



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 27 SEPTEMBER 2018

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

Department of the Premier and Cabinet
Adelaide, 27 September 2018

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

No. 14 of 2018—Limitation of Actions (Child Abuse) Amendment Act 2018.
An Act to amend the Limitation of Actions Act 1936.

No. 15 of 2018—National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018.
An Act to adopt the National Redress Act, and to refer certain matters relating to the National Redress Scheme for Institutional Child Sexual Abuse to the Parliament of the Commonwealth, for the purposes of section 51(xxxvii) of the Commonwealth Constitution, and to provide for related matters.

No. 16 of 2018—Infrastructure SA Act 2018.
An Act to promote the provision and management of infrastructure for the benefit of the South Australian community and economy, to establish Infrastructure SA and for other purposes.

By command,

VICKIE ANN CHAPMAN
for Premier

Department of the Premier and Cabinet
Adelaide, 27 September 2018

Her Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Timothy John Whetstone, MP, Minister for Primary Industries and Regional Development to be also Acting Minister for Industry and Skills for the period from 4 October 2018 to 12 October 2018 inclusive, during the absence of the Honourable David Gregory Pisoni, MP.

By command,

VICKIE ANN CHAPMAN
for Premier

18IS/006CS

Department of the Premier and Cabinet
Adelaide, 27 September 2018

Her Excellency the Governor's Deputy in Executive Council has been pleased to appoint the people listed as Chairpersons of Local Health Network Transition Boards, for the terms specified - pursuant to section 68 of the Constitution Act 1934:

- Michele Smith, Board Chairperson, Eyre and Far North Local Health Network Transition, from 28 September 2018 to 30 June 2019 or until a person is appointed as Chairperson of the governing board of the Eyre and Far North Local Health Network pursuant to the Health Care Act 2008, whichever is the sooner.
- Grant King, Board Chairperson, South East Local Health Network Transition, from 28 September 2018 to 30 June 2019 or until a person is appointed as Chairperson of the governing board of the South East Local Health Network pursuant to the Health Care Act 2008, whichever is the sooner.

By command,

VICKIE ANN CHAPMAN
for Premier

HEAC-2018-00066

CHILDREN AND YOUNG PEOPLE (SAFETY) ACT 2017

Approved Parenting Capacity Assessment under Section 36(2)

I, Cathy Taylor, Chief Executive of the Department for Child Protection, hereby determine that an approved parenting capacity assessment for the purposes of s36 (2) of the *Children and Young People (Safety) Act 2017* is an assessment conducted in accordance with the criteria and the process set out below.

- 1) The assessment must be conducted by a clinician/body/agency approved by the Chief Executive of the Department for Child Protection as a provider for the Department for Child Protection or by the clinicians employed by the Department for Child Protection. The clinician must have adequate skills and knowledge to conduct a parenting capacity assessment and must not be engaged with the family in another role which results in a bias or conflict of interest.
- 2) The assessment must address the parent(s)' or caregiver(s)' or prospective caregiver(s)' ability to provide safe care for a specified child or specified children taking into consideration the unique needs of that child or children.
- 3) The clinician must take all reasonable steps to conduct the assessment in accordance with the process set out below.

Process of Assessment

Preparation

The clinician will:

- (i) Consider all relevant documents provided by the Chief Executive (eg the court application, current case plan, child protection history, previous professional reports); and
- (ii) Inform the participants of the purpose of the assessment and the possible outcomes of the assessment process.

Assessment

The Clinician will:

- (i) Interview the parent or caregiver or prospective caregiver where possible. An explanation should be given if this did not occur;
- (ii) Interview all children subject to the referral with the use of adequate expressive and receptive language skills appropriate for their developmental age;
- (iii) Interview other persons they consider to be relevant (eg. relevant family members, educational staff, health professionals, current carers);

- (iv) Use appropriate assessment methods to make an informed assessment of parental capacity as they deem necessary and appropriate;
- (v) Observe interactions between all children and all relevant assessment participants if considered necessary (an explanation should be given if this did not occur).
- (vi) Take into consideration the cultural needs of the clients and use appropriate cultural knowledge, skills, methods and consultation as required. An interpreter should be used where necessary.

Report

The Clinician will provide a detailed written report to the Chief Executive or his or her delegate in a timely manner following the assessment containing the following information:

- (i) Details of the documents considered in the preparation of the report;
- (ii) A summary of all interviews and observations, including any tests, methods or tools applied;
- (iii) The opinion/s formed and conclusions reached linked to supporting evidence/information in the body of the report; and
- (iv) Recommendations based on the opinions and conclusions.

Dated: 29 August 2018

CATHY TAYLOR
Chief Executive
Child Protection

CONTROLLED SUBSTANCES ACT 1984

Approval and Publication of the Vaccine Administration Code

NOTICE is hereby given that on 24 September 2018 Dr Christopher McGowan, Chief Executive, Department for Health and Wellbeing, approved for publication on 1 October 2018, version 1.7 of the Vaccine Administration Code on the SA Health website.

The Code is available at: www.sahealth.sa.gov.au/immunisationprovider.

C. MCGOWAN
Chief Executive
Department for Health and Wellbeing

DEVELOPMENT ACT 1993

SECTION 25 (17)

Alexandrina Council

Strathalbyn Township and Environs Development Plan Amendment

Preamble

1. The Strathalbyn Township and Environs Development Plan Amendment (the Amendment) by the Alexandrina 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: 14 September 2018

STEPHAN KNOLL
Minister for Planning

DEVELOPMENT ACT 1993

SECTION 46 (4)

Variation to Declaration

Preamble

On 26 November 2015, the Chief Executive, as delegate of the Minister for Planning, by notice in the *Gazette* (see 26 November 2015, pages 5036-5037) declared that Section 46 of the Development Act 1993, applied to a development of a kind specified in Schedule 1 of that notice in the parts of the State listed in Schedule 2 and Schedule 3 of that notice.

A variation to the declaration was made and subsequently another notice was published in the *South Australian Government Gazette* on 22 September 2016.

It is now proposed to include within the kinds of development listed in Schedule 1 helicopter landing facilities following an approach from the Peregrine Corporation who are proposing to utilise the land for this purpose.

It is considered necessary to vary the declaration to enable a proper assessment of the development.

Notice

PURSUANT to section 46 (4) of the Development Act 1993, I vary the declaration referred to in the preamble, by amending it as follows:

- (a) By inserting within Schedule 1 and immediately after (a) part (v) another sub part '(vi) helicopter landing facility'.

Dated: 19 September 2018

STEPHAN KNOLL
Minister for Planning

DEVELOPMENT ACT 1993

SECTION 48

*Decision by the State Commission Assessment Panel under Delegation from the Governor**Preamble*

1. On 30 October 2008 notice of the Governor's decision to grant a provisional development authorisation under section 48 of the Development Act 1993, in respect of the construction of the 'Mannum Waters' residential marina development (Major Development) at Mannum, was published in the *South Australian Government Gazette* at p 4948.
2. Simultaneously, the Governor delegated his power to grant a variation to the residential marina development authorisation to the Development Assessment Commission (now the State Commission Assessment Panel) pursuant to Section 48(8) of the Development Act 1993.
3. Variations to the development authorisation were notified in the *Gazette* on 17 March 2011 at p 776 (variation to the layout plan for the commercial area and the boat maintenance area), on 30 June 2011 at p 2758 (variations to the layout plan for an additional stormwater detention basin, replacement of a road bridge with a pedestrian/cycle bridge and a modified layout of roads, waterway and residential allotments) and on 27 February 2014 at p 1134 (expansion of the commercial houseboat mooring area, the deletion of a bridge, the relocation of the public boat ramp, the relocation of the southern exit to/entrance from the River Murray and an expansion/reconfiguration of the constructed wetlands).
4. By letter dated 22 August 2018 Tallwood Pty Ltd, being the beneficiary of the development authorisation, sought a variation to the authorisation so as to permit the replacement of the vacuum sewer system for the marina facility with a mobile vacuum unit system. A variation was also sought for a boat refueling facility to be relocated adjacent the boat ramp.
5. The Development Assessment Commission has, in considering the application, had regard to all relevant matters under section 48(5) of the Development Act 1993.
6. The Development Assessment Commission is satisfied there is no requirement to prepare a further or amended Environmental Impact Statement.
7. For ease of reference the conditions attached to the "Mannum Waters" residential marina provisional development authorisation are republished in full hereunder, with the only changes being the addition of a reference to the variation application (and associated plans) to condition 1a.

Decision

Pursuant to Section 48 (7) (b) (ii) of the Development Act 1993, and having due regard to the matters set out in Section 48 (5) and all other relevant matters, the State Commission Assessment Panel exercising the power of the Governor delegated by notice in the *South Australian Government Gazette* dated 30 October 2008 pursuant to Section 48 (8), varies the 'Mannum Waters' residential marina development authorisation dated 27 February 2014, in accordance with the following:

PART A: RESERVED MATTER

The following matter I have reserved for further assessment:-

- (a) Compliance with the Building Rules in relation to all aspects of the Major Development.

PART B: CONDITIONS OF PROVISIONAL DEVELOPMENT AUTHORISATION

1. The development authorisation granted hereunder is provisional only, does not operate as a final development authorisation, and does not therefore authorise implementation of the Major Development. Only an authorisation granted under section 48(2)(b)(i) can operate to authorise implementation of the Major Development, which authorisation will only be granted after the reserved matter has been assessed and approved.
- 1a. Except where minor amendments may be required by other legislation, or by conditions imposed herein, the Major Development shall be undertaken in strict accordance with the following documents:
 - Development application dated 28 June 2005 (except to the extent that it may be varied by a subsequent document in this paragraph);
 - Environmental Impact Statement (Volumes 1 & 2), Mannum Waters Marina and Residential Development by Tallwood Pty Ltd dated May 2007 (except to the extent that it may be varied by a subsequent document in this paragraph);
 - Response to Submissions, Mannum Waters Marina and Residential Development by Tallwood Pty Ltd dated November 2007 (except to the extent that it may be varied by a subsequent document in this paragraph);
 - Correspondence from Tallwood Pty Ltd to Planning SA dated 1 February 2008 and 18 February 2008 containing additional information and modified plans (except to the extent that it may be varied by a subsequent document in this paragraph);
 - Assessment Report prepared by the Minister for Urban Development and Planning dated August 2008 (except to the extent that it may be varied by a subsequent document in this paragraph);
 - Application from Tallwood Pty Ltd for approval of Reserved Matters dated 15 February 2010, including the following documents (except to the extent that it may be varied by a subsequent document in this paragraph):
 - (i) Reserved Matters – Information for Assessment (dated January 2010);
 - (ii) Construction Plan – Stages 1 to 4 (dated January 2010);
 - (iii) Mid Murray Council Development Deed (undated);
 - (iv) Construction Environmental Management and Monitoring Plan (dated January 2010);
 - (v) Environmental Management Implementation Plan (dated July 2009);
 - (vi) Operational Environmental Management and Monitoring Plan (dated January 2010);
 - (vii) Geotechnical Report – Geotechnical Investigation, Mannum Waters Marina Development (dated 30 September 2009);
 - (viii) Environmental Site Assessment – Phase 1, 'Mannum Waters' Site (dated 12 October 2007);
 - (ix) Environmental Site Assessment – Phase 2, Proposed Mannum Water Development (dated 28 July 2009);
 - (x) Environmental Site Assessment – Phase 2, SA Water Site (dated 15 December 2009);
 - (xi) Site Preparation, Revegetation, Hydrology and Management Plan for the Constructed Anabranche Wetland and Ephemeral Wetland System (dated January 2010);
 - (xii) Soil Erosion and Drainage Management Plan (dated January 2010);

- (xiii) Stormwater Management and Monitoring Plan (dated January 2010);
 - (xiv) Revegetation Plan (dated January 2010);
 - (xv) Revegetation Management Plan (dated January 2010);
 - (xvi) Landscape Plan (dated January 2010);
 - (xvii) Traffic Management Plan (dated January 2010);
 - (xviii) Flood Management Plan (dated January 2010);
 - (xix) Entrance Channel, Marina Basin and Waterways Management and Monitoring Plan (dated January 2010);
 - (xx) Riverine and Wetland Management and Monitoring Plan (dated January 2010);
 - (xxi) Constructed Anabranch Channel Wetland Management Plan (dated January 2010);
 - (xxii) Waste and Pollutant Source Management Plan (dated January 2010);
 - (xxiii) Spill Contingency Plan (dated January 2010);
 - (xxiv) Wastewater Environmental Management Plan (dated January 2010);
 - (xxv) Weed and Feral Animal Management Plan (dated January 2010);
 - (xxvi) Native Vegetation Clearance Application (dated January 2010);
 - Site Contamination Audit Report – Residential Portion of ‘Area A’, Mannum Waters Development prepared by Soil & Groundwater Consulting dated 3 March 2010;
 - Application from Tallwood Pty Ltd for approval of minor variations to the layout plan dated 24 February 2011 (except to the extent that it may be varied by a subsequent document in this paragraph);
 - Application from Tallwood Pty Ltd for approval of minor variations to the layout plan dated 28 March 2011 and 14 June 2011 and the following plans (except to the extent that it may be varied by a subsequent document in this paragraph):
 - (i) Proposed Plan of Division, prepared by Weber Frankiw and Associates Pty Ltd, dated 25 May 2011;
 - (ii) Mannum Waters Stages 1-4 D.N 711/D010/09 Bioretention Basin Enlargements, prepared by Herriot Consulting, dated January 2010 revision 16-05-11;
 - Application from Tallwood Pty Ltd for approval of minor variations to the layout plan dated 9 September 2013 (except to the extent that it may be varied by a subsequent document in this paragraph); and
 - Application from Tallwood Pty Ltd for approval of a variation to the marina sewer system and the boat refuelling facility, including the following documents:
 - (i) Letter from Tallwood Pty Ltd to the Department of Planning, Transport and Infrastructure dated 22 August 2018; and
 - (ii) Report titled ‘Installation of a Marine Refuelling Facility on the Murray River at Mannum Waters Boat Ramp, Mannum South Australia’, dated 15 February 2017, and Addendum dated 7 March 2018, prepared by BT River Fuels.
2. Subject to Condition 3, no building works on any part of the development shall commence until a favourable decision has been notified to the applicant by the Governor or the Governor’s delegate in respect of the reserved matter referred to in Part A paragraph (a) of the Decision section above.
 3. The applicant may commence a stage of building works without the Governor or his delegate having granted a development authorisation in respect of the reserved matter, if the Governor or his delegate has notified the applicant in writing that that particular stage complies with the building rules.
 4. All works and site activities shall be undertaken in accordance with an approved Construction Environmental Management and Monitoring Plan and an approved Environmental Management Implementation Plan.
 5. Waterways shall not be flooded with water from the River Murray for a period of two years from the date of 30 October 2008.
 6. All contamination management or remediation works shall be undertaken in accordance with an approved Site Contamination Audit Report and Remediation Plan and to the reasonable satisfaction of the Environment Protection Authority.
 7. Transport routes for the delivery of construction materials shall be selected to the reasonable satisfaction of the Mid Murray Council.
 8. Stockpiled soils shall be suitably managed to control dust emissions, erosion and weed infestation.
 9. Armour rock used for waterway revetments shall not be contaminated by fine sediment.
 10. The proponent must maintain a 50-metre wide strip of land adjacent the river’s edge as public land.
 11. The wastewater collection and treatment system shall be designed to ensure that the general obligations of the Environment Protection (Water Quality) Policy 2003 are met, and to ensure that effluent does not overflow or escape from any drains, pipes, sumps, tanks, storage/treatment basins into any watercourse, or into stormwater drains which do not drain into the effluent collection, treatment and disposal system; except where the effluent complies with criteria in the above policy.
 12. All marina moorings shall be connected to a vacuum sewer system.
 13. The proponent shall provide underground public lighting, power supply, water supply and telephone supply to each allotment in accordance with, and to engineering design standard plans approved by the electricity, mains water and telephone public utility authorities.
 14. The proponent shall ensure that all waters discharged to the River Murray are equal to, or better than, the quality of water in the River Murray at the point of discharge.
 15. The land to be used for land-based allotments shall be formed to prevent stormwater flows entering into the waterways without suitable treatment.
 16. Water-sensitive urban design measures and practices shall be adopted for the management of run-off, including stormwater capture and reuse.
 17. All buildings shall have a floor level above the 1956 flood level.
 18. All infrastructure relating to the management of stormwater (including rainwater tanks) shall be located above the 1956 flood level and/or be designed so as not to be affected by flooding.
 19. All residential allotments that are a minimum of 40 metres in length shall be constructed to have a finished slope of approximately 1:16 (3.6 degrees).

20. All residential allotments that are a minimum of 70 metres in length shall be constructed to have a finished slope of approximately 1:42 (1.4 degrees).
21. Setbacks from building envelopes to pool level shall be no less than 19 metres for all residential allotments that are a minimum of 40 metres in length and 40 metres for all residential allotments that are a minimum of 70 metres in length.
22. Undeveloped allotments shall be left in a neat and tidy condition, with soil surfaces stabilised to minimise erosion.
23. Riparian buffer strips shall be established by the proponent for all waterfront allotments, prior to titles being issued for residential allotments. The buffer shall be a minimum of five metres wide and be planted with suitable species of native vegetation.
24. The edges of all residential waterways shall be designed and constructed to replicate a natural river bank as far as practicable.
25. Road designs shall not affect existing natural lines in such a way as to cause flooding. All roads and drainage works shall be built according to approved designs.
26. Appropriate navigational aids shall be erected in prominent locations, in consultation with the Department of Transport, Energy & Infrastructure, prior to use of the facility for boating purposes.
27. Access systems for all floating boat moorings shall be capable of adjustment or be readily adaptable to variable river levels and all marina mooring structures shall be designed in accordance with the Australian Standard AS 3962-2001 Guidelines for Design of Marinas and AS 4997-2005 Guidelines for the Design of Maritime Structures.
28. The public boat ramp facility shall be designed in accordance with the South Australian Boating Advisory Committee's Guidelines for Planning, Design and Construction of Boat Launching Facilities.
29. The boat refuelling area and boat effluent/greywater pump-out connection points shall be designed to meet the requirements of the Environment Protection Authority, the Department for Transport, Energy & Infrastructure and the Country Fire Service (CFS) respectively, and shall be in place prior to commencement of operation of the marina.
30. The proponent shall ensure satisfactory oil-spill and fire-fighting facilities and contingency plans, determined in consultation with responsible officers within the Department for Transport, Energy & Infrastructure and the Metropolitan Fire Service (MFS) or the Country Fire Service (CFS) (as applicable), are in place prior to commencement of operation of the marina.
31. The water contained in the marina basin shall be kept as a minimum to a quality appropriate for secondary contact recreation, public amenity and the maintenance of aquatic ecosystems, as stipulated from time to time by the ANZECC Australian Water Quality Guidelines for Fresh and Marine Waters.
32. Normal operating hours for construction activities and truck movements to and from the site shall be from 7.00 am to 7:00 pm, Monday to Saturday inclusive. Only if it is considered necessary by the proponent, shall construction be undertaken on Sundays, in which case construction hours shall be from 9.00 am to 6.00 pm.
33. The Environment Protection (Noise) Policy 2007 shall be complied with during construction activities and truck movements.
34. Landscaping and street scaping of the site shall commence prior to the issuing of Certificates of Title for each stage of the land division, and when established shall be maintained in good health and condition at all times. A plant shall be replaced if or when it dies or becomes seriously diseased within the first growing season after the plant dies or becomes seriously diseased. A weed control program shall also be implemented.
35. Permanent water flow and water quality monitoring stations shall be established at suitable sites within the development, to the reasonable satisfaction of the Minister for Environment and Conservation prior to the commencement of operation.
36. All water pumps within the development must be metered to the reasonable satisfaction of Minister for Environment and Conservation.
37. The Mid Murray Council shall be given seven days notice, prior to the commencement of works, and be provided with the name and contact facilities for the person responsible for co-ordinating site works by this approval.
38. A site audit report, completed by an Environmental Auditor (Contaminated Land), must be presented to all purchasers of allotments.
39. A Management Plan must be prepared for the Crown Reserve north of the entrance channel, in consultation with the Mid Murray Council, and responsible officers of the Department for Environment and Heritage, the Department of Water, Land and Biodiversity Conservation and the South Australian Murray Darling Basin Natural Resources Management Board, prior to the transfer of land to the Mid Murray Council.
40. The final design of the southern waterway exit to/entrance from the River Murray must be prepared in consultation with the Mid Murray Council, the Environment Protection Authority and the Department of Environment, Water and Natural Resources, and be finalised to the reasonable satisfaction of the Department of Planning, Transport and Infrastructure.
41. The proponent shall address the reserved matter and submit relevant documentation to the Development Assessment Commission for its approval.

PART C: NOTES TO PROPONENT

1. In respect of the reserved matter, the following is advised to the proponent:-

(a) **Building Rules**

The proponent must obtain a Building Rules assessment and certification from either the Mid-Murray Council or a private certifier (at the proponent's option) and forward to the Development Assessment Commission all relevant certification documents as outlined in Regulation 64 of the *Development Regulations 2008*.

Pursuant to Development Regulation 64, the proponent is especially advised that the Mid-Murray Council or private certifier conducting a Building Rules assessment must-

- provide to the Minister for Urban Development and Planning a certification in the form set out in Schedule 12A of the *Development Regulations 2008* in relation to the building works in question; and
- to the extent that may be relevant and appropriate-
 - (i) issue a Schedule of Essential Safety Provisions under Division 4 of Part 12; and
 - (ii) assign a classification of the building under these regulations; and
 - (iii) ensure that the appropriate levy has been paid under the *Construction Industry Training Fund 1993*.

Regulation 64 of the *Development Regulations 2008* provides further information about the type and quantity of all Building Rules certification documentation for Major Developments required for referral to the Minister for Urban Development & Planning. The Mid Murray Council or private certifier undertaking Building Rules assessments must ensure that the assessment and certification are consistent with this provisional development authorisation (including its Conditions and Notes).

2. Should the proponent wish to vary the Major Development or any of the components of the Major Development, an application may be submitted, provided that the development application variation remains within the ambit of the Environmental Impact Statement and Assessment Report referred to in this provisional development authorisation. If an application for variation involves substantial changes to the proposal, it will be processed pursuant to section 47(2)(b) of the *Development Act 1993*.
3. The proponent is advised that a suitable water licence and water allocation would need to be secured under the *Natural Resources Management Act 2004* for the initial filling of the marina basin, waterways and the constructed anabranch/wetland system and for the on-going maintenance of water levels.
4. The following activities in relation to the components of the development hereby approved and/or requiring future approval will require licences under the *Environment Protection Act 1993*:
 - Earthworks Drainage: the conduct of earthworks operations in the course of which more than 100 kilolitres of waste water containing suspended solids in a concentration exceeding 25 milligrams per litre is discharged directly or indirectly to marine waters or inland waters.
 - Marinas and Boating Facilities: the conduct of-
 - (a) facilities comprising pontoons, jetties, piers or other structures (whether on water or land) designed or used to provide moorings or dry storage for 50 or more powered vessels at any one time; or
 - (b) works for the repair or maintenance of vessels with the capacity to handle five or more vessels at any one time or vessels 12 metres or more in length.
 - Dredging: removing solid matter from the bed or any marine waters by any digging or suction apparatus, but excluding works carried out for the establishment of a visual aid to navigation and any lawful fishing or recreational activity.

It is likely that as a condition of such licences the Environment Protection Authority will require the licensee to carry out specified environmental monitoring of water quality and to make reports of the results of such monitoring to it.

5. All works associated with the rehabilitation and remediation of the site are required by law to be undertaken in accordance with section 25(1) of the *Environment Protection Act 1993* which requires that a person must not undertake any activity, which pollutes, or may pollute without taking all reasonable and practical measures to prevent or minimise harm to the environment); the Environment Protection (Water Quality) Policy 2003; other relevant Environment Protection Policies made under Part 5 of the *Environment Protection Act 1993*. Works should also be undertaken in accordance with the ANZECC Best Practice Guidelines for Waste Reception Facilities at Ports, Marinas and Boat Harbours in Australia and New Zealand, guideline Environmental Management of On-Site Remediation and other relevant Environment Protection and Authorisation publications and guidelines.
6. The proponent is advised of the Duty of Care under the *River Murray Act 2003*, which requires that a person shall ensure that their actions do not cause harm to the River Murray.
7. The proponent is advised of the requirement under the *Native Vegetation Act 1991* to obtain permission under that Act for any clearance of native vegetation or otherwise to bring itself within an exemption under that Act. Neither this development authorisation nor any final development authorisation granted under section 48(2)(b)(i) of the *Development Act 1993* operates as an authorisation to clear native vegetation.
8. The proponent is reminded of its obligations under the *Aboriginal Heritage Act 1988* whereby any 'clearance' work, which may require permission to disturb damage or destroy Aboriginal Sites, must be undertaken with the full authorisation of the Minister for Aboriginal Affairs and Reconciliation, according to section 23 of the *Aboriginal Heritage Act 1988*.
9. The proponent, and all agents, employees and contractors, such as construction crews, should be conversant with the provisions of the *Aboriginal Heritage Act 1988*, particularly the requirement to immediately contact the Department of Premier & Cabinet (Aboriginal Affairs and Reconciliation) in the event that archaeological items (especially skeletal material) are uncovered during earthmoving.
10. The proponent, and the Council after hand-over, should comply with the *Public and Environmental Health Act 1987* in regard to the maintenance of suitable water quality within the marina basin, residential waterways, stormwater retention ponds and the constructed anabranch/wetland system to protect public health and amenity.
11. For the purposes of condition 31, it is noted that the expression 'secondary contact recreation' includes activities such as wading, boating and fishing in which some human contact with the water may occur, but in which the probability of bodily immersion or the intake of significant amounts of water is minimal.
12. It is recommended that the proponent approach the Mid-Murray District Council with a view to the Council enacting by-laws to manage activities associated with the:
 - Entrance channel and waterways to ensure safe navigation and to protect water quality
 - Boat ramp, boat lift and boat maintenance facilities (including car parking and access)
 - Refuelling facility and boat effluent/greywater pump-out connection points
 - Residential development and reserves (including stormwater management devices and the pedestrian bridge)
 - Constructed anabranch/wetland system
 - Crown land reserve along the river bank and associated wetlands and buffer zones
13. The Mid Murray Council will need to review and amend the zoning policies in the relevant Development Plan to reflect any development approved by the Governor and for future assessment and decision-making for buildings and structures not forming part of this provisional development authorisation. In particular, policies will need to address sustainability matters (especially water and energy efficiency), environmental protection requirements, flood protection requirements and amenity aspects.
14. A common building scheme encumbrance or equivalent device for the purpose of ensuring compliance with design standards for residential and other buildings will be required at the land division stage.
15. Binding legal arrangements (e.g. easements, encumbrances, charge-back arrangements etc, as appropriate) between the proponent and allotment owners must be put in place, prior to application to the Registrar General for the issue of new Certificates of Title, to ensure financial and management responsibilities related to the maintenance of edge treatments, the maintenance of the riparian buffer strip and the design and appearance of structures are clearly allocated. These arrangements must be to the reasonable satisfaction of the Development Assessment Commission.
16. The proponent will need to satisfy the requirements of the Mid Murray Council relating to the provision of 12.5% Open Space as part of any land division application.
17. The Marina Owner's Charter and House Owner's Charter documents should be finalised to the satisfaction of Planning SA, prior to application to the Registrar General for the issue of new Certificates of Title. The relevant Charters should be presented to purchasers of marina berths or allotments.

18. Approvals from the Environment Protection Authority and the Department of Health would need to be sought for the Waste Water Treatment Plant and the use of reclaimed water for irrigation purposes. An Environmental Management Plan for Wastewater and an Irrigation Plan would be required.
19. The Minister has a specific power to require testing, monitoring and auditing under section 48C of the *Development Act 1993*.
20. It is noted that the provisional development authorisation granted herein does not apply to any residential, commercial, retail, tourist-related or other buildings, for which a separate application for approval, addressed to Council, will be required. Additional design and infrastructure/service plans will be required by Council when application is made for approval for any such buildings.

Given under my hand at Adelaide

Dated: 7 September 2018

SIMONE FOGARTY
Presiding Member
State Commission Assessment Panel

FISHERIES MANAGEMENT ACT 2007

Items Seized

Notice is hereby given pursuant to Section 90 (2) of the *Fisheries Management Act, 2007*, that the following items have been seized by Officers of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture at NORTH ARM on 13/09/2018:

Fish Corf

- **Aluminium frame (100cm X 50cm)**
- **Black mesh**
- **Yellow tie rope**

The above items were suspected to have been used, or intended to be used, in contravention of the *Fisheries Management Act, 2007*, and were taken into possession at:

NORTH ARM

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the **Largs North** office of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture.

Dated: 21 September 2018

SEBASTIAN LAMBERT
Manager
Intelligence and Strategic Support

FISHERIES MANAGEMENT ACT 2007

Items Seized

Notice is hereby given pursuant to Section 90 (2) of the *Fisheries Management Act, 2007*, that the following items have been seized by Officers of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture at ST KILDA BOAT RAMP on 14/09/2018:

3 x Handlines with Hook on each.

The above items were suspected to have been used, or intended to be used, in contravention of the *Fisheries Management Act, 2007*, and were taken into possession at:

ST KILDA BOAT RAMP

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the **Largs North** office of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture.

Dated: 19 September 2018

SEBASTIAN LAMBERT
Manager
Intelligence and Strategic Support

GEOGRAPHICAL NAMES ACT 1991

Notice to Alter the Boundaries of Places

Notice is hereby given pursuant to Section 11B(1)(b) of the *Geographical Names Act, 1991*, that I, MICHAEL BURDETT, Surveyor-General and Delegate appointed by Honorable Stephan Knoll, Minister for Transport, Infrastructure and Local Government, Minister of the Crown to whom the administration of the Geographical Names Act 1991 is committed DO HEREBY:

Exclude from the bounded suburb of **MCLAREN VALE** that area marked (A) shown highlighted in green on the plan and include in the suburb of **SEAFORD HEIGHTS** marked (B).

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

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

Dated: 24 September 2018

MICHAEL BURDETT
Surveyor-General
Department for Transport, Planning and Local Government

HOUSING IMPROVEMENT ACT 2016

SECTION 25

Rent Control

In the exercise of the powers conferred by the *Housing Improvement Act 2016*, I hereby fix the maximum rental per week which shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each house described in the following table. The amount shown in the said table shall come into force on the date of this publication in the Gazette.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio	Maximum Rental per week payable
12 Vogt Street, Mypolonga SA 5254	Allotment 71 Township 170701 Hundred of Mobilong	CT5625/80	\$0.00 Unfit for Human Habitation
9 Webb Street, Eudunda SA 5374	Allotment 301 Deposited Plan 79100 Hundred of Neales	CT6027/195	\$0.00 Unfit for Human Habitation
103 Sydney Street, Glenunga SA 5064	Allotment 44 Filed Plan 16173 Hundred of Adelaide	5190/205	\$0.00 Unfit for Human Habitation
23 Knight Street, Murray Bridge SA 5253	Allotment 35 Deposited Plan 11284 Hundred of Mobilong	CT5678/219	\$0.00 Unfit for Human Habitation

Dated: 27 September 2018

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

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
25 Winterhude Street, PORT GERMEIN SA 5495	Allotment 38 Town of Port Germein Hundred of Telowie	CT5187/298
8 Stuckey Street, MOONTA BAY SA 5558	Allotment 77 Deposited Plan 311 Hundred of Wallaroo	CT2046/81, CT5310/12
68 York Road, PORT PIRIE WEST SA 5540	Allotment 3 Deposited Plan 1484 Hundred of Pirie	CT 5106/361
Lot 4 Jeffrey Street, NAIRNE SA 5252	Allotment 4 Filed Plan 157339 Hundred of Kanmantoo	CT5385/949
9 Nineteenth Street, Gawler South SA 5118	Allotment 51 Filed Plan 154152 Hundred of Mudla Wirra	CT5740/956
40 Hereford Avenue, Trinity Gardens SA 5068	Allotment 32 Deposited Plan 2666 Hundred of Adelaide	CT5691/491

Dated: 27 September 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:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment (Road) 2 in Filed Plan No 106102 comprised in Certificate of Title Volume 5168 Folio 804, excluding the free and unrestricted right of way over the land marked A on the said Certificate of Title.

