



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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ADELAIDE, THURSDAY, 16 AUGUST 2018

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

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Department of the Premier and Cabinet  
Adelaide, 16 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Metropolitan Fire Service Disciplinary Committee, pursuant to the provisions of the Fire and Emergency Services Act 2005:

Member: from 20 August 2018 until 19 August 2021  
Philip Leslie Kilsby  
Stephen John Smithson

By command,

VICKIE ANN CHAPMAN  
Acting Premier

18EMS004CS

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Department of the Premier and Cabinet  
Adelaide, 16 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Public Health Council, pursuant to the provisions of the South Australian Public Health Act 2011:

Member: from 16 August 2018 until 15 August 2021  
Gary Robert Mavrinac  
Imelda Cecily Lynch  
Helen Siobhan Marshall

By command,

VICKIE ANN CHAPMAN  
Acting Premier

HEAC-2018-00025

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Department of the Premier and Cabinet  
Adelaide, 16 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Tourism Commission Board, pursuant to the provisions of the South Australian Tourism Commission Act 1993:

Director: from 1 October 2018 until 30 September 2020  
John Irving

By command,

VICKIE ANN CHAPMAN  
Acting Premier

18TTICS/00018

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Department of the Premier and Cabinet  
Adelaide, 16 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Local Government Grants Commission, pursuant to the provisions of the South Australian Local Government Grants Commission Act 1992:

Member: From 16 August 2018 until 15 November 2018  
Mary Patetsos

Presiding Member: From 16 August 2018 until 15 November 2018  
Mary Patetsos

By command,

VICKIE ANN CHAPMAN  
Acting Premier

MTIL18/026CS

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Department of the Premier and Cabinet  
Adelaide, 16 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Stephan Karl Knoll, MP, Minister for Transport, Infrastructure and Local Government and Minister for Planning to be also Acting Minister for Environment and Water for the period from 20 August 2018 to 31 August 2018 inclusive, during the absence of the Honourable David James Speirs, MP.

By command,

VICKIE ANN CHAPMAN  
Acting Premier

18EWDEWCS0006

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Department of the Premier and Cabinet  
Adelaide, 16 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint Simon Patrick O'Sullivan, QC, as a Judge of the District Court of South Australia commencing on 27 August 2018 - pursuant to Section 12 of the District Court Act 1991.

By command,

VICKIE ANN CHAPMAN  
Acting Premier

AGO0092-18CS

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Department of the Premier and Cabinet  
Adelaide, 16 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint Martin Keith to the office of Master of the District Court of South Australia on an auxiliary basis, for a period commencing on 16 August 2018 and expiring on 30 June 2019, it being a condition of appointment that the powers and jurisdictions of the office should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment - pursuant to the Judicial Administration (Auxiliary Appointments and Powers) Act 1988.

By command,

VICKIE ANN CHAPMAN  
Acting Premier

AGO0091-18CS

Department of the Premier and Cabinet  
Adelaide, 16 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint Matthew William Butlin as the Chair, South Australian Productivity Commission for a term of two years commencing on 22 October 2018 and expiring on 21 October 2020 - pursuant to section 68 of the Constitution Act 1934.

By command,

VICKIE ANN CHAPMAN  
Acting Premier

DPC18/051CS

Department of the Premier and Cabinet  
Adelaide, 16 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint John Wyatt Allen and Suzanne Yvonne Andrew as Visiting Inspectors for the purposes of the Correctional Services Act 1982, commencing on 16 August 2018 - pursuant to Section 20 of the Correctional Services Act 1982.

By command,

VICKIE ANN CHAPMAN  
Acting Premier

18COR007CS

#### 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

Leon Mark Calladine (BLD 241402)

##### SCHEDULE 2

Construction in relation to a new four bedroom dwelling on land situated at Allotment 71, Filed Plan 20964 in the area named Hindmarsh Island, Hundred of Nangkita, being a portion of the land described in Certificate of Title Volume 5461 Folio 839, more commonly known as 32 Edison Street, Hindmarsh Island, South Australia 5214.

##### 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;
  - Giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated: 8 August 2018

DINI SOULIO  
Commissioner for Consumer Affairs  
Delegate for the Attorney-General

#### DEVELOPMENT ACT 1993

##### NOTICE UNDER SECTION 25(17)

##### *Mid Murray Council*

##### *Southern Heritage Places Development Plan Amendment for Approval*

##### *Preamble*

1. The Southern Heritage Places 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.

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: 9 August 2018

STEPHAN KNOLL  
Minister for Planning

#### EDUCATION ACT 1972

##### *Establishment of a School Council for a Government School*

I, COLLEEN ABBOTT, Director, Operations, Partnerships Schools and Preschools, hereby establish the Adelaide Botanic High School School Council pursuant to section 85 (1) (a) of the Education Act, 1972.

Dated: 9 August 2018

COLLEEN ABBOTT  
Director, Operations  
Partnerships Schools and Preschools  
Delegate of the Minister for Education

#### EDUCATION REGULATIONS 2012

##### *Notice of Policy by the Minister for Education*

PURSUANT to Regulation 60(2)(a) of the *Education Regulations 2012*, I, the Minister for Education publish the following Capacity Management Plan for the purposes of the enrolment of a child at the Adelaide Botanic High School:

##### CAPACITY MANAGEMENT PLAN

##### *Adelaide Botanic High School*

This Capacity Management Plan sets out the 2019 conditions for enrolment at Adelaide Botanic High School (“the school”).

##### **Student Enrolment Numbers**

As a new school, the Adelaide Botanic High School will have a progressive enrolment process. This process will introduce a year level at the start of each school year (beginning in 2019 with year 8 and year 9 only).

The student enrolment ceiling for year 8 is limited to 235. If there are more than 235 applications for enrolment that have met the criteria for enrolment below, applicants living in the school zone may be shared with Adelaide High School.

The initial intake process for year 9 has a student enrolment limit of 200 students.

##### **Selective entry Health and Sciences (STEM) pathway for out of zone students**

The school’s selective entry Health and Sciences (STEM) pathway is limited to 20 out of zone student entries at year 8, and is included in the 235 year 8 enrolment ceiling.

The Health and Sciences (STEM) pathway will also be available to out of zone year 9 students commencing in 2019. Entry numbers are not set and are included in the 200 year 9 enrolment ceiling.

Entry by this pathway is subject to the eligibility requirements published by the school, available from: [www.abhs.sa.edu.au](http://www.abhs.sa.edu.au)

##### **Year 9 intake process for 2019**

The school’s year 9 intake for 2019 will be a once-off process coordinated by the school, with details available from: [www.abhs.sa.edu.au](http://www.abhs.sa.edu.au)

##### *Criteria for Enrolment*

##### **Year level: 8**

Applications for enrolment from parents of prospective year 8 students require that the student must be enrolled in a government or non-government school in South Australia at the time the parents apply for enrolment through the Year 7-8 transition process (administered by the Department for Education).

The applicant must meet one of the following requirements to be eligible for a year 8 allocation through the Year 7-8 transition process:

- The child is living in the shared school zone of Adelaide Botanic High School and Adelaide High School
- The child has received and accepted an offer for enrolment by the school to participate in their selective entry Health and Sciences (STEM) pathway
- The child identifies as Aboriginal and/or Torres Strait Islander through the Enter for Success Program
- The child has been granted enrolment due to special or extenuating circumstances, including but not limited to a child in the care of the Minister for Child Protection.

##### **Applications for year 8 from students living in shared school zone**

Parents of prospective Year 8 students living in the shared school zone can nominate their choice of school through the department’s Year 7-8 transition process. Places will be offered based on a child’s highest choice of school, and availability of spaces.

If more applications than the enrolment ceiling are received from parents living in the shared school zone, a priority order may be applied to applications and spaces will be offered based on whether any, all or a combination of the following applies:

- The child currently has a sibling attending the school
- The distance of the child’s residence from the school
- Other personal needs, such as curriculum (excluding special interest pathways), transportation/location convenience, and social/family links at the school.

Parents will be notified of the outcome of this process by the end of week 5, term 3.

Applicants not allocated their first choice of school will be placed on the enrolment register, and will be referred for enrolment to the shared zone school (Adelaide High School).

**Late applications for year 8 from students living in the school zone**

Families who move into the school zone, or who are already living in the school zone but lodge their application for enrolment after the department's Year 7-8 transition process is completed (end of term 2), will have their applications considered if or when vacancies exist, with priority consideration afforded to those applicants already on the school's enrolment register.

In these cases, applications will be considered based on siblings at the school, the distance of the child's residence from the school and any other personal needs, such as curriculum (excluding special interest pathways), transportation/location convenience, and social/family links.

The school will notify parents by the beginning of week 1, term 4 if a vacancy is available for their child to attend the following school year.

If no vacancies exist the applicants will be placed on the enrolment register and referred for enrolment to other neighbouring schools.

**Year level: 9**

Priority consideration will be given to applications for intake from parents of prospective year 9 students to attend the following school year, if they have been living inside the school zone prior to the end of week 10, term 2 and whose application is received by this time.

If more than 200 applications for intake are received from parents living in the school zone by the end of week 10, term 2, places will be offered based on whether any, all or a combination of the following applies:

- The child currently has a sibling attending the school
- The distance of the child's residence from the school
- Other personal needs, such as curriculum (excluding special interest pathways), transportation/location convenience, and social/family links at the school.

The school will notify parents of the outcome of this process by the end of week 5, term 3.

Unsuccessful applicants will be placed on the enrolment register, and encouraged to remain at their current high school or referred for enrolment to other neighbouring schools.

**Late applications for year 9 from students living in the school zone**

Families who move into the school zone, or who are already living in the school zone but lodge their application for enrolment, after week 10, term 2, will have their applications considered if or when vacancies exist, with priority consideration afforded to those applicants already on the school's enrolment register.

In these cases, applications will be considered based on siblings at the school, the distance of the child's residence from the school and any other personal needs, such as curriculum (excluding special interest pathways), transportation/location convenience, and social/family links.

The school will notify parents by the beginning of week 1, term 4 if a vacancy is available for their child to attend the following school year.

If no vacancies exist the applicant will be encouraged to remain at their current high school, or referred for enrolment to other neighbouring schools, and upon an applicant's request placed on the school's enrolment register.

**Out of zone applications for year 9**

Applications from parents of prospective year 9 students, who live outside of the school zone, will only be given consideration for intake if the school is under its student enrolment limit of 200 students as at the end of week 10, term 2.

Places will be offered based on curriculum. The process will be coordinated by the school, with details available from: [www.abhs.sa.edu.au](http://www.abhs.sa.edu.au)

Please note: applications from siblings of prospective students who live outside the school zone will not be considered for enrolment in subsequent years.

**Year level: 10 to 12**

All applications for enrolment for year level 10 to 12 will not be accepted for 2019.

The applicant will be encouraged to remain at their current high school or referred to other neighbouring schools.

**Transfer of students between schools in the shared school zone**

Following the commencement of the 2019 school year, applications for students living in the shared school zone seeking to transfer from Adelaide High School to Adelaide Botanic High School will only be considered in special circumstances and by agreement between the principals of the schools. These applications will be assessed on a case by case basis.

**Out of zone applications with siblings currently at the school**

There is no automatic entry for siblings who live outside of the school zone to enrol at Adelaide Botanic High School.

**International Education Program**

No new fee paying international students will be offered enrolment at the school during 2019.

**Special Circumstances**

Enrolment applications for special consideration based on compelling or unusual reasons, including but not limited to students in the care of the Minister for Child Protection may be granted by the Principal in consultation with the Education Director. These applications will be assessed on a case by case basis.

**Adelaide Botanic High School zone**

A school zone is a defined area from which the school accepts its core intake of students.

From the start of the 2019, Adelaide Botanic High School operates a shared school zone with Adelaide High School, within the following:

The area bounded by the corner of Greenhill Road and Fullarton Road, heading west on Greenhill Road to the Glenelg tramline, turning left and following the tramline to East Avenue Forestville, south on East Avenue to Cross Road, west on Cross Road, north on Winifred Avenue, Beckman Street, Gray Street, the suburb of Kurralta Park bounded by Daly Street (both sides), Garfield Avenue, turning north on McArthur Avenue; turning left on Tennyson Street, heading north on Grove Avenue, Brooker Terrace, Bagot Avenue, crossing to Jerovis Street north to River road, turning east along the Torrens River, north on South Road, to Croydon meeting the railway line, turning right along the railway line, east across to Wood Avenue, left on Hawker Street, turning east on Blight Street,

right onto Torrens Road, north on Exeter Terrace along the railway line, Livingstone Avenue (both sides), the southern side of Angwin Avenue, Henrietta Street (both sides), right on Main North Road, the suburb of Nailsworth bounded by First Avenue (both sides) and western side of Howard Street, turning east to North Street (both sides) and following a straight line across Galway Avenue to North East Road, western side of Landsdowne Terrace, south west along the Torrens River, turning left on Winchester Street, right on Payneham Road, east on Wheaton Road, left on Olive Road, north on Frederick Street, east on Janet Street, to Portrush Road, turning south to Magill Road, North Terrace, turning south on Dequetteville Terrace, south on Fullarton Road to corner of Greenhill Road.

Families living in the shared school zone wishing to enrol their children at Adelaide Botanic High School may be directed to Adelaide High School if capacity is reached in specific year levels or the year level is not currently available. If no vacancies exist at either school applicants will be encouraged to remain at their current high school, or referred to other neighbouring schools.

#### **Enrolment Register**

Parents whose child's name has been placed on the enrolment register will be contacted if vacancies become available.

The enrolment register will be reviewed and updated annually by the school.

The position that a child's name appears on the register is confidential and will only be disclosed as required by law.

#### **Monitoring and enforcement**

It is the responsibility of the parents applying for enrolment to be able to verify to the satisfaction of the school that the information provided is true and factual.

The Principal is responsible for the implementation of this Capacity Management Plan and all decisions on enrolments.

This Capacity Management Plan will be reviewed annually.

Dated: 13 August 2018

JOHN GARDNER  
Minister for Education

### EDUCATION REGULATIONS 2012

#### *Notice of Policy by the Minister for Education*

PURSUANT to Regulation 60(2)(a) of the *Education Regulations 2012*, I, the Minister for Education publish the following Capacity Management Plan for the purposes of the enrolment of a child at the Adelaide High School:

#### CAPACITY MANAGEMENT PLAN

##### *Adelaide High School*

This Capacity Management Plan sets out the 2019 conditions for enrolment at Adelaide High School ("the school").

#### **Student Enrolment Numbers**

The student enrolment ceiling for year 8 is limited to 275. If there are more than 275 applications for enrolment that have met the criteria for enrolment below, applicants living in the school zone may be shared with Adelaide Botanic High School.

#### **Selective entry programs**

The school's special interest programs are limited to entry at year 8 only as follows:

- 60 language program
- 15 cricket program
- 15 rowing program

These entries are included in the 275 year 8 enrolment ceiling. Entries to the programs are subject to the eligibility requirements published by the school, available from: <http://www.adelaidehs.sa.edu.au/Enrolment/Enrolment-Options>

#### *Criteria for Enrolment*

#### **Year level: 8**

Applications for enrolment from parents of prospective year 8 students require that the student must be enrolled in a government or non-government school in South Australia at the time the parents apply for enrolment through the Year 7-8 transition process (administered by the Department for Education).

The applicant must meet one of the following requirements to be eligible for a year 8 allocation through the Year 7-8 transition process:

- The child is living in the shared school zone of Adelaide High School and Adelaide Botanic High School
- The child has received and accepted an offer for special entry by the school to participate in their selective entry programs
- The child identifies as Aboriginal and/or Torres Strait Islander through the Enter for Success program
- The child has been granted enrolment due to special or extenuating circumstances, including but not limited to a child in the care of the Minister for Child Protection.

#### **Applications for year 8 from students living in shared school zone**

Parents of prospective year 8 students living in the shared school zone, parents can nominate their choice of school through the department's Year 7-8 transition process. Places will be offered based on a child's highest choice of school, and availability of spaces.

If more applications are received from parents living in the shared zone than there are places available, a priority order may be applied to applications and spaces will be offered based on whether any, all or a combination of the following applies:

- The child currently has a sibling attending the school, or a sibling who attended the school in the last 12 months
- The distance of the child's residence from the school
- Other personal needs, such as curriculum (excluding special interest programs), transportation/location convenience, and social/family links at the school.

Parents will be notified of the outcome of this process by the end of week 5, term 3. Applicants not allocated their first choice of school will be placed on the enrolment register, and will be referred for enrolment to the shared zone school (Adelaide Botanic High School).

#### **Late applications for year 8 from students living in the school zone**

Families who move into the school zone, or who are already living in the school zone but lodge their application for enrolment after the department's Year 7-8 transition process is completed (end of term 2), will have their applications considered if or when vacancies exist, with priority consideration afforded to those applicants already on the school's enrolment register.

In these cases, applications will be considered based on siblings at the school, the distance of the child's residence from the school and any other personal needs, such as curriculum (excluding special interest programs), transportation/location convenience, and social/family links.

The school will notify parents by the beginning of week 1, term 4 if a vacancy is available for their child to attend the following school year.

If no vacancies exist the applicants will be placed on the enrolment register and referred for enrolment to other neighbouring schools.

**Year level: 9 -12**

Applications for enrolment from parents of prospective students living in the school zone will be considered if or when vacancies exist, with priority consideration afforded to those applicants already on the enrolment register.

In these cases, applications will be considered based on siblings at the school, the distance of the child's residence from the school and any other personal needs, such as curriculum, transportation/location convenience, and social/family links.

The school will notify parents by the beginning of week 1, term 4 if a vacancy is available for their child to attend the following school year.

If no vacancies exist the applicants will be encouraged to remain at their current high school, or referred for enrolment to other neighbouring schools, and upon an applicant's request placed on the school's enrolment register.

**Transfer of students between schools in the shared school zone**

Following the commencement of the 2019 school year, applications for students living in the shared school zone seeking to transfer from Adelaide Botanic High School to Adelaide High School will only be considered in special circumstances and by agreement between the principals of the schools. These applications will be assessed on a case by case basis.

**Out of zone applications with siblings currently at the school**

There is no automatic entry for siblings who live outside of the school zone to enrol at Adelaide High School.

**Centre for Hearing Impaired**

Students with bilateral hearing loss verified by audiologists and who have been recommended as eligible by a department's sensory panel can enrol into the centre.

**International Education Program**

The maximum number of international students who can be offered enrolment at the school will be limited to 85 students.

**Special Circumstances**

Enrolment applications for special consideration based on compelling or unusual reasons, including but not limited to students in the care of the Minister for Child Protection may be granted by the Principal in consultation with the Education Director. These applications will be assessed on a case by case basis.

**Adelaide High School zone**

A school zone is a defined area from which the school accepts its core intake of students.

From the start of the 2019, Adelaide High School operates a shared school zone with Adelaide Botanic High School, within the following:

The area bounded by the corner of Greenhill Road and Fullarton Road, heading west on Greenhill Road to the Glenelg tramline, turning left and following the tramline to East Avenue Forestville, south on East Avenue to Cross Road, west on Cross Road, north on Winifred Avenue, Beckman Street, Gray Street, the suburb of Kurralta Park bounded by Daly Street (both sides), Garfield Avenue, turning north on McArthur Avenue; turning left on Tennyson Street, heading north on Grove Avenue, Brooker Terrace, Bagot Avenue, crossing to Jervois Street north to River road, turning east along the Torrens River, north on South Road, to Croydon meeting the railway line, turning right along the railway line, east across to Wood Avenue, left on Hawker Street, turning east on Blight Street, right onto Torrens Road, north on Exeter Terrace along the railway line, Livingstone Avenue (both sides), the southern side of Angwin Avenue, Henrietta Street (both sides), right on Main North Road, the suburb of Nailsworth bounded by First Avenue (both sides) and western side of Howard Street, turning east to North Street (both sides) and following a straight line across Galway Avenue to North East Road, western side of Landsdowne Terrace, south west along the Torrens River, turning left on Winchester Street, right on Payneham Road, east on Wheaton Road, left on Olive Road, north on Frederick Street, east on Janet Street, to Portrush Road, turning south to Magill Road, North Terrace, turning south on Dequetteville Terrace, south on Fullarton Road to corner of Greenhill Road.

Families living in the shared school zone wishing to enrol their child at Adelaide High School may be directed to Adelaide Botanic High School if capacity is reached in specific year levels. If no vacancies exist at either school, applicants will be encouraged to remain at their current high school, or referred to other neighbouring schools.

**Enrolment Register**

Parents whose child's name has been placed on the enrolment register will be contacted if vacancies become available.

The enrolment register will be reviewed and updated annually by the school.

The position that a child's name appears on the register is confidential and will only be disclosed as required by law.

**Monitoring and enforcement**

It is the responsibility of the parents applying for enrolment to be able to verify to the satisfaction of the school that the information provided is true and factual.

The Principal is responsible for the implementation of this Capacity Management Plan and all decisions on enrolments.

This Capacity Management Plan will be reviewed annually.

Dated: 13 August 2018

JOHN GARDNER  
Minister for Education

FISHERIES MANAGEMENT ACT 2007

SECTION 78

*Permit to Take, Possess and or Control of a Noxious Species*

Pursuant to subsection 78(1) (b) & (c) of the *Fisheries Management Act 2007*, this permit is issued to allow the holder of the permit to take and be in possession and/or control of noxious species specified below, subject to the conditions of this permit.

Permit Number: MP0097  
 Permit holder: Kristian Peters, Scientific officer  
 Adelaide & Mount Lofty Ranges Natural Resources  
 Management Board  
 205 Greenhill Road  
 Eastwood SA 5063  
 Specified species: Marine species declared noxious in a notice made under Section 78 of the Fisheries Management Act 2007, dated 1 March 2017, and published in the *South Australian Government Gazette* on 7 March 2017 on page 819, being the first notice on that page.

## CONDITIONS

1. The permit is valid from 11 August 2018 until 11 August 2020, unless varied or revoked earlier.
2. Settlement plates may only be collected from the waters at the following locations:
  - a. Crown Marina, North Haven.
  - b. Cruising Yacht Club of South Australia Marina, North Haven
  - c. Marina St Vincent, Wirrina Cove
  - d. Christmas Cove Marina, Kangaroo Island
  - e. Kingscote Jetty, Kangaroo Island
3. The permit holder must prior report to PIRSA Fishwatch on 1800 065 522 at least 2 hours prior to collecting settlement plates pursuant to this permit.
4. While engaging in the permitted activity, the permit holder must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer if requested.
5. The permit holder must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under that Act, except where specifically permitted by this notice.
6. After removal of the settlement plates from the water, the permit holder must not return the same settlement plates, or any organisms from those plates back to any waters of the State.
7. All settlement plates must be disinfected, removing all pests or disease and disposed of appropriately on conclusion of the permitted activity.
8. Identification of any exotic pests collected pursuant to the permitted activity, that are listed as “not found” in South Australia on the PIRSA Biosecurity website at [http://www.pir.sa.gov.au/biosecurity/aquatics/aquatic\\_pests](http://www.pir.sa.gov.au/biosecurity/aquatics/aquatic_pests) are to be reported to Biosecurity SA within 48 hours of detection.

Live aquatic animals that are held captive are considered livestock and the permit holder must report suspicion or occurrence of notifiable diseases to the Chief Veterinary Officer as per the requirements of Section 27 of the *Livestock Act 1997*.

Dated: 10 August 2018

SEAN SLOAN  
 Executive Director  
 Fisheries and Aquaculture

Delegate of the Minister for Primary Industries and Regional Development

## GAMING MACHINES ACT 1992

## GR NOTICE NO. 10 OF 2018

*Gaming Machines—Jackpot Club Advanced Training—Recognition Notice 2018*

The Independent Gambling Authority publishes this notice under section 10B of the *Gaming Machines Act 1992*:

**1. Citation, authorising provisions**

- (1) This notice may be cited as the Gaming Machines—Jackpot Club Advanced Training—Recognition Notice 2018.
- (2) This notice is authorised by section 10B(1)(b) of the *Gaming Machines Act 1992*.

**2. Recognised course of training**

- (1) This notice applies to the advanced training course described in an application made by The Jackpot Club ABN 17 249 284 416 held on File No. AUTH 17/0065.
- (2) The course of training identified in the table is recognised as advanced training for provision from the date indicated.

TABLE

Course Documentation Description	Date of First Provision
ADVANCED GAMING Version 7 4 April 2018	16 August 2018

- (3) As a consequence of this recognition, the Authority withdraws recognition for the course of training in GR Notice No. 6 of 2017 *Gaming Machines—Jackpot Club Advanced Training 2017—Recognition Notice 2017* published in the *South Australian Government Gazette* (No. 72) on 17 October 2017 on page 4035.

Dated: 16 August 2018

Independent Gambling Authority

## GAMING MACHINES ACT 1992

## GR NOTICE NO. 11 OF 2018

*Gaming Machines—AHA/SA Basic Training—Withdrawal Notice 2018*

The Independent Gambling Authority publishes this notice under section 10B of the *Gaming Machines Act 1992*:

**1. Citation, authorising provisions, etc.**

- (1) This notice may be cited as the Gaming Machines—AHA/SA Basic Training—Withdrawal Notice 2018.



- (2) This notice is authorised by section 10B(2) of the *Gaming Machines Act 1992*.
- (3) On 3 May 2018, the Authority published GR Notice No. 2 of 2018 as the Gaming Machines—AHA|SA Basic Training—Recognition Notice 2018 in the *South Australian Government Gazette* No. 30 on page 1504 to recognise a course of training as basic training.

