



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, WEDNESDAY, 14 JUNE 2017

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

Department of the Premier and Cabinet
Adelaide, 14 June 2017

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. 18 of 2017—Summary Procedure (Indictable Offences) Amendment Act 2017. An Act to amend the Summary Procedure Act 1921 and to make related amendments to the Bail Act 1985; the Correctional Services Act 1982; the Criminal Investigation (Covert Operations) Act 2009; the Criminal Law Consolidation Act 1935; the Criminal Law (Sentencing) Act 1988; the District Court Act 1991; the Evidence Act 1929; the Juries Act 1927; the Magistrates Court Act 1991; the Supreme Court Act 1935; the Work Health and Safety Act 2012; the Young Offenders Act 1993 and the Youth Court Act 1993.

No. 19 of 2017—Criminal Law Consolidation (Mental Impairment) Amendment Act 2017. An Act to amend the Criminal Law Consolidation Act 1935.

No. 20 of 2017—Electoral (Miscellaneous) Amendment Act 2017. An Act to amend the Electoral Act 1985 and to make a related amendment to the Local Government Act 1999.

No. 21 of 2017—Statutes Amendment (Electricity and Gas) Act 2017. An Act to amend the Electricity Act 1996 and the Gas Act 1997.

By command,
GEOFFREY GRAEME BROCK, for Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 14 June 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint Stephen Hamnett as a part-time Commissioner of the Environment, Resources and Development Court of South Australia, for a term of three years commencing on 21 June 2017 and expiring on 20 June 2020, pursuant to Section 10 of the Environment, Resources and Development Court Act 1993.

By command,
GEOFFREY GRAEME BROCK, for Premier

AGO0051/17CS

Department of the Premier and Cabinet
Adelaide, 14 June 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint Peter Stanley Koukourou as a part-time Commissioner of the Environment, Resources and Development Court of South Australia, and designate him as a Commissioner for the purposes of the Court's jurisdiction under the Development Act 1993 and the Natural Resources Management Act 2004, for a term of three years commencing on 1 July 2017 and expiring on 30 June 2020, pursuant to Section 10 of the Environment, Resources and Development Court Act 1993.

By command,
GEOFFREY GRAEME BROCK, for Premier

AGO0051/17CS

Department of the Premier and Cabinet
Adelaide, 14 June 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint John Edward Botting as a part-time Commissioner of the Environment, Resources and Development Court of South Australia, and designate him as a Commissioner for the purposes of the Court's jurisdiction under the Natural Resources Management Act 2004, for a term of three years commencing on 7 July 2017 and expiring on 6 July 2020, pursuant to Section 10 of the Environment, Resources and Development Court Act 1993.

By command,
GEOFFREY GRAEME BROCK, for Premier

AGO0051/17CS

Department of the Premier and Cabinet
Adelaide, 14 June 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint Megan Mary Lewis as a part-time Commissioner of the Environment, Resources and Development Court of South Australia, and designate her as a Commissioner for the purposes of the Court's jurisdiction under the Natural Resources Management Act 2004 and the Environment Protection Act 1993, for a term of three years commencing on 7 July 2017 and expiring on 6 July 2020, pursuant to Section 10 of the Environment, Resources and Development Court Act 1993.

By command,
GEOFFREY GRAEME BROCK, for Premier

AGO0051/17CS

Department of the Premier and Cabinet
Adelaide, 14 June 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint Joanne Louise Pfeiffer as a part-time Commissioner of the Environment, Resources and Development Court of South Australia, and designate her as a Commissioner for the purposes of the Court's jurisdiction under the Irrigation Act 2009, for a term of three years commencing on 7 July 2017 and expiring on 6 July 2020, pursuant to Section 10 of the Environment, Resources and Development Court Act 1993.

By command,
GEOFFREY GRAEME BROCK, for Premier

AGO0051/17CS

Department of the Premier and Cabinet
Adelaide, 14 June 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint Demetrius Photios Poupoulas as a part-time Commissioner of the Environment, Resources and Development Court of South Australia, and designate him as a Commissioner for the purposes of the Court's jurisdiction under the Development Act 1993, for a term of three years commencing on 24 July 2017 and expiring on 23 July 2020, pursuant to Section 10 of the Environment, Resources and Development Court Act 1993.

By command,
GEOFFREY GRAEME BROCK, for Premier

AGO0051/17CS

Department of the Premier and Cabinet
Adelaide, 14 June 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint Lucy Byrt, Jodie Mareika Carrel and Melinda Jean Doggett as part-time Conciliation Officers of the South Australian Employment Tribunal for a term of two years commencing on 15 June 2017 and expiring on 14 June 2019, pursuant to the provisions of the South Australian Employment Tribunal Act 2014.

By command,
GEOFFREY GRAEME BROCK, for Premier

MIR0012/17CS

Department of the Premier and Cabinet
Adelaide, 14 June 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint Andrew John Neale as a full-time Conciliation Officer of the South Australian Employment Tribunal for a term of two years commencing on 15 June 2017 and expiring on 14 June 2019, pursuant to the provisions of the South Australian Employment Tribunal Act 2014.

By command,
GEOFFREY GRAEME BROCK, for Premier

MIR0012/17CS

Department of the Premier and Cabinet
Adelaide, 14 June 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint Gina Nardone as a sessional Conciliation Officer of the South Australian Employment Tribunal for a term of one year commencing on 15 June 2017 and expiring on 14 June 2018, pursuant to the provisions of the South Australian Employment Tribunal Act 2014.

By command,
GEOFFREY GRAEME BROCK, for Premier

MIR0012/17CS

Department of the Premier and Cabinet
Adelaide, 14 June 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint Maurice Gerard Corcoran to the position of Principal Community Visitor for a period of three years commencing on 14 June 2017 and expiring on 13 June 2020, pursuant to the provisions of the Mental Health Act 2009.

By command,
GEOFFREY GRAEME BROCK, for Premier

HEAC-2017-00036

Department of the Premier and Cabinet
Adelaide, 14 June 2017

HIS Excellency the Governor in Executive Council has been pleased to appoint the people listed to the position of Community Visitor for the terms specified, pursuant to the provisions of the Mental Health Act 2009:

For a term of three years commencing on 26 June 2017 and expiring on 25 June 2020:
Carly Jeanne Luzuk
Joan Cunningham
Hannah Jane Allison

For a term of three years commencing on 14 June 2017 and expiring on 13 June 2020:
Colleen Ann Gavan

By command,
GEOFFREY GRAEME BROCK, for Premier

HEAC-2017-00036

BUILDING WORK CONTRACTORS ACT 1995

Exemption

TAKE notice that, pursuant to Section 45 of the Building Work Contractors Act 1995, I, Dini Soulio, Commissioner for Consumer Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

SCHEDULE 1

Joshua Peters (BLD 151033)

SCHEDULE 2

Construction of a single storey detached dwelling and shed on land situated at Allotment 179 in Filed Plan 165428 being a portion of the land described in Certificate of Title Volume 5732, Folio 187, more commonly known as 179 Crows Nest Road, Port Elliot, S.A. 5212.

SCHEDULE 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to the building work described in Schedule 2.

2. This exemption does not apply to any domestic building work the licensee contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.

3. That the licensee does not transfer his interest in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of the Commissioner for Consumer Affairs. Before giving such authorisation, the Commissioner for Consumer Affairs may require the licensee to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:

- providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;
- providing evidence of an independent expert inspection of the building work the subject of this exemption;
- making an independent expert report available to prospective purchasers of the property; and
- giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated 8 June 2017.

D. SOULIO,
Commissioner for Consumer Affairs,
Delegate for the Minister for Consumer
and Business Services

Ref: 610/14-00116

DEVELOPMENT ACT 1993, SECTION 25 (17): MID MURRAY COUNCIL RIVER MURRAY ZONE DEVELOPMENT PLAN AMENDMENT

Preamble

1. The River Murray Zone Development Plan Amendment (the Amendment) by the Mid Murray Council has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Planning has decided to approve the Amendment.

NOTICE

PURSUANT to Section 25 of the Development Act 1993, I—

- (a) approve the Amendment; and
- (b) fix the day on which this notice is published in the *Gazette* as the day on which the Amendment will come into operation.

Dated 31 May 2017.

JOHN RAU, Deputy Premier,
Minister for Planning

DEVELOPMENT ACT 1993, SECTION 25 (17): CITY OF WHYALLA—RESIDENTIAL AND INDUSTRIAL VARIATIONS DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Residential and Industrial Variations Development Plan Amendment (the Amendment) by the City of Whyalla has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Planning has decided to approve the Amendment.

NOTICE

PURSUANT to Section 25 of the Development Act 1993, I—

- (a) approve the Amendment; and
- (b) fix the day on which this notice is published in the *Gazette* as the day on which the Amendment will come into operation.

Dated 31 May 2017.

JOHN RAU, Deputy Premier,
Minister for Planning

FIREARMS ACT 1977

Notice Under Section 21C—Recognised Firearms Clubs

PURSUANT to the Firearms Act 1977, I the Honourable Peter Malinauskas, the Minister of the Crown to whom the administration of the Firearms Act 1977, herein after referred to as the 'said Act' is for the time being committed by the Governor, as a result of change to their name and constitution, the club mentioned in the Second Schedule, previously recognised in *Government Gazette* notices referred to in the First Schedule is a recognised firearms club for the purposes of the said Act.

FIRST SCHEDULE

Gazette Reference:

SA Field and Game Association Waikerie—Lowbank Region Incorporated, dated 22 May 1980, page 1375.

SECOND SCHEDULE

Waikerie Field and Game Association Incorporated

Dated 30 March 2017.

PETER MALINAUSKAS, Minister for Police

FIREARMS ACT 1977

Notice Under Section 21C—Recognised Firearms Clubs

PURSUANT to the Firearms Act 1977, I the Honourable Peter Malinauskas, the Minister of the Crown to whom the administration of the Firearms Act 1977, herein after referred to as the 'said Act' is for the time being committed by the Governor, do hereby declare SSAA Tungkillo Shooting Complex Incorporated, to be a recognised firearms club, pursuant to Section 21C of the Firearms Act 1977.

Dated 2 March 2017.

PETER MALINAUSKAS, Minister for Police

FISHERIES MANAGEMENT ACT 2007: SECTION 115

Ministerial Exemption: ME9902932

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007 (the Act), Professor Bronwyn Gillanders, of the School of Earth and Environmental Sciences, Darling Building, University of Adelaide, S.A. 5005 (the 'exemption holder') or a person acting as her agent, are exempt from Sections 70, 71 and 79 of the Fisheries Management Act 2007, Regulation 7 and Clauses 38, 39, 48, 49, 50, 61, 72, 73, 90, 96 (1), 114 and 118 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as they may engage in the activities specified in Schedule 1, using the gear specified in Schedule 2, subject to the conditions specified in Schedule 3, from 10 June 2017 until 10 June 2018, unless varied or revoked earlier.

SCHEDULE 1

The collection of aquatic organisms for the purpose of research from all waters of South Australia, including the River Murray Protection Area, but excluding:

- aquatic reserves (unless otherwise authorised under the Fisheries Management Act 2007);
- sanctuary and restricted access zones of marine parks (unless otherwise authorised under the Marine Parks Act 2007); and
- the Adelaide Dolphin Sanctuary.

SCHEDULE 2

- Seine nets of the following dimensions:
 - Seine net (maximum length 50 m, height 2 m, minimum mesh size 6 mm)
 - Seine net (maximum length 30 m, height 2 m, minimum mesh size 10 mm)
 - Seine net (maximum length 10 m, height 2 m, minimum mesh size 1 mm)
 - Seine net (maximum length 6 m, height 2 m, minimum mesh size 2 mm)
- Pop nets (maximum size of 2.5 m wide x 2.5 m deep x 1.4 m high, minimum mesh size of 1 mm)
- Fyke nets of the following dimensions:
 - Fyke nets (single 6 m wing, 3 compartments and 5 mm mesh) with a maximum of 6 nets per person
 - Fyke nets (double 4 m wing, 3 compartments and 20 mm mesh) with a maximum of 1 net per person
 - Fyke nets (double 10 m wings, 3 compartments and 19 mm mesh) with a maximum of 3 nets per person
 - Fyke nets (double 0.7 m wing, 1 compartment and 100 mm mesh) with a maximum of 2 nets per person
- Electro-fishing backpack
- Modified crab pots, with a maximum height of 650 mm, maximum diameter of 2 m, with a mesh size of 55 mm
- Bait traps (maximum size of 400 mm x 250 mm, 30 mm and 60 mm inlets, minimum mesh size of 3 mm) with maximum of 10 traps per person
- Twin plankton nets (maximum size length of 3 m, maximum diameter 75 cm, minimum mesh size 0.5 mm)
- Fish larvae light-traps with maximum diameter of 1.5 m x 0.5 m, with a maximum of 15 traps set at one time
- Hand-held sieve (maximum of 30 cm with a minimum mesh size of 1 mm, with a maximum of 1 scoop net per person)
- Commercial cockle rakes with a mesh size of 44 mm, with a maximum of 1 rake per person
- Research cockle rakes (from SARDI Aquatic Sciences), with a mesh size of 1 mm, with a maximum of 1 rake per person
- Fishing (hook and line) maximum of 2 lines per person
- Crabbing rakes with a maximum of 1 rake per person
- Hoop nets with a minimum 1 mm mesh and a maximum of 1 net per person
- Drop nets with a minimum 1 mm mesh and a maximum of 1 net per person
- Hand collections that use no tools and only the use of gloved or un-gloved hands

SCHEDULE 3

1. Research done pursuant to this notice must be within the waters of the State and related to or for the purposes of the administration of the Fisheries Management Act 2007.

2. The agents of the exemption holder are: Prof Ivan Nagelkerken, Prof Sean Connell, Dr Scotte Wedderburn, Prof Justin Brookes, Associate Prof David Paton, staff and students of the University of Adelaide associated with these agents. Agents must possess a copy of a signed letter from the exemption holder

stating that they are acting as an agent during the exempted activity.

3. The specimens collected by the exemption holder are for scientific, education and research purposes only and must not be sold. Any unwanted specimens must be returned to the water immediately.

4. The exemption holder must not collect specimens for aquaculture research purposes pursuant to this notice.

5. Any protected species taken incidentally while undertaking research under this exemption may be measured and recorded and must be returned to the water as soon as reasonably practicable.

6. A maximum of 30 individual Murray Cod per trip may be retained for research purposes to a maximum of 50 individual Murray Cod retained over the period of this exemption. For species other than Murray Cod, a maximum of 1 000 specimens of any species may be retained for research purposes over the period of this exemption.

7. The exempted activity must not be undertaken within areas closed to fishing activities pursuant to Section 79 of the Act, other than Section 79 closures in place for Murray Cod.

8. Organisms collected pursuant to this notice must not be released once they have been kept separate to their natural environment at the University.

9. Any equipment used to collect and hold fish during the exempted activity must be decontaminated prior to and after undertaking the research activities.

10. Electrofishing gear must be used in accordance with the Australian Code of Electrofishing Practice.

11. At least one hour before conducting research under this exemption, the exemption holder must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of this notice in their possession at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of permit holders undertaking the exempted activity and other related questions.

12. The exemption holder must provide a report in writing detailing the activities carried out pursuant to this notice to the Director, Fisheries and Aquaculture Policy (G.P.O. Box 1625, Adelaide, S.A. 5001) by 30 April 2018 with the following details:

- the date and location of sampling;
- the gear used;
- the number and description of all species collected;
- any interaction with protected species and marine mammals; and
- any other information regarding size, breeding or anything deemed relevant or of interest that is able to be volunteered.

13. Failure to submit a report as per condition 12 may result in further exemptions not being supported.

14. While engaged in the exempted activity, the exemption holder or agents must be in possession of a copy of this exemption. Such exemption must be produced to a PIRSA Fisheries Officer if requested.

15. 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 River Murray Act 2003 or the Adelaide Dolphin Sanctuary Act 2005. The exemption holder and her 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 9 June 2017.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT ACT 2007: SECTION 115

Exemption Number ME9902916

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, the class of persons listed in Schedule 1 (the 'exemption holders') or their agents are exempt from Section 53 (2) of the Fisheries Management Act 2007, but only insofar as they use the device described in Schedule 2 to take permitted species prescribed under the Fisheries Management (Lakes and Coorong Fishery) Regulations 2009, for the purpose of trade or business (the 'exempted activity'), during the period specified in Schedule 3 (unless varied or revoked earlier), subject to the conditions specified in Schedule 4. This notice does not apply to Lakes and Coorong Fishery licence holders with 25 or more drum net devices registered on the registrations and entitlements extract of their licences.

SCHEDULE 1

Holders of a Lakes and Coorong Fishery licence who have less than 25 drum nets registered on their licence.

SCHEDULE 2

25 drum nets as defined by the Fisheries Management (General) Regulations 2007.

SCHEDULE 3

From 12.01 a.m. on 1 July 2017 until 11.59 p.m. on 30 June 2018.

SCHEDULE 4

1. The exemption holder must not use or have more than 25 drum nets in his/her possession at any time during fishing activities.

2. Licence holders must continue to complete and submit the South Australian Inland Waters Catch and Effort Return forms for all permitted species taken pursuant to this notice, as per the Fisheries Management (Lakes and Coorong Fishery) Regulations 2009.

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

4. While engaged 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.

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

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/her 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 6 June 2017.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT ACT 2007: SECTION 115

Exemption Number ME9902917

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Lakes and Coorong Fishery licence holders (the 'exemption holders') are exempt from Section 70 of the Fisheries Management Act 2007 and Regulation 7 and Clause 3 (b) of Schedule 6 of the Fisheries Management (General) Regulations 2007 during the period specified in Schedule 1 (unless varied or revoked earlier), but only insofar as they use the device described in Schedule 2 to take permitted species prescribed under the Fisheries Management (Lakes and Coorong Fishery) Regulations 2009 for the purpose of trade or business (the 'exempted activity'), subject to the conditions specified in Schedule 3.