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:

Rocco Caruso
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2569

Dated: 24 September 2018

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

MOHAMMED ELGAZZAR
Manager, Property Portfolio & Strategy
(Authorised Officer)

Department of Planning, Transport and Infrastructure

DPTI 2017/25682/01

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:

Comprising an encumbered estate in fee simple in that piece of land being portion of Allotment (Reserve) 901 in Deposited Plan No 69439 comprised in Certificate of Title Volume 5955 Folio 775 and being the whole of the land identified as Allotment 501 in D119188 lodged in the Lands Titles Office, subject only to the easement for drainage purposes created by TG9528899 over the land marked B on D119188

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:

Rocco Caruso
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2569

Dated: 24 September 2018

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

MOHAMMED ELGAZZAR
Manager, Property Portfolio & Strategy
(Authorised Officer)

Department of Planning, Transport and Infrastructure

DPTI 2017/25682/01

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:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment (Reserve) 54 in Deposited Plan No 19508 comprised in Certificate of Title Volume 5393 Folio 211.

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:

Rocco Caruso
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2569

Dated: 24 September 2018

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

MOHAMMED ELGAZZAR
Manager, Property Portfolio & Strategy
(Authorised Officer)

Department of Planning, Transport and Infrastructure

DPTI 2017/25682/01

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:

Comprising an unencumbered estate in fee simple in that piece of land being a portion of Allotment 50 in Filed Plan No 6391 comprised in Certificate of Title Volume 5508 Folio 98, and being the whole of the land identified as Allotment 12 in D119189 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:

Rocco Caruso
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2569

Dated: 24 September 2018

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

MOHAMMED ELGAZZAR
Manager, Property Portfolio & Strategy
(Authorised Officer)

Department of Planning, Transport and Infrastructure

DPTI 2017/25682/01

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 26 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—Beachport Area 1

1—Extent of prohibition

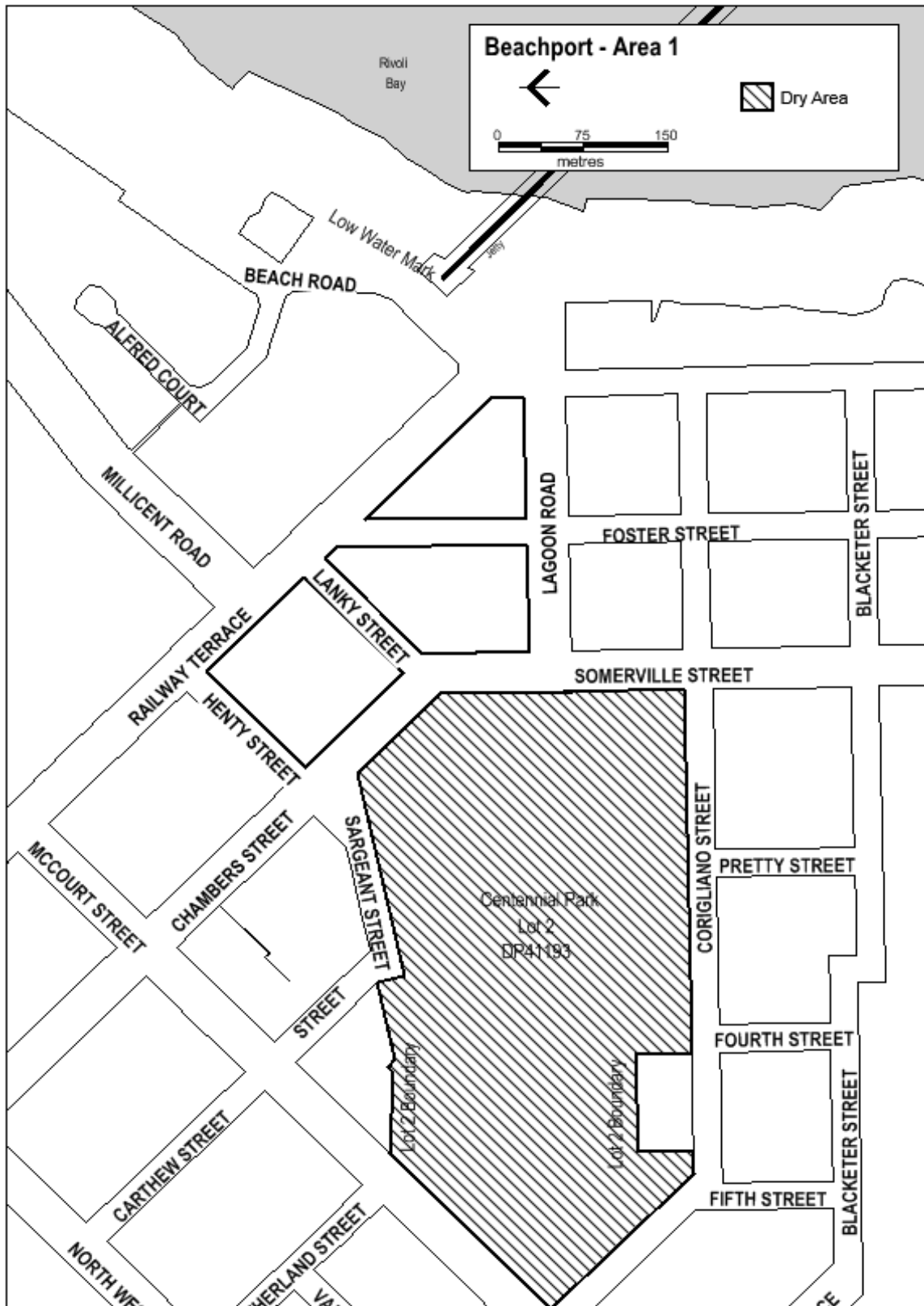
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

- (a) From 12.01 am to 7 am on each day, from 26 December 2018 to 31 December 2018 (inclusive);
- (b) From 12 noon on 31 December 2018 to 12 noon on 2 January 2019.

3—Description of area

The area in Beachport, generally known as Centennial Park, comprising Lot 2 DP 41193.



Schedule—Beachport Area 2

1—Extent of prohibition

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

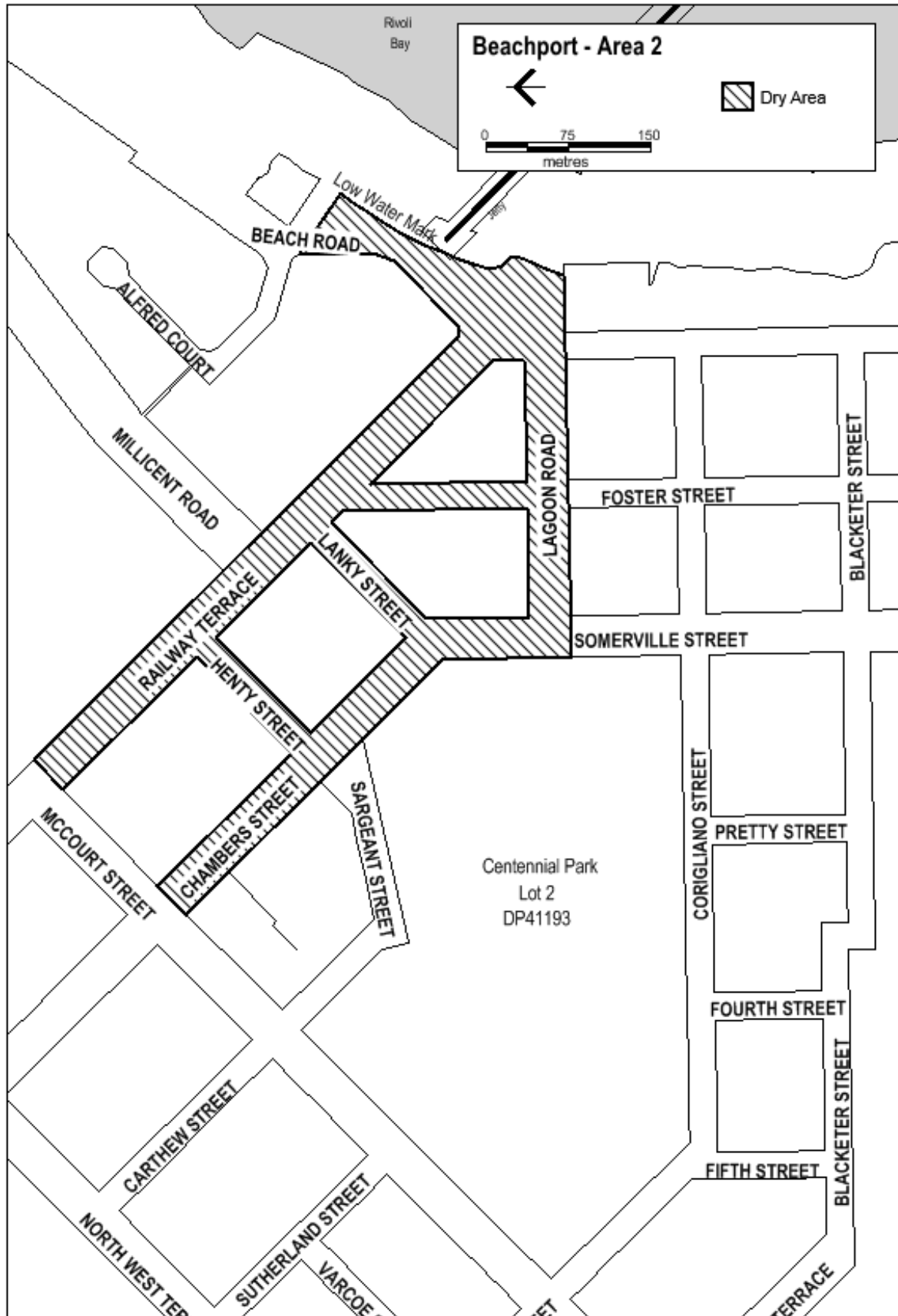
2—Period of prohibition

From 12 noon on 26 December 2018 to 12 noon on 2 January 2019.

3—Description of area

The area in and adjacent to Beachport comprising the following roads and other areas:

- (a) Railway Terrace between the south-eastern boundary of McCourt Street and the north-western boundary of Beach Road;
- (b) Chambers Street and Somerville Street between the south-eastern boundary of McCourt Street and the southern boundary of Lagoon Road;
- (c) Lagoon Road between the eastern boundary of Somerville Street and the western boundary of Beach Road;
- (d) Henty Street;
- (e) Lanky Street;
- (f) Foster Street between Railway Terrace and the southern boundary of Lagoon Road;
- (g) the area commencing at the point at which the prolongation in a straight line of the southern boundary of Lagoon Road intersects the low water mark on the western side of Rivoli Bay, then westerly along that prolongation to the western boundary of Beach Road, then generally northerly, north-easterly and northerly along that boundary of Beach Road to the southern boundary of Alfred Court, then along the prolongation in a straight line of that southern boundary of Alfred Court to the low water mark on the western side of Rivoli Bay, then generally south-westerly along the low water mark to the point of commencement.



Made by the Liquor and Gambling Commissioner

on 19 September 2018

South Australia

Liquor Licensing (Dry Areas) Notice 2018

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

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2018*.

2—Commencement

This notice comes into operation on 1 October 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—Bonython Park Area 1

1—Extent of prohibition

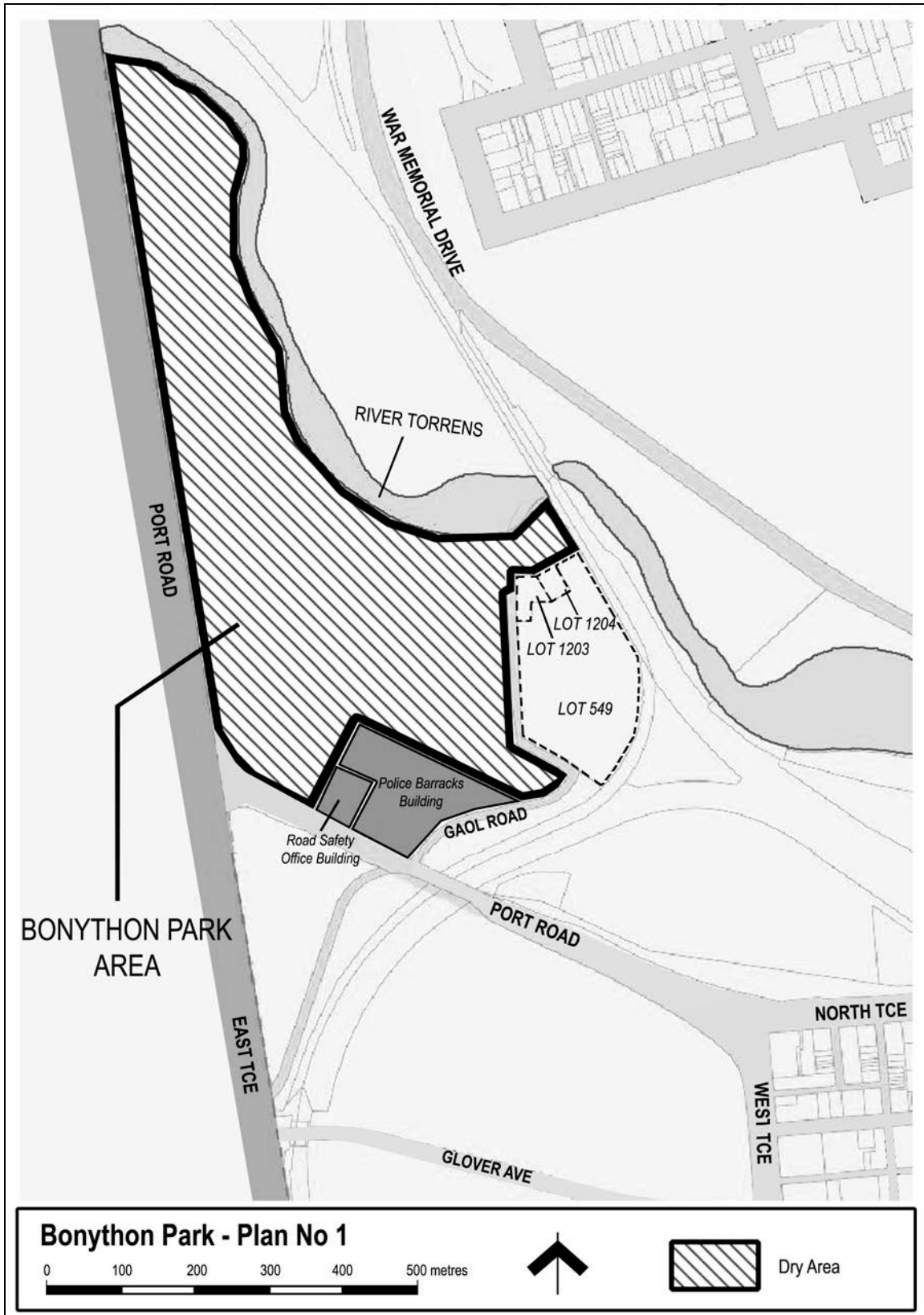
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 11am to 8pm on 1 October 2018.

3—Description of area

The Western portion of Bonython Park/ Tulya Wardli (Park 27), bounded on the North and East by the River Torrens, on the West and South by Port Road, on the North-East by River Torrens Rail Bridge, the Northern boundaries of the parcels of land marked as Lots 1203, 1204 549 and on the East and South-East by Gaol Road. The dry area does not include the allotments upon which the Police Barracks and Road Safety Buildings are marked.



Made by the Liquor and Gambling Commissioner
on 19 September 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.

Schedule—Cadell Area 1

1—Extent of prohibition

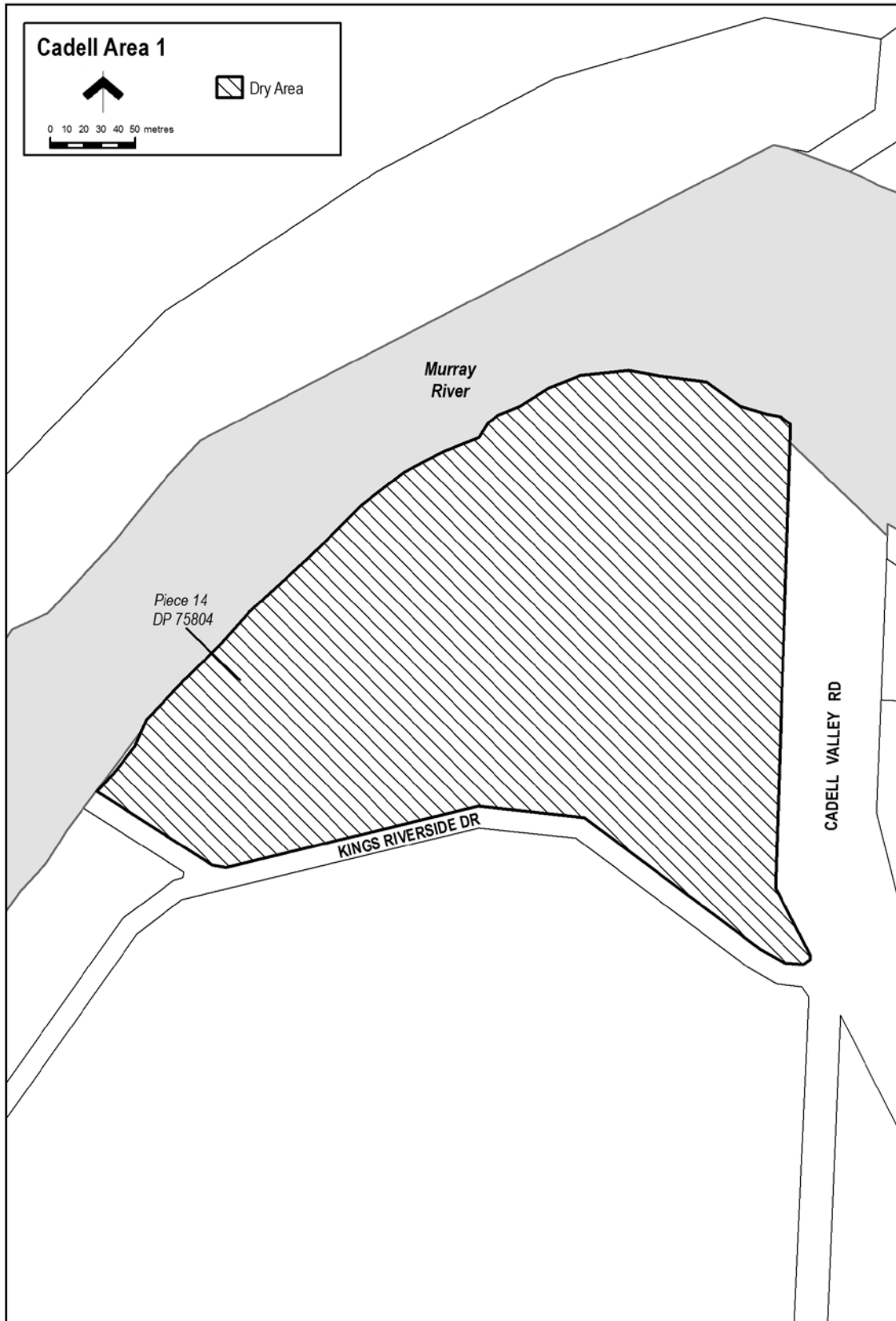
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 4:00pm on 31 December 2018 to 9:00am on 1 January 2019.

3—Description of area

The area adjacent to and to the north of the town of Cadell, being the whole of the land comprised in Piece 14 DP 75804 (approximately the area bounded on the north-west and north-east by the River Murray, on the east by the Cadell Valley Road and on the south by the portion of Kings Riverside Drive that runs generally east-west and the access road from that portion of Kings Riverside Drive to a boat ramp on the eastern bank of the River Murray).



Made by the Liquor and Gambling Commissioner

on 19 September 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.

Schedule—Coffin Bay Area 1

1—Extent of prohibition

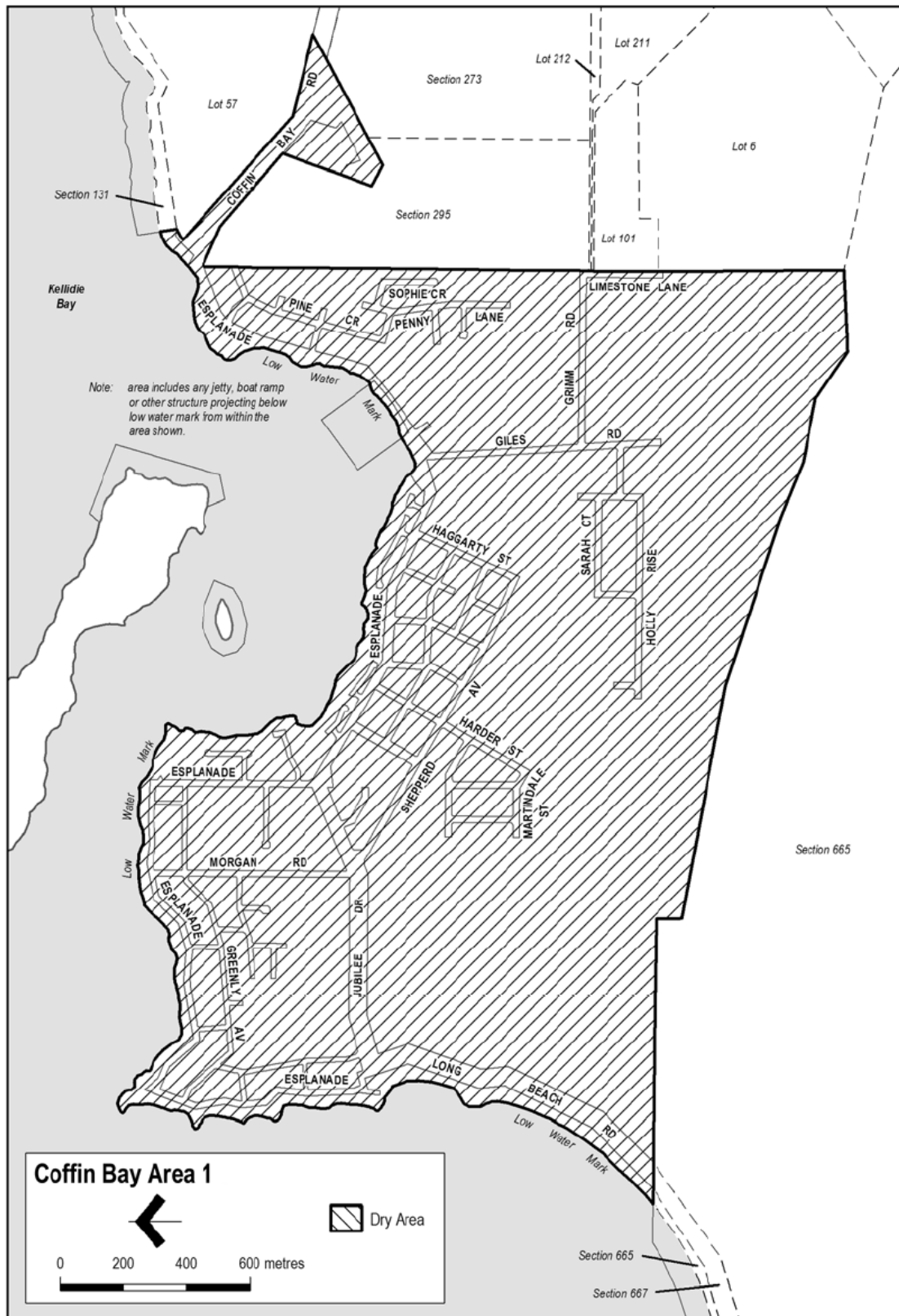
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 9pm on 31 December 2018 to 8am on 1 January 2019.

3—Description of area

The public area in and adjacent to the town of Coffin Bay bounded as follows: commencing at the point at which the prolongation in a straight line of the northern boundary of Section 665 Hd of Lake Wangary intersects the low water mark of Coffin Bay, then generally northerly, easterly, southerly, south-easterly and north-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 Section 131 Hd of Lake Wangary, then southerly along that prolongation and boundary of Section 131 to the northern boundary of Lot 57 DP 54186, then generally south-westerly and south-easterly along the northern and south-western boundaries of Lot 57 to the point at which the south-western boundary is intersected by the prolongation in a straight line of the north-western boundary of Section 273 Hd of Lake Wangary, then south-westerly along that prolongation and boundary of Section 273 to the point at which it meets the eastern boundary of Section 295 Hd of Lake Wangary, then south-westerly, north-westerly, north-easterly and north-westerly along the north-eastern and northern boundaries of Section 295 to the western boundary of the Section, then southerly along the western boundaries of Section 295, Lots 212 and 211 of DP 71703, Lot 101 of DP 56785 and Lot 6 DP 25759 to the northern boundary of Section 665 Hd of Lake Wangary, then generally westerly, north-westerly, northerly and westerly along the northern boundary of that Section to the point at which it meets the eastern boundary of Section 667 Hd of Lake Wangary, then westerly along the northern boundary of Section 667, the northern boundary of Section 665 Hd of Lake Wangary and the prolongation in a straight line of the northern boundary of Section 665 to the point of commencement. The area includes the whole of any jetty, boat ramp or other structure that projects below the low water mark from within the area described above (as well as any area beneath such a structure).



Made by the Liquor and Gambling Commissioner
on 19 September 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.

Schedule—Cummins Area 1

1—Extent of prohibition

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

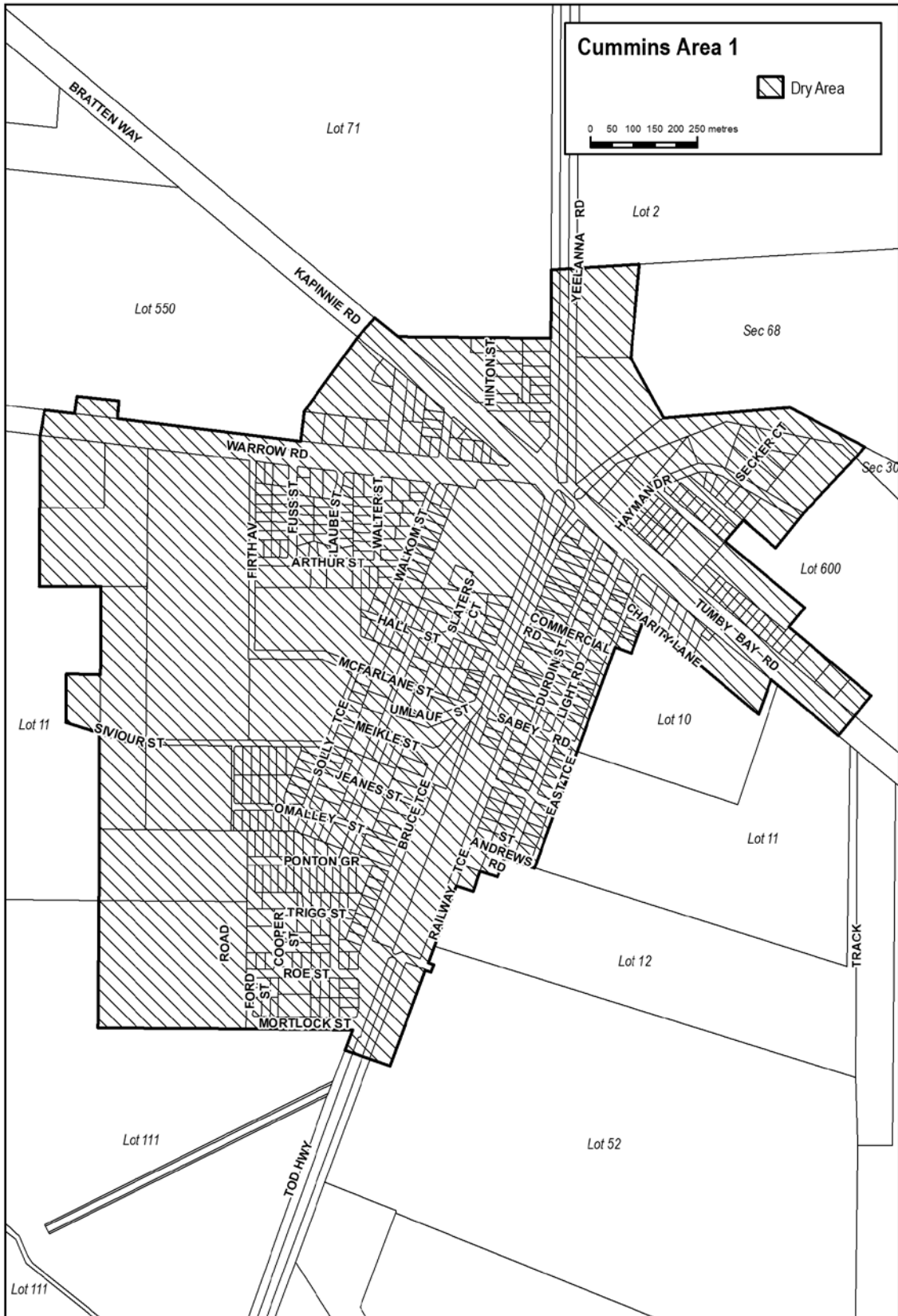
2—Period of prohibition

From 9pm on 31 December 2018 to 8am on 1 January 2019.

3—Description of area

The public area in Cummins bounded as follows:

All in the Hundred of Cummins and within an area as defined as commencing at northwest corner of Allotment 99 in FP 180131 and extending northwards in line with the western boundary of this allotment to a point on the northern boundary of Warrow Road, then heading eastwards and following the boundary of Allotment 550 in DP 66791 until the north corner of Allotment 22 in DP 79231, then heading eastwards across Bratten Way to follow the southern boundary, then the eastern boundary of Allotment 71 in DP 94689 to a point in line with the northern boundary of Section 80, then heading eastwards across the Tod Highway to follow northern and then eastern boundary of Section 80, then heading roughly southeast to the nearest corner of Section 30, then heading eastwards along the northern boundary of Section 30 until reaching a point in line with the northeast corner of Allotment 601 in DP 87427, then heading southwest and following the boundary of Allotment 600 in DP 87427 until the southern corner of Allotment 24 in DP 50626, then heading to a point on the southern boundary of Tumby Bay Road in line with the southeast boundary of Allotment 24 in DP 50626, then heading northwest and following the southern boundary of Bratten Way up to the northwest corner of Allotment 149 in FP 180181 and then following, in a southerly direction the western boundary of Allotments 10, 11 and 12 in DP 95966 and Allotment 52 in DP 53199 until the southwest corner of Allotment 802 in FP 209177, then heading westwards along and in line with the southern boundary of Allotment 802 in FP 209177 until the western boundary of the Tod Highway, then heading north and following the boundary of Allotment 111 in DP 67442 until, and then following the eastern boundary of Allotment 11 in DP 85166 until the commencement point being the northwest corner of Allotment 99 in FP 180131.