**2. Withdrawal of recognition of course of training**

- (1) As a consequence of the recognition of the course of training referred to in clause 1(3) of this notice, the AHA|SA no longer requires the course of training which was recognised by publication of GR Notice No. 3 of 2015 as the Gaming Machines—AHA|SA Basic Training—Recognition Notice 2015 in the *South Australian Government Gazette* No. 6 on 22 January 2015 on page 335.
- (2) Therefore, the Authority withdraws recognition of the course of training identified in the table as basic training from the date indicated.

TABLE

Course Documentation Description	Date of Withdrawal
Basic training—gaming machines/Course outline version 2 October 2014	16 August 2018

Dated: 16 August 2018

Independent Gambling Authority

GAMING MACHINES ACT 1992

GR NOTICE NO. 12 OF 2018

*Gaming Machines—AHA|SA Advanced Training—Withdrawal Notice 2018*

The Independent Gambling Authority publishes this notice under section 10B of the *Gaming Machines Act 1992*:

**1. Citation, authorising provisions, etc.**

- (1) This notice may be cited as the Gaming Machines—AHA|SA Advanced Training—Withdrawal Notice 2018.
- (2) This notice is authorised by section 10B(2) of the *Gaming Machines Act 1992*.
- (3) On 3 May 2018, the Authority published GR Notice No. 3 of 2018 as the Gaming Machines—AHA|SA Advanced Training—Recognition Notice 2018 in the *South Australian Government Gazette* No. 30 on page 1504 to recognise a course of training as advanced training.

**2. Withdrawal of recognition of course of training**

- (1) As a consequence of the recognition of the course of training referred to in clause 1(3) of this notice, the AHA|SA no longer requires the course of training which was recognised by publication of GR Notice No. 4 of 2015 as the Gaming Machines—AHA|SA Advanced Training—Recognition Notice 2015 in the *South Australian Government Gazette* No. 6 on 22 January 2015 on page 336.
- (2) Therefore, the Authority withdraws recognition of the course of training identified in the table as advanced training from the date indicated.

TABLE

Course Documentation Description	Date of Withdrawal
Advanced training—gaming machines/Course outline version 2 October	16 August 2018

Dated: 16 August 2018

Independent Gambling Authority

GENETICALLY MODIFIED CROPS MANAGEMENT ACT 2004

*Exemption Notice*

PURSUANT to the Genetically Modified Crops Management Act 2004, I, Tim Whetstone, Minister for Primary Industries and Regional Development, confer an exemption to BASF Agricultural Solutions Australia Pty Ltd under Section 6 (2) (a) (ii) to carry out limited and contained cultivation of canola that has been genetically modified for herbicide tolerance and hybrid vigour approved under OGTR Licence DIR 108 (hereafter the GMO) in areas of the State designated as areas where cultivation of GM food crops is not permitted.

BASF Agricultural Solutions Australia Pty Ltd (hereafter the Company) is required to observe the following conditions in relation to any cultivation of GM crops undertaken in South Australia by its employees or its agents, or any person engaged or directed by the Company to undertake any activity in relation to the GMO at a Location provided an exemption has been conferred on that person (either as a variation to this exemption or by a separate exemption).

This exemption will come into force upon the completion of sale of the relevant seed business divisions of Bayer CropScience Pty. Ltd to the Company. This exemption will then remain in force until varied or revoked.

This exemption confers all ongoing monitoring and compliance obligations for previous trials conducted by Bayer CropScience Pty Ltd associated with the GMO (under the previous exemption notice dated 10 May 2012) to the Company.

For the purpose of this Notice, I nominate the following person as the Nominated Officer within PIRSA to whom communication should be directed:

Manager, Plant Health Operations  
 Biosecurity SA  
 Plant and Food Standards  
 33 Flemington Street  
 Glenside, S.A. 5065  
 Telephone: (08) 8429 2367  
 Facsimile: (08) 8207 7844

For Definitions of Terms see Section 3.

**SECTION 1: GENERAL CONDITIONS**

The Company and persons covered by these conditions must comply with these conditions.

**1. Notification of Project Supervisor**

- 1.1 The Company must inform the Nominated Officer in writing of the contact details of the Project Supervisor before any further cultivation of the GMO occurs.
- 1.2 The Company must immediately notify the Nominated Officer in writing if any of the contact details of the Project Supervisor change.

**2. Informing People of their Obligations**

- 2.1 The Company must inform each person covered by these conditions of the obligations imposed on them by these conditions.
- 2.2 The Company must provide the Nominated Officer, on the Nominated Officer's written request, a signed statement from each person covered by these conditions that the Company has informed the person of the conditions of these conditions that apply to that person.

**3. Material Changes in Circumstances**

- 3.1 The Company must immediately, by notice in writing, inform the Nominated Officer of:
  - (a) any relevant conviction of the Company occurring after the commencement of these conditions;
  - (b) any event or circumstances occurring after the commencement of these conditions that would affect the capacity of the holder of his agreement to meet the conditions in it.

**4. Remaining an Accredited Organisation**

- 4.1 The Company must, at all times, remain an accredited organisation with the OGTR and comply with any conditions of accreditation set out in the OGTR's Guidelines for Accreditation of Organisations.

**SECTION 2: SPECIFIC CONDITIONS****1. Locations and Size of Release**

- 1.1 The exemption granted does not permit the cultivation of any GMO in the Areas of:
  - (a) *Eyre Peninsula* as comprised of the areas of The District Council of Lower Eyre Peninsula, The District Council of Tumby Bay, The District Council of Elliston, The District Council of Cleve, The District Council of Franklin Harbour, The Corporation of the City of Whyalla, The Corporation of the City of Port Augusta, The City of Port Lincoln, The District Council of Kimba, The District Council of Le Hunte, The District Council of Streaky Bay and The District Council of Ceduna.
  - (b) *Kangaroo Island* as comprised of the area of The Kangaroo Island Council.
- 1.2 The maximum area of any single site must not exceed 10 ha.

**2. Control of Locations and Other Areas used in Connection with these Conditions**

- 2.1 The Company must be able to access and control a Location or other area used in connection with these conditions to the extent necessary to comply with these conditions.
- 2.2 Conditions of access negotiated by the Company must include:
  - (a) The landowner's agreement that the Company will provide contact details to the Nominated Officer.
  - (b) The landowner's agreement that potential purchasers will be notified of any current sites or past sites that are not signed off.

**3. Notification of Plantings**

- 3.1 That before the commencement of the winter seeding program and the summer seeding program, an overview of each season's planting schedule be provided to the Nominated Officer in writing.
- 3.2 Before planting the following information for each site should be provided to the Nominated Officer:
  - (a) The GPS co-ordinates to identify the perimeter of every area, using the GDA 94 datum (or nominated equivalent that allows conversion to this datum).
  - (b) The contact details of the landowner or his representative to enable authorised officers to seek consent to entry.
  - (c) Identification of the GMO type proposed to be grown at the area, and the area of each that is to be sown.
  - (d) Estimated date of planting, flowering and harvest of the site.

**4. Measures to Manage Gene Flow**

- 4.1 For each Location, one of the following methods for managing gene flow must be adopted:
  - (a) The GMO at the Location must be male sterile types only. It must be surrounded by an Isolation Zone extending outwards by 400 m in all directions from the outer edge of the Location.
  - (b) All flowering heads of the GMO at the Location must be covered by selfing bags at least seven days prior to flowering. The bags must remain on the GMO for the duration of the flowering of the GMO. The Location must be surrounded by an Isolation Zone extending outwards by 400 m in all directions from the outer edge of the Location.
  - (c) The GMO at the Location must be housed in an insect-proof tent. The tent must be erected at least seven days prior to flowering of the GMO and remain in place for the duration of flowering of the GMO. The Location must be surrounded by an Isolation Zone extending outwards by 400 m in all directions from the outer edge of the Location.
  - (d) The Location must be surrounded by an Isolation zone extending outwards by 1 km in all directions from the outer edge of the Location.
  - (e) The Location must be surrounded by a Pollen Trap. The Pollen Trap must be surrounded by an Isolation Zone extending outwards by 400 m in all directions from the outer edge of the Pollen Trap.

**5. Conditions Relating to Isolation Zones**

- 5.1 No *Brassica* crop may be grown in an Isolation Zone while the GMO is being grown at the Location, if there is a risk of outcrossing from the GMO to the crop through pollination synchronicity.

- 5.2 Where a risk exists, either the *Brassica* crop or the GMO in the Location (and its Pollen Trap, if any) must be destroyed prior to flowering.
- 5.3 If the GMO at the Location (and Pollen Trap, if any) is destroyed pursuant to this condition, the destruction of the GMO (and Pollen Trap, if any) is taken to be a harvest for the purposes of this condition.
- Note: If a Location (and Pollen Trap, if any) has to be destroyed because a Brassica Crop is planted in the Isolation Zone, the Location is taken to have been harvested. Cleaning of the Location and Pollen Trap must occur soon afterwards (see the conditions below about cleaning Locations post harvest) and post harvest monitoring of the Location and Pollen Trap must be commenced.*
- 6. Conditions Relating to Pollen Traps**
- 6.1 Once planted, Pollen Trap plants must be handled and controlled as if they are GMO, and Material from Pollen Trap plants must be handled and controlled as if it is Material from the GMO.
- 6.2 A Pollen Trap must be able to be accessed and controlled by the Company to an extent that is commensurate with the Company's rights to access and control the Location within it.
- Note: Conditions about Cleaning Pollen Traps occur elsewhere in these conditions.*
- 7. Monitoring During Growing the GMO**
- 7.1 Each Monitoring Zone must be monitored for the presence of Canola at least once every 35 days from the planting of the GMO until either harvest of the GMO or the Location is Cleaned. Any Canola detected during monitoring must be destroyed before seed maturity.
- 7.2 Each Isolation Zone must be monitored to satisfy Conditions 5.1 and 5.2, at least once every 35 days commencing 14 days prior to flowering of the GMO and concluding when the GMO has completed flowering.
- 7.3 The results of monitoring activities must be reported to the Nominated Officer in writing. Results must be reported to the Nominated Officer within 35 days of any day on which monitoring occurs. Results of reporting must include:
- (a) identification details of the areas monitored;
  - (b) details of the date of monitoring;
  - (c) the names of the person or persons who undertook the monitoring and details of the experience, training or qualification that enabled them to recognise Volunteer plants and *Brassica* plants;
  - (d) the number of Volunteer plants and *Brassica* plants if any;
  - (e) details of whether the Volunteer plants and *Brassica* plants observed, if any, occurred in the Location, the Pollen Trap or the Monitoring Zone;
  - (f) details of the development stages reached by the Volunteer plants and *Brassica* plants, if any;
  - (g) details of methods used to destroy Volunteer plants and *Brassica* plants identified if any; and
  - (h) details of the date on which Volunteer plants and *Brassica* plants were cleaned.
- 8. Harvest of GMO**
- 8.1 The GMO at a Location and Pollen Trap plants may be harvested for seed only.
- 8.2 Following harvest of the GMO and Pollen Trap plants (if any), any harvested seed must be immediately, or as soon as is reasonably practicable:
- (a) stored in a sealed container that is signed so as to indicate that it contains GM Canola seed, within a locked facility that is signed so as to indicate that genetically modified Canola seed is stored within the facility; or
  - (b) rendered unviable by autoclaving; or
  - (c) destroyed by burning; or
  - (d) destroyed by burial under 1 m of soil.
- 8.3 Any Canola seed obtained from harvest may only be transported to the extent necessary for seed cleaning or treating, to store it, export it or destroy it.
- 9. Conditions Relating to Destruction by Burial**
- 9.1 Subject to Condition 9.2 below, if the GMO, Pollen Trap plants, Material from the GMO or Material from Pollen Trap plants are destroyed by burial, the Company must:
- (a) within 30 days of burial, provide the Nominated Officer by notice in writing of the precise location of the Burial site (GPS co-ordinates and either a street address or other directions to the Location) and the date on which it was buried. The notice must identify the GMO or Pollen Trap plant, buried at the Burial site;
  - (b) any emergence of Volunteer plants. If Volunteer plants are identified, the Burial site must be cleaned.
- 9.2 Monitoring of the Burial site is not required if burial takes place at a Municipal or commercial land fill and the Nominated Officer is provided with a written notice from the manager of the land fill undertaking:
- (a) not to disturb the Burial site for a period of at least three years from the date of burial; and
  - (b) to notify both the Company and the Nominated Officer in writing of any significant disturbance of the Burial site that may affect the emergence of Volunteer plants.
- 10. Cleaning—Post Harvest and Generally**
- 10.1 Where Equipment, a Location or other area is used pursuant to these conditions in respect of GMOs, Material from GMOs, Pollen Trap plants or Material from Pollen Trap plants, it must be Cleaned.
- 10.2 Subject to Condition 10.5, for each Location, either within 14 days of harvest of the GMO or 9 months after planting, the Location must be Cleaned.
- 10.3 Within 14 days of either harvest or Cleaning of the GMO at a Location, the Pollen Trap in respect of that Location, if any, must be Cleaned.
- 10.4 When Equipment is Cleaned, the area in which the Equipment is Cleaned must also be Cleaned.
- Note: For the sake of clarity, it is not necessary for Equipment to be Cleaned only at a Location.*

- 10.5 Cleaning must occur immediately or as soon as practicable after the use and before it is used for any other purpose.
- 10.6 Note: For example, if seed is harvested with a mechanical harvester, the harvester must be Cleaned immediately following its use and before any other Canola is harvested.
- 10.7 On the request of the Nominated Officer, the Nominated Officer must be provided with written documentation of the procedures in place to ensure continuing compliance with the Cleaning conditions in these conditions.  
*Note: Burning and light tillage are strongly favoured as methods to Clean Locations and Pollen Traps post-harvest.*
- 11. Conditions Relating to Grazing**
- 11.1 The company must inform the owner of the land on which the location is situated of the marketing implications of any grazing of GM canola before commencement of the trial.
- 11.2 Evidence that the owner has been adequately informed must be presented to the nominated officer on request.
- 12. Reduction of the Seed Bank and Secondary Dormancy**
- 12.1 Following Cleaning of any Location or Pollen Trap, light tillage must be carried out on each Location and Pollen Trap.
- 12.2 Subject to Condition 12.4, light tillage must occur on at least two separate occasions in such a way as to promote the growth of any remaining Canola and to reduce onset of secondary dormancy of Canola seed.
- 12.3 The two occasions must be carried out at least two weeks apart.
- 12.4 If light tillage is used to Clean a Location or Pollen Trap, then only one subsequent occasion of light tilling must be performed.
- 12.5 All light tillage obligations must be performed within 12 months of harvest of the GMO or Pollen Trap.
- 12.6 The soil at the Location (and Pollen Trap, if any) must not be disturbed in a way that would bury plant material in that area to a depth of more than 50 mm, until at least 14 days after all light tillage obligations have been performed.  
*Note: This condition prohibits 'deep tillage' (i.e., deep soil disturbance that would bury the GMO to a depth of more than 50 mm) to occur at the location or pollen trap until after light tillage obligations have been performed.*
- 12.7 A report on light tilling activities undertaken must be reported to the Nominated Officer in writing. Results must be reported to the Nominated Officer within 35 days of any day on which light tilling occurs. Results of reporting must include:
- (a) details of the Location (and Pollen Trap, if any) tilled; and
- (b) details of the tillage methods used.
- 13. Conditions Relating to Light Tillage**
- 13.1 Light tillage may only be adopted as a method for destruction in conditions where germination of the GMO is reasonably likely to ensue (for example, immediately after rain or irrigation).  
*Note: The incorporation of light tillage methods at times when germination of the GMO is not likely to ensue as a result (e.g., during a drought) will not be considered sufficient to satisfy light tillage conditions.*
- 14. Monitoring—Post Harvest and Generally**
- 14.1 Following Cleaning of each Location, the following places must be monitored for the existence of Volunteer plants:
- (a) the Location;
- (b) the Pollen Trap in respect of the Location, if any; and
- (c) any areas used to Clean Equipment used in connection with the GMO or to destroy the GMO, Material from the GMO, Pollen Trap plants or Material from Pollen Trap plants.
- 14.2 Following Cleaning of each Location, the Monitoring Zone in respect of the Location must be monitored for the existence of Volunteer plants of the GMO.
- 14.3 Monitoring must be performed by a person who is able to recognise Volunteer plants and *Brassica* plants.
- 14.4 Any Volunteer plants detected during monitoring must be Cleaned before seed maturity.
- 14.5 All the places required to be monitored must be monitored, with at least three site inspections to be undertaken during the April to November period. Additional monitoring may be required if conditions are conducive to growth outside traditional Canola growing periods.
- 14.6 The monitoring shall continue from the last day of Cleaning of the Location, and thereafter, until such time as the place to be monitored can meet site sign-off criteria, subject to Condition 14.7. The site sign-off criteria is met when the aggregate GM Canola volunteers present in the previous 12 months are less than 50 per ha (equivalent to 1 per 200 m<sup>2</sup>) or if the site is less than 1 ha in size, a maximum number of 20 volunteers per site. Monitoring may cease when the Nominated Officer has provided a site sign-off notice in writing to the Company that further monitoring of the specified site is no longer required.
- 14.7 Where post-harvest site is planted to long-term pasture in the first year post-harvest, and continues as a regenerating pasture in the second, third and subsequent years post-harvest, the monitoring shall continue from the last day of Cleaning of the Location, and thereafter, until such time as the place to be monitored can meet site sign-off criteria. Active monitoring on these sites must resume when the site is next cultivated and the monitoring shall continue until such time as the place to be monitored can meet site sign-off criteria.
- 14.8 The results of monitoring activities must be reported to the Nominated Officer in writing. Results must be reported to the Nominated Officer within 35 days of any day on which monitoring occurs. Results of reporting must include:
- (a) details of the areas monitored;
- (b) details of the date of monitoring;
- (c) the names of the person or persons who undertook the monitoring and details of the experience, training or qualification that enabled them to recognise Volunteer plants and *Brassica* plants;
- (d) the number of Volunteer plants observed, if any;
- (e) details of whether the Volunteer plants observed, if any, occurred in the Location, the Pollen Trap or the Monitoring Zone;
- (f) details of the development stages reached by the Volunteer plants, if any;
- (g) details of methods used to destroy Volunteer plants identified, if any; and
- (h) details of the date on which Volunteer plants were Cleaned.

**15. Use of Locations Post-Harvest**

- 15.1 If the GMO is grown at a Location, no other Canola or *Brassica* plant of any kind may be planted at the location, or Pollen Trap in respect of the Location, if any, after harvest of the GMO, until monitoring obligations are satisfied, unless the brassica crop is for research trial purposes (e.g., to assess canola blackleg resistance).
- 15.2 If the GMO is grown at a Location, no other Canola may be grown at the Monitoring Zone in respect of the Location until monitoring obligations are satisfied, unless the brassica crop is for research trial purposes (e.g., to assess canola blackleg resistance).
- 15.3 Other crops may be grown at the site following harvest provided the company controls post harvest volunteers to the extent required under this order.

**16. Transportation of the GMO, Material from GMO, Pollen Trap Plants and Material from Pollen Trap Plants**

- 16.1 The GMO, Material from the GMO, Pollen Trap plants and Material from Pollen Trap plants must not be transported unless it is contained within a sealed durable container.
- 16.2 Every container used to transport the GMO, Material from the GMO, Pollen Trap plants or Material from Pollen Trap plants must be labelled:
  - (a) to indicate that it contains genetically modified plant material; and
  - (b) with telephone contact numbers for the Company and instructions to contact the Company in the event that the container is broken or misdirected.
- 16.3 The Company must have in place accounting procedures to verify whether the same quantity of GMO, Material from the GMO, Pollen Trap Plant or Material from Pollen Trap plants sent is delivered and must document methods and procedures used for transportation of GMOs, Material from GMOs, Pollen Trap plants and Material from Pollen Trap plants.

**17. Contingency Plans**

- 17.1 Within 30 days of the date of the commencement of these conditions, a written Contingency Plan must be submitted to the Nominated Officer detailing measures to be taken in the event of the unintended presence of the GMO, Material from the GMO, Pollen Trap plants and Material from Pollen Trap plants, outside a Location, or Pollen Trap in respect of a Location, that must be monitored.
- 17.2 The Contingency Plan must include details of procedures to:
  - (a) ensure the Nominated Officer is notified immediately if the Company becomes aware of the event;
  - (b) to destroy any of the GMOs, Material from the GMOs, Pollen Trap plants or Material from Pollen Trap plants; and
- 17.3 Monitor and destroy any Volunteer plants that may exist as a result of the event.
- 17.4 The Contingency Plan must be implemented in the event that the unintended presence of the GMO, Material from the GMO, Pollen Trap plants or Material from Pollen Trap plants is discovered outside an area that must be monitored.

**18. Compliance Management Plan**

- 18.1 Prior to growing the GMO, a written Compliance Management Plan must be provided to the Nominated Officer on request. The Compliance Management Plan must describe in detail how the Company intends to ensure compliance with these conditions and document that compliance.

**SECTION 3: INTERPRETATION AND DEFINITIONS**

Words and phrases used in these conditions have the same meanings as they do in the Gene Technology Act 2000 (Commonwealth) and the Gene Technology Regulations 2001.

Words importing a gender include any other gender.

Words in the singular include the plural and words in the plural include the singular.

Words importing persons include a partnership and a body whether corporate or otherwise.

References to any statute or other legislation (whether primary or subordinate) is to a statute or other legislation of the Commonwealth of Australia as amended or replaced from time to time unless the contrary intention appears.

Where any word or phrase is given a defined meaning, any other part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.

In this agreement:

‘**Brassica crops**’ means any crop of *Brassica* plants or Canola (and includes commercial *Brassica* crops).

‘**Brassica plants**’ means the species listed in the table at Table 1.

‘**Burial site**’ means a site at which the GMO or GM material from the GMO is destroyed by burial under at least 1 m of soil.

‘**Canola**’ means plants of the species *Brassica napus*.

‘**Clean**’ (or ‘**Cleaned**’), as the case requires, means:

- (a) in relation to a Location or other area (including a Pollen Trap, Monitoring Zone or Isolation Zone), the destruction of the GMO, Material from the GMO, Pollen Trap plants or Material from Pollen Trap plants in that Location or area, to the reasonable satisfaction of the Minister; or
- (b) in relation to Equipment, the removal and destruction of the GMO and Material from the GMO, Pollen Trap plants or Material from Pollen Trap plants from the Equipment, to the reasonable satisfaction of the Minister.

‘**Department**’ means the Department of Primary Industries and Regions SA in South Australia.

‘**Destroy**’, (or ‘**Destroyed**’ or ‘**Destruction**’), as the case requires, means killed by one or more of the following methods:

- (a) stalk pulling; or
- (b) light tillage; or
- (c) burning; or
- (d) treatment with herbicide; or
- (e) slashing; or

- (f) mowing; or
- (g) hand weeding; or
- (h) burial under 1 m of soil; or
- (i) grazing; or
- (j) a combination of the above.

*Note (1): 'As the case requires' has the effect that, depending on the circumstances, one or more of these techniques may not be appropriate. For example, in the case of killing the remains of harvest of the GMO, treatment of post harvest remains by herbicide would not be a sufficient mechanism.*

*Note (2): Where method (b) is adopted, this agreement contains additional conditions relating to light tillage as a method for destruction.*

*Note (3): Where method (h) is adopted, this agreement contains additional conditions relating to burial as a method for destruction.*

*Note (4): Where method (i) is adopted, this agreement contains additional conditions relating to grazing as a method for destruction.*

'**Equipment**' includes harvesters, seeders, storage equipment, transport equipment (e.g., bags, containers, trucks), clothing and tools.

'**GM**' means genetically modified.

'**Isolation Zone**', means, in respect of a Location, an area of land surrounding either the Location, or the Location's Pollen Trap (if the Location is surrounded by a Pollen Trap) that is known not to contain any Brassica crops when the GMO is planted at the Location.

'**Light tillage**' or '**lightly tilled**' means the use of a technique to disturb the soil in an area so as not to bury plant material in the area to a depth of more than 50 mm and can include harrowing or mulching down to the soil surface.

'**Location**' means an area of land where the GMO is planted and grown.

*Note: Generally, before the GMO is planted and grown in a field, this agreement refers to the field as an area or place. After the GMO is planted in a field and while it is being grown, this agreement refers to the field as a 'Location'.*

'**Material from Pollen Trap plants**' means seed, stubble, pollen or any other GM material (including parts of a plant) that is derived from or produced by Canola from a Pollen Trap.

'**Material from the GMO**' means GM seed, stubble, pollen or any other GM material (including part of a GMO) that is derived from or produced by the GMO.

'**Minister**' means the Minister for Primary Industries and Regional Development in South Australia.

'**Monitoring Zone**' means an area extending outwards by 50 m in all directions from the outer edge of a Location, or the Location's Pollen Trap (if the Location is surrounded by a Pollen Trap).

'**OGTR**' means the Office of the Gene Technology Regulator.

'**Pollen Trap**' means an area of land, extending at least 15 m in all directions from the outside edge of a Location, containing non-genetically modified Canola or genetically modified male sterile Canola that is grown in such a way as to reasonably promote a dense and vigorous growth and flowering of the non-genetically modified Canola at the same time as the GMO.

'**Pollen Trap plant**' means Canola from a Pollen Trap.

