a public overnight stay patient	no fee
2. For the accommodation, maintenance and care at a public hospital site of a private overnight stay patient—	
(a) where the patient requests and subsequently receives single room accommodation	\$593.00 (maximum fee/day)
(b) in any other case	\$343.00
3. For the accommodation, maintenance, care and treatment at a public hospital site of a public patient who is a same day patient	no fee

4. For the accommodation, maintenance and care at a public hospital site of a private patient who is a same day patient—	
(a) for gastro-intestinal endoscopy or other minor surgical and non-surgical procedures that do not normally require an anaesthetic (Band 1)	\$249.00
(b) for procedures (other than Band 1 procedures) carried out under local anaesthetic with no sedation given where the actual time in the theatre is less than one hour (Band 2)	\$285.00
(c) for procedures (other than Band 1 procedures) carried out under general or regional anaesthesia or intravenous sedation where the actual time in the theatre is less than one hour (Band 3)	\$314.00
(d) for any procedures carried out under general or regional anaesthesia or intravenous sedation where the actual time in the theatre is one hour or more (Band 4)	\$343.00
5. For the accommodation, maintenance, care and treatment at a public hospital site of a public long stay patient who is acutely ill	No fee
6. For the accommodation, maintenance, care and treatment at a public hospital site of a public long stay patient who is not acutely ill	87.5 per cent of the Commonwealth benefit
7. For the accommodation, maintenance, care and treatment at a public hospital site of a private long stay patient who is not acutely ill	\$116.00 plus 87.5 per cent of the Commonwealth benefit
8. For hospital in the home services provided by a public hospital site to a private patient	\$191.00 (maximum fee/day)

Dated 2 June 2016.

JACK SNELLING, Minister for Health

South Australia

Liquor Licensing (Dry Areas) Notice 2016

under section 131(1) of the *Liquor Licensing Act 1997*

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2016*.

2—Commencement

This notice comes into operation on 8 August 2016.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
 - (a) a person who is genuinely passing through the area if—
 - (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or
 - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
 - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.
- (5) The Schedule is in substitution for Schedule—Ardrossan Area 1 in the principal notice.

Schedule—Ardrossan Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 10 pm on each day to 8 am on the following day.

3—Description of area

The area in Ardrossan bounded as follows: commencing at the point at which the north-eastern boundary of Second Street intersects the south-eastern boundary of Oval Terrace, then north-easterly along that boundary of Oval Terrace to the north-eastern boundary of First Street, then south-easterly along that boundary of First Street to the north-western boundary of West Terrace, then north-easterly along that boundary of West Terrace and the prolongation in a straight line of the portion of that boundary that runs north-easterly in a straight line from First Street, to the north-eastern boundary of Dinham Drive, then south-easterly along that boundary of Dinham Drive to the north-western boundary of Bridge Road, then north-easterly and northerly along that boundary of Bridge Road to the south-western boundary of Parkview Terrace, then in a straight line by the shortest route (across Bridge Road) to the point at which the south-eastern boundary of Bridge Road meets the south-western boundary of Park Terrace, then south-easterly along that boundary of Park Terrace and the prolongation in a straight line of that boundary to the low water mark on the western side of Gulf St Vincent, then generally south-westerly along that low water mark to the north-eastern side of the Ardrossan Jetty, then generally south-easterly, south-westerly and north-westerly around the outer boundary of the jetty (so as to include within the area the whole of the jetty and the area beneath the jetty) back to the low water mark on the south-western side of the jetty, then generally south-westerly along that low water mark to the point at which it is intersected by the prolongation in a straight line of the north-eastern boundary of Second Street, then north-westerly along that prolongation and boundary of Second Street to the point of commencement.



Made by the Minister for Consumer and Business Services

On 21 June 2016.

South Australia

Liquor Licensing (Dry Areas) Notice 2016

under section 131(1) of the *Liquor Licensing Act 1997*

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2016*.

2—Commencement

This notice comes into operation on 8 August 2016.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
 - (a) a person who is genuinely passing through the area if—
 - (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or
 - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
 - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.
- (5) The Schedule is in substitution for Schedule—Maitland Area 1 in the principal notice.

Schedule—Maitland Area 1

1—Extent of prohibition

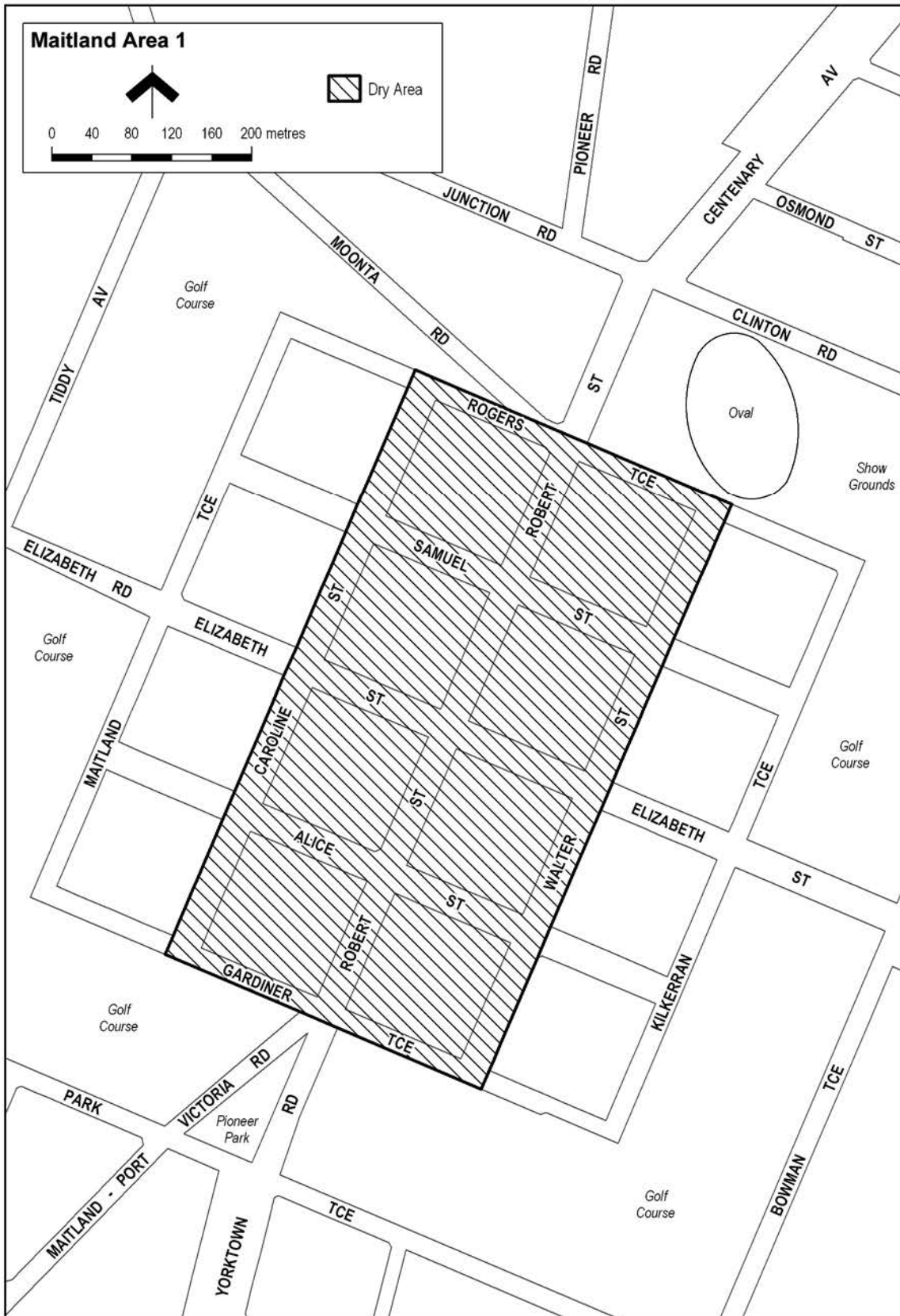
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

Continuous.

3—Description of area

The area in Maitland bounded as follows: commencing at the point at which the southern boundary of Gardiner Terrace intersects the prolongation in a straight line of the eastern boundary of Walter Street, then north-easterly along that prolongation and boundary of Walter Street, and the prolongation in a straight line of that boundary, to the northern boundary of Rogers Terrace, then north-westerly along that boundary of Rogers Terrace to its intersection with the prolongation in a straight line of the western boundary of Caroline Street, then south-westerly along that prolongation and boundary of Caroline Street, and the prolongation in a straight line of that boundary, to the southern boundary of Gardiner Terrace, then south-easterly along that boundary of Gardiner Terrace to the point of commencement.



Made by the Minister for Consumer and Business Services

On 21 June 2016.

PASSENGER TRANSPORT REGULATIONS 2009

Determination of Fares and Charges for Regular Passenger Services within Metropolitan Adelaide 2016

PURSUANT to Regulation 149 (1) (a) of the Passenger Transport Regulations 2009, I have determined that the fares and charges to be paid by passengers on a regular passenger service are the fares and charges set out in Schedule 1.

These fares and charges will be effective from 3 July 2016.

Dated 3 May 2016.

STEPHEN MULLIGHAN, Minister for Transport and Infrastructure

SCHEDULE 1

		Effective from 3 July 2016				
		FARES BY PERIOD (and Where tickets available from)				
Journey	Ticket Type	No. of Journeys	Interpeak		Peak	
			Ticket Outlets	On-board Bus Tram & Train	Tickets Outlets	On-board Bus Tram & Train
1. Regular Fares	Singletrip+ Metrocard	1	-	\$2.50	-	\$3.30
		1	\$1.48	-	\$1.92	-
• For journey/journeys of one or two consecutive sections or part thereof completed on one vehicle.	Singletrip+ Daytrip *+ Metrocard	1	-	\$3.40	-	\$5.30
		Unlimited	-	-	-	\$10.00
• For journey/journeys within all zones	Metrocard	1	\$1.94	-	\$3.54	-
2. Concessional Fares	Singletrip+ Daytrip *+ Metrocard	1	-	\$1.30	-	\$2.70
		Unlimited	-	-	-	\$5.00
• For journey/journeys within all zones by holder of a valid travel concession card or tertiary student identification card.	Metrocard	1	\$0.94	-	\$1.75	-
• For journey/journeys within all zones by holder of a valid secondary student identification card and by child from age of 5 years and under 15 years.	Singletrip+ Daytrip *+ Metrocard	1	-	\$1.30	-	\$2.60
		Unlimited	-	-	-	\$5.00
• On trains only for bicycles and surfboards, accompanied by passenger (each item) for journey/journeys within all zones **	Metrocard	1	\$0.94	-	\$1.18	-
* Daytrip Tickets						
A parent/guardian holding a valid Daytrip ticket on weekends, public holidays or South Australian school holidays may be accompanied free of charge by up to two children under 15 years of age.						
** Bicycles Travel on Trains						
Bicycles may be carried free on train services at the following times:						
• Monday to Friday – 9.01 am to 3.00 pm and 6.00 pm until last service						
• Saturday, Sunday and public holidays – all day when space is available.						
+ Singletrip and Daytrip tickets are not available for sale from Ticket Outlets.						
These can be purchased either On-Board Bus, Tram and Train or from Adelaide Metro InfoCentre's at Currie Street and Adelaide Railway Station						
3. Special Vehicles						
• Class 3 Special Vehicle						
• Class 6 Special Vehicle						
			Fare		Type of Ticket	
			As determined. Regular fare only (no concessions available).		Zone or Section. Zone or Section.	

4.	Group Tickets. <ul style="list-style-type: none"> Group Tickets available from station ticket offices, depots with customer service office and Adelaide Metro InfoCentre. 	Applicable for student, concession or regular fare pro rata.	Zone or Section.						
5	Mobility Pass <ul style="list-style-type: none"> Mobility Pass upon approval from the DPTI available from the Currie Street Adelaide Metro InfoCentre InfoCentre. 	\$70.00	Monthly Pass						
6	Special Annual Ticket	No Charge							
7	Peak and Interpeak Periods	<p>Regular, Student and Concession</p> <p>Peak All times (other than Interpeak)</p> <p>Interpeak Monday to Friday 9:01am to 3:00pm</p> <p>All Day Sundays All Day Public</p> <p>Holidays</p> <p>Seniors Card Holders</p> <p>Peak Monday to Friday 7:01am to 9:00am</p> <p>Monday to Friday 3:01pm to 7:00pm (Concession Rates apply)</p> <p>Interpeak All Other Times including Public Holidays (No Charge)</p>							
8	Seniors Metrocard	No charge – Provided through Office for the Ageing							
9	Concession and Student Metrocard <ul style="list-style-type: none"> For a Metrocard purchased for use within all zones by a holder of a valid Concession or Student card 	\$3.50 per card							
10	Regular Metrocard	\$5.00 per card							
11	28 Day Pass <ul style="list-style-type: none"> Unlimited Travel on all AdelaideMetro services for 28 Days 	<table> <tr> <td>Regular</td> <td>\$121.80</td> </tr> <tr> <td>Concession</td> <td>\$60.90</td> </tr> <tr> <td>Student</td> <td>\$40.60</td> </tr> </table>	Regular	\$121.80	Concession	\$60.90	Student	\$40.60	28 Day Pass
Regular	\$121.80								
Concession	\$60.90								
Student	\$40.60								
12	3 Day Visitor Pass <ul style="list-style-type: none"> Unlimited Travel on all AdelaideMetro services for 3 Consecutive Days 	\$26.00	3 Day Pass						

POLICE SERVICE

Fees and Charges

Description of Police Service		Current Fee (GST Inclusive) 2015-2016 \$	Proposed Fee (GST Inclusive) 2016-2017 \$
Aircraft Hire		(GST applicable)	
	Aircraft operating charge (Cessna 402)— This fee includes up to 1 pilot and 1 dropmaster/dispatcher per hour or part thereof	1 179.00	1 199.00
	Aircraft operating charge (Pilatus PC12)— This fee includes up to 1 pilot and 1 dropmaster/dispatcher per hour or part thereof	1 729.00	1 758.00
	Additional crew— Pilot/dropmaster/dispatcher per hour or part thereof	89.00	90.50
Personnel			
	Destruction of registration label—required to leave station	75.00	76.50
	Bus driver per hour or part thereof	75.00	76.50
	Deactivate firearms—inspection and certification	75.00	76.50
	Police personnel—general	75.00	76.50
	Interviews by solicitors (per member in presence of officer of police) per hour of part thereof	110.00	112.00
Photocopies			
	A4 (297mm x 210mm)	1.15	1.15
	A3 (420mm x 297mm)	1.95	2.00
	Postage (Up to 50 photocopies within Australia)	4.70	4.80
Photographs			
Black and White	12.7cm x 17.8cm (5" x 7")	18.80	19.10
	each additional print	16.70	17.00
	20.3cm x 25.5cm (8" x 10")	18.80	19.10
	each additional print	11.30	11.50
Colour	40cm x 50cm (16" x 20")	37.50	38.25
	each additional print	28.00	28.50
	14cm x 18cm (5.5" x 7")	26.00	26.50
	each additional print	25.25	25.75
	15cm x 20cm (6" x 8")	37.50	38.25
	each additional print	30.00	30.50
	20cm x 25cm (8" x 10")	37.50	38.25
	each additional print	33.50	34.00
	40cm x 50cm (16" x 20")	56.00	57.00
	each additional print	46.00	46.75
	Postage (up to 50 negatives, slides or prints within Australia)	4.70	4.80
Storing Private Vehicles			
	Collision damaged vehicles, motor cars, motor cycles, caravans or trailers, per day:		
	In open locked storage	12.20	12.40
	In covered locked storage	15.80	16.10
	Other Vehicles, per day:		
	In open locked storage	48.25	49.00
	In covered locked storage	54.50	55.50
Escorts			
	Over-dimensional loads, labour charges; provided Monday to Friday:		
	During business hours (per police officer)	109.00	111.00
	Outside of business hours	145.00	147.00
	All time exceeding 3 hours (per police officer) provided on Saturdays, Sundays and Public Holidays:	167.00	170.00
	For initial 3 hours of escort (per police officer) or part thereof for initial three hours of escort	145.00	147.00
	For any subsequent hours required	167.00	170.00
	Vehicle charges per kilometre (per vehicle)	0.85	0.85
	Late booking fee	326.00	332.00
	Cancellation Fee 1	109.00	111.00
	Cancellation Fee 2 (within 7 days)	326.00	332.00
	Cancellation Fee 3 (within 24 hours)	650.00	661.00
	Modification Fee 1	109.00	111.00
	Modification Fee 2 (within 7 days)	326.00	332.00
	Modification Fee 3 (within 24 hours)	650.00	661.00
	Escorts other than over-dimensional loads per hour (per police officer) or part thereof	75.00	76.50
	Vehicle charges per kilometre (per vehicle)	0.85	0.85

Dated 14 May 2016.

PETER MALINAUSKAS, Minister for Police

PROFESSIONAL STANDARDS ACT 2004*The Queensland Law Society Professional Standards Scheme*

PURSUANT to Section 14 of the Professional Standards Act 2004, I authorise the publication of the Queensland Law Society Professional Standards Scheme.

Pursuant to section 15 (1) (a) of the Professional Standards Act 2004, I specify 1 July 2016 as the date of commencement of the Queensland Law Society Professional Standards Scheme.

Dated 21 June 2016.

JOHN RAU, Attorney-General

PROFESSIONAL STANDARDS ACT 2004 (QLD)*The Queensland Law Society Professional Standards Scheme**Preamble**Occupational Association*

- A. The Queensland Law Society ('the Society') is a voluntary association for legal practitioners (solicitors) in Queensland. It 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 Society consists of solicitors practising in or from Queensland who hold a practising certificate issued by the Society.
- C. The objectives of the Society are expressed in Rule 5 of the *Legal Profession (Society) Rules 2007* and include advancing the interest of the solicitors' branch of the legal profession.

Nature of the Scheme

- D. The Society has made an application to the Professional Standards Council ('Council'), appointed under the *Professional Standards Act 2004* (Qld) ('the Act'), for approval of a scheme under the Act, and this document comprises the scheme ('the Scheme'). The Scheme is a scheme under the Act that applies to the persons referred to below in Clause 2.
- E. The approximate number of members of the Society to whom the Scheme (only full and honorary) might apply at its commencement is 4802.
- F. The Scheme is intended to operate under the Act, which has the purpose of improving the occupational standards of professional persons, and to protect the consumers of their services.
- G. The Scheme has been prepared by the Society for the purposes of limiting the Occupational liability of Participating Members to the extent to which such liability may be limited under the Act.
- H. The Occupational liability limited by the Scheme is, that provided for by the 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.
- I. The Scheme does not have any application in accordance with s6 of the Professional Standards Act to:
 - (1) Any liability for damages because of any of the following—
 - (a) the death of, or personal injury to, a person;
 - (b) any negligence or other fault of a lawyer in acting for a client in a personal injury claim;
 - (c) a breach of trust;
 - (d) fraud or dishonesty.
 - (2) Liability that may be the subject of proceedings under the *Land Title Act 1994*, part 9, division 2, subdivision C.
 - (3) Any cause of action arising under, or in relation to, a contract, or contractual relations, entered into before the commencement of this Act (whether or not the action lies in contract) unless the parties, after the commencement of the Professional Standards Act, vary the relevant contract so as to make express provision for the application of the Act.
- J. The Scheme does not affect any claim for damages below the monetary ceiling specified in the Table in Clause 3.3 of the Scheme for each member.
- K. 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 Act.

Risk Management

- L. The Society has adopted strategies which cover requirements for professional entry to legal practice 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 legal practitioners' skills, including making rules about legal practice in this jurisdiction engaged in by an Australian legal practitioner. The Society has furnished the Council with a detailed list of the risk management strategies intended to be implemented in respect of its Participating Members and the means by which those strategies are intended to be implemented.
- M. The Society 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

- N. Society members are subject to a complaints and discipline system. The system operates pursuant to the requirements of, inter alia, the *Legal Profession Act 2007* (Qld) ('the LPA').

Standards of Insurance

- O. Members of the Society are required by, inter alia, the LPA 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;
 - (b) provide at least one automatic reinstatement;
 - (c) covers claims on a claims made basis;
 - (d) which excess does not exceed 2% of the amount insured; and
 - (e) provided by an insurer approved by the Society.

- P. The Society annually approves insurers for that purpose to provide annual insurance cover on the terms of particular standard form policies.
- Q. The standard form policies cover Occupational liability in all Australian States and Territories.

Claims Monitoring

- R. As a condition of approval of an insurer each year, the Society requires that the insurer provide claims data to the Society, so that the Society can continue to monitor claims made against its members from time to time.
- S. The Society will establish or maintain relationships with approved insurers from time to time.
- T. The Society will report annually to the Professional Standards Council on claims monitoring, tactics, performance measures and monitoring systems.

Scheme Administration

- U. Responsibility for administration of the Scheme and ensuring that it complies with the requirements of the Act and of the Professional Standards Council rests with the Society.

Duration

- V. 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 s 33 of the Act.

Operation as an interstate scheme

- W. The Scheme is intended to operate in a jurisdiction other than Queensland in accordance with the corresponding law to the Act of that jurisdiction and subject to the requirements of the corresponding law, 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 law, applied mutatis mutandis, to the extent that is necessary for the application of the Scheme in that jurisdiction as an interstate scheme.

THE QUEENSLAND LAW SOCIETY PROFESSIONAL STANDARDS SCHEME

1. Occupational association

- 1.1 The Queensland Law Society Professional Standards Scheme is a scheme under the *Professional Standards Act 2004* (Qld) (the *Act*) prepared by the Queensland Law Society whose business address is: 179 Ann Street, Brisbane, Queensland.

- 1.2 Relevant definitions for the purpose of the Scheme are as follows:

‘Australian practising certificate’ has the same meaning as in the LPA.

‘Corporate practising certificate’ means a practising certificate issued to an Australian lawyer that has a condition that the lawyer is not to engage in legal work other than providing in-house legal services to a corporation that is not an ILP (incorporated legal practice).

‘Court’ has the same meaning as it has in the Act.

‘Damages’ has the same meaning as it has in the Act.

‘Financial year’ means a financial accounting period ending 30 June.

‘Full Member’ means a person within the category of the Society as contemplated in the *Legal Profession (Society) Rules 2007*.

‘Government Legal Officer’ has the same meaning as in the LPA.

‘Law Practice’ has the same meaning as in the LPA.

‘Legal Services’ has the same meaning as in the LPA.

‘Occupational liability’ has the same meaning as it has in the Act¹.

‘Participating Members’ means those persons specified in clause 2.1 of the Scheme.

‘Principal’ has the same meaning as in the LPA.

‘Relevant Time’ refers to a cause of action founded on an act or omission, specifically to the time of that act or omission occurring.

‘Scheme’ means the Queensland Law Society Professional Standards Scheme.

‘Society’ means the Queensland Law Society.

- (a) ‘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 members of the Society to whom the Scheme applies.

2. Persons to Whom the Scheme Applies

- 2.1 The Scheme applies to:

- 2.1.1 Full and Honorary Members who hold a current Australian practising certificate who are not excluded or exempted under Clauses 2.2 or 2.3 of the Scheme;

- 2.1.2 all persons to whom, by virtue of ss 20, 21 or 21A² of the *Act*, the Scheme applies;

¹ Occupational liability is defined in Schedule 2 of the Act as ‘any civil liability arising, whether in tort, contract or otherwise, directly or vicariously from anything done or omitted by a member of an occupational association acting in the performance of the member’s occupation.’ However, s6(1) of the Act provides that the Act does not apply to liability for damages arising in a personal injury claim; a breach of trust or fraud and dishonesty. Section 6(2) of the Act also provides that the Act does not apply to liability, which may be the subject of proceedings under part 9, division 2, subdivision C of the *Land Title Act 1994*.

² Section 20(1) of the Act provides that if the Scheme applies to a body corporate, the Scheme also applies to each officer of the body corporate. Section 20(2) provides that if the Scheme applies to a person, the Scheme also applies to each partner of the person. However, s20(3) provides that if the officer of a body corporate or partner of a person is entitled to be member of the same occupational association, but is not a member, the Scheme will not apply to that officer or partner. Section 21 of the Act provides that if the Scheme applies to a person, the Scheme also applies to each employee of that person. However, if an employee of a person is entitled to be a member of the same occupational association as the person, but is not a member, the Scheme does not apply to that employee. Section 21A provides that the Scheme may also apply to other persons as specified in that section.

2.1.3 all persons to whom clause 2.1.1 applied at the Relevant Time but no longer applies;

2.1.4 all persons to whom clause 2.1.2 applied at the Relevant Time but no longer applies.

2.2 A person referred to in Clause 2.1 does not include a practitioner who only holds a Corporate practising certificate, or is a Government Legal Officer.