SCHEDULE 1

From 12.01 a.m. on 1 November 2017 to 11.59 p.m. on 16 December 2017 and from 12.01 a.m. on 1 February 2018 to 11.59 p.m. on 31 March 2018.

SCHEDULE 2

Small mesh multifilament hauling net as defined by the Fisheries Management (General) Regulations 2007 and registered on the Lakes and Coorong Fishery licence.

SCHEDULE 3

1. The exempted activity may only be undertaken in Area 1 of the Coorong, as defined in the Fisheries Management (General) Regulations 2007.

2. Licence holders must continue to complete and submit the South Australian Inland Waters Catch and Effort Return forms for all permitted species taken pursuant to this notice, as per the Fisheries Management (Lakes and Coorong Fishery) Regulations 2009.

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

4. While engaged 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.

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

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/her 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 6 June 2017.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT (PRAWN FISHERIES)
REGULATIONS 2006

*Temporary Prohibition on Fishing Activities in the
Gulf St Vincent Prawn Fishery*

TAKE notice that pursuant to Regulation 9A of the Fisheries Management (Prawn Fisheries) Regulations 2006, the activities of the class specified in Schedule 1 are prohibited in the waters of the Gulf St Vincent Prawn Fishery during the period specified in Schedule 2 unless this notice is varied or revoked.

SCHEDULE 1

The act of taking or an act preparatory to or involved in the taking of King Prawns (*Melicertus latisulcatus*) pursuant to a Gulf St Vincent Prawn Fishery Licence.

SCHEDULE 2

From 1800 hours on 17 May 2017 to 0700 hours on 21 May 2017.
Dated 16 May 2017.

S. SHANKS, Prawn Fishery Manager

FISHERIES MANAGEMENT (PRAWN FISHERIES)
REGULATIONS 2006

*Temporary Prohibition on Fishing Activities
in the Gulf St Vincent Prawn Fishery*

TAKE notice that pursuant to Regulation 9A of the Fisheries Management (Prawn Fisheries) Regulations 2006, the activities of the class specified in Schedule 1 are prohibited in the waters of the Gulf St Vincent Prawn Fishery during the period specified in Schedule 2 unless this notice is varied or revoked.

SCHEDULE 1

The act of taking or an act preparatory to or involved in the taking of King Prawns (*Melicertus latisulcatus*) pursuant to a Gulf St Vincent Prawn Fishery Licence.

SCHEDULE 2

From 1800 hours on 21 May 2017 to 0700 hours on 22 May 2017.

Dated 21 May 2017.

S. SHANKS, Prawn Fisheries Manager

FISHERIES MANAGEMENT (PRAWN FISHERIES)
REGULATIONS 2006

Surveying in the Gulf St Vincent Prawn Fishery

TAKE notice that pursuant to Regulation 9A of the Fisheries Management (Prawn Fisheries) Regulations 2006, the notice dated 16 May 2017 prohibiting fishing activities in the Gulf St Vincent Prawn Fishery is hereby varied such that it will not apply to the holders of a Gulf St Vincent Prawn Fishery licence issued, pursuant to the Fisheries Management (Prawn Fisheries) Regulations 2006, listed in Schedule 1 or their registered master insofar as they may use prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of undertaking a prawn survey during the period specified in Schedule 2, subject to the conditions contained in Schedule 3 unless this notice is varied or revoked.

SCHEDULE 1

Licence No.	Licence Holder	Boat Name
V01	Ganelon Pty Ltd	<i>Miss Anita</i>
V03	Josephine K Fisheries Pty Ltd	<i>Josephine K</i>
V05	Maurice Corigliano	<i>Frank Cori</i>
V08	Cassidile Pty Ltd	<i>Limnos</i>

SCHEDULE 2

Commencing at sunset on 19 May 2017 and ending at sunrise on 21 May 2017.

SCHEDULE 3

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

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

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

4. No fishing activity may be undertaken between the prescribed times of sunrise and sunset for Adelaide (as published in the *South Australian Government Gazette*) during the period specified in Schedule 2.

5. The licence holders listed in Schedule 1 or their registered master must not contravene or fail to comply with the Fisheries Management Act 2007, or any other regulations made under that Act except where specifically exempted by this notice.

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

Dated 16 May 2017.

S. SHANKS, Prawn Fishery Manager

FISHERIES MANAGEMENT (PRAWN FISHERIES)
REGULATIONS 2006

Fishing Run for the Spencer Gulf Prawn Fishery

TAKE notice that pursuant to Regulation 9A of the Fisheries Management (Prawn Fisheries) Regulations 2006, the notice dated 21 March 2017, prohibiting fishing activities in the Spencer Gulf Prawn Fishery is hereby varied such that it will not be unlawful

for a person fishing, pursuant to a Spencer Gulf Prawn Fishery licence to use prawn trawl nets in the areas specified in Schedule 1, during the period specified in Schedule 2 and under the conditions specified in Schedule 3.

SCHEDULE 1

The waters of the Spencer Gulf Prawn Fishery:

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

1. 33°27.00'S 137°17.00'E
2. 33°27.00'S 137°28.50'E
3. 33°32.00'S 137°28.50'E
4. 33°32.00'S 137°29.50'E
5. 33°23.00'S 137°29.50'E
6. 33°23.00'S 137°32.50'E
7. 33°26.50'S 137°32.50'E
8. 33°30.00'S 137°34.30'E
9. 33°37.00'S 137°33.00'E
10. 33°46.00'S 137°44.00'E

Excluding the Stones area, which is defined as the area within the following index points:

1. 33°18.00'S 137°52.00'E
2. 33°18.00'S 137°35.00'E
3. 33°27.00'S 137°35.00'E
4. 33°27.00'S 137°43.00'E
5. 33°17.00'S 137°53.00'E

(b) Except the Southern closure area, which is defined as the area within the north of the following index points:

1. 33°41.00'S 137°06.00'E
2. 33°52.00'S 137°15.00'E
3. 33°54.00'S 137°09.00'E
4. 33°59.00'S 137°12.00'E
5. 34°11.00'S 136°58.00'E
6. 34°14.00'S 136°58.00'E
7. 34°14.00'S 136°54.50'E
8. 34°18.00'S 136°54.50'E
9. 34°27.00'S 136°48.00'E
10. 34°27.00'S 136°54.00'E
11. 34°38.00'S 136°46.00'E
12. 34°38.00'S 136°33.00'E
13. 34°16.00'S 136°52.00'E
14. 34°16.00'S 136°42.00'E
15. 34°05.00'S 136°48.00'E
16. 34°05.00'S 136°41.20'E
17. 34°02.00'S 136°46.40'E
18. 34°01.20'S 136°45.75'E
19. 33°59.10'S 136°49.35'E
20. 33°50.00'S 136°42.00'E

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

1. 34°10.00'S 137°28.00'E
2. 34°21.00'S 137°12.00'E
3. 34°45.00'S 137°15.00'E
4. 34°48.53'S 137°09.45'E
5. 34°48.53'S 137°06.00'E
6. 34°50.75'S 137°06.00'E
7. 34°54.00'S 137°01.00'E

(d) Except the Thistle closure area, which is defined as the waters within the following closure index points:

1. 34°53.00'S 136°17.50'E
2. 34°58.00'S 136°17.50'E
3. 34°53.00'S 136°24.00'E

(e) Except the area south of latitude 34°30.000'S and east of longitude 136°40.000'E.

SCHEDULE 2

Commencing at sunset on 23 May 2017 and ending at sunrise on 3 June 2017.

SCHEDULE 3

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

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

3. Fishing must cease:

(a) in the area north of the fishing area known as the 'Mid/North Gulf' (as described on page 48 of the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery¹ October 2014) if the average catch per vessel, per night (based on the best information available to the committee at sea) drops below 500 kg.

Note:

¹ Management plan can be found at http://www.pir.sa.gov.au/_data/assets/pdf_file/0003/57954/Prawn-Spencer-Gulf-Fishery-Management-Plan.pdf

(b) in the area known as the 'Southern Gulf' area (as described on page 48 in the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery October 2014) if the average catch per vessel, per night (based on the best information available to the committee at sea) drops below 350 kg per vessel for two consecutive nights.

4. Fishing must cease in an area in the Mid/North Gulf if the average prawn bucket count for all vessels (based on the best information available to the committee at sea) exceeds 260 prawns per 7 kg; or in an area in the Southern Gulf if the average bucket count for all vessels exceeds 260 prawns per 7 kg (based on the best information available to the committee at sea).

5. No fishing activity may occur without the authorisation of the Co-ordinator at Sea, Greg Palmer, or another Co-ordinator at Sea appointed by the Spencer Gulf and West Coast Prawn Fishermen's Association.

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

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

8. The Co-ordinator at Sea must keep records of all authorisations issued pursuant to this notice.

Dated 23 May 2017.

S. SHANKS, Prawn Fisheries Manager

GEOGRAPHICAL NAMES ACT 1991

Notice of Intent to Assign a Name to a Place

NOTICE is hereby given pursuant to the provisions of the above Act, that the Minister for Transport and Infrastructure seeks public comment on a proposal to assign the name Anna Rennie Path to that feature located on Jenkins Street and Unnamed Road, located at New Port and Port Adelaide, as shown highlighted pink on the plan available at the link below.

Submissions in writing regarding this proposal may be lodged with the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, within one month of the publication of this notice.

This naming proposal can be viewed on the Land Services website located at: www.sa.gov.au/landservices/namingproposals.

Dated 13 June 2017.

A. FALKENBERG, Acting Surveyor-General,
Department of Planning, Transport and Infrastructure

LAND TAX ACT 1936

Change in Site Values and Index Value for the 2017-2018 Financial Year

I, DELFINA LANZILLI, the Valuer-General, as required by Section 8A (6) of the Land Tax Act 1936, hereby give notice that the average percentage change in site values for the 2017-2018 financial year is 6.2% and the Index Value for the 2017-2018 financial year is 1.176.

Dated 7 June 2017.

D. LANZILLI, Valuer-General

LAND TAX ACT 1936

Land Tax Thresholds for the 2017-2018 Financial Year

I, GRAEME ROBERT JACKSON, the Commissioner of State Taxation, as required by Section 8A (7) of the Land Tax Act 1936, hereby give notice that the land tax thresholds that will apply with respect to the 2017-2018 financial year are:

Threshold A	\$353 000;
Threshold B	\$647 000;
Threshold C	\$941 000; and
Threshold D	\$1 176 000.

Dated 7 June 2017.

G. JACKSON, Commissioner of State Taxation

MENTAL HEALTH ACT 2009

NOTICE is hereby given in accordance with Section 94 (1) of the Mental Health Act 2009, that the Chief Psychiatrist has determined the following persons as Authorised Mental Health Professionals commencing from date of gazettal:

A person's determination will expire at the date given.

Steven Letcher: 11 July 2017
Elizabeth Diment: 6 May 2020.

A. GROVES, Chief Psychiatrist

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Renascor Resources Limited

Location: Lake Callabonna area—Approximately 185 km north-east of Leigh Creek.

Pastoral Leases: Moolawatana, Murnpeowie.

Term: 2 years

Area in km²: 125

Reference: 2017/00072

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Peninsula Resources Limited

Location: Pinkawillinie area—Approximately 150 km east of Streaky Bay.

Pastoral Leases: Buckleboo.

Term: 2 years

Area in km²: 1 397

Reference: 2017/00077

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Red Gold Australia Pty Ltd and Giralia Resources Pty Ltd

Location: Wadnaminga area—Approximately 45 km south-south-west of Olary.

Pastoral Leases: Netley Gap, Devonborough Downs, Wadnaminga, Lilydale, Manunda, Benda.

Term: 2 years

Area in km²: 257

Reference: 2017/00078

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Cartwheel Minerals Pty Ltd

Location: North Lake Gairdner area—Approximately 120 km east-south-east of Tarcoola.

Pastoral Leases: Kokatha, Coondambo.

Term: 2 years

Area in km²: 412

Reference: 2017/00079

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant an Exploration Licence over the area described below:

Applicant: Quasar Resources Pty Ltd
 Location: Moolawatana area—Approximately 140 km east of Marree.
 Pastoral Leases: Murnpeowie, Moolawatana.
 Term: 2 years
 Area in km²: 622
 Reference: 2017/00083

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices
 or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from:

http://www.minerals.dpc.sa.gov.au/land_access/community_information
 or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

ON 14 February 2013, notice was given in accordance with Section 35A (1) of the Mining Act 1971, that an application for an Extractive Minerals Lease over the undermentioned mineral claim had been received:

Applicant: Integrated Waste Services
 Claim Number: 4341
 Location: Allotment 93, Filed Plan 173117 and Allotment 94, Filed Plan 173118 and Allotment 95, Filed Plan 173119 and Allotment 96, Filed Plan 173120 and Sections 310, 311 and 312, Hundred of Dublin (approximately 3.5 km south of Dublin).
 Area: 184.55 hectares approximately
 Purpose: Limestone and Clay.
 Reference: T02939

Since that notice was published an amended mining lease proposal has been received in relation to this application. Further notice is hereby given in accordance with Section 35A (1) of the Mining Act 1971 in relation to this application.

Details of the amended proposal may be inspected at the Department of the Premier and Cabinet, Mineral Resources Division, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000.

A copy of the proposal has been provided to the Adelaide Plains Council and an electronic copy of the proposal can be found on the Department of the Premier and Cabinet website: http://minerals.dpc.sa.gov.au/mining/public_notices_mining.

Written submissions in relation to this application are invited to be received at the Department of the Premier and Cabinet, Mining Regulation, Attention: Business Support Officer, G.P.O. Box 320, Adelaide, S.A. 5001 by no later than 13 July 2017.

The delegate of the Minister for Mineral Resources and Energy is required to have regard to these submissions in determining whether to grant or refuse the application and, if granted, the terms and conditions on which it should be granted.

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

J. MARTIN, Mining Registrar

MINING ACT 1971

NATIVE TITLE (SOUTH AUSTRALIA) ACT 1994

NOTICE is hereby given in accordance with Section 35A (1) of the Mining Act 1971 and Part 5 of the Native Title (South

Australia) Act 1994, that an application for a Mineral Lease over the undermentioned Retention Lease has been received:

Applicant: OZ Minerals Carrapateena Pty Ltd; OZM Carrapateena Pty Ltd

RL Number: 127

Location: Block 868, Out of Hundreds (Torrens) and Allotment Piece 2, Deposited Plan 47706 (Pernatty area, approximately 62 km east of Woomera).

Area: 11 633 hectares approximately

Purpose: Copper, Gold and Silver.

Reference: T02917

Notice is hereby given in accordance with Section 53 (2) of the Mining Act 1971 that three applications for Miscellaneous Purposes Licences have also been received:

Applicant: OZ Minerals Carrapateena Pty Ltd; OZM Carrapateena Pty Ltd

Location: Allotment 109 and Allotment Pieces 10 and 2, Deposited Plan 47746 and Allotment Piece 2, Deposited Plan 47706 (Pernatty area, approximately 46 km east-south-east of Woomera).

Area: 20 126 hectares approximately

Purpose: Western Infrastructure Corridor.

Reference: 2016/1245

Applicant: OZ Minerals Carrapateena Pty Ltd; OZM Carrapateena Pty Ltd

Location: Block 868, Out of Hundreds (Torrens) (Pernatty area, approximately 67 km east of Woomera).

Area: 3 029 hectares approximately

Purpose: Eastern Radial Wellfield.

Reference: 2016/1246

Applicant: OZ Minerals Carrapateena Pty Ltd; OZM Carrapateena Pty Ltd

Location: Allotment Piece 2, Deposited Plan 47706 and Block 868, Out of Hundreds (Torrens) (Pernatty area, approximately 67 km south-east of Woomera).

Area: 1 867 hectares approximately

Purpose: Southern Access Road and Radial Wellfield.

Reference: 2016/1247

Details of the proposal/management plan may be inspected at the Department of the Premier and Cabinet, Mineral Resources Division, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000. The proposal/management plan supports the applications for a Mineral Lease and three Miscellaneous Purposes Licences.

An electronic copy of the proposal/management plan can be found on the Department of the Premier and Cabinet website: http://minerals.dpc.sa.gov.au/mining/public_notices_mining.

In addition, the project was determined a controlled action under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The proposal/management plan will be assessed under the Bilateral Agreement between the state of South Australia and the Commonwealth of Australia.

Written submissions in relation to these applications are invited to be received at the Department of the Premier and Cabinet, Mining Regulation, Attention: Business Support Officer, G.P.O. Box 320, Adelaide, S.A. 5001 by no later than 19 July 2017.

The delegate of the Minister for Mineral Resources and Energy is required to have regard to these submissions in determining whether to grant or refuse the applications and, if granted the terms and conditions on which they should be granted.

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

J. MARTIN, Mining Registrar

NATIONAL ELECTRICITY LAW

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

Under s 95, Western Power has requested the *Alternatives to grid-supplied network services* (Ref. ERC0215) proposal. The proposal seeks to change the definition of ‘distribution service’ in the National Electricity Rules so that it may include (among other things) off-grid supply provided in certain circumstances. Submissions must be received by **18 July 2017**.

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.

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, N.S.W. 2000

Telephone: (02) 8296 7800

Website: www.aemc.gov.au

14 June 2017.

NATIONAL GAS LAW

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

Under s 303, COAG Energy Council has requested the *Improvements to Natural Gas Bulletin Board* (Ref. GRC0040) proposal. The proposal seeks to enhance the breadth and accuracy of information provided to the market. Under s 305, the AEMC has decided to fast track this proposal.