Made by the Liquor and Gambling Commissioner

on 19 September 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) The Schedule is in addition to Schedule—Mannum Area 2 in the principal notice.

Schedule—Mannum Area 2

1—Extent of prohibition

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

2—Period of prohibition

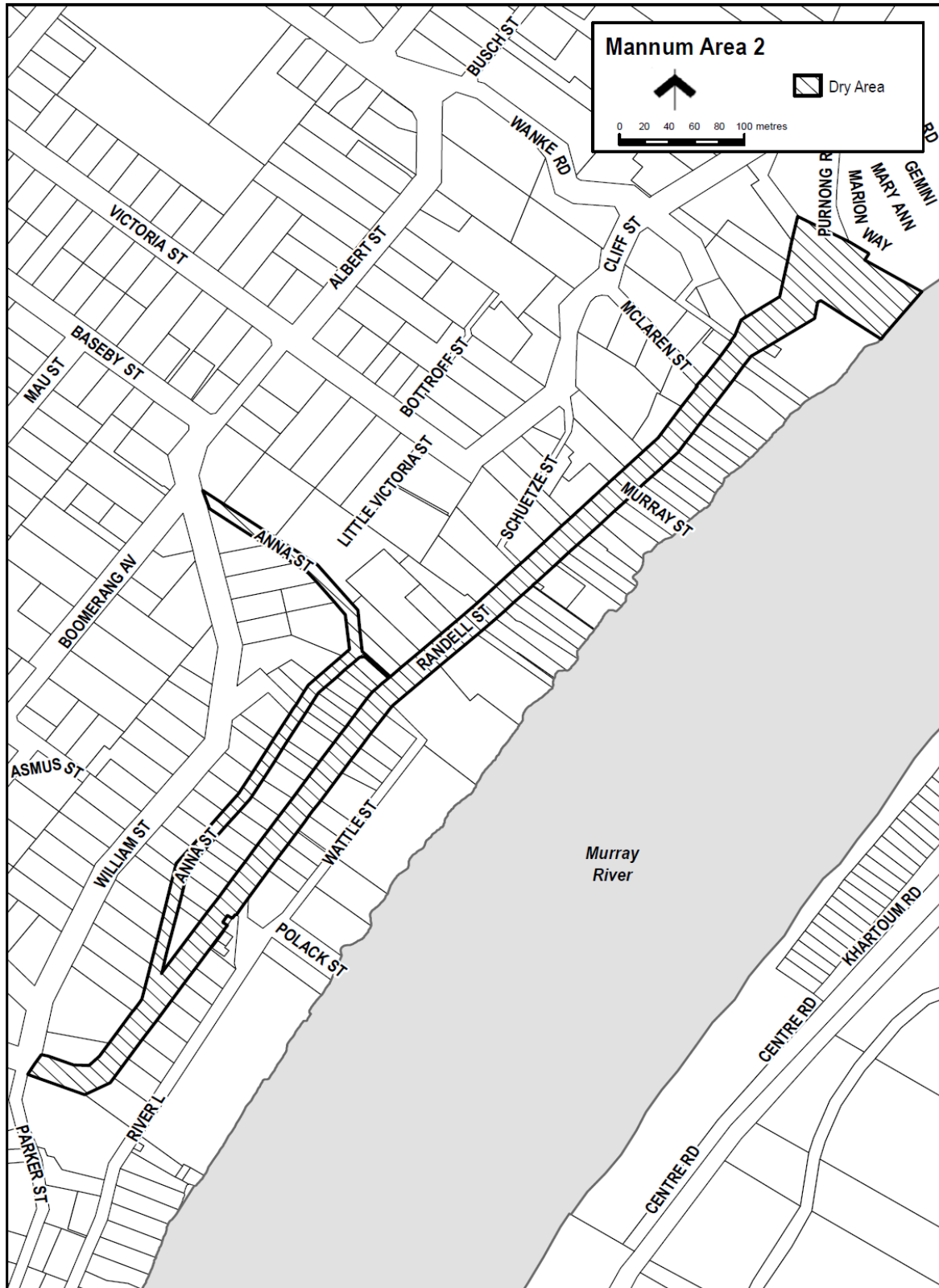
From 6:00pm to 11:00pm on 31 December 2018.

3—Description of area

Anna Street between Randell Street and William Street.

The stairway (generally known as "the Golden Stairs" between Anna Street and Randell Street, adjacent to Shearer's Carpark.

Randell Street (and Purnong Road) between William Street and River Road.



Made by the Liquor and Gambling Commissioner
on 19 September 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) The Schedule is in addition to Schedule—Mannum Area 3, Mannum Area 4 and Mannum Area 5 in the principal notice.

Schedule—Mannum Area 3

1—Extent of prohibition

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

2—Period of prohibition

From 6:00pm to 11:00pm on 31 December 2018.

3—Description of area

The car park in Mannum (generally known as Shearer's Carpark) situated between Randell Street and Anna Street, being Lots 33 and 34 Deposited Plan No. 1091, Hundred of Finniss and Lot 435 of File Plan 208811, Hundred of Finniss.

Schedule—Mannum Area 4

1—Extent of prohibition

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

2—Period of prohibition

From 6:00pm to 11:00pm on 31 December 2018.

3—Description of area

The area in Mannum known as Mary Ann Reserve (together with abutting land and structures), being the area bounded on the north-east by the south-west boundary of Lot 10 of File Plan 21817 (Bowling Green), on the north-west by River Lane, on the south-west by the north-eastern boundary of Certificate of Title Volume 5799 Folio 318 (24 River Lane) and on the south-east by the River Murray, together with the whole of any wharf, jetty, boat ramp or other structure projecting from that area into the River.

Schedule—Mannum Area 5

1—Extent of prohibition

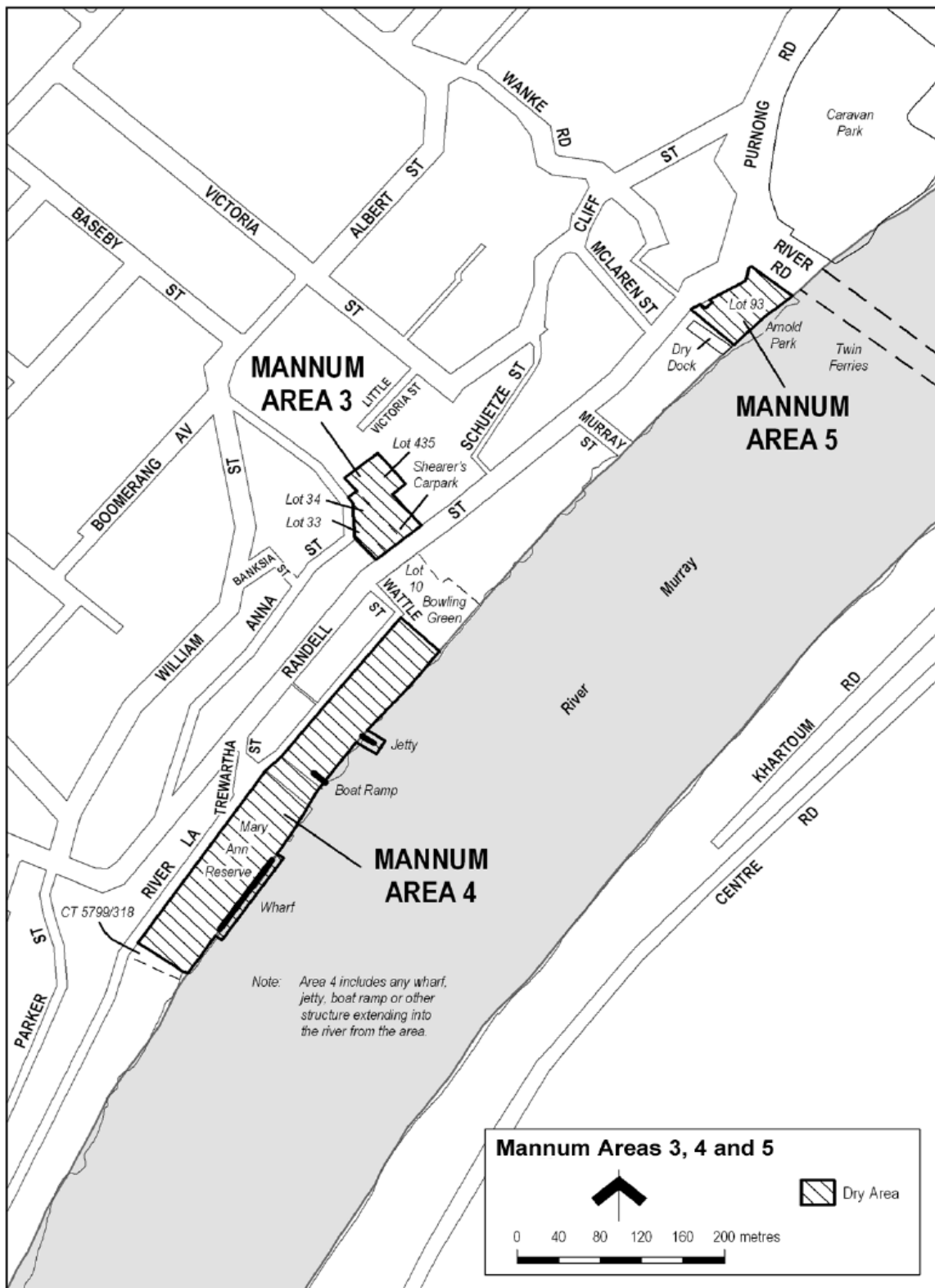
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6:00pm to 11:00pm on 31 December 2018.

3—Description of area

The area in Mannum known as Arnold Park, situated between Randell Street and the River Murray adjacent to the south-western boundary of River Road, being Lot 93 File Plan 213066, Hundred of Finniss.



Made by the Liquor and Gambling Commissioner

on 19 September 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.

Schedule—Mannum Area 6

1—Extent of prohibition

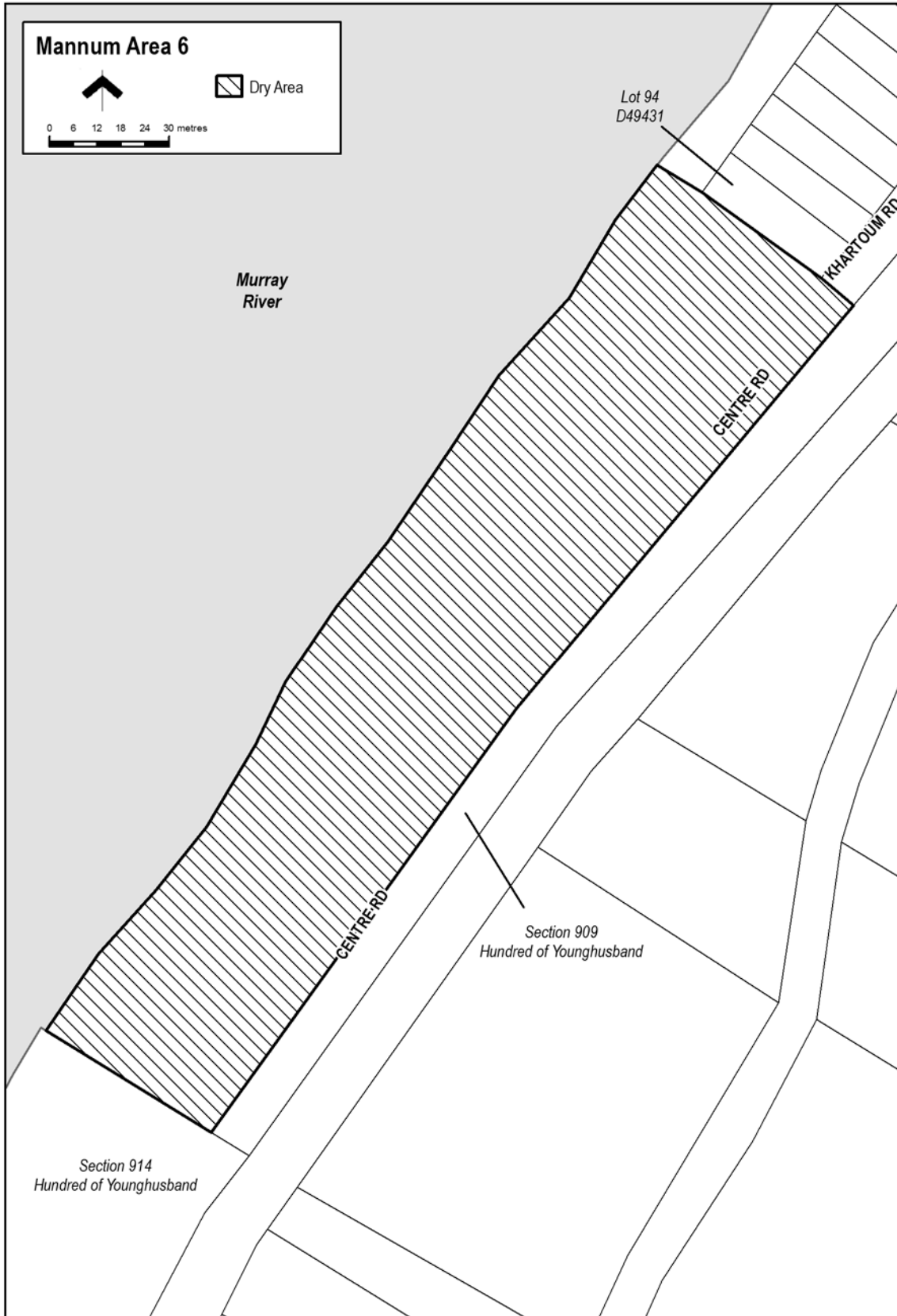
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6:00pm on 31 December 2018 to 8:00am on 1 January 2019.

3—Description of area

The area adjacent to Mannum, generally known as Bolto Reserve, bounded on the south-east by the north-western boundary of Section 909, Hundred of Younghusband, on the south-west by the north-eastern boundary of Section 914, Hundred of Younghusband, on the north-west by the River Murray and on the north-east by the south-western boundary of Lot 94 Deposited Plan 49431 and the prolongation in a straight line north-westerly and south-easterly of that boundary.



Made by the Liquor and Gambling Commissioner

on 19 September 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.

Schedule—Mannum Area 7

1—Extent of prohibition

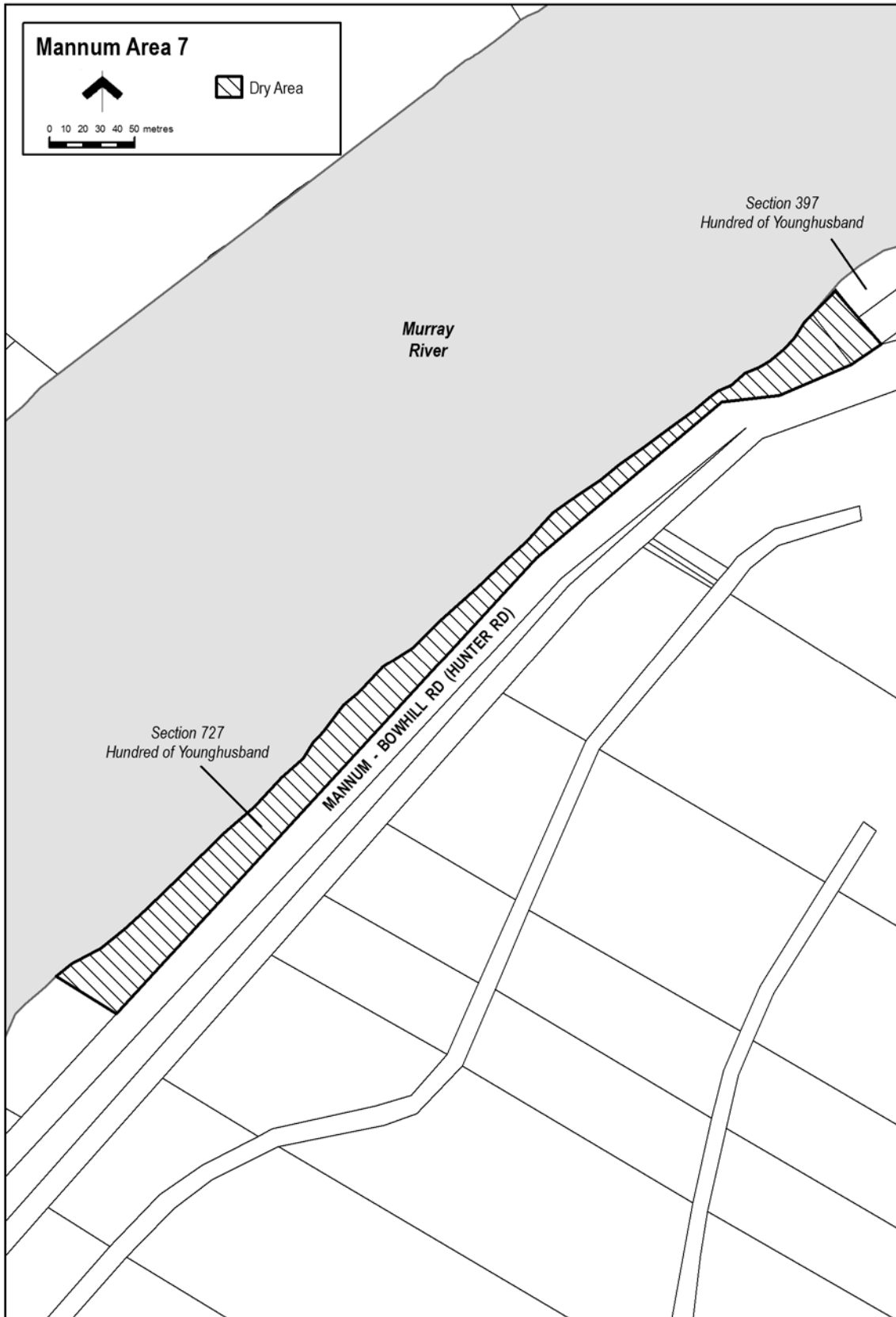
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6:00pm on 31 December 2018 to 8:00am on 1 January 2018.

3—Description of area

The area adjacent to Mannum, generally known as Haythorpe Reserve, bounded on the south-east by the north-western boundary of the carriageway of Hunter Road, on the south-west by the south-western boundary of Section 727, Hundred of Younghusband and the prolongation in a straight line south-easterly and north-westerly of that boundary, on the north-west by the River Murray and on the north-east by the south-western boundary of Section 397, Hundred of Younghusband and the prolongation in a straight line north-westerly and south-easterly of that boundary.



Made by the Liquor and Gambling Commissioner

on 19 September 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.

Schedule—Moonta Bay and Port Hughes Area 1

1—Extent of prohibition

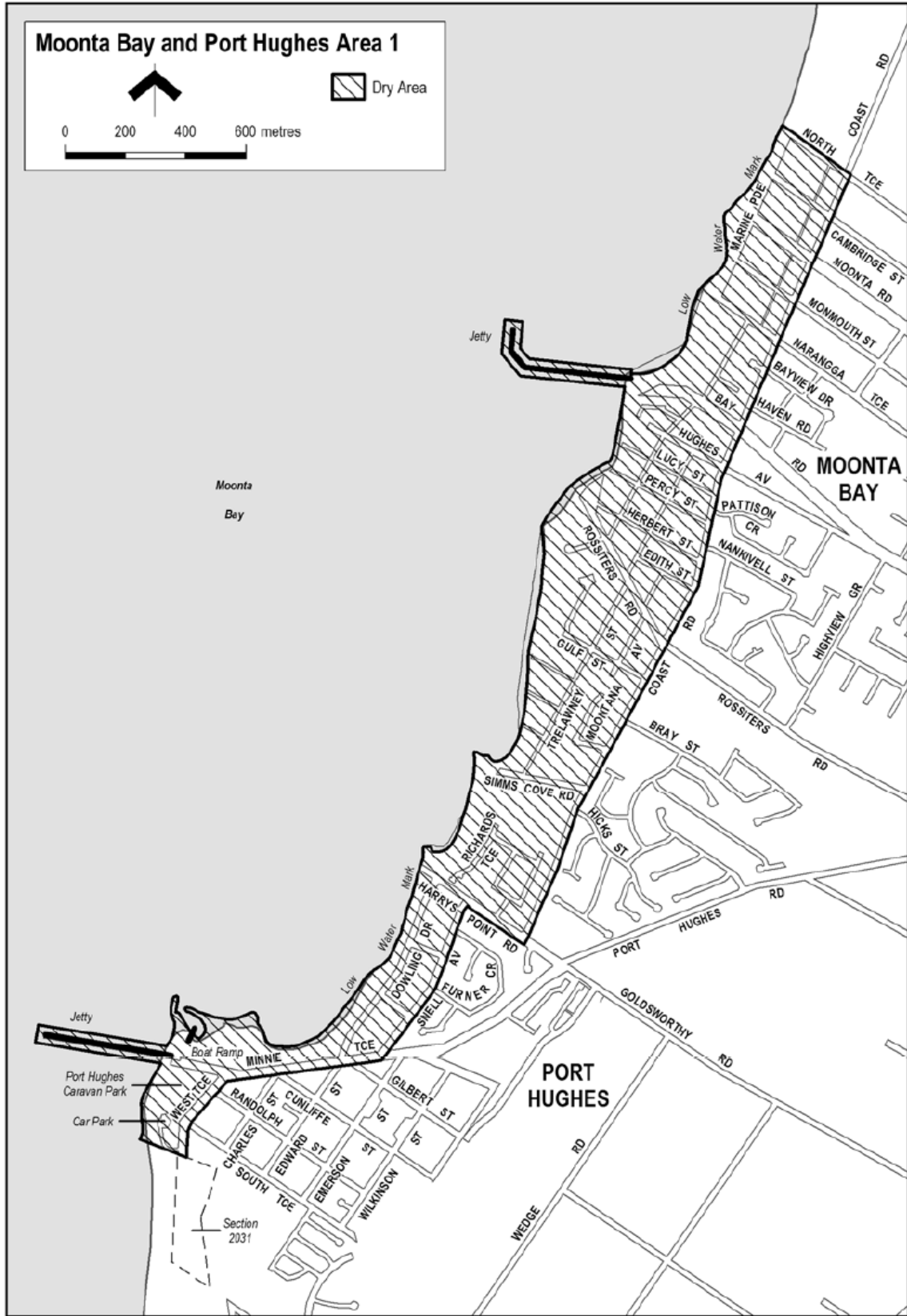
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 12 noon on 31 December 2018 to 7.00am on 1 January 2019.

3—Description of area

The area in and adjacent to Moonta Bay and Port Hughes bounded as follows: commencing at the point at which the northern boundary of North Terrace, Moonta Bay, intersects the eastern boundary of Coast Road, then generally south-westerly along that eastern boundary of Coast Road and the prolongation in a straight line of that boundary to the point at which the prolongation intersects the southern boundary of Harry's Point Road, Port Hughes, then north-westerly along the southern boundary of Harry's Point Road to the point at which it meets the eastern boundary of Snell Avenue, Port Hughes, then generally south-westerly along that boundary of Snell Avenue and the prolongation in a straight line of that boundary to the point at which it intersects the southern boundary of Minnie Terrace, Port Hughes, then generally westerly along that boundary of Minnie Terrace to the eastern boundary of West Terrace, Port Hughes, then generally south-westerly and southerly along that boundary of West Terrace and the continuation of West Terrace (past South Terrace) to the northern boundary of Section 2031 Hundred of Wallaroo, then north-westerly along that boundary of Section 2031 and the prolongation in a straight line of that boundary to the low water mark on the eastern side of Spencer Gulf, then generally northerly and north-easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the northern boundary of North Terrace, Moonta Bay, then south-easterly along that prolongation and boundary of North Terrace to the point of commencement. The area includes any jetty, boat ramp or other structure projecting below low water mark from within the area described above (as well as any area beneath such a structure).



Made by the Liquor and Gambling Commissioner

on 19 September 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.

Schedule—Morgan Area 1

1—Extent of prohibition

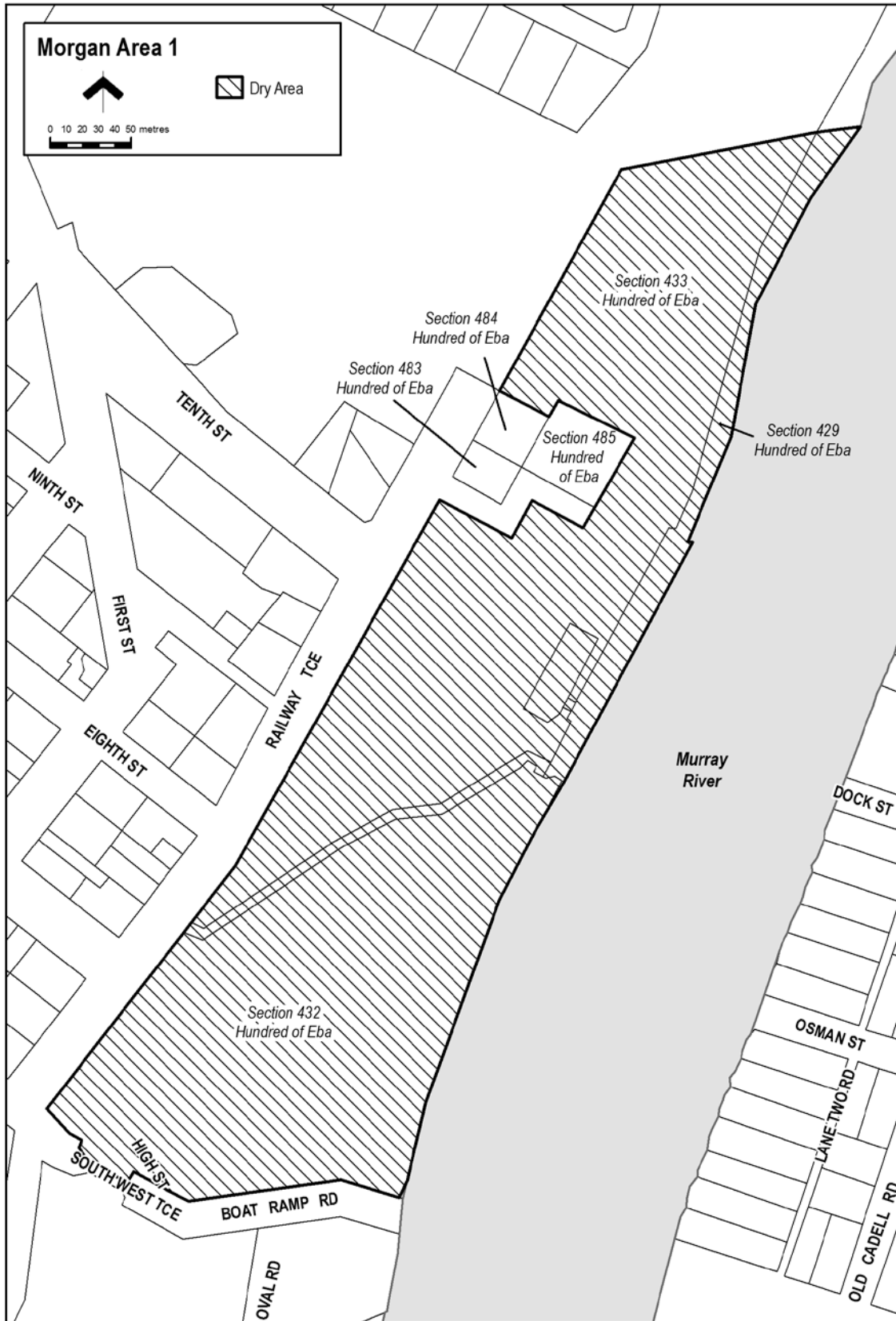
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 4:00pm on 31 December 2018 to 9:00am on 1 January 2019.

3—Description of area

The area in Morgan bounded as follows: commencing at the point at which the prolongation in a straight line of the southern boundary of Section 432 Hundred of Eba intersects the waterline on the north-western side of the River Murray, then generally north-westerly, westerly and north-westerly along that prolongation and boundary of Section 432 to the south-eastern boundary of Railway Terrace, then generally north-easterly along that south-eastern boundary of Railway Terrace to the point at which it meets the northern corner of Section 484 Hundred of Eba, then generally north-easterly along the north-western boundary of Section 433 Hundred of Eba to the northernmost boundary of Section 429 Hundred of Eba, then north-easterly along that boundary of Section 429 and the prolongation in a straight line of that boundary to the waterline on the north-western side of the River Murray, then generally south-westerly along the waterline of the River to the point of commencement, but excluding Sections 483, 484 and 485 Hundred of Eba.



Made by the Liquor and Gambling Commissioner

on 19 September 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.

Schedule—Stansbury Area 1

1—Extent of prohibition

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

2—Period of prohibition

From 10pm on 31 December 2018 to 8am on 1 January 2019.

3—Description of area

The area in and adjacent to Stansbury bounded as follows: commencing at the point at which the prolongation in a straight line of the south-eastern boundary of Stormbird Street intersects the low water mark on the western side of Gulf St. Vincent, then south-westerly along that prolongation to the south-western boundary of Anzac Parade, then north-westerly along that boundary of Anzac Parade to the southern boundary of Towler Street, then westerly along that boundary of Towler Street to the western boundary of Weaver Street, then northerly along that boundary of Weaver Street and the prolongation in a straight line of that boundary to the south-western boundary of Anzac Parade, then generally north-westerly and westerly along that boundary of Anzac Parade and the southern boundary of North Terrace to the western boundary of Parrington Street, then along the prolongation in a straight line of the western boundary of Parrington Street to the southern boundary of Dalrymple Terrace, then easterly along that boundary of Dalrymple Terrace to the western boundary of Adelaide Road, then in a straight line by the shortest route to the point at which the southern boundary of Bayview Road meets the eastern boundary of Adelaide Road, then generally easterly and north-easterly along that boundary of Bayview Road to the point at which it meets the southern corner of Lot 17 DP 5864, then north-easterly and northerly along the western boundary of Lot 1 DP 37028 to the northern boundary of the Lot, then easterly along the northern boundary of Lot 1 and the prolongation in a straight line of that boundary to the low water mark on the western side of Gulf St. Vincent, then generally south-easterly along the low water mark to the northern side of the Stansbury Jetty, then north-easterly, south-easterly and south-westerly around the outer boundary of the jetty back to the low water mark on the southern side of the jetty (so as to include in the area the whole of the jetty and any area beneath the jetty), then south-easterly along the low water mark to the northern side of the breakwater that forms the northern wall of the enclosed boat launching facility immediately to the south-east of the jetty, then generally north-easterly, south-easterly and south-westerly around the outer boundary of the boat launching facility back to the low water mark on the shore on the southern side of the facility (so as to include in the area the whole of the facility, including the breakwaters and the area between them), then generally south-westerly and south-easterly along the low water mark to the point of commencement.