'**Post-harvest Monitoring Period**' means the period that any Location, Pollen Trap in respect of a Location, and Monitoring Zone in respect of a Location must be monitored after harvest or after destruction of the GMO, either prior to seed set or at maturity.

'**Volunteer plants**' means progeny of the GMO or a Pollen Trap plant growing in the Location, its Pollen Trap, if any, or the Monitoring Zone for the Location, during the Post-Harvest Monitoring Period.

TABLE 1. BRASSICACEOUS PLANT CATEGORIES

Type	Brassicaceae
Weeds	<i>Brassica rapa</i> <i>Brassica juncea</i>
Condiment, Fodder, Vegetable spp.	Forage <i>B. napus</i> Vegetable <i>B. napus</i> Vegetable <i>B. rapa</i> Condiment <i>B. juncea</i>

Dated: 1 August 2018

TIM WHETSTONE  
Minister for Primary Industries and Regional Development

## GENETICALLY MODIFIED CROPS MANAGEMENT ACT 2004

### Exemption Notice

PURSUANT to the Genetically Modified Crops Management Act 2004, I, Tim Whetstone, Minister for Primary Industries and Regional Development, issue the following Exemption Notice to BASF Agricultural Solutions Australia Pty Ltd under Section 6 (2) (a) (ii) for the purposes of breeding and seed multiplication of genetically modified oilseed *Brassica* cultivars associated with the production of InVigor Canola approved under OGTR Licence DIR 021/2002 (hereafter the GMO) in areas of the State designated as areas where cultivation of GM food crops is not permitted.

BASF Agricultural Solutions Australia Pty Ltd (hereafter the Company) are required to observe the following conditions in relation to any cultivation of GM crops undertaken in South Australia by their employees or their agents, or any person engaged to undertake any activity in relation to the GMO at a Location.

This exemption will come into force upon the completion of sale of the relevant seed business divisions of Bayer CropScience Pty. Ltd to the Company. This exemption will then remain in force until varied or revoked.

This exemption confers all ongoing monitoring and compliance obligations for previous trials conducted by Bayer CropScience Pty Ltd associated with the GMO (under the previous exemption notice dated 13 May 2004) to the Company.

For the purpose of this Notice, I nominate the following person as the Nominated Officer within PIRSA to whom communication should be directed:

Manager, Plant Health Operations  
Biosecurity SA  
Plant and Food Standards  
33 Flemington Street  
Glenside, S.A. 5065  
Telephone: (08) 8429 2367  
Facsimile: (08) 8207 7844

For Definitions of Terms see Section 3.

#### **SECTION 1: GENERAL CONDITIONS**

The Company and persons covered by these conditions must comply with these conditions.

##### **1. Notification of Project Supervisor**

- 1.1 The Company must inform the Nominated Officer in writing of the contact details of the Project Supervisor before any further cultivation of the GMO occurs.
- 1.2 The Company must immediately notify the Nominated Officer in writing if any of the contact details of the Project Supervisor change.

##### **2. Informing people of their obligations**

- 2.1 The Company must inform each person covered by these conditions of the obligations imposed on them by these conditions.
- 2.2 The Company must provide the Nominated Officer, on the Nominated Officer's written request, a signed statement from each person covered by these conditions that the Company has informed the person of the conditions of these conditions that apply to that person.

##### **3. Material Changes in circumstances**

- 3.1 The Company must immediately, by notice in writing, inform the Nominated Officer of:
  - (a) any relevant conviction of the Company occurring after the commencement of these conditions;
  - (b) any event or circumstances occurring after the commencement of these conditions that would affect the capacity of the holder of his agreement to meet the conditions in it.

##### **4. Remaining an Accredited organisation**

- 4.1 The Company must, at all times, remain an accredited organisation with the OGTR and comply with any conditions of accreditation set out in the OGTR's Guidelines for Accreditation of Organisations.

#### **SECTION 2: SPECIFIC CONDITIONS**

##### **1. Locations and size of release**

- 1.1 The exemption granted does not permit the cultivation of any GMO in the Areas of:
  - (a) *Eyre Peninsula* as comprised of the areas of the District Council of Lower Eyre Peninsula, The District Council of Tumby Bay, The District Council of Elliston, The District Council of Cleve, The District Council of Franklin Harbour, The Corporation of the City of Whyalla, The Corporation of the City of Port Augusta, The City of Port Lincoln, The District Council of Kimba, The District Council of Le Hunte, The District Council of Streaky Bay and The District Council of Ceduna.
  - (b) *Kangaroo Island* as comprised of the area of The Kangaroo Island Council.
- 1.2 The maximum area of any single site must not exceed 10 ha.

##### **2. Control of Locations and other areas used in connection with these conditions**

- 2.1 The Company must be able to access and control a Location or other area used in connection with these conditions to the extent necessary to comply with these conditions.
- 2.2 Conditions of access negotiated by the Company must include:
  - (a) The landowner's agreement that the Company will provide contact details to the Nominated Officer.
  - (b) The landowner's agreement that potential purchasers will be notified of any current sites or past sites that are not signed off.

##### **3. Notification of Plantings**

- 3.1 That before the commencement of the winter seeding program and the summer seeding program, an overview of each season's planting schedule be provided to the Nominated Officer in writing.
- 3.2 Before planting the following information for each site should be provided to the Nominated Officer:
  - (a) The GPS co-ordinates to identify the perimeter of every area, using the GDA 94 datum (or nominated equivalent that allows conversion to this datum).
  - (b) The contact details of the landowner or his representative to enable authorised officers to seek consent to entry.
  - (c) Identification of the GMO type proposed to be grown at the area, and the area of each that is to be sown.
  - (d) Estimated date of planting, flowering and harvest of the site.

##### **4. Measures to manage gene flow**

- 4.1 For each Location, one of the following methods for managing gene flow must be adopted:
  - (a) The GMO at the Location must be male sterile types only. It must be surrounded by an Isolation Zone extending outwards by 400 m in all directions from the outer edge of the Location.
  - (b) All flowering heads of the GMO at the Location must be covered by selfing bags at least 7 days prior to flowering. The bags must remain on the GMO for the duration of the flowering of the GMO. The Location must be surrounded by an Isolation Zone extending outwards by 400 m in all directions from the outer edge of the Location.

- (c) The GMO at the Location must be housed in an insect-proof tent. The tent must be erected at least 7 days prior to flowering of the GMO and remain in place for the duration of flowering of the GMO. The Location must be surrounded by an Isolation Zone extending outwards by 400 m in all directions from the outer edge of the Location.
- (d) The Location must be surrounded by an Isolation zone extending outwards by 1km in all directions from the outer edge of the Location; or
- (e) The Location must be surrounded by a Pollen Trap. The Pollen Trap must be surrounded by an Isolation Zone extending outwards by 400 m in all directions from the outer edge of the Pollen Trap.
- 5. Conditions relating to Isolation Zones**
- 5.1 No *Brassica* crop may be grown in an Isolation Zone while the GMO is being grown at the Location, if there is a risk of outcrossing from the GMO to the crop through pollination synchronicity.
- 5.2 Where a risk exists, either the *Brassica* crop or the GMO in the Location (and its Pollen Trap, if any) must be destroyed prior to flowering.
- 5.3 If the GMO at the Location (and Pollen Trap, if any) is destroyed pursuant to this condition, the destruction of the GMO (and Pollen Trap, if any) is taken to be a harvest for the purposes of this condition.
- Note: If a Location (and Pollen Trap, if any) has to be destroyed because a Brassica Crop is planted in the Isolation Zone, the Location is taken to have been harvested. Cleaning of the Location and Pollen Trap must occur soon afterwards (see the conditions below about cleaning Locations post harvest) and post harvest monitoring of the Location and Pollen Trap must be commenced.*
- 6. Conditions relating to Pollen Traps**
- 6.1 Once planted, Pollen Trap plants must be handled and controlled as if they are GMO, and Material from Pollen Trap plants must be handled and controlled as if it is Material from the GMO.
- 6.2 A Pollen Trap must be able to be accessed and controlled by the Company to an extent that is commensurate with the Company's rights to access and control the Location within it.
- Note: Conditions about Cleaning Pollen Traps occur elsewhere in these conditions.*
- 7. Monitoring during growing the GMO**
- 7.1 Each Monitoring Zone must be monitored for the presence of Canola at least once every 35 days from the planting of the GMO until either harvest of the GMO or the Location is Cleaned. Any Canola detected during monitoring must be destroyed before seed maturity.
- 7.2 Each Isolation Zone must be monitored to satisfy conditions 5.1 and 5.2, at least once every 35 days commencing 14 days prior to flowering of the GMO and concluding when the GMO has completed flowering.
- 7.3 The results of monitoring activities must be reported to the Nominated Officer in writing. Results must be reported to the Nominated Officer within 35 days of any day on which monitoring occurs. Results of reporting must include:
- (a) identification details of the areas monitored;
- (b) details of the date of monitoring;
- (c) the names of the person or persons who undertook the monitoring and details of the experience, training or qualification that enabled them to recognise Volunteer plants and *Brassica* plants;
- (d) the number of Volunteer plants and *Brassica* plants if any;
- (e) details of whether the Volunteer plants and *Brassica* plants observed, if any, occurred in the Location, the Pollen Trap or the Monitoring Zone;
- (f) details of the development stages reached by the Volunteer plants and *Brassica* plants, if any;
- (g) details of methods used to destroy Volunteer plants and *Brassica* plants identified if any; and
- (h) details of the date on which Volunteer plants and *Brassica* plants were cleaned.
- 8. Harvest of GMO**
- 8.1 Subject to Condition 8.5 below, the GMO at a Location and Pollen Trap plants may be harvested for seed only.
- 8.2 Subject to Condition 8.5 below, following harvest of the GMO and Pollen Trap plants (if any):
- (a) Any harvested seed must be immediately, or as soon as is reasonably practicable:
- (i) stored in a sealed container that is signed so as to indicate that it contains GM Canola seed, within a locked facility that is signed so as to indicate that genetically modified Canola seed is stored within the facility; or
- (ii) exported; or
- (iii) rendered unviable by autoclaving; or
- (iv) destroyed by burning; or
- (v) destroyed by burial under 1 m of soil.
- 8.3 Subject to Condition 8.5 below, any Canola seed obtained from harvest may only be transported to the extent necessary for seed cleaning or treating, to store it, export it or destroy it.
- 8.4 An amount of harvested Canola seed and/or Material from the GMO, obtained from harvest, may be saved and transported to the Seed Services Centre and SARDI Field Crops Pathology Unit, Primary Industries and Regions South Australia at Urrbrae, South Australia, where:
- 8.4.1 testing may be done, including:
- (a) germination analyses may be conducted on the harvested Canola seed;
- (b) purity analysis may be conducted on the harvested Canola seed; and
- (c) analysis of the presence of weed seed may be conducted on the harvested Canola seed;
- (d) compositional analyses may be conducted on Material from the GMO; and
- (e) pathogen analyses may be conducted on the harvested Canola seed.



- 8.4.2 Canola plants that develop in the course of the germination analyses must be destroyed prior to flowering.
- 8.4.3 The amount of harvested Canola seed and/or Material from the GMO that may be saved and transported is the amount necessary to perform the analyses.
- 8.4.4 Harvested Canola seed and/or Material from the GMO may be stored during the course of performing the analyses. Where Harvested Canola seed and/or Material from the GMO is stored for the purpose of analysis, it must be stored in a locked room. Within the room, the stored material must be stored in a sealed container that is signed so as to indicate that it contains GM Canola seed and/or Material from the GMO.
- 8.4.5 Once the analyses authorised by these agreement conditions have been completed and any other analyses have been completed, all GM Canola seed, Material from the GMO used in the analyses must be destroyed by either autoclaving, incineration, or autoclaving followed by incineration. Canola plants that are grown in the course of the germination analyses must be destroyed prior to flowering. All GM Canola seed not used in the analyses must be returned to the Company or destroyed as above.
- 9. Conditions relating to destruction by burial**
- 9.1 Subject to condition 9.2 below, if the GMO, Pollen Trap plants, Material from the GMO or Material from Pollen Trap plants are destroyed by burial, the Company must:
- (a) within 30 days of burial, provide the Nominated Officer by notice in writing of the precise location of the Burial site (GPS coordinates and either a street address or other directions to the Location) and the date on which it was buried. The notice must identify the GMO or Pollen Trap plant, buried at the Burial site;
- (b) any emergence of Volunteer plants. If Volunteer plants are identified, the Burial site must be cleaned.
- 9.2 Monitoring of the Burial site is not required if burial takes place at a Municipal or commercial land fill and the Nominated Officer is provided with a written notice from the manager of the land fill undertaking:
- (a) not to disturb the Burial site for a period of at least 3 years from the date of burial; and
- (b) to notify both the Company and the Nominated Officer in writing of any significant disturbance of the Burial site that may affect the emergence of Volunteer plants.
- 10. Cleaning—post harvest and generally**
- 10.1 Where Equipment, a Location or other area is used pursuant to these conditions in respect of GMOs, Material from GMOs, Pollen Trap plants or Material from Pollen Trap plants, it must be Cleaned.
- 10.2 Subject to condition 10.5, for each Location, either within 14 days of harvest of the GMO or 9 months after planting, the Location must be Cleaned.
- 10.3 Within 14 days of either harvest or Cleaning of the GMO at a Location, the Pollen Trap in respect of that Location, if any, must be Cleaned.
- 10.4 When Equipment is Cleaned, the area in which the Equipment is Cleaned must also be Cleaned.
- Note: For the sake of clarity, it is not necessary for Equipment to be Cleaned only at a Location.*
- 10.5 Cleaning must occur immediately or as soon as practicable after the use and before it is used for any other purpose.
- 10.6 *Note:* For example, if seed is harvested with a mechanical harvester, the harvester must be Cleaned immediately following its use and before any other Canola is harvested.
- 10.7 On the request of the Nominated Officer, the Nominated Officer must be provided with written documentation of the procedures in place to ensure continuing compliance with the Cleaning conditions in these conditions.
- Note: Burning and light tillage are strongly favoured as methods to Clean Locations and Pollen Traps post-harvest.*
- 11. Conditions relating to Grazing**
- 11.1 The company must inform the owner of the land on which the location is situated of the marketing implications of any grazing of GM canola before commencement of the trial.
- 11.2 Evidence that the owner has been adequately informed must be presented to the nominated officer on request.
- 12. Reduction of the seed bank and secondary dormancy**
- 12.1 Following Cleaning of any Location or Pollen Trap, light tillage must be carried out on each Location and Pollen Trap.
- 12.2 Subject to condition 12.4, light tillage must occur on at least two separate occasions in such a way as to promote the growth of any remaining Canola and to reduce onset of secondary dormancy of Canola seed.
- 12.3 The two occasions must be carried out at least 2 weeks apart.
- 12.4 If light tillage is used to Clean a Location or Pollen Trap, then only one subsequent occasion of light tilling must be performed.
- 12.5 All light tillage obligations must be performed within 12 months of harvest of the GMO or Pollen Trap.
- 12.6 The soil at the Location (and Pollen Trap, if any) must not be disturbed in a way that would bury plant material in that area to a depth of more than 50 mm, until at least 14 days after all light tillage obligations have been performed.
- Note: This condition prohibits 'deep tillage' (i.e., deep soil disturbance that would bury the GMO to a depth of more than 50 mm) to occur at the location or pollen trap until after light tillage obligations have been performed.*
- 12.7 A report on light tilling activities undertaken must be reported to the Nominated Officer in writing. Results must be reported to the Nominated Officer within 35 days of any day on which light tilling occurs. Results of reporting must include:
- (a) details of the Location (and Pollen Trap, if any) tilled; and
- (b) details of the tillage methods used.
- 13. Conditions relating to light tillage**
- 13.1 Light tillage may only be adopted as a method for destruction in conditions where germination of the GMO is reasonably likely to ensue (for example, immediately after rain or irrigation).
- Note: The incorporation of light tillage methods at times when germination of the GMO is not likely to ensue as a result (e.g., during a drought) will not be considered sufficient to satisfy light tillage conditions.*

**14. Monitoring—post harvest and generally**

- 14.1 Following Cleaning of each Location, the following places must be monitored for the existence of Volunteer plants:
  - (a) the Location;
  - (b) the Pollen Trap in respect of the Location, if any; and
  - (c) any areas used to Clean Equipment used in connection with the GMO or to destroy the GMO, Material from the GMO, Pollen Trap plants or Material from Pollen Trap plants.
- 14.2 Following Cleaning of each Location, the Monitoring Zone in respect of the Location must be monitored for the existence of Volunteer plants of the GMO.
- 14.3 Monitoring must be performed by a person who is able to recognise Volunteer plants and *Brassica* plants.
- 14.4 Any Volunteer plants detected during monitoring must be Cleaned before seed maturity.
- 14.5 All the places required to be monitored must be monitored, with at least three site inspections to be undertaken during the April to November period. Additional monitoring may be required if conditions are conducive to growth outside traditional Canola growing periods.
- 14.6 The monitoring shall continue from the last day of Cleaning of the Location, and thereafter, until such time as the place to be monitored can meet site sign-off criteria, subject to condition 14.7. The site sign-off criteria is met when the aggregate GM Canola volunteers present in the previous 12 months are less than 50 per ha (equivalent to 1 per 200 m<sup>2</sup>) or if the site is less than 1 ha in size, a maximum number of 20 volunteers per site. Monitoring may cease when the Nominated Officer has provided a site sign-off notice in writing to the Company that further monitoring of the specified site is no longer required.
- 14.7 Where post-harvest site is planted to long-term pasture in the first year post-harvest, and continues as a regenerating pasture in the second, third and subsequent years post-harvest, the monitoring shall continue from the last day of Cleaning of the Location, and thereafter, until such time as the place to be monitored can meet site sign-off criteria. Active monitoring on these sites must resume when the site is next cultivated and the monitoring shall continue until such time as the place to be monitored can meet site sign-off criteria.
- 14.8 The results of monitoring activities must be reported to the Nominated Officer in writing. Results must be reported to the Nominated Officer within 35 days of any day on which monitoring occurs. Results of reporting must include:
  - (a) details of the areas monitored;
  - (b) details of the date of monitoring;
  - (c) the names of the person or persons who undertook the monitoring and details of the experience, training or qualification that enabled them to recognise Volunteer plants and *Brassica* plants;
  - (d) the number of Volunteer plants observed, if any;
  - (e) details of whether the Volunteer plants observed, if any, occurred in the Location, the Pollen Trap or the Monitoring Zone;
  - (f) details of the development stages reached by the Volunteer plants, if any;
  - (g) details of methods used to destroy Volunteer plants identified, if any; and
  - (h) details of the date on which Volunteer plants were Cleaned.

**15. Use of Locations post-harvest**

- 15.1 If the GMO is grown at a Location, no other Canola or *Brassica* plant of any kind may be planted at the location, or Pollen Trap in respect of the Location, if any, after harvest of the GMO, until monitoring obligations are satisfied, unless the brassica crop is for research trial purposes (e.g., to assess canola blackleg resistance).
- 15.2 If the GMO is grown at a Location, no other Canola may be grown at the Monitoring Zone in respect of the Location until monitoring obligations are satisfied, unless the brassica crop is for research trial purposes (e.g., to assess canola blackleg resistance).
- 15.3 Other crops may be grown at the site following harvest provided the company controls post harvest volunteers to the extent required under this order.

**16. Transportation of the GMO, Material from GMO, Pollen Trap plants and Material from Pollen Trap plants**

- 16.1 The GMO, Material from the GMO, Pollen Trap plants and Material from Pollen Trap plants must not be transported unless it is contained within a sealed durable container.
- 16.2 Every container used to transport the GMO, Material from the GMO, Pollen Trap plants or Material from Pollen Trap plants must be labelled:
  - (a) to indicate that it contains genetically modified plant material; and
  - (b) with telephone contact numbers for the Company and instructions to contact the Company in the event that the container is broken or misdirected.
- 16.3 The Company must have in place accounting procedures to verify whether the same quantity of GMO, Material from the GMO, Pollen Trap Plant or Material from Pollen Trap plants sent is delivered and must document methods and procedures used for transportation of GMOs, Material from GMOs, Pollen Trap plants and Material from Pollen Trap plants.

**17. Contingency Plans**

- 17.1 Within 30 days of the date of the commencement of these conditions, a written Contingency Plan must be submitted to the Nominated Officer detailing measures to be taken in the event of the unintended presence of the GMO, Material from the GMO, Pollen Trap plants and Material from Pollen Trap plants, outside a Location, or Pollen Trap in respect of a Location, that must be monitored.
- 17.2 The Contingency Plan must include details of procedures to:
  - (a) ensure the Nominated Officer is notified immediately if the Company becomes aware of the event;
  - (b) to destroy any of the GMOs, Material from the GMOs, Pollen Trap plants or Material from Pollen Trap plants; and
- 17.3 Monitor and destroy any Volunteer plants that may exist as a result of the event.
- 17.4 The Contingency Plan must be implemented in the event that the unintended presence of the GMO, Material from the GMO, Pollen Trap plants or Material from Pollen Trap plants is discovered outside an area that must be monitored.

## 18. Compliance Management Plan

- 18.1 Prior to growing the GMO, a written Compliance Management Plan must be provided to the Nominated Officer on request. The Compliance Management Plan must describe in detail how the Company intends to ensure compliance with these conditions and document that compliance.

### SECTION 3: INTERPRETATION AND DEFINITIONS

Words and phrases used in these conditions have the same meanings as they do in the *Gene Technology Act 2000* (Cth) and the *Gene Technology Regulations 2001*.

Words importing a gender include any other gender.

Words in the singular include the plural and words in the plural include the singular.

Words importing persons include a partnership and a body whether corporate or otherwise.

References to any statute or other legislation (whether primary or subordinate) is to a statute or other legislation of the Commonwealth of Australia as amended or replaced from time to time unless the contrary intention appears.

Where any word or phrase is given a defined meaning, any other part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.

In this agreement:

‘**Brassica crops**’ means any crop of Brassica plants or Canola (and includes commercial Brassica crops).

‘**Brassica plants**’ means the species listed in the table at Table 1.

‘**Burial site**’ means a site at which the GMO or GM material from the GMO is destroyed by burial under at least 1 m of soil.

‘**Canola**’ means plants of the species *Brassica napus*.

‘**Clean**’ (or ‘**Cleaned**’), as the case requires, means:

- (a) in relation to a Location or other area (including a Pollen Trap, Monitoring Zone or Isolation Zone), the destruction of the GMO, Material from the GMO, Pollen Trap plants or Material from Pollen Trap plants in that Location or area, to the reasonable satisfaction of the Minister; or
- (b) in relation to Equipment, the removal and destruction of the GMO and Material from the GMO, Pollen Trap plants or Material from Pollen Trap plants from the Equipment, to the reasonable satisfaction of the Minister.

‘**Department**’ means the Department of Primary Industries and Regions SA in South Australia.

‘**Destroy**’, (or ‘**Destroyed**’ or ‘**Destruction**’), as the case requires, means killed by one or more of the following methods:

- (a) stalk pulling; or
- (b) light tillage; or
- (c) burning; or
- (d) treatment with herbicide; or
- (e) slashing; or
- (f) mowing; or
- (g) hand weeding; or
- (h) burial under 1 metre of soil; or
- (i) grazing; or
- (j) a combination of the above.

*Note (1): ‘As the case requires’ has the effect that, depending on the circumstances, one or more of these techniques may not be appropriate. For example, in the case of killing the remains of harvest of the GMO, treatment of post harvest remains by herbicide would not be a sufficient mechanism.*

*Note (2): Where method (b) is adopted, this agreement contains additional conditions relating to light tillage as a method for destruction.*

*Note (3): Where method (h) is adopted, this agreement contains additional conditions relating to burial as a method for destruction.*

*Note (4): Where method (i) is adopted, this agreement contains additional conditions relating to grazing as a method for destruction.*

‘**Equipment**’ includes harvesters, seeders, storage equipment, transport equipment (e.g., bags, containers, trucks), clothing and tools.

‘**GM**’ means genetically modified.

‘**Isolation Zone**’, means, in respect of a Location, an area of land surrounding either the Location, or the Location’s Pollen Trap (if the Location is surrounded by a Pollen Trap) that is known not to contain any *Brassica* crops when the GMO is planted at the Location.

‘**Light tillage**’ or ‘**lightly tilled**’ means the use of a technique to disturb the soil in an area so as not to bury plant material in the area to a depth of more than 50 mm and can include harrowing or mulching down to the soil surface.

‘**Location**’ means an area of land where the GMO is planted and grown.

*Note: Generally, before the GMO is planted and grown in a field, this agreement refers to the field as an area or place. After the GMO is planted in a field and while it is being grown, this agreement refers to the field as a ‘Location’.*

‘**Material from Pollen Trap plants**’ means seed, stubble, pollen or any other GM material (including parts of a plant) that is derived from or produced by Canola from a Pollen Trap.

‘**Material from the GMO**’ means GM seed, stubble, pollen or any other GM material (including part of a GMO) that is derived from or produced by the GMO.

‘**Minister**’ means the Minister for Primary Industries and Regional Development.

‘**Monitoring Zone**’ means an area extending outwards by 50 m in all directions from the outer edge of a Location, or the Location’s Pollen Trap (if the Location is surrounded by a Pollen Trap).

‘**OGTR**’ means the Office of the Gene Technology Regulator.

**'Pollen Trap'** means an area of land, extending at least 15 m in all directions from the outside edge of a Location, containing non-genetically modified Canola or genetically modified male sterile Canola that is grown in such a way as to reasonably promote a dense and vigorous growth and flowering of the non-genetically modified Canola at the same time as the GMO.