2.3 A person referred to in Clause 2.1 may, on application, be exempted from participation in the Scheme by the Society. This Clause does not apply to persons to whom the Scheme applies by virtue of ss 20 or 21 of the Act.

2.4 The Scheme is intended to operate as a scheme of Victoria, New South Wales, Queensland, South Australia, Western Australia, the Northern Territory and the Australian Capital Territory.

3. *Limitation of Liability*

3.1 The Scheme limits the Occupational liability of a Participating Member for damages³

3.1.1 arising from a single cause of action founded on the act or omission in relation to the provision of legal services; and

3.1.2 to the extent those Damages exceed \$1.5 million for the Participating Members in Class 1 of Clause 3.3 or, as the case may be, \$10 million for Participating Members in Class 2 of the table in Clause 3.3.

3.2 If a Participating Member against whom a claim relating to Occupational Liability is brought, is able to satisfy the Court that—

3.2.1 the Participating Member has the benefit of an insurance policy or policies insuring him or her against the Occupational Liability to which the cause of action relates;

3.2.2 the insurance policy or policies comply with the insurance standards of the Society; and

3.2.3 the amount payable under the policy or policies in respect of that Occupational liability⁴ is not less than the amount of the monetary ceiling (maximum amount of liability) specified in the third column of the Table in clause 3.3 as applying to such Participating Member to which the cause of action relates—the Participating Member is not liable in damages in relation to that cause of action above the amount of that monetary ceiling.

3.3 The monetary ceiling applicable for the purposes of limitation of liability under the Scheme at the Relevant Time is to be determined according to the following table.

Class	Description	Monetary ceiling
1	Participating Members who at the Relevant Time were in a Law Practice that consisted of up to and including 20 principals and where the Law Practice generates total annual fee income for the financial year at the Relevant Time up to and including \$10 million	\$1.5m
2	(a) Participating Members who at the Relevant Time were a Law Practice that consisted of greater than 20 Principals; or (b) Participating Members who at the Relevant Time were in a Law Practice that generated total annual fee income for the financial year at the Relevant Time greater than \$10 million.	\$10m

3.4 Clause 3.2 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 in the Table in Clause 3.3 in relation to a person to whom the Scheme applies.

3.5 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 any person to whom the Scheme applied at the time the act or omission occurred.

3.6 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 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.

4. *Conferral of Discretionary Authority*

4.1 The Society has discretionary authority, on application by a Participating Member, to specify in relation to the Participating Member, a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to him or her either in all cases or any specified case or class of case.

4.2 If, in the exercise of its discretion under Clause 4.1, the Society has specified a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to a Participating Member, the maximum amount of liability (monetary ceiling) to that Participating Member is that higher maximum amount.

5. *Commencement*

5.1 This Scheme will commence on 1 July 2016. In the alternative, the Scheme will commence on the day that is 2 months after the date of notification in the Gazette in all States in which the Scheme is to apply.

6. *Duration*

6.1 This Scheme will be in force for a period of five (5) years from its commencement, subject to s33 of the Act.

³ Damages as defined in Schedule 2 of the Act means

a) damages awarded in respect of a claim or counter-claim or by way of set-off, and

b) costs in relation to the proceedings ordered to be paid in connection with the award, other than costs incurred in enforcing a judgment or incurred on an appeal made by a defendant; and

c) any interest payable on the amount of those damages or costs.

⁴ Section 7A of the Act provides that a reference in the Act to the amount payable under an insurance policy in respect of an occupational liability includes a reference to –

(a) defence costs payable in respect of a claim, or notification that may lead to a claim (other than reimbursement of the defendant for the time spent in relation to the claim), but only if those costs are payable out of the one sum insured under the policy in respect of the occupational liability; and

(b) the amount payable under or in relation to the policy by way of excess⁵.

However, see also s27A of the Act and its note, which has the effect that s7A does not reduce the cap on the liability of the Participating Member to the client.

South Australian Water Corporation

Fees and Charges Schedule

Rates and Sales

PURSUANT to Section 36 of the Water Industry Act the following charges for water, sewerage and associated services apply. These charges are fixed for the period 1 July 2016 to 30 June 2017.

Pursuant to the Water Industry Regulations 2012 (regulations 38) and Government Gazette 6 June 2013, SA Water may levy an availability charge despite the fact that the land is not connected to SA Water's infrastructure. All charges for sewerage services and the availability charge for water applying to commercial properties are based on the property valuation of the land. Property values are set by the Valuer-General each year in June for the next 12 months.

Water Fees and Charges

Residential and Vacant Land (excludes country lands)

Description	Charge
Availability Charge (Supply Charge)	\$286.40 per annum
Water Use Charges (determined by the timing of quarterly meter readings) as per schedule.	
Residential and vacant land properties having the following land use codes (if not otherwise specified in this gazette):	
(a) Houses with the land use codes 1100, 1101, 1118, 1119 and 1912;	
(b) Units, maisonettes, townhouses and row houses (various categories) with land use codes in the range 1200 to 1399;	
(c) Shacks with the land use codes 1920 and 1921:	
(i) for each kilolitre supplied up to, and including, 0.3288 kilolitres per day	\$2.27 per kilolitre
(ii) for each kilolitre supplied over 0.3288 kilolitres per day up to, and including, 1.4247 kilolitres per day	\$3.24 per kilolitre
(iii) for each kilolitre supplied over 1.4247 kilolitres per day	\$3.51 per kilolitre
Residential and vacant land properties with land use codes other than the above (if not otherwise specified in this gazette):	
(i) for each kilolitre supplied up to, and including, 0.3288 kilolitres per day	\$2.27 per kilolitre
(ii) for each kilolitre supplied over 0.3288 kilolitres per day	\$3.24 per kilolitre

Commercial Land Charges (excludes country lands)

Commercial properties, excluding country lands, include wholesale and retail trade in goods and the provision of a service of any kind (if not otherwise specified in this gazette).

The commercial Availability Charge (Supply Charge) is based on the greater of the property based charge or minimum Availability Charge (Supply Charge).

Description	Property Scale & Charge	Class of land affected
Availability Charge (Supply Charge)		
Scale to be applied to the capital value of commercial land to determine the Availability Charge (Supply Charge)	\$0.699 per \$1000 of capital value per annum	All commercial land
Minimum Availability Charge (Supply Charge)	\$286.40 per annum	Commercial land other than strata/community titled parking spaces under land use code 6532
Minimum Availability Charge (Supply Charge)	\$143.20 per annum	Commercial land classified as strata/community titled parking spaces under land use code 6532
Water Use Charge		
Water Use Charge (determined by the timing of quarterly meter readings)	\$3.24 per kilolitre	

Non-residential Land Charges (includes country lands)

Non-residential properties are properties not specified under residential or commercial land in this gazette.

Description	Charge
Availability Charge (Supply Charge)	\$286.40 per annum
Water Use Charge (determined by the timing of quarterly meter readings)	\$3.24 per kilolitre

Community Concession Water Charges

Availability Charge (Supply Charge) applied to all lands subject to concessional charges - \$286.40

Water use charges (determined by the timing of quarterly meter readings):

Class of Land Affected	Charged determined according to the volume of water supplied	
All land that has been acquired or is used exclusively for charitable purposes or for public worship and all land that has been acquired or is used for the purpose of a Children's Services Centre with the meaning of the Children's Services Act, 1985.	(i) for each kilolitre supplied up to, and including, 0.3288 kilolitres per day	\$1.70 per kilolitre
	(ii) for each kilolitre supplied over 0.3288 kilolitres per day	\$2.43 per kilolitre
Community Swimming Pools	a) Water use up to 13 fills of pool(s) b) Water use over 13 fills of pool(s) This concession price should only apply to water used to fill the pool, toilet and shower block used directly in connection with the pool.	\$0.30 per kilolitre \$3.24 per kilolitre
Soldiers Memorial Gardens		\$0.67 per kilolitre

Special Characteristics

Charges payable in respect to land whereby the Corporation has entered into a standard contract with special characteristics with the owner or occupier of the land to supply water by measure, subject to charges (as set out below) and terms and conditions determined by the Corporation.

Description

Charge

Charges for Supply by Measure: (if not otherwise specified in this gazette)

Availability Charge (Supply Charge)	\$286.40 per annum
Water use charges payable in respect to land, as determined by the timing of quarterly meter readings, and having the following land use codes:	
(a) Houses with the land use codes 1100, 1101, 1118, 1119 and 1912;	
(b) Units, maisonettes, townhouses and row houses (various categories) with land use codes in the range 1200 to 1399;	
(c) Shacks with the land use codes 1920 and 1921:	
(i) for each kilolitre supplied up to, and including, 0.3288 kilolitres per day	\$2.27 per kilolitre
(ii) for each kilolitre supplied over 0.3288 kilolitres per day up to, and including, 1.4247 kilolitres per day	\$3.24 per kilolitre
(iii) for each kilolitre supplied over 1.4247 kilolitres per day	\$3.51 per kilolitre
Water use charges payable in respect to land with land use codes other than the above or for which the Corporation does not have a land use code (as determined by the timing of quarterly meter readings):	
(i) for each kilolitre supplied up to, and including, 0.3288 kilolitres per day	\$2.27 per kilolitre
(ii) for each kilolitre supplied over 0.3288 kilolitres per day	\$3.24 per kilolitre

Retirement Village Discounted Single Assessment

A Retirement Village Discounted Single Assessment charge applies to water supplied to Individual Living Units with a land use code of 1766 that were subject to a change in Valuer-General policy from 1 July 2015. Individual Living Units will not be rated separately.

Description

Charge

The Retirement Village Discounted Single Assessment charge is comprised of an Availability Charge and a Water Use Charge (determined by the timing of quarterly meter readings) as per schedule.

Availability Charge (Supply Charge)	\$286.40 per annum
Water Use Charges (determined by the timing of quarterly meter readings) as per schedule:	
(i) for each kilolitre supplied up to, and including, 0.3288 kilolitres per day	\$2.27 per kilolitre
(ii) for each kilolitre supplied over 0.3288 kilolitres per day	\$3.24 per kilolitre

Marla Water Supply

Description	Charge
Availability Charge (Supply Charge)	\$572.80 per annum
<p>Water use charges payable in respect to land in the Marla water supply area for water supplied and having the following land use codes (as determined by the timing of the relevant meter reading period):</p> <p>(a) Houses with the land use codes 1100, 1101, 1118, 1119 and 1912;</p> <p>(b) Units, maisonettes, townhouses and row houses (various categories) with land use codes in the range 1200 to 1399;</p> <p>(c) Shacks with the land use codes 1920 and 1921:</p> <p>(i) for each kilolitre supplied up to, and including, 0.3288 kilolitres per day \$4.54 per kilolitre</p> <p>(ii) for each kilolitre supplied over 0.3288 kilolitres per day up to, and including, 1.4247 kilolitres \$6.48 per kilolitre</p> <p>(iii) for each kilolitre supplied over 1.4247 kilolitres \$7.02 per kilolitre</p> <p>Water use charges payable in respect to each and every supply in the Marla water supply area for water with land use codes other than above or for which the Corporation does not have land use codes (as determined by the timing of quarterly meter readings):</p> <p>(i) for each kilolitre supplied up to, and including, 0.3288 kilolitres per day \$4.54 per kilolitre</p> <p>(ii) for each kilolitre supplied over 0.3288 kilolitres per day \$6.48 per kilolitre</p>	

Northern Railway Towns

Northern railway towns include the towns of Terowie, Oodla Wirra, Yunta, Manna Hill, Olary and Cockburn.

Description	Charge
Availability Charge (Supply Charge)	\$572.80 per annum
Additional water charges payable for water supplied to or in relation to land and standpipes (determined by the timing of the relevant meter reading period):	
(i) for each kilolitre supplied up to, and including, 0.3288 kilolitres per day	\$2.27 per kilolitre
(ii) for each kilolitre supplied over 0.3288 kilolitres per day	\$12.96 per kilolitre

Clare Valley Water Supply Scheme Area

Availability Charge (Supply Charge)	\$286.40 per annum
Water use charge	\$3.24 per kilolitre
Water use charge for water other than contract quantity supplied from the pipeline during the notice period to land located in the Clare Valley Water Supply Scheme Area in accordance with an Irrigation Agreement	\$3.24 per kilolitre
Water use charge for water taken from the pipeline during the notice period other than in accordance with an agreement with the Corporation	\$3.24 per kilolitre

Marree/Oodnadatta Water Supply Area**Description****Charge**

Availability Charge (Supply Charge)	\$286.40 per annum
Water use charges payable in respect to land in the Marree/Oodnadatta water supply area for water supplied having the following land use codes (as determined by the timing of quarterly meter readings):	
(a) Houses with the land use codes 1100, 1101, 1118, 1119 and 1912;	
(b) Units, maisonettes, townhouses and row houses (various categories) with land use codes in the range 1200 to 1399;	
(c) Shacks with the land use codes 1920 and 1921:	
(i) for each kilolitre supplied up to, and including, 0.7233 kilolitres per day	\$0.00 per kilolitre
(ii) for each kilolitre supplied over 0.7233 kilolitres per day up to, and including, 1.0521 kilolitres per day	\$2.27 per kilolitre
(iii) for each kilolitre supplied over 1.0521 kilolitres per day up to, and including, 2.1479 kilolitres per day	\$3.24 per kilolitre
(iv) for each kilolitre supplied over 2.1479 kilolitres per day	\$3.51 per kilolitre
Water use charges payable in respect to each and every supply in the Marree/Oodnadatta water supply area for water with land use codes other than above or for which the Corporation does not have land use codes (as determined by the timing of quarterly meter readings):	
(i) for each kilolitre supplied up to, and including, 0.7233 kilolitres per day	\$0.00 per kilolitre
(ii) for each kilolitre supplied over 0.7233 kilolitres per day	\$3.24 per kilolitre

Hydrants

Water supplied through Hydrants - Charges

Description	Charge
Water use	\$3.24 per kilolitre
Application fee	\$279.00 per annum
Quarterly rental fee	\$99.50 per quarter
Charge for additional administration cost in relation to breach of terms and conditions	\$148.00 per annum

Service Rent

An annual charge where additional services are provided (e.g. additional meters) excluding country lands and recycled water to the Mawson Lakes, Lochiel Park and Seaford Meadows recycled water supply areas.

Annual charge for each additional service \$286.40 per annum

Country Lands

An annual charge applies where additional services are provided (e.g. additional meters)

Annual charge for each additional service per every 250 hectares of contiguous land \$286.40 per annum

Sewerage Availability Charges

Scales for Calculation of Sewerage Charge

Annual sewerage charges (access charges) are based on the greater of the minimum charge or property based charge (if not otherwise specified in this gazette).

Property Based Charge: Scale	Minimum Charge	Land Affected
\$1.047 per \$1000 of capital value	\$307.00	All residential land in the Adelaide and Aldinga drainage areas.
\$0.5235 per \$1000 of capital value	\$307.00	All residential land in the Adelaide and Aldinga drainage areas with an indirect sewer connection.
\$1.221 per \$1000 of capital value	\$307.00	All non-residential land in the Adelaide and Aldinga drainage areas except strata/community titled parking spaces under land use code 6532.
\$0.6105 per \$1000 of capital value	\$307.00	All non-residential land in the Adelaide and Aldinga drainage areas except strata/community titled parking spaces under land use code 6532 with an indirect sewer connection.
\$1.221 per \$1000 of capital value	\$76.80	All non-residential land in the Adelaide and Aldinga drainage areas classified as strata/community titled parking spaces under land use code 6532.
\$1.492 per \$1000 of capital value	\$307.00	All residential land in other drainage areas.
\$0.7460 per \$1000 of capital value	\$307.00	All residential land in other drainage areas with an indirect sewer connection.
\$1.801 per \$1000 of capital value	\$307.00	All non-residential land in other drainage areas except strata/community titled parking spaces under land use code 6532.
\$0.9005 per \$1000 of capital value	\$307.00	All non-residential land in other drainage areas except strata/community titled parking spaces under land use code 6532 with an indirect sewer connection.
\$1.801 per \$1000 of capital value	\$76.80	All non-residential land in other drainage areas classified as strata/community titled parking spaces under land use code 6532.

Special Characteristics

A Retirement Village Discounted Single Assessment charge applies to sewerage services provided to Individual Living Units with a land use code of 1766 that were subject to a change in Valuer General policy from 1 July 2015. The charge is based on the sum of the capital values for the independent living units. Individual Living Units will not be rated separately.

Scales for Calculation of Sewerage Charge

The Retirement Village Discounted Single Assessment charge for annual sewerage charges (access charges) is based on the greater of the minimum charge or property-based charge.

Property Based Charge: Scale	Minimum Charge	Land Affected
\$1.047 per \$1000 of capital value	\$307.00	All land with the land use code 1766 in the Adelaide and Aldinga drainage areas.
\$0.5235 per \$1000 of capital value	\$307.00	All land with the land use code 1766 in the Adelaide and Aldinga drainage areas with an indirect sewer connection.
\$1.492 per \$1000 of capital value	\$307.00	All land with the land use code 1766 in other drainage areas.
\$0.7460 per \$1000 of capital value	\$307.00	All land with the land use code 1766 in other drainage areas with an indirect sewer connection.

Community Concession Sewerage Charges

Annual sewerage availability charge (access charge) calculated based on three key steps:

- (1) the property value charge and minimum access charge are first determined;
- (2) the greater of these is compared to the water closet charge (i.e. the number of water closets multiplied by the water closet fee);
- (3) the lesser of Step 2 is charged on the property.

Description	Land affected
Charge determined according to number of water closets draining into the sewerage system	
\$85.40 per water closet draining into the sewerage system	All land that has been acquired or is used exclusively for charitable, public worship or a municipal corporation exclusively for the purposes of the Corporation.
\$117.00 per water closet draining into the sewerage system	All other concessional land.

Recycled Water

Description	Charge
Dual residential reticulated recycled water use	\$2.04 per kilolitre

Fees and Charges Schedule

Miscellaneous Fees and Charges

The following fees and charges are fixed for the period 1 July 2016 to 30 June 2017.

J. F. RINGHAM, Chief Executive, South Australian Water Corporation

Fee Name – Water/ Recycled Water^^	Fee 2016-17*
Installation of connection (includes installation of meter)	
20 mm Connection**	\$2,288.00
25 mm Connection**	\$3,396.00
40 mm Connection**	\$4,698.00
50 mm Connection**	\$6,720.00
> 50 mm Connection	Estimated cost to deliver service
Installation of meter	
20 mm Meter	\$306.00
25 mm Meter	\$418.00
40 mm Meter	\$744.00
50 mm Meter	\$1,808.00
20 mm Meter on 1-4 Meter Manifold 20 mm Meter on 1-12 Meter Manifold	\$442.00
25 mm Meter on 1-5 Meter Manifold	\$588.00
Installation of water connection for fire fighting purposes	
100 mm Fire Connection	Estimated cost to deliver service
150 mm Fire Connection	Estimated cost to deliver service
> 150 mm Fire Connection	Estimated cost to deliver service

Fee Name – Water/ Recycled Water^^	Fee 2016-17*
Installation of additional isolating valve for water connection used for fire firefighting purposes	
100 mm Isolating Valve for Fire Connection	Estimated cost to deliver service
150 mm Isolating Valve for Fire Connection	Estimated cost to deliver service
200 mm Isolating Valve for Fire Connection	Estimated cost to deliver service
> 200 mm Isolating Valve for Fire Connection	Estimated cost to deliver service
Permanent Overhead Standpipe and Meter	Estimated cost to deliver service
Replacement of meter	
Renew/Replace 15 mm-20 mm Meter	\$306.00
Renew/Replace 25 mm Meter	\$413.00
Renew/Replace 32mm - 40 mm Meter	\$720.00
Renew/Replace 50 mm Meter	\$1,808.00
Renew/Replace > 50 mm Meter	Estimated cost to deliver service
Repair or replacement of fittings other than meters	
Meter Repair - 15 mm, 20 mm & 25mm	\$224.00
Meter Repair - 32 mm and 40 mm	\$358.00
Meter Repair - 50 mm	\$406.00
Meter Repair - > 50 mm	Estimated cost to deliver service
Disconnect Fire Connection	Estimated cost to deliver service
Disconnect < 50 mm Water Connection**	\$613.00
Disconnect > 50 mm Water Connections	Estimated cost to deliver service
Remove Water Meter - Connection Remains	\$113.00

Fee Name – Water/ Recycled Water^^	Fee 2016-17*
Relocation of unmetered 20 mm or 25 mm water connection by 4 metres or less and installation of meter	
Relocate 20-25 mm Unmetered Connection < 2.0 m**	\$848.00
Relocate 20-25 mm Unmetered Connection > 2.0 m - 4.0m**	\$955.00
Relocation of metered 20 mm and 25 mm water connection by 4 metres or less	
Relocate 20-25 mm Metered Connection <2.0m **	\$570.00
Relocate 20-25 mm Metered Connection > 2.0m - 4.0m **	\$980.00
Rotate 20 mm/25 mm meter**	\$184.00
Rotate 40 mm meter**	\$701.00
Raising or lowering of water connection	
Raise/Lower 15 mm-20 mm Connection**	\$706.00
Raise/Lower 25 mm-50 mm Connection**	\$1,146.00
Raise/Lower > 50 mm Connection	Estimated cost to deliver service
Shortening of water connection	
Shorten 20 mm-25 mm Connection**	\$953.00
Shorten 32 mm-50 mm Connection**	\$1,175.00
Shorten > 50 mm Connection	Estimated cost to deliver service
Extension of water connection	Estimated cost to deliver service
Extension of main	Estimated cost to deliver service
Restoration Fee - At Meter	\$51.50
Restoration Fee - At Main Pipe	Estimated cost to deliver service

Fee Name – Water/ Recycled Water^^	Fee 2016-17*
Provide and install metal underground box to cover meter	
Underground Box for 20-25 mm Meter	\$692.00
Underground Box for 32-50 mm Meter	\$2,028.00
Underground Box for > 50 mm Meter	Estimated cost to deliver service
Underground Box for Multiple Meters	\$1,272.00
Meter Test Fee - 20 mm-25 mm on site Meter Flow Test	\$78.50
Meter Test Fee - 20 mm-25 mm Meters	\$253.00
Meter Test Fee > 25 mm Meters	Estimated cost to deliver service

Developer Agreement Construction: Water Supply (drinking) & Recycled Water Supply	
Admin, audit and documentation	
Administration & Document Fee - Level 1 consultant	\$1,678.00
Administration & Document Fee - Level 2 consultant	\$2,445.00
Design Examination Fee - per metre	\$2.70 per metre
Contract Examination Fee	\$538.00
Contract Inspection Fee - per metre	\$3.65 per metre

Design and admin	
Design and Administration charge - Non - Standard Connections	\$291.00
Design and Administration charge - Extensions	\$915.00

Fee Name – Wastewater	Fee 2016-17*
Installation of connection	
100 mm Wastewater Connection**	\$4,341.00
150 mm Wastewater Connection **	\$7,539.00
> 150 mm Wastewater Connection	Estimated cost to deliver service
Additional Connection sewer > 450mm	Estimated cost to deliver service
Disconnection charge	
Disconnect 100/150 mm Connection**	\$994.00
Disconnect > 150 mm Wastewater Connection	Estimated cost to deliver service
Sewer connection application fee	
Wastewater 100 mm & 150mm Application Fee only	\$141.00
Wastewater > 150 mm Application Fee only	Estimated cost to deliver service
Construction: Sewerage	
Admin, audit and documentation	
Administration & Document Fee - Level 1 consultant	\$2,756.00
Administration & Document Fee - Level 2 consultant	\$4,057.00
Design Examination Fee- per metre	\$2.70 per metre
Contract Examination Fee	\$483.00
Contract Inspection Fee - per metre	\$5.40 per metre
Design and admin	
Design and Administration charge - Non - Standard Connections	\$291.00
Design and Administration charge - Extensions	\$915.00

Fee Name – Trade Waste	Fee 2016-17*
Trade waste discharge application fee	
Trade Waste Application Fee - Complex	\$587.00
Trade Waste Application Fee - Non-Complex	\$209.00
Trade waste compliance audit fees	
Trade Waste Audit Fee - Complex (per inspection)	\$278.00
Trade Waste Audit Fee - Non-complex (per inspection)	\$122.00

Other Trade Waste Charges	
	Estimated cost to deliver service
Sampling & Monitoring Charges	
Trade Waste Administration Charges	\$68.50
Non-domestic Hauled Waste Charges - Volume (per kL)	\$1.366 per kL
Non-domestic Hauled Waste Charges - Biochemical Oxygen Demand (per kg)	\$0.764 per kg
Non-domestic Hauled Waste Charges - Suspended Solids (per kg)	\$0.837 per kg
Non-domestic Hauled Waste Charges - Total Dissolved Solids (per kg)	\$1.407 per kg
Non-domestic Hauled Waste Charges - Nitrogen (per kg)	\$0.360 per kg
Non-domestic Hauled Waste Charges - Phosphorous (per kg)	\$1.796 per kg
Septic Waste Charges (per kL)	\$38.77 per kL
Holding Tank Waste Charges (per kL)	\$7.28 per kL
Liquid hauled waste - Replacement of receiving station swipe card	\$120.00
Waste Macerator Discharge (per macerator)	\$653.00 per unit
Storm Water to Sewer	\$11.10 per sq metre