Schedule—Stansbury Area 2

1—Extent of prohibition

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

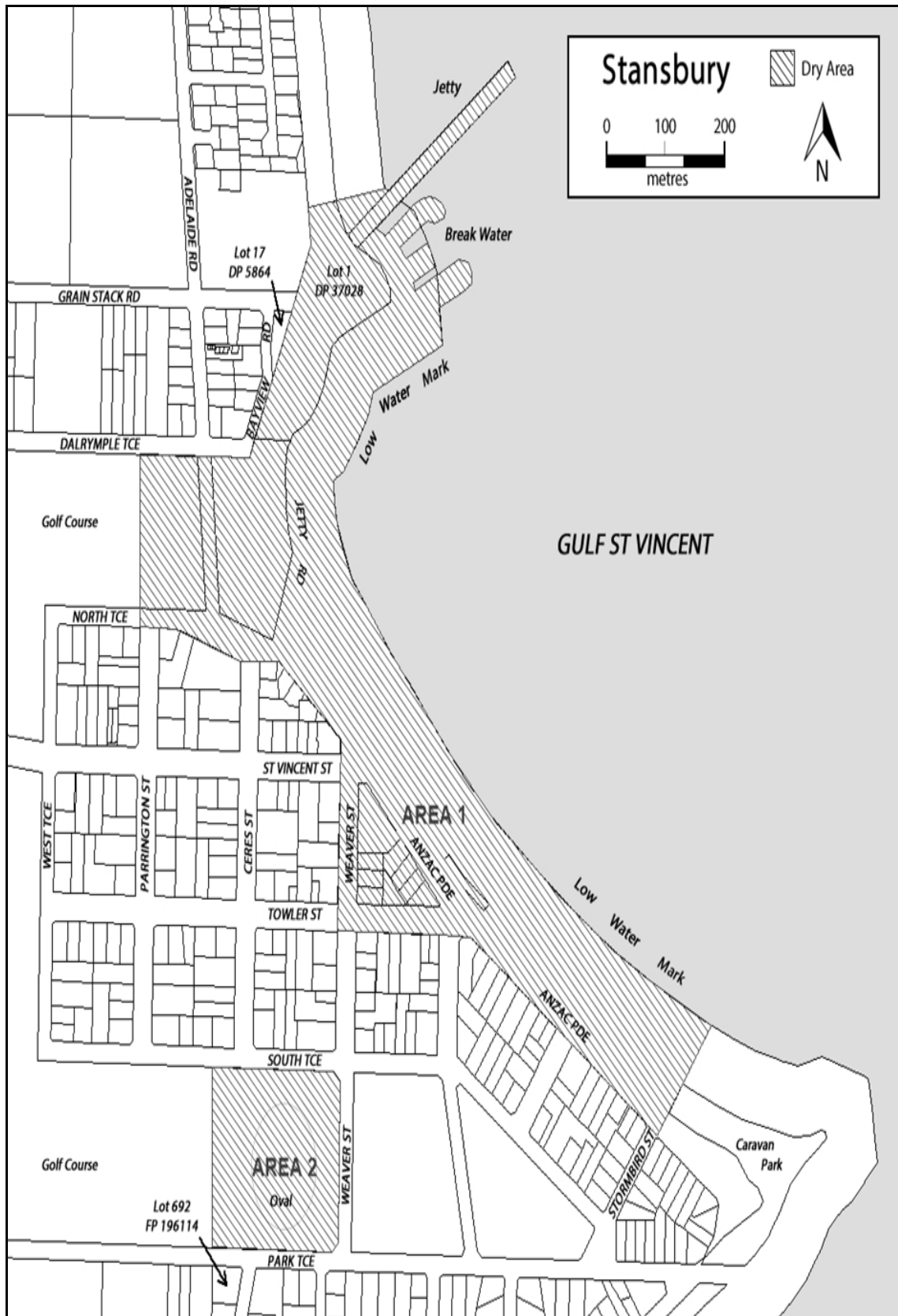
2—Period of prohibition

From 10pm on 31 December 2018 to 8am on 1 January 2019.

3—Description of area

The area in Stansbury bounded on the north by South Terrace, on the east by Weaver Street, on the south by Park Terrace and on the west by the prolongation in a straight line of the western boundary of Lot 692 FP 196114.

Stansbury Area 1 & 2



Made by the Liquor and Gambling Commissioner
on 19 September 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.

Schedule—Wallaroo Area 4

1—Extent of prohibition

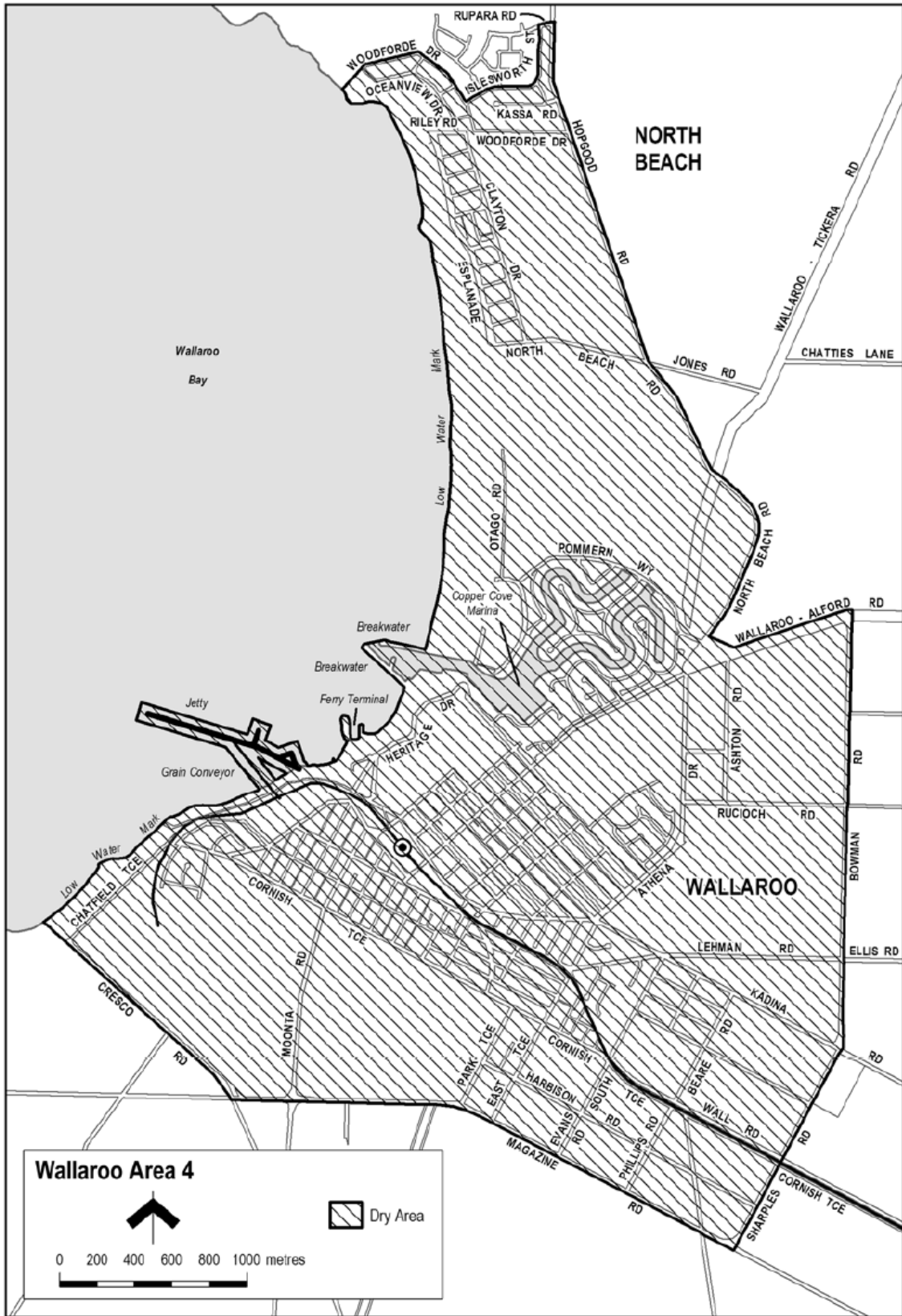
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 12 noon on 31 December 2018 to 7.00am on 1 January 2019.

3—Description of area

The area in and adjacent to Wallaroo and North Beach bounded as follows: commencing at the point at which the prolongation in a straight line of the northern boundary of Woodforde Drive, North Beach, intersects the low water mark on the eastern side of Spencer Gulf, then north-easterly and south-easterly along that prolongation and boundary of Woodforde Drive to the point at which it meets the northern boundary of Islesworth Street, North Beach, then generally easterly and northerly along that boundary of Islesworth Street and the prolongation in a straight line of that boundary to the northern boundary of Rupara Road, North Beach, then easterly along that boundary of Rupara Road and the prolongation in a straight line of that boundary to the point at which the prolongation intersects the eastern boundary of Hopgood Road, North Beach, then generally south-easterly and south-westerly along the eastern boundary of Hopgood Road and the eastern boundary of North Beach Road to the point at which the eastern boundary of North Beach Road meets the northern boundary of the Wallaroo to Alford Road, then north-easterly along that boundary of the Wallaroo to Alford Road to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of Bowman Road, Wallaroo, then southerly and south-westerly along that boundary of Bowman Road, the eastern boundary of Sharples Road, Wallaroo, and the prolongation in a straight line of the eastern boundary of Sharples Road to the southern boundary of Magazine Road, Wallaroo, then generally north-westerly and westerly along that boundary of Magazine Road to the south-western boundary of Cresco Road, Wallaroo, then generally north-westerly along that boundary of Cresco Road and the prolongation in a straight line of that boundary to the point at which the prolongation intersects the low water mark on the eastern side of Spencer Gulf, then generally north-easterly along the low water mark to the commencement of the southern breakwater at the entrance to the Copper Cove Marina, then north-westerly along the outer boundary of the breakwater to its north-western end, then in a straight line by the shortest route (across the entrance to the marina) to the northern boundary at the western end of the northern breakwater at the entrance to the marina, then easterly along the outer boundary of the breakwater back to the low water mark on the shore on the northern side of the marina, then generally northerly and north-westerly along the low water mark to the point of commencement. The area includes the whole of any wharf, jetty, breakwater, boat ramp or other structure projecting below low water mark from within the area described above (as well as any area beneath such a structure).



Made by the Liquor and Gambling Commissioner
on 19 September 2018

MENTAL HEALTH ACT 2009

Authorised Mental Health Professionals

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

Shaun Byrne
Kristy Koehne

A person's determination will expire three years after the date of Gazettal.

Dated: 27 September 2018

DR J BRAYLEY
Chief Psychiatrist

South Australia

Motor Vehicles (Cohda Wireless Adelaide CBD Connected Autonomous Vehicle Trial) 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 Adelaide CBD CAV Trial) Notice 2018*.

2 Commencement and operation

The *authorised trial period* for the purposes of this Notice commences at 12:01 am on the day after this Notice is published, and ends at 11:59 pm on 30 June 2020.

3 Interpretation

In this Notice—

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

authorised vehicles means:

Lincoln MKZ 2017 sedan, registration number COHDA 1, VIN 3LN6L5LU1HR643865,

Lincoln MKZ 2017 sedan, registration number COHDA 2, VIN 3LN6L5LU9HR655410,

Holden Cruze 2011 sedan, registration number S010AWN, VIN 6G1PD5E88BL577287,

Holden Cruze 2011 sedan, registration number S407AWW, VIN 6G1PD5E52BL582233;

autonomous mode means operating in a mode in which the vehicle is not being controlled by an individual, whether or not it is being monitored by an individual;

Cohda Wireless means Cohda Wireless Pty Ltd ACN 84 107 936 309;

trial area means the area designated in the Schedule to this Notice.

4 Authorisation

I hereby authorise, under section 134D of the Act, **Cohda Wireless**, the **owner(s)** of the authorised vehicles and any **individuals** authorised by Cohda Wireless or the vehicle owner(s), to undertake a trial of automotive technology within the trial area 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 collision avoidance systems of the authorised vehicles on roads closed to the public.

5 Exemptions

I hereby exempt, under section 134E of the Act, the authorised vehicles from the following legislative requirements when operating in autonomous mode:

- *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
- Australian Road Rule 56 – Stopping for a red traffic light or arrow
- Australian Road Rule 59 – Proceeding through a red traffic light

6 Conditions

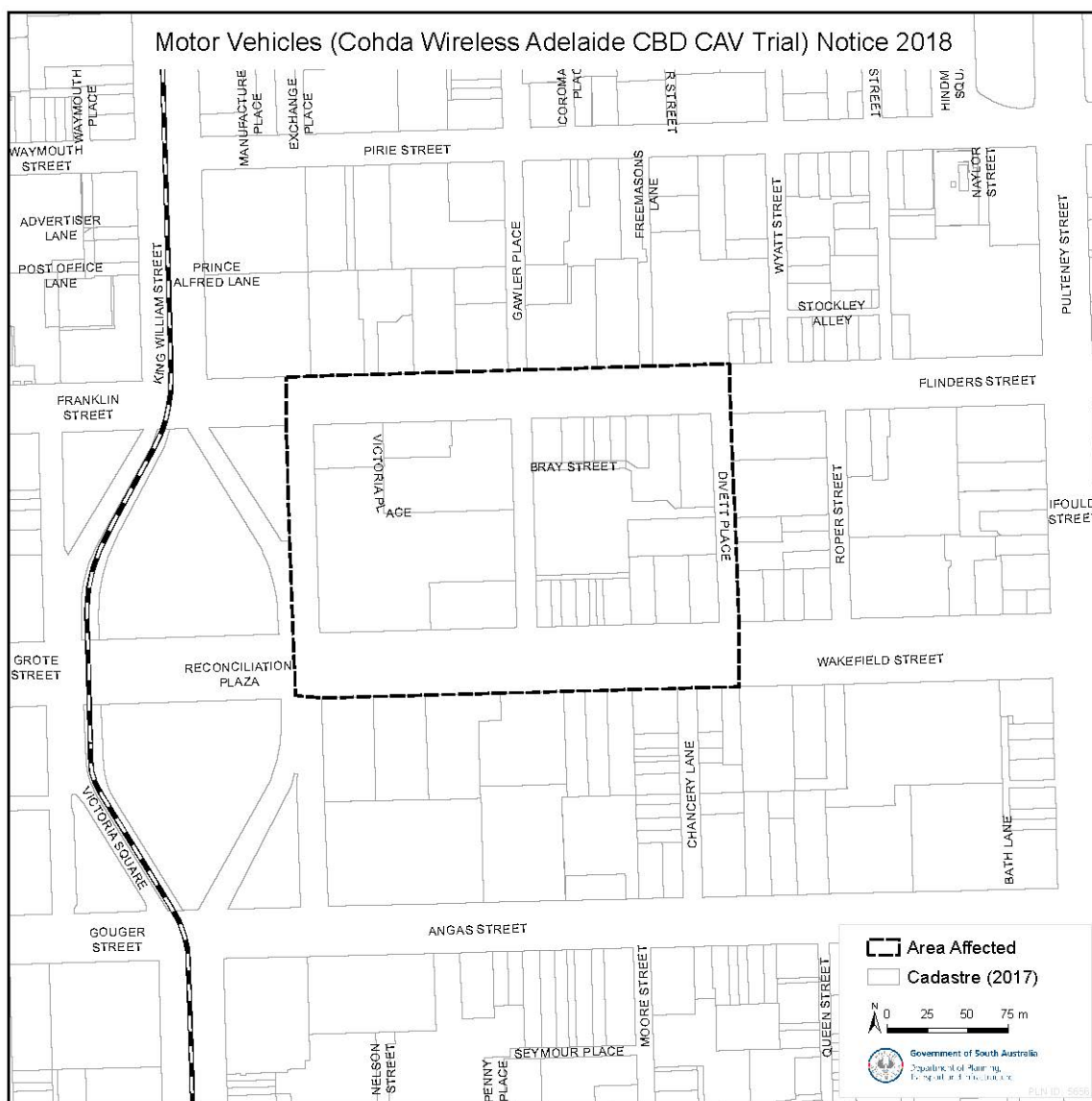
- 6.1 The authorised vehicles may only operate in autonomous mode in the trial area.
- 6.2 The authorised vehicles may only operate in autonomous mode on dates and times as agreed in writing between Cohda Wireless, the Corporation of the City of Adelaide, South Australia Police, and the Department of Planning, Transport and Infrastructure (the *agreed trials*).
- 6.3 The authorised vehicles are only exempted from compliance with Australian Road Rules 56 and 59 during the agreed trials.
- 6.4 The trial area must be closed to unauthorised vehicle and pedestrian traffic during the agreed trials.
- 6.5 Cohda Wireless must give the parties in clause 6.2 at least four weeks' notice of a proposed trial.
- 6.6 The authorised vehicles must operate during the agreed trials 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.
- 6.7 Cohda Wireless must maintain public liability insurance in accordance with section 134H of the Act for the entire authorised trial period.

7 Execution

HON STEPHAN KNOLL MP

Minister for Transport, Infrastructure and Local Government

Dated this 18th day of September 2018



THE DISTRICT COURT OF SOUTH AUSTRALIA

MOUNT GAMBIER CIRCUIT COURT

Sheriff's Office, Adelaide, 8 October 2018

IN pursuance of a precept from the District Court to me directed, I do hereby give notice that the said Court will sit as a Court of Oyer and Terminer and General Gaol Delivery at the Courthouse at Mount Gambier on the day and time undermentioned and all parties bound to prosecute and give evidence and all jurors summoned and all others having business at the said Court are required to attend the sittings thereof and the order of such business will be unless a Judge otherwise orders as follows:

Tuesday 8 October 2018 at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio informations* or of persons on bail and committed for trial who have signified their intentions to plead guilty and the passing of sentences for all matters listed for disposition by the District Court.

Juries will be summoned for 8 October 2018 and persons will be tried on this and subsequent days of the sittings.

Prisoners in H.M. Gaol and on Bail for Sentence and for Trial at the Sittings of the Mount Gambier Courthouse, Commencing 8 October 2018

Armstrong, Justin Gordon	Cultivate large commercial quantity of controlled plant; possess prescribed equipment; contravene term of Intervention Order	On bail
Ash, Brooke Louise	Application for enforcement of a breached bond	On bail
Atkins, Tony	Possess child exploitation material; aggravated possess child exploitation material	In gaol
Bell, Troy Stephen	Theft (20); aggravated dishonest dealings with documents (6);	On bail
Castle, Timothy Martin	Maintaining an unlawful sexual relationship with a child	On bail
Reynolds		
Catalano, Giorgio	Indecent assault (5); communicating with the intention of making a child amenable to sexual activity	On bail

Cleary, Sean Peter	Discharge firearm to injure, annoy or frighten a person; aggravated possess firearm without a licence; possess firearm without a license	On bail
Clifford, Mark Daniel	Application for enforcement of a breached bond	In gaol
Darbey, Connor Charles	Unlawful sexual intercourse with a person under 17 years	On bail
Dellaney, Christy Marie	Aggravated assault	On bail
Dellaney, Matthew David		
Evans, Carly Anne	Fail to comply with bail agreement (2)	In gaol
Evans, Carly Anne	Aggravated assault	In gaol
Evans, Carly Anne	Damage property	In gaol
Farrell, Glen Alan	Aggravated assault	On bail
Mansell, Peter Colin		
Kittitara, Amanda	Aggravated assault causing harm; aggravated serious criminal trespass in a place of residence; damage property (2); aggravated assault	On bail
Lazicki, Roman	Theft (7)	On bail
Lysaght, Shawn Anthony	Trafficking in a controlled drug	In gaol
Monks, Milner Graham	Cause a bushfire	In gaol
Andrew		
Mulraney, Patrick Donald	Aggravated possess child exploitation material; possess child exploitation material	On bail
Penglis, Chloe Elizabeth	Trafficking in a controlled drug (2); fail to comply with bail agreement	On bail
Pearce, Amber Brooke		
Steer, Brenton Edward	Maintaining an unlawful sexual relationship with a child	On bail
Uphill, Adam Scott	Rape	On bail
Warne, Leigh Geoffrey	Assault causing harm; possessing a firearm without a licence; aggravated threatening life; aggravated assault (3)	On bail
Weddell, Aidan Leslie	Trafficking in a controlled drug	In gaol
Wilson, Sarah Jane	Aggravated serious criminal trespass in a place of residence (2); aggravated robbery; theft; aggravated assault; aggravated act likely to cause harm	On bail
Payne, Damien Ashley		

Prisoners on bail must surrender at 10 a.m. of the day appointed for their respective trials. If they do not appear when called upon their recognizances and those of their bail will be estreated and a bench warrant will be issued forthwith.

By order of the Court,

S. FERGUSON
A/Sheriff

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS) REGULATIONS 2016

Closure of Gawler Ranges National Park

PURSUANT to Regulations 7(3) (a) and 7(3) (d) of the National Parks and Wildlife (National Parks) Regulations 2016, I, Stuart Anthony Maxwell Paul, as Acting Director, Regional Programs, Parks and Regions, authorised delegate of the Director of National Parks and Wildlife, close to the public, the whole of Gawler Ranges National Park from:

6.00 am on Saturday 27th October until 6pm on Friday 2nd November 2018.

The purpose of the closure is to ensure the safety of the public during a pest control and monitoring program within the reserve during the period indicated.

Dated: 25 September 2018

STUART PAUL
Acting Director
Regional Programs
Department for Environment and Water

South Australia

Public Sector (South Australian Employment Tribunal) Notice 2018

under section 9(1) of the *Public Sector Act 2009*

1—Short title

This notice may be cited as the *Public Sector (South Australian Employment Tribunal) Notice 2018*.

2—Commencement

This notice will come into operation on 1 October 2018.

3—Transfer of employees

- (1) The Attorney-General's Department specified in Schedule 1 are transferred to the Department of Treasury and Finance on the same basis of engagement as applied before the transfer.

Schedule 1—Employees being transferred

Abdullah Farooki
Andrew Dickin
Angel Hector-Pumpa
Angela Hunt
Anne Forbes
Anne Warren
David Quast
Eleni Labadas
George Volaris
Hannelore Ide
Heather Barr
Jayne Neubauer
Jill Robinson
Kylie Nixon
Larissa Chapman
Lauren Baehnisch
Lauren Moriarty
Lee Mihalopoulos
Matthew Hewitson
Natalie Williams
Nikki Pascoe
Patricia Cowper
Peter Kinne
Pierina Viscione
Rachele Denew
Rajpal Dayan
Robyn Harrison
Sarah Jhunjhunwala
Sarah Laube
Scott Alton
Sharon Henderson
Sharon Welford
Suzanne Dalton
Victoria Jacobs

Made by the Premier

on 24 September 2018

DPC18/016CS

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order
Road Closure – Morning Star Road (Portion), Wistow*

BY Road Process Order made on 30 August 2018, the Mount Barker District Council ordered that:

1. Portion of Morning Star Road adjoining Allotment 41 in Deposited Plan 79613, more particularly delineated and lettered 'A' in Preliminary Plan 17/0020 be closed.
2. Transfer the whole of land subject to closure marked 'A' to Denis Raymond Roberts in accordance with the Agreement for Transfer dated 15 April 2018 entered into between the Mount Barker District Council and Denis Raymond Roberts.
3. The following easement is to be granted over the whole of the land subject to that closure:
 - i. Grant to the South Australian Water Corporation an easement for water supply purposes over the land marked 'C' in Deposited Plan 118936.

On 25 September 2018 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 118936 being the authority for the new boundaries.

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

Dated: 27 September 2018

M. P. BURDETT
Surveyor-General

DPTI: 2017/07400/01

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order
Road Closure – Ryans Road (Portion), Green Fields and Parafield Gardens*

BY Road Process Order made on 27 June 2018, the City of Salisbury ordered that:

1. Portion of Ryans Road situated adjoining the north-eastern boundary of Allotment 125 in Deposited Plan 12705, more particularly delineated and lettered 'A' in Preliminary Plan 16/0016 be closed.
2. The whole of land subject to closure marked 'A' to be retained by the City of Salisbury in accordance with the Application for Document of Title dated 23 March 2018.
3. The following easements are to be granted over the whole of the land subject to that closure:
 - ii. Grant to South Australian Water Corporation an easement for sewerage and water supply purposes over the land marked 'S' and 'W' respectively in Deposited Plan 119186.
 - iii. Grant to Distributor Lessor Corporation (subject to Lease 8890000) an easement for transmission of electricity by overhead and underground cable over the land marked 'P' and 'U' respectively in Deposited Plan 119186.
 - iv. Grant to Australian Gas Network (SA) Ltd an easement for gas supply purposes over the land marked 'G' in Deposited Plan 119186.

On 25 September 2018 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 119186 being the authority for the new boundaries.

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

Dated: 27 September 2018

M. P. BURDETT
Surveyor-General

DPTI: 2016/09372/01

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure – Mersey Road North, Osborne

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the STATE COMMISSION ASSESSMENT PANEL proposes to make a Road Process Order to close portion of Mersey Road North, the whole of Annie Watt Circuit and a portion of Nelcebee Street Osborne and merge with the road with the adjoining Allotment 1001 in Deposited Plan 82082, more particularly delineated and lettered 'A' on the Preliminary Plan No. 18/0040.

The Preliminary Plan and Statement of Persons Affected is available for public inspection at the Council, Civic Centre 163 St Vincent St, Port Adelaide and the Adelaide Office of the Surveyor-General during normal office hours. The Preliminary Plan can also be viewed at <http://www.sa.gov.au/topics/planning-and-property/planning-and-land-management/suburb-road-and-place-names/road-opening-and-closing-proposals>

Any person is entitled to object to the proposed road process, or any person affected by the proposed closure is entitled to apply for an easement to be granted in that person's favour over the land subject to the proposed closure. Such objection or application for an easement must set out the full name and address of the person making the objection or application and must be fully supported. Any application for an easement must give full particulars of the nature and location of the easement and where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed.

The application for easement or objection must be made in writing to the State Commission Assessment Panel at GPO Box 1815, Adelaide SA 5001 WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General at PO Box 1354 Adelaide SA 5000.

Where a submission is made, the State Commission Assessment Panel will give notification of a meeting at which the matter will be considered.

Dated: 27 September 2018

M. P. BURDETT
Surveyor-General

TOBACCO PRODUCTS REGULATION ACT 1997

NOTICE BY THE MINISTER

Declaration that Smoking is Banned in Certain Public Areas Under Section 51

TAKE NOTICE that I Hon Stephen Wade MLC, Minister for Health and Wellbeing, pursuant to section 51 of the *Tobacco Products Regulation Act 1997*, do hereby declare that smoking is banned during the 2018 Ceduna Oysterfest during the period from 8.00am on Saturday 29 September to 11.00pm on Sunday 30 September 2018, in the public areas within the area located at the O'Loughlin Terrace foreshore park lawns, Ceduna, extending to the Ceduna Sailing Club Boat Ramp in the South and to the closest edge of the Day Terrace carpark in the North. To avoid any doubt, smoking is banned during this period in all public areas within these boundaries, except where there is a designated "smoking permitted" area that will be clearly signed.

The following map of the area known as the Ceduna Oysterfest 2018 No-Smoking Zone is provided for ease of reference only.

Dated: 18 September 2018

HON STEPHEN WADE MLC
Minister for Health and Wellbeing

MAP 1: CEDUNA OYSTERFEST 2018 NO-SMOKING ZONE



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 | 128. 30 August 2018 |
| 129. 27 September 2018 | | | |

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS FOR THE
LABORATORY OPERATIONS TRAINING PACKAGE MSL

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Qualification Title	Nominal Term of Training Contract	Probationary Period
Aircraft Maintenance Worker (Aircraft Structures Non Trade) #	MEA20418	Certificate II in Aeroskills	12 Months	60 Days
Aircraft Maintenance Worker (Avionics Non Trade) #	MEA20418	Certificate II in Aeroskills	12 Months	60 Days
Aircraft Maintenance Worker (Mechanical Non Trade) #	MEA20418	Certificate II in Aeroskills	12 Months	60 Days
Aircraft Line Maintenance Worker #	MEA20518	Certificate II in Aircraft Line Maintenance	24 Months	60 Days
Aircraft Surface Finishing Worker #	MEA20618	Certificate II in Aircraft Surface Finishing	24 Months	60 Days
Aircraft Surface Finisher #	MEA30118	Certificate III in Aircraft Surface Finishing	48 Months	90 Days
Aircraft Maintenance Engineer or Technician (Avionics) *	MEA40618	Certificate IV in Aeroskills (Avionics)	48 Months	90 Days
Aircraft Maintenance Engineer or Technician (Mechanical) *	MEA40718	Certificate IV in Aeroskills (Mechanical)	48 Months	90 Days
Aircraft Surface Finishing Supervisor #	MEA40918	Certificate IV in Aircraft Surface Finishing	48 Months	90 Days
Aircraft Maintenance Technician (Aircraft Structures) *	MEA41318	Certificate IV in Aeroskills (Structures)	48 Months	90 Days
Licensed Aircraft Maintenance Engineer (Avionics) *	MEA50118	Diploma of Aeroskills (Avionics)	48 Months	90 Days

Licensed Aircraft Maintenance Engineer (Mechanical) *	MEA50218	Diploma of Aeroskills (Mechanical)	48 Months	90 Days
Avionics Maintenance Manager (Junior) #	MEA50318	Diploma of Aviation Maintenance Management (Avionics)	48 Months	90 Days
Mechanical Maintenance Manager (Junior) #	MEA50418	Diploma of Aviation Maintenance Management (Mechanical)	48 Months	90 Days
Aviation Maintenance Manager (Avionics) #	MEA60118	Advanced Diploma of Aviation Maintenance Management (Avionics)	48 Months	90 Days
Aviation Maintenance Manager (Mechanical) #	MEA60218	Advanced Diploma of Aviation Maintenance Management (Mechanical)	48 Months	90 Days

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS FOR THE AEROSKILLS TRAINING PACKAGE MEA

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Qualification Title	Nominal Term of Training Contract	Probationary Period
Laboratory Tester #	MSL20118	Certificate II in Sampling and Measurement	12 Months	60 Days
Laboratory Technician #	MSL30118	Certificate III in Laboratory Skills	24 Months	60 Days
Laboratory Technician #	MSL40118	Certificate IV in Laboratory Techniques	36 Months	90 Days
Laboratory Technician #	MSL50118	Diploma of Laboratory Technology	48 Months	90 Days
Technical Officer #	MSL60118	Advanced Diploma of Laboratory Operations	24 Months	60 Days

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS FOR THE GAS INDUSTRY TRAINING PACKAGE UEG

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Qualification Title	Nominal Term of Training Contract	Probationary Period
Assistant Gas Supply Technician – Cylinder Operations #	UEG20118	Certificate II in Gas Supply Industry Operations	12 Months	60 Days
Assistant Gas Supply Technician – Gaseous Fuel Delivery Operations #	UEG20118	Certificate II in Gas Supply Industry Operations	12 Months	60 Days
Assistant Gas Supply Technician – Pipeline Operations #	UEG20118	Certificate II in Gas Supply Industry Operations	12 Months	60 Days
Assistant Gas Supply Technician – Transmission Pipeline Construction #	UEG20118	Certificate II in Gas Supply Industry Operations	12 Months	60 Days
Gas Supply Technician *	UEG30118	Certificate III in Gas Supply Industry Operations	36 Months	90 Days
Advanced Gas Supply Technician *	UEG40118	Certificate IV in Gas Supply Industry Operations	48 Months	90 Days
Technical Specialist – Gas Supply *	UEG50118	Diploma of Gas Supply Industry Operations	48 Months	90 Days
Advanced Technical Specialist – Gas Supply *	UEG60118	Advanced Diploma of Gas Supply Industry Operations	48 Months	90 Days

WATER MAINS AND SEWERS

OFFICE OF THE SOUTH AUSTRALIAN WATER CORPORATION

Adelaide, 27 September 2018

WATER MAINS LAID

Notice is hereby given that the following main pipes or parts of main pipes have been laid down by the South Australian Water Corporation in or near the undermentioned water districts and are now available for a constant supply of water to adjacent land.