**'Pollen Trap plant'** means Canola from a Pollen Trap.

**'Post-harvest Monitoring Period'** means the period that any Location, Pollen Trap in respect of a Location, and Monitoring Zone in respect of a Location must be monitored after harvest or after destruction of the GMO, either prior to seed set or at maturity.

**'Volunteer plants'** means progeny of the GMO or a Pollen Trap plant growing in the Location, its Pollen Trap, if any, or the Monitoring Zone for the Location, during the Post-Harvest Monitoring Period.

TABLE 1. BRASSICACEOUS PLANT CATEGORIES

Type	Brassicaceae
Weeds	<i>Brassica rapa</i> <i>Brassica juncea</i>
Condiment, Fodder, Vegetable spp.	Forage <i>B. napus</i> Vegetable <i>B. napus</i> Vegetable <i>B. rapa</i> Condiment <i>B. juncea</i>

Dated: 1 August 2018

TIM WHETSTONE  
Minister for Primary Industries and Regional Development

## GENETICALLY MODIFIED CROPS MANAGEMENT ACT 2004

*Revocation of Exemptions*

PURSUANT to Section 6 (5) (a) of the Genetically Modified Crops Management Act 2004 ('the Act'), I, Tim Whetstone, Minister for Primary Industries and Regional Development, revoke the following exemptions issued under the Act:

- (1) Exemption issued to Bayer CropScience Pty Ltd pursuant to Section 6 (2) (a) (ii) of the Act dated 13 May 2004;
- (2) Exemption issued to Bayer CropScience Pty Ltd pursuant to Section 6 (2) (a) (ii) of the Act dated 10 May 2012;

These revocations will come into force upon the completion of sale of the relevant business divisions of Bayer CropScience Pty. Ltd. to BASF Agricultural Solutions Australia Pty. Ltd.

Dated: 1 August 2018

TIM WHETSTONE  
Minister for Primary Industries and Regional Development

## HOUSING IMPROVEMENT ACT 2016

## SECTION 25

*Rent Control Revocations*

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

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
3 Threlfall Avenue, Norwood SA 5067	Allotment 78 Filed Plan 100113 Hundred of Adelaide	CT5093/102, CT6169/137
Unit 2 / 6 Hill Pl, Port Lincoln SA 5606 House at rear (AKA 5 Gliddon Street)	Allotment 814 Town Plan 510651 Hundred of Lincoln	CT5268/163
213 North East Road, Hampstead Gardens SA 5086	Allotment 101 Deposited Plan 3045 Hundred of Yatala	CT1910/98, CT5712/907
45 Worthington Road, Elizabeth East SA 5112	Allotment 18 Deposited Plan 41965 Hundred of Munno Para	CT5259/756
17 Patterson Road, Elizabeth Park SA 5113	Allotment 741 Community Plan 24425 Hundred of Munno Para	CT6002/792
86 English Road, Barmera SA 5345 (Section 64) AKA Cobdogla - XREF.18348 (PKASec64)	Section 64 Hundred Plan 740900 Hundred of Cobdogla IA (Nook)	CT5796/386
6a Third Avenue, Forestville SA 5035 (Unit at front) (AKA 6)	Allotment 66 Filed Plan 9186 Hundred of Adelaide	CT5840/181
6 Third Avenue, Forestville SA 5035 (Unit at Rear)	Allotment 66 Filed Plan 9186 Hundred of Adelaide	CT5840/181

Dated: 16 August 2018

JOHN HERRMANN  
Housing Regulator and Registrar  
Office of Housing Regulation, Housing SA  
Delegate of Minister for Human Services

## LAND ACQUISITION ACT 1969

(SECTION 16)

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 50 Flinders Street, Adelaide SA 5000, acquires the following interests in the following land:

First: Comprising an unencumbered estate in fee simple in that piece of land being a portion of Allotment comprising Pieces 60 and 61 in Filed Plan 253689 comprised in Certificate of Title Volume 6208 Folio 192, and being the whole of the land identified as Allotment 3 in D119198 lodged in the Lands Titles Office.

Secondly: Comprising an unencumbered estate in fee simple in that piece of land being a portion of Allotment comprising Pieces 60 and 61 in Filed Plan 253689 comprised in Certificate of Title Volume 6208 Folio 192, and being the whole of the land identified as Allotment 4 in D119198 lodged in the Lands Titles Office.

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

**2. Compensation**

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

**3. Inquiries**

Inquiries should be directed to:

Carlene Russell

GPO Box 1533  
Adelaide SA 5001

Telephone: (08) 8343 2512

Dated: 13 August 2018

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

MOHAMMED ELGAZZAR

Manager, Portfolio & Acquisition Services

(Authorised Officer)

Department of Planning, Transport and Infrastructure

DPTI 2017/20888/01

South Australia

## Liquor Licensing (Dry Areas) Notice 2018

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 2018*.

**2—Commencement**

This notice comes into operation on 31 December 2018.

**3—Interpretation**

(1) In this notice—

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

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

#### **4—Consumption etc of liquor prohibited in dry areas**

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

### **Schedule 1—Glenelg Area 2**

#### **1—Extent of prohibition**

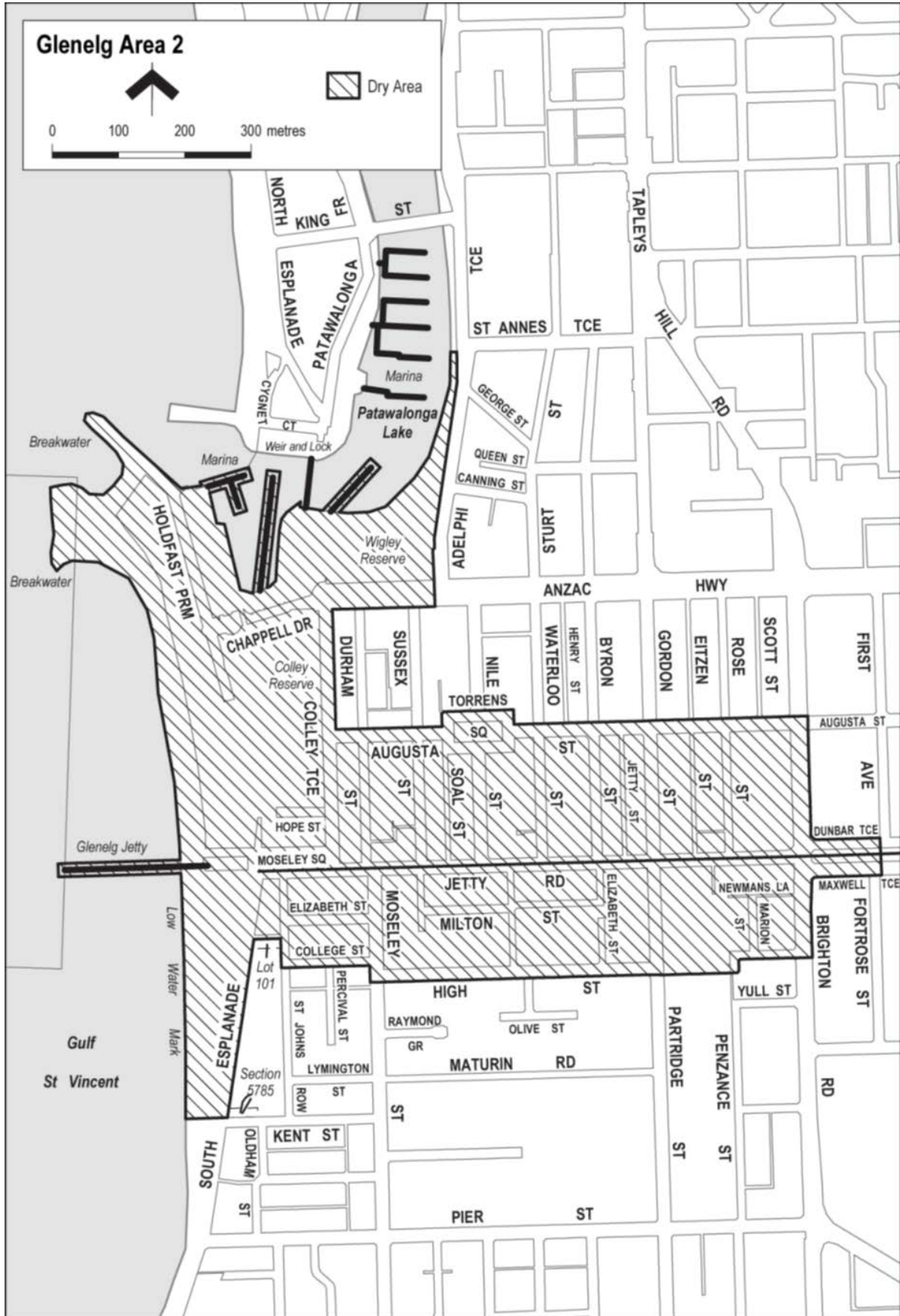
The consumption of liquor is prohibited. The possession of liquor is prohibited, and the prohibition extends to possession in each of the circumstances referred to in clause 4(4). This also includes the total prohibition of alcohol in sealed and/or unsealed containers on community land.

#### **2—Period of prohibition**

From 6pm on Monday, 31 December 2018 to 6am on Tuesday, 1 January 2019.

### 3—Description of area

The area in Glenelg bounded as follows: commencing at the point at which the eastern boundary of Colley Terrace intersects the northern boundary of Augusta Street, then generally easterly along the northern boundary of Augusta Street (including around the western, northern and eastern boundaries of Torrens Square) to its intersection with the eastern boundary of Brighton Road, then southerly along that boundary of Brighton Road to the northern boundary of Dunbar Terrace, then easterly along that boundary of Dunbar Terrace to the point at which it meets the western boundary of First Avenue, then in a straight line by the shortest route (across Dunbar Terrace and Maxwell Terrace) to the point at which the southern boundary of Maxwell Terrace meets the eastern boundary of Fortrose Street, then westerly along that boundary of Maxwell Terrace to the eastern boundary of Brighton Road, then southerly along that boundary of Brighton Road to its intersection with the prolongation in a straight line of the southern boundary of High Street, then generally westerly along that prolongation and boundary of High Street to the point at which the prolongation in a straight line of that southern boundary of High Street intersects the western boundary of Moseley Street, then northerly along that boundary of Moseley Street to the southern boundary of College Street, then westerly along that boundary of College Street and the prolongation in a straight line of that boundary to the western boundary of St John's Row, then northerly along that boundary of St John's Row to the southern boundary of South Esplanade Lane (the northern boundary of Lot 101 FP 6859), then westerly along that boundary of South Esplanade Lane to the eastern boundary of the South Esplanade, then south-westerly along that boundary of the South Esplanade to the northern boundary of Kent Street, then westerly along that boundary of Kent Street and the prolongation in a straight line of that boundary to the low water mark of Gulf St Vincent, then generally northerly along the low water mark (including the low water mark around the outer boundary of any breakwater or groyne) to the entrance to the Patawalonga River, then generally south-easterly, easterly, northerly, easterly and northerly along the southern and eastern bank of the River to the point at which the eastern bank of the River intersects the prolongation in a straight line of the southern boundary of St Anne's Terrace, then easterly along that prolongation to the western boundary of Adelphi Terrace, then southerly along that western boundary of Adelphi Terrace and the prolongation in a straight line of that boundary to the southern boundary of Anzac Highway, then westerly along that boundary of Anzac Highway to the eastern boundary of Colley Terrace, then southerly along that boundary of Colley Terrace to the point of commencement. The area includes the Glenelg Jetty and any other jetty, wharf, mooring, dock or other structure (apart from the Patawalonga Weir) projecting into the Gulf or River from the area described above, as well as any area beneath such a structure.



Made by the Liquor and Gambling Commissioner  
on 8 August 2018



South Australia

## Liquor Licensing (Dry Areas) Notice 2018

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 2018*.

### 2—Commencement

This notice comes into operation on 31 December 2018.

### 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) Schedule 1 and Schedule 2 are in substitution for Schedule—Streaky Bay Area 1 and Area 2 in the principal notice.

## **Schedule 1—Streaky Bay Area 1**

### **1—Extent of prohibition**

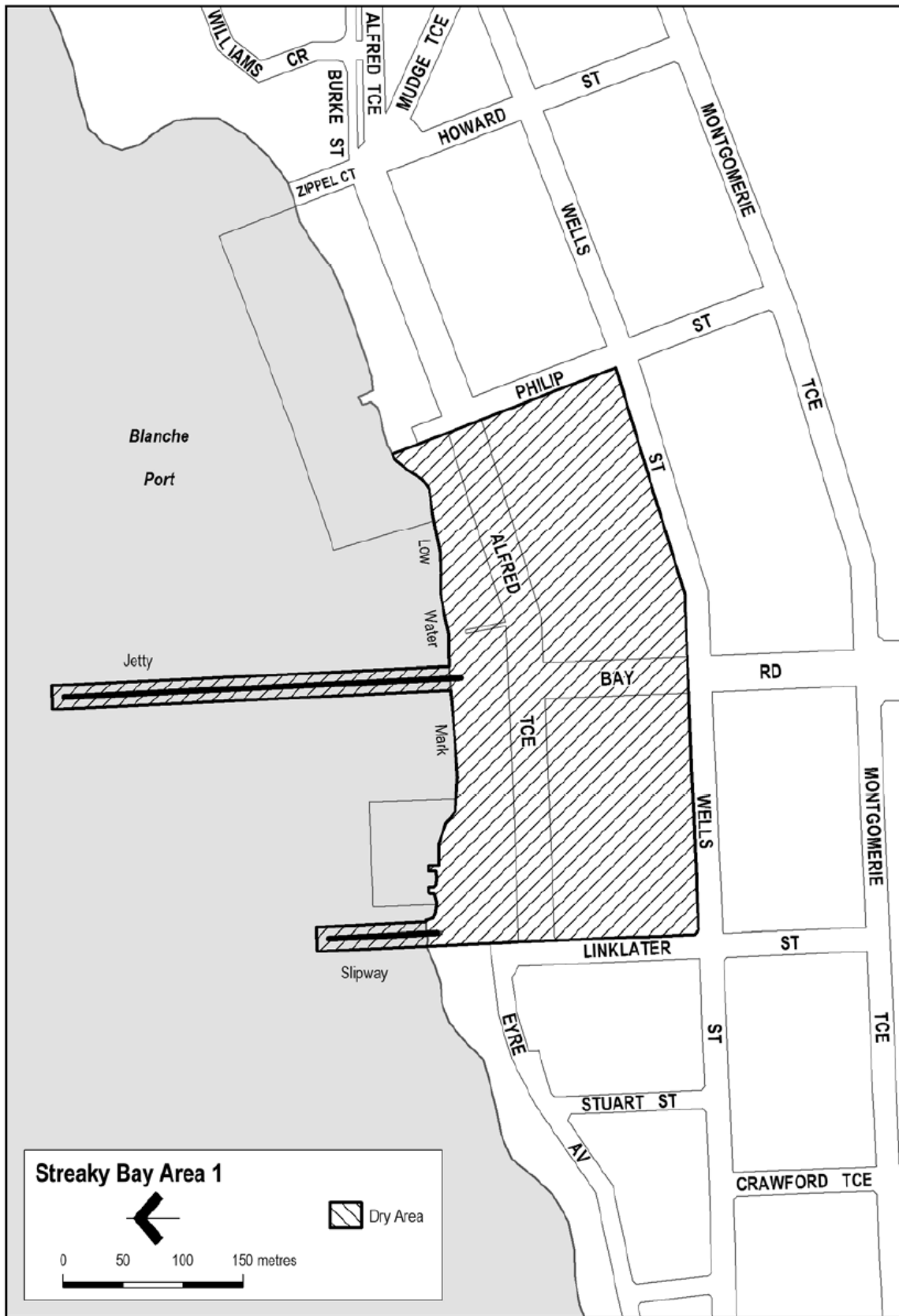
The consumption of liquor is prohibited and the possession of liquor is prohibited.

### **2—Period of prohibition**

From 6.00pm on Monday, 31 December 2018 to 8.00am on Tuesday, 1 January 2019.

### **3—Description of area**

The area in and adjacent to the town of Streaky Bay bounded as follows: commencing at the point at which the prolongation in a straight line of the eastern boundary of Linklater Street intersects the low water mark on the southern side of Blanche Port, then generally easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the western boundary of Philip Street, then south-easterly along that prolongation and boundary of Philip Street to the northern boundary of Wells Street, then south-westerly and westerly along that boundary of Wells Street to the eastern boundary of Linklater Street, then northerly along that boundary of Linklater Street and the prolongation in a straight line of that boundary to the point of commencement. The area includes the whole of any jetty, boat ramp, slipway or other structure that projects below the low water mark from within the area described (as well as any area beneath such a structure).



## Schedule 2—Streaky Bay Area 2

### 1—Extent of prohibition

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

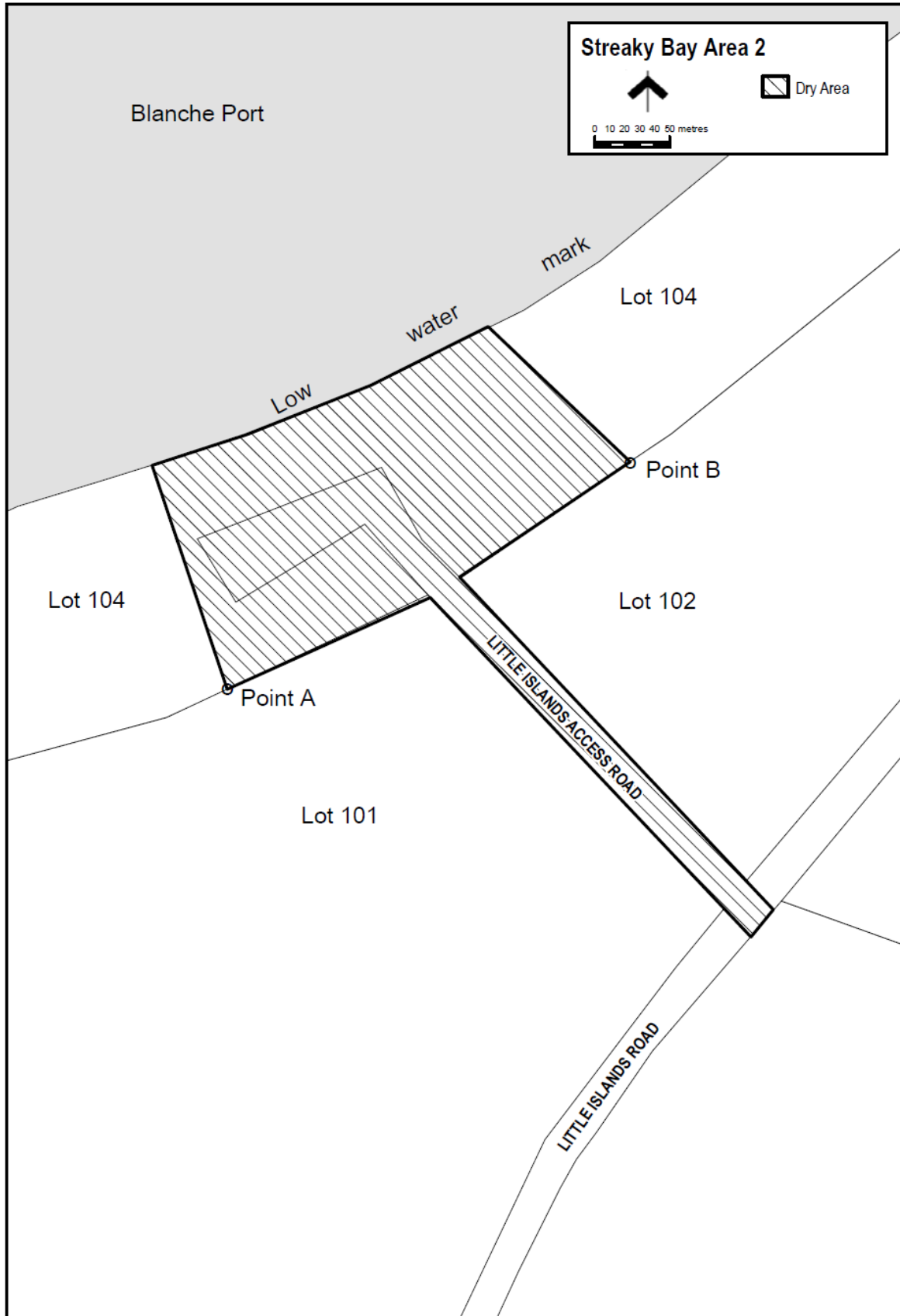
### 2—Period of prohibition

From 6.00pm on Monday, 31 December 2018 to 8.00am on Tuesday, 1 January 2019.

### 3—Description of area

The area adjacent to Streaky Bay, generally known as the Little Islands car park and access road (together with adjoining land), comprising—

- (a) the whole of that part of the Government road (the access road between Little Islands Road and the Little Islands car park) that lies between the north-eastern boundary of Lot 101 DP 70670 and the south-western boundary of Lot 102 DP 70670; and
- (b) the area at the north-western end of that part of the Government road (including a car park and other land) bounded on the south-east by the south-eastern boundary of Lot 104 DP 70670 from a point 140 metres south-west of the north-eastern boundary of Lot 101 DP 70670 ("*point A*") to a point 140 metres north-east of the south-western boundary of Lot 102 DP 70670 ("*point B*"), on the north-east by a straight line along the shortest route from point B to the low water mark of Blanche Port, on the north-west by the low water mark of Blanche Port and on the south-west by a straight line along the shortest route from the low water mark of Blanche Port to point A.



**Made by the Liquor and Gambling Commissioner**

on 8 August 2018

## MENTAL HEALTH ACT 2009

*Authorised Officers*

NOTICE is hereby given in accordance with Section 3(1) of the Mental Health Act 2009, that the Chief Psychiatrist has determined the following classes of persons as Authorised Officers commencing from 9 August 2018:

Crystal Brook and Port Broughton Hospitals

- Registered Nurses (levels 1, 2 and 3) working within emergency departments and acute wards

DR J. BRAYLEY  
Chief Psychiatrist

## MINING ACT 1971

## SECTION 28(5)

*Exploration Licences*

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 Exploration Licences over the areas described below.

Applicant:	Energy Exploration Pty Ltd
Location:	Sedan Area – approximately 80 km northeast of Adelaide
Term:	Two years
Area in km <sup>2</sup> :	303
Reference number:	2017/00180
Applicant:	THZ Pty Ltd
Location:	Arcoona Area – approximately 5 km south of Woomera
Pastoral Leases:	Arcoona
Term:	One year
Area in km <sup>2</sup> :	264
Reference number:	2018/00010
Applicant:	Petratherm Limited
Location:	Whey Whey Creek approximately 35km west-northwest of Olary
Pastoral Leases:	Weekeroo
Term:	Two years
Area in km <sup>2</sup> :	26
Reference number:	2018/00076
Applicant:	Spencer Metals Pty Limited
Location:	Port Broughton area approximately 40km northeast of Wallaroo
Term:	One year
Area in km <sup>2</sup> :	27
Reference number:	2018/00117
Applicant:	Spencer Metals Pty Limited
Location:	Tickera area approximately 15km northeast of Wallaroo
Term:	One year
Area in km <sup>2</sup> :	96
Reference number:	2018/00118
Applicant:	Energy Exploration Pty Limited
Location:	Lock area approximately 130km north-northwest of Port Lincoln
Term:	Two years
Area in km <sup>2</sup> :	86
Reference number:	2018/00122
Applicant:	Terramin Australia Limited
Location:	Mannum area approximately 40km east of Adelaide
Term:	Two years
Area in km <sup>2</sup> :	778
Reference number:	2018/00128
Applicant:	Havilah Resources Limited
Location:	Mingary area approximately 42km northeast of Olary
Pastoral Leases:	Bindarra, Mutooroo, Tepco, Tikalina
Term:	Two years
Area in km <sup>2</sup> :	229
Reference number:	2018/00129
Applicant:	Havilah Resources Limited
Location:	Prospect Hill area approximately 140km east-southeast of Marree
Pastoral Leases:	Moolawatana
Term:	Two years
Area in km <sup>2</sup> :	15
Reference number:	2018/00130

Plans and co-ordinates can be found on the Department for Energy and Mining website:

[http://www.minerals.dpc.sa.gov.au/exploration/public\\_notices](http://www.minerals.dpc.sa.gov.au/exploration/public_notices) or by contacting Mineral Tenements on 08 8429 2572.

Community information on mineral exploration licence processes and requirements under the *Mining Act 1971* is available from: [http://energymining.sa.gov.au/minerals/exploration/public\\_notices/exploration\\_licence\\_applications](http://energymining.sa.gov.au/minerals/exploration/public_notices/exploration_licence_applications) or hard copy on request to Mineral Tenements.

J MARTIN  
Mining Registrar  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

## MINING ACT 1971

## SECTION 35A(1)

*Extractive Minerals Lease*

Notice is hereby 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 has been received:

Applicant: Futuretop Developments Pty Ltd  
Claim Number: 4423  
Location: Allotment 5, Deposited Plan 61287, Hundred of Freeling (Hartley area, approx. 7 km north of Langhorne Creek)  
Area: 63.65 hectares approximately  
Purpose: Construction Materials (Sand and Limestone)  
Reference: 2017/0688

To arrange an inspection of the proposal at the Department for Energy and Mining, please call the Department on 08 8463 3103.