Australian Energy Market Commission

Level 6, 201 Elizabeth Street,
Sydney, N.S.W. 2000

Telephone: (02) 8296 7800

Website: www.aemc.gov.au

14 June 2017.

FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2006

Surveying in the Spencer Gulf Prawn Fishery

TAKE notice that pursuant to Regulation 9A of the Fisheries Management (Prawn Fisheries) Regulations 2006, the notice dated 21 March 2017, published in the *South Australian Government Gazette* on 28 March 2017, being the third notice on page 945 prohibiting fishing activities in the Spencer Gulf Prawn Fishery is hereby varied such that it will not apply to the holders of a Spencer Gulf Prawn Fishery licence issued pursuant to the Fisheries Management (Prawn Fisheries) Regulations 2006, listed in Schedule 1 or their registered master insofar as they may use prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of undertaking a prawn survey during the period specified in Schedule 2, subject to the conditions contained in Schedule 3 unless this notice is varied or revoked.

SCHEDULE 1

Licence No.	Licence Holder	Boat Name
P08	Anton Blaslov	<i>Grozdana B</i>
P09	Bartolomeo Puglisi	<i>Angelina</i>
P16	Barry Evans	<i>Night Stalker</i>
P33	Wellmet Pty Ltd	<i>Beauie J</i>

SCHEDULE 2

Commencing at sunset on 22 May 2017 and ending at sunrise on 23 May 2017.

SCHEDULE 3

1. For the purposes of this notice the trawl survey area cannot include any areas of waters enclosed within the area south of latitude 34°30.000'S and east of longitude 136°40.000'E.

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

3. The licence holders listed in Schedule 1 must accurately complete the table attached as Table 1, and submit to PIRSA Fisheries and Aquaculture by email to pirsa.fishwatch@sa.gov.au at least one hour prior to departure of the first vessel from port to engaging in the exempted activity.

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

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

6. No fishing activity may be undertaken between the prescribed times of sunrise and sunset for Adelaide (as published in the *South Australian Government Gazette*) during the period specified in Schedule 2.

7. The licence holders listed in Schedule 1 or their registered master must not contravene or fail to comply with the Fisheries Management Act 2007, or any other regulations made under that Act except where specifically exempted by this notice.

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

Dated 22 May 2017.

S. SHANKS, Prawn Fishery Manager

TABLE 1: SURVEY REPORT FOR THE SPENCER GULF PRAWN FISHERY

Required fields	Vessel 1	Vessel 2	Vessel 3	Vessel 4
1. Licence Prefix				
2. Licence No.				
3. Port commencing from				
4. Earliest date leaving port				
5. Earliest time leaving port				
6. Port of return				
7. Activity undertaken				
8. Name of person conducting activity				
9. Dates of trawling commencement				
10. Times of trawling				
11. Where will activity take place?				

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

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

Address of House	Allotment, Section, etc.	Certificate of Title	
		Volume	Folio
10 Lansdowne Terrace, Walkerville, S.A. 5081	Allotment 55 in Filed Plan 137506, Hundred of Yatala	1176 5859	68 648
21 Oakley Street, Adelaide, S.A. 5000	Allotment 312 in Filed Plan 181154, Hundred of Adelaide	2415 5885	127 759
165 Long Street, Queenstown, S.A. 5014	Allotment 9 in Filed Plan 142750, Hundred of Yatala	829 5833	157 793
8 Carnoustie Avenue, Fairview Park, S.A. 5126	Allotment 15 in Deposited Plan 9805, Hundred of Yatala	5135	256
40 Blight Street, Davoren Park, S.A. 5113	Allotment 6 in Deposited Plan 38779, Hundred of Munno Para	5169	149
65 Alfred Street, Parkside, S.A. 5063	Allotment 380 in Filed Plan 14666, Hundred of Adelaide	5135 6135	16 681
4 Stuart Street, Dernancourt, S.A. 5075	Allotment 46 in Deposited Plan 7216, Hundred of Yatala	5210	690

Dated at Adelaide, 14 June 2017.

T. BAKER, Director, Property and Contract Management, Housing SA,
Delegate of Minister for Social Housing

South Australia

Liquor Licensing (Dry Areas) Notice 2017

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

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2017*.

2—Commencement

This notice comes into operation on 9 December 2017.

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 addition to Schedule—Victor Harbor Area 1 in the principal notice.

Schedule—Victor Harbor Area 1

1—Extent of prohibition

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

2—Period of prohibition

The prohibition applies during the following periods:

(a) from 3 p.m. to 10 p.m. on 9 December 2017;

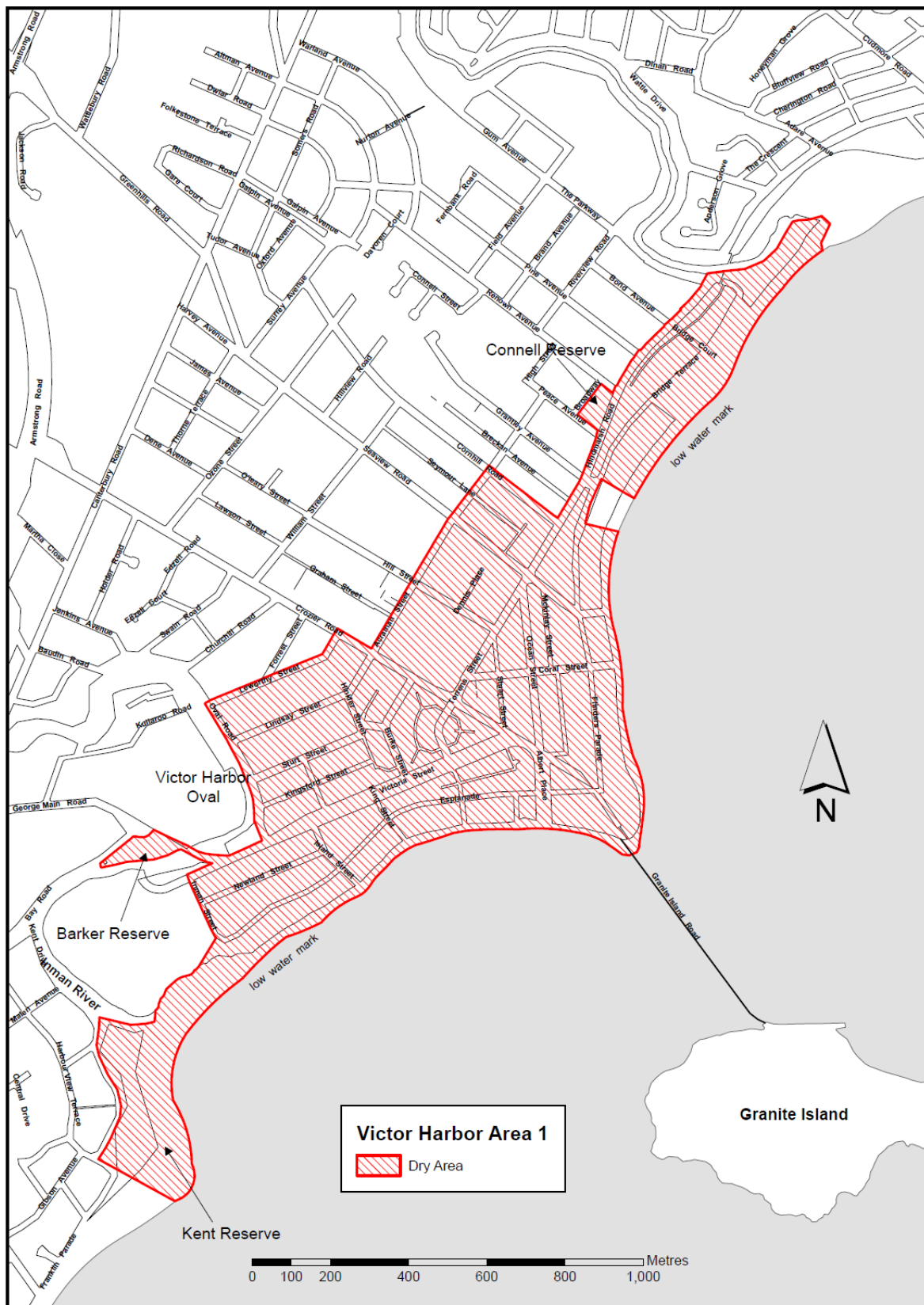
(b) from 3 p.m. to 10 p.m. on 31 December 2017;

(c) from 8 a.m. to 9 a.m. on 1 January 2018.

3—Description of area

The area in and adjacent to Victor Harbor bounded as follows: commencing at the point at which the north-western boundary of Hindmarsh Road intersects the southern bank of the Hindmarsh River, then generally north-easterly along that bank of the Hindmarsh River to the low water mark of Encounter Bay, then generally south-westerly along the low water mark to the point at which it meets the northern boundary of the area defined in Schedule—Victor Harbor Area 3 (the prolongation in a straight line of the northernmost boundary of the bitumenised car parking area immediately to the north of the skating arena of the Victor Harbor Skate and Youth Park), then generally north-westerly, south-westerly and south-easterly around the northern, western and southern boundaries of that area back to the low water mark of Encounter Bay, then generally southerly along the low water mark to the eastern side of the causeway linking Granite Island to the mainland, then in a straight line by the shortest route to the low water mark on the western side of the causeway, then generally westerly, south-westerly, southerly and south-westerly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the south-western boundary of Harbour View Terrace, then north-westerly along that prolongation and boundary of Harbour View Terrace to the point at which it is intersected by the prolongation in a straight line of the north-western boundary of Kent Drive, then generally north-easterly, northerly and north-westerly along that prolongation and boundary of Kent Drive to the point at which it is intersected by the prolongation in a straight line of the south-eastern boundary of a foot bridge across the Inman River (being the foot bridge closest to the mouth of the river), then north-easterly along the line of that south-eastern boundary of the foot bridge across the river to the south-western boundary of the Victor Harbor Beachfront Holiday Park, then generally south-easterly and north-easterly along the boundary of the park to the south-western boundary of Inman Street, then north-westerly along that boundary of Inman Street and the prolongation in a straight line of that boundary to the north-western boundary of Victoria Street, then north-easterly along that boundary of Victoria Street to the south-western boundary of George Main Road, then north-westerly along that boundary of George Main Road to the northern bank of the Inman River, then westerly along that bank of the river to the point at which it is intersected by the prolongation in a straight line of the western boundary of Lot 57 of FP 20694, then north-westerly along that prolongation to the kerb line on the south-eastern side of Bay Road, then generally north-easterly along that kerb line to the kerb line on the south-western side of George Main Road, then in a straight line by the shortest route across George Main Road to the north-eastern boundary of that road, then south-easterly along that boundary of George Main Road to the north-western boundary of Victoria Street, then north-easterly along that boundary of Victoria Street to the south-western boundary of Oval Road, then

generally north-westerly along that boundary of Oval Road to the point at which it is intersected by the prolongation in a straight line of the north-western boundary of Leworthy Street, then generally north-easterly along that prolongation and boundary of Leworthy Street, and the prolongation in a straight line of that boundary, to the north-eastern boundary of Crozier Road, then south-easterly along that boundary of Crozier Road to the north-western boundary of Acraman Street, then north-easterly along the north-western boundaries of Acraman Street and Carlyle Street to the point at which the north-western boundary of Carlyle Street intersects the north-eastern boundary of Cornhill Road, then south-easterly along that north-eastern boundary of Cornhill Road to the north-western boundary of Hindmarsh Road, then north-easterly along that boundary of Hindmarsh Road to the north-eastern boundary of Peace Avenue, then north-westerly along that boundary of Peace Avenue to the south-eastern boundary of Broadway Terrace, then north-easterly along that boundary of Broadway Terrace to the south-western boundary of Renown Avenue, then south-easterly along that boundary of Renown Avenue to the north-western boundary of Hindmarsh Road, then generally north-easterly along that boundary of Hindmarsh Road to the point of commencement. The area includes the whole of any wharf, jetty, boat ramp, breakwater or other structure that extends below low water mark from within the area (as well as any area beneath such a structure), but does not include that part of the causeway to Granite Island that lies within the area to which the prohibition in Schedule—Victor Harbor Area 2 applies.



Made by the Liquor and Gambling Commissioner

On 7 June 2017.

South Australia

Liquor Licensing (Dry Areas) Notice 2017

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

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2017*.

2—Commencement

This notice comes into operation on 20 November 2017.

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 addition to Schedule—Victor Harbor Area 2 in the principal notice.

Schedule—Victor Harbor Area 2

1—Extent of prohibition

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

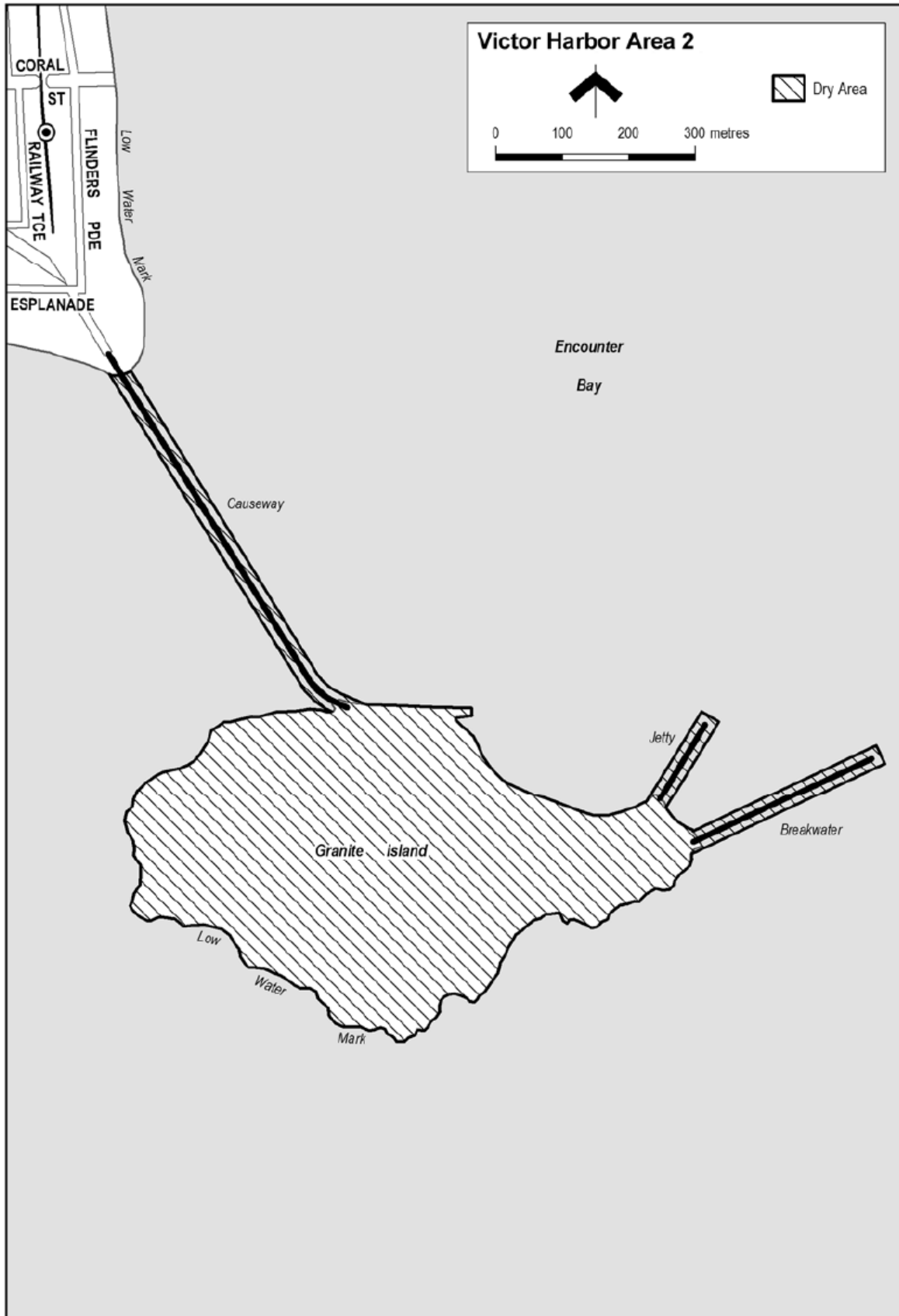
2—Period of prohibition

The prohibition applies during the following periods:

- (a) from 8 am on 20 November 2017 to 10 am on 27 November 2017;
- (b) from 3 pm to 10 pm on 9 December 2017;
- (c) from 3 pm to 10 pm on 31 December 2017;
- (d) from 8 am to 9 am on 1 January 2018.

3—Description of area

The whole of Granite Island to low water mark, together with the whole of the causeway linking the mainland and Granite Island (apart from the part of the causeway above the low water mark on the mainland as well as any area beneath the causeway. In addition to the causeway, the area also includes the whole of any wharf, jetty, boat ramp, breakwater or other structure extending below low water mark from Granite Island, as well as any area beneath such a structure.



Made by the Liquor and Gambling Commissioner on
7 June 2017.

South Australia

Liquor Licensing (Dry Areas) Notice 2017

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

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2017*.

2—Commencement

This notice comes into operation on 20 November 2017.