ADELAIDE WATER DISTRICT

CITY OF BURNSIDE

Brook Avenue, Glen Osmond. p30

CITY OF HOLDFAST BAY

Gregory Street, Brighton. p67

CITY OF PLAYFORD

Emerald Drive, Angle Vale. p1

Pedler Close, Blakeview. p2 and 3

Henderson Street, Blakeview. p2 and 3

Angove Grove, Blakeview. p2 and 3

Sachs Place, Blakeview. p2 and 3

Burnlea Parade, Blakeview. p2 and 3

Easements in lot 5107 in LTRO DP 118721 (proposed roads Lewis Drive and Wolsten Drive in Land Division number 292/D027/16),
 Lawder Road, Blakeview. p2 and 3
 Lawder Road, Blakeview. p2 and 3
 Emerald Drive, Angle Vale. p4 and 5
 Darling Street, Angle Vale. p4 and 5
 Apsley Close, Angle Vale. p4 and 5
 Carmela Avenue, Angle Vale. p65 and 66
 Green Court, Angle Vale. p65 and 66
 Easement in lot 513 in LTRO DP 118889 (proposed road Green Court in Land Division number 292/D073/15), Carmela Avenue,
 Angle Vale. p65 and 66
 Brodie Circuit, Angle Vale. p65 and 66
 Petherton Road, Andrews Farm. p87

CITY OF SALISBURY

Easement in lot 91 in LTRO FP 113475, Spains Road, Salisbury. p85 and 86
 Emlyn Avenue, Salisbury. p85 and 86

WALLAROO WATER DISTRICT**DISTRICT COUNCIL OF THE COPPER COAST**

Prince Street, Wallaroo. p36

SEWERS LAID

Notice is hereby given that the following sewers have been laid down by the South Australian Water Corporation in the undermentioned drainage area and are now available for house connections.

ADELAIDE DRAINAGE AREA**CITY OF BURNSIDE**

Seaforth Avenue, Hazelwood Park. FB 1277 p47
 Brook Avenue, Glen Osmond. FB 1277 p60

CAMPBELLTOWN CITY COUNCIL

Papagni Avenue, Newton. FB 1277 p56
 Georgia Avenue, Paradise. FB 1279 p2
 Grantham Grove, Paradise. FB 1279 p4

CITY OF HOLDFAST BAY

Bickford Terrace, Somerton Park. FB 1279 p7

CITY OF MITCHAM

Boorman Avenue, Pasadena. FB 1277 p59

CITY OF PLAYFORD

Angove Drive, Blakeview. FB 1278 p35-37
 Across and in Pedler Close, Blakeview. FB 1278 p35-38
 Sachs Place, Blakeview. FB 1278 p35-37
 Across and in Burnlea Parade, Blakeview. FB 1278 p35-38
 Lawder Road, Blakeview. FB 1278 p35-37
 Lewis Drive, Blakeview. FB 1278 p35-37
 Wolsten Drive, Blakeview. FB 1278 p35, 36 and 38
 Henderson Street, Blakeview. FB 1278 p35, 36 and 38
 In and across Emerald Drive, Angle Vale. FB 1278 p39-41
 In and across Darling Street, Angle Vale. FB 1278 p39-41
 In and across Apsley Close, Angle Vale. FB 1278 p39-41
 In and across Carmela Avenue, Angle Vale. FB 1278 p42-44
 Green Court, Angle Vale. FB 1278 p42-44
 Brodie Circuit, Angle Vale. FB 1278 p42-44
 Easement in lot 513 in LTRO DP 118889 (proposed road Green Court in Land Division number 292/D073/15), Carmela Avenue,
 Angle Vale. FB 1278 p42-44
 Across Petherton Road, Andrews Farm. FB 1278 p51-53
 Tuggarah Street, Andrews Farm. FB 1278 p51-53

CITY OF PORT ADELAIDE ENFIELD

Heath Avenue, Manningham. FB 1277 p57
 Kilner Road, Greenacres. FB 1277 p58
 Kent Avenue, Clearview. FB 1279 p1

CITY OF SALISBURY

Kimber Court, Salisbury. FB 1278 p54-56
 Easement in lot 91 in LTRO FP 113475, Spains Road, Salisbury. FB 1278 p54-56
 Emlyn Avenue, Salisbury. FB 1278 p54-56

CITY OF TEA TREE GULLY

Across Milne Road, Banksia Park. FB 1279 p6
 Yarramie Avenue, Banksia Park. FB 1279 p6

CITY OF WEST TORRENS

Speed Avenue, North Plympton. FB 1279 p4
 Aldridge Terrace, Marlestone. FB 1279 p5

ROCH CHEROUX
 Chief Executive Officer
 South Australian Water Corporation

South Australia

Administrative Arrangements (Conferral of Ministerial Powers and Functions) (Revocation) Proclamation 2018

under section 11 of the *Administrative Arrangements Act 1994*

Part 1—Preliminary

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Conferral of Ministerial Powers and Functions) (Revocation) Proclamation 2018*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

Part 2—Revocation of *Administrative Arrangements (Conferral of Ministerial Functions and Powers) Proclamation 2014*

3—Revocation of proclamation

The *Administrative Arrangements (Conferral of Ministerial Functions and Powers) Proclamation 2014 (Gazette 22.05.2014 p2109)* is revoked.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 27 September 2018

MTIL18/029CS

South Australia

Tobacco Products (Smoking Bans in Public Areas—Longer Term) (The Parade Norwood) Variation Regulations 2018

under the *Tobacco Products Regulation Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Tobacco Products (Smoking Bans in Public Areas—Longer Term) Regulations 2012*

- 4 Insertion of regulation 5C
5C Smoking ban—The Parade Norwood
 - 5 Variation of Schedule 1
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Tobacco Products (Smoking Bans in Public Areas—Longer Term) (The Parade Norwood) Variation Regulations 2018*.

2—Commencement

These regulations will come into operation on 1 December 2018.

3—Variation provisions

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

Part 2—Variation of *Tobacco Products (Smoking Bans in Public Areas—Longer Term) Regulations 2012*

4—Insertion of regulation 5C

After regulation 5B insert:

5C—Smoking ban—The Parade Norwood

- (1) For the purposes of section 52 of the Act, smoking is banned in the following public areas of Norwood:
 - (a) the public area bounded—
 - (i) on the north by the building line on the northern side of The Parade; and

- (ii) on the south by the building line on the southern side of The Parade; and
 - (iii) on the east by the western edge of Portrush Road; and
 - (iv) on the west by the eastern edge of Osmond Terrace;
 - (b) the laneway adjacent to the Norwood Town Hall,
(being the area shown on the map in Schedule 2 as the *declared area*).
- (2) In this regulation—
- building line* means the line formed by the facades of the buildings on the relevant side of The Parade (and includes, where 2 buildings are not contiguous, a straight line running between the closest points of the facades of the buildings);
- laneway adjacent to the Norwood Town Hall* means the laneway forming the whole of the land comprised in Certificate of Title Volume 6037 Folio 165.

5—Variation of Schedule 1

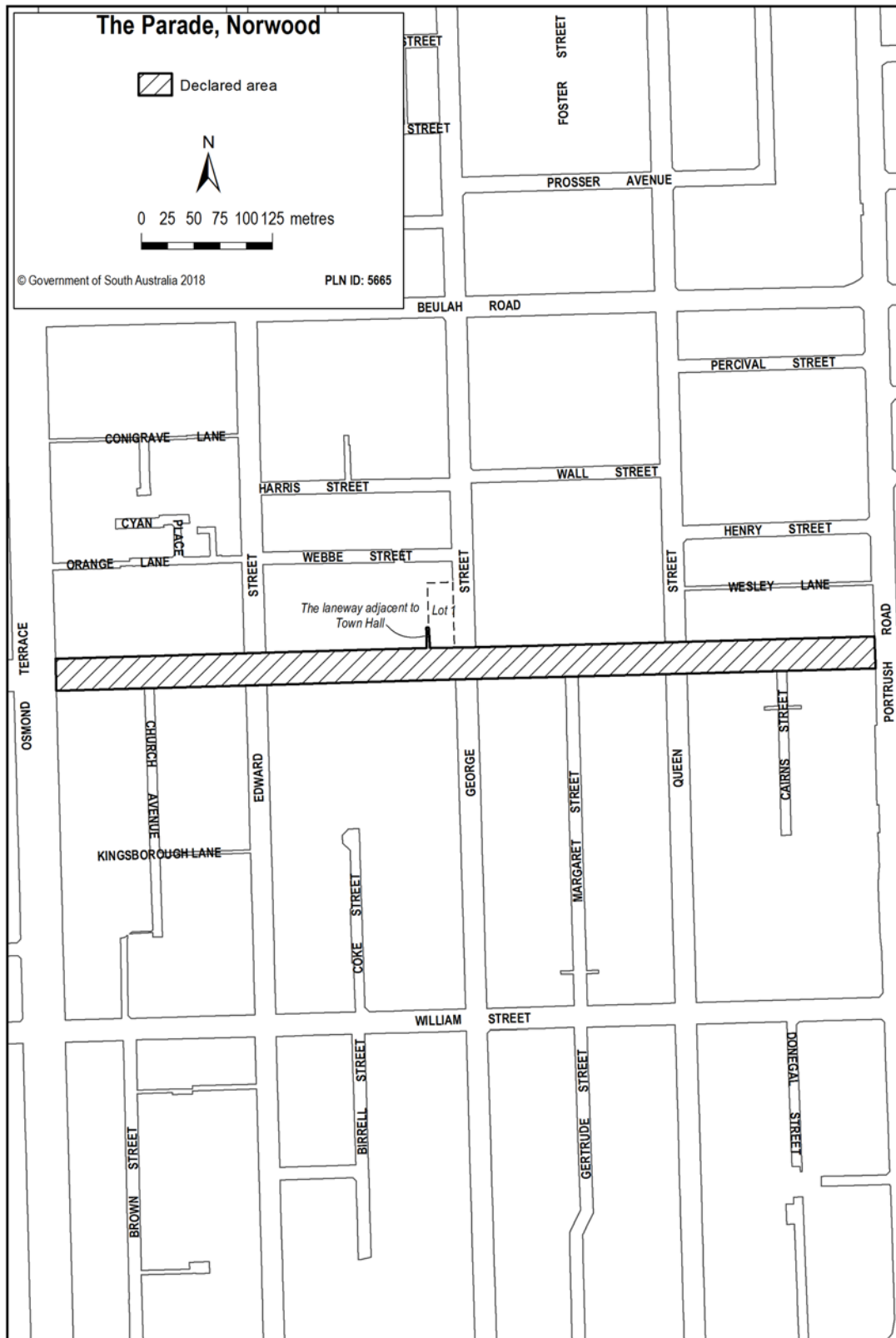
- (1) Schedule 1—delete the heading and substitute:

Schedule 1—Maps

Part 1—Bowden Town Square declared public area (regulation 5B)

- (2) Schedule 1—after its present contents as varied by this regulation insert:

Part 2—The Parade Norwood declared public area (regulation 5C)



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's Deputy

with the advice and consent of the Executive Council
on 27 September 2018

No 212 of 2018

HEAC-2018-00061

South Australia

Heavy Vehicle National Law (South Australia) (Expiation Fees) (No 2) Variation Regulations 2018

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

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Heavy Vehicle National Law (South Australia) (Expiation Fees) Regulations 2013*

- 4 Variation of Schedule 1—Offences, prescribed offences and expiation fees
 - Part 2—Prescribed offences against the *Heavy Vehicle National Law (South Australia)*
 - Division 1—Prescribed offences for purposes of section 591 of the Law
 - Division 2—Prescribed offences peculiar to South Australia
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Heavy Vehicle National Law (South Australia) (Expiation Fees) (No 2) Variation Regulations 2018*.

2—Commencement

These regulations will come into operation on the day on which the *Heavy Vehicle National Law (South Australia) (Amendment of Law No 4) Regulations 2017* come into operation.

3—Variation provisions

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

Part 2—Variation of *Heavy Vehicle National Law (South Australia)* (*Expiation Fees*) Regulations 2013

4—Variation of Schedule 1—Offences, prescribed offences and expiation fees

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

Part 2—Prescribed offences against the *Heavy Vehicle National Law (South Australia)*

Division 1—Prescribed offences for purposes of section 591 of the Law

Section	Description of offence	Fee
60(1)	<i>Using, or permitting the use of, a heavy vehicle that contravenes a heavy vehicle standard—</i>	
	(a) if the heavy vehicle standard relates to a speed limiter	\$661
	(b) in any other case	\$330
79(2)	<i>Failure to comply with notice to return vehicle standards exemption (permit) to Regulator within specified period</i>	\$439
81(1)	<i>Contravening a condition of a vehicle standards exemption</i>	\$439
81(2)	<i>Using, or permitting the use of, a heavy vehicle that contravenes a condition of a vehicle standards exemption</i>	\$439
81(3)	<i>Using or permitting the use of a heavy vehicle in a way that contravenes a condition of a vehicle standards exemption</i>	\$439
82(2)	<i>Failure of driver to comply with condition under vehicle standards exemption (notice) to keep relevant document in driver's possession</i>	\$330
82(3)	<i>Failure of relevant party to ensure driver complies with section 82(2)</i>	\$330
83(1)	<i>Failure of driver to keep a copy of vehicle standards exemption (permit) in driver's possession</i>	\$330
83(2)	<i>Failure of driver to return copy of vehicle standards exemption (permit) to relevant party when driver stops working</i>	\$330
83(3)	<i>Failure of relevant party to ensure driver complies with section 83(2)</i>	\$330
85(1)	<i>Modifying a heavy vehicle without approval by approved vehicle examiner or Regulator</i>	\$330
85(2)	<i>Using or permitting the use of a heavy vehicle that has been modified without approval by approved vehicle examiner or Regulator</i>	\$330
86(2)	<i>Failure of approved vehicle examiner to give approved certificate and ensure plate or label is fitted or affixed to vehicle</i>	\$330
87A(1)	<i>Tampering with plate or label fitted to or affixed to a heavy vehicle under section 86(2) or 87(3)</i>	\$330
89(1)	<i>Using or permitting the use of an unsafe heavy vehicle</i>	\$661
90(1)	<i>Using or permitting the use of a heavy vehicle not fitted with emission control system for each relevant emission</i>	\$330
90(2)	<i>Using or permitting the use of emission control system that is not operating in accordance with manufacturer's design</i>	\$330

Section	Description of offence	Fee
90(3)	<i>Using or permitting the use of an emission control system resulting in a failure to comply with heavy vehicle standard</i>	\$330
92(2)	<i>Using or permitting the use of a heavy vehicle displaying a warning sign where the sign is not required to be displayed</i>	\$330
96(1)	<i>Failure of person who drives, or permits another person to drive, a heavy vehicle to ensure vehicle, components and load comply with mass requirements—</i>	
	(a) for a minor risk breach	\$439
	(b) for a substantial risk breach	\$661
102(1)(a)	<i>Failure of person who drives, or permits another person to drive, a heavy vehicle to ensure vehicle, components and load comply with dimension requirements where vehicle does not have goods or passengers in it</i>	\$330
102(1)(b)	<i>Failure of person who drives, or permits another person to drive, a heavy vehicle to ensure vehicle, components and load comply with dimension requirements where vehicle has goods or passengers in it—</i>	
	(a) for a minor risk breach	\$330
	(b) for a substantial risk breach	\$551
109(2)	<i>Using or permitting the use of a heavy vehicle without fixing the required flag or light to back of the load</i>	\$330
111(1)	<i>Failure of person who drives, or permits another person to drive, a heavy vehicle to ensure vehicle, components and load comply with loading requirements—</i>	
	(a) for a minor risk breach	\$330
	(b) for a substantial risk breach	\$551
129(1)	<i>Driver or operator of heavy vehicle contravening a condition of a mass or dimension exemption</i>	\$661
129(2)	<i>Using or permitting the use of a heavy vehicle that contravenes a condition of a mass or dimension exemption</i>	\$661
129(3)	<i>Using or permitting the use of a heavy vehicle in a way that contravenes a condition of a mass or dimension exemption</i>	\$661
130(2)	<i>Failure of driver of pilot or escort vehicle to comply with conditions of a mass or dimension exemption</i>	\$661
131(1)	<i>Failure of driver of a pilot vehicle to ensure that the accompanying heavy vehicle is not contravening a condition of exemption</i>	\$661
132(2)	<i>Failure of driver of class 1 or class 3 heavy vehicle to comply with condition under mass or dimension exemption (notice) to keep relevant document in driver's possession</i>	\$330
132(3)	<i>Failure of relevant party to ensure driver complies with section 132(2)</i>	\$330
133(1)	<i>Failure of driver of a class 1 or class 3 heavy vehicle to keep a copy of a mass or dimension exemption (permit) in driver's possession</i>	\$330
133(2)	<i>Failure of driver of a class 1 or class 3 heavy vehicle to return copy of mass or dimension exemption (permit) to relevant party when driver stops working</i>	\$439
133(3)	<i>Failure of relevant party to ensure driver complies with section 133(1)</i>	\$330
134(1)	<i>Displaying a heavy vehicle warning sign on a heavy vehicle not being used under a dimension exemption</i>	\$330

Section	Description of offence	Fee
134(2)	<i>Displaying a pilot vehicle warning sign on a vehicle not being used as a pilot vehicle for a heavy vehicle being used under a dimension exemption</i>	\$330
137	<i>Using or permitting the use of a class 2 heavy vehicle other than in accordance with a class 2 heavy vehicle authorisation</i>	\$661
150(1)	<i>Driver or operator of a class 2 heavy vehicle contravening a condition of a class 2 heavy vehicle authorisation</i>	\$661
151(2)	<i>Failure of driver of a class 2 heavy vehicle to comply with a condition of a class 2 heavy vehicle authorisation (notice) to keep relevant document in driver's possession</i>	\$330
151(3)	<i>Failure of relevant party to ensure driver complies with section 151(2)</i>	\$330
152(1)	<i>Failure of driver of a class 2 heavy vehicle to keep copy of class 2 heavy vehicle authorisation (permit) in driver's possession</i>	\$330
152(2)	<i>Failure of driver to return copy of class 2 heavy vehicle authorisation (permit) to relevant party</i>	\$439
152(3)	<i>Failure of relevant party to ensure driver complies with section 152(1)</i>	\$330
153(1)	<i>Failure of driver to keep copy of the PBS vehicle approval in driver's possession</i>	\$330
153(2)	<i>Failure of relevant party to ensure driver complies with section 153(1)</i>	\$330
153A(1)	<i>Using or permitting the use of a restricted access vehicle on a road other than one on which the vehicle is allowed to be used under an applicable mass or dimension authority</i>	\$661
181(3)	<i>Failure to comply with notice requiring return of permit for mass or dimension authority to Regulator within specified time</i>	\$439
184(1)	<i>Driving a heavy vehicle while towing more than 1 other vehicle other than as permitted by section 184(2)</i>	\$330
185(1)	<i>Using or permitting the use of a trailer not securely coupled to the vehicle in front of it in a heavy combination</i>	\$661
185(2)	<i>Using or permitting the use of incompatible or improperly connected components of a coupling in a heavy combination</i>	\$661
190(1)	<i>Failure of responsible entity to ensure operator or driver of a heavy vehicle does not transport freight container without a complying container weight declaration</i>	\$661
191(1)	<i>Failure of operator of a heavy vehicle to ensure vehicle's driver does not transport freight container without a complying container weight declaration</i>	\$661
191(3)	<i>Failure of operator of a heavy vehicle to ensure freight container is not given to carrier unless carrier has been provided with complying container weight declaration or prescribed particulars</i>	\$661
192(1)	<i>Driving a heavy vehicle loaded with freight container without a complying container weight declaration for the container</i>	\$661
192(2)	<i>Failure of driver of a heavy vehicle to keep the complying container weight declaration in or about the vehicle and in a way readily available to an authorised officer</i>	\$330
250(1)	<i>Failure of solo driver of a fatigue-regulated heavy vehicle to comply with standard hours—</i>	
	(a) for a minor risk breach	\$439
	(b) for a substantial risk breach	\$661

Section	Description of offence	Fee
251(1)	<i>Failure of two-up driver of a fatigue-regulated heavy vehicle to comply with standard hours—</i>	
	(a) for a minor risk breach	\$439
	(b) for a substantial risk breach	\$661
254(1)	<i>Failure of solo driver of a fatigue-regulated heavy vehicle to comply with BFM hours—</i>	
	(a) for a minor risk breach	\$439
	(b) for a substantial risk breach	\$661
256(1)	<i>Failure of two-up driver of a fatigue-regulated heavy vehicle to comply with BFM hours—</i>	
	(a) for a minor risk breach	\$439
	(b) for a substantial risk breach	\$661
258(1)	<i>Failure of driver of fatigue-regulated heavy vehicle to comply with AFM hours—</i>	
	(a) for a minor risk breach	\$439
	(b) for a substantial risk breach	\$661
260(1)	<i>Failure of driver of fatigue-regulated heavy vehicle to comply with exemption hours—</i>	
	(a) for a minor risk breach	\$439
	(b) for a substantial risk breach	\$661
263(1)	<i>Failure of driver of fatigue-regulated heavy vehicle to comply with change of work and rest hours option requirements</i>	\$439
284(2)	<i>Failure to comply with notice to return work and rest hours exemption (permit) to Regulator within specified period</i>	\$661
286(1)	<i>Failure to comply with a condition of a work and rest hours exemption</i>	\$661
287(2)	<i>Failure of driver of fatigue-regulated heavy vehicle operating under a work and rest hours exemption (notice) to keep a relevant document in driver's possession</i>	\$330
287(3)	<i>Failure of relevant party to ensure driver complies with section 287(2)</i>	\$330
288(1)	<i>Failure of driver of a fatigue-regulated heavy vehicle to keep a copy of work and rest hours exemption (permit) in the driver's possession</i>	\$330
288(2)	<i>Failure of driver of a fatigue-regulated heavy vehicle to return copy of work and rest hours exemption (permit) to relevant party in certain circumstances</i>	\$439
288(3)	<i>Failure of relevant party to ensure driver complies with section 288(1)</i>	\$330
293(1)	<i>Failure of driver of a fatigue-regulated heavy vehicle to keep a work diary, record required information and keep the diary in the driver's possession</i>	\$661
296(1)	<i>Failure of driver to record required information in work diary in the manner and at the time prescribed by the national regulations</i>	\$165
297(2)	<i>Failure of driver to record required information immediately after starting work on a day</i>	\$661
298(1)	<i>Failure of driver of a fatigue-regulated heavy vehicle to record the odometer reading as required by the national regulations</i>	\$165

Section	Description of offence	Fee
299	<i>Failure of two-up driver to provide details prescribed by the national regulations as requested by the other driver</i>	\$330
301	<i>Failure of driver to comply with requirements for recording information in written work diary</i>	\$165
302	<i>Failure of driver to comply with requirements for recording information in electronic work diary</i>	\$165
303	<i>Failure of driver to record time in work diary according to the time zone of driver's base location</i>	\$165
305(1)	<i>Failure of driver of fatigue-regulated heavy vehicle to record required information in supplementary record</i>	\$661
305(2)	<i>Failure to comply with requirements for recording information in supplementary record not in electronic form</i>	\$330
305(3)	<i>Failure of driver to record time in supplementary record according to the time zone of driver's base location</i>	\$165
306	<i>Failure of driver of fatigue-regulated heavy vehicle to notify the Regulator within 2 business days in the approved form when a written work diary has been filled up, destroyed, lost or stolen</i>	\$330
307(2)	<i>Failure of driver to notify the Regulator within 2 business days in the approved form when an electronic work diary has been filled up, destroyed, lost or stolen or is not in working order</i>	\$330
307(3)	<i>Failure of driver to ensure electronic work diary is examined and brought into working order within period required by Regulator</i>	\$330
308(1)	<i>Failure of driver to comply with the requirements when an old work diary is found or returned</i>	\$330
309(2)	<i>Failure to inform the driver's record keeper within 2 business days of becoming aware of a matter specified in section 309(1)</i>	\$330
310(2)	<i>Failure to inform the driver's record keeper within 2 business days of becoming aware of matters specified in section 310(1)</i>	\$661
312(3)	<i>Failure of record keeper to notify the Regulator within 2 business days of destroyed, lost or stolen electronic work diary</i>	\$661
319(1)	<i>Failure of record keeper to comply with requirements specified in section 319(1)</i>	\$661
319A(2)	<i>Failure of driver to record information specified in section 319((1)(a)(iii) to (vi) within 24 hours or provide information specified in section 319(1) to record keeper within 21 days</i>	\$330
321(1)	<i>Failure of record keeper to comply with requirements specified in section 321(1)</i>	\$661
321(3)	<i>Failure of record keeper to record information required if driver is operating under BFM or AFM hours</i>	\$661
322(2)	<i>Failure of driver to give copy of work diary entry or supplementary record to each record keeper within 21 days</i>	\$330
323(2)	<i>Failure of driver to give new record keeper a copy of information recorded in a work diary relating to the 28 day period before the change to the new record keeper</i>	\$330
324(2)	<i>Failure of record keeper to give driver who stops using the electronic work diary a copy of information recorded in the diary for each day the driver was using the diary</i>	\$330

Section	Description of offence	Fee
324A(2)	<i>Failure of record keeper to give the driver a copy of the record or make the record available etc</i>	\$165
341(1)	<i>Failure of record keeper to keep records required under Division 3 for 3 years after specified day</i>	\$661
341(2)	<i>Failure of record keeper to keep records required under Division 9 or Division 10 for specified period</i>	\$661
341(3)	<i>Failure of record keeper to ensure record (or copy) is readily available to an authorised officer at the record location</i>	\$330
341(4)	<i>Failure of driver who is his or her own record keeper to ensure record (or copy) is readily available to an authorised officer at the record location</i>	\$330
341(5)	<i>Failure of record keeper to ensure record (or copy) is readable, reasonably capable of being understood and capable of being used as evidence</i>	\$661
341(7)	<i>Failure of record keeper to ensure information recorded in an electronic work diary is maintained so as to comply with the Regulator's conditions and manufacturer's instructions</i>	\$165
354(3)	<i>Failure of holder of an electronic recording system approval to comply with a direction of the Regulator</i>	\$661
354(5)	<i>Failure of a person to whom a notice has been given of amended conditions of an electronic recording system approval to give a copy of the notice to each person supplied by that person with an electronic recording system or a device forming part of the system</i>	\$661
355(2)	<i>Failure of holder of approval of an electronic recording system that constitutes a part or the whole of an electronic work diary to remove any electronic message on the system's visual display within the period required by the Regulator</i>	\$661
355(4)	<i>Failure of holder of an approval to comply with a direction of the Regulator</i>	\$661
355(6)	<i>Failure of person to whom a notice that the approval has been cancelled to give a notice to each other person to whom the person has supplied an electronic recording system the subject of the approval that the approval has been cancelled</i>	\$661
373(2)	<i>Failure to comply with notice requiring return of work diary exemption (permit) to Regulator</i>	\$661
375	<i>Contravention of a condition of a work diary exemption</i>	\$661
376(2)	<i>Failure of driver of a fatigue-regulated heavy vehicle to comply with a condition under a work diary exemption (notice) to keep relevant document in driver's possession</i>	\$330
376(3)	<i>Failure of relevant party to ensure driver complies with section 376(2)</i>	\$330
377	<i>Failure of a driver of a fatigue-regulated heavy vehicle to keep a copy of work diary exemption (permit) in the driver's possession</i>	\$330
392(2)	<i>Failure to comply with notice requiring return of fatigue record keeping exemption (permit) to Regulator</i>	\$661
395	<i>Contravention of a condition of a fatigue record keeping exemption</i>	\$661
396(2)	<i>Failure of owner of a fatigue-regulated heavy vehicle to maintain odometer in accordance with requirements prescribed by the national regulations</i>	\$661

Section	Description of offence	Fee
399(2)	<i>Driving or permitting a person to drive a fatigue-regulated heavy vehicle without complying with section 398</i>	\$661
466(2a)	<i>Operator must attach the accreditation label for a relevant vehicle in a way that the label is readable from the outside; and is not obscured, defaced or otherwise not legible</i>	\$330
466(2b)	<i>A person must not drive a relevant vehicle if the vehicle's accreditation label is not attached to the vehicle; or, is attached to the vehicle in a way that the label is wholly or partly obscured, defaced or otherwise not legible</i>	\$330
467	<i>Failure of holder of BFM or AFM accreditation to comply with accreditation conditions</i>	\$661
468(1)	<i>Failure of driver operating under BFM accreditation or AFM accreditation to keep certain documents in driver's possession</i>	\$330
468(3)	<i>Failure of operator to ensure driver complies with section 468(1)</i>	\$330
469(2)	<i>Failure of driver operating under a BFM accreditation or AFM accreditation to return document to operator as soon as reasonably practicable</i>	\$439
470(3)	<i>Failure of operator to inform driver operating under AFM accreditation of the AFM hours applying under the accreditation</i>	\$661
470(8)	<i>Failure of operator to comply with a requirement under section 470(7)</i>	\$330
471(2)	<i>Failure of operator to give notice to driver or scheduler of amendment, suspension or cessation of heavy vehicle accreditation</i>	\$661
471(3)	<i>Failure of driver to return to the operator any document relevant to the notice given to the driver by the operator for the purposes of section 468(1)</i>	\$439
476(2)	<i>Failure to return accreditation certificate to Regulator within specified period</i>	\$661
488	<i>Failure to return identity card to Regulator within specified period</i>	\$439
513(4)	<i>Failure to comply with a direction given under section 513(1)</i>	\$661
514(3)	<i>Failure to comply with a direction given under section 514(1)</i>	\$661
516(3)	<i>Failure to comply with a direction given under section 516(1)</i>	\$661
517(4)	<i>Failure to comply with a direction given under section 517(2)</i>	\$661
522(5)	<i>Failure to produce a heavy vehicle for inspection at the place and time stated in the notice</i>	\$661
524(5)	<i>Failure to comply with a direction given under section 524(2) or (3)</i>	\$661
526(4)	<i>Failure of driver of a heavy vehicle who is not the operator of the vehicle to give defect notice to operator</i>	\$330
528(3)	<i>Removing or defacing a defective vehicle label attached to a heavy vehicle</i>	\$330
529	<i>Using or permitting the use of a heavy vehicle in contravention of a vehicle defect notice</i>	\$661
531(4)	<i>Failure of person who is not the operator of a heavy vehicle who is given notice of an amendment or withdrawal, to give the notice to the operator as soon as reasonably practicable</i>	\$330

Section	Description of offence	Fee
531A(4)	<i>If the driver of a heavy vehicle for which a self-clearing defect notice issued is not the operator of the vehicle, the driver must give the notice to the operator as soon as practicable, but not more than 14 days, after the notice issued</i>	\$330
531A(5)	<i>A person must not use, or permit to be used, on a road a heavy vehicle in contravention of a self-clearing defect notice</i>	\$330
533(7)	<i>Failure to comply with a direction given under section 533</i>	\$1 100
534(5)	<i>Failure to comply with a direction given under section 534</i>	\$1 100
567(4)	<i>Failure to comply with a requirement made under section 567(2) or (3)</i>	\$330
568(3)	<i>Failure to comply with a requirement made under section 568(2)</i>	An amount equal to 10% of the amount of the maximum penalty for an offence of failing to keep the document, device or other thing in the driver's possession
568(7)	<i>Failure to comply with a requirement given under section 568(6)</i>	\$330
569(2)	<i>Failure to comply with a requirement made under section 569(1)</i>	\$661
569(7)	<i>Failure to comply with a requirement made under section 569(6)</i>	\$330

Division 2—Prescribed offences peculiar to South Australia

Section	Description of offence	Fee
322(4)	<i>Failure of record keeper to ensure driver complies with section 322(2)</i>	\$330
577(4)	<i>Failure to comply with a requirement made under section 577(1) or (2)</i>	\$1 100

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's Deputy

with the advice and consent of the Executive Council
on 27 September 2018

No 213 of 2018

MTIL18/036CS

South Australia

Heavy Vehicle National Law (South Australia) (Amendment of Law No 6) Regulations 2018

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

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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 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 6) Regulations 2018*.