Fee Name – Trade Waste	Fee 2016-17*
Trade Waste Volume and Load Based	
Trade Waste VLB - Volume (per kL)	\$0.160 per kL
Trade Waste VLB - Biochemical oxygen demand (per kg) <1000 mg/L	\$0.263 per kg
Trade Waste VLB - Biochemical oxygen demand (per kg) >1000 mg/L	\$0.396 per kg
Trade Waste VLB - Suspended solids (per kg) <500 mg/L	\$0.233 per kg
Trade Waste VLB - Suspended solids (per kg) >500 mg/L	\$0.337 per kg
Trade Waste VLB - Total dissolved solids (per kg) >650 mg/L	\$0.132 per kg
Trade Waste VLB - Nitrogen (per kg)	\$0.410 per kg
Trade Waste VLB - Phosphorus (per kg)	\$1.997 per kg
Trade Waste - Cost Reflective Volume and Load Based	
Trade Waste Cost Reflective VLB - Volume (per kL)	\$1.366 per kL
Trade Waste Cost Reflective VLB - Biochemical oxygen demand (per kg)	\$0.764 per kg
Trade Waste Cost Reflective VLB - Suspended solids (per kg)	\$0.837 per kg
Trade Waste Cost Reflective VLB - Total dissolved solids (per kg)	\$1.407 per kg
Trade Waste Cost Reflective VLB - Nitrogen (per kg)	\$2.990 per kg
Trade Waste Cost Reflective VLB - Phosphorus (per kg)	\$12.362 per kg

Fee Name – Common Effluent per premise	Fee 2016-17*
DC of Barossa	\$84.00
DC of Grant	\$84.00
Other Areas	\$126.60

Fee Name – Other	Fee 2016-17*
Property Lease Preparation Fee for Non-Commercial Agreements	Estimated cost quoted by Corporation within the lease agreement
Easement Extinguishment/Variation Admin Fee- investigation and advice	\$488.00
Network Analysis	\$446.00
Hourly Service Fee	\$70.00 per hr
Recycled Water - On Property Audit Fee	\$77.50 per audit
External Aquamap Access Fee	\$197.00
Business Sustainability Consultation Fee	\$92.50 per hr
Learning centre hire - full day (9am - 5pm)	\$415.00
Learning centre hire - half day (9am - 1pm or 1pm - 5pm)	\$239.00
Learning centre hire - evening (4pm - 7pm)	\$297.00
Learning centre hire - early morning (7:30am - 10:00am)	\$297.00
Learning centre hire - School education program cancellation fee	\$54.00
Clip & Meter Lock Fee - Large	\$31.25
Standard Water Flow Test - Fire Plug	\$132.00
Additional Fire Plug - Water Flow Test - Same day, same site	\$24.60
Smart Meter Installation	\$2,342.00
Smart Meter Battery Replacement	\$299.00
Smart Meter Annual Fee – per meter	\$39.00
Customer Water Use Portal Annual Fee – per property	\$78.50
Additional Smart Meter Installations	\$2,212.00
Non-standard Smart Meter Installations	Estimated cost to deliver service
Special Reading Fee	\$15.60
Certificate and Encumbrance Fee***	\$17.80
Dishonoured payment made to pay a charge or other amount under regulations	\$19.50
Overdue Payment Fee	\$8.55
Charge for visit in relation to the non-payment of a charge	\$33.50
Recharge for collection of overdue accounts	Based on cost incurred by Corporation
Clare - Availability Charge (per ML)	\$2,773.00 per ML
Beekeeping Licence	\$378.00

Fee Name – Sewer Augmentation Charges^	Fee 2016-17*
Buckland Park/Virginia	\$1,317.00
Burton	\$1,742.00
LeFevre Peninsula	\$1,046.00
Lonsdale	\$9,187.00
Northern Suburbs	\$1,324.00
Sheidow Park	\$5,425.00
Victor Harbor	\$2,630.00

Fee Name – Water Supply Augmentation Charges^	Fee 2016-17*
Bordertown	\$1,356.00
Carrickalinga, Normanville & Yankalilla	\$1,196.00
Kingston	\$3,745.00
McLaren Vale/ McLaren Flat	\$515.00
Moana	\$12,917.00
Mount Barker	\$5,572.00
Port Broughton	\$4,290.00
Port Vincent	\$4,938.00
Port Wakefield Pipeline	\$659.00
Robe	\$6,208.00
Roseworthy	\$1,559.00
Skye	\$26,237.00
South Coast Townships	\$1,775.00
Stansbury	\$16,787.00
Strathalbyn	\$1,463.00
Tumby Bay	\$3,075.00

Notes:

* GST - Where GST applies, the fee is stated inclusive of GST

** Charge for standard connections only, refer to connections policy for non-standard connections

*** Fee set by the Department of Environment, Water and Natural Resources.

^Charges for 100% only, refer to Augmentation Policy fees and charges schedule for multipliers applicable to properties that are residential, multiple dwellings, commercial/industrial, and reserves.

^^25mm and 40mm recycled water meters and connections are not available.

Confirmed as a true and accurate record of the decision of the Corporation.

Dated 21 June 2106.

J. F. RINGHAM, Chief Executive, South Australian Water Corporation



**Government
of South Australia**

**TREASURER'S
QUARTERLY STATEMENT**

for the

**THREE MONTHS ended on
31 MARCH 2016 and 31 MARCH, 2015**

*Presented by the
Honourable T. Koutsantonis M.P.
Treasurer of South Australia*

GOVERNMENT OF SOUTH AUSTRALIA
COMMENTARY TO THE STATEMENT OF THE AMOUNTS CREDITED TO
AND ISSUED FROM THE CONSOLIDATED ACCOUNT FOR THE QUARTERS ENDED
31 MARCH 2016 AND 31 MARCH 2015

Receipts

Taxation

Payroll tax receipts for the nine months to March 2016 were higher than for the same period in 2015, mainly due to growth in taxable payrolls.

Stamp duty receipts in the March quarter 2016 were lower than a year earlier. This was mainly due to a decline in conveyance duty receipts which are impacted by the first one-third reduction in duty rates on transfers of real non-residential, non-primary production property from December 2015.

Stamp duty receipts for the nine months to March 2016 were higher than for the same period in 2015. This was mainly due to higher conveyance duty (other than in the March quarter), reflecting growth in the average price of property transactions. Insurance duty collections were also higher compared to the same period in 2015.

Gambling tax receipts were higher in both the March 2016 quarter and the nine months to March 2016 when compared to the same periods last year. This was mainly due to increased receipts from the South Australian Lotteries Commission, reflecting growth in their net gambling revenue, along with increased Casino contributions.

Land tax receipts for both the March 2016 quarter and the nine months to March 2016 were lower than the same periods in 2015, reflecting the timing of land tax payments.

Royalties

Royalty receipts in both the March quarter 2016, and for the nine months to March 2016, were lower compared to the same periods last year. This reflects considerably lower crude oil prices, and lower production levels.

Fees and charges

Fees and charges for the nine months to March 2016 are higher than the same period in 2015. This is mainly due to an increase in guarantee fees.

Commonwealth – General Purpose Payments

Growth in general purpose grants for the nine months to March 2016 compared to the same period last year is not indicative of underlying Goods and Services Tax (GST) revenue growth. This is because monthly grants are paid accordingly to a payment schedule prepared by the Commonwealth Government rather than in accordance with the actual emerging monthly GST collections.

In its 2016–17 Budget, the Commonwealth Government indicated that the GST pool available to the States is estimated to grow by 5.7 per cent in 2015-16.

Commonwealth – Specific Purpose Payments

Specific Purpose Payments (SPPs) for the March quarter 2016 and nine months to March 2016 were broadly in line with payments for the same periods last year.

Commonwealth – National Partnership Payments

National Partnership (NP) payments were higher in the nine months to March 2016 compared to the same period last year due to the budgeted Pay Equity NP for 2014-15 being carried over and paid in the 2015-16 year.

Payments for the Remote Indigenous Housing NP are lower in the March 2016 quarter compared to a year earlier, mainly due to the payment profile of the NP.

Other receipts

Other receipts were lower in the nine months to March 2016 compared to the same period last year due to the return of equity from SA Water that was received in the December 2014 quarter.

Payments

Payments were made pursuant to the *Appropriation Act 2015*, and also in accordance with other Acts for which specific appropriation has been authorised. The timing of payments is based on agreed drawdown schedules, and may change from period to period depending on specific agency requirements.

Note

Caution should be exercised in interpreting the quarterly statement of Consolidated Account transactions. Unlike, the State Budget, which comprises transactions on an accrual basis, the information reflected in the quarterly statements is limited to cash transactions. Also, the Consolidated Account does not capture all the transactions undertaken by the general government sector (in particular, it does not record receipts to and payments from special deposit accounts). Finally, the timing of receipts and payments could be volatile within a particular year. As a result, apparently large movements between years may only be due to changes in the timing of receipts and payments and therefore may not have consequences for the underlying budget position.

GOVERNMENT OF SOUTH AUSTRALIA
SUMMARY OF THE STATEMENT
ON THE CONSOLIDATED ACCOUNT FOR THE
QUARTERS AND 9 MONTHS ENDED 31 MARCH 2016, AND 31 MARCH, 2015

(Prepared on a Cash Basis)

- Nine months ended -			- Quarter ended -		
31 March 2016 \$ 000	31 March 2015 \$ 000	Variation \$ 000	31 March 2016 \$ 000	31 March 2015 \$ 000	Variation \$ 000
RECEIPTS					
7,858,606	10,291,549	-2,432,943	2,593,177	2,468,271	124,906
PAYMENTS					
9,431,452	9,089,775	341,677	2,700,425	2,372,544	327,881
FINANCING REQUIREMENT					
1,572,846	-1,201,774	2,774,620	107,248	-95,727	202,975
BORROWINGS					
-	-	-	-	-	-
CONSOLIDATED ACCOUNT RESULT					
Deficit / - Surplus					
1,572,846	-1,201,774	2,774,620	107,248	-95,727	202,975

GOVERNMENT OF SOUTH AUSTRALIA

STATEMENT OF THE RECEIPTS AND BORROWINGS ON THE CONSOLIDATED ACCOUNT
FOR THE QUARTERS AND 9 MONTHS ENDED 31 MARCH, 2016 AND 31 MARCH, 2015*(Prepared on a Cash Basis)*

	- Nine months ended -		- Quarter ended -		
	Budget 2015-16 \$ 000	31 March 2016 \$ 000	31 March 2015 \$ 000	31 March 2016 \$ 000	
RECEIPTS -					
Taxation -					
Gambling	409,435	295,746	290,577	96,676	92,948
Land Tax	580,331	251,297	427,415	75,197	120,846
Payroll Tax	1,418,278	1,008,481	999,316	325,370	325,451
Stamp Duties	1,526,117	1,168,000	1,154,918	354,734	359,629
Commonwealth Places Mirror Tax	26,500	19,277	19,080	5,760	5,762
Other taxes on property	-	25	115	-	14
Total Taxation	3,960,661	2,742,826	2,891,421	857,737	904,650
Contributions from State Undertakings	315,859	81,510	93,697	35,116	29,690
Recoveries	53,737	11,308	23,115	3,775	3,688
Fees and charges	525,551	351,268	322,639	147,649	111,148
Royalties	289,734	175,154	202,663	53,022	66,722
Commonwealth -					
General Purpose Grants	5,517,500	4,198,299	3,750,096	1,398,797	1,238,208
Specific Purpose Grants	277,270	225,045	221,485	75,327	73,802
National Partnership Payments	24,584	13,402	10,198	1,993	10,197
Total Commonwealth	5,819,354	4,436,746	3,981,779	1,476,117	1,322,207
Other Receipts	141,165	59,794	2,776,235	19,761	30,166
Total Receipts	11,106,061	7,858,606	10,291,549	2,593,177	2,468,271
BORROWINGS -					
Funds borrowed from South Australian Government Financing Authority	1,040,693	-	-	-	-
Total Receipts and Borrowings	12,146,754	7,858,606	10,291,549	2,593,177	2,468,271

GOVERNMENT OF SOUTH AUSTRALIA

STATEMENT OF THE PAYMENTS ON THE CONSOLIDATED ACCOUNT
FOR THE QUARTERS AND 9 MONTHS ENDED 31 MARCH, 2016 AND 31 MARCH, 2015*(Prepared on a Cash Basis)*

	- Nine months ended -		- Quarter ended -		
	Budget	31 March	31 March	31 March	
	2015-16	2016	2015	2016	
	\$ 000	\$ 000	\$ 000	\$ 000	
PAYMENTS -					
Attorney-General's Department	109,678	84,727	79,696	28,700	28,724
Administered Items for the Attorney-General's Department	98,533	78,314	95,317	20,377	23,724
Auditor-General's Department	16,598	12,734	11,944	4,352	3,770
Courts Administration Authority	94,361	74,816	73,294	22,799	18,864
Defence SA	18,636	16,372	14,787	3,390	2,517
Department for Communities and Social Inclusion	1,015,896	853,864	829,252	242,300	193,100
Administered Items for the Department for Communities and Social Inclusion	190,374	136,500	135,900	42,300	31,400
Department for Correctional Services	280,964	215,958	196,246	75,481	62,346
Department for Education and Children Development	2,654,287	2,002,668	1,996,435	567,231	520,106
Administered Items for the Department for Education and Child Development	244,596	233,111	226,202	14,454	15,700
Department for Health and Ageing	3,184,564	2,511,000	2,475,307	870,000	816,000
Department of Environment, Water and Natural Resources	155,185	110,213	88,061	31,500	27,800
Administered Items for the Department of Environment, Water and Natural Resources	19,083	18,233	18,293	500	500
Department of Planning, Transport and Infrastructure	560,412	429,548	368,340	149,329	117,384
Administered Items for the Department of Planning, Transport and Infrastructure	7,928	6,714	8,877	2,075	1,751
Department of Primary Industries and Regions	105,085	80,163	84,399	27,095	26,112
Administered Items for the Department of Primary Industries and Regions	4,099	2,784	2,425	928	808
Department of the Premier and Cabinet	75,551	59,137	74,990	15,559	15,897
Administered Items for the Department of the Premier and Cabinet	1,879	1,879	1,560	-	520
Department of State Development	674,320	534,971	501,161	128,730	119,601
Administered Items for the Department of State Development	7,629	6,780	6,777	1,905	1,914
Department of Treasury and Finance	55,722	51,722	39,613	12,000	10,800
Administered Items for the Department of Treasury and Finance	1,592,537	1,154,552	1,039,505	193,044	125,436
Electoral Commission of South Australia	5,819	4,552	2,895	1,248	448
Administered Items for Electoral Commission	45	39	-	6	-
House of Assembly	9,103	5,213	4,484	1,577	1,200
Independent Gambling Authority	1,769	1,320	1,280	396	384
Joint Parliamentary Services	11,572	7,902	8,597	2,245	2,183
Legislative Council	6,102	3,646	3,128	1,063	849
Minister for Tourism	4,796	4,796	4,679	-	-
South Australia Police	757,567	588,174	568,588	197,624	169,032
Administered Items for South Australia Police	177	122	116	-	-
South Australian Tourism Commission	69,007	59,394	43,885	18,000	11,500
State Governor's Establishment	3,531	3,531	3,306	-	-
Payments for which specific appropriation is authorised in various Acts	109,349	76,003	80,436	24,229	22,174
	12,146,754	9,431,452	9,089,775	2,700,425	2,372,544

SOUTH AUSTRALIA**DISTRICT COURT CRIMINAL SUPPLEMENTARY RULES 2014 (AMENDMENT NO 2)**

By virtue and in pursuance of section 51 of the *District Court Act 1991* and all other enabling powers, we, Geoffrey Louis Muecke, Chief Judge, and Rauf Soulio and Paul Vincent Slattery, Judges of the District Court of South Australia, make the following Rules of Court.

1. These Rules may be cited as the *District Court Criminal Supplementary Rules 2014 (Amendment No 2)*.
2. The *District Court Criminal Supplementary Rules 2014* are amended as set out below.
3. The amendments made by these Rules come into effect on 27 June 2016 or the date of their gazettal, whichever is later.
4. A new Part 6A is inserted immediately after rule 37 as follows:

“Part 6A—Vulnerable witnesses**37A—Pre-trial special hearing**

- (1) An application under section 12AB(1) of the *Evidence Act 1929* for a pre-trial special hearing is to be in form 13A.
- (2) An objection under section 12AB(8) of the *Evidence Act 1929* to an application for a pre-trial special hearing is to be in form 13B.

37B—Admission of audio visual record of evidence

- (1) An application under section 13BA(1) of the *Evidence Act 1929* for admission of evidence of a witness in the form of an audio visual record made under section 12AB of the *Evidence Act 1929* is to be in form 13C.
 - (2) An application under section 13BA(1) of the *Evidence Act 1929* for admission of evidence of a witness in the form of an audio visual record made under section 74EB of the *Summary Offences Act 1953* is to be in form 13D.”
5. New Forms 13A to 13D in the Schedule are inserted in the Schedule to the *District Court Criminal Supplementary Rules 2014* immediately after form 13.

THE SCHEDULE

Rule 57A(1)

Form 13A

Application for pre-trial special hearing

(insert front sheet)

APPLICATION FOR PRE-TRIAL SPECIAL HEARING

TO THE *(INSERT ROLE): (insert name of other party)*.....AND TO *(insert names of any others to whom notice of the application is to be given)*.....

.....

Application

The Director of Public Prosecutions/Defendant *(insert name)* *(delete whichever is inapplicable)* seeks the following orders:

1. That *(insert name)* give evidence at a pre-trial special hearing.
2. That the hearing be convened as a proceeding preliminary to the trial for the purpose of taking the evidence of the witness:
 - in a courtroom
 - at a location to be approved by the court *(insert details if another specific location is sought)*
(delete whichever is inapplicable).
3. That the hearing be convened for the following purposes:
 - a. examination of the witness;
 - b. cross-examination of the witness;
 - c. re-examination of the witness
(delete any if inapplicable).

4. That the evidence be taken in the following way to facilitate the taking of evidence from the witness or to minimise the witness's embarrassment or distress, namely (*insert manner*).
5. That the following measures be taken to prevent the witness and the defendant from directly seeing or hearing each other before, during or after the hearing, namely (*insert measures*).
6. That the witness be accompanied at the hearing by (*insert name of relative/friend/other person*) for the purpose of providing emotional support.
7. That the taking of the evidence at the hearing be transmitted to the defendant by means of closed circuit television.
8. That the evidence be taken with the following communication assistance due to the witness's complex communication needs, namely (*insert communication assistance*).
9. That an audio visual record of the evidence be made.
10. (*Insert details of any other orders sought*).

Endorsements

Application made pursuant to rule 57A of the *District Court Criminal Rules 2014* and section 12AB of the *Evidence Act 1929*.

Grounds

The grounds relied upon are as follows: (*set out sufficient particulars to give proper notice of the issues to be raised so that the other party may determine whether to object and whether there will be a dispute on the relevant facts*).

1. The evidence of the witness is necessary for the purpose of the trial of the offence of (*insert offence*) because (*insert reasons*).

Note: the offence must be:

- a “serious offence against the person”;
- contravening or failing to comply with an intervention order under the *Intervention Orders (Prevention of Abuse) 2009*; or
- contravening or failing to comply with a restraining order under the *Summary Procedure Act 1921*.

2. The witness is a witness to whom section 12AB applies because he/she is:
- a child under the age of 14 years having been born on *(insert date of birth)*;
 - a person with a disability that adversely affects his/her capacity to give a coherent account of his/her experiences or to respond rationally to questions.
- (delete whichever is inapplicable).*

Note: if the application is made on the ground of disability, the application must be supported by an affidavit addressing the disability.

3. The application is made for the witness to give evidence at a pre-trial special hearing because *(insert why order is sought)*.
4. The witness has a physical disability or cognitive impairment, namely *(insert details)* *(delete if inapplicable)*.
5. The witness has complex communication needs and requires communication assistance, namely *(insert details)* *(delete if inapplicable)*.

It is proposed that the communication assistance be provided by *(insert name)*, who:

- is/is not *(delete whichever is inapplicable)* to be called as a witness in the trial of the charge;
- is a communication partner for the purposes of the *Evidence Act 1929*;
- should be/is *(delete whichever is inapplicable)* approved by the Court to provide such assistance because *(insert details)*

(delete whichever is inapplicable).

Date:

(signed)

Director of Public Prosecutions

(or)

Defendant

(or)

Solicitor for the defendant

IMPORTANT NOTICE TO RESPONDENT

If you wish to oppose the application, you **MUST** file and serve a Notice of Objection (form 13B) within 14 days of service of this application on you. Otherwise the Court must make the order sought without reference to you.

If you file and serve a Notice of Objection within 14 days of service of this application on you, the application will be listed for hearing before a Judge. You will be notified by the Court of the date and time of the hearing.

Rule 57A(2)

Form 13B

Notice of objection to pre-trial special hearing

(insert front sheet)

NOTICE OF OBJECTION TO PRE-TRIAL SPECIAL HEARING

Objection

(name of person objecting)

of

.....

objects to the witness *(insert name)* being permitted to give evidence at a pre-trial special hearing.

The grounds of the objection are: *(insert a brief statement of the grounds of objection)*

.....

.....

.....

Date:

(signed)

Director of Public Prosecutions/Defendant/Solicitor for the Defendant *(delete whichever is inapplicable)*

Hearing

(When the application is to be given a separate listing date, the following will be completed by the Registry)

The application for a pre-trial special hearing will be heard before in the District Court at on at or so soon afterwards as the business of the Court allows.

The courtroom in which the application will be heard will be published:

- on the Courts Administration Authority website the day before;
- in the Advertiser on the day; and
- on the notice board at the Courts Building.

The parties and all persons served with the application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it thinks fit.

Date:

(*signed*)
Registrar

Rule 57B

Form 13C Application for admission of audiovisual record (pre-trial special hearing)

*(insert front sheet)***APPLICATION FOR ADMISSION OF AUDIOVISUAL RECORD (PRE-TRIAL SPECIAL HEARING)**TO THE *(INSERT ROLE)*: *(insert name of other party)*.....AND TO *(insert names of any others to whom notice of the application is to be given)*.....

.....

Application

The Director of Public Prosecutions/Defendant *(insert name)*
 *(delete whichever is inapplicable)* seeks an order
 that the audio visual record of evidence of *(insert name)* made on *(insert date)* pursuant to
 section 12AB of the *Evidence Act 1929* be admitted in evidence at trial.

Endorsements

Application made pursuant to rule 57B of the *District Court Criminal Rules 2014* and
 section 13BA of the *Evidence Act 1929*.

Grounds

The grounds relied upon are as follows: *(set out sufficient particulars to give proper notice of
 the issues to be raised so that the other party may determine whether there will be a dispute
 on the relevant facts)*

1. The audio visual record of the witness was made pursuant to section 12AB at a pre-trial special hearing on *(insert date)* before *(insert name of judicial officer)*.
2. The witness' capacity to give sworn/unsworn *(delete whichever is inapplicable)* evidence at the time the recording was made is evidenced by *(insert details)*.

3. The party/parties (*delete whichever is inapplicable*) against whom it is sought that the evidence be admitted has/have (*delete whichever is inapplicable*) been given a reasonable opportunity to view the recording, namely:
- (*insert name*) was notified on (*insert date*) by (*insert details of notification*) that the audio visual record was available for viewing at a time convenient;
 - (*insert name*) viewed the audio visual record on (*insert date*);
 - a copy of the audio visual record was provided to (*insert name*) on (*insert date*).
- (*delete whichever is inapplicable*).
4. The witness will be available, if required, during the course of the trial for further examination, cross-examination and re-examination.
5. It is proposed that the audiovisual record be edited to exclude evidence that is or may be inadmissible in the following manner, namely (*insert details*).

Date:

(*signed*)

Director of Public Prosecutions

(*or*)

Defendant

(*or*)

Solicitor for the defendant

(*delete whichever is inapplicable*)

Hearing

(*When the application is to be given a separate listing date, the following will be completed by the Registry*)

This application will be heard before..... in the District Court at
 on at or so soon
 afterwards as the business of the Court allows.

The courtroom in which the application will be heard will be published:

- on the Courts Administration Authority website the day before;
- in the Advertiser on the day; and
- on the notice board at the Courts Building.