3—Interpretation

(1) In this notice—

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

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

4—Consumption etc of liquor prohibited in dry areas

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

Schedule—Victor Harbor Area 4

1—Extent of prohibition

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

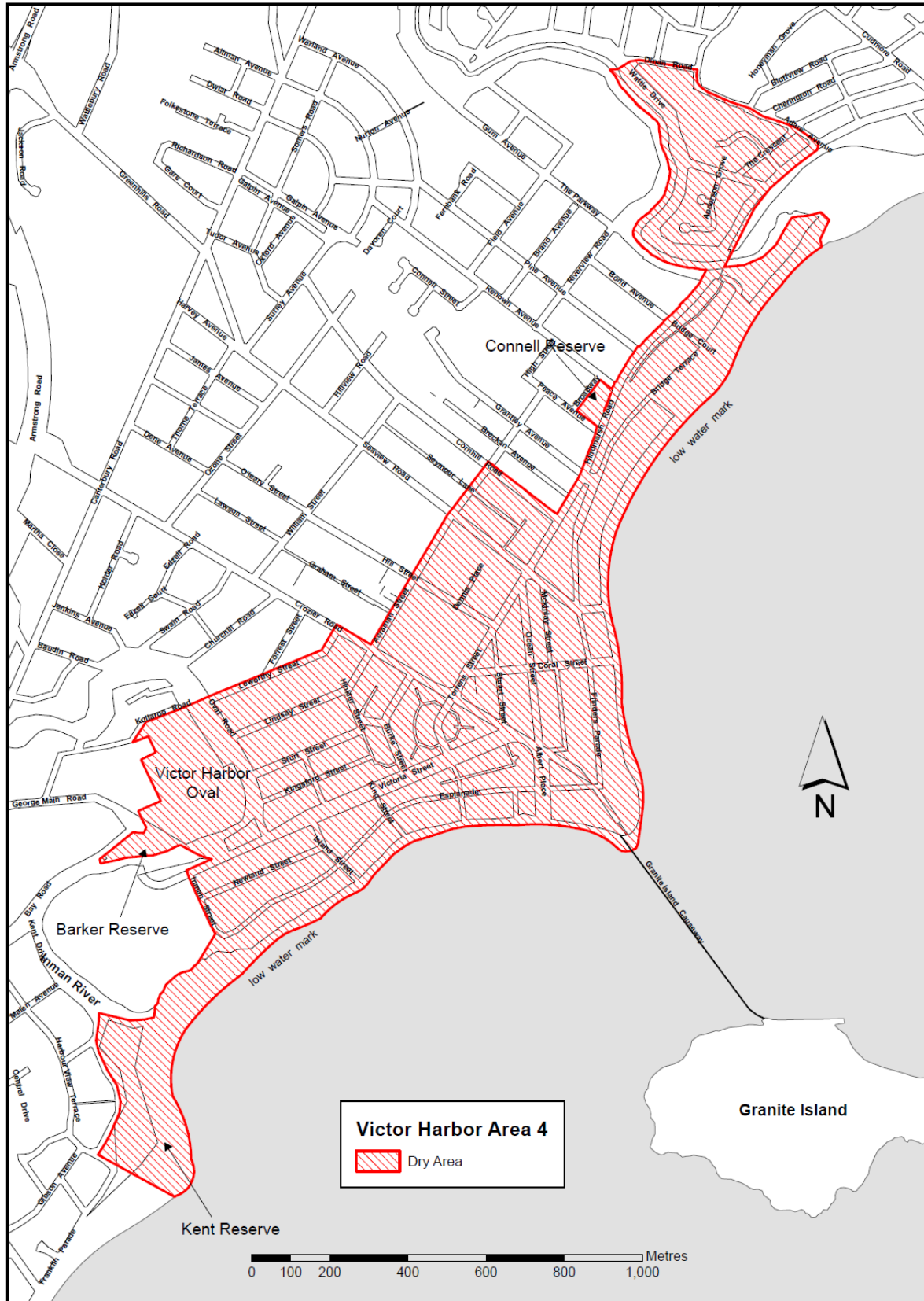
2—Period of prohibition

From 8 am on 20 November 2017 to 10 am on 27 November 2017.

3—Description of area

The area in and adjacent to Victor Harbor bounded as follows: commencing at the point at which the north-western boundary of Hindmarsh Road intersects the southern bank of the Hindmarsh River, then generally westerly, north-easterly and north-westerly along that bank of the Hindmarsh River to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Dinan Road, then easterly along that prolongation and boundary of Dinan Road and the prolongation in a straight line of that boundary to the western boundary of Laxton Street, then generally south-westerly and south-easterly along that boundary of Laxton Street, the south-western boundary of Adare Avenue and the prolongation in a straight line of the south-western boundary of Adare Avenue to the south-eastern boundary of Hindmarsh Road, then generally south-westerly along that boundary of Hindmarsh Road to the point at which it intersects the northern bank of the Hindmarsh River, then along that bank of the Hindmarsh River to the low water mark of Encounter Bay, then generally south-westerly and southerly along the low water mark to the eastern side of the causeway linking Granite Island to the mainland, then in a straight line by the shortest route to the low water mark on the western side of the causeway, then generally westerly, south-westerly, southerly and south-westerly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the south-western boundary of Harbour View Terrace, then north-westerly along that prolongation and boundary of Harbour View Terrace to the point at which it is intersected by the prolongation in a straight line of the north-western boundary of Kent Drive, then generally north-easterly, northerly and north-westerly along that prolongation and boundary of Kent Drive to the point at which it is intersected by the prolongation in a straight line of the south-eastern boundary of a foot bridge across the Inman River (being the foot bridge closest to the mouth of the river), then north-easterly along the line of that south-eastern boundary of the foot bridge across the river to the south-western boundary of the Victor Harbor Beachfront Holiday Park, then generally south-easterly and north-easterly along the boundary of the park to the south-western boundary of Inman Street, then north-westerly along that boundary of Inman Street and the prolongation in a straight line of that boundary to the north-western boundary of Victoria Street, then north-easterly along that boundary of Victoria Street to the south-western boundary of George Main Road, then north-westerly along that boundary of George Main Road to the northern bank of the Inman River, then westerly along that bank of the river to the point at which it is intersected by the prolongation in a straight line of the western boundary of Lot 57 of FP 20694, then north-westerly along that prolongation to the kerb line on the south-eastern side of Bay Road, then generally north-easterly along that kerb line to the kerb line on the south-western side of George Main Road, then in a straight line by the shortest route across George Main Road to the north-eastern boundary of that road, then north-westerly along that boundary of George Main Road to the point at which the north-eastern boundary of George Main Road meets the eastern boundary of Lot 11 DP 14245 (Victor Harbor High School), then north-easterly, north-westerly, north-easterly, north-westerly and south-westerly along that boundary of Lot 11 to the point at which it meets the

south-eastern boundary of Kullaroo Road, then north-easterly along the south-eastern boundary of Kullaroo Road and the prolongation in a straight line of that boundary to the north-eastern corner of Lot 333 FP 165581, then in a straight line by the shortest route to the point at which the north-western boundary of Leworthy Street meets the north-eastern boundary of Oval Road, then generally north-easterly along that north-western boundary of Leworthy Street and the prolongation in a straight line of that boundary to the north-eastern boundary of Crozier Road, then south-easterly along that boundary of Crozier Road to the north-western boundary of Acraman Street, then north-easterly along the north-western boundaries of Acraman Street and Carlyle Street to the point at which the north-western boundary of Carlyle Street intersects the north-eastern boundary of Cornhill Road, then south-easterly along that north-eastern boundary of Cornhill Road to the north-western boundary of Hindmarsh Road, then north-easterly along that boundary of Hindmarsh Road to the north-eastern boundary of Peace Avenue, then north-westerly along that boundary of Peace Avenue to the south-eastern boundary of Broadway Terrace, then north-easterly along that boundary of Broadway Terrace to the south-western boundary of Renown Avenue, then south-easterly along that boundary of Renown Avenue to the north-western boundary of Hindmarsh Road, then generally north-easterly along that boundary of Hindmarsh Road to the point of commencement. The area includes the whole of any wharf, jetty, boat ramp, breakwater or other structure that extends below low water mark from within the area (as well as any area beneath such a structure), but does not include that part of the causeway to Granite Island that lies within the area to which the prohibition in Schedule—Victor Harbor Area 2 applies.



Made by the Liquor and Gambling Commissioner
on 7 June 2017.

South Australia

Liquor Licensing (Dry Areas) Notice 2017

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

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2017*.

2—Commencement

This notice comes into operation on 31 December 2017.

3—Interpretation

(1) In this notice—

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

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

4—Consumption etc of liquor prohibited in dry areas

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

Schedule—Hayborough Area 2

1—Extent of prohibition

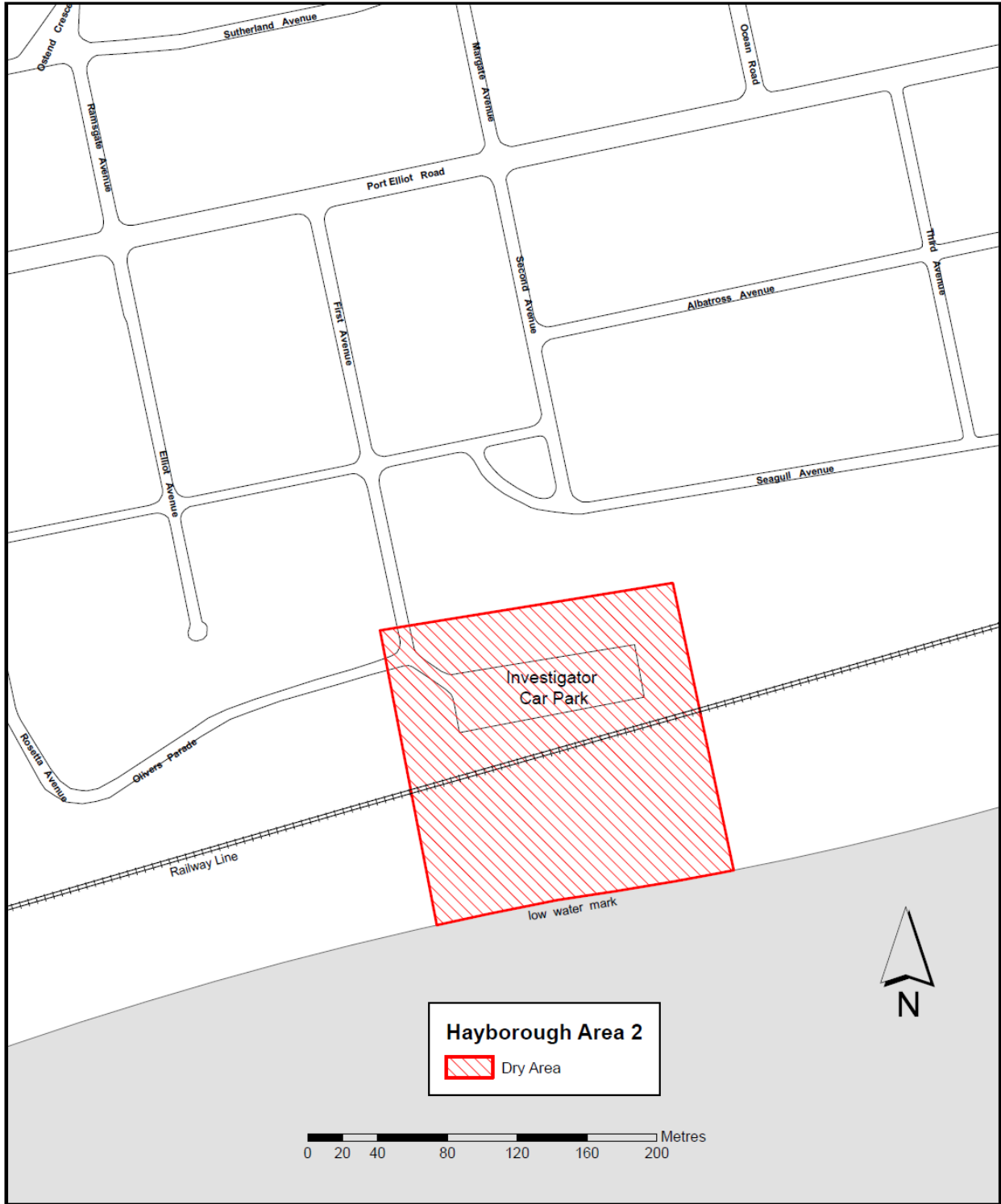
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 3 pm on 31 December 2017 to 9 am on 1 January 2018.

3—Description of area

The area in and adjacent to Hayborough (being the area generally known as the Investigator car park, together with other land) bounded on the north by the south-westerly prolongation in a straight line of the southern boundary of Lot 401DP 3207, on the east by the south-easterly prolongation in a straight line of the western boundary of that Lot, on the south by the low water mark of Encounter Bay and on the west by the eastern boundaries of Lots 1 and 2 DP 91118 and the south-easterly prolongation in a straight line of the eastern boundary of Lot 2 DP 91118.



Made by the Liquor and Gambling Commissioner

on 7 June 2017

South Australia

Notice for the Approval of Alcohol Interlock Devices

Pursuant to section 5(3b) of the *Motor Vehicles Act 1959*

1—Short title

This notice may be cited as the *Approval of Alcohol Interlock Devices*.

2—Commencement

This notice will come into operation on the day of gazettal.

3—Approve the following devices as an alcohol interlock

Under section 5 (3b)(a) of the Motor Vehicles Act 1959, I hereby approve the Guardian Alcolock LR and Alcolock WR3 alcohol interlock devices subject to the conditions specified in the “Deed of Agreement for the supply of Alcohol Interlock Devices”.

Made by the Minister for Transport and Infrastructure

Stephen Mullighan, MP

1 June 2017.

RETURN TO WORK ACT 2014
RTWSA Premium Provisions 2017-2018

THE Board of the Return to Work Corporation of South Australia ('the Corporation') after consultation with the Minister publishes the following terms and conditions that will apply in relation to the calculation, imposition and payment of premiums for the purposes of subsection 138 (1) of the *Return to Work Act 2014* ('the Act') and these terms and conditions will be referred to as the 'RTWSA Premium Provisions 2017-2018'.

The RTWSA Premium Provisions 2017-2018 apply for the premium period 2017-2018 (and each premium period thereafter until modified in accordance with subsection 138 (1) of the Act).

Part 1—Preliminary Matters

1. These terms and conditions apply to the calculation, imposition and payment of premiums on or after 1 July 2017.

Part 2—Definitions

2. For the purposes of the RTWSA Premium Provisions 2017-2018, RTWSA Premium Order (Return To Work Premium System) 2017-2018 (as amended from time to time) and the RTWSA Premium Order (Retro-Paid Loss Arrangement) 2017-2018 (as amended from time to time) and the RTWSA Premium Order (Crown Employers) 2017-2018 the following definitions will apply except where otherwise modified:

apprentice: A person who is or will be trained by their employer under an approved training contract in an occupation declared to be a 'trade' under section 6 of the Training and Skills Development Act 2008.

approved training contract: Has the same meaning as a contract approved as a training contract under the Training and Skills Development Act 2008.

Crown Employer: means the Crown and includes any agency or instrumentality of the Crown who employs a worker in employment to which the Act applies but does not include an Excluded Crown Employer.

Crown entity: means the Crown in the right of the State of South Australia, and includes any agency or instrumentality of the Crown.

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

Excluded Crown Employer: means—

- (a) a Crown entity who was on 30 June 2017 subject to a proclamation pursuant to section 130 (2) of the Act, and
- (b) a Crown entity in respect of whose deemed registration under section 130 of the Act has not ceased to operate

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

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

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

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

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

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

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

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

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

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

Regulations: The Return to Work Regulations 2015.

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

SAIC: South Australian Industry Classification.

the Act: *Return to Work Act 2014*.

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

Part 3—Liability to pay premiums

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

Part 4—Calculation of Base Premium for employers other than Crown Employers

Explanatory Note

For the purposes of section 142 (4) of the Act, the intent of the formula set out below is to calculate an employer's base premium by multiplying an employer's remuneration by their relevant industry premium rate. Given that an employer could have more than one location, each with its own industry premium rate, the formula is written to show that an employer's base premium could be the aggregate of many calculations.

4. The base premium (BP) is to be calculated in accordance with the following formula:

$$BP = (Ra \times Ia) + (Rb \times Ib) + \dots (Rn \times In)$$

Where:

Ra, Rb, ...Rn are each a part of the total remuneration in respect of the period for which the premium is to be calculated, being a part of the total remuneration attributable to each relevant SAIC applicable to the employer.

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

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

Part 5—Apprentice and Trainee Incentive Amount

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

$$A = (Aa \times Ia) + (Ab \times Ib) + \dots (An \times In)$$

Where:

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

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

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

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

Part 6—Premium payable by a newly registered employer

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

$$P = (BP - A) + SUR + GST + WHS$$

Where:

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

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

Part 7—Transfer of Business

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

- 8.1 Where the new employer has employed workers who constituted all or a majority of the workers employed by the old employer at any time at the business location or locations transferred to the new employer; and
- 8.2 The workers at any time carried out activities/services for the new employer that are the same or similar to activities/services carried out by those workers for the old employer.

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

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

Part 8—Designated period and designated minimum premium

9. For the purposes of section 143 (9) (a) of the Act, the designated period is a financial year.
10. For the purposes of section 143 (9) (b) of the Act, the designated minimum premium is \$200.

Part 9—Premium Payable by Crown Employers

There will be a premium payable by the Crown for Crown Employers. That premium will be calculated in accordance with the RTWSA Premium Order (Crown Employers) 2017-2018. Parts 4, 5, 6, 7 and 8 of these Provisions will not apply to Crown Employers.

I confirm that this is a true and correct record of the decision of the Board of the Corporation made on 29 May 2017.

Dated 29 May 2017.