2—Commencement

These regulations will come into operation immediately after the commencement of regulation 8 of the *Heavy Vehicle National Law (South Australia) Amendment of Law No 5) Regulations 2018*.

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 5—Definitions

- (1) Section 5, definition of *container weight declaration*, (a)—after the Examples at the foot of paragraph (a) insert:

Note—

See the definition *document* in section 12 of Schedule 1.

- (2) Section 5, definition of *extract*—after the definition insert:

Note—

See the definition *document* in section 12 of Schedule 1.

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

- (a) information in the form of a printed document; and

Note—

See the definitions *printed* and *document* in section 12 of Schedule 1.

- (4) Section 5, definition of *journey documentation*—at the foot of the definition insert:

Note—

See the definition *document* in section 12 of Schedule 1.

- (5) Section 5, definition of *notice*—delete the definition and substitute:

notice—

- (a) means written notice; and
(b) for the purposes of Chapter 9 Part 4 Division 5B, has the meaning given by section 576D;

- (6) Section 5—after the definition of *prime mover* insert:

prohibition notice has the meaning given by section 576A(3);

- (7) Section 5, definition of *registration item*—at the foot of the definition insert:

Note—

See the definition *document* in section 12 of Schedule 1.

- (8) Section 5—after the definition of *route assessment* 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) Section 5, definition of *transport documentation*—after the Examples at the foot of the definition insert:

Note—

See the definition *document* in section 12 of Schedule 1.

6—Amendment of section 23—Application for PBS vehicle approval

Section 23—after subsection (5) insert:

- (5a) The PBS vehicle approval must state the performance level for the approval.

7—Insertion of section 25A

After section 25 insert:

25A—Keeping copy of PBS vehicle approval while driving

- (1) The driver of a PBS vehicle must keep a copy of the PBS vehicle approval in the driver's possession while driving the PBS vehicle.

Maximum penalty: \$3 000.

- (2) Each relevant party for a driver mentioned in subsection (1) must ensure the driver complies with subsection (1), unless the relevant party has a reasonable excuse.

Maximum penalty: \$3 000.

- (3) In this section—

relevant party, for the driver of a PBS vehicle, means—

- (a) an employer of the driver if the driver is an employed driver; or
(b) a prime contractor of the driver if the driver is a self-employed driver; or
(c) an operator of the vehicle if the driver is making a journey for the operator.

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

Section 26D(3), definition of *safety duty*—delete the definition

9—Amendment of section 95—Prescribed mass requirements

Section 95(2)—after paragraph (b) insert:

- (c) general mass limits applying to heavy vehicles or components of heavy vehicles.

10—Amendment of section 96—Compliance with mass requirements

Section 96—after subsection (4) insert:

- (5) This section does not apply to a specified PBS vehicle as defined in section 136(2).

Note—

If a specified PBS vehicle does not comply with the mass requirements applying to the vehicle, it would be a class 2 heavy vehicle and could be dealt with under section 137.

11—Substitution of section 115

Section 115—delete the section and substitute:

115—Proof of contravention of loading requirement

- (1) In a proceeding for an offence against Division 1, the following is evidence that a load on a heavy vehicle was not placed, secured or restrained in compliance with a loading requirement applying to the vehicle:

- (a) evidence that the load was not placed, secured or restrained in a way that met a loading performance standard;

- (b) evidence that a load, or part of a load, has fallen off a heavy vehicle.
- (2) The national regulations may prescribe standards (the *loading performance standards*) for heavy vehicles.

12—Amendment of section 136—Class 2 heavy vehicles

- (1) Section 136(b)—delete paragraph (b) and substitute:
 - (b) it is a PBS vehicle other than a specified PBS vehicle.
- (2) Section 136—after its present contents as amended by this regulation (now to be designated as subsection (1)) insert:
 - (2) In this section—
 - specified PBS vehicle* means a PBS vehicle that—
 - (a) is not a bus; and
 - (b) is not longer than 20m; and
 - (c) is the subject of a current PBS vehicle approval at performance level 1; and
 - (d) complies with the PBS vehicle approval; and
 - (e) complies with the general mass limits for the vehicle, regardless of whether the PBS vehicle approval authorises a higher mass limit.

Note—

General mass limits for a vehicle may be included in prescribed mass requirements under section 95.

13—Repeal of section 153

Section 153—delete the section

14—Amendment of section 153A—Using restricted access vehicle

Section 153A(3)—delete subsection (3) and substitute:

- (3) This section does not apply to—
 - (a) a class 2 heavy vehicle; or
 - (b) a specified PBS vehicle as defined in section 136(2).

Note—

All other PBS vehicles are class 2 heavy vehicles (see section 136).

15—Substitution of section 156

Section 156—delete the section and substitute:

156—Period within which road manager must decide

- (1) If the Regulator asks a road manager for a road for the road manager's consent to the grant of a mass or dimension authority, the road manager must decide to give or not to give the consent—
 - (a) within—

- (i) 28 days after the request is made, unless subparagraph (ii) applies; or
 - (ii) if this section applies because the road manager gave the Regulator a notice of objection to the grant under section 167—14 days after giving the notice of objection; or
- (b) within a longer period, of not more than 6 months after the request is made, agreed to by the Regulator.

Note—

See, however, sections 159, 167 and 168.

- (2) The road manager may ask for, and the Regulator may agree to, a longer period under subsection (1)(b) only if—
- (a) consultation is required under a law with another entity (including, for example, for the purpose of obtaining that entity's approval to give the consent); or
 - (b) the road manager considers a route assessment is necessary for deciding whether to give or not to give the consent; or
 - (c) the road manager is the road authority for the participating jurisdiction and considers that a local government authority that is not required under a law to be consulted should nevertheless be consulted before deciding whether to give or not to give the consent.
- (3) If the Regulator agrees to a longer period under subsection (1)(b), the Regulator must give the applicant for the mass or dimension authority concerned a written statement of the decision—
- (a) identifying the road manager concerned; and
 - (b) indicating the ground on which the road manager asked for a longer period.

156A—Deciding request for consent generally

- (1) If the Regulator asks a road manager for a road for the road manager's consent to the grant of a mass or dimension authority, the road manager may decide not to give the consent only if the road manager is satisfied—
- (a) the mass or dimension authority will, or is likely to—
 - (i) cause damage to road infrastructure; or
 - (ii) impose adverse effects on the community arising from noise, emissions or traffic congestion or from other matters stated in approved guidelines; or
 - (iii) pose significant risks to public safety arising from heavy vehicle use that is incompatible with road infrastructure or traffic conditions; and
 - (b) it is not possible to grant the authority subject to road conditions or travel conditions that will avoid, or significantly minimise—
 - (i) the damage or likely damage; or

- (ii) the adverse effects or likely adverse effects; or
 - (iii) the significant risks or likely significant risks.
- (2) If the road manager considers that the consent would be given if the mass of the vehicle under the application for the authority was less than applied for, the road manager must give the consent subject to a road condition that the vehicle not exceed the mass.
- (3) Also, in deciding whether or not to give the consent, the road manager must have regard to—
- (a) for a mass or dimension exemption—the approved guidelines for granting mass or dimension exemptions; or
 - (b) for a class 2 heavy vehicle authorisation—the approved guidelines for granting class 2 heavy vehicle authorisations.
- (4) If a relevant road manager for a mass or dimension authority decides not to give consent to the grant of the authority, the relevant road manager must give the Regulator a written statement that explains the road manager's decision and complies with section 172.

16—Amendment of section 172—Requirements for statement explaining adverse decision of road manager

Section 172(1)(a)—delete "section 156" and substitute:
section 156A

17—Amendment of section 412—Protecting intelligent access program information

Section 412—delete "access information" and substitute:
access program information

18—Amendment of section 421—Destroying intelligent access program information

- (1) Section 421(1)—delete "access service" and substitute:
access program service
- (2) Section 421(1)(a)—delete "access information" and substitute:
access program information

19—Amendment of section 428—Protecting intelligent access program information collected

Section 428—delete "access information" and substitute:
access program information

20—Amendment of section 437—Destroying intelligence access program information or removing personal information from it

Section 437(1)—delete "access information" and substitute:
access program information

21—Amendment of section 442—Protecting intelligent access program information collected

Section 442—delete "access information" and substitute:

access program information

22—Amendment of section 450—Destroying intelligent access program information or removing personal information from it

Section 450(1)—delete "access information" and substitute:

access program information

23—Amendment of section 490—Reference to document includes reference to reproduction from electronic document

Section 490—at the foot of the section insert:

Note—

See the definition *document* in section 12 of Schedule 1.

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

Section 521(6)—after "police officer" insert:

or is acting under the direction of a police officer

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

(1) Section 522(1)(a)—delete "30 days" and substitute:

60 days

(2) Section 522(2)—delete subsection (2) and substitute:

(1a) An authorised officer may, by notice under subsection (2), require to be produced for inspection at a place and time stated in the notice, vehicles in a category of heavy vehicles that the officer reasonably believes have within the preceding 60 days been used or will be used on a road if the officer reasonably believes that—

- (a) the vehicles in that category do not comply with this Law; or
- (b) the vehicles in that category are defective heavy vehicles as defined in section 525.

(2) A notice must be served on—

- (a) the person in charge of the heavy vehicle or category of heavy vehicles; or
- (b) the registered operator or, if the heavy vehicle or category of heavy vehicles is not registered, an owner.

(3) Section 522—after subsection (5) insert:

(6) An authorised officer may act under subsection (1a) only if—

- (a) for an authorised officer who is a police officer—the officer has the relevant police commissioner’s written authority to act under subsection (1a); or
- (b) for an authorised officer who is not a police officer—the officer’s instrument of appointment provides that the authorised officer may act under subsection (1a).

26—Amendment of section 568—Power to require production of document etc required to be in driver's possession

(1) Section 568(2) and (3)—delete subsections (2) and (3) and substitute:

(2) An authorised officer may, for compliance purposes, require the driver of the heavy vehicle to produce for inspection by the officer—

- (a) if the driver is required by another law of this jurisdiction to keep their driver licence in their possession while driving the vehicle—the driver's driver licence; or
- (b) a document, device or other thing the driver is required under this Law to keep in the driver's possession while driving the vehicle.

Examples—

- a copy of a Commonwealth Gazette notice or permit
- a work diary

Note—

Section 17 of Schedule 1 and section 490 deal with the production of documents and other information kept electronically.

(3) A person of whom a requirement is made under subsection (2) must comply with the requirement, unless the person has a reasonable excuse.

Maximum penalty:

- (a) for a requirement under subsection (2)(a)—\$6 000; or
- (b) for a requirement under subsection (2)(b)—an amount equal to the amount of the maximum penalty for an offence of failing to keep the document, device or other thing in the driver's possession.

(2) Section 568(4)(a)—before "document" insert:

licence,

(3) Section 568(4)—at the foot of subsection (4) insert:

Note—

Section 587 also deals with self-incrimination when complying with a requirement of an authorised officer.

(4) Section 568(5)(a)—before "document" insert:

licence or

- (5) Section 568(6)—delete subsection (6) and substitute:
- (6) If, under subsection (5), the authorised officer copies, takes an extract from, or produces an image or writing from, a licence or document or an entry in a document, the officer may require the person responsible for keeping the licence or document to certify the copy as a true copy of the licence, document or entry.
- (6) Section 568(8)—before "document" insert:
- licence,

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

- (1) Section 569(1)—at the foot of subsection (1) insert:

Note—

Section 17 of Schedule 1 and section 490 deal with the production of documents and other information kept electronically.

- (2) Section 569(3)—delete subsection (3) and substitute:
- (3) If, under subsection (1), an authorised officer requires a responsible person to make available or produce an electronic document—
- (a) the authorised officer may require the responsible person to make available or produce—
- (i) a printed copy of the electronic document; or
- (ii) an electronic copy of the document; and
- (b) compliance with the requirement made under subsection (1) requires the making available or production of the document in the way required under paragraph (a).

Notes—

- 1 See the definitions *document* and *printed* in section 12 of Schedule 1.
- 2 Section 17 of Schedule 1 and section 490 also deal with the production of documents and other information kept electronically.

- (3) Section 569(4)—at the foot of subsection (4) insert:

Notes—

- 1 Section 587 also deals with self-incrimination when complying with a requirement of an authorised officer.
- 2 Section 588 deals with the admissibility of information provided in complying with a requirement under this section.

28—Amendment of section 570—Power to require information about heavy vehicles

- (1) Section 570(1)—after paragraph (b) insert:

or

- (c) personal details known to the responsible person about anyone else the responsible person reasonably believes holds information about the heavy vehicle.

Note—

Section 17 of Schedule 1 and section 490 deal with the production of documents and other information kept electronically.

- (2) Section 570(2)—delete "the current" and substitute:

a past, current

- (3) Section 570—after subsection (2) insert:

(2a) An authorised officer requiring personal details under subsection (1)(c) must give the responsible person a notice stating—

- (a) that the requirement is made under this section; and
- (b) that failing to comply with the requirement is an offence; and
- (c) the time, that is reasonable in the circumstances, in which the person must give the personal details; and
- (d) the effect of subsection (5a) and section 735A.

- (4) Section 570(5)—at the foot of subsection (5) insert:

Note—

Section 587 also deals with self-incrimination when complying with a requirement of an authorised officer.

- (5) Section 570—after subsection (5) insert:

(5a) However, the following information is not admissible as evidence against an individual in a civil or criminal proceeding, other than a proceeding for false or misleading information:

- (a) information, other than information in the form of a document, that the individual gives in complying with a requirement under subsection (1)(c);
- (b) information that is directly or indirectly derived from information to which paragraph (a) applies.

Note—

Section 588 deals with the admissibility of information provided in complying with a requirement under subsection (1)(a) and (b).

29—Amendment of section 570A—Requiring information

- (1) Section 570A(1) to (4)—delete subsections (1) to (4) (inclusive) and substitute:

(1) This section applies if an authorised officer reasonably believes that a person is capable of giving information, providing documents or giving evidence—

- (a) in relation to a possible contravention of—
 - (i) a safety duty; or
 - (ii) a duty of an executive under section 26D; or
- (b) that will assist the authorised officer to monitor or enforce compliance with—
 - (i) a safety duty; or
 - (ii) a duty of an executive under section 26D.

Note—

Section 17 of Schedule 1 and section 490 deal with the production of documents and other information kept electronically.

- (2) The authorised officer may, by notice, require the person to give the information, documents or evidence to the authorised officer.
 - (3) If the authorised officer, despite reasonable diligence, has not been able to obtain the information, documents or evidence under subsection (2), the authorised officer may, by notice given to the person, require the person to do either or both of the following:
 - (a) give information or produce documents to the authorised officer within the time and in the way stated in the notice;
 - (b) appear before a person appointed by the authorised officer on a day, and at a time and place, stated in the notice and give oral evidence.
 - (4) The notice must state—
 - (a) that—
 - (i) the requirement is made under this section; and
 - (ii) failing to comply with the requirement is an offence; and
 - (b) if the notice requires the person to give information or produce documents to the authorised officer—the time and way, that is reasonable in the circumstances, in which the person must give the information or documents; and
 - (c) if the notice requires the person to give oral evidence—
 - (i) the day, time and place, that is reasonable in the circumstances, for the person to appear before the person appointed by the authorised officer; and
 - (ii) that the person may appear with an Australian legal practitioner; and
 - (d) the effect of—
 - (i) subsections (7) and (8); and
 - (ii) section 735A.
- (2) Section 570A(6)—at the foot of subsection (6) insert:

Note—

Section 587 also deals with self-incrimination when complying with a requirement of an authorised officer.

- (3) Section 570A(7)—delete subsection (7) and substitute:
- (7) However, the following information, documents and evidence are not admissible as evidence against an individual in a civil or criminal proceeding, other than a proceeding for false or misleading information:
 - (a) information, documents and evidence that the individual gives in complying with a requirement under this section;

- (b) information, documents and evidence that is directly or indirectly derived from information, documents or evidence mentioned in paragraph (a).

30—Insertion of Chapter 9 Part 4 Divisions 5A and 5B

Chapter 9, Part 4—after Division 5 insert:

Division 5A—Prohibition notices

576A—Power to issue prohibition notice

- (1) This section applies if an authorised officer reasonably believes that an activity involving a heavy vehicle—
 - (a) is occurring and involves, or will involve, an immediate or imminent serious risk to the health or safety of a person; or
 - (b) may occur and, if it occurs, will involve an immediate or imminent serious risk to the health or safety of a person.
- (2) The authorised officer may give a person who has control over the activity a direction prohibiting the carrying on of the activity, or the carrying on of the activity in a specified way, until an authorised officer is satisfied that the matters that give or will give rise to the risk have been remedied.
- (3) The direction may be given orally, but must be confirmed by written notice (a *prohibition notice*) given to the person as soon as practicable.

576B—Contents of prohibition notice

- (1) A prohibition notice must state—
 - (a) that the authorised officer believes that grounds for the issue of the prohibition notice exist and the basis for that belief; and
 - (b) briefly, the activity that the authorised officer believes involves or will involve the risk and the matters that give or will give rise to the risk; and
 - (c) the provision of this Law that the authorised officer believes is being, or is likely to be, contravened by that activity.
- (2) A prohibition notice may include directions on the measures to be taken to remedy the risk, activities or matters to which the notice relates, or the contravention or likely contravention mentioned in subsection (1)(c).
- (3) Without limiting section 576A, a prohibition notice that prohibits the carrying on of an activity in a specified way may do so by stating 1 or more of the following:
 - (a) a heavy vehicle, or part of a heavy vehicle, in which the activity is not to be carried out;
 - (b) anything that is not to be used in connection with the activity;
 - (c) any procedure that is not to be followed in connection with the activity.

576C—Compliance with prohibition notice

A person given a direction under section 576A(2) or a prohibition notice must comply with the direction or notice.

Maximum penalty: \$10 000.

Division 5B—Injunctions**576D—Application of Division 5B**

In this Division—

notice means an improvement notice or a prohibition notice.

576E—Injunction for noncompliance with notice

- (1) An authorised officer may apply to the Supreme Court for an injunction—
 - (a) compelling a person to comply with a notice; or
 - (b) restraining a person from contravening a notice.
- (2) The authorised officer may do so—
 - (a) whether or not a proceeding has been brought for an offence against this Law in connection with any matter in relation to which the notice was issued; and
 - (b) whether any period for compliance with the notice has expired.
- (3) An authorised officer may make an application under this section only if—
 - (a) for an authorised officer who is a police officer—the officer has the relevant police commissioner's written authority to make the application; or
 - (b) for an authorised officer who is not a police officer—the officer's instrument of appointment provides that the authorised officer may make the application.

31—Amendment of section 577—Power to require reasonable help

- (1) Section 577(3)(a)—after the Example at the foot of paragraph (a) insert:

Note—

Section 17 of Schedule 1 and section 490 deal with the production of documents and other information kept electronically.

- (2) Section 577(6)—at the foot of subsection (6) insert:

Notes—

- 1 Section 587 also deals with self-incrimination when complying with a requirement of an authorised officer.
- 2 Section 588 deals with the admissibility of information provided in complying with a requirement under this section.

32—Amendment of section 588—Evidential immunity for individuals complying with particular requirements

Section 588(1)—delete "570" and substitute:

570(1)(a) and (b)

33—Insertion of Chapter 10 Part 3 Division 2A

Chapter 10, Part 3—after Division 2 insert:

Division 2A—Injunctions

596A—Injunctions

If a court convicts a person of an offence against this Law, the court may issue an injunction requiring the person to cease contravening this Law.

Note—

An injunction may also be obtained under section 576E for noncompliance with an improvement notice or prohibition notice.

34—Amendment of section 641—Applying for internal review

Section 641(8), definition of *dissatisfied person*, (f)—delete paragraph (f) and substitute:

- (f) for a reviewable decision of an authorised officer to give a person an improvement notice or prohibition notice, or to amend an improvement notice or prohibition notice given to a person—the person to whom the notice was given; or

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

Section 653(1)(l)(ii)—delete subparagraph (ii) and substitute:

- (ii) section 156A(1)(a)(ii); or

36—Insertion of sections 726B and 726C

After section 726A insert:

726B—Evidence obtained by police using other powers

To remove any doubt, it is declared that evidence lawfully obtained by a police officer using powers other than the powers under this Law is not inadmissible in proceedings for a contravention of this Law only because the evidence was obtained using the other powers.

726C—Evidence obtained in another jurisdiction

To remove any doubt, it is declared that evidence lawfully obtained in a jurisdiction (the *first jurisdiction*) is not inadmissible in proceedings for a contravention of this Law in another jurisdiction only because the evidence was obtained in the first jurisdiction.

37—Insertion of Chapter 13 Part 3 Division 3

Chapter 13, Part 3—after Division 2 insert:

Division 3—Publication of court outcomes

726D—Regulator may publish convictions, penalties, orders, etc

- (1) This section applies if a court convicts a person of an offence against this Law.

Note—

Under section 9, a court *convicts* a person of an offence if the court finds the person guilty, or accepts the person's plea of guilty, for the offence whether or not a conviction is recorded.

- (2) The Regulator may publish the following information about the conviction on the Regulator's website:
- (a) the offence for which the person was convicted;
 - (b) if the court imposed a penalty for the conviction—the penalty imposed;
 - (c) if the court made an order against the person in relation to the conviction—information about the order made, other than information that could identify or lead to the identification of the person.

Note—

Orders the court may make include commercial benefits penalty orders (see section 597), supervisory intervention orders (see section 600), prohibition orders (see section 607) and compensation orders (see section 611).

38—Amendment of section 727—Definitions for Chapter 13 Part 4

- (1) Section 727(1), definition of *driver fatigue provision*—before paragraph (a) insert:

(aa) Chapter 1A to the extent the Chapter relates to driver fatigue;

- (2) Section 727(1), definition of *driver fatigue provision*, (d)—delete "paragraphs (a) and (b)" and substitute:

paragraphs (aa), (a) and (b)

- (3) Section 727(1), definition of *electronic work diary protected information*, (b)(i)—delete subparagraph (i) and substitute:

- (i) information obtained, collected or recorded other than for the purposes of Chapter 1A to the extent the Chapter relates to driver fatigue or Chapter 6 (the *driver fatigue purposes*), even if the information is—

- (A) coincidentally relevant for a driver fatigue purpose; and
- (B) recorded in an electronic work diary; or

39—Amendment of section 730—National regulations

Section 730(3)(b)—at the foot of paragraph (b) insert:

Note—

However, a maximum fine imposed by the regulations may be increased under section 737 to a higher amount.

40—Amendment of section 737—Increase of penalty amounts

Section 737—after subsection (2) insert:

- (2a) To remove any doubt, the maximum fine limits mentioned in section 730(3)(b) do not limit the application of subsection (2).

41—Amendment of section 750—Amendment or cancellation of instruments carried over from former legislation

Section 750(4)—delete subsection (4) and substitute:

- (4) Despite anything to the contrary in this Law other than subsection (3), the Regulator may amend or cancel the instrument simply by publishing a public notice of the amendment or cancellation.

42—Amendment of Schedule 3—Reviewable decisions

- (1) Schedule 3, Part 2, table—after the item relating to sections 572 and 574 insert:

section 576A	decision of an authorised officer who is not a police officer to give a person a prohibition notice
section 576A	decision of an authorised officer who is not a police officer to amend a prohibition notice given to a person

Note—

Section 23 of Schedule 1 allows for the amendment of a prohibition notice.

- (2) Schedule 3, Part 3, item relating to section 156—delete "section 156" and substitute:
section 156A

43—Amendment of Schedule 4—Liability provisions

- (1) Schedule 4, table, items relating to section 30 and section 50—delete the items
(2) Schedule 4, table—after the item relating to section 573 insert:

576C	576C
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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's Deputy

with the advice and consent of the Executive Council
on 27 September 2018

No 214 of 2018

MTIL18/028CS

South Australia

Heavy Vehicle National Law (South Australia) (Expiation Fees) (No 3) Variation Regulations 2018

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

Contents

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Part 2—Variation of *Heavy Vehicle National Law (South Australia) (Expiation Fees) Regulations 2013*

- 4 Variation of Schedule 1—Offences, prescribed offences and expiation fees
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Heavy Vehicle National Law (South Australia) (Expiation Fees) (No 3) Variation Regulations 2018*.

2—Commencement

These regulations will come into operation immediately after the *Heavy Vehicle National Law (South Australia) (Expiation Fees) (No 2) Variation Regulations 2018* come into operation.

3—Variation provisions

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

Part 2—Variation of *Heavy Vehicle National Law (South Australia) (Expiation Fees) Regulations 2013*

4—Variation of Schedule 1—Offences, prescribed offences and expiation fees

- (1) Schedule 1, Part 2, Division 1, table, items relating to sections 153(1) and 153(2)—delete the items
- (2) Schedule 1, Part 2, Division 1, table, item relating to section 568(3)—delete the item

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's Deputy

with the advice and consent of the Executive Council
on 27 September 2018

No 215 of 2018

MTIL18/028CS

South Australia

Youth Court (Care and Protection) Rules 2018

under the *Youth Court Act 1993*

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Schedule 1—Forms

Part 1—Preliminary

1—Short title

These rules may be cited as the *Youth Court (Care and Protection) Rules 2018*.

2—Commencement

These rules will come into operation on 22 October 2018.

3—Interpretation

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

care and protection jurisdiction of the Court means the jurisdiction of the Court under the *Children and Young People (Safety) Act 2017*;

care and protection order means an order made by the court under section 53 of the *Children and Young People (Safety) Act 2017*;

Court means the Youth Court;

direction of the Court means a practice direction or specific direction or order of the Court; and **direct** has a corresponding meaning;

interlocutory application means an application for a direction of the Court relating to—

- (a) the course or conduct of proceedings for a final order of the Court; or
- (b) matters preliminary or ancillary to such proceedings;

the term includes an application for an order that the Court is empowered to make on an adjournment of proceedings for a final order of the Court and any application that the Court directs to be treated as interlocutory for the purposes of these rules;

prescribed child or young person has the same meaning as in section 28 of the *Children and Young People (Safety) Act 2017*.

- (2) A term used in these rules that is defined in the *Children and Young People (Safety) Act 2017* has the same meaning in these rules as it has in that Act (unless the contrary intention appears).

4—Application of rules

These rules apply to the care and protection jurisdiction of the Court.

5—Object of rules

The object of these rules is the fair, effective, expeditious and efficient conduct of the proceedings of the Court.

6—Power to give directions

The Court may, in any proceedings, if it considers it appropriate to do so in particular circumstances, do either or both of the following:

- (a) give directions as to the practice and procedure to be followed in the circumstances;
- (b) dispense with compliance with a provision of these rules (including a provision governing the exercise of a power of the Court).

7—Forms

- (1) It is sufficient compliance with these rules, as to the form of any document, if the document is substantially in accordance with the form specified by these rules.
- (2) Forms not provided by these rules may be prepared at the direction of the Court or by the Registrar on behalf of the Court.
- (3) All forms for use specifically in the care and protection jurisdiction must use numbering with the prefix *CP*.

- (4) The forms set out in Schedule 1 must be used for the purposes specified in that Schedule or these rules.

Part 2—Notification of urgent removals

8—Notification of urgent removals

- (1) If a child protection officer removes a child or young person in the exercise of a power under section 41 of the *Children and Young People (Safety) Act 2017*, the Chief Executive must ensure that notice of the removal is given to the Court on the day on which the child or young person is removed or, if that is not reasonably practicable, by the end of the next business day.
- (2) The notice must be given by email addressed to the Court and sent to an email address provided by the Registrar to the Chief Executive for the purposes of this rule, or in such other manner as the Registrar may allow.
- (3) A notice does not need to be given under this rule if—
 - (a) the child or young person is, at the time of the removal, already under the guardianship, or in the custody, of the Chief Executive; and
 - (b) it is not anticipated by the Chief Executive that an application is to be made to the Court in connection with the removal.

Part 3—Applications, supporting material and responses

9—Applications—general provision

- (1) This rule applies to any application to the Court other than an interlocutory application.
- (2) An application must—
 - (a) be in writing in an appropriate form; and
 - (b) state the orders that are sought; and
 - (c) state the statutory provision under which each order might be made; and
 - (d) state the grounds of the application; and
 - (e) include particulars of the factual allegations or circumstances relied on to make out the grounds of the application; and
 - (f) be signed by the applicant, or on the applicant's behalf by the applicant's legal representative.
- (3) All statements and particulars in an application must be in plain language, and be set out and expressed clearly, specifically and succinctly.
- (4) If multiple or alternative orders are sought in an application, the application must indicate this clearly and, for each order, link the grounds and supporting statements and particulars relevant to that order clearly and specifically to that order.

10—Case plans

- (1) If an application relates to a prescribed child or young person, the application to the Court with respect to that child or young person must be accompanied by (or include)—
 - (a) a case plan prepared under section 28 of the *Children and Young People (Safety) Act 2017* or, if a case plan has been varied or substituted, the latest version of the case plan; or

- (b) if a case plan has not been completed—information about what is proposed for the case plan in accordance with the requirements under subrule (2).
- (2) The information required under this subrule will be the following (insofar as is reasonably known to the applicant):
 - (a) an outline of the proposed content of the case plan, taking into account the requirements of section 28(2) of the *Children and Young People (Safety) Act 2017* and any relevant regulations under that Act;
 - (b) without limiting paragraph (a), specific information about the approach intended to be adopted in relation to the care and protection of the child or young person, the steps to be taken in connection with the preparation of the case plan, and how the various parts of the case plan are to be achieved;
 - (c) information about when the first version of case plan is expected to have been completed.
- (3) A party must also provide to the Court such information about the case plan (including information about steps that are being taken to further review or develop the case plan, and to give effect to the case plan) as the Court may from time to time require as part of the proceedings.
- (4) If a child or young person becomes a prescribed child or young person during the course of any proceedings, the applicant in the proceedings must provide—
 - (a) as soon as is reasonably practicable—information about what is proposed for the case plan in accordance with the requirements of subrule (2); and
 - (b) as soon as it has been prepared—a copy of the case plan.