A copy of the proposal has been provided to the **Alexandrina Council** and an electronic copy of the proposal can be found on the Department for Energy and Mining website: [http://energymining.sa.gov.au/minerals/mining/public\\_notices\\_mining](http://energymining.sa.gov.au/minerals/mining/public_notices_mining).

Written submissions in relation to this application are invited to be received at the Department for Energy and Mining, Mining Regulation, Attn: Business Support Officer, GPO Box 320 ADELAIDE SA 5001 or [dem.miningregrehab@sa.gov.au](mailto:dem.miningregrehab@sa.gov.au) by no later than **16 September 2018**.

The delegate of the Minister for Energy and Mining 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  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

## MINING ACT 1971

## SECTION 35A(1)

*Extractive Minerals Lease*

Notice is hereby 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 has been received:

Applicant: Triad Transport Pty Ltd  
Claim Number: 4426  
Location: Section 93, Hundred of Wallaroo (Wallaroo area, approx. 7 km west of Kadina)  
Area: 44.89 hectares approximately  
Purpose: Construction Materials (Sand and Limestone)  
Reference: 2017/0649

To arrange an inspection of the proposal at the Department for Energy and Mining, please call the Department on 08 8463 3103.

A copy of the proposal has been provided to the **District Council of the Copper Coast** and an electronic copy of the proposal can be found on the Department for Energy and Mining website: [http://energymining.sa.gov.au/minerals/mining/public\\_notices\\_mining](http://energymining.sa.gov.au/minerals/mining/public_notices_mining).

Written submissions in relation to this application are invited to be received at the Department for Energy and Mining, Mining Regulation, Attn: Business Support Officer, GPO Box 320 ADELAIDE SA 5001 or [dem.miningregrehab@sa.gov.au](mailto:dem.miningregrehab@sa.gov.au) by no later than **30 August 2018**.

The delegate of the Minister for Energy and Mining 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  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

South Australia

## Motor Vehicles (Cohda Wireless Autonomous Vehicle Positioning Trials) Notice 2018

under Part 4A of the *Motor Vehicles Act 1959*

### 1 Short Title

This Notice may be cited as the *Motor Vehicles (Cohda Wireless Autonomous Vehicle Positioning Trials) Notice 2018*.

### 2 Commencement and operation

This Notice will come into operation at 12:01 am on the day after this Notice is published, and will expire at 11:59 pm on 30 June 2020.

### 3 Interpretation

In this Notice—

*Act* means the *Motor Vehicles Act 1959* (SA);

*authorised vehicles* means the Lincoln MKZ 2017 sedan, registration plate number COHDA 1 VIN 3LN6L5LU1HR643865, and the Lincoln MKZ 2017 sedan, registration plate number COHDA 2 VIN 3LN6L5LU9HR655410 for participation in the Cohda Positioning Trials;

*Cohda Wireless* means Cohda Wireless Pty Ltd ACN 84 107 936 309.

### 4 Authorisation

I hereby authorise, under section 134D of the Act, **Cohda Wireless**, the **owner(s)** of the authorised vehicles and any **drivers** and **operators** authorised by Cohda Wireless or the vehicle owner(s), to undertake a trial of automotive technology in accordance with Part 4A of the Act and the exemptions herein, subject to the conditions herein. The nature and scope of the trial is to test the positioning systems of the authorised vehicles while in autonomous mode within sites closed to the public.

### 5 Exemptions

I hereby exempt, under section 134E of the Act, the authorised vehicles from the following legislative requirements:

*Road Traffic Act 1961* section 110B – Motor vehicle must bear vehicle identification plate

Road Traffic (Light Vehicles Standards) Rules 2018 rule 26(1) – Motor vehicle must have right-hand drive

### 6 Conditions

6.1 The authorised vehicles may only operate:

within the former Walkerville Car Park owned by the Commissioner of Highways located at Lot 13 Booroo Street, Joslin, Certificate of Title 5331/356, in the City of Norwood, Payneham and St Peters designated in Schedule 1 to this Notice;

or

within the Adelaide Show Grounds owned by the Minister for Environment and Water located at 68 Goodwood Road, Wayville, Certificate of Title 6083/257, in the City of Unley designated in Schedule 2 to this Notice.

6.2 The authorised vehicle must operate in accordance with the Safe Work Method Statement and the Traffic Management Plan as agreed from time to time between Cohda Wireless and the Department of Planning, Transport and Infrastructure.

6.3 Cohda Wireless must maintain public liability insurance in accordance with section 134H of the Act for the entire authorised trial period.

### 7 Execution

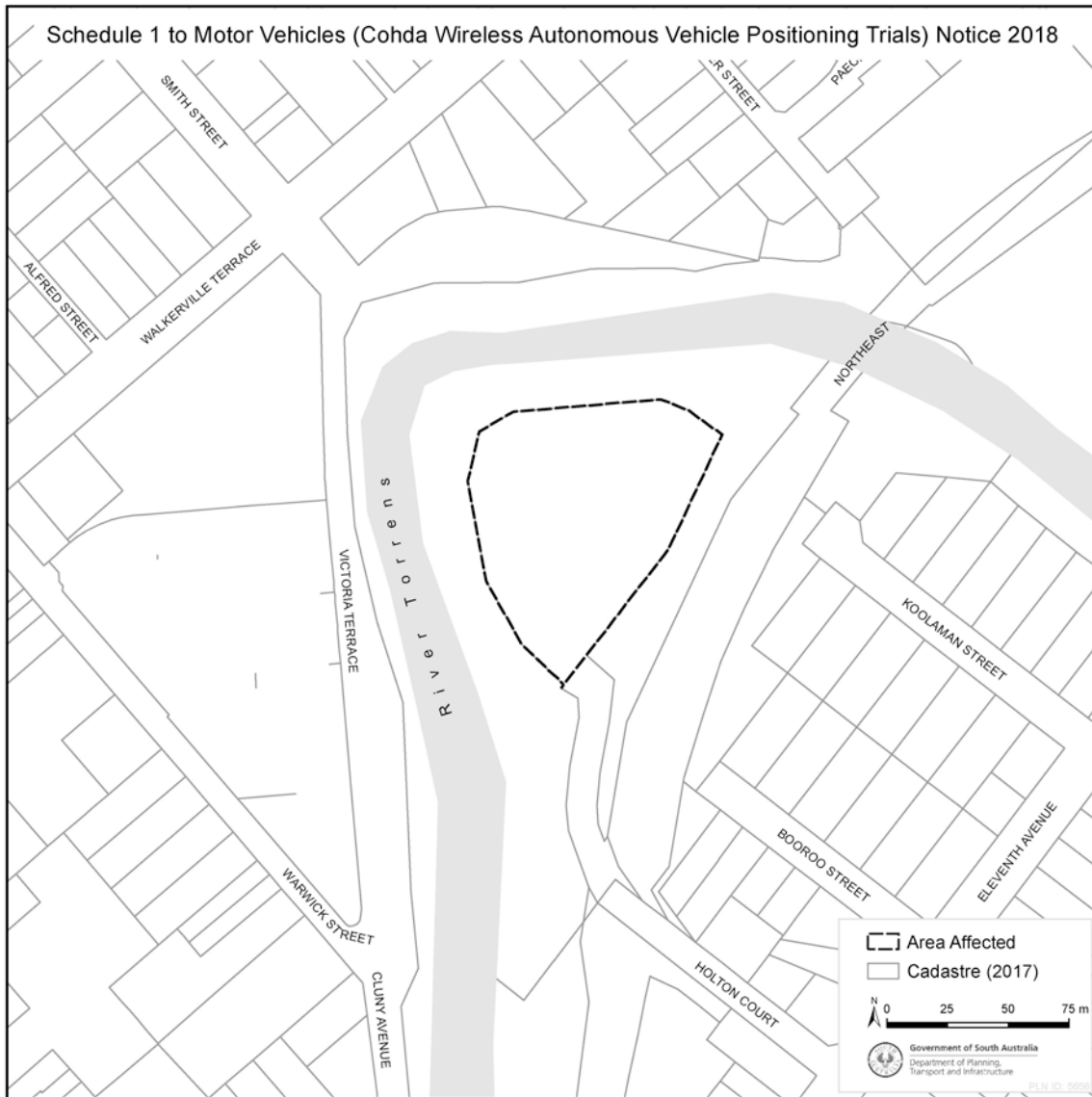
Dated: 7 August 2018

HON STEPHAN KNOLL MP  
Minister for Transport, Infrastructure and Local Government

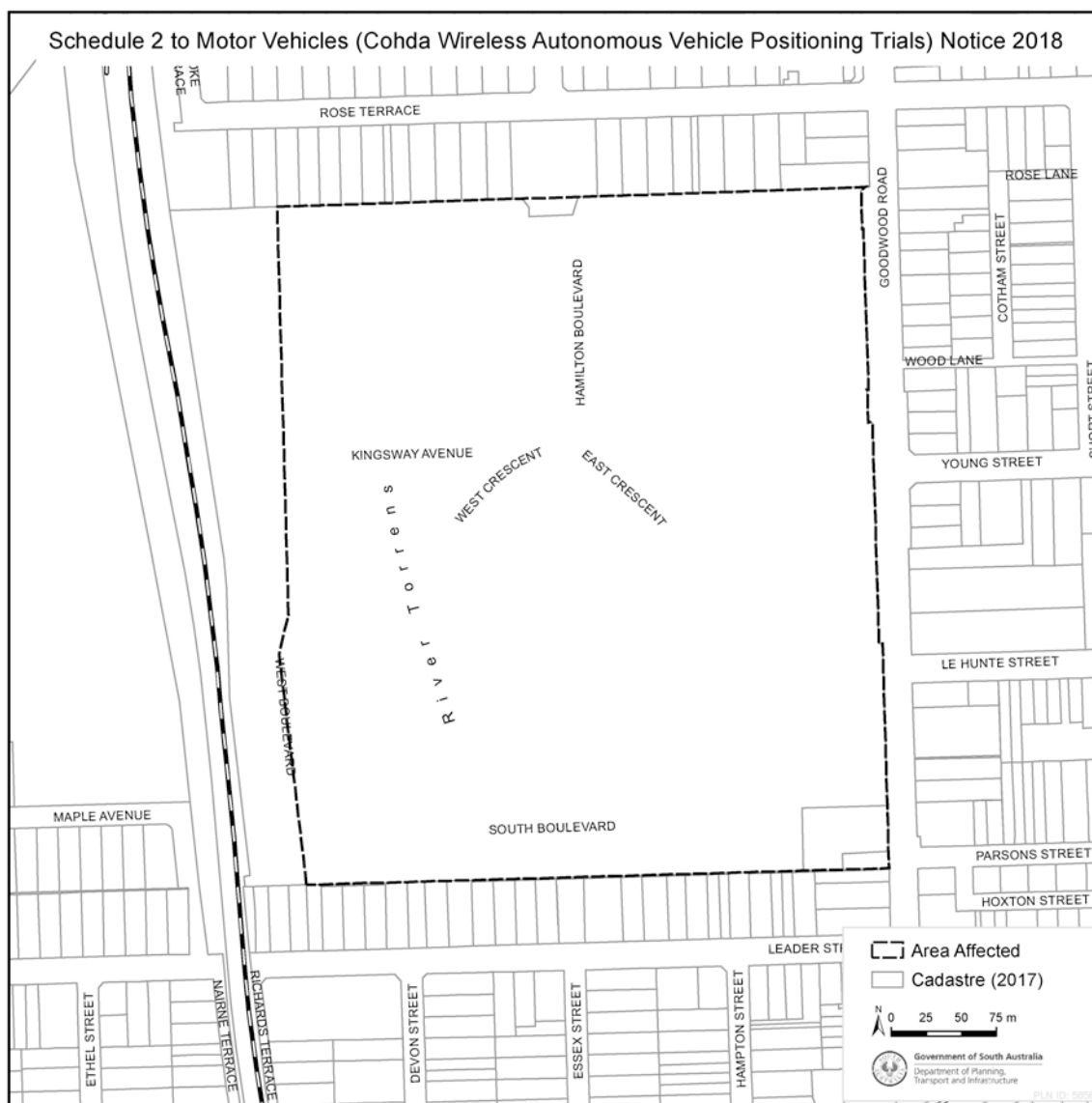
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SCHEDULE 1



## SCHEDULE 2



## NOTICE TO MARINERS

NO. 16 OF 2018

*South Australia – Barker Inlet – New Beacons*

Mariners are advised that all existing navigation beacons in Barker Inlet between beacon No. 38 and old beacon No. 7R have either been relocated or upgraded, and have been re-numbered. All beacons are unlit, except for beacon No. 39 (Fl G 4s, range 2 nautical miles). Positions of all beacons in this area are indicated as per table below.

Beacon No.	Type	Latitude	Longitude
14	Port	34° 46' 14.79" S	138° 32' 03.14" E
16	Port	34° 46' 28.42" S	138° 32' 09.94" E
18	Port	34° 46' 43.10" S	138° 32' 26.44" E
20	Port	34° 46' 51.79" S	138° 32' 32.67" E
22	Port	34° 47' 02.68" S	138° 32' 37.67" E
23	Starboard	34° 46' 17.27" S	138° 31' 58.49" E
24	Port	34° 47' 09.44" S	138° 32' 38.76" E
25	Starboard	34° 46' 32.24" S	138° 32' 10.58" E
26	Port	34° 47' 10.59" S	138° 32' 36.04" E
27	Starboard	34° 46' 42.08" S	138° 32' 22.75" E
28	Port	34° 47' 11.92" S	138° 32' 35.02" E
29	Starboard	34° 46' 48.85" S	138° 32' 28.46" E
30	Port	34° 47' 14.03" S	138° 32' 35.49" E

Beacon No.	Type	Latitude	Longitude
31	Starboard	34° 46' 59.44" S	138° 32' 36.19" E
32	Port	34° 47' 21.29" S	138° 32' 38.36" E
33	Starboard	34° 47' 04.88" S	138° 32' 37.54" E
34	Port	34° 47' 27.75" S	138° 32' 39.99" E
35	Starboard	34° 47' 08.71" S	138° 32' 38.17" E
36	Port	34° 47' 33.22" S	138° 32' 42.09" E
37	Starboard	34° 47' 09.70" S	138° 32' 37.35" E
39	Starboard (lit)	34° 47' 44.63" S	138° 32' 49.18" E
41	Starboard	34° 47' 13.70" S	138° 32' 34.41" E
43	Starboard	34° 47' 17.79" S	138° 32' 36.86" E
45	Starboard	34° 47' 27.40" S	138° 32' 39.10" E
47	Starboard	34° 47' 33.64" S	138° 32' 41.35" E

Mariners are advised to proceed with caution in the area.

Chart affected: Aus 130

Dated: 12 June 2018

GORDON PANTON  
Manager Marine Operations

#### NOTICE TO MARINERS

No. 23 OF 2018

##### *South Australia – Thevenard – Bosanquet Bay – New Breakwater*

Mariners are advised that Maritime Constructions will be constructing a new breakwater at the Thevenard Slipway, at the end of Slipway Road, between August 2018 and October 2019.

Earthmoving equipment will be placing material from shore progressively moving out during the construction.

Mariners are advised that the Thevenard boat ramp on Slipway Road is closed to the public during the works. The Puckridge boat ramp (Ceduna) is still open for public use.

Mariners are advised to remain clear of the yellow buoys surrounding the construction area and obey all signage when in the vicinity of the works. A light will be placed at the end of the breakwater during construction.

Charts affected: Aus 120, Aus 122

Dated: 6 August 2018

GORDON PANTON  
Manager Marine Operations

2017/02277/01

[www.dpti.sa.gov.au](http://www.dpti.sa.gov.au)

#### PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

##### *Surrender of Petroleum Exploration Licences—PELs 87 and 424*

Notice is hereby given that I have accepted the surrender of the abovementioned petroleum exploration licences under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018 -

No of Licence	Licensee	Locality	Effective Date of Surrender	Reference
PEL 87	Victoria Oil Exploration (1977) Pty Ltd Permian Oil Pty Ltd Springfield Oil and Gas Pty Ltd Impress (Cooper Basin) Pty Ltd	Cooper Basin	08/08/2018	F2014/000560
PEL 424	Victoria Oil Exploration (1977) Pty Ltd Permian Oil Pty Ltd Springfield Oil and Gas Pty Ltd Impress (Cooper Basin) Pty Ltd	Cooper Basin	08/08/2018	F2014/000561

Dated: 8 August 2018

BARRY A. GOLDSTEIN  
Executive Director  
Energy Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

South Australia

## Road Traffic (Exemption for Light Vehicles from the Prohibition on Using Flashing Yellow Lights) Notice 2018

under section 163AA of the *Road Traffic Act 1961*

### 1 REVOCATION

The Notice issued under the *Road Traffic Act 1961* and titled '*Exemption from the Prohibition on Using Flashing Yellow Lights*' appearing in the *South Australian Government Gazette*, dated 23 August 2012, is hereby revoked.

### 2 INTERPRETATION

In this Notice-

*authorised officer* means:

- a person appointed as an authorised officer under section 35 of the *Road Traffic Act* or a person or a class of persons appointed as authorised officers under that section; or
- a police officer

*light vehicle* means a motor vehicle with a gross vehicle mass of 4.5 tonnes or less

*restricted ambulance service licence* has the same meaning as defined in section 3 of the *Health Care Act 2008*.

### 3 EXEMPTION

In accordance with the powers delegated to me by the Minister for Transport, Infrastructure and Local Government in South Australia, under section 163AA of the *Road Traffic Act*, I hereby exempt light vehicles that:

- are engaged in the mining, construction and manufacturing industries and at airports if the vehicle is used at a site where a condition of entry to that site imposed under the *Work Health and Safety Act 2012* or the *Civil Aviation Act 1988* (Commonwealth) requires that all vehicles on or entering the site must be fitted with a flashing yellow light; or
- are being used by primary producers for the purpose of moving livestock along or across a road; or
- are used in connection with a restricted ambulance service licence

from the following provisions of the Road Traffic (Light Vehicle Standards) Rules 2018:

- (5) of Rule 114 – Other lights and reflectors

subject to the following conditions:

1. the flashing light is yellow;
2. the flashing light is mounted on top of the vehicle and is visible from all sides;
3. in the case of private ambulance service vehicles, the flashing light can only operate when the vehicle is driven on a road-related area as defined in section 5 of the *Road Traffic Act* or on the side of the road when medical assistance is being provided;

4. in the case of vehicles engaged in the mining, construction and manufacturing industries and at airports:
  - a. the flashing light is not to operate when the vehicle is driven on a road or road-related area as defined in section 5 of the *Road Traffic Act*;
  - b. the vehicles are clearly marked to indicate the entity for whom they are being operated; or if the vehicle is not so marked, a legible, current and complete certificate from the registered operator of the vehicle must be carried, stating:
    - (1) the name and address of the vehicle's registered operator; and
    - (2) the sites entered and the frequency with which the vehicle enters the sites;
    - (3) that entry to the sites is conditional upon the display of a flashing yellow light at all times when on the site under the must be carried within the vehicle as required by the *Work Health and Safety Act 2012* or the *Civil Aviation Act 1988*;
    - (4) the name and authority of the person issuing the certificate;
5. a copy of this exemption must be carried at all times and produced to an authorised officer upon request.

#### 4 COMMENCEMENT AND OPERATION

This Notice will come into operation at 12:01 am on 17 August 2018.

#### 5 AUTHORISATION

Dated: 6 August 2018

**Anne Alford**  
**Acting Chief Operating Officer**  
 Delegate for the Minister for Transport, Infrastructure and Local Government

#### SOUTH AUSTRALIAN LOCAL GOVERNMENT GRANTS COMMISSION ACT 1992

##### *Section 6*

I, Stephan Knoll, Minister for Transport, Infrastructure and Local Government, being the Minister responsible for the administration of the *South Australian Local Government Grants Commission Act, 1992*, hereby state pursuant to Section 6 of the Act that:

- (a) the total amount available for payment of grants pursuant to this Act for 2018-19 is \$160,240,056;
- (b) the amount available for payment of general purpose grants within the total amount for 2018-19 is \$118,732,023;
- (c) the amount available for payment of identified local road grants within the total amount for 2018-19 is \$41,508,033;
- (d) an amount of \$606,969 relating to the underpayment of grants for 2017-18 will be added to the funds to be paid to councils during 2018-19, using the grant relativities applied in 2017-18; and
- (e) an amount of \$80,079,264 relating to the payment of grants for 2018-19 brought forward and paid in June 2018 will be deducted from the funds to be paid to councils during 2018-19.

Dated: 9 August 2018

HON STEPHAN KNOLL MP  
 Minister for Transport, Infrastructure and Local Government  
 Minister for Planning

#### SUMMARY OFFENCES ACT 1953

##### SECTION 72A(3)

##### *Event Declaration*

NOTICE is hereby given in accordance with Section 72A(3) of the Summary Offences Act 1953, that the following event has been declared for the duration of the event between the listed dates.

EVENT: Royal Adelaide Show 2018  
 PLACE: Public place known as the Adelaide Showgrounds  
 DATE: 31 August -9 September 2018  
 CONDITIONS: may be subject to conditions specified in the notice

At this event a police officer may carry out a metal detector search in relation to any person who is in, or attempting to enter or leave the event and any property in the person's possession.

SUPERINTENDENT CRAIG WALL  
 Delegate of the Commissioner

## 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. 1 December 2016   | 111. 15 December 2016 | 112. 7 March 2017      |
| 113. 21 March 2017     | 114. 23 May 2017       | 115. 13 June 2017     | 116. 18 July 2017      |
| 117. 19 September 2017 | 118. 26 September 2017 | 119. 17 October 2017  | 120. 3 January 2018    |
| 121. 23 January 2018   | 122. 14 March 2018     | 123. 14 June 2018     | 124. 5 July 2018       |
| 125. 2 August 2018     | 126. 9 August 2018     | 127. 16 August 2018   |                        |

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS  
FOR THE PUBLIC SECTOR TRAINING PACKAGE PSP

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Title	Nominal Term of Training Contract	Probationary Period
Asset Security Operations #	PSP40416	Certificate IV in Government Investigations	24 Months	60 Days
Asset Security Operations #	PSP50416	Diploma of Government Investigations	36 Months	90 Days

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS  
FOR THE TRAINING AND EDUCATION TRAINING PACKAGE TAE

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Title	Nominal Term of Training Contract	Probationary Period
Training Officer #	TAE40116	Certificate IV in Training and Assessment	24 Months	60 Days

South Australia

## **Public Sector (Office of the South Australian Productivity Commission) Proclamation 2018**

under sections 27 and 28 of the *Public Sector Act 2009*

### **1—Short title**

This proclamation may be cited as the *Public Sector (Office of the South Australian Productivity Commission) Proclamation 2018*.

### **2—Commencement**

This proclamation will come into operation on 22 October 2018.

### **3—Establishment of administrative unit and designation of responsible Minister**

- (1) An attached office is established and assigned the title *Office of the South Australian Productivity Commission*.
- (2) The office is attached to the Department of the Premier and Cabinet.
- (3) The Premier is designated as the administrative unit's Minister with responsibility for the unit.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 16 August 2018

DPC18/051CS

South Australia

## **Youth Court (Designation and Classification of Magistrate) Proclamation 2018**

under section 9 of the *Youth Court Act 1993*

### **1—Short title**

This proclamation may be cited as the *Youth Court (Designation and Classification of Magistrate) Proclamation 2018*.

### **2—Commencement**

This proclamation will come into operation on 29 September 2018.

### **3—Designation and classification of magistrate**

The magistrate named in Schedule 1 is—

- (a) designated as a magistrate of the Youth Court of South Australia; and
- (b) classified as a member of the Court's principal judiciary; and
- (c) declared to be a member of the Court's principal judiciary for a term of 2 years commencing on 29 September 2018.

## **Schedule 1—Magistrate of the Court**

David John White

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 16 August 2018

AGO0090-18CS



South Australia

## **Heavy Vehicle National Law (South Australia) (Amendment of Law No 5) Regulations 2018**

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

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- 3 Interpretation
- 4 Amendment provision

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- 6 Amendment of section 5—Definitions
- 7 Amendment of section 6—Meaning of heavy vehicle
- 8 Amendment of section 26D—Duty of executive of legal entity
- 9 Repeal of Chapter 2
- 10 Amendment of section 60—Compliance with heavy vehicle standards
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- 15 Insertion of section 319A
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- 16 Amendment of section 520—Power to enter and inspect heavy vehicles for monitoring purposes
- 17 Amendment of section 521—Power to enter and search heavy vehicle involved, or suspected to be involved, in an offence etc
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- 24 Amendment of section 636—Liability of executive officers of corporation
- 25 Amendment of section 637—Treatment of unincorporated partnerships
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- 27 Amendment of section 653—Approved guidelines for exemptions, authorisations, permits and other authorities
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- 31 Insertion of Chapter 12 Part 2A
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- 32 Amendment of section 688—Payments into Fund

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33	Amendment of section 711—Evidence by certificate by Regulator generally
34	Insertion of section 737A 737A Application of section 737 to new penalties
35	Amendment of Schedule 4—Liability provisions

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## Preamble

- 1 Section 5 of the *Heavy Vehicle National Law (South Australia) Act 2013* provides that if—
- (a) the Parliament of Queensland enacts an amendment to the *Heavy Vehicle National Law* set out in the Schedule to the *Heavy Vehicle National Law Act 2012* of Queensland (the *Queensland Act*); and
  - (b) the Governor is satisfied that an amendment that corresponds, or substantially corresponds, to the amendment made by the Parliament of Queensland should be made to the *Heavy Vehicle National Law (South Australia)*,
- the Governor may, by regulation, amend the South Australian Heavy Vehicle National Law text.
- 2 The Parliament of Queensland has enacted the *Heavy Vehicle National Law and Other Legislation Amendment Act 2018* to, among other things, amend the Queensland Act and the Governor is satisfied that the amendments corresponding to the Queensland amendments set out in Part 2 of these regulations should be made to the South Australian Heavy Vehicle National Law text.
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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Heavy Vehicle National Law (South Australia) (Amendment of Law No 5) Regulations 2018*.