J. YUILE, Board Chair

RETURN TO WORK ACT 2014

RTWSA Premium Order (Return to Work Premium System) 2017-2018

THE Board of the Return to Work Corporation of South Australia ('the Corporation') after consultation with the Minister publishes the principles fixing the manner in which a premium payable by an employer (or person who proposes to become an employer) will be calculated for the purposes of section 143 of the *Return to Work Act 2014* ('the Act'), referred to as the 'RTWSA Premium Order (Return to Work Premium System) 2017-2018' ('the Order'). This Order fixes the manner in which such a premium is to be calculated so as to take effect on 1 July 2017 and up to and including 30 June 2018.

Part 1—Preliminary Matters

1. This Order is the RTWSA Premium Order (Return to Work Premium System) 2017-2018 published pursuant to subsection 143 (3) of the Act.
2. This Order takes effect on 1 July 2017.

Part 2—Application

3. This Order applies to all employers (as defined in the RTWSA Premium Provisions 2017-2018) other than a newly registered employer in the circumstance described in clause 4 or unless another Order applies.
4. A newly registered employer, who commenced to be an employer after 1 July 2016 and who employed workers after 1 July 2016, who is not subject to the transfer of business provisions in section 160 of the Act, will have their premium calculated in accordance with Part 6 of the RTWSA Premium Provisions 2017-2018 until that employer has experienced a full premium period.
5. If before 1 July 2018, a RTWSA Premium Order (Return to Work Premium System) has not been made for the 2018-2019 period, this Order continues to apply pending the making of such an Order.
6. The terms and conditions in the RTWSA Premium Provisions 2017-2018 apply unless this Order provides otherwise.
7. In this Order, words and expressions have the same meaning as they have in the RTWSA Premium Provisions 2017-2018, unless this Order provides otherwise.

Part 3—Calculation of premium payable by an employer

8. The Corporation must ensure that this Order operates on the basis that the costs of *all* claims made by an employer's workers are taken into account. Accordingly, in setting the formula for calculating the premium payable by an employer, the foundation or basic consideration is the base premium (BP). The BP calculation for an employer is equal to the remuneration payable to their workers multiplied by the relevant industry premium rate/s. The industry premium rate is set for each industry having particular regard to the average premium rate which includes the operating costs of the RTWSA scheme and the costs of *all* claims made by all employers' workers. The formula for calculating the premium payable by an employer enables adjustments to the BP by applying a number of different factors of a specified kind. The formula with such factors is designed to enable an employer to achieve a discount on their premium for preventing workplace injuries that would otherwise result in income support payments, and conversely, for an employer to pay an additional premium when injuries in their workplace result in substantial income support payments being made to their workers.
9. The premium payable by an employer for a premium period, or part thereof, is to be calculated by the following formula:

$$P = BP \times (1 - D) + C^* - A + SUR + GST + WHS$$

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

Where:

P is the total premium.

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

BP is the base premium calculated in accordance with Part 4 of the RTWSA Premium Provisions 2017-2018.

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

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

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

GST is the Goods and Services Tax as defined in Part 2 of the RTWSA Premium Provisions 2017-2018.

WHS is the work health and safety registration fee as defined in Part 2 of the RTWSA Premium Provisions 2017-2018.

Part 4—Base premium discount factor

10. The base premium discount factor (D) for an employer is as follows:
 - 10.1 Where the employer's annualised Base Premium is less than \$10,000, the premium discount factor is 0.05.
 - 10.2 Where the employer's annualised Base Premium is or exceeds \$10,000 and is less than \$50,000, the premium discount factor is 0.1.
 - 10.3 Where the employer's annualised Base Premium is or exceeds \$50,000 and is less than \$100,000, the premium discount factor is 0.15.
 - 10.4 Where the employer's annualised Base Premium is or exceeds \$100,000 and is less than \$500,000, the premium discount factor is 0.2.
 - 10.5 Where the employer's annualised Base Premium is or exceeds \$500,000 and is less than \$1,000,000, the premium discount factor is 0.25.
 - 10.6 Where the employer's annualised Base Premium is or exceeds \$1,000,000 the premium discount factor is 0.30.

Part 5—Cost of claims

11. Cost of claims means income maintenance or income support payments, where:
 - 11.1 payments were made in the financial year preceding the premium period to which the premium applies, and
 - 11.2 the payments were paid with respect to claims with a date of injury in the three financial years preceding the commencement of the premium period to which the premium applies, but excluding:

- 11.2.1 the amount of income maintenance or income support paid in the first two weeks of a worker's incapacity where the Corporation has undertaken the liability of the employer in accordance with subsection 46 (8b) of the *Workers Rehabilitation and Compensation Act 1986* (the 1986 Act) or subsection 64 (14) of the Act, and
- 11.2.2 the income maintenance or income support payments paid in respect of claims arising from an unrepresentative injury as defined by section 3 of the 1986 Act or section 4 of the Act, and
- 11.2.3 the income maintenance or income support payments paid in respect of claims arising from a secondary injury as defined by section 3 of the 1986 Act, and
- 11.2.4 the income maintenance or income support payments associated with successfully prosecuted fraudulent claims.

Part 6—Group Training Organisation arrangement

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

$$P = BP - A + SUR + GST + WHS$$

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

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

14. For the purposes of section 143 (7) (e) of the Act, the RTWSA Premium Order (Retro-Paid Loss Arrangement) 2017-2018 is an alternative set of principles for the payment of premium for an employer or employers.

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

15. As permitted by Section 143 (7) of the Act the Corporation will be entitled, in its discretion, to require any employer within a class set out below to provide security for the due payment of premium or other money due to the Corporation. Such security may, at the discretion of the Corporation, be constituted by a deposit, bond, guarantee, and/or a security over assets of that employer or over the assets of any person or entity providing a guarantee.
16. The following classes of employer are specified for the purposes of section 143 (7) (f)—
- (a) An employer who has been or is a non-compliant employer;
 - (b) An employer in respect of whom any manager, director, officer or other person having material influence over the affairs of the employer—
 - i. has previously been a manager director officer or person having material influence over the affairs of a non-compliant employer; or
 - ii. is a related person to a manager, director, officer or other person having material influence over the affairs of a non-compliant employer;
 - (c) An employer who would be capable of being treated as a member of a group under the *Payroll Tax Act 2009* where any other member of the group has been or is a non-compliant employer;
 - (d) An employer who is or has been or is an associated entity of a non-compliant employer;
 - (e) An employer who has not disclosed information to which the Corporation is entitled under either section 149 or 150 of the Act in a timely manner.

17. In this Part 8 the following terms have the meanings set out below—

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

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

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

I confirm that this is a true and correct record of the decision of the Board of the Corporation made on 27 March 2017.

Dated 27 March 2017.

J. YUILE, Board Chair

RETURN TO WORK ACT 2014

RTWSA Premium Order (Crown Employers) 2017–2018

THE Board of the Return to Work Corporation of South Australia ('the Corporation') after consultation with the Minister publishes the principles fixing the manner in which a premium payable by Crown Employers will be calculated for the purposes of section 143 of the *Return to Work Act 2014* ('the Act'), referred to as the 'RTWSA Premium Order (Crown Employers) 2017-2018' ('this Order').

This Order fixes the manner in which such a premium is to be calculated for Crown Employers for the period beginning 1 July 2017 up to and including 30 June 2018 ('premium year').

Part 1—Preliminary Matters

1. This Order is the RTWSA Premium Order (Crown Employers) 2017-2018 published pursuant to subsection 143 (3) of the Act.
2. This Order takes effect on 1 July 2017.

Part 2—Definitions

1. In this Order, words and expressions have the same meaning as they have in the RTWSA Premium Provisions 2017-2018 unless this Order provides otherwise.
2. In this Order—

Crown Claims Costs: means the aggregate of—

- (a) the total of costs whether direct or indirect paid on or arising from or in connection with Crown Claims (irrespective of whether the claim for compensation was withdrawn by the worker, accepted or rejected), and
- (b) the relevant Valuation having regard to Part 4 of this Order.

Crown entity: means the Crown in the right of the State of South Australia, and includes any agency or instrumentality of the Crown;

Crown Claim: means a claim under the Act in respect of an employee of a Crown Employer with a date of injury in the premium period, where the date of injury is the date the person suffered the injury or the deemed date of injury under the Act, and includes an incurred but not yet reported claim;

Crown Employer: means the Crown and includes any agency or instrumentality of the Crown who employs a worker in employment to which the Act applies but does not include an Excluded Crown Employer;

Crown Remuneration: means the total remuneration payable during the premium year by Crown Employers after deducting remuneration in respect of apprentices and trainees;

Excluded Crown Employer: means—

- (a) a Crown entity who was on 30 June 2017 subject to a proclamation pursuant to section 130 (2) of the Act, and
- (b) a Crown entity in respect of whose deemed registration under section 130 of the Act has not ceased to operate;

GST: is the Goods and Services Tax as defined in Part 2 of the RTWSA Premium Provisions 2017-2018;

Scheme Actuary: means the actuary appointed by the Corporation from time to time to provide liability estimates in respect of the Compensation Fund under the Act;

Valuation: means a current estimate of future liability under the Act in respect of Crown Claims, prepared in accordance with the relevant professional standards and guidelines of the Institute of Actuaries of Australia and other standards set for the estimation of outstanding claims liabilities, and based on the central estimate of those liabilities, and the probability of sufficiency determined by the Board of the Corporation being an estimate provided by the Scheme Actuary;

WHS Fee: is the work health and safety registration fee as defined in Part 2 of the RTWSA Premium Provisions 2017-2018 and collected on behalf of SafeWork SA,

3. For the purpose of this Order, where any Crown Employer is not a Crown Employer for the entire premium period then calculations of remuneration and attributions of Crown Claims in respect of that employer will apply only in respect of the period that that employer was a Crown Employer.

Part 3—Application

1. This Order applies to Crown Employers.
2. If, before 1 July 2018, a RTWSA Premium Order (Crown Employers) has not been made for the 2018-2019 period, this Order continues to apply, by replacement of 2017 with 2018, and 2018 with 2019 (and so on) wherever appearing in this Order and pending the making of a further RTWSA Premium Order (Crown Employers).
3. The terms and conditions in Parts 4, 5, 6, 7 and 8 of the RTWSA Premium Provisions 2017-2018 will not apply to Crown Employers. The balance of the RTWSA Premium Provisions 2017-2018 will apply to, and in respect of, Crown Employers.

Part 4—Calculation of Estimated Crown Employers Premium and Adjusted Premium

1. An estimated Crown Employers Premium and a Hindsight Crown Employers Premium Adjustment Instalment will be determined for the purpose of calculation of the instalments of premium payable by the Crown in respect of the premium for the premium period.
2. The Estimated Crown Employers Premium for Crown Employers is—
Estimated Crown Remuneration for the premium year x 1.72%
3. The Hindsight Crown Employers Premium Adjustment Instalment is calculated by deducting from the Crown Claims Costs as at 30 June 2021 (applying a Valuation as at 30 June 2021), the total of all instalments of Estimated Crown Employer Premium paid under this Order prior to that date.

Part 5—Premium Payments, GST, WHS and Payment Terms

1. The Crown Employer premium will be payable to the Corporation by the Crown in 8 agreed instalments invoiced on the 1 August and 1 February in each year with a final Hindsight Crown Employers Premium Instalment and Adjustment Payment invoiced on 1 October 2021 and calculated in accordance with Part 4 of this Order.
2. The Crown will pay GST in respect of the payments made under this Order.
3. The Crown will pay the WHS Fee.
4. Instalments are payable within 30 days of invoice date.

I confirm that this is a true and correct record of the decision of the Board of the Corporation made on 29 May 2017.

Dated 29 May 2017.

J. YUILE, Board Chair

RETURN TO WORK ACT 2014

Industry Premium Rate Determination for Crematorium and Cemetery Services 2017-18

Preamble

PURSUANT to subsection 142 (1) of the *Return to Work Act 2014* (the Act) the Return to Work Corporation of South Australia ('the Corporation') must fix an industry premium rate in relation to each class of industry. The rates fixed under subsection 142 (1) of the Act must be published by notice in the *Government Gazette*, pursuant to subsection 142 (2) (a) of the Act and may be varied by the Corporation by subsequent notice in the *Government Gazette*, pursuant to subsection 142 (2) (b) of the Act.

NOTICE

1. Pursuant to subsection 142 (2) (b) of the Act and in accordance with the power delegated to me by the Board of the Corporation under the current Instrument of Delegation of the Corporation, I vary the industry premium rate for the South Australian Industry Classification (SAIC) 952002-Crematorium and Cemetery Services from the industry premium rate previously determined pursuant to subsection 142 (1) of the Act and published in the *Government Gazette* No. 33 on 23 May 2017 at page 1701 to the rate stated in paragraph 2.
2. The industry premium rate for the SAIC referred to in Column 2 of the table is hereby fixed by the Corporation as the industry premium rate (expressed as a percentage) opposite the SAIC in Column 3.

Column 1	Column 2	Column 3
SAIC Code Number	Industry description	Industry Premium Rate per \$100
952002	Crematorium and Cemetery Services	4.940%

3. This determination commences on 1 July 2017.
4. If before 1 July 2018, an Industry Premium Rates Determination has not been made for the 2018-19 period, this determination will apply for the SAIC 952002-Crematorium and Cemetery Services pending the making of such a determination.

Confirmed as a true and correct record of the decision of the Corporation made in the exercise of my delegated authority.

Dated 2 June 2017.

R. CORDINER, Chief Executive Officer

TRAINING AND SKILLS DEVELOPMENT ACT 2008

Part 4—Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following Trades or Declared Vocations in addition to the *gazette* notices of:

- | | | | |
|-----------------------|-----------------------|-----------------------|------------------------|
| 1. 25 September 2008 | 2. 23 October 2008 | 3. 13 November 2008 | 4. 4 December 2008 |
| 5. 18 December 2008 | 6. 29 January 2009 | 7. 12 February 2009 | 8. 5 March 2009 |
| 9. 12 March 2009 | 10. 26 March 2009 | 11. 30 April 2009 | 12. 18 June 2009 |
| 13. 25 June 2009 | 14. 27 August 2009 | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009 | 18. 22 October 2009 | 19. 3 December 2009 | 20. 17 December 2009 |
| 21. 4 February 2010 | 22. 11 February 2010 | 23. 18 February 2010 | 24. 18 March 2010 |
| 25. 8 April 2010 | 26. 6 May 2010 | 27. 20 May 2010 | 28. 3 June 2010 |
| 29. 17 June 2010 | 30. 24 June 2010 | 31. 8 July 2010 | 32. 9 September 2010 |
| 33. 23 September 2010 | 34. 4 November 2010 | 35. 25 November 2010 | 36. 16 December 2010 |
| 37. 23 December 2010 | 38. 17 March 2011 | 39. 7 April 2011 | 40. 21 April 2011 |
| 41. 19 May 2011 | 42. 30 June 2011 | 43. 21 July 2011 | 44. 8 September 2011 |
| 45. 10 November 2011 | 46. 24 November 2011 | 47. 1 December 2011 | 48. 8 December 2011 |
| 49. 16 December 2011 | 50. 22 December 2011 | 51. 5 January 2012 | 52. 19 January 2012 |
| 53. 1 March 2012 | 54. 29 March 2012 | 55. 24 May 2012 | 56. 31 May 2012 |
| 57. 7 June 2012 | 58. 14 June 2012 | 59. 21 June 2012 | 60. 28 June 2012 |
| 61. 5 July 2012 | 62. 12 July 2012 | 63. 19 July 2012 | 64. 2 August 2012 |
| 65. 9 August 2012 | 66. 30 August 2012 | 67. 13 September 2012 | 68. 4 October 2012 |
| 69. 18 October 2012 | 70. 25 October 2012 | 71. 8 November 2012 | 72. 29 November 2012 |
| 73. 13 December 2012 | 74. 25 January 2013 | 75. 14 February 2013 | 76. 21 February 2013 |
| 77. 28 February 2013 | 78. 7 March 2013 | 79. 14 March 2013 | 80. 21 March 2013 |
| 81. 28 March 2013 | 82. 26 April 2013 | 83. 23 May 2013 | 84. 30 May 2013 |
| 85. 13 June 2013 | 86. 20 June 2013 | 87. 11 July 2013 | 88. 1 August 2013 |
| 89. 8 August 2013 | 90. 15 August 2013 | 91. 29 August 2013 | 92. 6 February 2014 |
| 93. 12 June 2014 | 94. 28 August 2014 | 95. 4 September 2014 | 96. 16 October 2014 |
| 97. 23 October 2014 | 98. 5 February 2015 | 99. 26 March 2015 | 100. 16 April 2015 |
| 101. 27 May 2015 | 102. 18 June 2015 | 103. 3 December 2015 | 104. 7 April 2016 |
| 105. 30 June 2016 | 106. 28 July 2016 | 107. 8 September 2016 | 108. 22 September 2016 |
| 109. 27 October 2016 | 110. 29 November 2016 | 111. 15 December 2016 | 112. 7 March 2017 |
| 113. 21 March 2017 | 114. 23 May 2017 | 115. 13 June 2017 | |

Trades, Declared Vocations, required Qualifications and Training Contract Conditions for the

Resources and Infrastructure Industry Training Package RII

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Title	Nominal Term of Training Contract	Probationary Period
Civil Construction and Maintenance Worker #	RII30915	Certificate III in Civil Construction	36 Months	90 Days
Drilling #	RII32015	Certificate III in Drilling Oil/Gas (On shore)	24 Months	60 Days

South Australia

First Home and Housing Construction Grants (Disclosure of Confidential Information) Variation Regulations 2017

under the *First Home and Housing Construction Grants Act 2000*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *First Home and Housing Construction Grants Regulations 2015*

- 4 Variation of regulation 3—Interpretation
 - 5 Variation of regulation 7—Disclosure of confidential information (section 41)
 - 6 Substitution of Schedule 1
- Schedule 1—Offices and bodies
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *First Home and Housing Construction Grants (Disclosure of Confidential Information) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

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

Part 2—Variation of *First Home and Housing Construction Grants Regulations 2015*

4—Variation of regulation 3—Interpretation

Regulation 3—after the definition of *Act* insert:

Australia's Foreign Investment Policy means the document issued by the Commonwealth Treasurer known as *Australia's Foreign Investment Policy* as in force from time to time.