11—Material supporting applications—other requirements

- (1) An application to the Court as referred to in rule 9 must also be supported by material that sufficiently sets out the evidence on which the application is based.
- (2) In the case of an application seeking a care and protection order in respect of a child or young person in respect of whom there has been a previous care and protection order, the material in support of the order must include—
 - (a) a document reporting on the outcomes of any review meetings conducted during the operation of the previous order; and
 - (b) in the case of a prescribed child or young person—an up-to-date copy of the case plan required under section 28 of the *Children and Young People (Safety) Act 2017*; and
 - (c) a document reporting the extent to which each party has complied with requirements or undertakings applicable to the party under the previous order.
- (3) Material in support of an application provided under this rule must be filed in the Court and, unless the Court directs otherwise, served on the other parties, at least 10 business days before the pre-trial conference in relation to the application.
- (4) After the expiration of the period that applies under subrule (3), material in support of an application may only be filed in the Court with leave and on such terms or conditions as the Court directs.
- (5) Leave to file further material may be sought orally and at any stage of the proceedings and, unless the Court allows or directs otherwise, served on the other parties at least 2 business days before the next date for the hearing of the proceedings.

12—Responses

- (1) This rule applies to any application to the Court other than—
 - (a) an interlocutory application; or
 - (b) an application of a kind excluded from the application of this rule by the Court by practice direction.
- (2) A party to an application who opposes the application in whole or part must file a response in the Court, and serve the response on the other parties, at least 5 business days before the pre-trial conference in relation to the application.
- (3) A response to an application must—
 - (a) be in an appropriate form; and
 - (b) state clearly the order or orders sought in the application that are opposed and any order that is not opposed; and
 - (c) if an order is proposed as an alternative to an order sought in the application, indicate that clearly, and specify the proposed order and which order it would replace; and
 - (d) in relation to each ground of the application, state whether the ground is—
 - (i) admitted; or
 - (ii) disputed; or
 - (iii) not admitted, but not disputed for the purposes of the determination of the application; and
 - (e) in relation to each separate particular of a factual allegation in the application, state whether the particular is—
 - (i) admitted; or
 - (ii) disputed; or
 - (iii) not admitted, but not disputed for the purposes of the determination of the application; and
 - (f) if a ground or particular is disputed, state briefly the manner in which the ground or particular is disputed.
- (4) A response should be supported by material that provides evidence of the respondent's version of events or of any matter relevant to the determination of the application.
- (5) Material in support of a response may be in the form of—
 - (a) affidavits (including annexures); or
 - (b) expert reports; or
 - (c) chronologies of significant events; or
 - (d) subject to a direction of the Court, other documentary evidence.
- (6) Material in support of a response provided under this rule must be filed in the Court and, unless the Court directs otherwise, served on the other parties, at least 5 business days before the pre-trial conference in relation to the application.
- (7) After the expiration of the period that applies under subrule (6), material in support of a response may only be filed in the Court with leave and on such terms or conditions as the Court directs.

- (8) Leave to file further material may be sought orally and at any stage of the proceedings and, unless the Court allows or directs otherwise, served on the other parties at least 2 business days before the next date for the hearing of the proceedings.
- (9) The Court will make such determinations based on the contents of a response, or the failure to file a response, as the Court considers appropriate, and proceed accordingly, subject to the provisions of the *Children and Young People (Safety) Act 2017*.

13—Interlocutory applications

- (1) This rule does not apply to an application of a kind excluded from the application of the rule by the Court by practice direction.
- (2) An interlocutory application is to be in an appropriate form, accompanied by an affidavit evidencing the grounds on which the application is being made.
- (3) Nothing prevents an interlocutory application from being combined with an application for a final order of the Court.
- (4) The applicant must serve a copy of the application (and accompanying documents) on the other parties as soon as practicable after it is filed in the Court, but not later than 2 business days before the next date for the hearing of the proceedings.
- (5) However, service on another party is not required if the application does not affect the interests of the other party.
- (6) The Court may, on conditions the Court considers appropriate, dispense with a requirement of this rule—
 - (a) if the urgency of the case requires; or
 - (b) by consent of the parties; or
 - (c) if for any other reason the Court considers it appropriate to do so.
- (7) The Court may determine an interlocutory application without hearing oral submissions from the parties if—
 - (a) the application is not contentious; or
 - (b) the Court decides on the application of a party to determine the application on the basis of written submissions.
- (8) On an interlocutory application, the Court may give directions relating to the proceedings irrespective of whether the applicant has asked for such directions in the application.

Part 4—Conferences and the facilitation of trials

14—Pre-trial conferences

- (1) This rule applies to any application to the Court other than—
 - (a) an interlocutory application; or
 - (b) an application of a kind excluded from the application of this rule by the Court by practice direction.
- (2) Defended applications will be listed for pre-trial conference with the goal that, so far as is practicable, each conference will be held within 8 weeks from the filing of the application.
- (3) If matters remain in dispute at the end of a pre-trial conference, the application concerned will be allocated a trial date and, if a status conference is to be held, a date for that conference.

- (4) The judicial officer presiding over a pre-trial conference may, subject to section 65 of the *Children and Young People (Safety) Act 2017*, determine what matters are in dispute for the purposes of the trial and direct that the trial be limited to such matters.

15—Documents required for pre-trial conferences

A party to an application listed for a pre-trial conference must, at least 2 business days before the date fixed for the pre-trial conference, file in the Court, and serve on the other parties—

- (a) a list of all witnesses to be called by a party at the trial; and
- (b) copies of reports of any proposed expert witness; and
- (c) a synopsis of the evidence of any other proposed witnesses.

16—Status conferences and facilitation of trials

- (1) A status conference may be held before the trial of a defended application.
- (2) A status conference will, if practicable, be presided over by the judicial officer who is to hear the trial.
- (3) At a status conference, the Court may give 1 or more of the following directions:
 - (a) limiting the issues to be determined at the trial;
 - (b) appointing a party *dux litis* in relation to issues to be determined at the trial;
 - (c) requiring or relating to the discovery, inspection and copying of evidentiary material;
 - (d) enabling non-parties to be present or participate at the trial;
 - (e) arranging for the interviewing of a child or young person by the trial judicial officer;
 - (f) requiring the concurrent calling of expert witnesses;
 - (g) arranging for the taking of views;
 - (h) requiring any party to prepare a chronology of events relating to any matter or circumstances to be considered at the trial;
 - (i) arranging for the taking of evidence by telephone link, video link or other medium;
 - (j) any other direction that may facilitate the conduct of the trial.
- (4) Any such direction may, in any event, be given before or at the trial.

17—Trial books

- (1) Unless the Court directs otherwise, the Minister or the Chief Executive must prepare a trial book for the purposes of a trial.
- (2) A trial book—
 - (a) must contain the application and all material filed by the parties in the proceedings; and
 - (b) must be provided to the Court and other parties at least 2 business days before the trial.

Part 5—Trials and orders

18—Listing of trials

Defended applications (including on an amendment of an application) will be listed for trial with the goal that, so far as is practicable, the trial will be commenced within 12 weeks from the filing of the application.

19—Trials

A trial will be conducted, as far as practicable, on the basis that—

- (a) each party's case is substantially contained in documentary material filed in accordance with these rules, and incorporated in the trial book; and
- (b) examination-in-chief of witnesses avoids undue repetition of matters contained in the filed material and is limited to necessary and reasonable explanation, correction or supplementation of the filed material and to eliciting responses to, or comments on, another party's case.

20—Minutes of orders

- (1) This rule applies to any interim or final order made by the Court on an application, but does not apply to a purely procedural direction.
- (2) Unless the Court otherwise directs, the Minister or the Chief Executive must prepare minutes of the order.
- (3) The minutes of an order—
 - (a) must be provided to the Court at the hearing at which the order is made; or
 - (b) must be filed in the Court within 2 business days of the making of the order.

Part 6—Miscellaneous

21—Temporary instruments of guardianship and restraining notices

- (1) For the purposes of sections 45(4)(b) and 46(4)(b) of the *Children and Young People (Safety) Act 2017*, an instrument of guardianship or restraining notice (as the case may be) must be lodged with the Court using Form CP4 in Schedule 1.
- (2) An application to the Court to vary arrangements for the care of a child or young person under section 45(6) of the *Children and Young People (Safety) Act 2017* must be made using Form CP10 in Schedule 1.
- (3) An application to the Court to extend the guardianship period or a restraining notice period under section 47 of the *Children and Young People (Safety) Act 2017* must be made using Form CP11 in Schedule 1.

22—Video and other links

- (1) In appropriate cases, the Court will facilitate the appearance of parties or counsel via an audio visual link, or by a telephone link or other medium.
- (2) A party wishing to appear via a link or other medium must provide adequate notice and adequate information to the Court to enable the Court, if it considers it appropriate to do so, to arrange the link or to agree to the use of a particular medium.

- (3) In the ordinary course—
 - (a) an audio visual link will be from a courthouse, State Government office, or other appropriate facility; and
 - (b) a telephone link will be via a landline (not a mobile telephone).

23—Proof of service

- (1) If an application or other document is required to be served on another party, the Court may decline to consider the application or document until proof of service of the application has been filed in, or produced to, the Court.
- (2) Proof of service of an application or document may consist of an affidavit made by the person who served the application or document setting out—
 - (a) the date, time and place of service; and
 - (b) how the person to be served was identified; and
 - (c) how service was effected.
- (3) The Court may, however, require or permit oral evidence of service.

24—Litigation guardians

- (1) If the Court is satisfied that a party, other than a child the subject of proceedings, is incapable by reason of disability of adequately conducting any proceedings, the Court may—
 - (a) seek to have a legal guardian or appropriate advocate appointed to conduct the proceedings on behalf of the party; or
 - (b) if necessary, appoint a litigation guardian under this rule to conduct the proceedings on behalf of the party.
- (2) A litigation guardian appointed under this rule is responsible for the conduct of the proceedings on behalf of the relevant party and may take any step in the proceedings that such party might have done if of full capacity.
- (3) The Court may appoint a person as a litigation guardian if the person—
 - (a) is an adult; and
 - (b) has no interest in the proceedings adverse to the interest of the party needing the litigation guardian, or has some lawful authority to manage or administer the party's affairs; and
 - (c) can fairly and competently conduct the proceedings on behalf of the party; and
 - (d) has consented to act as the litigation guardian.
- (4) The Court may require a litigation guardian seeking a consent order on behalf of the party needing the litigation guardian to satisfy the Court that the order is in the party's best interests.
- (5) A party who becomes aware that another party is a person to whom this rule may apply, and is not adequately represented, must inform the Court of that fact.
- (6) The Court may remove a litigation guardian on any reasonable ground, and may permit or appoint another person to be the litigation guardian.

25—Revocation

The *Youth Court (Children's Protection) Rules 2012* are revoked.

Schedule 1—Forms

P. ELDRIDGE
Judge

L. DAVIS
Magistrate

O. KOEHN
Magistrate

D. WHITE
Magistrate

APPLICATION FOR CARE AND PROTECTION ORDERS

Form CP1

Court	Youth Court	Action No	ACC-
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Hearing location:	75 Wright Street ADELAIDE SA 5000	Hearing Date & time	<i>Court use only</i>
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<p>Application type: This Application is made under: <i>Children and Young Person (Safety) Act 2017 section 53.</i></p> <p>Pre-action steps Has a Family Group Conference taken place? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Does the section 59(2) apply? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Has an Instrument of Guardianship or Restraining Notice been lodged? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>

Applicant/s				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Applicant/s	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Guardian/Mother				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Guardian/Mother (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Guardian/Father				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Guardian/Father (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Other Party/ies				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Other Party (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Child/Children	
Child 1	
Full Name	
Date of Birth	
Ethnicity	
Child 2	
Full Name	
Date of Birth	
Ethnicity	
Child 3	
Full Name	
Date of Birth	
Ethnicity	

TO THE MOTHER/FATHER/GUARDIAN/CHILDREN:

The applicant has applied for orders set out in this Application.

The facts that support this application are set out in the accompanying documentation.

The Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the application, or make submissions about it, you must attend the hearing, and you may be required to file a Response at a later stage.

If you do not attend the Court hearing orders may be made without further warning.

ORDERS SOUGHT

(Tick the relevant boxes below and provide the orders sought in full below)

- | | | |
|--------------------------|---|--------------------------|
| <input type="checkbox"/> | Examination and assessment of a child | Section 53(1)(b) |
| <input type="checkbox"/> | Assessment of a parent/guardian | Section 53(1)(c) |
| <input type="checkbox"/> | Order granting custody to the Chief Executive | Section 53(1)(j) |
| <input type="checkbox"/> | Order preventing the removal of a child from the State | Section 53(1)(d) |
| <input type="checkbox"/> | A party to enter into an undertaking and/or a supervision order | Section 53(1)(a) |
| <input type="checkbox"/> | Guardianship order not exceeding 12 months | Section 53(1)(e) and (f) |
| <input type="checkbox"/> | Guardianship order until the child attains 18 years of age | Section 53(1)(g) and (h) |
| <input type="checkbox"/> | Custody order not exceeding 12 months | Section 53(1)(i) |
| <input type="checkbox"/> | Order to refrain from doing something | Section 53(1)(k) |
| <input type="checkbox"/> | Order to revoke an instrument of guardianship or restraining notice | Section 53(1)(l) |
| <input type="checkbox"/> | Consequential or ancillary orders | Section 53(1)(m) |

1.

2.

3.

 GROUNDS AND PARTICULARS OF THE APPLICATION	
<i>(Outline each of the grounds of the Application together with the particulars of the factual allegations for each ground)</i>	
1.	
Particulars	1.1 1.2 1.3
2.	
Particulars	2.1 2.2 2.3
3.	
Particulars	3.1 3.2 3.3
4.	
Particulars	4.1 4.2 4.3

ACCOMPANYING DOCUMENTATION

The material facts that support this application are set out in the accompanying affidavit/list of documents/report.

SERVICE ON THE MOTHER/FATHER/GUARDIAN/CHILDREN:

- It is intended to serve this application on all other parties.
- It is not intended to serve this application on the following parties: *(list party/ies)* because *(provide reasons here)*

APPLICANT'S SIGNATURE

.....
Date

.....
APPLICANT/APPLICANT'S SOLICITOR

NOTE TO PARTIES

There may be cost penalties for making an unsuccessful application or cross-application.

APPLICATION TO VARY/REVOKE A CARE AND PROTECTION ORDER

Form CP2

Court	Youth Court	Action No	ACC-
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Hearing location:	75 Wright Street ADELAIDE SA 5000	Hearing Date & time	<i>Court use only</i>
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Application type:

This Application is made under: *Children and Young Person (Safety) Act 2017* section 55.

Original order

Date of original order:

File number:

Applicant/s

Full Name				
Address <small>(Registered Office, if Body Corporate)</small>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Applicant/s	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Guardian/Mother

Full Name				
Address <small>(Registered Office, if Body Corporate)</small>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Guardian/Mother (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Guardian/Father				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Guardian/Father (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Other Party/ies				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Other Party (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Child/Children	
Child 1	
Full Name	
Date of Birth	
Child 2	
Full Name	
Date of Birth	
Child 3	
Full Name	
Date of Birth	

TO THE MOTHER/FATHER/GUARDIAN/CHILDREN:

The applicant has applied for orders set out in this Application.

The facts that support this application are set out in the accompanying documentation.

The Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the application, or make submissions about it, you must attend the hearing, and you may be required to file a Response at a later stage.

If you do not attend the Court hearing orders may be made without further warning.

****Pursuant to section 59(2) of the Children and Young People (Safety) Act 2017 any person (other than the Crown or a child who is the subject of this Application) who objects to the making of an order by the Court has the onus of proving to the Court that the order should not be made.****

ORDERS SOUGHT

State the variation(s)/revocation(s) sought:

1.

FOUNDATIONS AND PARTICULARS OF THE APPLICATION

(Outline each of the foundations of the Application together with the particulars of the factual allegations for each foundation)

1.

Particulars	1.1
	1.2
	1.3

2.

Particulars	2.1
	2.2
	2.3

3.

Particulars	3.1
	3.2
	3.3

4.

Particulars	4.1
	4.2
	4.3

ACCOMPANYING DOCUMENTATION

The material facts that support this application are set out in the accompanying affidavit/list of documents/report.

SERVICE ON THE MOTHER/FATHER/GUARDIAN/CHILDREN:

- It is intended to serve this application on all other parties.
- It is not intended to serve this application on the following parties: *(list party/ies)* because *(provide reasons here)*

APPLICANT'S SIGNATURE

.....
Date

.....
APPLICANT/APPLICANT'S SOLICITOR

APPLICATION TO DISCHARGE A CARE AND PROTECTION ORDER

Form CP3

Court	Youth Court	Action No	ACC-
Hearing location:	75 Wright Street ADELAIDE SA 5000	Hearing Date & time	<i>Court use only</i>

Application type:
This Application is made under: *Children and Young Person (Safety) Act 2017 section 55(2).*

Original order
 Date of original order:
 File number:

Applicant/s				
Full Name	The Chief Executive of the Department for Child Protection			
Address <i>(Registered Office, if Body Corporate)</i>	31 Flinders Street <i>Street</i>			
	ADELAIDE <i>City/Town/Suburb</i>	SA <i>State</i>	5000 <i>Postcode</i>	(08) 8124 4185 <i>Telephone</i>
Solicitor for Applicant/s	Crown Solicitor's Office, Child Protection			<i>L Code & P Code</i>
Address	45 Pirie Street <i>Street</i>			
	ADELAIDE <i>City/Town/Suburb</i>	SA <i>State</i>	5000 <i>Postcode</i>	(08) 8207 1510 <i>Telephone</i>

Guardian/Mother				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	<i>Street</i>			
	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>	<i>DOB</i>
<i>Telephone</i>	<i>Mobile</i>	<i>Email Address</i>		
Solicitor for Guardian/Mother (where known)	<i>Name</i>			<i>L Code & P Code</i>
Address	<i>Street</i>			
	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>	
<i>Telephone</i>	<i>Mobile</i>	<i>Email Address</i>		

Guardian/Father				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Guardian/Father (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Other Party/ies				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Other Party (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Child/Children	
Child 1	
Full Name	
Date of Birth	
Child 2	
Full Name	
Date of Birth	
Child 3	
Full Name	
Date of Birth	

TO THE MOTHER/FATHER/GUARDIAN/CHILDREN:

The applicant has applied for orders set out in this Application.

The facts that support this application are set out in the accompanying documentation.

The Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the application, or make submissions about it, you must attend the hearing, and you may be required to file a Response at a later stage.

If you do not attend the Court hearing orders may be made without further warning.

ORDERS SOUGHT

1.

GROUND AND PARTICULARS OF THE APPLICATION

(Outline each of the grounds of the Application together with the particulars of the factual allegations for each ground)

1.

Particulars	1.1
	1.2
	1.3

2.

Particulars	2.1
	2.2
	2.3

3.

Particulars	3.1
	3.2
	3.3

4.

Particulars	4.1
	4.2
	4.3

ACCOMPANYING DOCUMENTATION

The material facts that support this application are set out in the accompanying affidavit/list of documents/report.

SERVICE ON THE MOTHER/FATHER/GUARDIAN/CHILDREN:

- It is intended to serve this application on all other parties.
- It is not intended to serve this application on the following parties: *(list party/ies)* because *(provide reasons here)*

APPLICANT'S SIGNATURE

.....
Date

.....
APPLICANT/APPLICANT'S SOLICITOR

NOTICE OF LODGEMENT OF INSTRUMENT OF GUARDIANSHIP/RESTRAINING NOTICE WITH THE COURT

Form CP4

Court	Youth Court	Action No	ACC-
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Notice Type*(Tick the applicable option)*

- This Instrument of Guardianship is lodged under the *Children and Young Person (Safety) Act 2017* section 45(4)(b).
- This Restraining Notice is lodged under the *Children and Young Person (Safety) Act 2017* section 46(4)(b).

Applicant/s

Full Name	The Chief Executive of the Department for Child Protection			
Address <small>(Registered Office, if Body Corporate)</small>	31 Flinders Street <small>Street</small>			
	ADELAIDE <small>City/Town/Suburb</small>	SA <small>State</small>	5000 <small>Postcode</small>	(08) 8124 4185 <small>Telephone</small>
Solicitor for Applicant/s	Crown Solicitor's Office, Child Protection			<small>L Code & P Code</small>
Address	45 Pirie Street <small>Street</small>			
	ADELAIDE <small>City/Town/Suburb</small>	SA <small>State</small>	5000 <small>Postcode</small>	(08) 8207 1510 <small>Telephone</small>

Guardian/Mother

Full Name				
Address <small>(Registered Office, if Body Corporate)</small>	<small>Street</small>			
	<small>City/Town/Suburb</small>	<small>State</small>	<small>Postcode</small>	<small>DOB</small>
Telephone	<small>Mobile</small>	<small>Email Address</small>		

Guardian/Father

Full Name				
Address <small>(Registered Office, if Body Corporate)</small>	<small>Street</small>			
	<small>City/Town/Suburb</small>	<small>State</small>	<small>Postcode</small>	<small>DOB</small>
Telephone	<small>Mobile</small>	<small>Email Address</small>		

Other Party/ies				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		

Child/Children	
Child 1	
Full Name	
Date of Birth	
Ethnicity	
Child 2	
Full Name	
Date of Birth	
Ethnicity	
Child 3	
Full Name	
Date of Birth	
Ethnicity	

APPLICANT'S SIGNATURE

.....
Date

.....
APPLICANT/APPLICANT'S SOLICITOR

Form CP5

YOUTH COURT OF SOUTH AUSTRALIA

CARE AND PROTECTION JURISDICTION

Hearing location: Adelaide Youth Court, 75 Wright Street ADELAIDE SA 5000

Case number ACC-

FDN (Court generated)

*Court use only*Date filed:
No. of pages:*(full name)*

Applicant

(full name)

Mother/Guardian

(full name)

Father/Guardian

(full name)

Child/Children

AFFIDAVIT**AFFIDAVIT DETAILS**File Name: *Applicant(s) / (Respondent(s))*

Affidavit Type: Affidavit of Facts / Affidavit of Service

Are there exhibits attached to the Affidavit: Yes / No

*(if yes, set out the number of exhibits attached and their title)**(For Affidavit of Facts only)*

This Affidavit is in support of an Originating / Interlocutory Application: Yes / No

Filed by the *(insert party title/s)*

Name/s

Deponent details *(person swearing/affirming Affidavit)*

Full Name

Occupation

Address

*Street**City/Town/Suburb**State**Postcode**DOB*

Telephone

*Mobile**Email Address*

AFFIDAVIT INSTRUCTIONS

- Each page of the affidavit (but not any annexure) must be signed by both the deponent and the person who it is sworn before.
- The deponent must swear or affirm the affidavit before a person authorised by law to witness the swearing of affidavits ('witness'). Persons authorised to witness an affidavit are:
 - (a) a Registrar or Deputy Registrar
(or any other officer of the Court whom the Registrar has assigned for the purpose)
 - (b) a public notary;
 - (c) a commissioner for taking affidavits;
 - (d) a justice of the peace for South Australia;
 - (e) any other person authorised by law to take affidavits.
- Each page of the affidavit, including any exhibit, must be consecutively numbered starting with page 1.
- The contents of the affidavit cannot be altered after the affidavit has been sworn or affirmed.
- An exhibit to an affidavit must be clearly marked in a way that clearly identifies it as the exhibit referred to in the affidavit.
- Attach a 'front page' to the first page of each exhibit. The front page must include the deponent's initials followed by a number, starting with 1. For example, the first exhibit of an affidavit of James William Green would be identified as "JWG1". The second exhibit would be "JWG2".
- An exhibit in a later affidavit sworn by the same deponent should not use the same number of a previous exhibit in a previous affidavit.
- Each exhibit to an affidavit must be signed on the front page of the exhibit by the person before whom the affidavit is sworn.
- The person serving the affidavit must serve copies of all documents exhibited or annexed to an affidavit with the affidavit.
- If the deponent is illiterate, blind or incapable of signing the affidavit because of physical disability, see Rule 19.4 of the *Magistrates Court (Civil) Rules 2013*.
- If the deponent does not appear to understand English sufficiently, see Rule 19.5 of the *Magistrates Court (Civil) Rules 2013*.
- An affidavit is to be sworn if it is made in this State in accordance with section 6 of the Evidence Act 1929 or, if made elsewhere, in accordance with the law for the taking of oaths or the making of affirmations in that place.

Form CP6

YOUTH COURT OF SOUTH AUSTRALIA**CARE AND PROTECTION JURISDICTION**

Hearing location: Adelaide Youth Court, 75 Wright Street, ADELAIDE SA 5000

Case number ACC-

FDN (*Court generated*)*Court use only*Date filed:
No. of pages:*(full name)*

Applicant

(full name)

Mother/Guardian

(full name)

Father/Guardian

(full name)

Child/Children

APPLICATION FOR INTERESTED PERSON(S) TO BE HEARD

Hearing location:	Adelaide Youth Court 75 Wright Street ADELAIDE SA 5000	Hearing Date & time	<i>Court use only</i>
-------------------	--	------------------------	-----------------------

APPLICATION DETAILSFile Name: *Applicant(s) / Respondent(s)*This application is: Urgent / Not urgent (*if urgent, provide reasons*)This Application is made under: *Children and Young People (Safety) Act 2017, section 66***Filed by:**

Name/s

not being a party to the proceedings

TO THE PARTIES

The abovenamed person, not being a party to the proceedings, applies to make submissions to the Court regarding the child/children.

The Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the Application, or make submissions about it, you must attend the hearing and you may be required to file a Response at a later stage.

GROUNDS FOR THE APPLICATION

- 1.
- 2.

SERVICE

- It is intended to serve this Application on all parties.
- It is not intended to serve this Application on the following parties: *(list party/ies)* because *(provide reasons here)*

SIGNATURE

.....
Date

.....
(PARTY TITLE)/(PARTY TITLE) SOLICITOR

AFFIDAVIT

(if applicable) The *(party title)* relies on the following Affidavit in support of this Application.

Form CP7

YOUTH COURT OF SOUTH AUSTRALIA

CARE AND PROTECTION JURISDICTION

Hearing location: Adelaide Youth Court, 75 Wright Street, ADELAIDE SA 5000

Case number ACC-

FDN (*Court generated*)*Court use only*Date filed:
No. of pages:*(full name)*

Applicant

(full name)

Mother/Guardian

(full name)

Father/Guardian

(full name)

Child/Children

INTERLOCUTORY APPLICATION

Hearing location:	Adelaide Youth Court 75 Wright Street ADELAIDE SA 5000	Hearing Date & time	<i>Court use only</i>
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APPLICATION DETAILSFile Name: *Applicant(s) / Respondent(s)*Application type: *With consent of the parties / Without consent of the parties*Application to be determined: *In court / In chambers*This application is: *Urgent / Not urgent (if urgent, provide reasons)*This Application is made under: *Children and Young People (Safety) Act 2017, section***Filed by the** (*insert party title/s*)

Name/s

TO THE PARTIES

The (*insert party title*) has applied for orders set out in this Application based on the facts set out in the accompanying Affidavit.

The Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the Application, or make submissions about it, you must attend the hearing and you may be required to file a Response at a later stage.

ORDERS SOUGHT

The applicant seeks the following orders:

- 1.
- 2.

SERVICE

- It is intended to serve this Application on all parties.
- It is not intended to serve this Application on the following parties: *(list party/ies)* because *(provide reasons here)*

SIGNATURE

.....
Date

.....
(PARTY TITLE)/(PARTY TITLE) SOLICITOR

NOTE TO PARTIES

There may be cost penalties for making an unsuccessful Application.

AFFIDAVIT

(if applicable) The *(party title)* relies on the following Affidavit in support of this Application.

Form CP8

YOUTH COURT OF SOUTH AUSTRALIA

CARE AND PROTECTION JURISDICTION

Hearing location: Adelaide Youth Court, 75 Wright Street ADELAIDE SA 5000

Case number ACC-

FDN (*Court generated*)*Court use only*Date filed:
No. of pages:*(full name)*

Applicant

(full name)

Mother/Guardian

(full name)

Father/Guardian

(full name)

Child/Children

RESPONSE

Filed by (<i>insert party title/s</i>)	
Name/s	

Responding Party details (<i>person responding to the originating Application</i>)				
Full Name				
Address	<i>Street</i>			
	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>	<i>DOB</i>
<i>Telephone</i>	<i>Mobile</i>	<i>Email Address</i>		

Service
You are required to serve this Response on all other parties in accordance with the Rules of Court.

RESPONSE**Part 1****Response to facts set out in support of the Application**

(identify which facts from the Application you agree with or disagree with)

1.

Part 2**Other facts relevant to the application**

(describe any other facts not included in the Application that are relevant)

1.

Part 3**Remedies**

(set out why you oppose the orders sought in the Application)

1.

Form CP9

YOUTH COURT OF SOUTH AUSTRALIA

CARE AND PROTECTION JURISDICTION

Hearing location: Adelaide Youth Court, 75 Wright Street ADELAIDE SA 5000

Case number ACC-

FDN (*Court generated*)*Court use only*Date filed:
No. of pages:*(full name)*

Applicant

(full name)

Mother/Guardian

(full name)

Father/Guardian

(full name)

Child/Children

UNDERTAKING

Filed by the (<i>insert party title/s</i>)	
Name/s	

Details of the Person Entering into the Undertaking				
Full Name				
Address	<i>Street</i>			
	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>	<i>DOB</i>
<i>Telephone</i>	<i>Mobile</i>	<i>Email Address</i>		

NOTE TO PARTIES & DEPONENT

The person entering into this undertaking must sign and date this undertaking in the presence of an authorised witness.

Persons authorised to witness this undertaking are:

(a) A Registrar or Deputy Registrar;

(*or any other officer of the Court whom the Registrar has assigned for the purpose*)

(b) A public notary;

(c) A commissioner for taking affidavits

(d) A justice of the peace for South Australia;

(e) Any other person authorised by law to witness undertakings

UNDERTAKING

On this day of 20

I undertake to the Court as follows:

- 1.
- 2.
- 3.

SIGNED

I accept that I will be bound by the undertaking until the day of 20 / or excused by order of the Court.
I acknowledge that if I do not comply with the conditions of this undertaking, that I will be guilty of an offence.

at (*place*)

on (*date*)

.....
(*signature of person entering into the undertaking*)

before me

(*signature and title of attesting witness*)

(*print name of witness*)

(*ID number of witness*)

APPLICATION TO VARY AN INSTRUMENT OF GUARDIANSHIP

Form CP10

Court	Youth Court	Action No	ACC-
-------	-------------	-----------	------

Hearing location:	75 Wright Street ADELAIDE SA 5000	Hearing Date & time	<i>Court use only</i>
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Application type:
This Application is made under: *Children and Young Person (Safety) Act 2017 section 45(6).*

Original Instrument of Guardianship
 Date of original Instrument of Guardianship:
 File number:

Applicant/s				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Applicant/s	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Guardian/Mother				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Guardian/Mother (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Guardian/Father				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Guardian/Father (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Other Party/ies				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Other Party (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Child/Children	
Child 1	
Full Name	
Date of Birth	
Child 2	
Full Name	
Date of Birth	
Child 3	
Full Name	
Date of Birth	

TO THE MOTHER/FATHER/GUARDIAN/CHILDREN:

The applicant has applied for orders set out in this Application.