The parties and all persons served with this application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it thinks fit.

Date:

(*signed*)

Registrar

Rule 57B

Form 13D Application for admission of audiovisual record (Summary Offences Act)

(insert front sheet)

**APPLICATION FOR ADMISSION OF AUDIOVISUAL RECORD
(SUMMARY OFFENCES ACT)**

TO THE *(INSERT ROLE): (insert name of other party)*.....

AND TO *(insert names of any others to whom notice of the application is to be given)*.....

.....

Application

The Director of Public Prosecutions/Defendant *(insert name)*
..... *(delete whichever is inapplicable)* seeks an order
that the audio visual record of evidence of *(insert name)* made on *(insert date)* pursuant to
section 74EB of the *Summary Offences Act 1953* be admitted in evidence at trial.

Endorsements

Application made pursuant to rule 57B of the *District Court Criminal Rules 2014* and section
13BA of the *Evidence Act 1929*.

Grounds

The grounds relied upon are as follows: *(set out sufficient particulars to give proper notice of
the issues to be raised so that the other party may determine whether there will be a dispute
on the relevant facts)*

1. The audio visual record of the witness was made pursuant to section 74BE at an interview
on *(insert date)* by *(insert name(s) of interviewer(s))*.

2. The witness's capacity to give sworn/unsworn (*delete one if only one form of giving evidence is applicable*) evidence at the time the recording was made is evidenced by (*insert details*)
3. The party/parties (*delete whichever is inapplicable*) against whom it is sought that the evidence be admitted has/have (*delete whichever is inapplicable*) been given a reasonable opportunity to view the recording, namely:
 - (*insert name*) was notified on (*insert date*) by (*insert details of notification*) that the audio visual record was available for viewing at a time convenient;
 - (*insert name*) viewed the audio visual record on (*insert date*);
 - a copy of the audio visual record was provided to (*insert name*) on (*insert date*).

(*delete whichever is inapplicable*).
4. The witness will be available, if required, during the course of the trial for further examination, cross-examination and re-examination.
5. The witness was born on (*insert date*).
6. The witness has a disability that adversely affects his/her capacity to give a coherent account of his/her experiences or to respond rationally to questions, namely (*insert disability*).
7. The evidence of the witness is relevant to the trial of the charge of (*insert offence*) against (*insert name of defendant*).

Note —

The offence must be a “serious offence against the person”.

8. The interview was conducted in accordance with section 74EB of the *Summary Offences Act 1953* except (*insert details of any non-compliance*).

Note —

The application must be supported by an affidavit deposing as to compliance with section 74EB of the *Summary Offences Act 1953*.

9. Notwithstanding such non-compliance, it is contended that the interests of Judge require the admission of the evidence.

(delete if inapplicable)

Note —

If there is any non-compliance, the application must be supported by an affidavit deposing to the facts by reason is which the interests of Judge requires the admission of the evidence despite the non-compliance.

10. It is proposed that the audiovisual record be edited to exclude evidence that is or may be inadmissible in the following manner, namely *(insert details)*.

Date:

(signed)
Director of Public Prosecutions

(or)

Defendant

(or)

Solicitor for the defendant

(delete whichever is inapplicable)

Hearing

(When the application is to be given a separate listing date, the following will be completed by the Registry)

This application will be heard before..... in the District Court at on at or so soon afterwards as the business of the Court allows.

The courtroom in which the application will be heard will be published:

- on the Courts Administration Authority website the day before;
- in the Advertiser on the day; and
- on the notice board at the Courts Building.

The parties and all persons served with this application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it thinks fit.

Date:

(*signed*)
Registrar

Dated 20 June 2016.

G. L. MUECKE, Chief Judge
R. SOULIO, Judge
P. V. SLATTERY, Judge

SOUTH AUSTRALIA**DISTRICT COURT CRIMINAL RULES 2014 (AMENDMENT NO 3)**

BY virtue and in pursuance of Section 51 of the District Court Act 1991 and all other enabling powers, we, Geoffrey Louis Muecke, Chief Judge, and Rauf Soulio and Paul Vincent Slattery, Judges of the District Court of South Australia, make the following Rules of Court.

1. These Rules may be cited as the District Court Criminal Rules 2014 (Amendment No 3).
2. The District Court Criminal Rules 2014 are amended as set out below.
3. The amendments made by these Rules come into effect on 27 June 2016 or the date of their gazettal, whichever is later.
4. Rule 4 is amended by inserting the following definitions:

pre-trial special hearing order means a pre-trial special hearing order under Section 12AB of the Evidence Act 1929;
5. Rule 49(1) is amended by inserting the following paragraphs immediately after paragraph (g):

“(ga) for or to vary or revoke a pre-trial special hearing order;

(gb) for admission of an audio visual record of evidence under Section 13BA of the Evidence Act 1929;

(gc) for communication assistance under Sections 13A and 14A of the Evidence Act 1929;

(gd) by a close relative for exemption from giving evidence under Section 21 of the Evidence Act 1929;”
6. Rule 49(4) is amended by:
 - (a) deleting “or” at the end of paragraph (a);
 - (b) inserting the following paragraph immediately after paragraph (a):

“(b) when it is an application for a pre-trial special hearing order; or”
 - (c) renumbering existing paragraph (b) as paragraph (c).
7. Rule 51 is amended by:
 - (a) inserting the following subrule immediately after subrule (1):

“(1A) An application for a pre-trial special hearing under Section 12AB of the Evidence Act 1929 is to be made no later than 21 calendar days before the first directions hearing.”
 - (b) inserting “calendar” before “days” in subrule (3);
 - (c) inserting the following subrule immediately after subrule (4):

“(4A) An application for admission of an audio visual record of evidence under Section 13BA of the Evidence Act 1929 is to be made no later than 28 calendar days before the listed trial date.”
 - (d) inserting “or 13A” after “13” in subrule (5).
8. A new Part 6A is inserted immediately after rule 57 as follows:

“Part 6A—Vulnerable witnesses

57A—Pre-trial special hearing

 - (1) An application under Section 12AB(1) of the Evidence Act 1929 for a pre-trial special hearing is to—
 - (a) be in a prescribed form;
 - (b) identify the age of the witness;

- (c) if the application is made on the ground that the witness has a disability that adversely affects the witness' capacity to give a coherent account of his or her experiences or to respond rationally to questions—
 - (i) identify that disability and why it has such adverse effect;
 - (ii) be supported by an affidavit deposing to the existence, nature and extent of the disability and its consequential effects on the witness's capacity of the witness;
- (d) identify why the special hearing is sought;
- (e) identify any physical disability or cognitive impairment of the witness that might make it desirable that the evidence be taken in a particular way under Section 12AB(2)(a)(ii) of the Evidence Act 1929;
- (f) identify any special measures sought to prevent the witness and the defendant from directly seeing or hearing each other before, during or after the hearing;
- (g) identify whether any communication assistance or accompaniment of the witness by a person for the purpose of providing emotional support is sought;
- (h) be accompanied by minutes of order addressing the matters referred to in 12AB(2) of the Evidence Act 1929;
- (i) be served on the other party or parties to the proceeding as soon as reasonably practicable after being filed.

Note—

Section 12AB(7)(c) requires an application to be served on the other party to the proceedings within 14 days of being filed in the Court.

- (2) An objection under Section 12AB(8) of the Evidence Act 1929 to an application for a pre-trial special hearing is to be—
 - (a) in a prescribed form;
 - (b) served on the applicant and any other parties as soon as reasonably practicable after being filed.

Note —

Section 12AB(8) requires an objection to be filed by a respondent within 14 days of service of the application on the respondent. Section 12AB(10) prescribes the consequences of no objection being filed within that period.

57B—Admission of audio visual record of evidence

An application under Section 13BA(1) of the Evidence Act 1929 for admission of evidence of a witness in the form of an audio visual record is to—

- (a) be in a prescribed form;
- (b) if the admission is sought of an audio visual recording taken under Section 12AB of the Evidence Act 1929—identify that fact and provide details of the order made and evidence given under that section;
- (c) if the admission is sought of an audio visual recording taken under Section 74EB of the Summary Offences Act 1953—
 - (i) identify that fact;
 - (ii) be supported by an affidavit deposing to compliance or non-compliance with the requirements under Section 74EB and to the extent of any identified non-compliance the facts by reason of which the interests of justice require the admission of the evidence despite the non-compliance;
- (d) be served on the other party or parties to the proceeding as soon as reasonably practicable after being filed.

Note—

Section 13BA(2)(c) requires an application to be served on the other party to the proceedings within 14 days of being filed in the Court.”

9. Rules 64(1) and 65(1) are amended by substituting the following note for the note at the end of each:

“Note—

Rule 51(3) requires an application to be made no later than 28 days before the listed trial date.”

Dated 20 June 2016.

G. L. MUECKE, Chief Judge
R. SOULIO, Judge
P. V. SLATTERY, Judge

South Australia
Supreme Court Criminal Supplementary Rules 2014
(Amendment No 2)

BY virtue and in pursuance of section 72 of the *Supreme Court Act 1935*, and all other enabling powers, we, Judges of the Supreme Court of South Australia, make the following *Supreme Court Criminal Supplementary Rules 2014 (Amendment No 2)*.

1. These Rules may be cited as the *Supreme Court Criminal Supplementary Rules 2014 (Amendment No 2)*.
2. The *Supreme Court Criminal Supplementary Rules 2014* are amended as set out below.
3. The amendments made by these Rules come into effect on 27 June 2016 or the date of their gazettal, whichever is later.
4. A new Part 6A is inserted immediately after rule 37 as follows:

“Part 6A—Vulnerable witnesses

37A—Pre-trial special hearing

- (1) An application under section 12AB(1) of the *Evidence Act 1929* for a pre-trial special hearing is to be in form 13A.
- (2) An objection under section 12AB(8) of the *Evidence Act 1929* to an application for a pre-trial special hearing is to be in form 13B.

37B—Admission of audio visual record of evidence

- (1) An application under section 13BA(1) of the *Evidence Act 1929* for admission of evidence of a witness in the form of an audio visual record made under section 12AB of the *Evidence Act 1929* is to be in form 13C.
 - (2) An application under section 13BA(1) of the *Evidence Act 1929* for admission of evidence of a witness in the form of an audio visual record made under section 74EB of the *Summary Offences Act 1953* is to be in form 13D.”
5. New Forms 13A to 13D in the Schedule are inserted in the Schedule to the *Supreme Court Criminal Supplementary Rules 2014* immediately after form 13.
 6. New Forms 34A to 34G in the Schedule are inserted in the Schedule to the *Supreme Court Criminal Supplementary Rules 2014* immediately after form 34.

THE SCHEDULE

Rule 57A(1)

Form 13A

Application for pre-trial special hearing

(insert front sheet)

APPLICATION FOR PRE-TRIAL SPECIAL HEARING

TO THE *(INSERT ROLE): (insert name of other party)*.....AND TO *(insert names of any others to whom notice of the application is to be given)*.....

.....

Application

The Director of Public Prosecutions/Defendant *(insert name)* *(delete whichever is inapplicable)* seeks the following orders:

1. That *(insert name)* give evidence at a pre-trial special hearing.
2. That the hearing be convened as a proceeding preliminary to the trial for the purpose of taking the evidence of the witness:
 - in a courtroom
 - at a location to be approved by the court *(insert details if another specific location is sought)*
(delete whichever is inapplicable).
3. That the hearing be convened for the following purposes:
 - a. examination of the witness;
 - b. cross-examination of the witness;
 - c. re-examination of the witness
(delete any if inapplicable).

4. That the evidence be taken in the following way to facilitate the taking of evidence from the witness or to minimise the witness's embarrassment or distress, namely (*insert manner*).
5. That the following measures be taken to prevent the witness and the defendant from directly seeing or hearing each other before, during or after the hearing, namely (*insert measures*).
6. That the witness be accompanied at the hearing by (*insert name of relative/friend/other person*) for the purpose of providing emotional support.
7. That the taking of the evidence at the hearing be transmitted to the defendant by means of closed circuit television.
8. That the evidence be taken with the following communication assistance due to the witness's complex communication needs, namely (*insert communication assistance*).
9. That an audio visual record of the evidence be made.
10. (*Insert details of any other orders sought*).

Endorsements

Application made pursuant to rule 57A of the *Supreme Court Criminal Rules 2014* and section 12AB of the *Evidence Act 1929*.

Grounds

The grounds relied upon are as follows: (*set out sufficient particulars to give proper notice of the issues to be raised so that the other party may determine whether to object and whether there will be a dispute on the relevant facts*).

1. The evidence of the witness is necessary for the purpose of the trial of the offence of (*insert offence*) because (*insert reasons*).

Note: the offence must be:

- a "serious offence against the person";
- contravening or failing to comply with an intervention order under the *Intervention Orders (Prevention of Abuse) 2009*; or
- contravening or failing to comply with a restraining order under the *Summary Procedure Act 1921*.

2. The witness is a witness to whom section 12AB applies because he/she is:
- a child under the age of 14 years having been born on *(insert date of birth)*;
 - a person with a disability that adversely affects his/her capacity to give a coherent account of his/her experiences or to respond rationally to questions.
- (delete whichever is inapplicable).*

Note: if the application is made on the ground of disability, the application must be supported by an affidavit addressing the disability.

3. The application is made for the witness to give evidence at a pre-trial special hearing because *(insert why order is sought)*.
4. The witness has a physical disability or cognitive impairment, namely *(insert details)* *(delete if inapplicable)*.
5. The witness has complex communication needs and requires communication assistance, namely *(insert details)* *(delete if inapplicable)*.

It is proposed that the communication assistance be provided by *(insert name)*, who:

- is/is not *(delete whichever is inapplicable)* to be called as a witness in the trial of the charge;
- is a communication partner for the purposes of the *Evidence Act 1929*;
- should be/is *(delete whichever is inapplicable)* approved by the Court to provide such assistance because *(insert details)*

(delete whichever is inapplicable).

Date:

(signed)

Director of Public Prosecutions

(or)

Defendant

(or)

Solicitor for the defendant

IMPORTANT NOTICE TO RESPONDENT

If you wish to oppose the application, you **MUST** file and serve a Notice of Objection (form 13B) within 14 days of service of this application on you. Otherwise the Court must make the order sought without reference to you.

If you file and serve a Notice of Objection within 14 days of service of this application on you, the application will be listed for hearing before a Judge. You will be notified by the Court of the date and time of the hearing.

Rule 57A(2)

Form 13B

Notice of objection to pre-trial special hearing

(insert front sheet)

NOTICE OF OBJECTION TO PRE-TRIAL SPECIAL HEARING

Objection

(name of person objecting)

of

.....

objects to the witness *(insert name)* being permitted to give evidence at a pre-trial special hearing.

The grounds of the objection are: *(insert a brief statement of the grounds of objection)*

.....
.....
.....

Date:

(signed)

Director of Public Prosecutions/Defendant/Solicitor for the Defendant *(delete whichever is inapplicable)*

Hearing

(When the application is to be given a separate listing date, the following will be completed by the Registry)

The application for a pre-trial special hearing will be heard before in the Supreme Court at on at or so soon afterwards as the business of the Court allows.

The courtroom in which the application will be heard will be published:

- on the Courts Administration Authority website the day before;
- in the Advertiser on the day; and
- on the notice board at the Courts Building.

The parties and all persons served with the application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it thinks fit.

Date:

(*signed*)
Registrar

Rules 57B

Form 13C Application for admission of audiovisual record (pre-trial special hearing)

*(insert front sheet)***APPLICATION FOR ADMISSION OF AUDIOVISUAL RECORD (PRE-TRIAL SPECIAL HEARING)**TO THE *(INSERT ROLE)*: *(insert name of other party)*.....AND TO *(insert names of any others to whom notice of the application is to be given)*.....

.....

Application

The Director of Public Prosecutions/Defendant *(insert name)*
 *(delete whichever is inapplicable)* seeks an order
 that the audio visual record of evidence of *(insert name)* made on *(insert date)* pursuant to
 section 12AB of the *Evidence Act 1929* be admitted in evidence at trial.

Endorsements

Application made pursuant to rule 57B of the *Supreme Court Criminal Rules 2014* and
 section 13BA of the *Evidence Act 1929*.

Grounds

The grounds relied upon are as follows: *(set out sufficient particulars to give proper notice of
 the issues to be raised so that the other party may determine whether there will be a dispute
 on the relevant facts)*

1. The audio visual record of the witness was made pursuant to section 12AB at a pre-trial special hearing on *(insert date)* before *(insert name of judicial officer)*.
2. The witness' capacity to give sworn/unsworn *(delete whichever is inapplicable)* evidence at the time the recording was made is evidenced by *(insert details)*.

3. The party/parties (*delete whichever is inapplicable*) against whom it is sought that the evidence be admitted has/have (*delete whichever is inapplicable*) been given a reasonable opportunity to view the recording, namely:
- (*insert name*) was notified on (*insert date*) by (*insert details of notification*) that the audio visual record was available for viewing at a time convenient;
 - (*insert name*) viewed the audio visual record on (*insert date*);
 - a copy of the audio visual record was provided to (*insert name*) on (*insert date*).
- (*delete whichever is inapplicable*).
4. The witness will be available, if required, during the course of the trial for further examination, cross-examination and re-examination.
5. It is proposed that the audiovisual record be edited to exclude evidence that is or may be inadmissible in the following manner, namely (*insert details*).

Date:

(*signed*)

Director of Public Prosecutions

(*or*)

Defendant

(*or*)

Solicitor for the defendant

(*delete whichever is inapplicable*)

Hearing

(*When the application is to be given a separate listing date, the following will be completed by the Registry*)

This application will be heard before.....in the Supreme Court
at.....on at or so soon
afterwards as the business of the Court allows.

The courtroom in which the application will be heard will be published:

- on the Courts Administration Authority website the day before;
- in the Advertiser on the day; and
- on the notice board at the Courts Building.

The parties and all persons served with this application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it thinks fit.

Date:

(signed)

Registrar

Rules 57B

Form 13D Application for admission of audiovisual record (Summary Offences Act)

*(insert front sheet)***APPLICATION FOR ADMISSION OF AUDIOVISUAL RECORD
(SUMMARY OFFENCES ACT)**TO THE *(INSERT ROLE): (insert name of other party)*.....AND TO *(insert names of any others to whom notice of the application is to be given)*.....

.....

Application

The Director of Public Prosecutions/Defendant *(insert name)*
 *(delete whichever is inapplicable)* seeks an order
 that the audio visual record of evidence of *(insert name)* made on *(insert date)* pursuant to
 section 74EB of the *Summary Offences Act 1953* be admitted in evidence at trial.

Endorsements

Application made pursuant to rule 57B of the *Supreme Court Criminal Rules 2014* and
 section 13BA of the *Evidence Act 1929*.

Grounds

The grounds relied upon are as follows: *(set out sufficient particulars to give proper notice of
 the issues to be raised so that the other party may determine whether there will be a dispute
 on the relevant facts)*

1. The audio visual record of the witness was made pursuant to section 74BE at an interview
 on *(insert date)* by *(insert name(s) of interviewer(s))*.

2. The witness's capacity to give sworn/unsworn (*delete one if only one form of giving evidence is applicable*) evidence at the time the recording was made is evidenced by (*insert details*)
3. The party/parties (*delete whichever is inapplicable*) against whom it is sought that the evidence be admitted has/have (*delete whichever is inapplicable*) been given a reasonable opportunity to view the recording, namely:
 - (*insert name*) was notified on (*insert date*) by (*insert details of notification*) that the audio visual record was available for viewing at a time convenient;
 - (*insert name*) viewed the audio visual record on (*insert date*);
 - a copy of the audio visual record was provided to (*insert name*) on (*insert date*).

(*delete whichever is inapplicable*).
4. The witness will be available, if required, during the course of the trial for further examination, cross-examination and re-examination.
5. The witness was born on (*insert date*).
6. The witness has a disability that adversely affects his/her capacity to give a coherent account of his/her experiences or to respond rationally to questions, namely (*insert disability*).
7. The evidence of the witness is relevant to the trial of the charge of (*insert offence*) against (*insert name of defendant*).

Note —

The offence must be a “serious offence against the person”.

8. The interview was conducted in accordance with section 74EB of the *Summary Offences Act 1953* except (*insert details of any non-compliance*).

Note —

The application must be supported by an affidavit deposing as to compliance with section 74EB of the *Summary Offences Act 1953*.

9. Notwithstanding such non-compliance, it is contended that the interests of justice require the admission of the evidence.

(delete if inapplicable)

Note —

If there is any non-compliance, the application must be supported by an affidavit deposing to the facts by reason of which the interests of justice requires the admission of the evidence despite the non-compliance.

10. It is proposed that the audiovisual record be edited to exclude evidence that is or may be inadmissible in the following manner, namely *(insert details)*.

Date:

(signed)

Director of Public Prosecutions

(or)

Defendant

(or)

Solicitor for the defendant

(delete whichever is inapplicable)

Hearing

(When the application is to be given a separate listing date, the following will be completed by the Registry)

This application will be heard before.....in the Supreme Court
at.....on at or so soon
afterwards as the business of the Court allows.

The courtroom in which the application will be heard will be published:

- on the Courts Administration Authority website the day before;
- in the Advertiser on the day; and
- on the notice board at the Courts Building.

The parties and all persons served with this application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it thinks fit.

Date:

(*signed*)

Registrar

Rule 95A

Form 34A

Application for Extended Supervision Order

*(insert front sheet)***APPLICATION FOR EXTENDED SUPERVISION ORDER***Criminal Law (High Risk Offenders) Act 2015 s 7(1)*TO: *THE RESPONDENT***Application**

The Attorney-General for the State of South Australia seeks the following orders and directions:

1. That the Court direct that one or more legally qualified medical practitioners examine the respondent and report to the Court with an assessment whether:
 - (i) there is a likelihood of the respondent committing a further serious sexual offence; or
 - (ii) there is a likelihood of the respondent committing a further serious offence of violence.

(delete whichever is inapplicable)
2. That the respondent be subject to an extended supervision order for a period of up to five years.
3. That the respondent be subject to an interim supervision order from the date of making the order until the application for the extended supervision order is determined.

Endorsements

Application made pursuant to section 7(1) of the *Criminal Law (High Risk Offenders) Act 2015*.

Interim order sought pursuant to section 9(1) of the *Criminal Law (High Risk Offenders) Act 2015*. *(delete if inapplicable)*

Grounds

The grounds relied upon are as follows:

- 1. The respondent was sentenced in the Supreme/District/Magistrates Court *(delete whichever is inapplicable)* on/...../20..... to a period of imprisonment ofwith a non-parole period of commencing on for the offence(s) of

or

The respondent was subject to an extended supervision order by this Honourable Court on/...../20..... commencing on/...../20..... for the period of

- 2. The date on which the term or terms of imprisonment expires is/...../20.....

or

The date on which the extended supervision order expires is/...../20.....

- 3. The respondent is currently in a prison/on parole/on home detention release *(delete whichever is inapplicable)* in respect of that term of imprisonment. *(delete if inapplicable)*.

- 4. The respondent is a high risk offender and poses an appreciable risk to the safety of the community if not supervised because
.....
.....

Date:

(*signed*)
Solicitor for the Applicant, Attorney-General for the State of South Australia

Hearing

This application will be heard before a Justice of the Supreme Court at Adelaide on at or so soon afterwards as the business of the Court allows.

The courtroom in which the application will be heard will be published:

- on the Courts Administration Authority website the day before;
- in the Advertiser on the day; and
- on the notice board at the Courts Building.

The parties and all persons served with this application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it thinks fit.

Date:

(*signed*)
Registrar

Rule 95A

Form 34B

Interim Supervision Order

*(insert proceeding heading)***INTERIM SUPERVISION ORDER***Criminal Law (High Risk Offenders) Act 2015 s 9***Particulars of Respondent**

Name:

Date of Birth:

Address:

Satisfaction

1. Upon the filing of an application under section 7(1) of the Act by Attorney-General for an Extended Supervision Order, a Judge of the Supreme Court is satisfied -
 - (a) that the relevant expiry date for the respondent is likely to occur before the application is determined, the said date being/...../20.....; and
 - (b) that the matters alleged in the material supporting the application would, if proved, justify the making of an extended supervision order.

Order

1. The Court makes an interim supervision order taking effect on the making of this order until the application for the extended supervision order is finally determined.
2. The conditions to which the respondent is subject are:
 - (a) that the respondent not commit any offence;
 - (b) that the respondent is prohibited from possessing a firearm or ammunition (both within the meaning of the *Firearms Act*) or any part of a firearm or offensive weapon unless the Supreme Court permits the person to possess such a weapon and the person complies with the terms and conditions of the permission;
 - (c) that the respondent is subject—
 - (i) to be under the supervision of a community corrections officer;
 - (ii) to obey the reasonable directions of the community corrections officer;

- (iii) to submit to such tests (including testing without notice) for gunshot residue as the community corrections officer may reasonably require;
- (d) any other condition that the Court thinks fit and specifies in the order;
- (e) any condition imposed by the Parole Board under section 11 of the Act.