5—Variation of regulation 7—Disclosure of confidential information (section 41)

Regulation 7—delete "in connection with the administration or enforcement of the *First Home Saver Accounts Act 2008* of the Commonwealth" and substitute:

—

- (a) in connection with the administration or enforcement of any of the following:
 - (i) the *Emergency Services Funding Act 1998*;
 - (ii) the *First Home Saver Accounts Act 2008* of the Commonwealth;
 - (iii) the *South Australian Housing Trust Act 1995*;
- (b) to the Child Support Registrar under the *Child Support (Registration and Collection) Act 1988* of the Commonwealth for the purposes of administering that Act or the *Child Support (Assessment) Act 1989* of the Commonwealth; or
- (c) to the Chief Executive of Centrelink (within the meaning of the *Human Services (Centrelink) Act 1997* of the Commonwealth) for the purposes of administering the social security law within the meaning of the *Social Security Act 1991* of the Commonwealth; or
- (d) to the Commonwealth Treasurer in relation to a decision that the Commonwealth Treasurer may make under the *Foreign Acquisitions and Takeovers Act 1975* of the Commonwealth or in accordance with Australia's Foreign Investment Policy; or
- (e) to a member of the Foreign Investment Review Board or the Secretary of the Department of the Treasury of the Commonwealth for the purposes of the member or Secretary briefing the Commonwealth Treasurer in relation to a decision that the Commonwealth Treasurer may make under the *Foreign Acquisitions and Takeovers Act 1975* of the Commonwealth or in accordance with Australia's Foreign Investment Policy; or
- (f) to the Official Receiver in Bankruptcy for the purposes of the administration and execution of the *Bankruptcy Act 1966* of the Commonwealth; or

- (g) to the Legal Profession Conduct Commissioner or the Law Society within the meaning of the *Legal Practitioners Act 1981* for the purposes of carrying out the Commissioner's or Society's functions under that Act; or
- (h) to the holder of an office or a body set out in Schedule 1 established under a law of this State, or of another State, a Territory, or of the Commonwealth.

6—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Offices and bodies

Attorney-General

Auditor-General

Australian Statistician

Chairperson of the Australian Securities and Investments Commission

Chief Executive Officer of the Australian Crime Commission

Chief Executive Officer of the Australian Transaction Reports and Analysis Centre

Chief Executive Officer of the Return to Work Corporation of South Australia

Commissioner for Consumer Affairs

Commissioner for Public Employment

Director of Public Prosecutions

Independent Commissioner Against Corruption

Inspector-General of the Australian Defence Force

Office for Public Integrity

Offices in the administrative unit of the Public Service that is, under a Minister, responsible for the administration of the *Work Health and Safety Act 2012*

Offices in the Attorney-General's Department

Offices in the Australian Federal Police

Offices of another State, a Territory, or of the Commonwealth, the holders of which are employed in the administration of laws relating to taxation or customs

Ombudsman

Police officers

Registrar-General

Registrar of the Australian Business Register

Registrar of Motor Vehicles

Solicitor-General

Valuer-General

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 14 June 2017

No 82 of 2017

T&F17/028CS

South Australia

Taxation Administration Regulations 2017

under the *Taxation Administration Act 1996*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Permitted disclosure of information

Schedule 1—Revocation of *Taxation Administration Regulations 2008*

1—Short title

These regulations may be cited as the *Taxation Administration Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Interpretation

In these regulations—

Act means the *Taxation Administration Act 1996*;

Australia's Foreign Investment Policy means the document issued by the Commonwealth Treasurer known as *Australia's Foreign Investment Policy* as in force from time to time.

4—Permitted disclosure of information

- (1) For the purposes of section 78(d) of the Act, the following offices are prescribed:
 - (a) Attorney-General;
 - (b) Auditor-General;
 - (c) Australian Federal Police;
 - (d) Australian Statistician;
 - (e) Chairperson of the Australian Securities and Investments Commission;
 - (f) Chief Executive Officer of the Australian Crime Commission;
 - (g) Chief Executive Officer of the Australian Transaction Reports and Analysis Centre;
 - (h) Chief Executive Officer of the Return to Work Corporation of South Australia;
 - (i) Commissioner for Consumer Affairs;

- (j) Commissioner for Public Employment;
 - (k) Director of Public Prosecutions;
 - (l) Independent Commissioner Against Corruption;
 - (m) Inspector-General of the Australian Defence Force;
 - (n) Office for Public Integrity;
 - (o) offices in the administrative unit of the Public Service that is, under a Minister, responsible for the administration of the *Work Health and Safety Act 2012*;
 - (p) offices in the Attorney-General's Department;
 - (q) offices of another State, or of a Territory, or of the Commonwealth, the holders of which are employed in the administration of laws relating to taxation or customs;
 - (r) Ombudsman;
 - (s) police officers;
 - (t) Registrar-General;
 - (u) Registrar of the Australian Business Register;
 - (v) Registrar of Motor Vehicles;
 - (w) Solicitor-General;
 - (x) Valuer-General.
- (2) In accordance with section 78(e) of the Act, a tax officer may disclose information obtained under or in relation to the administration or enforcement of a taxation law—
- (a) in connection with the administration or enforcement of any of the following:
 - (i) the *Emergency Services Funding Act 1998*;
 - (ii) the *First Home and Housing Construction Grants Act 2000*;
 - (iii) the *First Home Saver Accounts Act 2008* of the Commonwealth;
 - (iv) the *South Australian Housing Trust Act 1995*; or
 - (v) the scheme administered by the Minister responsible for the administration of the *Payroll Tax Act 2009* known as the Job Accelerator Grant Scheme.
 - (b) to the Child Support Registrar under the *Child Support (Registration and Collection) Act 1988* of the Commonwealth for the purposes of administering that Act or the *Child Support (Assessment) Act 1989* of the Commonwealth; or
 - (c) to the Chief Executive of Centrelink (within the meaning of the *Human Services (Centrelink) Act 1997* of the Commonwealth) for the purposes of administering the social security law within the meaning of the *Social Security Act 1991* of the Commonwealth; or

- (d) to the Commonwealth Treasurer in relation to a decision that the Commonwealth Treasurer may make under the *Foreign Acquisitions and Takeovers Act 1975* of the Commonwealth or in accordance with Australia's Foreign Investment Policy; or
- (e) to a member of the Foreign Investment Review Board or the Secretary of the Department of the Treasury of the Commonwealth for the purposes of the member or Secretary briefing the Commonwealth Treasurer in relation to a decision that the Commonwealth Treasurer may make under the *Foreign Acquisitions and Takeovers Act 1975* of the Commonwealth or in accordance with Australia's Foreign Investment Policy; or
- (f) to the Official Receiver in Bankruptcy for the purposes of the administration and execution of the *Bankruptcy Act 1966* of the Commonwealth; or
- (g) to the Legal Profession Conduct Commissioner or the Law Society within the meaning of the *Legal Practitioners Act 1981* for the purposes of carrying out the Commissioner's or Society's functions under that Act.

Schedule 1—Revocation of *Taxation Administration Regulations 2008*

The *Taxation Administration Regulations 2008* are revoked.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 14 June 2017

No 83 of 2017

T&F17/028CS

South Australia

Fisheries Management (Fees) Variation Regulations 2017

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fisheries Management (Fees) Regulations 2007*

- 4 Variation of Schedule 1—Fees
 - Division 1—Licence and permit application and annual fees
 - Division 2—Registration application and annual fees

Part 3—Transitional provisions

- 5 Transitional provisions
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Fees) Variation Regulations 2017*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Fisheries Management (Fees) Regulations 2007*

4—Variation of Schedule 1—Fees

Schedule 1, Part 1, Divisions 1 and 2—delete Divisions 1 and 2 and substitute:

Division 1—Licence and permit application and annual fees

Application or annual fees payable for a fishery licence (section 54(1)(c) and 56(5)(a) of Act)

- 1 For a licence in respect of the Central Zone Abalone Fishery—
 - (a) base fee \$18 499.00

	(b) additional fee for each abalone unit of the abalone quota entitlement under the licence	\$739.95
2	For a licence in respect of the Southern Zone Abalone Fishery—	
	(a) base fee	\$10 539.00
	(b) additional fee for each abalone unit of the abalone quota entitlement under the licence	\$183.60
3	For a licence in respect of the Western Zone Abalone Fishery—	
	(a) base fee	\$12 837.00
	(b) additional fee for each abalone unit of the abalone quota entitlement under the licence	\$488.15
4	For a licence in respect of the Blue Crab Fishery—	
	(a) base fee	\$3 029.00
	(b) additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$27.50
5	For a licence in respect of the Charter Boat Fishery	\$2 571.00
6	For a licence in respect of the Lakes and Coorong Fishery—	
	(a) base fee	\$2 756.00
	(b) additional fee—	
	(i) for a gill net entitlement under the licence	no fee
	(ii) for each gill net to be registered for use under the licence	no fee
	(iii) for a pipi quota entitlement under the licence	\$3 328.00
	(iv) for each pipi unit of the pipi quota entitlement under the licence	\$256.85
7	For a licence in respect of the Marine Scalefish Fishery or Restricted Marine Scalefish Fishery—	
	(a) base fee—	
	(i) for a vongole quota entitlement under the licence relating to the Coffin Bay vongole fishing zone	\$7 203.00
	(ii) for a vongole quota entitlement under the licence relating to the Port River vongole fishing zone	no fee
	(iii) for a vongole quota entitlement under the licence relating to the West Coast vongole fishing zone	\$7 203.00
	(iv) if there is no vongole quota entitlement under the licence	\$5 361.00
	(b) additional fee for each blue crab unit of the blue crab quota entitlement under the licence	\$30.00
	(c) additional fee for each pipi unit of the pipi quota entitlement under the licence	\$256.85
	(d) additional fee for each vongole unit of the vongole quota entitlement under the licence—	
	(i) for a vongole quota entitlement relating to the Coffin Bay vongole fishing zone	\$69.80
	(ii) for a vongole quota entitlement relating to the Port River vongole fishing zone	no fee

	(iii) for a vongole quota entitlement relating to the West Coast vongole fishing zone	\$45.80
8	For a licence in respect of the Miscellaneous Fishery with a giant crab quota entitlement—	
	(a) base fee	\$4 449.00
	(b) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$22.15
9	For a licence in respect of the Miscellaneous Fishery without a giant crab quota entitlement—	
	(a) base fee—	
	(i) if the licence authorises the taking of aquatic resources in the Lake Eyre Basin	no fee
	(ii) in any other case	\$4 449.00
	(b) additional fee if the licence authorises the taking of aquatic resources in the Lake Eyre Basin	no fee
	(c) additional fee if a prescribed fishing activity (as defined in the <i>Fisheries Management (Vessel Monitoring Scheme) Regulations 2007</i>) is to be engaged in under the licence	\$900.00
10	For a licence in respect of the Gulf St Vincent Prawn Fishery	\$25 413.00
11	For a licence in respect of the Spencer Gulf Prawn Fishery	\$27 912.00
12	For a licence in respect of the West Coast Prawn Fishery	\$25 401.00
13	For a licence in respect of the River Fishery	\$200.00
14	For a licence in respect of the Northern Zone Rock Lobster Fishery subject to a condition limiting the holder of the licence to the taking of Southern Rocklobster, Octopus and Giant Crab and a condition authorising the holder to take, for the purpose of bait only, any aquatic resources of a class (other than Octopus or Giant Crab) prescribed by Schedule 1 of the <i>Fisheries Management (Rock Lobster Fisheries) Regulations 2006</i> that are incidentally caught in rock lobster pots—	
	(a) base fee	\$3 782.00
	(b) additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence	\$10.80
	(c) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$22.15
	(d) additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$9.50
15	For a licence in respect of the Northern Zone Rock Lobster Fishery subject to a condition limiting the holder to the taking of Southern Rocklobster, Octopus and Giant Crab and limiting the holder to the taking of aquatic resources of a class (other than Octopus or Giant Crab) prescribed by Schedule 1 of the <i>Fisheries Management (Rock Lobster Fisheries) Regulations 2006</i> for the purpose of bait only—	
	(a) base fee	\$4 282.00
	(b) additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence	\$10.80

	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$22.15
	(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$9.50
16		For a licence in respect of the Northern Zone Rock Lobster Fishery not subject to a condition limiting the classes of aquatic resources that may be taken or the purpose for which aquatic resources may be taken—	
	(a)	base fee	\$6 203.00
	(b)	additional fee for each rock lobster unit of the rock lobster quota entitlement under the licence—	
	(i)	relating to the Northern Zone Inner Region	\$10.80
	(ii)	relating to the Northern Zone Outer Region	\$10.80
	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$22.15
	(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$9.50
17		For a licence in respect of the Southern Zone Rock Lobster Fishery subject to a condition limiting the holder of the licence to the taking of Southern Rocklobster, Octopus and Giant Crab and a condition authorising the holder to take, for the purpose of bait only, any aquatic resources of a class (other than Octopus or Giant Crab) prescribed by Schedule 1 of the <i>Fisheries Management (Rock Lobster Fisheries) Regulations 2006</i> that are incidentally caught in rock lobster pots—	
	(a)	base fee	\$7 559.00
	(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$164.05
	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$22.15
	(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$9.50
18		For a licence in respect of the Southern Zone Rock Lobster Fishery subject to a condition limiting the holder to the taking of Southern Rocklobster, Octopus and Giant Crab and limiting the holder to the taking of aquatic resources of a class (other than Octopus or Giant Crab) prescribed by Schedule 1 of the <i>Fisheries Management (Rock Lobster Fisheries) Regulations 2006</i> for the purpose of bait only—	
	(a)	base fee	\$8 059.00
	(b)	additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$164.05
	(c)	additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$22.15
	(d)	additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$9.50

19	For a licence in respect of the Southern Zone Rock Lobster Fishery not subject to a condition limiting the classes of aquatic resources that may be taken or the purpose for which aquatic resources may be taken—	
	(a) base fee	\$9 980.00
	(b) additional fee for each rock lobster pot of the rock lobster pot entitlement under the licence	\$164.05
	(c) additional fee for each giant crab unit of the giant crab quota entitlement under the licence	\$22.15
	(d) additional fee if the licence is subject to a condition limiting the number of Giant Crab that may be taken on each boat trip	\$9.50

Application fees payable by an applicant for the issue of a fishery permit (section 54(1)(c) of Act)

19A	For a permit in respect of the Miscellaneous Broodstock and Seedstock Fishery	\$374.00
19B	For a permit in respect of the Miscellaneous Developmental Fishery	\$4 622.00
19C	For a permit in respect of the Miscellaneous Research Fishery	\$374.00

Annual fees payable by the holder of a fishery permit (section 56(5)(a) of Act)

19D	For a permit in respect of the Miscellaneous Developmental Fishery	\$2 139.00
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Division 2—Registration application and annual fees

Application or annual fees for the registration of a device under a fishery licence (section 54(1)(c) and 56(5)(a) of Act)

24	For registration of 1 or more swinger nets to be used under a licence in respect of the Lakes and Coorong Fishery	no fee
25	For registration of 1 or more fish nets (other than swinger nets) under a licence in respect of the Lakes and Coorong Fishery under which the holder may take aquatic resources prescribed in Schedule 1 of the <i>Fisheries Management (Marine Scalefish Fisheries) Regulations 2006</i>	\$2 421.00
26	For registration of 1 or more fish nets under a licence in respect of the Northern Zone Rock Lobster Fishery or Southern Zone Rock Lobster Fishery	\$2 421.00
27	For registration of 1 or more sardine nets under a licence in respect of the Marine Scalefish Fishery	\$67 336.00
28	For registration of 1 or more fish nets (other than sardine nets) under a licence in respect of the Marine Scalefish Fishery, Restricted Marine Scalefish Fishery or Miscellaneous Fishery	\$4 841.00
29	For registration of 1 or more sand crab pots under a licence in respect of the Marine Scalefish Fishery	no fee
30	For registration of a fish net used solely to take fish for bait provided that the bait is not for sale	no fee

Application or annual fees payable for the registration of a boat under a fishery licence (section 54(1)(c) and 56(5)(a) of Act)

31	For registration of a boat under a licence in respect of the Charter Boat Fishery—	
(a)	if the certificate of survey in force in respect of the boat specifies that the boat may carry up to unberthed 6 passengers	\$642.85
(b)	if the certificate of survey in force in respect of the boat specifies that the boat may carry up to unberthed 12 passengers	\$1 286.00
(c)	if the certificate of survey in force in respect of the boat specifies that the boat may carry more than unberthed 12 passengers	\$2 571.00

Part 3—Transitional provisions

5—Transitional provisions

- (1) The licence and registration application fees prescribed by Schedule 1 Divisions 1 and 2 of the *Fisheries Management (Fees) Regulations 2007*, as substituted by these regulations, apply where a licence or registration is to take effect on or after 1 July 2017.
- (2) The licence and registration annual fees prescribed by Schedule 1 Divisions 1 and 2 of the *Fisheries Management (Fees) Regulations 2007*, as substituted by these regulations, apply in respect of the period of 12 months commencing on 1 July 2017.
- (3) Despite regulation 4 of these regulations—
 - (a) the licence and registration application fees prescribed by Schedule 1 Divisions 1 and 2 of the *Fisheries Management (Fees) Regulations 2007*, as in force immediately before the commencement of these regulations, continue to apply where a licence or registration is to take effect before 1 July 2017;
 - (b) the licence and registration annual fees prescribed by Schedule 1 Divisions 1 and 2 of the *Fisheries Management (Fees) Regulations 2007*, as in force immediately before the commencement of these regulations, continue to apply in respect of the period of 12 months that commenced on 1 July 2016.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 14 June 2017

No 84 of 2017

17MAFF0024

South Australia

Aquaculture (Fees) Variation Regulations 2017

under the *Aquaculture Act 2001*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Aquaculture Regulations 2016*

- 4 Substitution of Schedule 1
Schedule 1—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Aquaculture (Fees) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 July 2017.