### 2—Commencement

- (1) Subject to subregulation (2), these regulations will be taken to have come into operation on 1 July 2018.
- (2) Regulations 8, 11 to 15, 24 to 26, 34 and 35 will come into operation immediately after the commencement of the *Heavy Vehicle National Law (South Australia) (Amendment of Law No 4) Regulations 2017*.

### 3—Interpretation

In these regulations—

*Act* means the *Heavy Vehicle National Law (South Australia) Act 2013*.

### 4—Amendment provision

Pursuant to section 5 of the Act, the *Heavy Vehicle National Law (South Australia)* is amended as specified in Part 2 of these regulations.

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

### 5—Amendment of section 4—Regulatory framework to achieve object

Section 4(b)—delete paragraph (b) and substitute:

- (b) provides for a database of heavy vehicles; and

### 6—Amendment of section 5—Definitions

(1) Section 5, definition of *conditionally registered*—delete the definition

(2) Section 5, after the definition of *daily sheet* insert:

*database of heavy vehicles* means the database of heavy vehicles kept under section 686A;

(3) Section 5, definition of *GCM*, (a)—delete paragraph (a) and substitute:

- (a) if the registration authority has specified the total maximum loaded mass of the motor vehicle and any vehicles it may lawfully tow at any given time—specified by the registration authority; or

(4) Section 5, definition of *GVM*, (a)—delete paragraph (a) and substitute:

- (a) if the registration authority has specified the vehicle's maximum loaded mass—specified by the registration authority; or

(5) Section 5, definition of *insurer*—delete the definition

(6) Section 5, definition of *registered operator*—delete the definition and substitute:

*registered operator*, of a heavy vehicle, means the person recorded on a vehicle register as the person responsible for the vehicle, however named, kept under another Australian road law;

(7) Section 5, definition of *registration*—delete the definition and substitute:

*registration*, of a heavy vehicle, means registration of the vehicle under an Australian road law;

(8) Section 5, definition of *registration authority*—delete the definition and substitute:

*registration authority*, for a heavy vehicle, means the authority responsible for the registration of the vehicle under an Australian road law;

(9) Section 5, definition of *registration exemption*—delete the definition

(10) Section 5, definition of *registration item*—delete the definition and substitute:

*registration item* means a document, number plate, label or other thing relating to the registration or purported registration of a heavy vehicle;

(11) Section 5, definition of *registration number*—delete the definition and substitute:

*registration number*, for a heavy vehicle, means the identifying registration number, however described, given to the vehicle under an Australian road law;

(12) Section 5, definition of *unregistered heavy vehicle permit*—delete the definition and substitute:

*unregistered heavy vehicle permit* means a permit granted or issued under an Australian road law authorising the use of an unregistered heavy vehicle on a road;

- (13) Section 5, definition of *vehicle register*—delete the definition
- (14) Section 5, definition of *vehicle registration duty*—delete the definition
- (15) Section 5, definition of *vehicle registration duty legislation*—delete the definition
- (16) Section 5, definition of *wrecked*—delete the definition
- (17) Section 5, definition of *written-off*—delete the definition

#### **7—Amendment of section 6—Meaning of heavy vehicle**

Section 6(2)—delete "other than in relation to registration under this Law"

#### **8—Amendment of section 26D—Duty of executive of legal entity**

- (1) Section 26D(1)—delete "a duty under section 26C" and substitute:  
a safety duty
- (2) Section 26D(1) and (2)—delete "the duty" and substitute in each case:  
the safety duty
- (3) Section 26D—after subsection (2) insert:
  - (2A) Subsection (1) does not apply to an executive of the legal entity acting on a voluntary basis, whether or not the executive is reimbursed for the expenses incurred by the executive for carrying out activities for the legal entity.
- (4) Section 26D(3), definition of *due diligence*, (d)(iii)—delete "duty under section 26C" and substitute:  
safety duties
- (5) Section 26D(3)—after the definition of *legal entity* insert:  
*safety duty* means a duty imposed under any of the following provisions:
  - (a) section 26C;
  - (b) section 26E(1) or (2);
  - (c) section 89(1);
  - (d) section 93(1), (2) or (3);
  - (e) section 129(1), (2) or (3);
  - (f) section 137;
  - (g) section 150(1);
  - (h) section 153A(1);
  - (i) section 186(2), (3), (4) or (5);
  - (j) section 187(2) or (3);
  - (k) section 335(1);
  - (l) section 336(1);
  - (m) section 337(2);
  - (n) section 454(1) or (2);
  - (o) section 467;

- (p) section 470(2), (3) or (4);
- (q) section 604;
- (r) section 610.

## 9—Repeal of Chapter 2

Chapter 2—delete the Chapter

## 10—Amendment of section 60—Compliance with heavy vehicle standards

- (1) Section 60(3)—delete "Regulator when the vehicle was registered under the national regulations" and substitute:

registration authority for the heavy vehicle at the time the registration authority registered the vehicle under an Australian road law
- (2) Section 60(4)—delete subsection (4) and substitute:
  - (4) For the purposes of subsection (3), the registration authority is taken to have known of the heavy vehicle's noncompliance with a heavy vehicle standard at the time the registration authority registered the vehicle if the noncompliance was mentioned in—
    - (a) an operations plate that was installed on the vehicle at the time it was registered; or
    - (b) a certificate of approved operations issued for the vehicle and in force at the time the vehicle was registered; or
    - (c) a document obtained by the registration authority under an Australian road law in connection with the registering of the vehicle.
- (3) Section 60(5)—delete "registration" and substitute:

heavy vehicle's registration under an Australian road law

## 11—Amendment of section 105—Minor risk breach

Section 105—delete "if the subject matter of the contravention is less than the substantial risk breach lower limit for the requirement." and substitute:

if—

- (a) the dimension requirement relates to the vehicle's ground clearance; or
- (b) for a contravention of any other dimension requirement—the subject matter of the contravention is less than the substantial risk breach lower limit for the requirement.

## 12—Amendment of section 116—Class 1 heavy vehicles and class 3 heavy vehicles

Section 116(4), definition of *special purpose vehicle*, (a)—delete "carrying goods" and substitute:

transporting goods by road

**13—Amendment of section 192A—Form of information in container weight declaration**

Section 192A(2)(b)—delete paragraph (b) and substitute:

- (b) examining documents made available to the authorised officer on an electronic device or otherwise in electronic form.

**14—Amendment of section 319—Records record keeper must have**

- (1) Section 319(a)(vii)—delete "and" second occurring
- (2) Section 319(1)(a)—after subparagraph (vii) insert:
  - (viii) the location of the driver's base;
  - (ix) if the location of the driver's base changes—the date on which the location changes; and

**15—Insertion of section 319A**

After section 319 insert:

**319A—General requirements about driver recording and giving information to record keeper**

- (1) This section applies if the driver's record keeper on a relevant day is a person other than the driver.
- (2) The driver must, unless the driver has a reasonable excuse—
  - (a) within 24 hours after the driver stops working on the relevant day, record the information mentioned in section 319(1)(a)(iii) to (vi) for that day; and
  - (b) within 21 days after the relevant day, give the information mentioned in section 319(1) for that day to the driver's record keeper.

Maximum penalty: \$3 000.

- (3) The requirement imposed on the driver by subsection (2)(a) is taken to be satisfied if the record keeper records the information within the period mentioned in the provision.
- (4) The requirement imposed on the driver by subsection (2)(b) is taken to be satisfied if the record keeper obtains the information within the period mentioned in the provision in any way, including, for example, because the information is recorded—
  - (a) in an electronic work diary used by the driver, the information in which is maintained by the record keeper; or
  - (b) by the record keeper.
- (5) The record keeper must, so far as is reasonably practicable, ensure the driver complies with subsection (2)(b).

Maximum penalty: \$3 000.

- (6) If the record keeper has engaged another person under a contract for services to comply with subsection (5) for the record keeper—
- (a) the record keeper remains liable for an offence against subsection (5); and
  - (b) the other person is also liable for an offence against subsection (5) as if the other person were the record keeper mentioned in the subsection.
- (7) In this section—
- relevant day* means a day on which the driver drives a fatigue-regulated heavy vehicle on a road.

**16—Amendment of section 520—Power to enter and inspect heavy vehicles for monitoring purposes**

Section 520(2)(b)—delete paragraph (b) and substitute:

- (b) without limiting paragraph (a), look for, check the details of, or film a registration item, label or other thing required to be displayed on the heavy vehicle under an Australian road law; and

**17—Amendment of section 521—Power to enter and search heavy vehicle involved, or suspected to be involved, in an offence etc**

Section 521(3)(c)—delete paragraph (c) and substitute:

- (c) without limiting paragraph (b), look for, check the details of, or film a registration item, label or other thing required to be displayed on the heavy vehicle under an Australian road law; and

**18—Amendment of section 522—Power to order presentation of heavy vehicles for inspection**

Section 522(6)—delete subsection (6)

**19—Amendment of section 525—Definitions for Division 6**

Section 525, definition of *registration authority*—delete the definition

**20—Amendment of section 527—Requirements about vehicle defect notice**

Section 527(1)(i)—delete "under this Law" and substitute:

by a registration authority under an Australian road law

**21—Amendment of section 551—Seizure of number plates**

- (1) Section 551(2)—delete "this Law or any other applicable law" wherever occurring and substitute in each case:
  - an Australian road law
- (2) Section 551(4)(a)—delete "this Law or any other applicable law" and substitute:
  - an Australian road law

**22—Amendment of section 569—Power to require production of documents etc generally**

Section 569(1)(f)—delete paragraph (f) and substitute:

- (f) a document in the person's possession or under the person's control showing that a heavy vehicle's garage address recorded on a vehicle register, however named, kept under another Australian road law is or is not the vehicle's actual garage address.

**23—Amendment of section 598—Power to cancel or suspend vehicle registration**

Section 598(5)—delete "Regulator" and substitute:

registration authority for the heavy vehicle

**24—Amendment of section 636—Liability of executive officers of corporation**

- (1) Section 636(1)—after subsection (1) (and the penalty provision) insert:

**Note—**

See also section 26D for the duty of an executive officer of a corporation to exercise due diligence to ensure the corporation complies with its safety duties under this Law.

- (2) Section 636(2) and (3)—delete subsections (2) and (3)

**25—Amendment of section 637—Treatment of unincorporated partnerships**

- (1) Section 637(5) and (6)—delete subsections (5) and (6)
- (2) Section 637(8)—delete "Subsections (4) and (5) do" and substitute:

Subsection (4) does

**26—Amendment of section 638—Treatment of other unincorporated bodies**

- (1) Section 638(5) and (6)—delete subsections (5) and (6)
- (2) Section 638(8)—delete "Subsections (4) and (5) do" and substitute:

Subsection (4) does

**27—Amendment of section 653—Approved guidelines for exemptions, authorisations, permits and other authorities**

Section 653(1)(a)—delete paragraph (a)

**28—Amendment of section 658—General powers of Regulator**

Section 658(2)(b)—delete paragraph (b) and substitute:

- (b) the Regulator to provide services to the State or Territory relating to the functions of the Regulator under this Law.

**29—Amendment of section 659—Functions of Regulator**

Section 659(2)(a)—delete paragraph (a) and insert:

- (a) to provide the necessary administrative services for the operation of this Law, including, for example, collecting fees, charges and other amounts payable under this Law;
- (aa) to keep the database of heavy vehicles;



### **30—Amendment of section 660—Cooperation with participating jurisdictions and Commonwealth**

(1) Section 660(2)—after paragraph (b) insert:

and

- (c) give information to a government agency of a participating jurisdiction or the Commonwealth that the agency requires to exercise its functions under a law of the participating jurisdiction or the Commonwealth.

(2) Section 660—after subsection 660(3) insert:

- (4) A government agency that receives information under this section from the Regulator is authorised to use the information only to exercise its functions mentioned in subsection (2)(c).

### **31—Insertion of Chapter 12 Part 2A**

After section 686 insert:

#### **Part 2A—Database of heavy vehicles**

##### **686A—Database of heavy vehicles**

- (1) The Regulator must keep a database of heavy vehicles that enables the identification of a heavy vehicle registered under a law of a participating jurisdiction and the registered operator of the vehicle.
- (2) The database of heavy vehicles must—
- (a) be kept in the way prescribed by the national regulations; and
  - (b) contain the information prescribed by the national regulations.
- (3) The Regulator may include in the database of heavy vehicles other information the Regulator considers relevant to the objects of this Law, including information given by another Australian jurisdiction to the Regulator.
- (4) The Regulator may require a registration authority that registers a heavy vehicle under a law of a participating jurisdiction to give the Regulator the information prescribed under subsection (2)(b) as soon as reasonably practicable after the registration authority receives the information.
- (5) If the registration authority becomes aware of a change to the information given to the Regulator under subsection (4), the registration authority must, as soon as reasonably practicable after becoming aware of the change, notify the Regulator of the change.

##### **686B—Regulator may share information in database of heavy vehicles**

The Regulator may give information included in the database of heavy vehicles to—

- (a) a registration authority for a participating jurisdiction or another Australian jurisdiction; or
- (b) a police force or police service for a participating jurisdiction or another Australian jurisdiction.

**32—Amendment of section 688—Payments into Fund**

Section 688(2) and (3)—delete subsections (2) and (3) and substitute:

- (2) Money that is received by the Regulator under an agreement mentioned in section 658(2)(b) and that is payable to another entity under the agreement is not payable into the Fund.

**33—Amendment of section 711—Evidence by certificate by Regulator generally**

- (1) Section 711(1)(a) to (d)—delete paragraphs (a) to (d) (inclusive)
- (2) Section 711(1)(h)—delete "registration,"

**34—Insertion of section 737A**

After section 737 insert:

**737A—Application of section 737 to new penalties**

- (1) The enactment of a new penalty includes the enactment of an increase in the amount of penalty applying under section 737, to take effect when the new penalty commences.
- (2) For applying section 737 under subsection (1) to a new penalty, the amount of penalty applying under section 737 is to be calculated as if—
  - (a) the new penalty had commenced before 1 July 2014; and
  - (b) the amount of penalty applying had been increased under section 737(2) on 1 July 2014 and any later 1 July happening before the new penalty actually commences.
- (3) In this section—

*new penalty* means a penalty amount stated at the end of a provision for an offence inserted into this Law by an amending Act.

**35—Amendment of Schedule 4—Liability provisions**

- (1) Schedule 4—delete "The provisions specified in column 3 of the table are specified for the purposes of section 636(2), 637(5) and 638(5)."
- (2) Schedule 4, table, column 3—delete column 3 of the table

**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 16 August 2018

No 199 of 2018

MTIL18/024CS

South Australia

## **Subordinate Legislation (Postponement of Expiry) Regulations 2018**

under the *Subordinate Legislation Act 1978*

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### **Contents**

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Postponement of expiry for 1 year—Regulations made before 1 January 2008

Schedule 1—Postponement of expiry

Schedule 2—Revocation of *Subordinate Legislation (Postponement of Expiry) Regulations 2017*

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### **1—Short title**

These regulations may be cited as the *Subordinate Legislation (Postponement of Expiry) Regulations 2018*.

### **2—Commencement**

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

### **3—Interpretation**

In these regulations—

*Act* means the *Subordinate Legislation Act 1978*.

### **4—Postponement of expiry for 1 year—Regulations made before 1 January 2008**

The expiry under Part 3A of the Act of the regulations listed in Schedule 1 is postponed for a period of 1 year commencing on 1 September 2018.

## **Schedule 1—Postponement of expiry**

*Adelaide Dolphin Sanctuary Regulations 2005* made under the *Adelaide Dolphin Sanctuary Act 2005*

*Adelaide Festival Centre Trust Regulations 2007* made under the *Adelaide Festival Centre Trust Act 1971*

*Adelaide Park Lands Regulations 2006* made under the *Adelaide Park Lands Act 2005*

*Adoption Regulations 2004* made under the *Adoption Act 1988*

*Australian Energy Market Commission Establishment Regulations 2005* made under the *Australian Energy Market Commission Establishment Act 2004*

*Botanic Gardens and State Herbarium Regulations 2007* made under the *Botanic Gardens and State Herbarium Act 1978*

*Child Sex Offenders Registration Regulations 2007* made under the *Child Sex Offenders Registration Act 2006*

*Coroners Regulations 2005* made under the *Coroners Act 2003*

*Criminal Assets Confiscation Regulations 2006* made under the *Criminal Assets Confiscation Act 2005*

*Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2007* made under the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

*Criminal Law (Forensic Procedures) Regulations 2007* made under the *Criminal Law (Forensic Procedures) Act 2007*

*Criminal Law Consolidation (General) Regulations 2006* made under the *Criminal Law Consolidation Act 1935*

*Dust Diseases Regulations 2006* made under the *Dust Diseases Act 2005*

*Environment, Resources and Development Court Regulations 2005* made under the *Environment, Resources and Development Court Act 1993*

*Essential Services Commission Regulations 2004* made under the *Essential Services Commission Act 2002*

*Evidence Regulations 2007* made under the *Evidence Act 1929*

*Explosives (Security Sensitive Substances) Regulations 2006* made under the *Explosives Act 1936*

*Fair Trading (Health and Fitness Industry Code) Regulations 2007* made under the *Fair Trading Act 1987*

*Fair Work (Clothing Outworker Code of Practice) Regulations 2007* made under the *Fair Work Act 1994*

*Fire and Emergency Services Regulations 2005* made under the *Fire and Emergency Services Act 2005*

*Gaming Machines Regulations 2005* made under the *Gaming Machines Act 1992*

*Health and Community Services Complaints Regulations 2005* made under the *Health and Community Services Complaints Act 2004*

*Heritage Places Regulations 2005* made under the *Heritage Places Act 1993*

*Highways (Port River Expressway Project) Regulations 2004* made under the *Highways Act 1926*

*Housing and Urban Development (Administrative Arrangements) (HomeStart Finance) Regulations 2007* made under the *Urban Renewal Act 1995*

*Justices of the Peace Regulations 2006* made under the *Justices of the Peace Act 2005*

*Land Acquisition Regulations 2004* made under the *Land Acquisition Act 1969*

*Limitation of Actions (Section 45A Notice) Regulations 2004* made under the *Limitation of Actions Act 1936*

*Magistrates Court (Fees) Regulations 2004* made under the *Magistrates Court Act 1991*

*Maralinga Tjarutja Land Rights (Establishment of Co-management Board) Regulations 2004* made under the *Maralinga Tjarutja Land Rights Act 1984*

*National Parks and Wildlife (Unnamed Conservation Park—Maralinga Tjarutja Lands) Regulations 2004* made under the *National Parks and Wildlife Act 1972*

*Natural Resources Management (Financial Provisions) Regulations 2005* made under the *Natural Resources Management Act 2004*

*Natural Resources Management (General) Regulations 2005* made under the *Natural Resources Management Act 2004*

*Natural Resources Management (Transitional Provisions—Levies) Regulations 2005* made under the *Natural Resources Management Act 2004*

*Partnership Regulations 2006* made under the *Partnership Act 1891*

*Pastoral Land Management and Conservation Regulations 2006* made under the *Pastoral Land Management and Conservation Act 1989*

*Petroleum (Submerged Lands) Regulations 2005* made under the *Petroleum (Submerged Lands) Act 1982*

*Primary Industry Funding Schemes (Barossa Wine Industry Fund) Regulations 2007* made under the *Primary Industry Funding Schemes Act 1998*

*Primary Industry Funding Schemes (SA Grape Growers Industry Fund) Regulations 2007* made under the *Primary Industry Funding Schemes Act 1998*

*Professional Standards Regulations 2006* made under the *Professional Standards Act 2004*

*Residential Parks Regulations 2007* made under the *Residential Parks Act 2007*

*Roads (Opening and Closing) Regulations 2006* made under the *Roads (Opening and Closing) Act 1991*

*Sheriff's Regulations 2005* made under the *Sheriff's Act 1978*

*South Australian Local Government Grants Commission Regulations 2004* made under the *South Australian Local Government Grants Commission Act 1992*

*South Australian Museum Regulations 2004* made under the *South Australian Museum Act 1976*

*State Procurement Regulations 2005* made under the *State Procurement Act 2004*

*Survey Regulations 2007* made under the *Survey Act 1992*

*Terrorism (Police Powers) Regulations 2006* made under the *Terrorism (Police Powers) Act 2005*

*Tobacco Products Regulations 2004* made under the *Tobacco Products Regulation Act 1997*

*Valuation of Land Regulations 2005* made under the *Valuation of Land Act 1971*

*Victims of Crime (Statutory Compensation) Regulations 2004* made under the *Victims of Crime Act 2001*

*Volunteers Protection Regulations 2004* made under the *Volunteers Protection Act 2001*

*Wilderness Protection Regulations 2006* made under the *Wilderness Protection Act 1992*

## **Schedule 2—Revocation of Subordinate Legislation (Postponement of Expiry) Regulations 2017**

The *Subordinate Legislation (Postponement of Expiry) Regulations 2017* 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 16 August 2018

No 200 of 2018

AGO0088-18CS

South Australia

## **National Parks and Wildlife (Kangaroo Harvesting) Regulations 2018**

under the *National Parks and Wildlife Act 1972*

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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *National Parks and Wildlife (Kangaroo Harvesting) Regulations 2018*.

### 2—Commencement

These regulations will come into operation on 1 September 2018.

### 3—Interpretation

- (1) In these regulations, unless the contrary intention appears—

*Act* means the *National Parks and Wildlife Act 1972*;

*back*, of a sealed tag, means the side of the tag that does not display the number allotted to the tag;

*carcass*, of a kangaroo, has the same meaning as in the Act, but does not include skin that has been removed from the rest of the carcass of a kangaroo;

*chiller* means an appliance, room or structure approved for use for the provision of refrigeration facilities for the storage of kangaroo carcasses under an accreditation under the *Primary Produce (Food Safety Schemes) Act 2004*;

*commencement date*, in relation to a sealed tag, means—

- (a) the date of issue of the tag; or
- (b) such later date as is specified in writing by the Director as the commencement date when the tag is issued;

*Commercial Code of Practice* means the *National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes*, endorsed by the Natural Resource Management Ministerial Council (First edition, 2008), as in force from time to time;

*commercial harvest management region* means an area of the State designated by the kangaroo plan of management as a commercial harvest management region to which a commercial quota applies for the taking of common kangaroo species, and which consists of *commercial harvest sub-regions* designated by the plan;

*commercial use*, of a kangaroo that has been taken, means the sale or supply of the carcass or skin of the kangaroo;

*commercial use sealed tag* means a sealed tag issued for attachment to the carcass or skin of a kangaroo taken for commercial use;

*common*, in relation to species of kangaroo, means the following species of kangaroo:

- (a) red kangaroo—*Macropus rufus*;
- (b) western grey kangaroo—*Macropus fuliginosus melanops*;
- (c) euro (wallaroo) (hill kangaroo)—*Macropus robustus*;

*completed*, in relation to a field record book of the holder of a section 60J permit, means a field record book that has been completed (or is no longer used) by the permit holder, other than—

- (a) a book completed (or whose use was discontinued) before the commencement of these regulations; or
- (b) a book that is no longer required to be kept by the permit holder under regulation 28;

**field processing**, in relation to a kangaroo taken pursuant to a section 60J permit, means dressing the carcass into a form in which it is permitted to be sold under these regulations;

**field record book**—see regulation 26;

**imported**, in relation to the carcass of a kangaroo, means imported into the State under a section 59 permit;

**kangaroo** means an animal of the genus *Macropus*;

**kangaroo field processor** means a person who—

- (a) is the holder of a section 60J permit that authorises the holder to take kangaroos of a specified common species by means of a firearm for sale or use; and
- (b) conducts field processing of the kangaroos so taken;

**kangaroo meat processor** means a person who—

- (a) carries on the business of processing kangaroo carcasses for human or animal consumption or for any other purpose; and
- (b) is the holder of a section 58(3) permit authorising the holder to sell kangaroo carcasses and skins;

**kangaroo plan of management** means the *South Australian Commercial Kangaroo Management Plan 2018-2022*, being the plan of management in relation to the harvesting of common kangaroo species adopted by the Minister under section 60I of the Act, notice of the adoption of which was published in the Gazette on 19 December 2017 at page 5104, as varied or substituted from time to time;

**kangaroo skin tanner** means a person who—

- (a) carries on the business of tanning skins; and
- (b) is the holder of a section 58(3) permit authorising the holder to sell kangaroo skins;

**nominated** means nominated to the Director in accordance with these regulations;

**number**, of a sealed tag, means the numbers, letters or other marks identifying the tag;

**out of date**, in relation to an unused sealed tag—see subregulation (2);

**personal use**, of a kangaroo that has been taken, means any use of the carcass or skin of the kangaroo other than the sale or supply of the carcass or skin;

**personal use sealed tag** means a sealed tag issued for attachment to the carcass or skin of a kangaroo taken for personal use;

**regional landowner** means an owner of land that is located within a commercial harvest management region;

**rendered unusable**, in relation to a sealed tag—see subregulation (2);

**return book**—see regulation 27;

**sealed tag** means a tag issued by the Director for attachment to the carcass or skin of a kangaroo to show that royalty has been paid in relation to the taking of the kangaroo;

**section 53(1)(c) permit** means a permit granted under section 53(1)(c) of the Act;

*section 58(3) permit* means a permit granted under section 58(3) of the Act;

*section 59 permit* means a permit granted under section 59 of the Act;

*section 60J permit* means a permit granted under section 60J of the Act;

*skin*, of a kangaroo, means the whole or any part of the skin of a kangaroo that has been removed from the rest of the carcass of the kangaroo;

*unused*, in relation to a sealed tag, means a sealed tag that has not been attached to the carcass or skin of a kangaroo;

*use*, in relation to a kangaroo that has been taken, does not include allowing the kangaroo to lie on the land, or burying or burning the kangaroo, where it was taken;

*working day* means any day other than a Saturday or a Sunday or other public holiday.