Notification

TO THE PAROLE BOARD

AND TO THE CHIEF EXECUTIVE OFFICER OF THE DEPARTMENT FOR

CORRECTIONAL SERVICES

AND TO THE COMMISSIONER OF POLICE

Date order made and operative from:

(*signed*)
Justice (*name*)

Rule 95A

Form 34C

Extended Supervision Order

*(insert proceeding heading)***EXTENDED SUPERVISION ORDER***Criminal Law (High Risk Offenders) Act 2015 s 7(4)***Particulars of Respondent**

Name:

Date of Birth:

Address:

Satisfaction

1. A Judge of the Supreme Court has determined that the respondent is a high risk offender and poses an appreciable risk to the safety of the community if not supervised under this order.

Order

1. The respondent is to be subject to an extended supervision order for a period of..... *(no more than 5 years)* from the date of this order/until/...../20.... *(the relevant expiry date defined by section 4 of the Act) (delete whichever is inapplicable).*
2. The conditions to which the respondent is subject are:
 - (a) that the respondent not commit any offence;
 - (b) that the respondent is prohibited from possessing a firearm or ammunition (both within the meaning of the *Firearms Act 1977*) or any part of a firearm or offensive weapon unless the Supreme Court permits the person to possess such a weapon and the person complies with the terms and conditions of the permission;
 - (c) that the respondent is—
 - (i) to be under the supervision of a community corrections officer;
 - (ii) to obey the reasonable directions of the community corrections officer;

- (iii) to submit to such tests (including testing without notice) for gunshot residue as the community corrections officer may reasonably require;
 - (d) any other condition that the Court thinks fit and specifies in the order;
 - (e) any condition imposed by the Parole Board under section 11 of the Act.
3. This order takes effect on/...../20.....

Notification

TO THE PAROLE BOARD
AND TO THE CHIEF EXECUTIVE OFFICER OF THE DEPARTMENT FOR
CORRECTIONAL SERVICES
AND TO THE COMMISSIONER OF POLICE

Date order made:

(*signed*)
Justice (*name*)

Rule 95A

Form 34D Application to vary a condition of/revoke an Extended Supervision Order

(insert front sheet)

**APPLICATION TO VARY A CONDITION OF/REVOKE AN EXTENDED
SUPERVISION ORDER**

Criminal Law (High Risk Offenders) Act 2015 s 13

TO: *THE RESPONDENT*

Application

The Attorney-General for the State of South Australia seeks the following orders and directions:

1. That the Court vary the Extended Supervision Order made by the Supreme Court on.../.../20....; or
1. That the Court revoke the Extended Supervision Order made by the Supreme Court on.../.../20....

(delete whichever is inapplicable).

OR

Application

The person subject to the Extended Supervision Order seeks the following orders and directions:

1. That permission be granted by the Court to vary the Extended Supervision Order made by the Supreme Court on.../.../20....; or
1. That permission be granted by the Court to revoke the Extended Supervision Order made by the Supreme Court on.../.../20....

(delete whichever is inapplicable).

Endorsements

Application made pursuant to section 13(1) of the *Criminal Law (High Risk Offenders) Act 2015*.

Grounds

The grounds relied upon are as follows:

1. The applicant/respondent was made subject to an Extended Supervision Order on/...../20....by Justice, the order commencing on/...../20.... for a period of.....years.
2. The date on which the Order is due to expire is/...../20.....
3. The variation to the conditions sought are:
4. The grounds for revoking/varying (*delete whichever is inapplicable*) the order are:
.....

Date:

(*signed*)
Solicitor for the Applicant, Attorney-General for the State of South
Australia/Applicant

Hearing

This application will be heard before a Justice of the Supreme Court at Adelaide on at or so soon afterwards as the business of the Court allows.

The courtroom in which the application will be heard will be published:

- on the Courts Administration Authority website the day before;
- in the Advertiser on the day; and
- on the notice board at the Courts Building.

The parties and all persons served with this application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it thinks fit.

Date:

(*signed*)
Registrar

Rule 95B

Form 34E

Order and warrant for interim detention

*(insert proceeding heading)***ORDER AND WARRANT FOR INTERIM DETENTION***Criminal Law (High Risk Offenders) Act 2015 s 18(4)***Particulars of Respondent**

Name:

Date of Birth:

Address:

Background

1. A judge of the Supreme Court determined that the respondent was a high risk offender and on .../.../20....made the respondent subject to an extended supervision order and that the order be for a period of.....from/...../20....

Order

1. The respondent is to be detained at a Correctional Services Institution pending the determination of the proceedings.

Warrant

TO THE SHERIFF

AND TO THE COMMISSIONER OF POLICE AND MEMBERS OF THE POLICE
FORCEAND TO THE CHIEF EXECUTIVE OF THE DEPARTMENT OF CORRECTIONAL
SERVICES

The respondent named in this warrant is subject of a determination as to whether he/she has breached conditions of an Extended Supervision Order pursuant to section 18(4) of the *Criminal Law (High Risk Offenders) Act 2015*.

You, the Sheriff, and you, the Commissioner of Police and Members of the Police Force, are directed to convey the defendant to the institution referred to above.

The respondent is to be taken to a Correctional Services Institution to await further hearing and determination by the Supreme Court.

You, the Chief Executive of the Department of Correctional Services are directed to detain the respondent until the conclusion of the matter and deliver him/her to court from time to time for the continuation of the hearings.

Warrant issued pursuant to section 18(4) of the Act:

Dated:

(*signed*)
Justice (*name*)

Rule 95B

Form 34F

Order and warrant for detention

(insert proceeding heading)

ORDER AND WARRANT FOR DETENTION
Criminal Law (High Risk Offenders) Act 2015 s 18(6)

Particulars of Respondent

Name:

Date of Birth:

Address:

Background

1. A judge of the Supreme Court determined that the respondent was a high risk offender and on .../.../20....made the respondent subject to an extended supervision order for a period of.....from/...../20....
2. The Court determined that the respondent has breached the conditions of the extended supervision order and that the respondent should be detained in custody.

Order

1. The respondent is to be detained at a Correctional Services Institution until/...../20....

Warrant

TO THE SHERIFF

AND TO THE COMMISSIONER OF POLICE AND MEMBERS OF THE POLICE
FORCEAND TO THE CHIEF EXECUTIVE OF THE DEPARTMENT OF CORRECTIONAL
SERVICES

The respondent named in this warrant has breached conditions of an Extended Supervision Order pursuant to section 18(6) of the *Criminal Law (High Risk Offenders) Act 2015*.

You, the Sheriff, and you, the Commissioner of Police and Members of the Police Force, are directed to convey the defendant to a Correctional Services Institution.

You, the Chief Executive of the Department of Correctional Services are directed to detain him/her in custody until/...../20.....

Warrant issued pursuant to section 18(6) of the Act:

Dated:

(*signed*)
Justice (*name*)

Rule 95B

Form 34G

Application to vary/revoke a Continuing Detention Order

*(insert front sheet)***APPLICATION TO VARY/REVOKE A CONTINUING DETENTION ORDER***Criminal Law (High Risk Offenders) Act 2015 s 19*TO: *THE RESPONDENT***Application**

The Attorney-General for the State of South Australia/The Parole Board of South Australia
(delete whichever is inapplicable) seeks the following orders and directions:

1. That the Court vary the Continuing Detention Order made by the Supreme Court on
..../..../20....; *or*
1. That the Court revoke the Continuing Detention Order made by the Supreme Court on
..../..../20....
(delete whichever is inapplicable).

OR**Application**

The person subject to the Continuing Detention Order seeks the following orders and directions:

1. That permission be granted by the Court for the applicant to apply to vary the Continuing Detention Order made by the Supreme Court on/..../20....; *or*
2. That permission be granted by the Court for the applicant to apply to revoke the Continuing Detention Order made by the Supreme Court on/..../20....
(delete whichever is inapplicable).

Endorsements

Application made pursuant to section 19(1) of the *Criminal Law (High Risk Offenders) Act 2015*.

Grounds

The grounds relied upon are as follows:

1. The applicant/respondent was made subject to an Extended Supervision Order on/...../20.... by Justice, the order commencing on/...../20.... for a period of.....years.
2. The Extended Supervision Order was revoked on/...../20.... and an order made for Continuing Detention was made, commencing on/...../20.... and due to expire on/...../20....
3. The variation to the Extended Supervision Order sought is:
(*delete if inapplicable*).
4. The grounds for revoking/varying (*delete whichever is inapplicable*) the order are:
.....

Date:

(*signed*)
Solicitor for the Applicant, Attorney-General for the State of South
Australia/Parole Board of South Australia/Applicant (*delete whichever is
inapplicable*).

Hearing

This application will be heard before a Justice of the Supreme Court at Adelaide on at or so soon afterwards as the business of the Court allows.

The courtroom in which the application will be heard will be published:

- on the Courts Administration Authority website the day before;
- in the Advertiser on the day; and
- on the notice board at the Courts Building.

The parties and all persons served with this application are required then to attend if they wish to be heard on the application and, in their absence, the Court may make such order as it thinks fit.

Date:

(*signed*)
Registrar

GIVEN under our hands and the Seal of the Supreme Court of South Australia

This 17TH day of May 2016.

C. KOURAKIS, Chief Judge
A. M. VANSTONE, Judge
P. KELLY, Judge
D. H. PEEK, Judge
M. F. BLUE, Judge
T. L. STANLEY, Judge
K. G. NICHOLSON, Judge
A. E. BAMPION, Judge
G. J. PARKER, Judge
D. C. LOVELL, Judge
S. DOYLE, Judge
M. HINTON, Judge

South Australia

Supreme Court Criminal Rules 2014 (Amendment No 3)

BY virtue and in pursuance of section 72 of the *Supreme Court Act 1935*, and all other enabling powers, we, Judges of the Supreme Court of South Australia, make the following *Supreme Court Criminal Rules 2014 (Amendment No 3)*.

1. These Rules may be cited as the *Supreme Court Criminal Rules 2014 (Amendment No 3)*.
2. The *Supreme Court Criminal Rules 2014* are amended as set out below.
3. The amendments made by these Rules come into effect on 27 June 2016 or the date of their gazettal, whichever is later.
4. Rule 4 is amended by inserting the following definitions:

pre-trial special hearing order means a pre-trial special hearing order under section 12AB of the *Evidence Act 1929*;
5. Rule 49(1) is amended by inserting the following paragraphs immediately after paragraph (g):

“(ga) for or to vary or revoke a pre-trial special hearing order;

(gb) for admission of an audio visual record of evidence under section 13BA of the *Evidence Act 1929*;

(gc) for communication assistance under sections 13A and 14A of the *Evidence Act 1929*;

(gd) by a close relative for exemption from giving evidence under section 21 of the *Evidence Act 1929*;
6. Rule 49(4) is amended by:
 - (a) deleting “or” at the end of paragraph (a);
 - (b) inserting the following paragraph immediately after paragraph (a):

“(b) when it is an application for a pre-trial special hearing order; or”
 - (c) renumbering existing paragraph (b) as paragraph (c).
7. Rule 51 is amended by:
 - (a) inserting the following subrule immediately after subrule (1):

“(1A) An application for a pre-trial special hearing under section 12AB of the *Evidence Act 1929* is to be made no later than 21 calendar days before the first directions hearing.”
 - (b) inserting “calendar” before “days” in subrule (3);
 - (c) inserting the following subrule immediately after subrule (4):

“(4A) An application for admission of an audio visual record of evidence under section 13BA of the *Evidence Act 1929* is to be made no later than 28 calendar days before the listed trial date.”
 - (d) inserting “or 13A” after “13” in subrule (5).

8. A new Part 6A is inserted immediately after rule 57 as follows:

“Part 6A—Vulnerable witnesses

57A—Pre-trial special hearing

- (1) An application under section 12AB(1) of the *Evidence Act 1929* for a pre-trial special hearing is to—
- (a) be in a prescribed form;
 - (b) identify the age of the witness;
 - (c) if the application is made on the ground that the witness has a disability that adversely affects the witness’ capacity to give a coherent account of his or her experiences or to respond rationally to questions—
 - (i) identify that disability and why it has such adverse effect;
 - (ii) be supported by an affidavit deposing to the existence, nature and extent of the disability and its consequential effects on the witness’s capacity of the witness;
 - (d) identify why the special hearing is sought;
 - (e) identify any physical disability or cognitive impairment of the witness that might make it desirable that the evidence be taken in a particular way under section 12AB(2)(a)(ii) of the *Evidence Act 1929*;
 - (f) identify any special measures sought to prevent the witness and the defendant from directly seeing or hearing each other before, during or after the hearing;
 - (g) identify whether any communication assistance or accompaniment of the witness by a person for the purpose of providing emotional support is sought;
 - (h) be accompanied by minutes of order addressing the matters referred to in 12AB(2) of the *Evidence Act 1929*;
 - (i) be served on the other party or parties to the proceeding as soon as reasonably practicable after being filed.

Note —

Section 12AB(7)(c) requires an application to be served on the other party to the proceedings within 14 days of being filed in the Court.

- (2) An objection under section 12AB(8) of the *Evidence Act 1929* to an application for a pre-trial special hearing is to be—
- (a) in a prescribed form;
 - (b) served on the applicant and any other parties as soon as reasonably practicable after being filed.

Note —

Section 12AB(8) requires an objection to be filed by a respondent within 14 days of service of the application on the respondent. Section 12AB(10) prescribes the consequences of no objection being filed within that period.

57B—Admission of audio visual record of evidence

An application under section 13BA(1) of the *Evidence Act 1929* for admission of evidence of a witness in the form of an audio visual record is to—

- (a) be in a prescribed form;
- (b) if the admission is sought of an audio visual recording taken under section 12AB of the *Evidence Act 1929*—identify that fact and provide details of the order made and evidence given under that section;
- (c) if the admission is sought of an audio visual recording taken under section 74EB of the *Summary Offences Act 1953*—
 - (i) identify that fact;
 - (ii) be supported by an affidavit deposing to compliance or non-compliance with the requirements under section 74EB and to the extent of any identified non-compliance the facts by reason of which the interests of justice require the admission of the evidence despite the non-compliance;
- (d) be served on the other party or parties to the proceeding as soon as reasonably practicable after being filed.

Note —

Section 13BA(2)(c) requires an application to be served on the other party to the proceedings within 14 days of being filed in the Court.”

9. Rules 64(1) and 65(1) are amended by substituting the following note for the note at the end of each:

“**Note —**

Rule 51(3) requires an application to be made no later than 28 days before the listed trial date.”

GIVEN under our hands and the Seal of the Supreme Court of South Australia

This 17TH day of May 2016.

C. KOURAKIS, Chief Judge
A. M. VANSTONE, Judge
P. KELLY, Judge
D. H. PEEK, Judge
M. F. BLUE, Judge
T. L. STANLEY, Judge
K. G. NICHOLSON, Judge
A. E. BAMPTON, Judge
G. J. PARKER, Judge
D. C. LOVELL, Judge
S. DOYLE, Judge
M. HINTON, Judge

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2015

	\$		\$
Agents, Ceasing to Act as.....	51.00	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	33.75
Incorporation	26.00	Discontinuance Place of Business.....	33.75
Intention of Incorporation	64.00	Land—Real Property Act:	
Transfer of Properties	64.00	Intention to Sell, Notice of.....	64.00
Attorney, Appointment of.....	51.00	Lost Certificate of Title Notices	64.00
Bailiff's Sale.....	64.00	Cancellation, Notice of (Strata Plan)	64.00
Cemetery Curator Appointed.....	37.75	Mortgages:	
Companies:		Caveat Lodgement	26.00
Alteration to Constitution	51.00	Discharge of.....	27.25
Capital, Increase or Decrease of	64.00	Foreclosures.....	26.00
Ceasing to Carry on Business	37.75	Transfer of	26.00
Declaration of Dividend.....	37.75	Sublet.....	13.00
Incorporation	51.00	Leases—Application for Transfer (2 insertions) each	13.00
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each	37.75
First Name.....	37.75	Licensing.....	75.50
Each Subsequent Name.....	13.00	Municipal or District Councils:	
Meeting Final.....	42.50	Annual Financial Statement—Forms 1 and 2	712.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	506.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	101.00
First Name.....	51.00	Each Subsequent Name.....	13.00
Each Subsequent Name	13.00	Noxious Trade	37.75
Notices:		Partnership, Dissolution of	37.75
Call.....	64.00	Petitions (small).....	26.00
Change of Name.....	26.00	Registered Building Societies (from Registrar-General)	26.00
Creditors.....	51.00	Register of Unclaimed Moneys—First Name	37.75
Creditors Compromise of Arrangement	51.00	Each Subsequent Name	13.00
Creditors (extraordinary resolution that 'the		Registers of Members—Three pages and over:	
Company be wound up voluntarily and that a liquidator be		Rate per page (in 8pt)	324.00
appointed')	64.00	Rate per page (in 6pt)	428.00
Release of Liquidator—Application—Large Ad.....	101.00	Sale of Land by Public Auction.....	64.50
—Release Granted.....	64.00	Advertisements.....	3.60
Receiver and Manager Appointed.....	58.50	¼ page advertisement	151.00
Receiver and Manager Ceasing to Act.....	51.00	½ page advertisement	302.00
Restored Name.....	47.75	Full page advertisement.....	591.00
Petition to Supreme Court for Winding Up.....	88.50	Advertisements, other than those listed are charged at \$3.60 per	
Summons in Action.....	75.50	column line, tabular one-third extra.	
Order of Supreme Court for Winding Up Action	51.00	Notices by Colleges, Universities, Corporations and District	
Register of Interests—Section 84 (1) Exempt	114.00	Councils to be charged at \$3.60 per line.	
Removal of Office.....	26.00	Where the notice inserted varies significantly in length from	
Proof of Debts	51.00	that which is usually published a charge of \$3.60 per column line	
Sales of Shares and Forfeiture.....	51.00	will be applied in lieu of advertisement rates listed.	
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Assigned	37.75	condition that they will not be reproduced without prior	
Deceased Persons—Notice to Creditors, etc.	64.00	permission from the Government Printer.	
Each Subsequent Name	13.00		
Deceased Persons—Closed Estates.....	37.75		
Each Subsequent Estate.....	1.70		
Probate, Selling of	51.00		
Public Trustee, each Estate	13.00		

All the above prices include GST

GOVERNMENT GAZETTE NOTICES

Notices for publication in the *South Australian Government Gazette* should be emailed to GovernmentGazetteSA@sa.gov.au. Content should be sent as Word format attachment(s). Covering emails should include the date the notice is to be published and to whom the notice will be charged. **Closing time for lodgement is 4 p.m. on the Tuesday preceding the regular Thursday publication.** Gazette enquiries to: **Phone 8207 1045**. The *Government Gazette* is available online at: www.governmentgazette.sa.gov.au.

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2015

Acts, Bills, Rules, Parliamentary Papers and Regulations

Pages	Main	Amends	Pages	Main	Amends
1-16	3.20	1.50	497-512	43.00	42.00
17-32	4.10	2.55	513-528	44.25	42.75
33-48	5.45	3.85	529-544	45.75	44.25
49-64	6.85	5.30	545-560	47.25	45.75
65-80	7.95	6.60	561-576	48.25	47.25
81-96	9.30	7.70	577-592	50.00	47.75
97-112	10.60	9.05	593-608	51.00	49.25
113-128	11.80	10.50	609-624	52.50	51.00
129-144	13.20	11.70	625-640	53.50	52.00
145-160	14.60	13.00	641-656	55.00	53.50
161-176	15.80	14.30	657-672	56.00	54.00
177-192	17.20	15.60	673-688	57.50	56.00
193-208	18.60	17.10	689-704	58.50	56.50
209-224	19.60	18.10	705-720	60.00	58.00
225-240	20.90	19.40	721-736	61.50	59.00
241-257	22.50	20.50	737-752	62.00	60.50
258-272	23.80	21.70	753-768	64.00	61.50
273-288	24.90	23.60	769-784	65.00	64.00
289-304	26.25	24.50	785-800	66.00	65.00
305-320	27.75	26.00	801-816	67.50	65.50
321-336	28.75	27.25	817-832	69.00	67.50
337-352	30.25	28.50	833-848	70.50	69.00
353-368	31.00	30.00	849-864	72.00	70.00
369-384	32.75	31.00	865-880	73.50	72.00
385-400	34.25	32.50	881-896	74.00	72.50
401-416	35.50	33.50	897-912	75.50	74.00
417-432	37.00	35.25	913-928	76.00	75.50
433-448	38.00	36.75	929-944	77.50	76.00
449-464	39.00	37.50	945-960	78.50	77.00
465-480	39.50	38.75	961-976	82.00	78.00
481-496	42.00	39.50	977-992	83.00	78.50

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South Australia

Emergency Services Funding (Declaration of Levy and Area and Land Use Factors) Notice 2016

under section 10 of the *Emergency Services Funding Act 1998*

1—Short title

This notice may be cited as the *Emergency Services Funding (Declaration of Levy and Area and Land Use Factors) Notice 2016*.

2—Commencement

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

3—Interpretation

In this notice—

Act means the *Emergency Services Funding Act 1998*.

4—Declaration of levy

The levy under Part 3 Division 1 of the Act for the 2016/2017 financial year comprises—

- (a) an amount of 0.1266 cents in respect of each dollar of the value of land subject to assessment; and
- (b) a fixed charge of \$50 for each piece, section or aggregation of contiguous or non-contiguous land subject to separate assessment.

5—Declaration of area factors

The area factors for each of the emergency services areas for the 2016/2017 financial year are as follows:

- (a) Regional area 1—0.8;
- (b) Regional area 2—0.5;
- (c) Regional area 3—0.2;
- (d) Regional area 4—1.0.

6—Declaration of land use factors

The land use factors for each of the land uses referred to in section 8(1) of the Act for the 2016/2017 financial year are as follows:

- (a) commercial—1.044;
- (b) industrial—1.815;
- (c) residential—0.4;
- (d) rural—0.3;
- (e) all other uses—0.5.

7—Relevant day

The relevant day for the purposes of section 8 of the Act in respect of the 2016/2017 financial year is 30 June 2016.

8—Required statement of amount and description of method used to determine amount

The following information is provided in accordance with section 10(6) of the Act:

- (a) the Minister has determined under section 10(4)(a) of the Act that \$244.4 million needs to be raised by means of the levy under Part 3 Division 1 of the Act to fund emergency services in the 2016/2017 financial year;
- (b) the method used for determining the amount referred to in paragraph (a) is as follows:
 - (i) a strategic and business planning process was undertaken to establish a strategic context for assessing amounts to be expended for the kinds of emergency services and other purposes referred to in section 28(4) of the Act;
 - (ii) the amount to be raised from the levy under Part 3 Division 1 of the Act was determined on the basis of—
 - (A) forward estimates of expenditure for emergency services during the 2016/2017 financial year, consistent with the 2016/2017 budget but excluding any expenditure carried over from previous years; and
 - (B) the shortfall between projected 2016/2017 emergency services expenditure and projected 2016/2017 revenue from the levy under Part 3 Division 2 of the Act and non-levy revenue (such as interest earnings) paid into the Community Emergency Services Fund.

Made by the Governor

on the recommendation of the Treasurer and with the advice and consent of the Executive Council
on 23 June 2016

T&F16/039CS

South Australia

Emergency Services Funding (Declaration of Levy for Vehicles and Vessels) Notice 2016

under section 24 of the *Emergency Services Funding Act 1998*

1—Short title

This notice may be cited as the *Emergency Services Funding (Declaration of Levy for Vehicles and Vessels) Notice 2016*.

2—Commencement

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

3—Interpretation

In this notice—

Act means the *Emergency Services Funding Act 1998*.

4—Financial year to which notice applies

This notice applies in relation to the 2016/2017 financial year.

5—Declaration of levy in respect of vehicles and vessels

For the purposes of section 24 of the Act—

- (a) motor vehicles are divided into the same classes as the Premium Class Code published by the Motor Accident Commission (and in force at the time of publication of this notice); and
- (b) those classes are grouped into tiers and exempt motor vehicles as set out in Schedule 1; and
- (c) the amount of the levy in respect of the tiers of motor vehicles is as follows:
 - (i) Tier 1—\$32;
 - (ii) Tier 2—\$12;
 - (iii) Tier 3—\$8; and
- (d) the amount of the levy in respect of vessels is \$12.

Note—

The Minister may, by notice in the Gazette under section 25 of the Act, exempt motor vehicles or vessels of a class specified in the notice from the imposition of a levy.