3—Variation provisions

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

Part 2—Variation of *Aquaculture Regulations 2016*

4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

Fees relating to aquaculture leases

- | | | |
|---|--|---------|
| 1 | Application fee for variation of an aquaculture lease or its conditions (section 25A(5) of Act)— | |
| | (a) for a variation consisting of or involving— | |
| | (i) the substitution of the lease area (within or outside of an aquaculture zone) where at least 80% of the lease area will remain the same— | |
| | (A) if the corresponding licence relating to the lease authorises the farming of prescribed wild caught tuna | \$2 395 |
| | (B) in any other case | \$3 187 |

	(ii) the substitution of the lease area within an aquaculture zone (other than a variation of a kind referred to in subparagraph (i))—	
	(A) if the farming of prescribed wild caught tuna is a permitted class of aquaculture in the zone	\$2 773
	(B) in any other case	\$3 956
	(iii) the substitution of the lease area outside of an aquaculture zone (other than a variation of a kind referred to in subparagraph (i))	\$4 744
	(b) for a variation of any other kind	\$837
2	Application fee for consent to transfer a production lease (section 39(2) of Act)—	
	(a) for the transfer of 1 lease	\$731
	(b) for the transfer of each additional lease if the parties involved in the transfer are the same as for the first transfer	\$621
3	Application fee for division of a production lease area into separate lease areas (regulation 32)	\$1 024
4	Application fee for amalgamation of 2 or more production lease areas into a single lease area (regulation 33)	\$1 257
Fees relating to aquaculture licences		
5	Application fee for a corresponding licence (section 22(2d) of Act)—	
	(a) in the case of a corresponding licence authorising activities other than research within an aquaculture zone—	
	(i) administrative component	\$2 412
	(ii) advertising component	\$1 511
	(b) in the case of a corresponding licence authorising research within an aquaculture zone—	
	(i) administrative component	\$3 712
	(ii) advertising component	\$1 511
	(c) in the case of any corresponding licence outside of an aquaculture zone—	
	(i) administrative component	\$3 712
	(ii) advertising component	\$1 511
6	Application fee for a licence other than a corresponding licence (section 49 of Act)—	
	(a) for a category A licence—	
	(i) administrative component	\$2 691
	(ii) advertising component	\$1 511
	(b) for a category B licence—	
	(i) administrative component	\$2 691
	(ii) advertising component	\$1 511

	(c) for a category C licence—	
	(i) administrative component	\$4 242
	(ii) advertising component	\$1 511
	(d) for a category D licence—	
	(i) administrative component	\$4 242
	(ii) advertising component	\$1 511
7	Application fee for renewal of an aquaculture licence other than a corresponding licence (section 50A of Act)—	
	(a) for the renewal of 1 licence	\$731
	(b) for the renewal of each additional licence if the parties to the licence are the same as for the first renewal	\$665
	Note—	
	A corresponding licence is, under section 22(2b) of the Act, renewed on the renewal of the relevant lease without the requirement for an application.	
8	Application fee for variation of conditions of an aquaculture licence (section 52(6) of Act)—	
	(a) in the case of a corresponding licence—	
	(i) for a simple variation	\$1 482
	(ii) for a standard variation	\$1 960
	(iii) for a complex variation	\$3 712
	(b) in the case of a licence other than a corresponding licence—	
	(i) for a simple variation	\$649
	(ii) for a standard variation	\$762
	(iii) for a complex variation	\$1 949
9	Application fee for consent to transfer an aquaculture licence (section 55(4) of Act)—	
	(a) in the case of a corresponding licence—	
	(i) for the transfer of 1 licence	\$731
	(ii) for the transfer of each additional licence if the parties involved in the transfer are the same as for the first transfer	\$621
	(b) in the case of a licence other than a corresponding licence—	
	(i) for the transfer of 1 licence	\$731
	(ii) for the transfer of each additional licence if the parties involved in the transfer are the same as for the first transfer	\$621
10	Application fee for consent to surrender an aquaculture licence other than a corresponding licence (section 56(3)(c) of Act)	\$573

11	Application fee for exemption from environmental reporting requirements (regulation 31)	\$145
12	Application fee for division of a licence area into separate licence areas (regulation 34)	\$985
13	Application fee for amalgamation of 2 or more licence areas into a single licence area (regulation 35)	\$1 257
14	Annual fee for a corresponding licence (section 53(1) of Act) for the financial year commencing on 1 July 2017 and for each subsequent financial year—	
	(a) for an aquaculture licence to farm prescribed wild caught tuna	\$16 267
	(b) for an aquaculture licence to farm finfish other than prescribed wild caught tuna	\$7 580
	(c) for an aquaculture licence to farm abalone in a subtidal area	\$7 854
	(d) for an aquaculture licence to farm mussels in a subtidal area	\$1 129
	(e) for an aquaculture licence to farm molluscs (other than abalone and mussels) in a subtidal area	\$2 156
	(f) for an aquaculture licence to farm molluscs (including abalone, but not including oysters) in an intertidal area	\$2 118
	(g) for an aquaculture licence to farm oysters in an intertidal area	\$397 plus \$226 for each hectare (rounded to 2 decimal places) in the licence area
	(h) for an aquaculture licence to farm algae	\$1 966
	(i) for an aquaculture licence authorising the storage of sea cages	\$1 966
	(j) for an aquaculture licence for tourism purposes	\$1 966
15	Annual fee for a licence other than a corresponding licence (section 53(1) of Act) for the financial year commencing on 1 July 2017 and for each subsequent financial year—	
	(a) for a category A licence	\$543
	(b) for a category B licence	\$1 135
	(c) for a category C licence	\$2 722
	(d) for a category D licence	\$5 434
Miscellaneous fees		
16	Application fee for a notation on the register that a specified person has an interest in a lease or licence (section 80(2a) of Act)	\$188

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 14 June 2017

No 85 of 2017

17MAFF0025

South Australia

Legal Practitioners (Fees) Variation Regulations 2017

under the *Legal Practitioners Act 1981*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Legal Practitioners Regulations 2014*

- 4 Substitution of Schedule 2
Schedule 2—Fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Legal Practitioners (Fees) Variation Regulations 2017*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Legal Practitioners Regulations 2014*

4—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Fees

- | | | |
|---|---|-------------------------|
| 1 | For the issue or renewal of a practising certificate (other than a volunteer practising certificate)— | |
| | (a) for more than 6 months | \$419 fee
\$189 levy |
| | (b) for 6 months or less | \$246 fee
\$95 levy |
| 2 | Fee for the issue or renewal of a volunteer practising certificate (see LPEAC rule 3B: category D practising certificate) | \$103 fee
\$47 levy |
| 3 | Fee to accompany written notice provided under section 23D of the Act | \$30 |

-
- | | | |
|---|---|------|
| 4 | Fee to accompany written notice provided under Schedule 1 clause 4 of the Act | \$30 |
|---|---|------|

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 14 June 2017

No 86 of 2017

AGO0056/17CS

CITY OF NORWOOD PAYNEHAM & ST PETERS

CALL FOR NOMINATIONS

*Supplementary Election of Councillor for
Maylands/Trinity Ward*

NOMINATIONS to be a candidate for election as a member of the City of Norwood Payneham & St Peters will be received between Thursday, 22 June 2017 and 12 noon Thursday, 6 July 2017. Candidates must submit a profile of not more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Nomination kits are available from the Council office, 175 The Parade, Norwood.

A briefing session for intending candidates will be held at 7 p.m. on Tuesday, 20 June 2017 in the Mayor's Parlour, Norwood Town Hall, 175 The Parade, Norwood (enter off George Street).

M. SHERRY, Returning Officer

CITY OF PORT LINCOLN

DEVELOPMENT ACT 1993

*Lincoln Cove Expansion Development Plan Amendment—
Public Consultation*

PURSUANT to Sections 24 and 25 of the Development Act 1993, notice is hereby given that the City of Port Lincoln has prepared a Development Plan Amendment Report (DPA) to amend its Development Plan. The DPA will be on public consultation from 15 June 2017 to 10 August 2017.

The proposed amendments to the Port Lincoln Council Development Plan include:

- rezoning approximately 25 hectares of land with direct frontage to Marina Drive and Stamford Terrace, Port Lincoln from the Recreation Zone (Golf Course Policy Area 5) to Residential Zone (Precinct 5 Lincoln Cove).
- Amendments to Precinct 5 Desired Character Statement to encourage connectivity and ensure the Parnkalla Trail is recognised as an important walking and cycling trail;
- Bushfire Protection Area Maps PtL/3 and PtL/5 amended to exclude the affected land.

Copies of the DPA are available for viewing during normal office hours at the Port Lincoln Council Office, Level 1, 60 Tasman Terrace, Port Lincoln and the Port Lincoln Library, 2 London Street, Port Lincoln or online at www.portlincoln.sa.gov.au.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on 10 August 2017, addressed to the CEO, City of Port Lincoln, P.O. Box 1787, Port Lincoln, S.A. 5606, should clearly indicate whether you wish to be heard in support of your submission at the Public Meeting as below. Electronic submissions should be emailed to plcc@plcc.sa.gov.au with subject heading noted as 'Submission—Lincoln Cove Expansion DPA'.

Copies of all submissions will be available for inspection at the Council Office, Level 1, 60 Tasman Terrace, Port Lincoln and on Council's website from 11 August 2017 until the conclusion of the Public Meeting, scheduled for Tuesday, 22 August 2017 at 7.30 p.m. at the Council Chambers, Level 1, Civic Centre, 60 Tasman Terrace, Port Lincoln at which time interested persons may speak in relation to the DPA. The public meeting will not be held if no submissions are received or if a request to be heard is not received with a submission.

For further information contact the City of Port Lincoln, Phone (08) 8621 2300, or email plcc@plcc.sa.gov.au with subject heading noted as 'Information Request—Lincoln Cove Expansion DPA'.

Dated 14 June 2017.

R. DONALDSON, Chief Executive Officer

CITY OF SALISBURY

Notice of Application of Local Government Land By-law

PURSUANT to Section 246 (4a) of the Local Government Act 1999, notice is hereby given that at its meeting held on 22 May 2017, the Council made a determination to apply certain provisions of By-law No. 4—Local Government Land to specified Local Government land in its area. Specifically, the Council resolved:

- (1) pursuant to the power contained in Section 246 (3) (e) of the Local Government Act 1999 and effective from 30 May 2017, to apply sub-clause 9.25.4 of By-law No. 4—Local Government Land (the by-law) to the Local Government land comprising the Little Para Golf Course, so that the permission of the Council (or its agent) is required to play or practice the game of golf on the land unless a person is a member of the Little Para Golf Course or has paid the required fee; and
- (2) that, as a playing area for the purposes of sub-clause 9.30 of the by-law and by way of a direction under Clause 9.30.3 of the by-law, the Local Government land comprising the Little Para Golf Course must not, without the permission of the Council (or its agent), be used by any person:
 - (i) to play or practice the game of golf unless the person is a member of the Little Para Golf Course or, has paid the required fee; or
 - (ii) to play or practice any other sporting activity.

Copies of the Council's resolutions and a plan that illustrates the Local Government land to which they apply are available for inspection on the Council's website at www.salisbury.sa.gov.au and at the Council's offices, 12 James Street, Salisbury, during business hours.

J. HARRY, Chief Executive Officer

DISTRICT COUNCIL OF CEDUNA

Renaming a Road

PURSUANT to Section 219 of the Local Government Act 1999, Council has resolved to rename and assign road names within the District Council of Ceduna to the following government road:

That the name Oats Road be assigned to the public road formally known as Charoba Tank Road.

All relevant government agencies and emergency services are being notified, as are the residents effected by this change. Should anyone need further clarification of this name change please contact Council's Manager Governance on (08) 8625 3407, or in person at Council's Administration Office, 44 O'Loughlin Terrace, Ceduna.

G. M. MOFFATT, Chief Executive Officer

MOUNT BARKER DISTRICT COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1 of 2017—Permits and Penalties By-law 2017

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 2017 and is By-law No. 1 of the Mount Barker District Council.

2. *Authorising Law*

This by-law is made under Section 246 of the Act.

3. Purpose

The objectives 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 2010.²

4.2 This by-law will expire on 1 January 2025.³

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 Mount Barker District Council; and
- 6.3 *person* includes a natural person, a body corporate, an incorporated association or an unincorporated association.

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 such other person as the Council may authorise), granted in writing (including by way of the Council adopting a policy for this purpose) 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 as the Council may authorise) 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 (to the extent that it gives rise to a contravention of a by-law).

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 commits a breach 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 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 Mount Barker District Council held on 5 June 2017, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

A. STUART, Chief Executive Officer

MOUNT BARKER DISTRICT COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2 of 2017—Moveable Signs By-law

A by-law to set standards for moveable signs on roads and to provide conditions for the placement of such signs for the purpose of protecting visual amenity and public safety.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Moveable Signs By-law 2017 and is By-law No. 2 of the Mount Barker District Council.

2. Authorising Law

This by-law is made under Sections 226, 238, 239 and 246 of the Act.

3. Purpose

The objectives 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 2010.²

4.2 This by-law will expire on 1 January 2025.³

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 2017.

5.2 This by-law applies throughout the Council area and is subject to the Development Act 1993.

6. Interpretation

In this by-law, unless the contrary intention appears:

6.1 *Act* means the Local Government Act 1999;

6.2 *authorised person* means a person appointed as an authorised person pursuant to Section 260 of the Act;

6.3 *banner* means a slip of cloth, plastic or other material hung up or carried on a pole, fence or other structure;

6.4 *business premises* means premises from which a business is being conducted;

6.5 *Council* means Mount Barker District Council;

6.6 *footpath area* means:

6.6.1 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;

6.6.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;

6.7 *Local Government Land* has the same meaning as in the Act;

6.8 *moveable sign* has the same meaning as in the Act;

6.9 *road* has the same meaning as in the Act; and

6.10 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

Section 14 of the 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—MOVEABLE SIGNS

Note:

This by-law operates subject to the Development Act 1993. The display of a moveable sign in the Hahndorf State Heritage Area, which is a State Heritage Place as defined by the Development Act 1993, constitutes development for the purposes of that legislation and cannot lawfully occur without a development authorisation.

7. Construction and Design

A moveable sign 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 (including as may be set out in a policy adopted by the Council), a sign of some other kind;

7.2 be designed, constructed and maintained in good quality and condition so as not to, in the opinion of an authorised person, present a hazard to any member of the public;

7.3 be of strong construction and sufficiently stable or securely fixed so as to keep its position in any weather conditions;

7.4 have no sharp or jagged edges or corners;

7.5 not be unsightly or offensive in appearance or content;

7.6 be constructed of timber, cloth, 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 m²;

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; and

7.10 not rotate or contain flashing parts.

8. Placement

A moveable sign must not be:

8.1 placed on any part of a road other than the footpath area;

8.2 placed on a sealed part of any footpath area:

8.2.1 if there is an unsealed part on which the sign can be placed in accordance with this by-law; or

8.2.2 unless the sealed part is wide enough to contain the sign and leave a clear thoroughfare for pedestrians of a width of at least 1.2 m;

8.3 placed other than adjacent to the premises of the business to which it relates;

8.4 placed so as to interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;

8.5 placed closer than 600 mm 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);

8.6 placed on a landscaped area, other than landscaping that comprises only lawn;

8.7 placed within 10 m of an intersection;

8.8 placed on a designated parking area;

8.9 tied, fixed or attached to, or placed closer than 1.2m to any other structure, object or thing (including another moveable sign);

8.10 placed on a median strip, traffic island, roundabout or any other traffic control device on a road;

8.11 displayed during the hours of darkness unless it is clearly lit; or

8.12 placed in such a position or in such circumstances so that, in the opinion of an authorised person, the safety of a user of the footpath area or road is at risk.

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 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 (or its delegate) 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 an Incorporated Association, a community organisation or charitable body.

11.2 Subclauses 10.1 and 10.3.1 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 of, 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 Mount Barker District Council held on 5 June 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

A. STUART, Chief Executive Officer

MOUNT BARKER DISTRICT COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3 of 2017—Roads By-law

A by-law to manage, control and regulate certain activities on roads in the Council's area.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Roads By-law 2017 and is By-law No. 3 of the Mount Barker District Council.

2. Authorising Law

This by-law is made under Sections 239 and 246 of the Act and Regulation 28 of the Local Government (General) Regulations 2013.

3. Purpose

The objectives of this by-law are to manage, control and regulate the prescribed uses of roads in the Council's 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 2010.²

4.2 This by-law will expire on 1 January 2025.³

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 2017.