(2) For the purposes of these regulations—

- (a) an unused sealed tag will be taken to be *out of date* if—
  - (i) the initial period, referred to in regulation 6(1), for which the tag was issued has expired and no extension has been granted; or
  - (ii) the latest extension of that initial period, referred to in regulation 6(1) or (2), has expired and no extension has been granted;
- (b) the recording of information on (or other alteration of) a sealed tag after the tag has been issued will not, if that recording (or other alteration) is—
  - (i) required by these regulations; or
  - (ii) authorised in writing by the Director,be taken to be an alteration of the tag, and the tag will not (by reason only of the recording or other alteration) be taken to have been altered, damaged or destroyed;
- (c) a sealed tag will be taken to have been *rendered unusable* if the tag has been cut in half or its number has been obliterated or removed from the rest of the tag.

#### 4—Application of regulations

- (1) Unless the contrary intention appears, these regulations apply only in relation to kangaroos taken pursuant to a section 60J permit or a section 53(1)(c) permit.
- (2) These regulations do not apply to, or in relation to—
  - (a) the carcass of a kangaroo after a sealed tag attached to the carcass has been removed from the carcass in accordance with these regulations; or
  - (b) the skin of a kangaroo after a sealed tag attached to the skin has been removed from the skin in accordance with these regulations.

## Part 2—Sealed tags

### 5—Issue and supply of sealed tags

- (1) The Director may issue sealed tags in accordance with these regulations.
- (2) A commercial use sealed tag may only be issued to—
  - (a) a kangaroo meat processor; or
  - (b) a kangaroo field processor; or
  - (c) a regional landowner.

- (3) The Director will—
- (a) issue a numbered sealed tag of such colour; and
  - (b) maintain such records in relation to the tag,
- as will enable the matters referred to in regulation 9 to be identified from the tag.
- (4) A sealed tag issued by the Director remains the property of the Crown.
- (5) A person to whom a sealed tag is issued must, in a manner and form approved by the Director, provide such information and make such nominations as are required by the Director for the purposes of these regulations (and a nomination so made may be altered with the approval of the Director).
- (6) A kangaroo meat processor or regional landowner to whom a commercial use sealed tag is issued may supply the tag to a kangaroo field processor who is nominated to the Director in accordance with these regulations as the person who is to take the kangaroo.
- (7) A kangaroo field processor who is in possession of a commercial use sealed tag pursuant to subregulation (6) may, if authorised to do so by the kangaroo meat processor or regional landowner referred to in that subregulation, supply the tag to another kangaroo field processor nominated to the Director in accordance with these regulations as the person who is to take the kangaroo.
- (8) A holder of a section 53(1)(c) permit to whom a personal use sealed tag is issued may supply the tag to a person who is to take the kangaroo pursuant to that permit.
- (9) A person to whom a sealed tag has been issued or supplied must not sell or supply the tag to another person unless—
- (a) permitted to do so by this regulation or regulation 8; or
  - (b) authorised in writing to do so by the Director.

Maximum penalty: \$2 000.

Expiation fee: \$200.

## **6—Period for which sealed tags may be issued**

- (1) The Director may issue a sealed tag for a period not exceeding 12 months from the commencement date of the tag and may (at the Director's complete discretion), if the tag is originally issued for a period of less than 12 months, extend or further extend that period (in such manner as the Director thinks fit) to a period not exceeding 12 months in total.
- (2) If a sealed tag originally issued for 12 months or whose original period has been extended to 12 months under subregulation (1) has not been used before the expiry of that 12 month period (being 12 months from the commencement date of the tag), the Director may, on application in accordance with this regulation by the person who has possession of the tag, extend (by written notice to that person) the period during which the tag may be used for up to a further 12 months.
- (3) An application under subregulation (2) must be made—
- (a) within 30 days before the expiry of the 12 month period (from the commencement date of the tag) referred to in that subregulation; and
  - (b) in a manner and form approved by the Director.
- (4) A sealed tag may only be used during the period for which it has been issued, or, if that period has been extended in accordance with this regulation, during that extended period.

**7—Unused sealed tags to be kept in safe place and loss to be reported to Director**

A person who has an unused sealed tag must—

- (a) keep the tag in a place that is secure against theft, loss or damage; and
- (b) if the tag is stolen, lost or damaged, inform the Director of the identity of the tag before the end of the next working day after the day on which the person becomes aware of that theft, loss or damage.

Maximum penalty: \$2 000.

Expiation fee: \$200.

**8—Unused sealed tags that are out of date**

- (1) A person to whom a sealed tag is issued must ensure that any such tag that is unused and out of date is, in a manner and form approved by the Director, returned to the Director before it is 30 days out of date.

Maximum penalty: \$2 000.

Expiation fee: \$200.

- (2) It is a defence to a charge of an offence against subregulation (1) to prove that the person to whom the sealed tag was issued—
  - (a) supplied the tag to another person in accordance with these regulations; and
  - (b) took all reasonable steps to ensure that the tag so supplied was returned to the Director in accordance with subregulation (1).
- (3) Where an unused sealed tag is out of date, the Director may, on application in accordance with this regulation by the person to whom the tag was issued, repay the royalty paid in respect of the tag.
- (4) An application under subregulation (3) must be made—
  - (a) within 30 days after the last time that the sealed tag became out of date; and
  - (b) in a manner and form approved by the Director.
- (5) A person must not have possession of an unused sealed tag that is more than 30 days out of date.

Maximum penalty: \$2 000.

Expiation fee: \$200.

- (6) A warden may seize an unused sealed tag that is more than 30 days out of date.

**9—Sealed tag colours and numbers**

- (1) A commercial use sealed tag must be marked with a number and must be—
  - (a) orange in colour if it is to be attached to a red kangaroo; and
  - (b) white in colour if it is to be attached to a western grey kangaroo; and
  - (c) blue in colour if it is to be attached to a euro.
- (2) A commercial use sealed tag must, by reason of its colour and number, identify—
  - (a) the tag as a commercial use sealed tag; and
  - (b) the species of the kangaroo to which it is to be attached; and

- (c) the commercial harvest sub-region nominated as the sub-region from which the kangaroo is to be taken; and
  - (d) the kangaroo field processor nominated to take the kangaroo.
- (3) A personal use sealed tag must be marked with a number and must be yellow in colour.
- (4) A personal use sealed tag must, by reason of its colour and number, identify—
- (a) the tag as a personal use sealed tag; and
  - (b) if the kangaroo is to be taken on land that is within a commercial harvest sub-region—the commercial harvest sub-region nominated as the sub-region from which the kangaroo is to be taken.

### **10—Method of attaching sealed tags**

- (1) Where a sealed tag is to be attached to the carcass of a kangaroo, it must be attached to the skin of the carcass at the point indicated in Schedule 1.
- (2) Where a personal use sealed tag is to be attached to the skin of a kangaroo that has been removed from the rest of the carcass of the kangaroo, it must be attached to the skin at the point indicated in Schedule 1.
- (3) In each case the tag must be firmly attached in the following manner:
- (a) the strip of plastic that constitutes the tag must be passed through the skin and formed into a loop that encloses at least 3 centimetres of skin; and
  - (b) the loop must be completed and locked into place around the enclosed portion of skin such that the tag is secured.
- (4) Despite this regulation, where a kangaroo is taken for personal use and the portion that is to be so used does not include the point of attachment indicated in Schedule 1—
- (a) the personal use sealed tag may be attached to the portion (or, if more than 1 portion is to be used, to 1 such portion) at any suitable point; and
  - (b) where the portion is a portion of carcass that has no skin, the tag must be attached to the flesh of the carcass in the manner described in subregulation (3) for attachment to the skin.
- (5) Where a kangaroo taken for personal use is, on being taken, divided into portions and more than one such portion is to be used, all portions that are to be used must (until use) be kept—
- (a) in the same bag or other container as the portion to which the sealed tag is attached and separate from any portion of a different kangaroo or other animal; or
  - (b) in such other manner as allows the clear identification of the portions to which the tag relates.
- (6) A sealed tag attached in accordance with this regulation will, for the purposes of these regulations, be taken to be attached in accordance with this regulation to each portion referred to in subregulation (5) that is kept in the manner specified in the subregulation.

### **11—Prohibition of attachment of sealed tags to kangaroos not taken under permit or attachment of objects that are not sealed tags**

A person must not—

- (a) attach a sealed tag to the carcass or skin of a kangaroo other than a kangaroo that has been taken pursuant to a section 60J permit or a section 53(1)(c) permit; or

(b) attach any other object to the carcass or skin of a kangaroo, unless the person is authorised to do so—

(c) in writing by the Director; or

(d) under another Act or law.

Maximum penalty: \$2 000.

Expiation fee: \$200.

## **12—Prohibition of unauthorised alteration, damage or destruction of sealed tags**

(1) A person must not alter, damage or destroy an unused sealed tag unless the person—

(a) is required to do so by these regulations; or

(b) is authorised in writing to do so by the Director.

Maximum penalty: \$2 000.

Expiation fee: \$200.

(2) A person must not alter, damage or destroy a sealed tag that is attached to the carcass or skin of a kangaroo unless the alteration, damage or destruction—

(a) occurs in removing the attached sealed tag from the carcass or skin pursuant to these regulations; or

(b) is required by these regulations; or

(c) is authorised in writing by the Director.

Maximum penalty: \$2 000.

Expiation fee: \$200.

## **13—Removal and destruction of sealed tags**

(1) A person must not remove or attempt to remove a sealed tag from the carcass or skin of a kangaroo unless the person—

(a) is authorised to do so by this regulation; or

(b) is authorised in writing to do so by the Director.

Maximum penalty: \$2 000.

Expiation fee: \$200.

(2) A commercial use sealed tag may be removed from the carcass (but not the skin) of a kangaroo by a kangaroo meat processor when the kangaroo meat processor processes the carcass.

(3) A commercial use or personal use sealed tag may be removed from the skin of a kangaroo by a kangaroo skin tanner when the skin is tanned in the course of the kangaroo skin tanner's business.

(4) A personal use sealed tag may be removed from the carcass or skin of a kangaroo by the person who took the kangaroo when personal use is made of the carcass or skin.

(5) A person who removes a sealed tag from the carcass or skin of a kangaroo in accordance with these regulations must, if the tag is not destroyed or rendered unusable in being removed, immediately destroy the tag or render it unusable.

Maximum penalty: \$2 000.

Expiation fee: \$200.

#### **14—Prohibition of possession of used sealed tags**

A person must not have possession of a sealed tag that has been removed from the carcass or skin of a kangaroo unless—

- (a) the tag has been destroyed or rendered unusable in accordance with regulation 13(5); or
- (b) the person is authorised in writing to do so by the Director.

Maximum penalty: \$2 000.

Expiation fee: \$200.

### **Part 3—Harvesting kangaroos under section 60J permit**

#### **Division 1—Preliminary**

##### **15—Part 3 interpretation**

In this Part, unless the contrary intention appears—

*kangaroo meat processor* means a person who—

- (a) carries on the business of processing kangaroo carcasses for human or animal consumption or for any other purpose; and
- (b) is the holder of a section 58(3) permit authorising the holder to sell kangaroo carcasses and skins or a corresponding licence or permit under the laws of another State or a Territory of the Commonwealth;

*permit* means a section 60J permit that authorises the taking of a kangaroo of a common species;

*permit holder* means the person to whom the section 60J permit is granted.

##### **16—Provisions of this Part are conditions of section 60J permit**

The provisions of this Part are, unless otherwise stated in a permit, conditions of a section 60J permit that authorises the taking of a kangaroo of a common species.

##### **17—Permit holder must not contravene regulations**

The permit holder must not contravene or fail to comply with a requirement of these regulations or of other regulations under the Act.

#### **Division 2—Taking kangaroos**

##### **18—Only permit holder may take kangaroo**

The permit holder must not cause or permit another person to—

- (a) take a kangaroo pursuant to the permit; or
- (b) sell, supply or use the carcass or skin of such a kangaroo pursuant to the permit.



**19—Permit holder may only take from land within a commercial harvest management region**

The permit holder may only take a kangaroo pursuant to the permit from land that is within a commercial harvest management region.

**20—Permit holder with commercial use sealed tag supplied by regional landowner may only take from landowner's land**

Where a commercial use sealed tag issued to a regional landowner and subsequently supplied by the landowner to the permit holder (either directly or through another permit holder in accordance with regulation 5(7)) is to be used, the permit holder may only take a kangaroo pursuant to the permit from the land of that regional landowner (or from such part of it as the landowner authorises).

**21—Requirement for Director to be given notice of location of chiller before taking kangaroo**

Where a commercial use sealed tag is to be used, the permit holder must not take a kangaroo pursuant to the permit unless notice has been given to the Director—

- (a) at least 24 hours before the kangaroo is taken; and
- (b) in a manner and form approved by the Director,

of the intended location of the chiller in which the carcass is first to be stored after field processing.

**22—Requirement to possess sealed tag before taking kangaroo**

The permit holder must not take a kangaroo pursuant to the permit unless the person is in possession of an unused sealed tag that—

- (a) is appropriate for the use (commercial or personal) to be made of the kangaroo; and
- (b) is one for which the commercial harvest sub-region containing the land on which the kangaroo is to be taken is nominated; and
- (c) in the case of a commercial use sealed tag—
  - (i) is the correct colour for the species of kangaroo to be taken; and
  - (ii) identifies the permit holder as the kangaroo field processor nominated to take the kangaroo; and
- (d) is not out of date; and
- (e) has not been altered or damaged.

**23—Requirement to be in possession of field record book before taking kangaroo**

The permit holder must not take a kangaroo pursuant to the permit unless the permit holder is in possession of the permit holder's field record book at the location at which the kangaroo is taken.

**24—Requirement to attach sealed tag after taking kangaroo**

- (1) The permit holder must, immediately after taking a kangaroo pursuant to the permit, attach to the carcass of the kangaroo in accordance with these regulations an unused sealed tag that—
  - (a) is the appropriate tag for the use (commercial or personal) to be made of the carcass; and

- (b) is a tag for which the commercial harvest sub-region containing the land on which the kangaroo was taken is nominated; and
  - (c) in the case of a commercial use sealed tag—
    - (i) is the correct colour for the species of kangaroo taken; and
    - (ii) identifies the permit holder as the kangaroo field processor nominated to take the kangaroo; and
  - (d) is not out of date; and
  - (e) has not been altered or damaged.
- (2) The permit holder must attach a tag in accordance with subregulation (1) whether or not the carcass or skin of the kangaroo is in fact then used.

### **25—Requirement to record taking on tag and in field record book after taking kangaroo**

- (1) The permit holder must, immediately after taking a kangaroo pursuant to the permit—
- (a) record on the back of the sealed tag attached to the carcass of the kangaroo, legibly and in a manner and form approved by the Director, the identity of the permit holder and the date and property on which the kangaroo was taken; and
  - (b) record in the permit holder's field record book the information specified in Schedule 2.
- (2) If the back of a tag is not accessible, the information referred to in subregulation (1)(a) may be recorded in accordance with that subregulation elsewhere on the tag, but not so as to obscure the number allotted to the tag.

## **Division 3—Field record books and returns**

### **26—Requirement to keep field record book**

The permit holder must keep a book (a *field record book*) for the purpose of recording the information required by Schedule 2 in relation to each kangaroo taken pursuant to the permit.

### **27—Requirement to provide returns**

- (1) The permit holder must, no more than 14 days after the last day of each month, provide the Director with a return completed and signed by the permit holder that sets out the information required by Schedule 2.
- (2) For that purpose, the permit holder must use a return supplied by the Director, whether supplied individually or bound in the form of a book (the *return book*).

### **28—Requirement to keep field record books and copies of returns**

The permit holder must keep each completed field record book, and a copy of each completed return provided to the Director, in a safe and secure place—

- (a) at the permit holder's principal place of residence; or
- (b) at such other location as may be approved by the Director on application by the permit holder,

for a period of at least 3 years.

**29—Requirement to notify Director if books or copies of returns lost, damaged**

Where a field record book, return book, completed field record book or copy of a completed return is lost or damaged, the permit holder must notify the Director of that loss or damage before the end of the next working day after the day on which the permit holder becomes aware of it.

**30—Requirement to produce books or copies of returns on request**

The permit holder must, as soon as is practicable after being requested to do so by a warden, produce for inspection by the warden any field record book, return book, completed field record book or copy of a completed return that is in the custody or control of the permit holder.

**31—Requirement to produce books or copies of returns for court proceedings**

The permit holder must, if the permit holder is charged with an offence against the Act or regulations made under the Act and has custody or control of a field record book, return book, completed field record book or copy of a completed return that the Director or a warden believes is relevant to the charge, produce that book or copy to the court that hears the charge if the Director or warden requests the permit holder to do so.

**Division 4—Sale and supply of kangaroos****32—Requirement to sell, supply to meat processor**

The permit holder must not sell or supply the carcass of a kangaroo taken for commercial use pursuant to the permit to a person other than a kangaroo meat processor.

**33—Only head-shot etc kangaroos to be sold, supplied**

The permit holder must not sell or supply the carcass of a kangaroo taken for commercial use pursuant to the permit unless—

- (a) the kangaroo was taken in accordance with the Commercial Code of Practice; and
- (b) the kangaroo has not suffered damage from a firearm other than damage to the head.

**34—Prohibition of sale or supply of skin of kangaroo**

The permit holder must not sell or supply the skin of a kangaroo taken pursuant to the permit.

**Part 4—Taking kangaroos for personal use under section 53(1)(c) permit****35—Part 4 interpretation**

In this Part, unless the contrary intention appears—

*section 53(1)(c) permit* means a permit granted under section 53(1)(c) of the Act that authorises the taking of a kangaroo for personal use.

**36—Requirement to possess personal use sealed tag before taking kangaroo**

- (1) Subject to this regulation, a person must not take a kangaroo pursuant to a section 53(1)(c) permit for personal use unless the person is in possession of an unused personal use sealed tag that—
  - (a) if the kangaroo is to be taken on land that is within a commercial harvest sub-region—is one for which that sub-region is nominated; and
  - (b) is not out of date; and
  - (c) has not been altered or damaged.

Maximum penalty: \$2 000.

Expiation fee: \$200.

- (2) Subregulation (1) does not apply to a person who is exempted by the section 53(1)(c) permit from a requirement under these regulations to attach a sealed tag to the carcass or skin of a kangaroo taken pursuant to the permit.

**37—Requirement to attach sealed tag and record property after taking kangaroo for personal use**

- (1) Subject to this regulation, a person who takes a kangaroo pursuant to a section 53(1)(c) permit for personal use must, immediately after taking the kangaroo—
  - (a) attach an unused personal use sealed tag that complies with subregulation (2) to the carcass or skin of the kangaroo in accordance with these regulations; and
  - (b) record on the back of the tag, legibly and in a manner and form approved by the Director, the property on which the kangaroo was taken.

Maximum penalty: \$2 000.

Expiation fee: \$200.

- (2) The sealed tag—
  - (a) must, if the kangaroo was taken on land that is within a commercial harvest sub-region, be one for which that sub-region is nominated; and
  - (b) must not be out of date; and
  - (c) must not have been altered or damaged.
- (3) If the back of a tag is not accessible, the information referred to in subregulation (1)(b) may be recorded in accordance with that subregulation elsewhere on the tag, but not so as to obscure the number allotted to the tag.
- (4) This regulation does not apply to a person who is exempted by the section 53(1)(c) permit from a requirement under these regulations to attach a sealed tag to the carcass or skin of a kangaroo taken pursuant to the permit.

**Part 5—Miscellaneous****38—Prohibition of taking while in possession of incorrect sealed tags**

A person must not, without reasonable excuse, take a kangaroo on any land—

- (a) pursuant to a section 60J permit; or
- (b) if the land is within a commercial harvest sub-region, a section 53(1)(c) permit,

while in possession of an unused sealed tag, if the land on which the kangaroo is taken is not within the commercial harvest sub-region nominated for that sealed tag as the sub-region from which the kangaroo must be taken.

Maximum penalty: \$2 000.

Expiation fee: \$200.

### **39—Prohibition of possession etc of carcasses, skins without sealed tags**

A person must not have possession or control of the carcass or skin of a kangaroo taken pursuant to a section 60J permit or a section 53(1)(c) permit (other than a section 53(1)(c) permit referred to in regulation 37(4)) unless a sealed tag is attached to the carcass or skin in accordance with these regulations.

Maximum penalty: \$2 000.

Expiation fee: \$200.

### **40—Prohibition of removal of carcasses, skins from private land without sealed tags**

Where a kangaroo is taken on private land pursuant to a section 60J permit or a section 53(1)(c) permit (other than a section 53(1)(c) permit referred to in regulation 37(4)), a person must not remove the carcass or skin of the kangaroo from the land unless a sealed tag is attached to the carcass or skin in accordance with these regulations.

Maximum penalty: \$2 000.

Expiation fee: \$200.

### **41—Prohibition of sale, supply, purchase, receipt of carcasses, skins without commercial use sealed tags**

- (1) A person must not sell or supply the carcass or skin of a kangaroo unless a commercial use sealed tag is attached to the carcass or skin in accordance with these regulations.

Maximum penalty: \$2 000.

Expiation fee: \$200.

- (2) A kangaroo meat processor must not purchase or receive the carcass of a kangaroo unless—
- (a) a commercial use sealed tag is attached to the carcass in accordance with these regulations; or
  - (b) in the case of a carcass imported from another State or a Territory of the Commonwealth—a corresponding tag is attached to the carcass in accordance with the laws of that State or Territory.

Maximum penalty: \$2 000.

Expiation fee: \$200.

### **42—Form of carcass for sale or supply**

- (1) Subject to this regulation, a person must not sell or supply the carcass of a kangaroo in any form other than—
- (a) as the whole of the carcass (with the skin attached) that remains after the head, the tail, the rear legs to the first joint and all of the abdominal organs (other than the heart, lungs, liver and kidneys) have been removed; or
  - (b) that described in paragraph (a), but including the tail (not detached from the rest of the carcass).

Maximum penalty: \$2 000.

Expiation fee: \$200.

- (2) Despite subregulation (1), the carcass of a kangaroo may be sold or supplied in such other form as may be specified in a section 60J permit or section 58(3) permit pursuant to which it is sold or supplied.

#### **43—Further restrictions on taking of kangaroos**

- (1) The Director may, by notice in the Gazette and in a newspaper circulating in the area in which the notice will apply—
- (a) declare a weight limit for the taking of kangaroos or the sale or supply of kangaroo carcasses under the Act; or
  - (b) prohibit or impose other restrictions on the taking of kangaroos under the Act,
- where in the opinion of the Director such a weight limit, prohibition or restriction is necessary for the preservation or conservation of kangaroos.
- (2) A notice under subregulation (1) may—
- (a) be restricted in its application to kangaroos taken in a specified part of the State; or
  - (b) vary in its application according to the species or sex of the kangaroos; or
  - (c) specify any other factors in relation to the application of the weight limit, prohibition or restriction,
- and may be varied or revoked by a subsequent notice under that subregulation.
- (3) A person must not contravene or fail to comply with a weight limit, prohibition or other restriction declared or imposed under subregulation (1).

Maximum penalty: \$2 000.

Expiation fee: \$200.

#### **44—Electronic form of books and returns**

- (1) Where a person is required by these regulations to record information in a field record book, return book or return, and the Director authorises the book or return to be kept in electronic form or provided to the Director by means of an electronic communication—
- (a) a reference in these regulations to a field record book, return book, return, completed field record book or copy of a completed return includes a reference to the book, return or copy in that electronic form; and
  - (b) a reference in these regulations to the provision of a completed return to the Director includes a reference to provision by means of that authorised electronic communication; and
  - (c) a reference in these regulations to the supply by the Director of a return book or return includes a reference to the supply by the Director of a template or other structure for that electronic form of the book or return; and
  - (d) a reference in these regulations to the production of a field record book, return book, completed field record book or copy of a completed return at the request of a warden, or to a court at the request of the Director or a warden, means production in the form (electronic or printed) requested.

- (2) A requirement in these regulations that a completed field record book or copy of a completed return be kept in a safe and secure place at a residence or other location will, if such a book or copy is maintained in electronic form, be taken to be a requirement that the book or copy be kept in that electronic form in a place at that residence or other location at which it is safe and secure and can be readily accessed should it be required to be produced to a warden or a court in accordance with these regulations.
- (3) If, for the purposes of these regulations—
- (a) there is a requirement that a person must sign a completed return or other document that is to be provided to the Director; and
  - (b) the document is provided in electronic form,
- that requirement will be taken to have been satisfied if an electronic signature, or other method, approved by the Director, is used to identify the person providing the document.