Schedule 1—Classes of motor vehicles

Tier 1—

- 1—District 1 Cars, multi passenger or motor homes seating up to 12 No ITC entitlement
- 2—District 1 Light goods No ITC entitlement

- 3—District 1 Medium goods ITC entitled
- 4—District 1 Primary production—goods ITC entitled
- 5—District 1 Taxis ITC entitled
- 6—District 1 Hire and drive yourself
- 7—District 1 Public passenger—up to 12 passengers ITC entitled
- 8—District 1 Public passenger—13-35 passengers ITC entitled
- 9—District 1 Public passenger—35+ passengers ITC entitled
- 10—District 1 Public passenger, no fare No ITC entitlement
- 15—District 1 Motorcycle—51cc-250cc No ITC entitlement
- 16—District 1 Motorcycle—251cc-660cc No ITC entitlement
- 20—District 1 Motorcycle—661cc+ No ITC entitlement
- 21—District 1 Heavy goods (over 35 tonnes GVM) ITC entitled
- 22—District 1 Light car carrier ITC entitled
- 23—District 1 Medium car carrier ITC entitled
- 24—District 1 Heavy car carrier ITC entitled
- 25—District 1 Trailer car carrier ITC entitled
- 26—District 1 Light car carrier No ITC entitlement
- 27—District 1 Medium car carrier No ITC entitlement
- 28—District 1 Heavy car carrier No ITC entitlement
- 29—District 1 Special purpose/miscellaneous ITC entitled
- 32—District 1 Municipal bus ITC entitled
- 33—District 1 Special purpose/miscellaneous No ITC entitlement
- 35—District 1 Motorcycle—51cc-250cc ITC entitled
- 36—District 1 Motorcycle—251cc-660cc ITC entitled
- 40—District 1 Motorcycle—661cc+ ITC entitled
- 41—District 1 Cars, multi passenger or motor homes seating up to 12 ITC entitled
- 42—District 1 Light goods ITC entitled
- 43—District 1 Medium goods No ITC entitlement
- 44—District 1 Goods carrying, primary producers No ITC entitlement
- 45—District 1 Public passenger, no fare ITC entitled
- 46—District 1 Heavy goods No ITC entitlement
- 47—District 1 Public passenger—up to 12 passengers No ITC entitlement
- 50—District 1 Municipal bus No ITC entitlement
- 105—District 1 Taxis No ITC entitlement
- 106—District 1 Hire and drive yourself No ITC entitlement
- 108—District 1 Public passenger—13-35 passengers No ITC entitlement
- 109—District 1 Public passenger—35+ passengers No ITC entitlement
- 125—District 1 Trailer car carrier No ITC entitlement
- 51—District 2 Cars, multi passenger or motor homes seating up to 12 No ITC entitlement
- 52—District 2 Light goods carrier No ITC entitlement

- 53—District 2 Medium goods carrier ITC entitled
- 55—District 2 Taxis ITC entitled
- 56—District 2 Hire and drive yourself ITC entitled
- 57—District 2 Public passenger—up to 12 passengers ITC entitled
- 58—District 2 Public passenger—13-35 passengers ITC entitled
- 59—District 2 Public passenger—35+ passengers ITC entitled
- 66—District 2 Motorcycle—251cc-660cc No ITC entitlement
- 70—District 2 Motorcycle—661cc+ No ITC entitlement
- 71—District 2 Heavy goods ITC entitled
- 72—District 2 Light car carrier ITC entitled
- 73—District 2 Medium car carrier ITC entitled
- 74—District 2 Heavy car carrier ITC entitled
- 76—District 2 Light car carrier No ITC entitlement
- 77—District 2 Medium car carrier No ITC entitlement
- 78—District 2 Heavy car carrier No ITC entitlement
- 82—District 2 Municipal bus ITC entitled
- 86—District 2 Motorcycle—251cc-660cc ITC entitled
- 90—District 2 Motorcycle—661cc+ ITC entitled
- 91—District 2 Cars, multi passenger or motor homes seating up to 12 ITC entitled
- 92—District 2 Light goods ITC entitled
- 93—District 2 Medium goods carrier No ITC entitlement
- 96—District 2 Heavy goods No ITC entitlement
- 97—District 2 Public passenger—up to 12 passengers No ITC entitlement
- 100—District 2 Municipal bus No ITC entitlement
- 155—District 2 Taxis No ITC entitlement
- 156—District 2 Hire and drive yourself No ITC entitlement
- 158—District 2 Public passenger—13-35 passengers No ITC entitlement
- 159—District 2 Public passenger—35+ passengers No ITC entitlement

Tier 2—

- 14—District 1 Motorcycle—not exceeding 50cc No ITC entitlement
- 34—District 1 Motorcycle—not exceeding 50cc ITC entitled
- 54—District 2 Primary producer's goods carrying vehicles ITC entitled
- 60—District 2 Public passenger no fare No ITC entitlement
- 64—District 2 Motorcycle—not exceeding 50cc No ITC entitlement
- 65—District 2 Motorcycle—51cc-250cc No ITC entitlement
- 75—District 2 Car carrier—trailers ITC entitled
- 79—District 2 Special purpose/miscellaneous ITC entitled
- 83—District 2 Special purpose/miscellaneous No ITC entitlement
- 84—District 2 Motorcycle—not exceeding 50cc ITC entitled
- 85—District 2 Motorcycle—51cc-250cc ITC entitled

94—District 2 Goods carrying, primary producers No ITC entitlement

95—District 2 Public passenger no fare ITC entitled

175—District 2 Car carrier—trailers No ITC entitlement

Tier 3—

11—District 1 Trailers No ITC entitlement

19—District 1 Historic and left hand drive ITC entitled

31—District 1 Trailers ITC entitled

39—District 1 Historic and left hand drive No ITC entitlement

61—District 2 Trailers No ITC entitlement

69—District 2 Historic and left hand drive ITC entitled

81—District 2 Trailers ITC entitled

89—District 2 Historic and left hand drive No ITC entitlement

Exempt motor vehicles (vehicles of a class exempt from imposition of levy by Minister by notice under section 25 of Act)—

12—District 1 Motor trade plate ITC entitled

17—District 1 Permit No ITC entitlement

18—District 1 Conditionally registered farm tractors etc No ITC entitlement

37—District 1 Permit ITC entitled

38—District 1 Conditionally registered farm tractors ITC entitled

102—District 1 Motor trade plate No ITC entitlement

62—District 2 Motor trade plate ITC entitled

67—District 2 Permit No ITC entitlement

68—District 2 Conditionally registered farm tractors No ITC entitlement

87—District 2 Permit ITC entitled

88—District 2 Conditionally registered farm tractors ITC entitled

152—District 2 Motor trade plate No ITC entitlement

Made by the Governor

on the recommendation of the Treasurer and with the advice and consent of the Executive Council
on 23 June 2016

T&F16/039CS

South Australia

Emergency Management (Miscellaneous) Amendment Act (Commencement) Proclamation 2016

1—Short title

This proclamation may be cited as the *Emergency Management (Miscellaneous) Amendment Act (Commencement) Proclamation 2016*.

2—Commencement of Act

The *Emergency Management (Miscellaneous) Amendment Act 2016* (No 18 of 2016) will come into operation on 1 July 2016.

Made by the Governor

with the advice and consent of the Executive Council
on 23 June 2016

DPC16/056CS

South Australia

Statutes Amendment (Vulnerable Witnesses) Act (Commencement) Proclamation 2016

1—Short title

This proclamation may be cited as the *Statutes Amendment (Vulnerable Witnesses) Act (Commencement) Proclamation 2016*.

2—Commencement of Act

The *Statutes Amendment (Vulnerable Witnesses) Act 2015* (No 16 of 2015) will come into operation on 1 July 2016.

Made by the Governor

with the advice and consent of the Executive Council
on 23 June 2016

AGO0073/16CS

South Australia

National Parks and Wildlife (Clinton Conservation Park—Mining Rights) Proclamation 2016

under section 43 of the *National Parks and Wildlife Act 1972*

Preamble

- 1 The Crown land described in Schedule 1, together with other land, is, by another proclamation made on this day, added to the Clinton Conservation Park under section 29(3) of the *National Parks and Wildlife Act 1972*.
- 2 It is intended that, by this proclamation, certain existing rights of entry, prospecting, exploration or mining be preserved in relation to the land described in Schedule 1.

1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Clinton Conservation Park—Mining Rights) Proclamation 2016*.

2—Commencement

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

3—Interpretation

In this proclamation—

Environment Minister means the Minister for the time being administering the *National Parks and Wildlife Act 1972*;

Mining Minister means the Minister for the time being administering the *Mining Act 1971* or the Minister for the time being administering the *Petroleum and Geothermal Energy Act 2000*, as the case requires.

4—Existing rights to continue

Subject to clause 5, existing rights of entry, prospecting, exploration or mining under the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* may continue to be exercised in respect of the land described in Schedule 1.

5—Conditions for exercise of rights

A person in whom rights of entry, prospecting, exploration or mining are vested pursuant to the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* must not exercise those rights in respect of the land described in Schedule 1 unless the person complies with the following conditions:

- (a) if work to be carried out in relation to the land in the exercise of those rights is a regulated activity within the meaning of the *Petroleum and Geothermal Energy Act 2000*, the person must ensure that—

- (i) the work is not carried out until a statement of environmental objectives in relation to the activity that has been approved under that Act has also been approved by the Environment Minister; and
 - (ii) the work is carried out in accordance with the statement as so approved;
- (b) if work to be carried out in relation to the land in the exercise of rights under the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* has not previously been authorised (whether by inclusion in an approved statement of environmental objectives referred to in paragraph (a) or otherwise), the person must give at least 3 months notice of the proposed work to the Mining Minister and the Environment Minister and supply each Minister with such information relating to the proposed work as the Minister may require;
- (c) if directions are agreed between the Mining Minister and the Environment Minister and given to the person in writing in relation to—
 - (i) carrying out work in relation to the land in a manner that minimises damage to the land (including the land's vegetation and wildlife) and the environment generally; or
 - (ii) preserving objects, structures or sites of historical, scientific or cultural interest; or
 - (iii) rehabilitating the land (including the land's vegetation and wildlife) on completion of the work,(being directions that do not reduce or otherwise detract from any requirement in respect of any of those matters contained in an approved statement of environmental objectives referred to in paragraph (a)), the person must comply with those directions in carrying out the work;
- (d) if a plan of management is in operation under section 38 of the *National Parks and Wildlife Act 1972* in respect of the land, the person must have regard to the provisions of the plan of management;
- (e) in addition to complying with the other requirements of this proclamation, the person—
 - (i) must take such steps as are reasonably necessary to ensure that objects, structures and sites of historical, scientific or cultural interest and the land's vegetation and wildlife are not unduly affected by any work; and
 - (ii) must maintain all work areas in a clean and tidy condition; and
 - (iii) must, on the completion of any work, obliterate or remove all installations and structures (other than installations and structures designated by the Mining Minister and the Environment Minister as suitable for retention) used exclusively for the purposes of that work;
- (f) if no direction has been given by the Mining Minister and the Environment Minister under paragraph (c)(iii), the person must (in addition to complying with any approved statement of environmental objectives referred to in paragraph (a)) rehabilitate the land (including its vegetation and wildlife) on completion of any work to the satisfaction of the Environment Minister.

6—Governor may give approvals, directions

If—

- (a) the Environment Minister does not approve a statement of environmental objectives under clause 5(a); or
- (b) the Mining Minister and the Environment Minister cannot agree as to whether a direction should be given under clause 5(c),

the Governor may, with the advice and consent of the Executive Council—

- (c) grant or refuse the necessary approval under clause 5(a); or
- (d) give a direction in writing under clause 5(c).

Schedule 1—Description of land

Sections 570, 582, 631 and 632, Hundred of Clinton, County of Daly;

Closed Road D in Road Plan 1926A, Hundred of Clinton, County of Daly;

Section 652, Hundred of Goyder, County of Stanley;

Sections 282, 293, 294 and 441, Hundred of Inkerman, County of Gawler;

Allotment 313 in Deposited Plan 45552, Hundred of Inkerman, County of Gawler.

Made by the Governor

with the advice and consent of the Executive Council

on 23 June 2016

16MSECCS030

South Australia

National Parks and Wildlife (Clinton Conservation Park) Proclamation 2016

under section 29(3) of the *National Parks and Wildlife Act 1972*

1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Clinton Conservation Park) Proclamation 2016*.

2—Commencement

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

3—Alteration of boundaries of Clinton Conservation Park

The boundaries of the Clinton Conservation Park are altered by adding to the Park the following Crown land:

Sections 570, 582, 631 and 632, Hundred of Clinton, County of Daly;

Allotment 102 in Deposited Plan 91763, Hundred of Clinton, County of Daly;

Closed Road D in Road Plan 1926A, Hundred of Clinton, County of Daly;

Section 652, Hundred of Goyder, County of Stanley;

Sections 282, 293, 294 and 441, Hundred of Inkerman, County of Gawler;

Allotment 313 in Deposited Plan 45552, Hundred of Inkerman, County of Gawler.

Made by the Governor

with the advice and consent of the Executive Council
on 23 June 2016

16MSECCS030

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CITY OF PORT ADELAIDE ENFIELD

Assignment of Names for New Roads and a Public Road

NOTICE is hereby given that the Council of the City of Port Adelaide Enfield at its meetings held on 8 March 2016 and 10 May 2016, resolved pursuant to Section 219 (1) of the Local Government Act 1999, that certain new roads and a public road all now located in the suburb of Lightsvue be assigned the street names, as detailed below:

Anderson Lane, Broadstock Street, David Campbell Circuit, East Parkway, Florey Lane, Harper Circuit, Heysen Lane, Mills Avenue, Pavy Close, Richardson Road, South Parkway, Stuart Lane, Thiele Lane, Warren Lane and Wiltshire Drive.

Plans that delineate the new roads and the public road that have been assigned street names, together with a copy of the Council's resolutions are all available for inspection at the Council's Principal Office, 163 St Vincent Street, Port Adelaide, Enfield Library Council Office, 1-9 Kensington Crescent, Enfield and Greenacres Library Council Office, 2 Fosters Road, Greenacres during their normal business hours.

M. WITHERS, Chief Executive Officer

DISTRICT COUNCIL OF CEDUNA

Adoption of 2016-2017 Annual Business Plan

PURSUANT to and in accordance with Section 123 of the Local Government Act 1999 and Regulation 6 of the Local Government (Financial Management) Regulations 2011, and having considered all submissions in accordance with Section 123 (6) of the Local Government Act 1999, the Council adopt the 2016-2017 Annual Business Plan as presented.

Adoption of 2016-2017 Annual Budget

Pursuant to, and in accordance with Section 123 of the Local Government Act 1999 and Regulation 7 of the Local Government (Financial Management) Regulations 2011, the Council adopt a budget comprising the following Financial Budget Statements for 2016-2017 as presented having considered the budget in conjunction with, and determined it to be consistent with, the Council's Annual Business Plan.

Adoption of Valuations

In accordance with Section 167 (2) (a) of the Local Government Act 1999, the Council adopt, for the financial year ending 30 June 2017, the most recent valuations of the Valuer-General available to the Council of Site Values that are to apply to land in the area of the Council for rating purposes, with the total of the valuations being \$201 524 800.

Differential General Rates

That, having taken into account the general principles of rating contained in Section 150 of the Local Government Act 1999 and the requirements of Section 153 (2) of the Local Government Act 1999, pursuant to Sections 153 (1) (b) and 156 (1) (b) of the Local Government Act 1999, the Council declare the following differential general rates on the assessed Site Values of all rateable land for the financial year ending 30 June 2017 varying on the basis of the locality of the land.

(a) Ceduna

In respect of land within the township of Ceduna:

- (i) For land within the Industry Zone and within, Decres Bay Policy Area 11 as described in that part of the Development Plan consolidated 18 October 2012 (refer map CED/30) under the Development Act 1993 applicable to Council: 28.77387 cents in the \$;
- (ii) for all other land within the township of Ceduna: 1.48720 cents in the \$

(b) Thevenard

In respect of land within the township of Thevenard: 1.32163 cents in the \$

(c) Smoky Bay

In respect of land within the township of Smoky Bay: 1.12848 cents in the \$

(d) Denial Bay

In respect of land within the township of Denial Bay: 0.98030 cents in the \$

(e) Ceduna Waters

In respect of land within the locality of Ceduna Waters: 1.33848 cents in the \$

(f) Rural

In respect of all other land not hereinbefore referred to in the Council area: 1.33848 cents in the \$

Fixed Charge

Pursuant to Sections 151 (1) (c) and 152 (1) (c) of the Local Government Act 1999, for the financial year ending 30 June 2017, the Council declares a fixed charge of \$700 in respect of each separate piece of rateable land in the area of the Council.

Maximum Increase

Pursuant to Section 153 (3) of the Local Government Act 1999, the Council determine that it will not fix a maximum increase in the general rate to be charged on rateable land within its area that constitutes the principal place of residence of a principal ratepayer.

Community Wastewater Management Systems

Pursuant to and in accordance with Section 155 of the Local Government Act 1999, the Council impose the following annual service charge based on the nature of the service and varying according to the CWMS Property Units Code in accordance with Regulation 12 (4) (b) of the Local Government (General) Regulations 2013 on all land in the Townships of Ceduna, Thevenard and Smoky Bay excluding land within Smoky Bay Aquaculture Park, to which it provides or makes available the Community Wastewater Management Systems being prescribed services for the collection, treatment and disposal of waste for the financial year ending 30 June 2017:

- (i) Occupied Unit \$461
- (ii) Vacant Unit \$346

Smoky Bay Aquaculture Park

Pursuant to and in accordance with Section 155 of the Local Government Act 1999, the Council impose the following annual service charge based on the nature of the service and varying according to the CWMS Property Units Code in accordance with Regulation 12 (4) (b) of the Local Government (General) Regulations 2013 on all land within Smoky Bay Aquaculture Park to which it provides or makes available the Community Wastewater Management Systems being prescribed services for the collection, treatment and disposal of waste for the financial year ending 30 June 2017:

- (i) Per Unit \$134

Annual Waste Management Charge

Pursuant to and in accordance with Section 155 of the Local Government Act 1999, the Council impose the following annual service charge based on the level of usage of the service, on all land to which the Council provides or makes available the prescribed service of the collection, treatment or disposal (including by re-cycling) of waste for the financial year ending 30 June 2017:

- (i) Occupied Unit \$134.90

Ceduna Water West Service Charge

Pursuant to and in accordance with Section 155 of the Local Government Act the Council impose the following annual service charge based on the level of usage of the service and land use in accordance with Regulation 12 (4) (a) of the Local Government (General) Regulations 2013, on all land to which the Council provides or makes available the prescribed service of the supply of potable water on the Ceduna Water West Scheme for the financial year ending 30 June 2017:

- (a) All unconnected properties where the service is made available, a Water Service Charge of \$248 per assessment.
- (b) All connected properties with a Local Government Land Use Code of Residential, Vacant Land or Commercial—Other:
 - (i) Supply of one (1) water meter to one assessment, a Water Service Charge of \$413.38 per assessment, or

- (ii) Supply of two (2) water meters to one assessment, a Water Service Charge of \$826.76 per assessment.
- (c) All connected properties not hereinbefore referred to in the Service Area, and
- (i) Supply of one (1) water meter to one assessment, a Water Service Charge of \$706.58 per assessment, or
- (ii) Supply of two (2) water meters to one assessment, a Water Service Charge of \$1 413.16 per assessment.

Eyre Peninsula Natural Resources Management Board Levy

Pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999 in order to reimburse the Council for amounts contributed to the Eyre Peninsula Natural Resources Management Board, the Council declare a separate rate based on a fixed charge on all rateable land in the area of the Council for the financial year ending 30 June 2017 of \$79.20.

Payment of Rates

Pursuant to Section 181 of the Local Government Act 1999, all rates declared or payable in respect of or during the financial year ending 30 June 2017 will fall due in four equal or approximately equal instalments, and that these instalments will fall due on:

1st Instalment	2 September 2016;
2nd Instalment	2 December 2016;
3rd Instalment	3 March 2017; and
4th Instalment	2 June 2017.

AERODROME FEES ACT 1998

NOTICE is hereby given that, pursuant to the Aerodrome Fees Act 1998, the District Council of Ceduna hereby advises that Arrival and Departure Fees at the Ceduna Airport are fixed as follows and are effective from 1 August 2016:

Landing Fees

General Aviation Landing Fee—\$15.83/tonne for all aircraft (including helicopters) except Regular Passenger Transport.

Passenger Fees

Regular Passenger Transport operations:

- Arrival Fees—\$15.83 per person.
Departure Fees—\$15.83 per person.

Charter Fees

- Arrival Fees—\$15.83 per person.
Departure Fees—\$15.83 per person.

Note—all above fees are GST inclusive.

G. M. MOFFATT, Chief Executive Officer

DISTRICT COUNCIL OF COOBER PEDY

ELECTION RESULTS

*Supplementary Election for Two Area Councillors,
Conducted on Wednesday, 15 June 2016*

Formal Ballot Papers: 390
Informal Ballot Papers: 4
Quota: 131

Candidates	First Preference Votes	Result after Distribution of Preferences
Hauri, Christel	36	Excluded
Wayne, Renata	37	Excluded
Naumovic, George.....	66	
Helfand, Kenneth	49	Excluded
Wayne, Nigel.....	76	Elected 2
Staines, Harley	48	Excluded
Trueman, Brett Christopher.....	12	Excluded
Freytag, Justin	66	Elected 1

D. GULLY, Returning Officer

DISTRICT COUNCIL OF FRANKLIN HARBOUR

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that the District Council of Franklin Harbour at its meeting held on 8 June 2016, resolved for the 2016-2017 financial year:

Adoption of Capital Valuations

Pursuant to Section 167 (2) (a) of the Local Government Act 1999, adopts for the year ending 30 June 2017 for rating purposes, the valuations of the Valuer-General of capital values in relation to the area of the Council totalling \$275 149 140.

Declaration of Rates

Pursuant to Sections 153 (1) (b) and 156 (1) (c) of the Local Government Act 1999, the District Council of Franklin Harbour declares the following Differential Rates based on the assessed capital value of all rateable properties within the Council for the financial year ending 30 June 2017, the said differential general rates to vary by reference to the land use and to locality in which the rateable land is situated:

- Rateable land with land use Residential—0.2000 cents in the dollar;
- Rateable land with land use Commercial Shop—0.2000 cents in the dollar;
- Rateable land with land use Commercial Other—0.2000 cents in the dollar;
- Rateable land with land use Industry Light—0.2000 cents in the dollar;
- Rateable land with land use Industry Other—0.2000 cents in the dollar;
- Rateable land with the Commercial (Bulk Handling) Zone—1.0751 cents in the dollar;
- Rateable land with land use Primary Production—0.4880 cents in the dollar;
- Rateable land with land use Vacant Land—0.4880 cents in the dollar; and
- Rateable land with land use Other—0.2000 cents in the dollar.

Declaration of a Fixed Charge

Pursuant to Section 152 (1) (c) of the Local Government Act 1999, the District Council of Franklin Harbour declares a fixed charge of \$327 on each separate assessed rateable property for the financial year ending 30 June 2017.

Declaration of a Separate Rate—Natural Resources Management Levy

Pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999, and in order to reimburse Council for amounts contributed to the Eyre Peninsula Natural Resources Management Board, being \$76 986 declare a separate rate based on a fixed charge of \$79.95 on all rateable properties within the area of the Council and of the Board for the year ending 30 June 2017.

Declaration of an Annual Service Charge—Garbage

Pursuant to Section 155 (1) (b) of the Local Government Act 1999, the District Council of Franklin Harbour declares an Annual Service Charge of \$220 for all occupied properties in Cowell, Port Gibbon and Lucky Bay for the first service and \$150 for each additional service for the year ended 30 June 2017.

Declaration of an Annual Service Charge—Lucky Bay Water

Pursuant to Section 155 (1) (a) of the Local Government Act 1999, declares an Annual Service Charge of \$270 for the Lucky Bay water supply capital and maintenance costs for the year ended 30 June 2017.

Separate Rate—Lucky Bay Erosion Projection Investigation

Pursuant to Section 154 (2) (c) of the Local Government Act 1999, and in order to reimburse Council for expenditure on the Erosion Projection Investigation and Design project, declares a separate rate based on a fixed charge of \$59.93 on all rateable properties within Lucky Bay for the year ending 30 June 2017.

Declaration of an Annual Service Charge—Port Gibbon Water

Pursuant to Section 155 (1) (a) of the Local Government Act 1999, declares an Annual Service Charge of \$270 for the Port Gibbon water supply capital and maintenance costs for the year ended 30 June 2017.

Declaration of an Annual Service Charge—Port Gibbon CWMS

Pursuant to Section 155 (1) (a) of the Local Government Act 1999, declares an Annual Service Charge of \$430 for the Port Gibbon CWMS capital and maintenance costs for the year ended 30 June 2017.