5.2 Subject to subclause 5.3, this by-law applies throughout the Council's area.

5.3 Subclauses 7.3.2 and 7.4.2 of this by-law apply throughout the Council area except in such 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;
- 6.3 *authorised person* has the same meaning as in the Act;
- 6.4 *camp* includes setting up a camp, or causing:
 - 6.4.1 a tent or other structure of calico, canvas, plastic or other similar material; or
 - 6.4.2 subject to the Road Traffic Act 1961, a caravan or motor home;
 to remain on a road for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the road;
- 6.5 *Council* means Mount Barker District Council;
- 6.6 *effective control* means a person exercising effective control of an animal either:
 - 6.6.1 by means of a physical restraint; or
 - 6.6.2 by command, the animal being in close proximity to the person, and the person being able to see the animal at all times;
- 6.7 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014;
- 6.8 *moveable sign* has the same meaning as in the Act;
- 6.9 *road* has the same meaning as in the Act; and
- 6.10 *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 Advertising

Display or cause to be displayed on a road or on a structure on a road, any poster, advertisement or sign for the purpose of advertising goods, services, events and other activities other than a moveable sign that is displayed in accordance with the Council's Moveable Signs by-law.

7.2 Amplification

Use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or magnifying sound including for the broadcasting of announcements or advertisements.

7.3 Animals

- 7.3.1 Cause or allow an animal to be left unattended on any road.
- 7.3.2 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.
- 7.3.3 Lead, herd or exercise an animal in such a manner as to cause a nuisance or endanger the safety of a person.

7.4 Camping and Tents

- 7.4.1 Subject to this subclause 7.4, erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation.

7.4.2 Camp or remain overnight except:

- 7.4.2.1 on a road designated by the Council by resolution for this purpose (if any); and
- 7.4.2.2 in accordance with any conditions determined by the Council and displayed on any signage on or near the road.

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

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 music 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 Soliciting

Ask for or receive or do anything to indicate a desire for a donation of money or any other thing.

7.9 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.

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 advertising displayed on a structure on a road;
- dismantle and remove a tent from a road.

10. Removal of Animals and Objects

10.1 The Council (or its delegate) may, pursuant to Section 234 of the Act, 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.

10.2 The Council may recover from the owner or apparent owner of an object, removed under subclause 10.1, the costs it incurs in removing that object.

PART 4—MISCELLANEOUS

11. Exemptions

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.

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 Mount Barker District Council held on 5 June 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

A. STUART, Chief Executive Officer

MOUNT BARKER DISTRICT COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4 of 2017—Local Government Land By-law

A by-law to manage and 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 2017 and is By-law No. 4 of the Mount Barker District Council.

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. 4—Local Government Land 2010.²

4.2 This by-law will expire on 1 January 2025.³

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 2017.

5.2 Subject to subclauses 5.3 and 5.4, this by-law applies throughout the Council's area.

5.3 Subclauses 9.2, 9.4.1, 9.8.1, 9.21.3, 9.21.4, 9.21.5, 9.23.2, 9.33, 10.5 and 10.10 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 Subclauses 9.8.3, 9.8.5, 9.12.2, 9.21.1, 9.29.1 of this by-law apply throughout the Council's area except in such 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 *boat* includes a raft, pontoon or personal watercraft or other similar device;
- 6.4 *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;
- 6.5 *Council* means Mount Barker District Council;
- 6.6 *effective control* means a person exercising effective control of an animal either:
 - 6.6.1 by means of a physical restraint; or
 - 6.6.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
- 6.7 *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 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014;
- 6.9 *funeral ceremony* means a ceremony only (i.e. a memorial service) and does not include a burial;
- 6.10 *liquor* has the same meaning as in the Liquor Licensing Act 1997;
- 6.11 *Local Government land* means all land owned by the Council or under the Council's care, control and management (except roads);
- 6.12 *offensive* includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
- 6.13 *open container* means a container which:
 - after the contents of the container have been sealed at the time of manufacture:
 - 6.13.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
 - 6.13.2 being a can, it has been opened or punctured;
 - 6.13.3 being a cask, it has had its tap placed in a position to allow it to be used;

6.13.4 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

6.13.5 is a flask, glass, mug or other container able to contain liquid;

6.14 *personal watercraft* means a device that:

6.14.1 is propelled by a motor;

6.14.2 has a fully enclosed hull;

6.14.3 is designed not to retain water if capsized;

6.14.4 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;

6.15 *tobacco product* has the same meaning as in the Tobacco Products Regulation Act 1997;

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

6.17 *waters* includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council; and

6.18 *wheeled Recreational Device* 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 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, 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 subclause 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, 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

Display, paint or erect or cause to be displayed, painted or erected, on Local Government land or a structure, building or fixture on Local Government land 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 subclause applies.

9.3 Amplification

Use an amplifier or other mechanical or electrical device for the purpose of amplifying sound or broadcasting sound, or magnifying sound, to an audience.

9.4 Animals

9.4.1 cause or allow an animal to stray onto, move over, graze or be left unattended on any Local Government land to which the Council has resolved this clause applies; or

9.4.2 cause or allow an animal to enter, swim, bathe or remain in any waters thereon; or

9.4.3 lead, herd, drive 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.

9.5 Annoyance

Do anything likely to offend or unreasonably interfere with any other person:

9.5.1 using that land; or

9.5.2 occupying nearby premises;

by making a noise or creating a disturbance.

9.6 Attachments

Subject to subclause 9.1, attach or cause to be attached, hang or fix anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government land.

9.7 Bees

Place a hive of bees on such land, or allow it to remain thereon.

9.8 Boats

Subject to the provisions of the Harbors and Navigation Act 1993 and the Marine Safety (Domestic Commercial Vessel) National Law:

9.8.1 launch or retrieve a boat to or from any waters to which the Council has determined that this subclause applies;

9.8.2 launch or retrieve a boat other than from a boat ramp constructed for that purpose;

9.8.3 propel, float or otherwise use a boat on or in any waters except:

(a) in an area to which the Council has resolved this clause applies; and

(b) in accordance with any conditions that the Council may have determined by resolution apply to that use;

9.8.4 hire out a boat or otherwise use a boat for commercial purposes; or

9.8.5 moor a boat on any waters or to a pontoon attached to Local Government land, except in an area that the Council has set aside for that purpose.

9.9 Bridge Jumping

Jump or dive from a bridge 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 Subject to this subclause 9.12, erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation.

9.12.2 Camp or stay overnight except:

- (a) where a person is in a caravan park on Local Government land, the proprietor of which has been given permission to operate the caravan park on that land; or
- (b) on Local Government land that the Council has, by resolution, designated for camping and only then, in accordance with such time limits and other conditions determined by resolution of the Council (if any), which conditions may be included in any signage on the land.

9.13 *Canvassing*

Convey any advertising, religious or other message to any bystander, passer-by or other.

9.14 *Distribution*

Subject to subclause 14.2 and the Local Nuisance and Litter Control Act 2016, place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any book, leaflet or other printed matter to any bystander, passer-by or other person.

9.15 *Donations*

Ask for or receive or indicate that he or she desires a donation of money or any other thing.

9.16 *Entertainment and Busking*

9.16.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money.

9.16.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.

9.17 *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.

9.18 *Fires*

Subject to the Fire and Emergency Services Act 2005, light any fire except:

- 9.18.1 in a place provided by the Council for that purpose; or
- 9.18.2 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 4 m.

9.19 *Fireworks*

Ignite or discharge any fireworks.

9.20 *Flora and Fauna*

Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:

- 9.20.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;
- 9.20.2 cause or allow an animal to stand or walk on any flower bed or garden plot;
- 9.20.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
- 9.20.4 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;
- 9.20.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;

9.20.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;

9.20.7 use, possess or have control of any device for the purpose of killing or capturing any animal bird or marine creature; or

9.20.8 burn any timber or dead wood.

9.21 *Games and Sport*

9.21.1 Participate in, promote or organise any organised competition or sport as distinct from organised social play except on Local Government land to which the Council has resolved this clause applies.

9.21.2 Play or practice any game which involves kicking, hitting or throwing a ball or other object on Local Government land which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land.

9.21.3 Play or practice the game of golf on Local Government land to which the Council has resolved this subclause applies.

9.21.4 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.

9.21.5 Play or practice any game or sport on Local Government land to which the Council has resolved this subclause applies except at the times determined by the Council and indicated on any sign on or in the vicinity of the land.

9.22 *Interference with Land*

Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:

- 9.22.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 9.22.2 erecting or installing a structure in, on, across, under or over the land;
- 9.22.3 placing or allow to remain thereon any object or other equipment;
- 9.22.4 changing or interfering with the construction, arrangement or materials of the land;
- 9.22.5 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 9.22.6 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.

9.23 *Model Aircraft, Boats and Cars*

Subject to the Civil Aviation Safety Regulations 1998:

9.23.1 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

9.23.2 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.

9.24 *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.

9.25 *Playing Area*

Use or occupy a playing area:

9.25.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);

9.25.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or

9.25.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.

9.26 *Pontoons*

Install or maintain a pontoon or jetty in any waters.

9.27 *Preaching*

Preach, harangue or solicit for religious purposes.

9.28 *Rubbish and Rubbish Dumps and Waste Transfer Stations*

9.28.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump or Waste Transfer Station on Local Government land.

9.28.2 Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any Local Government land, or placed on Local Government land for collection by the Council (or its agent).

9.29 *Swimming*

Subject to the provisions of the Harbors and Navigation Act 1993, enter, swim in, bathe or engage in any aquatic activity in any waters except:

9.29.1 in an area which the Council has determined may be used for such purpose; and

9.29.2 in accordance with any conditions that the Council may have determined by resolution apply to such use.

9.30 *Trading*

9.30.1 Sell, buy, offer or display anything for sale or hire or lease any goods, merchandise, commodity, article or thing.

9.30.2 Set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing.

9.31 *Vehicles*

9.31.1 Drive or propel a vehicle except on any Local Government Land (including roads) constructed and set aside by the Council for that purpose.

9.31.2 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.

9.31.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.

9.32 *Weddings, Functions and Special events*

9.32.1 Hold, conduct or participate in a marriage ceremony, funeral or special event.

9.32.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event.

9.32.3 Hold or conduct any filming where the filming is for a commercial purpose.

9.33 *Wheeled Recreational Devices*

Subject to the Road Traffic Act 1961, ride a wheeled recreational device on Local Government land to which the Council has determined this clause 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 or exercise a horse in such manner as to cause a nuisance or endanger the safety of a person.

10.2 *Climbing*

Climb on or over any fixture, fitting, plant, object or building other than a playground or similar area that the Council has set aside for the purpose.

10.3 *Defacing Property*

Deface, paint, write, cut names, letters or make marks on any tree, rock, gate, fence, building, sign or property of the Council.

10.4 *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.

10.5 *Fishing*

Fish in any waters to which the Council has determined this subclause applies.

10.6 *Glass*

Wilfully break any glass, china or other brittle material.

10.7 *Interference with Permitted Use*

Interrupt, or unreasonably interfere with any other person's use of Local Government land where the person is using the land in a manner permitted by the Council or in accordance with any permission that has been granted by the Council.

10.8 *Nuisance*

Behave in such an unreasonable manner as to cause discomfort, inconvenience, annoyance or offence to any other person.

10.9 *Playing games*

Play or practise a game:

10.9.1 which is likely to cause damage to the land or anything on it; or

10.9.2 in any area where a sign indicates that the game is prohibited.

10.10 *Smoking*

Subject to the Tobacco Products Regulation Act 1997, smoke, hold or otherwise have control over an ignited tobacco product on any land to which the Council has resolved this subclause applies.

10.11 *Solicitation*

Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.

10.12 *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.

10.13 *Toilets*

In any public convenience on Local Government land:

10.13.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;

10.13.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;

- 10.13.3 use it for a purpose for which it was not designed or constructed;
- 10.13.4 enter a toilet that is set aside for use of the opposite gender except:
- (a) where a child under the age of eight years is accompanied by an adult parent or guardian of that gender; or
 - (b) to provide assistance to a person with a disability; or
 - (c) in the case of a genuine emergency.

10.14 Waste

- 10.14.1 Deposit or leave thereon anything obnoxious or offensive.
- 10.14.2 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 subclause 9.14 of this by-law does 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 Mount Barker District Council held on 5 June 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

A. STUART, Chief Executive Officer

MOUNT BARKER DISTRICT COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 5 of 2017—Dogs By-law

A by-law to limit the number of dogs kept on premises and for the management and control of dogs in the Council's area.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Dog By-law 2017 and is By-law No. 5 of the Mount Barker District Council.

2. Authorising Law

This by-law is made under Section 90 (5) of the Dog and Cat Management Act 1995, Sections 238 and 246 of the Act and Section 18A of the Harbours and Navigation Act 1993.

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;
- 3.2 to promote responsible dog ownership;
- 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 2010.²
 - 4.2 This by-law will expire on 1 January 2025.³

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 2017.
- 5.2 Subject to subclause 5.3, this by-law applies throughout the Council area.
- 5.3 Subclauses 9.1 and 10.3 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 there is equipment or other installed devices for the purpose of children's play (or within 3 metres of such devices if there is no enclosed area);
- 6.5 *Council* means Mount Barker District Council;
- 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 dwelling 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 m² in area; or
 - 6.11.4 without a secure yard of at least 100 m² in area;
- 6.12 *township* has the same meaning as in the Act;
- 6.13 *working dog* means a dog:
 - 6.13.1 usually kept, proposed to be kept or worked on rural land by a person who is:
 - (a) a primary producer; or
 - (b) engaged or employed by a primary producer; and
 - 6.13.2 kept primarily for the purpose of herding, droving, protecting, tending or working stock, or training for herding, droving, protecting, tending or working stock.
- 6.14 for the purposes of Clause 9 of the by-law, a dog is under *effective control by means of a leash* if the dog is secured to a leash, chain or cord that does not exceed 2 metres in length and:
 - 6.14.1 the leash, chain or cord is either tethered securely to a fixed object; or
 - 6.14.2 held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

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 7.3 and 7.5, 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; or
 - 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 (other than working dogs) on any premises; or
 - 7.1.4 outside of a township, more than 2 working dogs.
- 7.2 For the purposes of subclause 7.1, 'dog' means a dog that is three months of age or older, or a dog that has lost its juvenile teeth.
- 7.3 Subclause 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

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.

Note:

If a person is exercising a dog in a park 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

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 on Local Government land or a public place to which the Council has resolved that this subclause applies; or
- 9.2 on any park or reserve during times when organised sport is being played;

unless the dog is under effective control by means of a leash.

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:

- 10.1 on any children's playground on Local Government land;
- 10.2 in any waters located on Local Government Land; or
- 10.3 on 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 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 Mount Barker District Council held on the 5 June 2017 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

A. STUART, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

CALL FOR NOMINATIONS

Supplementary Election for Area Councillor

NOMINATIONS to be a candidate for election as a member of the District Council of Robe will be received between Thursday, 22 June 2017 and 12 noon on Thursday, 6 July 2017. Candidates must submit a profile of not more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Nomination kits are available from the Council office, Royal Circus, Robe.

A briefing session for intending candidates will be held at 6 p.m. on Wednesday, 28 June 2017 at the Council Chambers, Royal Circus, Robe.

M. SHERRY, Returning Officer

IN the matter of the estates of the undermentioned deceased persons:

Barlow, Ruth Mary, late of 1 Wilton Street, Davoren Park, retired teacher and librarian, who died on 9 February 2017.

Boundy, Jean Margaret, late of 74 University Drive, Varsity Lakes, Queensland, of no occupation, who died on 30 October 2016.

Bria, Nino, late of 9 Valley View Drive, Highbury, concrete finisher, who died on 13 August 2013.

Burge, Grant David, late of 2 Forrest Street, Seaview Downs, of no occupation, who died on 4 March 2017.

Claughton, Valerie Kay, late of 47 Hosking Road, Tiddy Widdy Beach, retired accounts clerk, who died on 20 September 2016.

Crowther, Ruth, late of 10 Branwhite Street, Woodville South, of no occupation, who died on 14 August 2007.

Easther, Barry Glen, late of 62 Marden Road, Marden, retired storeman, who died on 18 December 2016.

Irvine, Charlotte Mary, late of 333 Marion Road, North Plympton, of no occupation, who died on 20 January 2017.

Keane, Wayne, late of 3-5 Hawker Street, Bowden, of no occupation, who died on 11 December 2016.

Little, Ruth Dorothy, late of Memorial Drive, Elliston, of no occupation, who died on 29 November 2016.

Lloyde, Elvira Thelma, late of 499 Regency Road, Sefton Park, home duties, who died on 22 September 2016.

Parken, Gwenyth Irene, late of 336 Marion Road, North Plympton, of no occupation, who died on 28 February 2017.

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 14 July 2017, 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 13 June 2017.

D. A. CONTALA, Public Trustee

NOTICE SUBMISSION

The weekly *South Australian Government Gazette* is issued on Tuesday afternoon, except where Executive Council meets on Wednesday, wherein publishing will occur on that day.

The next scheduled publication date is displayed on the website: www.governmentgazette.sa.gov.au.

Notices for gazettal, along with enquiries, can be directed to:

EMAIL governmentgazettesa@sa.gov.au
PHONE (08) 8207 1045

Notices for gazettal are to be emailed in the following formats:

- Notices as individual Word files (.doc)
- Maps, images, and diagrams as separate PDF files (.pdf)
- Content requiring official signature for authorisation—notices as Word files as well as signed documentation as PDF files

Please provide the following information in your email:

- Date the notice is to be gazetted
- Notification of whether a proof, quote, or return email confirmation is required
- Email address and phone number of the person authorising the submission
- Name of the person and organisation to be charged for the notice, if applicable, and a purchase order if required
- Details that may impact on publication of the notice

Notices must be submitted before 4 p.m. Friday, the week preceding intended gazettal.

Proofs of formatted content are supplied upon request, with necessary alterations to be returned before 4 p.m. the day preceding publication.

Submitted notices will be gazetted unless notification is received before 10 a.m. the day of publication.