**45—Failure to comply that is breach of condition by permit holder not to constitute offence against regulations**

If—

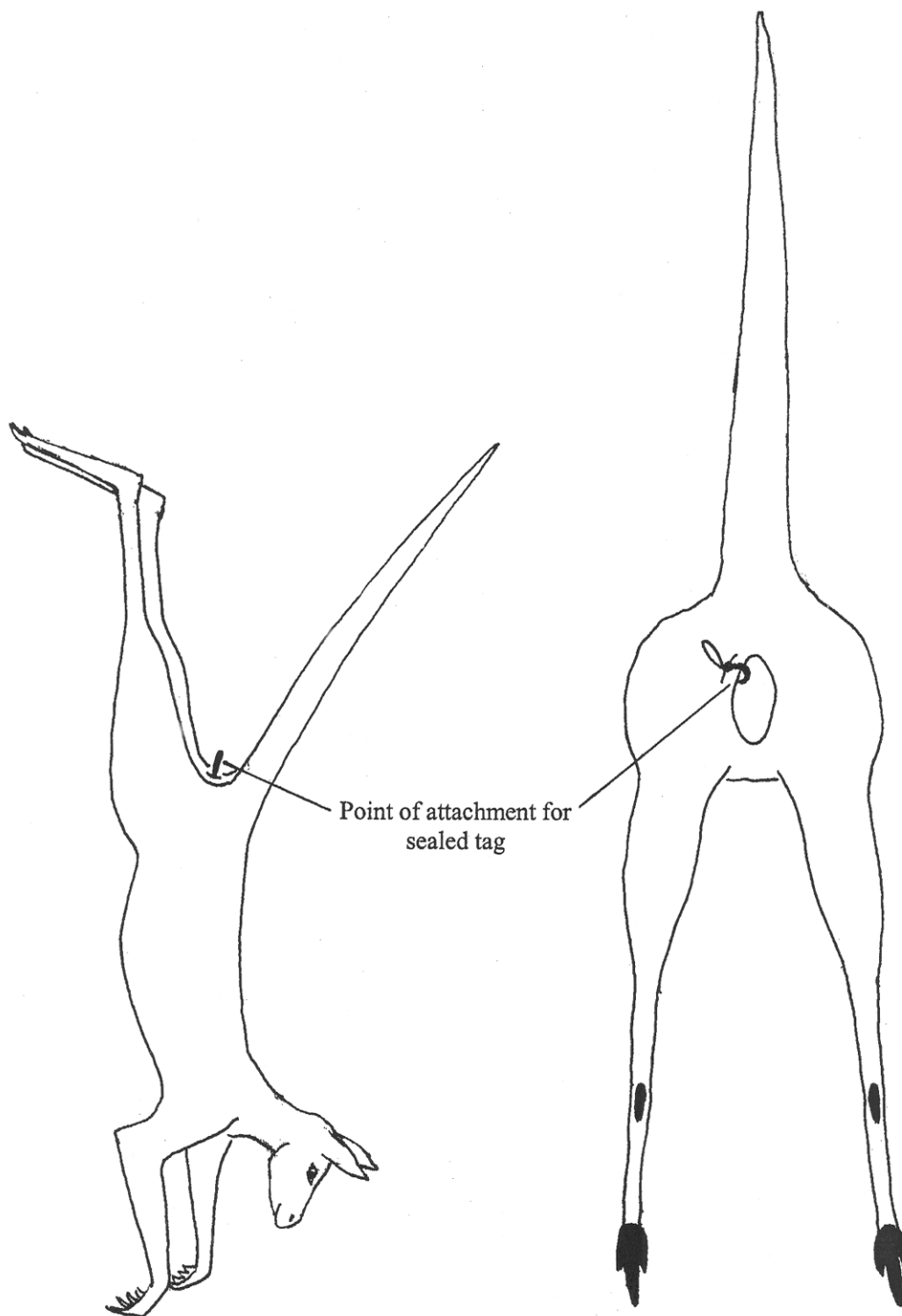
- (a) a person is the holder of a section 60J permit; and
- (b) the person contravenes or fails to comply with a provision of these regulations or other regulations under the Act; and
- (c) that contravention or failure to comply constitutes a breach of a condition of the permit under regulation 17,

that contravention or failure to comply does not constitute an offence against the regulation concerned.

**Note—**

A breach of a condition of a section 60J permit will constitute an offence against section 70A of the Act.

## Schedule 1—Point for attaching sealed tags



## Schedule 2—Field record books; returns

### 1—Information to be recorded in section 60J permit field record book (regulation 26)

- (a) Date on which the kangaroo was taken
- (b) Property on which kangaroo taken



- (c) Species of the kangaroo
- (d) Sex of the kangaroo
- (e) Number of the sealed tag attached to the carcass or skin of the kangaroo
- (f) Weight of the carcass of the kangaroo (kg)

## **2—Information to be recorded in section 60J permit return (regulation 27)**

- (a) Month and year to which return relates
- (b) Name of permit holder
- (c) Address of permit holder
- (d) Registration number of permit holder's vehicle
- (e) Make and model of permit holder's vehicle
- (f) Date on which kangaroo taken
- (g) Property on which kangaroo taken
- (h) Tag allocation number
- (i) Species of kangaroo taken
- (j) Location of chiller in which carcass was stored
- (k) Code assigned to the chiller under *Primary Produce (Food Safety Schemes) Act 2004*
- (l) Number of kangaroo carcasses of each sex
- (m) Total weight in kilograms of kangaroo carcasses of each sex
- (n) Number of kangaroo carcasses sold (per species)
- (o) Date carcasses sold
- (p) Total weight in kilograms of carcasses for each sale
- (q) Name of purchaser of carcasses
- (r) Kangaroo sealed tag numbers for carcasses left in field, with date, location and reason left
- (s) Total number of kangaroo sealed tags lost and number of each tag

## **Schedule 3—Revocation and transitional provisions**

### **Part 1—Preliminary**

#### **1—Interpretation**

In this Schedule—

*the revoked regulations* means the *National Parks and Wildlife (Kangaroo Harvesting) Regulations 2003*.

### **Part 2—Revocation of *National Parks and Wildlife (Kangaroo Harvesting) Regulations 2003***

#### **2—Revocation of regulations**

The *National Parks and Wildlife (Kangaroo Harvesting) Regulations 2003* are revoked.

## **Part 3—Transitional provisions**

### **3—Permits granted before the commencement of these regulations**

A reference in these regulations to a permit granted under a provision of the Act includes a reference to such a permit whether granted before, on or after the commencement of these regulations.

### **4—Period for provision of returns that were required under revoked regulations**

- (1) A requirement under regulation 23 of the revoked regulations that the holder of a section 60J permit provide the Director with a return within a 14 day period, will, if—
  - (a) a permit holder to whom the requirement applied did not comply with the requirement before the commencement of these regulations; but
  - (b) the 14 day period for compliance by the permit holder had not elapsed at the time of that commencement,

be taken to be a requirement under regulation 27 of these regulations that the permit holder's return be provided to the Director (in the manner and form required by the revoked regulations) within the portion of that 14 day period that remains after the commencement of these regulations.

- (2) If the 14 day period referred to in subclause (1) extends beyond the expiry or revocation of the permit to which the return relates, subclause (1) applies despite that expiry or revocation.

### **5—Applications, nominations, returns etc made or provided before the commencement of these regulations**

An application or nomination, or the provision of a return or a notice or other information, made or undertaken by a person before the commencement of these regulations pursuant to and in accordance with a provision of the revoked regulations, will be taken to have been made or undertaken pursuant to and in accordance with the corresponding provision of these regulations.

### **6—Approvals, authorisations, requests etc granted or made before the commencement of these regulations**

- (1) Subject to these regulations, an approval, authorisation, request or notice by the Director or a warden given or made for the purposes of the revoked regulations that remains in effect immediately before the commencement of these regulations, will be taken to have been given or made by the Director or warden for the purposes of the corresponding provision of these regulations.
- (2) Despite subclause (1), a waiver granted pursuant to regulation 13(2) of the revoked regulations does not apply for the purposes of these regulations.

### **7—Carcasses and skins of kangaroos taken before the commencement of these regulations**

A person who complies with a provision of the revoked regulations in relation to the carcass or skin of a kangaroo taken before the commencement of these regulations will be taken to have complied with the corresponding provision of these regulations.

## 8—Sealed tags issued before the commencement of these regulations

A sealed tag issued by the Director before the commencement of these regulations that is unused at the time of that commencement—

- (a) will be taken to continue as a sealed tag issued by the Director under these regulations if the tag was required to be used within an initial or extended period—
  - (i) that expires after the commencement of these regulations; or
  - (ii) that expired before the commencement of these regulations, but not more than 3 months before; and
- (b) will for the purposes of these regulations be taken to be out of date—
  - (i) in the case of a tag referred to in subparagraph (a)(i)—
    - (A) on the expiry of the initial or extended period referred to in paragraph (a); or
    - (B) 30 days after the commencement of these regulations, whichever occurs last; or
  - (ii) in the case of a tag referred to in subparagraph (a)(ii)—3 months after the expiry of the initial or extended period referred to in paragraph (a).

### 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 16 August 2018

No 201 of 2018

18EWDEWCS0014

South Australia

## Ground Water (Qualco-Sunlands) Control Regulations 2018

under the *Ground Water (Qualco-Sunlands) Control Act 2000*

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### Contents

#### Part 1—Preliminary

- 1 Short title
- 2 Commencement
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#### Part 2—Sharing costs of Scheme

- 4 Determination of notional cost
- 5 Sharing costs of Scheme
- 6 Liability for unauthorised use of water

#### Part 3—Categories of land

- 7 Categories of land

#### Part 4—Irrigation declaration

- 8 Irrigation declaration
  - 9 Risk management allocations attached to highest risk land
- 

### Part 1—Preliminary

#### 1—Short title

These regulations may be cited as the *Ground Water (Qualco-Sunlands) Control Regulations 2018*.

#### 2—Commencement

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

#### 3—Interpretation

In these regulations, unless the contrary intention appears—

*Act* means the *Ground Water (Qualco-Sunlands) Control Act 2000*;

*notional maintenance costs* for a contribution year means the amount determined by the Trust under regulation 4 in respect of that year;

*perched water table* means the water table of the accumulation of underground water above the layer of Blanchetown Clay in the Scheme Area.

## Part 2—Sharing costs of Scheme

### 4—Determination of notional cost

The Trust must determine in respect of each contribution year an amount (which is to be a notional amount for the purposes of this Part) that in its opinion will be required to cover the cost of pumping sufficient water into the disposal basins to prevent any increase in the volume of the ground water mound and the underground water above the layer of Blanchetown Clay in the Scheme Area during that year.

### 5—Sharing costs of Scheme

The notional maintenance costs for a contribution year are shared between the owners and occupiers of the category 1 land in proportion to the risk management allocations attached to their respective land at the commencement of that year.

### 6—Liability for unauthorised use of water

If the use of water to irrigate land in a water usage year was unauthorised (see section 50 of the Act) the owner and occupier of the land on which the water was used are liable to pay an amount calculated according to the following formula:

$$A = P \times UW \times UR$$

Where

*A* is the amount

*P* is—

- (a) if the total quantity of water used to irrigate the land concerned over the relevant block of 3 consecutive water usage years is 110% or less of the total quantity of water authorised for irrigation during that block of 3 years—1; or
- (b) if the percentage referred to in paragraph (a) is greater than 110% or no water was authorised for irrigation of the land concerned by a risk management allocation during the relevant block of 3 consecutive water usage years—3;

*UW* is the quantity of unauthorised water (expressed in megalitres) used, or taken to be used, in the water usage year on the land

*UR* is the unauthorised rate and is the rate per megalitre payable by the owners and occupiers of the category 1 land for the relevant contribution year under regulation 5.

## Part 3—Categories of land

### 7—Categories of land

- (1) Irrigated land in the Scheme Area is divided into category 1 land and category 2 land.
- (2) The division of irrigated land under subregulation (1) is based on the classification of irrigated land under section 33 of the Act as being at a high, medium or low risk of irrigation induced waterlogging and salinisation in respect of rising levels of the ground water mound and in respect of rising levels of the perched water table so that—
  - (a) land is category 1 land if it is—
    - (i) at high risk from rising levels of the ground water mound or the perched water table; or

- (ii) at medium risk from rising levels of the ground water mound and the perched water table; and
- (b) land is category 2 land if it is—
  - (i) at medium risk from rising levels of the ground water mound and at low risk from rising levels of the perched water table; or
  - (ii) at low risk from rising levels of the ground water mound but at medium or low risk from rising levels of the perched water table.

## Part 4—Irrigation declaration

### 8—Irrigation declaration

- (1) The Trust must, on or before 30 June in each year, serve on the owner of each irrigated property to which, or to part of which, a risk management allocation is attached a form of irrigation declaration to be completed by the owner in relation to the next contribution year.
- (2) Each owner referred to in subregulation (1) must complete and return the irrigation declaration to the Trust on or before 31 July preceding that contribution year.
- (3) An irrigation declaration—
  - (a) must include the following information:
    - (i) information identifying the area or areas of land comprising the whole or part of the irrigated property (excluding any areas identified under subparagraph (vi)) that are situated in the Scheme Area that are to be irrigated during the current water usage year using water taken pursuant to a water licence;
    - (ii) the category or categories of the land referred to in subparagraph (i) and if more than 1 category is involved, the boundaries of the land in each category;
    - (iii) the method of irrigation (including the method for monitoring irrigation efficiency) to be used and, if more than 1 method is to be used, the area and category of the land to which each method will apply during the current water usage year;
    - (iv) the waterlogging and salinity risk management allocation attached to the land and, if the land is divided into 2 categories, the risk management allocation attached to the land in each category;
    - (v) if the risk management allocation in respect of either category of land is less than that declared in the previous year's irrigation declaration—the reason for the reduction;
    - (vi) information identifying the area or areas of land (if any) that are to be irrigated during the current water usage year with zero impact (certified by the Minister) on waterlogging and salinisation of land and salinity levels in the River Murray;
    - (vii) the crop or crops cultivated during the immediately preceding water usage year and the area and category of land on which the crop was, or each of the crops were, cultivated during that year; and
  - (b) must state the quantity of water used to irrigate each category of land comprising the irrigated property to which the declaration relates in the water usage year immediately preceding the current water usage year; and

- (c) may include an application for an increase in the risk management allocation in respect of 1 or both of the categories of land comprising the irrigated property.
- (4) If an owner—
- (a) makes an application under subregulation (3)(c); and
  - (b) is (if the applications by owners cannot be fully satisfied) prepared to accept in partial satisfaction of the application (without prejudice to the owner's right to have the application satisfied in full in subsequent years) a risk management allocation that represents less than the share of the available excess risk management capacity of the Scheme that the owner is entitled to under section 43(8) of the Act,

the owner must state in the irrigation declaration that fact and the risk management allocation that they are prepared to accept.

- (5) If an owner—
- (a) completes and returns an irrigation declaration for a contribution year to the Trust on or before 31 July as required by subregulation (2); and
  - (b) subsequently satisfies the Trust on or before the following 31 August that the declaration includes a genuine error,

the owner may on or before 31 August provide another declaration to the Trust in substitution for the previous declaration that corrects the error but does not make any other changes to the previous declaration.

## **9—Risk management allocations attached to highest risk land**

A new risk management allocation or an increase in an existing allocation referred to in section 45(4) of the Act may be attached to the category of land having the highest degree of risk but only if—

- (a) it is a term of the agreement under that section that the additional risk management allocation be attached to that category of land; and
- (b) the Minister is satisfied that irrigation under the new or increased risk management allocation will not—
  - (i) increase the risk of waterlogging or salinisation of any other land having the highest degree of risk in the Scheme Area; or
  - (ii) increase the share payable under the Act by any other owner of that category of land.

### **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**

on the recommendation of the Minister and the Qualco-Sunlands Ground Water Control Trust and with the advice and consent of the Executive Council  
on 16 August 2018

No 202 of 2018

18EWDEWCS0013

South Australia

# **Public Corporations (Supported Community Accommodation Services) (Dissolution and Revocation) Regulations 2018**

under the *Public Corporations Act 1993*

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## **Contents**

- 1 Short title
- 2 Commencement
- 3 Dissolution of Supported Community Accommodation Services
- 4 Disposition of assets and liabilities of Supported Community Accommodation Services

## Schedule 1—Revocation of *Public Corporations (Supported Community Accommodation Services) Regulations 2017*

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### **1—Short title**

These regulations may be cited as the *Public Corporations (Supported Community Accommodation Services) (Dissolution and Revocation) Regulations 2018*.

### **2—Commencement**

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

### **3—Dissolution of Supported Community Accommodation Services**

Supported Community Accommodation Services, established by the *Public Corporations (Supported Community Accommodation Services) Regulations 2017* as a subsidiary of the Minister for Disabilities, is dissolved.

### **4—Disposition of assets and liabilities of Supported Community Accommodation Services**

- (1) The assets and liabilities of Supported Community Accommodation Services immediately before its dissolution are vested in or attached to the Minister for Human Services.
- (2) The following provisions apply in connection with the operation of subregulation (1):
  - (a) nothing in that subregulation—
    - (i) constitutes a breach of, or default under, an Act or other law; or
    - (ii) constitutes a breach of, or default under, a contract, agreement, understanding or undertaking; or
    - (iii) constitutes a breach of a duty of confidence (whether arising by contract, in equity or by custom or in any other way); or
    - (iv) constitutes a civil or criminal wrong; or
    - (v) terminates an agreement or obligation or fulfils any condition that allows a person to terminate an agreement or obligation, or gives rise to any other right or remedy; or
    - (vi) releases a surety or other obligee wholly or in part from an obligation;



- (b) that subregulation will have effect despite the terms of any contract, agreement, understanding or undertaking and without the need for any other act or consent.

## **Schedule 1—Revocation of *Public Corporations (Supported Community Accommodation Services) Regulations 2017***

The *Public Corporations (Supported Community Accommodation Services) Regulations 2017* 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 16 August 2018

No 203 of 2018

DHSCS18010

## CITY OF ONKAPARINGA

## ROADS (OPENING &amp; CLOSING) ACT 1991

*Road Closure – Public Road, McLaren Vale*

NOTICE is hereby given, pursuant to Section 10 of the Roads (Opening and Closing) Act 1991, that the City of Onkaparinga proposes to make a Road Process Order to close and merge with the adjoining Allotment 100 in D90755 portion of the unmade public road more particularly delineated and lettered 'A' in PP 18/0026.

The Preliminary Plan and Statement of Persons Affected are available for public inspection at the offices of the Council at Ramsay Place, Noarlunga Centre and at the Surveyor-General's Office, Level 2, 101 Grenfell Street, Adelaide during normal working hours. The Preliminary Plan can also be viewed at [www.sa.gov.au/roadsactproposals](http://www.sa.gov.au/roadsactproposals)

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons. The application for easement or objection must be made in writing to the Council at PO Box 1, Noarlunga Centre SA 5168 WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General at GPO Box 1354, Adelaide SA 5001. Where a submission is made, the Council will give notification of a meeting at which time the matter will be considered.

Dated: 16 August 2018

MARK DOWD  
Chief Executive Officer

## CLARE AND GILBERT VALLEYS COUNCIL

## ROADS (OPENING AND CLOSING) ACT 1991

*Road Closure – Ingomar Road and Public Roads, Benbournie, Armagh and Boconnoc Park*

Notice is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Clare and Gilbert Valleys Council proposes to make a Road Process Order

to close and merge with Allotment comprising pieces 333, 334 and 335 in F216602 portions of the public road and Ingomar Road adjoining said allotment more particularly delineated and lettered 'A', 'B' and 'D' on Preliminary Plan No. 18/0022.

and to close and merge with Allotment comprising pieces 331 and 332 in F216602 portion of Ingomar Road adjoining said allotment more particularly delineated and lettered 'C' on Preliminary Plan No. 18/0022.

and to close and merge with Allotment 309 in F216602 portion of Public Road adjoining Allotments 309 and 310 in F216602 more particularly delineated and lettered 'E' on Preliminary Plan No. 18/0022.

and to close and merge with Allotments 312, 313, 315, 316, Allotment comprising pieces 336 and 337 and Allotment comprising pieces 338 and 339 portions of public road and Ingomar Road adjoining said allotments more particularly delineated and lettered 'G' and 'F' on Preliminary Plan No. 18/0022.

and to close and merge with Allotments 318 and 322 in F216602 portion of public road adjoining said allotments more particularly delineated and lettered 'I' on Preliminary Plan No. 18/0022.

and to close and merge with Allotment comprising pieces 2, 3, 4 and 5 in D22378 portion of Ingomar Road and public road adjoining said allotment more particularly delineated and lettered 'H', 'J' and 'K' on Preliminary Plan No. 18/0022.

and to close and merge with Allotment 328 in F216602 portion of public road adjoining said allotment and extending to Boconnoc Park Road more particularly delineated and lettered 'L' on Preliminary Plan No. 18/0022.

and to close and merge with Allotment comprising pieces 347 and 348 that portion of public road adjoining said allotment South of Boconnoc Park Road more particularly delineated and lettered 'M' on Preliminary Plan No. 18/0022.

A copy of the plan and a statement of persons affected are available for public inspection at the Council Office, 4 Gleeson Street, Clare SA 5453 and the Adelaide Office of the Surveyor-General during normal office hours.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, 4 Gleeson Street, Clare SA 5453 **within 28 days of this notice** and a copy must be forwarded to the Surveyor-General at GPO Box 1354 Adelaide 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated: 15 August 2018

DR HELEN MACDONALD  
Chief Executive Officer

## DISTRICT COUNCIL OF YANKALILLA

*Classification of Community Land*

Pursuant to Section 193 of the Local Government Act 1999, the District Council of Yankalilla has classified, as Community Land, the land in Certificate of Title Volume 5863 Folio 67 described as Allotment 460 within Filed Plan 165179 which had previously been excluded from classification as such. Further information may be obtained by visiting the Council offices, contacting Council on 08 8558 0200 or visiting Council's website [www.yankalilla.sa.gov.au](http://www.yankalilla.sa.gov.au).

NIGEL MORRIS  
Chief Executive

## NATIONAL ELECTRICITY LAW

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

Under s 99, the making of a draft determination and related draft rule on the *Generator three year notice of closure* proposal (Ref. ERC0239). Written requests for a pre-determination hearing must be received by **23 August 2018**. Submissions must be received by **27 September 2018**.

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

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

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

Australian Energy Market Commission

Level 6, 201 Elizabeth Street  
Sydney NSW 2000

Telephone: (02) 8296 7800

[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 16 August 2018

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TRUSTEE ACT 1936

PUBLIC TRUSTEE

*Estates of Deceased Persons*

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

ANDERSON David Charles late of 36 Rosalie Terrace Parafield Gardens Textile Worker who died 20 February 2018  
BRAND Gunter August Johann late of 9 Rothwell Terrace Glenelg North Deep Sea Fisherman who died 1 September 2017  
COOPER Dulcie Gwendoline late of 51 Marden Road Marden Home Duties who died 7 March 2018  
GOFF Sheila Connie late of 8 Elmgrove Road Salisbury North of no occupation who died 10 June 2018  
KNEEVES Ivy Myrtle late of 16 - 24 Penneys Hill Road Hackham of no occupation who died 17 February 2018  
KRIJNEN Johanna Engelina late of 16 Wolfe Street Jamestown Home Duties who died 28 March 2018  
LYONS Anthony Francis late of 150 Bay Road Encounter Bay Retired Instrumentation Technician who died 29 March 2018  
MITCHELL Steven Joseph late of 27 - 29 Spruance Road Elizabeth East of no occupation who died 15 June 2017  
NATION Phyllis Lesley late of 43 Malborough Street Malvern of no occupation who died 16 March 2018  
PIETERS Ealtse late of 29 Austral Terrace Morphettville of no occupation who died 1 December 2017  
SNEATH Cyril David late of 31 Warrigal Street Para Hills Foreman Mechanic who died 16 December 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 at GPO Box 1338, Adelaide, 5001, full particulars and proof of such claims, on or before the 14 September 2018 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: 16 August 2018

N S RANTANEN  
Acting Public Trustee

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# NOTICE SUBMISSION

Notices for publication must be submitted before 4 p.m. Tuesday, the week of intended gazettal.

Proofs of formatted content are supplied for all notice submissions. Alterations must be returned before 4 p.m. Wednesday.

The *SA Government Gazette* is compiled and published each Thursday. Requests to withdraw submitted notices must be received before 10 a.m. on the day of publication.

**Gazette notices should be emailed as Word files—and signed PDF files if applicable—in the following format:**

- Title (name of the governing legislation/department/organisation)
- Subtitle (description of notice)
- A structured body of text
- Date of authorisation
- Name, position, and department/organisation of the authorising person

**Please provide the following information in your email:**

- Date of intended gazettal
- Details that may impact on publication of the notice
- 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
- Request for a quote, if required
- Purchase order, if required

EMAIL: [governmentgazettesa@sa.gov.au](mailto:governmentgazettesa@sa.gov.au)

PHONE: (08) 8207 1025

WEBSITE: [www.governmentgazette.sa.gov.au](http://www.governmentgazette.sa.gov.au)