Declaration of Payment of Rates

Pursuant to Section 181 of the Local Government Act 1999, the District Council of Franklin Harbour declares that the rates for the financial year ending 30 June 2017 will fall due in four equal or approximately equal instalments payable on 15 September 2016, 15 December 2016, 15 March 2017 and 15 June 2017.

C. SMITH, Chief Executive Officer

KANGAROO ISLAND COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Opening and Closure—Kingscote and Wisanger

NOTICE is hereby given, pursuant to Section 10 of the Roads (Opening and Closing) Act 1991, that the Kangaroo Island Council proposes to make a Road Process Order to:

- (i) open as road portion of allotment 1 in Deposited Plan 69789 and allotment 1 in Deposited Plan 56506, more particularly delineated and numbered '1' and '2', respectively on Preliminary Plan No. 16/0010, forming a re-alignment of the adjoining Public Road.
- (ii) close portion of the unnamed Public Road adjoining Allotment 1 in Deposited Plan 56506 and Section 370, Hundred of Menzies, more particularly delineated and lettered 'B' on the Preliminary Plan No. 16/0010. Closed road 'B' is to be merged with Allotment 1 in Deposited Plan 56506.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Kangaroo Island Council, Dauncey Street, Kingscote and the Adelaide office of the Surveyor-General, during normal office hours.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, Kangaroo Island Council, P.O. Box 121, Kingscote, S.A. 5223 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 23 June 2016.

A. BOARDMAN, Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Review of Elector Representation

NOTICE is hereby given that the District Council of Kimba is undertaking a review to determine whether a change of arrangements are required in respect to elector representation so as to ensure that the electors of the area being adequately and fairly represented.

Pursuant to the provisions of Section 12 (7) of the Local Government Act 1999, notice is hereby given that Council has prepared a representation options paper which examines the advantages and disadvantages of the various options available in regards to the composition and structure of Council, and the division of the Council area into wards.

Copies of the representation options paper are available on the Council's website (www.kimba.sa.gov.au) and for inspection and/or purchase at the Council Office, Cross Street, Kimba.

Written submissions are invited from interested persons from Thursday, 23 June 2016 and should be directed to the Chief Executive Officer, P.O. Box 189, Kimba, S.A. 5641, or emailed to

council@kimba.sa.gov.au by close of business on Friday, 5 August 2016.

Information regarding the representation review can be obtained by contacting the Chief Executive Officer on telephone 8627 2026 or by emailing council@kimba.sa.gov.au.

D. CEARNS, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1 of 2016—Permits and Penalties

A by-law to create a permit system for Council by-laws, to fix maximum and continuing penalties for offences, and to clarify the construction of Council by-laws.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Permits and Penalties By-law 2016 and is By-law No. 1 of the District Council of Robe.

2. *Authorising law*

This by-law is made under Section 246 of the Act.

3. *Purpose*

The objects of this by-law are to provide for the good rule and government of the Council area, and for the convenience, comfort and safety of its inhabitants by:

- 3.1 creating a permit system for Council by-laws;
- 3.2 providing for the enforcement of breaches of Council by-laws and fixing penalties; and
- 3.3 clarifying the construction of Council by-laws.

4. *Commencement, revocation and expiry*

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 1—Permits and Penalties 2009.²

4.2 This by-law will expire on 1 January 2024.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. *Application*

5.1 This by-law applies throughout the Council's area.

6. *Interpretation*

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *Council* means District Council of Robe;
- 6.3 *person* includes a body corporate.

Note:

Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Act.

7. *Construction of by-laws generally*

7.1 Every by-law of the Council is subject to any Act of Parliament and Regulations made thereunder;

7.2 In any by-law of the Council, unless the contrary intention appears *permission* means permission of the Council, or a person authorised by the Council for that purpose, granted in writing prior to the act, event or activity to which it relates.

PART 2—PERMITS AND PENALTIES

8. *Permits*

8.1 Where a by-law requires that permission be obtained, any person seeking the grant of permission must submit a written application to the Council in the form (if any) and

accompanied by the fee (if any) prescribed by the Council;

8.2 The Council, or such other person authorised by the Council, may attach such conditions as it thinks fit to a grant of permission, and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission;

8.3 A person granted permission must comply with every such condition. Failure to do so is an offence;

8.4 The Council, or such other person authorised by the Council, may suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.

9. Offences and penalties

9.1 A person who acts in contravention of any by-law of the Council is guilty of an offence and may be liable to pay:

9.1.1 the maximum penalty, being the maximum penalty referred to in the Act that may be fixed by a by-law for any breach of a by-law; or

9.1.2 subject to any resolution of the Council to the contrary, the expiation fee fixed by the Act for alleged offences against by-laws, being a fee equivalent to 25 per cent of the maximum penalty fixed for any breach of a by-law.

9.2 A person who commits a breach of a by-law of the Council of a continuing nature is guilty of an offence and, in addition to any other penalty that may be imposed, is liable to a further penalty for every day on which the offence continues, such penalty being the maximum amount referred to in the Act that may be fixed by a by-law for a breach of a by-law of a continuing nature.

Note:

The maximum penalty for a breach of a by-law is currently \$750, and the maximum penalty for every day in which a breach of a continuing nature continues is currently \$50—see Section 246 (3) (g) of the Act.

Pursuant to Section 246 (5) of the Act expiation fees may be fixed for alleged offences against by-laws either by a by-law or by resolution of the Council. However, an expiation fee fixed by the Council cannot exceed 25 per cent of the maximum penalty for the offence to which it relates.

This by-law was duly made and passed at a meeting of the Council of the District Council of Robe held on 14 June 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. SWEETMAN, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2 of 2016—Local Government Land

A by-law to regulate the access to and use of Local Government land (other than roads), and certain public places.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Local Government Land By-law 2016 and is By-law No. 2 of the District Council of Robe.

2. Authorising law

This by-law is made under Sections 238 and 246 of the Act and Section 18A of the Harbors and Navigation Act 1993.

3. Purpose

The objectives of this by-law are to regulate the access to and use of Local Government land (other than roads), and certain public places:

- 3.1 to prevent and mitigate nuisances;
- 3.2 to prevent damage to Local Government land;
- 3.3 to protect the convenience, comfort and safety of members of the public;
- 3.4 to enhance the amenity of the Council area; and
- 3.5 for the good rule and government of the area.

4. Commencement, revocation and expiry

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 2—Local Government Land 2009.²

4.2 This by-law will expire on 1 January 2024.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. Application

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016.

5.2 Subject to Clauses 5.3 and 5.4, this by-law applies throughout the Council area.

5.3 Clauses 9.2, 9.7.1, 9.7.3, 9.8.1, 9.23.3, 9.24.2-9.24.4, 9.25, 9.27.2, 9.38, 10.1.4, 10.4 and 10.11.2 of this by-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.

5.4 Clauses 9.12.2 (b) and 9.34 of this by-law only apply throughout the Council area except in such part or parts of the Council area as the Council may by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. Interpretation

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *animal or animals* includes birds and insects but does not include a dog;
- 6.3 *authorised person* has the same meaning as in the Act;
- 6.4 *boat* includes a raft, pontoon or personal watercraft or other similar device;
- 6.5 *camp* includes setting up a camp, or causing a tent, caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 6.6 *Council* means the District Council of Robe;
- 6.7 *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;
- 6.8 *effective control* means a person exercising effective control of an animal either:
 - 6.8.1 by means of a physical restraint; or
 - 6.8.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times.
- 6.9 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014;
- 6.10 *emergency vehicle* has the same meaning as in the Australian Road Rules;
- 6.11 *foreshore* means land extending from the low water mark on the seashore in the Council's area to the nearest road or section boundary, or for a distance of 50 metres from the high water mark (whichever is the lesser);
- 6.12 *funeral ceremony* means a ceremony only (i.e. a memorial service) and does not include a burial;
- 6.13 *liquor* has the same meaning as in the Liquor Licensing Act 1997;
- 6.14 *Lake Butler Marina* means the Local Government land identified in the plan attached to this by-law and marked 'Attachment A';
- 6.15 *Local Government land* means all land owned by the Council or under the Council's care, control and management (except roads);
- 6.16 *low water mark* means the lowest meteorological tide;

- 6.17 *offensive* includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
- 6.18 *open container* means a container which:
- 6.18.1 after the contents of the container have been sealed at the time of manufacture:
- (a) being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
- (b) being a can, it has been opened or punctured;
- (c) being a cask, it has had its tap placed in a position to allow it to be used;
- (d) being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or
- (e) is a flask, glass, mug or other container able to contain liquid.
- 6.19 *personal watercraft* means a device that:
- 6.19.1 is propelled by a motor; and
- 6.19.2 has a fully enclosed hull; and
- 6.19.3 is designed not to retain water if capsized; and
- 6.19.4 is designed to be operated by a person who sits astride, stands, or kneels on the device;
- and includes the device commonly referred to as a jet ski.
- 6.20 *recreation ground* means Local Government land commonly used for playing sports or games, or accommodating the spectators at any sport or game, and any area of land contiguous thereto and used in connection with it;
- 6.21 *tobacco product* has the same meaning as in the Tobacco Products Regulation Act 1997;
- 6.22 *vehicle* has the same meaning as in the Road Traffic Act 1961; and
- 6.23 *waters* includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council.

Note:

Section 14 of the Acts Interpretation Act 1915 provides that an expression used in a by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2—ACCESS TO LOCAL GOVERNMENT LAND

7. *Access*

Note:

Pursuant to Section 238 (3) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government land (under Section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

The Council may:

- 7.1 close, or regulate or restrict access to, any part of Local Government land to the public for specified times and days; and
- 7.2 fix charges or fees payable for entry onto any part of Local Government land.

8. *Closed lands*

A person must not without permission, enter or remain on any Local Government land:

- 8.1 which has been closed, or in respect of which access by the public is regulated or restricted in accordance with Clause 7.1;
- 8.2 where entry fees or charges are payable, without paying those fees or charges; or
- 8.3 where the land has been enclosed by fences and/or walls and gates that have been closed and locked.

PART 3—USE OF LOCAL GOVERNMENT LAND

9. *Activities requiring permission*

Note:

Pursuant to Section 238 (3) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government land (under

Section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

A person must not without the permission of the Council, do any of the following on Local Government land.

9.1 *Advertising*

Subject to Clause 14.2, display, paint or erect any sign or hoarding for the purpose of commercial advertising or any other purpose.

9.2 *Alcohol*

Consume, carry or be in possession or in charge of any liquor on Local Government land comprising parks or reserves to which the Council has determined this paragraph applies.

9.3 *Amplification*

Use an amplifier or other mechanical or electrical device for the purpose of amplifying sound.

9.4 *Animals*

On Local Government land other than the foreshore:

- 9.4.1 cause or allow an animal to stray onto, move over, graze or be left unattended on the land; or
- 9.4.2 cause or allow an animal to enter, swim, bathe or remain in any waters located on the land; or
- 9.4.3 lead, herd or exercise an animal, 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 provided that the animal or animals are under effective control.

On Local Government land comprising the foreshore:

- 9.4.4 cause or allow a sheep, cow, goat or horse to enter, swim, bathe or remain in any waters; or
- 9.4.5 lead, herd or exercise a sheep, cow, goat or horse.

9.5 *Attachments*

Attach anything to a tree, plant, equipment, fence, post, building, structure or fixture on Local Government land.

9.6 *Bees*

Place a hive of bees on such land, or allow it to remain thereon.

9.7 *Boats*

Subject to the provisions of the Harbors and Navigation Act 1993 and the Marine Safety (Domestic Commercial Vessel) National Law:

- 9.7.1 launch or retrieve a boat to or from any waters where the Council has determined that this subclause applies;
- 9.7.2 launch or retrieve a boat to or from any waters other than from a boat ramp constructed for that purpose;
- 9.7.3 propel, float or otherwise use a boat on or in any waters except any waters where the Council has determined this clause applies;
- 9.7.4 hire out a boat or otherwise use a boat for commercial purposes; or
- 9.7.5 moor a boat on any waters or to a pontoon attached to Local Government land.

9.8 *Boat Ramps*

9.8.1 Launch or retrieve a boat from or onto any boat ramp on Local Government land to which the Council has determined this clause applies:

- (a) without having purchased a short term ticket or been granted a launch permit; and
- (b) other than in accordance with the conditions attaching to a short term ticket or a launch permit (as the case may be).

9.8.2 For the purposes of this Clause 9.8.1, the following definitions apply:

- (a) *launch permit* means a permit issued by the Council and/or its agent upon application and which authorises the launch of a boat from a boat ramp in accordance with the conditions determined by the Council;

(b) *short term ticket* means a ticket purchased from a vending machine located at or in the vicinity of a boat ramp that authorises a single launch of a boat from the boat ramp in accordance with the conditions determined by the Council and, which is valid until midnight of the day of purchase.

9.9 *Bridge Jumping*

Jump or dive from a bridge or jetty on Local Government land.

9.10 *Buildings*

Use a building, or structure on Local Government land for a purpose other than its intended purpose.

9.11 *Burials and Memorials*

9.11.1 Bury, inter or spread the ashes of any human or animal remains.

9.11.2 Erect any memorial.

9.12 *Camping and Tents*

9.12.1 Erect a tent or other structure of calico, canvas, plastic or similar material.

9.12.2 Camp or sleep overnight:

(a) unless in a caravan park on Local Government land, the proprietor of which has been given permission to operate the caravan park on that land; or

(b) other than in an area that the Council has, by resolution, designated for camping and in accordance with such time limits and other conditions determined by resolution of the Council (if any).

9.13 *Canvassing*

Subject to Clause 14.2, convey any advertising, religious or other message to any bystander, passer-by or other.

9.14 *Defacing Property*

Deface, paint, spray, write, cut names, letters or make marks on any tree, rock, gate, fence, building, sign, bridge or property of the Council.

9.15 *Depasturing*

Cause, suffer or allow any horse, cattle, sheep, goat or other animal under his or her control to depasture thereon.

9.16 *Distribution*

Subject to Clause 14.2, place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person.

9.17 *Donations*

Ask for or receive or indicate that he or she desires a donation of money or any other thing.

9.18 *Entertainment and Busking*

9.18.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money;

9.18.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.

9.19 *Equipment*

Use an item of equipment, facilities or property belonging to the Council if that person is of or over the age indicated by a sign or notice as the age limit for using such equipment, facility or property.

9.20 *Fires*

Subject to the Fire and Emergency Services Act 2005 light a fire except:

9.20.1 in a place provided by the Council for that purpose; or

9.20.2 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.

9.21 *Fireworks*

Ignite or discharge any fireworks.

9.22 *Flora and Fauna*

Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:

9.22.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;

9.22.2 cause or allow an animal to stand or walk on any flower bed or garden plot;

9.22.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;

9.22.4 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;

9.22.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;

9.22.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;

9.22.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature; or

9.22.8 burn any timber or dead wood.

9.23 *Foreshore*

On Local Government land comprising the foreshore:

9.23.1 drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or set aside by the Council for that purpose;

9.23.2 drive or propel a vehicle on the foreshore except on an area or road that is constructed or set aside by the Council for that purpose;

9.23.3 drive a vehicle on any foreshore area to which the Council has determined this clause applies;

9.23.4 launch or retrieve a boat from the foreshore without using a boat ramp or thoroughfare constructed or set aside by the Council for that purpose;

9.23.5 allow a vehicle to remain stationary on a boat ramp longer than is necessary to launch or retrieve a boat; or

9.23.6 hire out a boat on or from the foreshore.

9.24 *Games*

9.24.1 Participate in, promote or organise any organised competition or sport, as distinct from organised social play;

9.24.2 Play or practice any game which involves kicking, hitting or throwing a ball or other object on Local Government land to which the Council has resolved this subclause applies;

9.24.3 Play or practice the game of golf on Local Government land to which the Council has resolved this subclause applies;

9.24.4 Engage or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies.

9.25 *Marina*

Within those parts of Lake Butler Marina to which the Council has determined this clause applies:

9.25.1 lay an anchor, moor a boat or otherwise secure a boat within a marina berth;

9.25.2 allow, cause or permit a vessel to be left unattended unless, subject to this by-law, it is securely moored within a marina berth.

9.26 *Marine Life*

Introduce any marine life to any waters located on Local Government land.

9.27 *Model Aircraft, Boats and Cars*

Subject to the Civil Aviation Safety Regulations 1998:

- 9.27.1 fly or operate a model or drone aircraft, boat or model or remote control car in a manner which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of the land or detract from or be likely to detract from another person's lawful use of and enjoyment of the land; or
- 9.27.2 fly or operate a model or drone aircraft, boat or model or remote control car on any Local Government land to which the Council has resolved this subclause applies.
- 9.28 *Overhanging Articles or Displaying Personal Items*
Suspend or hang an article or object from a building, verandah, pergola, post or other structure on Local Government land where it might present a nuisance or danger to a person using the land or be of an unsightly nature.
- 9.29 *Playing Area*
Use or occupy a recreation ground:
- 9.29.1 in such a manner as to damage or be likely to damage the surface of the recreation ground or infrastructure (above and under ground level);
- 9.29.2 in a manner contrary to the purpose for which the recreation ground was intended to be used or occupied; or
- 9.29.3 contrary to any directions of the Council made by resolution and indicated on a sign displayed adjacent to the recreation ground.
- 9.30 *Pontoons*
Install or maintain a pontoon or jetty in any waters.
- 9.31 *Preaching*
Preach, harangue or solicit for religious or charitable purposes.
- 9.32 *Ropes*
Place a buoy, cable, chain, hawser, rope or net in or across any waters.
- 9.33 *Sand Dunes, Coastal Slopes and Cliffs*
- 9.33.1 Use a sand board or other item to slide down a sand dune, coastal slope or cliff;
- 9.33.2 Destabilise sand on a sand dune, coastal slope or cliff so as to cause it to unnecessarily mass waste down slope;
- 9.33.3 Ride a horse on a sand dune or coastal slope except in an area designated by the Council by resolution;
- 9.33.4 Carry out any other activity that may threaten the integrity of a sand dune, coastal slope or cliff.
- 9.34 *Swimming*
Subject to the provisions of the Harbors and Navigation Act 1993 swim in, bathe or enter any waters except:
- 9.34.1 in an area which the Council has determined may be used for such purposes; and
- 9.34.2 in accordance with any conditions that the Council may have determined by resolution apply to such use.
- 9.35 *Trading*
Sell, buy, offer or display anything for sale.
- 9.36 *Vehicles*
- 9.36.1 Drive or propel a vehicle except on an area or road constructed and set aside by the Council for that purpose;
- 9.36.2 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose;
- 9.36.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.
- 9.37 *Weddings, Functions and Special Events*
- 9.37.1 Hold, conduct or participate in a marriage ceremony, funeral or special event;
- 9.37.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event;
- 9.37.3 Hold or conduct any filming where the filming is for a commercial purpose.
- 9.38 *Wheeled Recreational Devices*
Subject to the Road Traffic Act 1961, ride on a skateboard or use roller skates or blades, or similar devices on Local Government land to which the Council has resolved this paragraph applies.
10. *Prohibited activities*
A person must not do any of the following on Local Government land.
- 10.1 *Animals*
- 10.1.1 Cause or allow any animal to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming;
- 10.1.2 Cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place;
- 10.1.3 Lead, herd drive, ride or exercise any horse, cattle, camel or sheep or permit any horse, cattle, camel or sheep to be led, herded, driven, ridden or exercised on any land to which the Council has determined this subclause applies;
- 10.1.4 Allow any horse, cattle, camel or sheep to be let loose or left unattended on any land to which the Council has determined this subclause applies.
- 10.2 *Annoyance*
Do anything likely to offend or unreasonably interfere with any other person:
- 10.2.1 using that land; or
- 10.2.2 occupying nearby premises, by making a noise or creating a disturbance.
- 10.3 *Equipment*
Use any item of equipment, facilities or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it.
- 10.4 *Fishing*
Fish in any waters to which the Council has determined this subclause applies.
- 10.5 *Glass*
Wilfully break any glass, china or other brittle material.
- 10.6 *Interference with Land*
Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:
- 10.6.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 10.6.2 erecting or installing a structure in, on, across, under or over the land;
- 10.6.3 changing or interfering with the construction, arrangement or materials of the land;
- 10.6.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 10.6.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.
- 10.7 *Interference with Permitted Use*
Interrupt or interfere with any other person's use of Local Government land for which permission has been granted by the Council.

10.8 *Nuisance*
Behave in such a manner as to cause discomfort, inconvenience, annoyance or offence to any other person.

10.9 *Playing Games*

Play or practice a game or sport:

10.9.1 which is likely to cause damage to the land or anything on it;

10.9.2 which endangers the safety or interferes with the comfort of any person;

10.9.3 in any area where a sign indicates that the game or sport is prohibited.

10.10 *Rubbish and Rubbish Dumps*

10.10.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government land;

10.10.2 Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a Council rubbish bin on Local Government land.

10.11 *Smoking*

Subject to the Tobacco Products Regulation Act 1997, smoke, hold or otherwise have control over an ignited tobacco product:

10.11.1 in any building; or

10.11.2 on any land to which the Council has determined this subclause applies.

10.12 *Solicitation*

Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.

10.13 *Throwing Objects*

Throw, roll, project or discharge a stone, substance or other missile, excluding sport and recreational equipment designed to be used in that way.

10.14 *Toilets*

In any public convenience on Local Government land:

10.14.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;

10.14.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;

10.14.3 use it for a purpose for which it was not designed or constructed;

10.14.4 enter a toilet that is set aside for use of the opposite sex except:

(a) where a child under the age of eight years is accompanied by an adult parent or guardian of that sex; or

(b) to provide assistance to a disabled person; or

(c) in the case of a genuine emergency.

10.15 *Waste*

10.15.1 Deposit or leave thereon:

(a) anything obnoxious or offensive; or

(b) any offal, dead animal, dung or filth.

10.15.2 Deposit any rubbish other than in receptacles provided by the Council for that purpose;

10.15.3 Deposit in a receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

PART 4—ENFORCEMENT

11. *Directions*

11.1 A person on Local Government land must comply with a reasonable direction from an authorised person relating to:

11.1.1 that person's use of the land;

11.1.2 that person's conduct and behaviour on the land;

11.1.3 that person's safety on the land; or

11.1.4 the safety and enjoyment of other persons on the land.

11.2 A person who, in the opinion of an authorised person, is likely to commit or has committed, a breach of this by-law must immediately comply with a direction of an authorised person to leave that part of Local Government land.

12. *Orders*

If a person fails to comply with an order of an authorised person made pursuant to Section 262 of the Act in respect of a breach of this by-law, the Council may seek to recover its costs of any action taken under Section 262 (3) of the Act from the person to whom the order was directed.

Note:

Section 262 (1) of the Act states:

(1) If a person (*the offender*) engages in conduct that is a contravention of this Act or a by-law under this Act, an authorised person may order the offender:

(a) if the conduct is still continuing—to stop the conduct; and

(b) whether or not the conduct is still continuing—to take specified action to remedy the contravention.

Subsections (2) and (3) of Section 262 also provide that it is an offence to fail to comply with an order and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out. For example, an authorised person may order a person to:

• cease smoking on Local Government land;

• remove an object or structure encroaching on Local Government land;

• dismantle and remove a structure erected on Local Government land without permission.

13. *Removal of animals and objects*

An authorised person may remove an animal or object that is on Local Government land in breach of a by-law if no person is in charge of, or apparently in charge of, the animal or object.

PART 5—MISCELLANEOUS

14. *Exemptions*

14.1 The restrictions in this by-law do not apply to a 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 of a Council officer;

14.2 The restrictions in Clauses 9.1, 9.13 and 9.16 of this by-law do not apply to electoral matter authorised by a candidate and which is:

14.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or

14.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or

14.2.3 related to, and occurs during the course of and for the purpose of a referendum.

15. *Liability of vehicle owners*

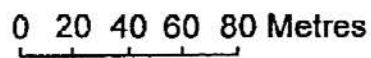
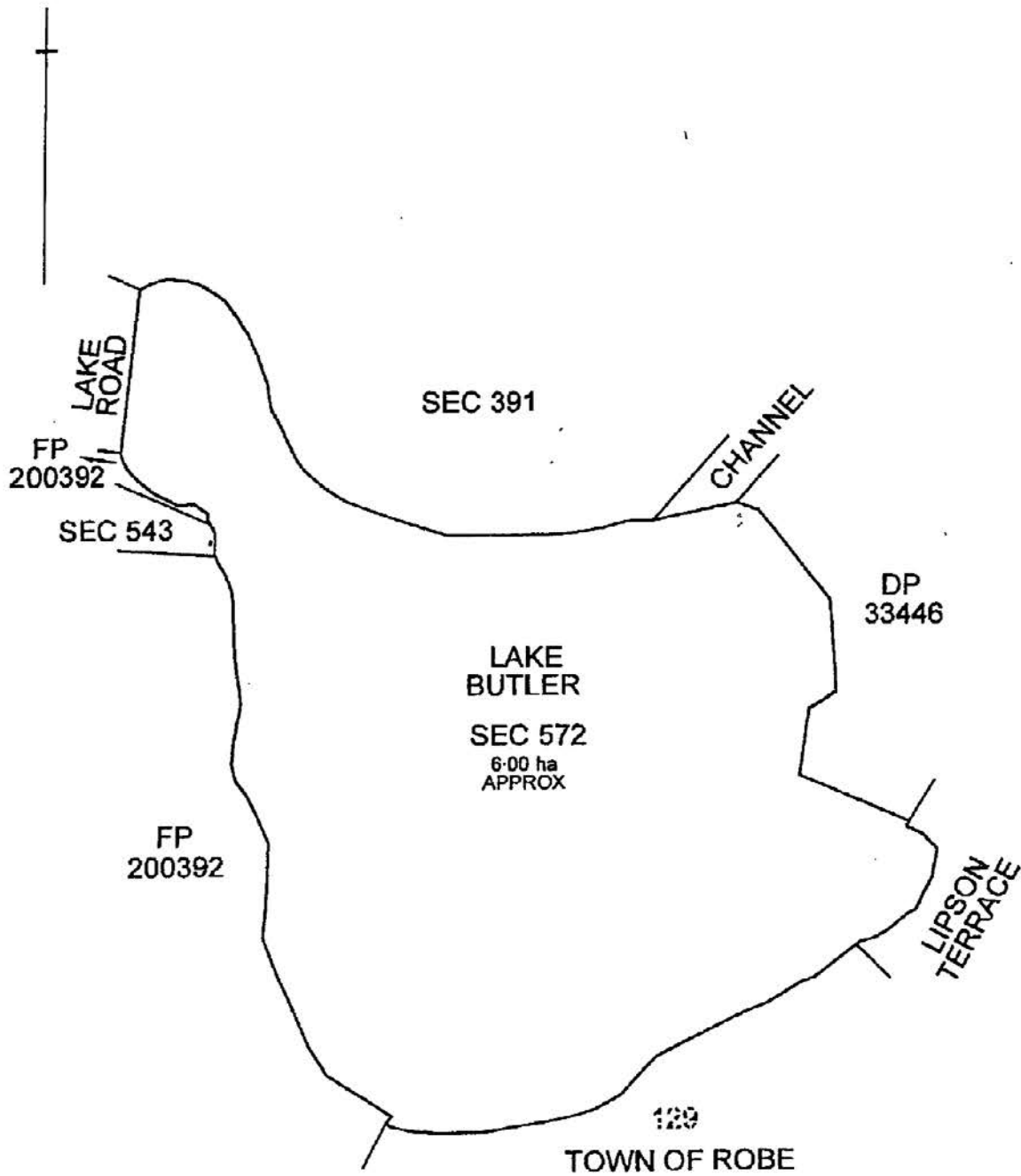
15.1 For the purposes of this Clause 15, *owner* in relation to a vehicle has the same meaning as contained in Section 4 of the Act;

15.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed at a meeting of the District Council of Robe held on 14 June 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. SWEETMAN, Chief Executive Officer

ATTACHMENT A



DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3 of 2016—Roads

A by-law to regulate certain activities on roads in the Council area.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Roads By-law 2016 and is By-law No. 3 of the District Council of Robe.

2. *Authorising law*

This by-law is made under Sections 239 and 246 of the Act and Regulation 28A of the Local Government (General) Regulations 2013.

3. *Purpose*

The objectives of this by-law are to manage and regulate the prescribed uses of roads in the Council area:

- 3.1 to protect the convenience, comfort and safety of road users and members of the public;
- 3.2 to prevent damage to buildings and structures on roads;
- 3.3 to prevent certain nuisances occurring on roads; and
- 3.4 for the good rule and government of the Council area.

4. *Commencement, revocation and expiry*

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

- 4.1.1 By-law No. 3—Roads 2009.²

4.2 This by-law will expire on 1 January 2024.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016;
- 5.2 Subject to subclause 5.3, this by-law applies throughout the Council area;
- 5.3 Clause 7.2.3 of this by-law only applies in such part or parts of the Council area as the Council may by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. *Interpretation*

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *animal* includes birds, insects and poultry but does not include a dog or a cat;
- 6.3 *camp* includes setting up a camp, or causing a tent or, subject to the Road Traffic Act 1961, a caravan or motor home, to remain on a road overnight, whether or not any person is in attendance or sleeps on the road;
- 6.4 *Council* means District Council of Robe;
- 6.5 *effective control* means a person exercising effective control of an animal either:
 - 6.5.1 by means of a physical restraint; or
 - 6.5.2 by command, the animal being in close proximity to the person, and the person being able to see the animal at all times.
- 6.6 *electoral matter* has the same meaning as in the Electoral Act 1995 provided that such electoral matter is not capable of causing physical damage or injury to a person within its immediate vicinity;

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

6.8 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2—USE OF ROADS

7. *Activities requiring permission*

A person must not do any of the following activities on a road without the permission of the Council:

7.1 *Amplification*

Use an amplifier or other device whether mechanical or electrical for the purpose of broadcasting announcements or advertisements.

7.2 *Animals*

7.2.1 Cause or allow an animal to stray onto, move over, or graze on a 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 provided the animal or animals are under effective control.

7.2.2 Lead, herd or exercise an animal in such a manner as to cause a nuisance or endanger the safety of a person.

7.2.3 Lead, herd or exercise any horse, cattle, camel or sheep on any road to which the Council has determined this subclause applies.

7.3 *Camping and Tents*

7.3.1 Erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation;

7.3.2 Camp or sleep overnight.

7.4 *Donations*

Ask for or receive or indicate a desire for a donation of money or any other thing.

7.5 *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, footway, water-channel, or watercourse in a road.

7.6 *Preaching*

Subject to Clause 11.2, preach, harangue, solicit or canvass for religious or charitable purposes.

7.7 *Public Exhibitions and Displays*

7.7.1 Sing, busk, play a recording or use a musical instrument, or perform similar activities;

7.7.2 Conduct or hold a concert, festival, show, circus, performance or a similar activity;

7.7.3 Erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity;

7.7.4 Cause any public exhibitions or displays.

7.8 *Vehicles*

Repair, wash, paint, panel beat or perform other work of a similar nature to a vehicle, except for running repairs in the case of a vehicle breakdown.

Note:

Moveable signs on roads are regulated by Sections 226 and 227 of the Act and the Council's Moveable Signs By-law (if any).

PART 3—ENFORCEMENT

8. *Directions*

A person who, in the opinion of an authorised person is committing or has committed a breach of this by-law, must immediately comply with a direction of an authorised person to leave that part of the road.

9. *Orders*

If a person does not comply with an order of an authorised person made pursuant to Section 262 of the Act in respect of a breach of this by-law, the Council may seek to recover its costs of any action taken under Section 262 (3) of the Act from the person to whom the order was directed.

Note:

Section 262 (1) of the Act states:

- (1) If a person (*the offender*) engages in conduct that is a contravention of this Act or a by-law under this Act, an authorised person may order the offender:
- (a) if the conduct is still continuing—to stop the conduct; and
 - (b) whether or not the conduct is still continuing—to take specified action to remedy the contravention.

Subsections (2) and (3) of Section 262 also provide that it is an offence to fail to comply with an order and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out. For example, an authorised person may order a person to:

- cease busking on a road;
- remove an object or structure blocking a footpath;
- remove bills posted on a structure on a road; and
- dismantle and remove a tent from a road.

10. *Removal of animals and objects*

An authorised person may remove an animal or object that is on a road in breach of a by-law if no person is in charge, or apparently in charge, of the animal or object.

PART 4—MISCELLANEOUS

11. *Exemptions*

- 11.1 The restrictions in this by-law do not apply to a 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 of a Council officer;
- 11.2 The restrictions in Clause 7.6 of this by-law do not apply to electoral matter authorised by a candidate and which is:
- 11.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
 - 11.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
 - 11.2.3 related to, and occurs during the course of and for the purpose of a referendum.

12. *Liability of vehicle owners*

- 12.1 For the purposes of this Clause 12, *owner* in relation to a vehicle has the same meaning as contained in Section 4 of the Act;
- 12.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed at a meeting of the Council of the District Council of Robe held on 14 June 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. SWEETMAN, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4 of 2016—Moveable Signs

A by-law to set standards for moveable signs on roads and to provide conditions for the placement of such signs.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Moveable Signs By-law 2016 and is By-law No. 4 of the District Council of Robe.

2. *Authorising law*

This by-law is made under Sections 239 and 246 of the Act.

3. *Purpose*

The object of this by-law is to set standards for moveable signs on roads:

- 3.1 to protect the comfort and safety of road users and members of the public;
- 3.2 to enhance the amenity of roads and surrounding parts of the Council area;
- 3.3 to prevent nuisances occurring on roads;
- 3.4 to prevent unreasonable interference with the use of a road; and
- 3.5 for the good rule and government of the Council area.

4. *Commencement, revocation and expiry*

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 2—Moveable Signs 2009.²

4.2 This by-law will expire on 1 January 2024.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016;
- 5.2 This by-law applies throughout the Council area.

6. *Interpretation*

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *business premises* means premises from which a business is being conducted;
- 6.3 *Council* means the District Council of Robe;
- 6.4 *footpath area* means:
 - 6.4.1 that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;
 - 6.4.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;
- 6.5 *road* has the same meaning as in the Local Government Act 1999; and
- 6.6 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made

The definition of 'road' under the Local Government Act 1999 includes footpaths and other walkways.

PART 2—MOVEABLE SIGNS

7. *Construction and design*

A moveable sign placed on a footpath area must:

- 7.1 be of kind known as an 'A' frame or sandwich board sign, an inverted 'T' sign, or a flat sign or, with the permission of the Council, a sign of some other kind;
- 7.2 be designed, constructed and maintained in good quality and condition;
- 7.3 be of strong construction and sufficiently stable or securely fixed when in position so as to keep its position in adverse weather conditions;
- 7.4 have no sharp or jagged edges or corners;
- 7.5 not be, in the opinion of an authorised officer, unsightly or offensive in appearance or content;
- 7.6 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 7.7 not exceed 900 mm in height, 600 mm in width and 600 mm in depth;
- 7.8 in the case of an 'A' frame or sandwich board sign:
 - 7.8.1 be hinged or joined at the top;
 - 7.8.2 be of such construction that its sides are securely fixed or locked in position when erected; and
 - 7.8.3 not have a base area in excess of 0.6 square metres;
- 7.9 in the case of an inverted 'T' sign, not contain struts or members that run between the display area and the base of the sign;
- 7.10 not rotate, contain flashing parts or lights or be illuminated internally.

8. *Placement*

A moveable sign must not be:

- 8.1 placed on any part of a road apart from the footpath area;
- 8.2 placed on a footpath area that is less than 2.5 metres wide;
- 8.3 tied, fixed or attached to, or placed closer than 2 metres from another structure, fixed object (including another moveable sign), tree, bush or plant;
- 8.4 placed on the sealed part of a footpath, if there is an unsealed part on which the sign can be placed in accordance with this by-law;
- 8.5 placed so as to:
 - 8.5.1 obstruct a vehicle door when opened, provided that the vehicle is parked lawfully on the road; or
 - 8.5.2 otherwise interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;
- 8.6 placed closer than 1.5 metres to the kerb (or, if there is no kerb, to the edge of the carriageway of a road or the shoulder of the road, whichever is the greater);
- 8.7 placed on a landscaped area, other than landscaping that comprises only lawn;
- 8.8 placed within 10 metres of an intersection of two or more roads;
- 8.9 placed on a footpath area with a minimum height clearance from a structure above it of less than 2 metres;
- 8.10 placed on a designated parking area or within 1 metre of an entrance to premises;
- 8.11 displayed during the hours of darkness unless it is clearly lit;
- 8.12 placed in such a position or in such circumstances that the safety of a user of the footpath area or road is at risk; or
- 8.13 placed on a median strip, traffic island, roundabout or any other traffic control device on a road.

9. *Banners*

A person must not erect or display a banner on a building or structure on a road without the Council's permission.

Note:

A person must not erect or display a banner on a public road for a business purpose without a permit from the Council issued under Section 222 of the Local Government Act 1999.

10. *Restrictions*

- 10.1 The owner or operator of a business must not cause or allow more than one moveable sign for each business premises to be displayed on the footpath area of a road at any time;
- 10.2 A person must not, without the Council's permission, display a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government land or a road primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates;
- 10.3 A person must not cause or allow a moveable sign to be placed on a footpath area unless:
 - 10.3.1 it only displays material which advertises a business being conducted on premises adjacent to the moveable sign or the goods and services available from that business; and
 - 10.3.2 the business premises to which it relates is open to the public.
- 10.4 If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed, the Council may prohibit or restrict the display of a moveable sign on such conditions as the Council thinks fit.

11. *Exemptions*

- 11.1 Subclauses 10.1 and 10.3 of this by-law do not apply to a moveable sign which:
 - 11.1.1 advertises a garage sale taking place from residential premises; or
 - 11.1.2 is a directional sign to an event run by a community organisation or charitable body.
- 11.2 Subclauses 10.1 and 10.3 of this by-law do not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine;
- 11.3 A requirement of this by-law will not apply where the Council has granted permission for the moveable sign to be displayed contrary to that requirement.

Note:

This by-law does not apply to moveable signs placed and maintained on a road in accordance with Section 226 (3) of the Act, which includes any sign:

- placed there pursuant to an authorisation under another Act;
- designed to direct people to the open inspection of any land or building that is available for purchase or lease;
- related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day;
- related to an election held under this Act or the Local Government (Elections) Act 1999 and is displayed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- the sign is of a prescribed class.

PART 3—ENFORCEMENT

12. *Removal of moveable signs*

- 12.1 A person must immediately comply with the order of an Authorised Person to remove a moveable sign made pursuant to Section 227 (1) of the Act;

Note:

Pursuant to Section 227 (1) of the Act, an Authorised Person may order the owner of a moveable sign to remove the sign from the road if:

- the design, construction or positioning of a Moveable Sign does not comply with a requirement of this by-law; or
- any other requirement of this by-law is not complied with; or
- the Moveable Sign unreasonably restricts the use of the Road, or endangers the safety of other persons.

12.2 The owner of or other person entitled to recover a moveable sign removed by an Authorised Person pursuant to Section 227 (2) of the Act, may be required to pay to the Council any reasonable costs incurred by the Council in removing, storing, and/or disposing of the moveable sign before being entitled to recover the moveable sign;

12.3 The owner, or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an Authorised Person:

12.3.1 if, in the opinion of an Authorised Person, and not withstanding 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; or

12.3.2 for the purpose of special events, parades, roadworks or in any other circumstances which, in the opinion of the Authorised Person, require relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.

13. Liability of vehicle owners

13.1 For the purposes of this Clause 13, owner in relation to a vehicle has the same meaning as contained in Section 4 of the Act;

13.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed at a meeting of the Council of the District Council of Robe held on 14 June 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. SWEETMAN, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 5 of 2016—Dogs

A by-law to limit the number of dogs kept on premises and for the management and control of dogs in the Council area.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Dog By-law 2016 and is By-law No. 5 of the District Council of Robe.

2. Authorising law

This by-law is made under Section 90 of the Dog and Cat Management Act 1995 and Sections 238 and 246 of the Act.

3. Purpose

The objectives of this by-law are to control and manage dogs in the Council area:

- 3.1 to reduce the incidence of environmental nuisance caused by dogs; and
- 3.2 to promote responsible dog ownership; and
- 3.3 to protect the convenience, comfort and safety of members of the public; and
- 3.4 for the good rule and government of the Council area.

4. Commencement, revocation and expiry

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 5—Dogs 2009.²

4.2 This by-law will expire on 1 January 2024.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not

affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazetting of the by-law.

5. Application

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016;

5.2 Subject to Clause 5.3, this by-law applies throughout the Council area;

5.3 Clauses 9.1.1 and 10.2, of this by-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. Interpretation

In this by-law, unless the contrary intention appears:

6.1 *Act* means the Local Government Act 1999;

6.2 *approved kennel establishment* means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993 for the keeping of dogs on a temporary or permanent basis;

6.3 *assistance dog* means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled;

6.4 *children's playground* means an enclosed area in which playground equipment (such as slides, swings or other similar devices) is installed for the purpose of children's play or, within 10 metres of such equipment if it is not in an enclosed area);

6.5 *Council* means District Council of Robe;

6.6 *dog* (except for in Clause 7.1) has the same meaning as in the Dog and Cat Management Act 1995;

6.7 *effective control* means a person exercising effective control of a dog either:

6.7.1 by means of a physical restraint (as defined under the Dog and Cat Management Act 1995); or

6.7.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;

6.8 *keep* includes the provision of food or shelter;

6.9 *park* has the same meaning as in the Dog and Cat Management Act 1995;

6.10 *premises* includes land, whether used or occupied for domestic or non-domestic purposes;

6.11 *small dwelling* means a self-contained residence that is:

6.11.1 a residential flat building; or

6.11.2 contained in a separate strata unit or community title; or

6.11.3 on an allotment less than 400-600 square metres in area; or

6.11.4 without a secure yard of at least 100 square metres in area;

6.12 *working dog* means a dog used principally for droving or tending livestock.

Note:

Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-laws was made.

PART 2—LIMITS ON DOG NUMBERS

7. Limits on dog numbers in private premises

7.1 Subject to Clauses 7.2 and 7.4, a person must not, without the Council's permission keep or cause, suffer or permit to be kept:

7.1.1 in a township, more than one dog in a small dwelling;

7.1.2 in a township, more than two dogs on any premises other than a small dwelling; or

- 7.1.3 outside of a township, more than three dogs on any premises (other than working dogs);
- 7.2 For the purposes of Clause 7.1, 'dog' means a dog that is three (3) months of age or older or, a dog that has lost its juvenile teeth;
- 7.3 Clause 7.1 does not apply to:
- 7.3.1 approved kennel establishments operating in accordance with all required approvals and consents; or
- 7.3.2 any business involving the keeping of dogs provided that the business is registered in accordance with the Dog and Cat Management Act 1995 and operating in accordance with all required approvals and consents.
- 7.4 The Council may require that premises which are the subject of an application for permission to keep additional dogs must be inspected by an authorised person for the purpose of assessing the suitability of the premises for housing dogs;
- 7.5 No dog is to be kept on any premises where, in the opinion of an authorised person, there is no secure or appropriate area where a dog may be effectively confined.

PART 3—DOG CONTROLS

8. Dog exercise areas

- 8.1 Subject to Clauses 9 and 10 of this by-law, a person may enter a park in the Council area for the purpose of exercising a dog under his or her effective control;
- 8.2 A person entering a dog exercise area designated by the Council must ensure that any dog under that person's control, charge or authority is under effective control at all times.

Note:

Clause 8.2 is not an offence provision. If a person is exercising a dog in a park or reserve as permitted under this clause and the dog is not under effective control, this gives rise to a dog wandering at large offence under Section 43 (1) of the Dog and Cat Management Act 1995, for which the owner of or person responsible for the dog may be liable.

9. Dog on leash areas

- 9.1 A person must not, without the Council's permission, allow a dog under that person's control, charge or authority (except an assistance dog that is required to remain off-lead in order to fulfil its functions) to be or remain:
- 9.1.1 on Local Government land or a public place to which the Council has determined this subclause applies; and
- 9.1.2 on any park or reserve during times when organised sport is being played:
- unless the dog is secured by a strong leash not exceeding 2 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.

10. Dog prohibited areas

A person must not allow a dog under that person's control, charge or authority (except an assistance dog) to enter or remain on:

- 10.1 any children's playground; and
- 10.2 any other Local Government land or public place to which the Council has determined this subclause applies.

11. Dog faeces

No person is to allow a dog under that person's control, charge or authority to be in a public place or on Local Government land unless that person has in their possession a bag or other suitable container for the collection and lawful disposal of any faeces that the dog may deposit (for the purpose of complying with their obligation to dispose of dog faeces deposited in a public place under Section 45A (6) of the Dog and Cat Management Act 1995).

PART 4—ENFORCEMENT

12. Orders

- 12.1 If a person engages in conduct that is in contravention of this by-law, an authorised person may order that person:
- 12.1.1 if the conduct is still continuing—to stop the conduct; and
- 12.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.
- 12.2 A person must comply with an order under this clause;
- 12.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may seek to recover its costs of any action so taken from the person to whom the order was directed;
- 12.4 However, an authorised person may not use force against a person under this section.

Note:

For example, an authorised person may order a person to:

- cease keeping more than the permitted number of dogs on that person's premises; or
- remove a dog from a dog prohibited area.

This by-law was duly made and passed at a meeting of the Council of the District Council of Robe held on 14 June 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. SWEETMAN, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 6 of 2016—Cats

A by-law to limit the number of cats kept on premises and for the management and control of cats in the Council area.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Cats By-law 2016 and is By-law No. 6 of the District Council of Robe.

2. Authorising law

This by-law is made under Section 90 of the Dog and Cat Management Act 1995 and Section 246 of the Act.

3. Purpose

The objects of this by-law are to control and manage cats in the Council area:

- 3.1 to promote responsible cat ownership;
- 3.2 to reduce the incidence of public and environmental nuisance caused by cats;
- 3.3 to protect the comfort and safety of members of the public; and
- 3.4 for the good rule and government of the Council area.

4. Commencement, revocation and expiry

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:
- 4.1.1 By-law No. 6—Cats 2009.²
- 4.2 This by-law will expire on 1 January 2024.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazetting of the by-law.

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016;
- 5.2 This by-law applies throughout the Council area.

6. Interpretation

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 Except for in Clause 8, *cat* means an animal of the species *felis catus* which is three months of age or has lost its juvenile canine teeth;
- 6.3 *Council* means the District Council of Robe;
- 6.4 *keep* includes the provision of food or shelter;
- 6.5 *nuisance* means:
- 6.5.1 unreasonably interfering with the peace, comfort or convenience of a person, including but not limited to a cat(s) displaying aggressive nature or creating unpleasant noise or odour;
- 6.5.2 injurious to a person's real or personal property;
- 6.5.3 obnoxious, offensive or hazardous to health; or
- 6.5.4 wandering onto land without the consent of the owner or occupier of the land.
- 6.6 *premises* includes land whether used or occupied for domestic or non-domestic purposes.

Note:

Section 14 of the Acts Interpretation Act 1915 provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law is made.

PART 2—LIMITS ON CAT NUMBERS

7. Limits on cat numbers

- 7.1 Subject to Clause 7.2 a person must not, without the Council's permission, keep or cause, suffer or permit to be kept more than two cats on any premises;
- 7.2 Clause 7.1 does not apply to premises comprising a business involving the keeping of cats provided that the business is operating in accordance with all required approvals and consents.

8. Cats not to be a nuisance

- 8.1 An owner or occupier of premises is guilty of an offence if a cat (or cats) kept or allowed to remain on the premises causes a nuisance;
- 8.2 For the purposes of this Clause 8, *cat* means an animal of the species *felis catus*.

PART 3—ENFORCEMENT

9. Orders

- 9.1 If a person engages in conduct that is a contravention of this by-law, an authorised person may order that person:
- 9.1.1 if the conduct is still continuing—to stop the conduct; and

9.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.

- 9.2 A person must comply with an order under this clause;
- 9.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may recover its costs of any action so taken from the person to whom the order was directed;
- 9.4 However, an authorised person may not use force against a person under this section.

Note:

For example, an authorised person may order a person to:

- cease keeping more than the permitted number of cats on that person's premises; or
- take the necessary steps to mitigate a nuisance caused by cats.

This by-law was duly made and passed at a meeting of the District Council of Robe held on 14 June 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. SWEETMAN, Chief Executive Officer

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

Abbie, Leslie McNaughton, late of 56 Monmouth Road, Westbourne Park, retired draftsman, who died on 8 March 2016.

Bailey, George Raymond, late of 19 Benaud Avenue, Salisbury East, of no occupation, who died on 11 January 2016.

Bauer, Edna May, late of 20 Howe Street, Risdon Park, home duties, who died on 18 March 2016.

Candida, Michelle Yvonne, late of 5B Bowaka Street, Park Holme, home duties, who died on 1 May 2016.

Dinham, Ronald Sydney, late of 14 Ragless Avenue, Enfield, retired machinist, who died on 16 October 2015.

Emery, Brian Francis, late of 345 Fullarton Road, Fullarton, retired technician, who died on 28 February 2016.

Otterburn, Shane Mark, late of 41 McQueen Court, Paralowie, salesman, who died on 30 October 2015.

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, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 22 July 2016 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 23 June 2016.

D. A. CONTALA, Public Trustee

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