The facts that support this application are set out in the accompanying documentation.

The Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the application, or make submissions about it, you must attend the hearing.

If you do not attend the Court hearing orders may be made without further warning.

ORDERS SOUGHT

State the variation(s) sought:

1.

GROUND AND PARTICULARS OF THE APPLICATION

(Outline each of the grounds of the Application together with the particulars of the factual allegations for each ground)

1.	
Particulars	1.1 1.2 1.3
2.	
Particulars	2.1 2.2 2.3
3.	
Particulars	3.1 3.2 3.3
4.	
Particulars	4.1 4.2 4.3

ACCOMPANYING DOCUMENTATION

The material facts that support this application are set out in the accompanying affidavit/list of documents/report.

SERVICE ON THE MOTHER/FATHER/GUARDIAN/CHILDREN:

- It is intended to serve this application on all other parties.
- It is not intended to serve this application on the following parties: *(list party/ies)* because *(provide reasons here)*

APPLICANT'S SIGNATURE

.....
Date

.....
APPLICANT/APPLICANT'S SOLICITOR

APPLICATION TO EXTEND AN INSTRUMENT OF GUARDIANSHIP/RESTRAINING NOTICE

Form CP11

Court	Youth Court	Action No	ACC-
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Hearing location:	75 Wright Street ADELAIDE SA 5000	Hearing Date & time	<i>Court use only</i>
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Application type:
This Application is made under: *Children and Young Person (Safety) Act 2017* section 47.

Original Instrument of Guardianship/Restraining Notice
 Date of original Instrument of Guardianship/Restraining Notice:
 File number:

Applicant/s				
Full Name	The Chief Executive of the Department for Child Protection			
Address <small>(Registered Office, if Body Corporate)</small>	31 Flinders Street <small>Street</small>			
	ADELAIDE <small>City/Town/Suburb</small>	SA <small>State</small>	5000 <small>Postcode</small>	(08) 8124 4185 <small>Telephone</small>
Solicitor for Applicant/s	Crown Solicitor's Office, Child Protection			<small>L Code & P Code</small>
Address	45 Pirie Street <small>Street</small>			
	ADELAIDE <small>City/Town/Suburb</small>	SA <small>State</small>	5000 <small>Postcode</small>	(08) 8207 1510 <small>Telephone</small>

Guardian/Mother				
Full Name				
Address <small>(Registered Office, if Body Corporate)</small>	<small>Street</small>			
	<small>City/Town/Suburb</small>	<small>State</small>	<small>Postcode</small>	<small>DOB</small>
<small>Telephone</small>	<small>Mobile</small>	<small>Email Address</small>		
Solicitor for Guardian/Mother (where known)	<small>Name</small>			<small>L Code & P Code</small>
Address	<small>Street</small>			
	<small>City/Town/Suburb</small>	<small>State</small>	<small>Postcode</small>	
<small>Telephone</small>	<small>Mobile</small>	<small>Email Address</small>		

Guardian/Father				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Guardian/Father (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Other Party/ies				
Full Name				
Address <i>(Registered Office, if Body Corporate)</i>	Street			
	City/Town/Suburb	State	Postcode	DOB
Telephone	Mobile	Email Address		
Solicitor for Other Party (where known)	Name			L Code & P Code
Address	Street			
	City/Town/Suburb	State	Postcode	
Telephone	Mobile	Email Address		

Child/Children	
Child 1	
Full Name	
Date of Birth	
Child 2	
Full Name	
Date of Birth	
Child 3	
Full Name	
Date of Birth	

TO THE MOTHER/FATHER/GUARDIAN/CHILDREN:

The applicant has applied for orders set out in this Application.

The facts that support this application are set out in the accompanying documentation.

The Application will be considered at the hearing at the date and time set out at the top of this document.

If you wish to oppose the application, or make submissions about it, you must attend the hearing.

If you do not attend the Court hearing orders may be made without further warning.

ORDERS SOUGHT

State the orders sought:

1.

FOUNDATIONS AND PARTICULARS OF THE APPLICATION

(Outline each of the grounds of the Application together with the particulars of the factual allegations for each ground)

1.	
Particulars	1.1 1.2 1.3
2.	
Particulars	2.1 2.2 2.3
3.	
Particulars	3.1 3.2 3.3
4.	
Particulars	4.1 4.2 4.3

ACCOMPANYING DOCUMENTATION

The material facts that support this application are set out in the accompanying affidavit/list of documents/report.

SERVICE ON THE MOTHER/FATHER/GUARDIAN/CHILDREN:

- It is intended to serve this application on all other parties.
- It is not intended to serve this application on the following parties: *(list party/ies)* because *(provide reasons here)*

APPLICANT'S SIGNATURE

.....
Date

.....
APPLICANT/APPLICANT'S SOLICITOR

RULES OF COURT
YOUTH COURT OF SOUTH AUSTRALIA

Rules amending the Youth Court (General) Rules 2016

BY virtue and in pursuance of section 32 of the *Youth Court Act 1993* and all other enabling powers, we, the Judge of the Court and the magistrates who are members of the principal judiciary of the Court, make the following rules of the Court.

Part 1 – Preliminary

1 – Citation

These Rules may be cited as the *Youth Court (General) Amendment Rules 2018*.

2 – Commencement

These rules will come into operation on 22 October 2018.

3 – Amendment of principal rules

The *Youth Court (General) Rules 2016* are amended in the manner set out in Part 2.

Part 2 – Amendment of Youth Court (General) Rules 2016

4 – Amendment of rule 3 – Interpretation

Rule 3(1), definition of *children’s protection jurisdiction* – delete the definition and substitute:

care and protection jurisdiction of the Court means the jurisdiction of the Court under the *Children and Young People (Safety) Act 2017*;

5 – Amendment of rule 4 – Application of rules

Rule 4 – delete “the *Youth Court (Children’s Protection) Rules 2012*” and substitute “the *Youth Court (Care and Protection) Rules 2018*”.

6 – Amendment of rule 8 – Forms

Rule 8(1) – delete “the *Youth Court (Children’s Protection) Rules 2012*” and substitute “the *Youth Court (Care and Protection) Rules 2018*”.

7 – Amendment of rule 9 – Case flow management

Rule 9(5)(b) – delete “the *Youth Court (Children’s Protection) Rules 2012*” and substitute “the *Youth Court (Care and Protection) Rules 2018*”.

8 – Amendment of rule 10 – Practice directions

Rule 10(2) – delete “the *Youth Court (Children’s Protection) Rules 2012*” and substitute “the *Youth Court (Care and Protection) Rules 2018*”.

9 – Amendment of rule 11 – Power to give directions etc

Rule 11(b) – delete “the *Youth Court (Children’s Protection) Rules 2012*” and substitute “the *Youth Court (Care and Protection) Rules 2018*”.

10 – Amendment of Schedule

Schedule – delete Form G2 and substitute the following forms:

P. ELDRIDGE
Judge

L. DAVIS
Magistrate

O. KOEHN
Magistrate

D. WHITE
Magistrate

Form G2



WITNESS SUMMONS - CRIMINAL

Youth Court of South Australia

www.courts.sa.gov.au

Youth Court Act 1993

Section 18(1)

Criminal Procedure Act 1921

Section 107

Youth Court (General) Rules 2016

Rule 15

Court Use

Date Filed:

This document must be served on the witness personally.

Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Witness					
Name	Surname		Given name/s		
Address	Street				
	City/Town/Suburb	State	Postcode	Email Address	
Case Details					
Name	Surname		Given name/s		
Offence					
Date of Offence					
Offence Location					
What you need to do: (for detailed explanation see attached sheet)					
<input type="checkbox"/> Attend Court to give evidence on the hearing date					
<input type="checkbox"/> Bring the Evidentiary Material listed below					
<input type="checkbox"/> Deliver the Evidentiary Material listed below to the Registrar before the hearing					
Evidentiary Material:					
Hearing details	Registry			Date	
	Address			Time am/pm	
	Telephone	Facsimile		Email Address	
This summons is issued on the application of <input type="checkbox"/> Complainant/Informant <input type="checkbox"/> Defendant, or <input type="checkbox"/> Initiative of the Court.					
Address	Street				
	City/Town/Suburb	State	Postcode	Email Address	
Date			YOUTH COURT Registrar/Justice of the Peace		

Information about this summons

Unless the summons has the Seal of the Youth Court on it, it has not been properly issued and therefore doesn't need to be obeyed.

What is this document?

This is a summons, which requires you to either attend court to give evidence, to produce documents to the court or both. If you need to produce documents, the summons specifies the documents that you need to produce.

What do you have to do?

If the summons requires you to produce documents or things only, you may comply with it by delivering all of the documents or things to the Registrar of the Youth Court at the address given prior to the time and date on the summons. If you do that, you do not have to attend on the day and at the time shown on the summons.

You should only deliver documents or things to the Registrar if you have **all of the documents or things requested** and if you have **no objection to producing them to the Court and to them being inspected by the parties to the case**.

If you do deliver the documents or things to the Registrar, they should be securely packaged and **have a copy of this summons attached**.

If you object to the parties seeing the documents or things, you must come to court on the day and at the time listed and tell the Magistrate why you object to producing them.

If the summons requires you to give evidence (whether or not it also requires you to bring documents or things), you must attend at the Registry on the day shown in sufficient time to be in the correct courtroom by the time listed unless you contact the person who had this summons issued and have arranged to come to court at some other time.

What about the cost of attending court?

In addition to your reasonable expenses of attending at Court, you are also entitled to be paid **by the party who had this summons issued**, your reasonable expenses incurred in complying with the summons, including an appropriate witness fee.

If you need all or some of these expenses paid **before** you come to court, you should contact the party who had the summons issued.

If you do not understand what you must do, or if you cannot comply with it, you should contact

The Registrar of the court that issued the summons;

The person that applied to issue the summons; or

A solicitor to obtain your own legal advice.

Proof of Service

Name of person serving:

Address of person serving:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

Method of service (tick box)

- personally;
- any other method permitted by the Rules – specify:

I certify that I served the attached document in the manner described.

Certified this day of 20

Form G2A



WITNESS SUMMONS – CARE AND PROTECTION

Youth Court of South Australia

www.courts.sa.gov.au

Youth Court Act 1993

Section 18(1)

Youth Court (General) Rules 2016

Rule 15

Court Use

Date Filed:

This document must be served on the witness personally.

Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	

Witness

Name	Surname		Given name/s		
Address	Street				
	City/Town/Suburb	State	Postcode	Email Address	

Case Details

Chief Executive of the Department for Child Protection v

[Please only include the child/children's initials eg "Chief Executive of the Department for Child Protection v A.B."]

What you need to do: (for detailed explanation see attached sheet)

- Attend Court to give evidence on the hearing date
- Bring the **Evidentiary Material** listed below
- Deliver the **Evidentiary Material** listed below to the Registrar before the hearing

Evidentiary Material:

Hearing details	Registry	Date
	Address	Time am/pm
	Telephone	Facsimile
		Email Address

This summons is issued on the application of Chief Executive Mother Father Child/Children Other

Address	Street				
	City/Town/Suburb	State	Postcode	Email Address	

.....
Date

.....
YOUTH COURT
Registrar/Justice of the Peace

Information about this summons

Unless the summons has the Seal of the Youth Court on it, it has not been properly issued and therefore doesn't need to be obeyed.

What is this document?

This is a summons, which requires you to either attend court to give evidence, to produce documents to the court or both. If you need to produce documents, the summons specifies the documents that you need to produce.

What do you have to do?

If the summons requires you to produce documents or things only, you may comply with it by delivering all of the documents or things to the Registrar of the Youth Court at the address given prior to the time and date on the summons. If you do that, you do not have to attend on the day and at the time shown on the summons.

You should only deliver documents or things to the Registrar if you have **all of the documents or things requested** and if you have **no objection to producing them to the Court and to them being inspected by the parties to the case**.

If you do deliver the documents or things to the Registrar, they should be securely packaged and **have a copy of this summons attached**.

If you **object** to the parties seeing the documents or things, you must come to court on the day and at the time listed and tell the Magistrate why you object to producing them.

If the summons requires you to **give evidence** (whether or not it also requires you to bring documents or things), you must attend at the Registry on the day shown in sufficient time to be in the correct courtroom by the time listed unless you contact the person who had this summons issued and have arranged to come to court at some other time.

What about the cost of attending court?

In addition to your reasonable expenses of attending at Court, you are also entitled to be paid **by the party who had this summons issued**, your reasonable expenses incurred in complying with the summons, including an appropriate witness fee.

If you need all or some of these expenses paid **before** you come to court, you should contact the party who had the summons issued.

If you do not understand what you must do, or if you cannot comply with it, you should contact

The Registrar of the court that issued the summons;

The person that applied to issue the summons; or

A solicitor to obtain your own legal advice.

Proof of Service

Name of person serving:

Address of person serving:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

Method of service (tick box)

personally;

any other method permitted by the Rules – specify:

I certify that I served the attached document in the manner described.

Certified this day of 20

RULES OF COURT

YOUTH COURT OF SOUTH AUSTRALIA

Rules amending the Youth Court (Young Offenders) Rules 2016

BY virtue and in pursuance of section 32 of the *Youth Court Act 1993* and all other enabling powers, we, the Judge of the Court and the magistrates who are members of the principal judiciary of the Court, make the following rules of the Court.

Part 1 – Preliminary**1 – Citation**

These Rules may be cited as the *Youth Court (Young Offenders) Amendment Rules 2018*.

2 – Commencement

These rules will come into operation on the date of publication in the Gazette.

3 – Amendment of principal rules

The *Youth Court (Young Offenders) Rules 2016* are amended in the manner set out in Part 2.

Part 2 – Amendment of Youth Court (Young Offenders) Rules 2016**4 – Amendment of rule 8**

(1) Rule 8(3) – delete “*Criminal Law (Sentencing) Act 1998*” and substitute “*Sentencing Act 2017*”.

(2) Rule 8(5) – delete “*Criminal Law (Sentencing) Act 1998*” and substitute “*Sentencing Act 2017*”.

5 – Amendment of Schedule

Schedule – delete Forms YO15, YO18 and YO23 and substitute the following forms (so that a particular form set out below replaces the corresponding form that is being deleted):

P. ELDRIDGE
Judge

L. DAVIS
Magistrate

O. KOEHN
Magistrate

D. WHITE
Magistrate



MANDATE FOR HOME DETENTION

Youth Court of South Australia

www.courts.sa.gov.au

Sentencing Act 2017

Section 71(1)

Young Offenders Act 1993

Section 23(2)(b)

Court of Origin					
Sitting at				File No	
Registry Address	<i>Street</i>		<i>Telephone</i>		<i>Facsimile</i>
	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>	<i>Email Address</i>	
Particulars of Youth					
Name	<i>Surname</i>		<i>Given name/s</i>		DOB <i>dd/mm/yyyy</i>
	<i>Address</i>				
Details of the offence(s) to which the home detention order relates:					
Date	Offence		Section and Act		
Terms of Detention Ordered:					
Period of Home Detention:					
Home Detention commencement date:					
Address of Home Detention:					
Conditions of Home Detention:					
1	<input type="checkbox"/> That you be of good behaviour and comply with all of the conditions of this order.				
2	<input type="checkbox"/> That you be under the supervision of a Home Detention Officer for the period of this order and obey the lawful directions given to you by the Home Detention Officer to whom you are assigned.				
3	<input type="checkbox"/> That you reside at the residence specified by the Court, namely _____, throughout the period of the Home Detention Order and will not be absent from that address except for the purposes of: <ul style="list-style-type: none"> a. remunerated employment, but only if confirmed and approved by the Home Detention Officer to whom you are assigned; b. your urgent medical or dental treatment; c. averting or minimising risk of serious injury or death to yourself or to any other person; d. attending the any of the following, if approved or directed to do so by the Home Detention Officer to whom you are assigned: <ul style="list-style-type: none"> i. a place for the purpose of undergoing assessment or treatment (or both) relating to your mental or physical health; or 				

- ii. attendance at an intervention program; or
- iii. a course of education, training, instruction or any other activity; or
- e. any other purpose approved by the Home Detention Officer to whom you are assigned.

- 4 You are to travel directly with the Home Detention Officer to the address designated for Home Detention where the monitoring device will be fitted.
- 5 If, in the case of an emergency, you obtain permission from the Home Detention Officer to whom you are assigned to reside at a new address you must make an application to the Court for a variation of your Home Detention Order conditions within two working days, but you can reside at that address until that application for variation is considered by the Court.
- 6 That you not leave the State without the prior written permission of the Home Detention Officer to whom you are assigned.
- 7 That you wear an electronic transmitter and comply with the rules of electronic monitoring, including the requirement to fully charge the transmitter daily, for the term of the Home Detention Order.
- 8 That you provide and maintain in operating condition an active mobile telephone service with an appropriate mobile communication device and give the contact details to the Department of Human Services, Youth Justice so that they may use it to communicate with you at all times while on electronic monitored home detention.

- 9 That you present yourself at the front door of your nominated address at the request of the Home Detention Officer to whom you are assigned, and respond to any telephone call at that address at any time, unless absent in accordance with these conditions.
- 10 That you surrender any passport you possess to the Registrar of the Court at the Court Registry, and not apply for a passport, nor attend within the boundary of the terminal building at any international airport whilst subject to a Home Detention Order.
- 11 That you do not possess a firearm, or ammunition or any part of a firearm.
- 12 That you submit to tests (including testing without prior notice) for gunshot residue as may be reasonably required.
- 13 That you not consume alcohol or any other drug which is not medically prescribed or otherwise legally available and then only at the prescribed or recommended dosage. You will submit to any drug and alcohol testing as directed by the Home Detention Officer to whom you are assigned and sign all required forms and comply with the requirements of the testing procedures.
- 14 That you attend and complete any assessment, counselling, treatment and therapeutic programs as may be deemed appropriate to effectively case manage your individual needs as directed by the Home Detention Officer to whom you are assigned.
- 15 That you not approach or communicate with, either directly or indirectly, _____, nor be within _____ metres of _____.
- 16 That you perform _____ hours of community service within _____ months from the date of this order and obey the lawful directions of the Home Detention Officer to whom you are assigned for the purposes of community service.
- 17 That you authorise the Department of Human Services, Youth Justice to reveal that you are subject to a Home Detention Order to any person it believes reasonably necessary for the purposes of confirming employment and compliance with the conditions of this order.
- 18 Other:

Name of person who imposed penalty:

Date order made by Court:

Date Home Detention Mandate Issued:

To The Chief Executive
DEPARTMENT OF HUMAN SERVICES.

The youth named in this mandate has been sentenced to a term of home detention. Particulars of the court that imposed the penalty, the charges against the youth and the sentences imposed appear on this mandate.

You, the Chief Executive Officer of the Department of Human Services are directed to supervise and monitor the home detention imposed on the youth for the period of home detention as this mandate directs, or until discharged in due course of law.

NOTICE TO THE YOUTH:

If you fail to obey the conditions of your home detention order, the court:

- may impose some other sentence on you;
- may sentence you to a period of **DETENTION in a Training Centre** for a time not exceeding the balance of the period of home detention unexpired; and
- may issue a warrant for your apprehension and detention pending determination of proceedings.

Only the Youth Court can vary the address of Home Detention or the conditions specified by the court.

.....
Date

.....
JUDGE / MAGISTRATE / REGISTRAR

Acknowledgment by Youth

I agree to the conditions of this order. I acknowledge that I fully understand its conditions, and I undertake to comply with those conditions. I also understand what will happen to me if I fail to do so.

.....
Date

.....
Youth

Form YO18



WARRANT OF APPREHENSION (Breach of Home Detention Order)

Youth Court of South Australia

www.courts.sa.gov.au

Sentencing Act 2017

Section 73(5)(b) or 73(7)

Young Offenders Act

Section 37C(6)

Court Use

Date Filed:

Registry				File No			
Address	<i>Street</i>			<i>Telephone</i>		<i>Facsimile</i>	
	<i>City/Town/Suburb</i>		<i>State</i>	<i>Postcode</i>	<i>Email Address</i>		
Originating Document Type: Date substantiated on oath: Applicant:							
Particulars of Youth							
Name	<i>Surname</i>			<i>Given name/s</i>		DOB <i>dd/mm/yyyy</i>	
Address	<i>Street</i>			<i>Telephone</i>		<i>Licence Number</i>	
	<i>City/Town/Suburb</i>		<i>State</i>	<i>Postcode</i>	<i>Email Address</i>		
Particulars of Breach of Home Detention Order							
Date of breach: Breach location: Breach: Section and Act: Other charges: Reason for issue of warrant: Date warrant issued:							
<p>To the Commissioner of Police for the State of South Australia and each member of the police force for the State</p> <p>You are hereby directed to apprehend the youth and bring the youth as soon as practicable before a Youth Court for the said State to answer the allegations of a breach of a home detention order, and to be further dealt with according to law.</p> <p style="text-align: right;">..... JUSTICE OF THE PEACE/REGISTRAR</p>							
<p>Endorsement (<i>Pursuant to section 5(2) of the Bail Act 1985</i>)</p> <p><input type="checkbox"/> Variable 1 The youth may not be released on bail.</p> <p><input type="checkbox"/> Variable 2 At the discretion of a member of the police force who is of, or above, the rank of Sergeant or who is in charge of a police station, the youth may be released on bail.</p> <p><input type="checkbox"/> Variable 3 Person or class of persons authorised/required to release the youth on bail following arrest:</p> <p style="text-align: right;">..... JUSTICE OF THE PEACE/REGISTRAR</p>							

Form YO23



SUMMONS (Breach of Home Detention Order)

Youth Court of South Australia

www.courts.sa.gov.au

Sentencing Act 2017

Section 73(5)(a)

Young Offenders Act 1993

Section 37C

Court Use

Date Filed:

Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Informant					
Name	Surname		Given name/s		Informant's Reference
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Particulars of Youth					
Full Name					DOB dd/mm/yyyy
Address	Street		Telephone		Licence Number
	City/Town/Suburb	State	Postcode	Email Address	
Details of Offence:					
Date Home Detention Order entered into: (a copy of the Home Detention Order must be attached to this summons)					
It is alleged that you have failed to observe the conditions of your home detention order on the grounds set out in the affidavit attached to this summons.					
You are now required to attend the Youth Court as per the hearing details set out below. If the allegations are found proved, you may be sentenced further according to law.					
Hearing details	Registry			Date	
	Address			Time am/pm	
	Telephone	Facsimile	Email Address		
Date			YOUTH COURT		
IMPORTANT NOTICE TO THE YOUTH					
If you fail to appear on the hearing date set out above or on any day to which this matter is adjourned the Court may:					
<ul style="list-style-type: none"> • Proceed in your absence, or • Issue a warrant for your arrest 					

Proof of Service

Name of person serving:

Address of person serving:

Name of person served:

Address at which service effected:

Date service effected:

Time of day: Between am/pm and am/pm

Method of service (tick box)

- personally;
- by leaving a copy at the last (or most usual) place of abode with a person apparently residing there and not less than 16 years of age;
- by leaving a copy at the place of business with a person apparently employed there and not less than 16 years of age;
- any other method permitted by the Rules – specify:

I certify that I served the attached document in the manner described.

Certified this day of 20

CITY OF BURNSIDE

Resignation of Councillor

NOTICE is hereby given in accordance with section 54(6) of the *Local Government Act 1999* that a vacancy has occurred in the office of Councillor for Burnside Ward, due to the resignation of Councillor Lance Bagster, effective from 17 September 2018. A supplementary election will not be held to fill the casual vacancy.

Dated: 18 September 2018

P DEB
Chief Executive Officer

CITY OF MITCHAM

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure – Owen Street, Torrens Park

Notice is hereby given pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the City of Mitcham proposes to make a Road Process Order to close portion of Owen Street at the intersection of Alton Avenue adjoining Allotment 79 in Filed Plan 19265, more particularly delineated and lettered 'A' on Preliminary Plan No. 18/0038.

A copy of the plan and statement of persons affected are available for public inspection at the offices of the City of Mitcham, 131 Belair Road, Torrens Park SA 5062 and the office of the Surveyor-General, 101 Grenfell Street Adelaide 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 City of Mitcham, PO Box 21 Mitcham Shopping Centre, Torrens Park SA 5062 WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General, 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.

MATTHEW PEARS
Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure – Lady Gowrie Drive, Taperoo

Notice is hereby given pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the City of Port Adelaide Enfield proposes to make a Road Process Order to close a portion of Lady Gowrie Drive, being portion of the land comprised in Certificate of Title Volume 5954 Folio 975 and being part of Allotment 225 in Deposited Plan 2413 and marked 'A' on Preliminary Plan No. 18/0039, and upon which an encroachment is located, and to transfer that land to the adjoining owner of the property located at 323 Lady Gowrie Drive and amalgamate the closed road land with the adjoining Allotment 400 in Filed Plan 51084.

A copy of the Preliminary Plan and Statement of Persons Affected are available for public inspection at the Council's Civic Centre, 163 St Vincent Street, Port Adelaide and the Office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any person is entitled to object to the proposed road closure and any person affected by a proposed road closure may apply for an easement to be granted in that person's favour over the land subject to the proposed road closure.

Such objection or application for an easement must set out the full name and address of the person making the objection or application and must be fully supported by reasons.

Any application for an easement must give full particulars of the nature and location of the easement and where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed.

Any application for easement or objection must be made in writing within 28 days of the date of this notice and posted to the City of Port Adelaide Enfield, PO Box 110 Port Adelaide SA 5015 and the Surveyor-General, GPO Box 1354 Adelaide SA 5001, setting out the full details.

Where a submission is made, Council will give notification of a meeting at which the matter will be considered.

Dated: 27 September 2018

MARK WITHERS
Chief Executive Officer

ALEXANDRINA COUNCIL

Exemption of Land from Classification as Community Land

NOTICE is hereby given that, at its meeting held on 15 January 2018, Alexandrina Council resolved that the land identified as Allotment 500 Hundred of Goolwa, Certificate of Title Volume 6179 Folio 919 in Deposited Plan 66808 be excluded from classification as community land pursuant to Section 193(4) of the *Local Government Act 1999* as it is required for operational purposes.

Dated: 27 September 2018

GLENN RAPPENBERG
Chief Executive

CLARE AND GILBERT VALLEYS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure – Public Road, 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 Section 274, Hundred of Clare, the portion of unmade road adjoining said section as delineated and lettered 'A' on the Preliminary Plan No. 18/0036.

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: 25 September 2018

DR HELEN MACDONALD
Chief Executive Officer

COPPER COAST COUNCIL
ROADS (OPENING AND CLOSING) ACT 1991
Road Closure – Public Road, Kadina

Notice is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the **Copper Coast Council** proposes to make a Road Process Order to close the whole of the unmade public road adjacent to sections 667, 368 and 367, Hundred of Kadina as delineated and lettered 'B' on the Preliminary Plan No. 18/0035.

Closed road 'B' is to merge with the adjoining section 367, Hundred of Kadina.

A copy of the plan and a statement of persons affected are available for public inspection at the Council Office, 51 Taylor Street, Kadina SA 5554 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, PO Box 396, Kadina SA 5554 **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.

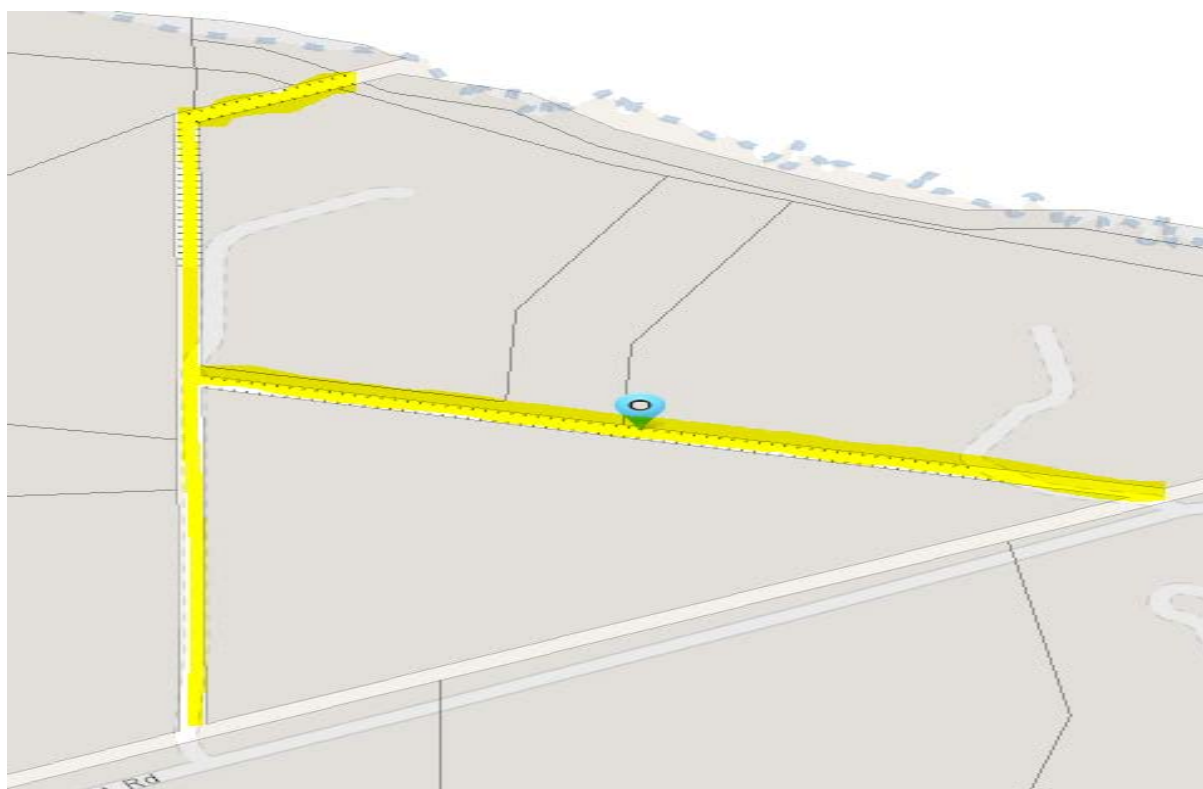
Dated: 25 September 2018

PETER HARDER
Chief Executive Officer

KANGAROO ISLAND COUNCIL
Naming of Road Reserves

Notice is hereby given that Kangaroo Island Council at its meeting held 10 July 2018 formally named two previously unnamed road reserves. The road reserve commencing from North Coast Road in a north/south direction is named Freeoak Road. The road reserve between Freeoak Road and North Coast Road is named Attrill Lane.

This road naming comes into effect on 10 July 2018.



Dated: 25 September 2018

A. BOARDMAN
Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Township Boundaries

Notice is hereby given that at a meeting of Council held on Wednesday 11th July 2018 pursuant to Section 4 of the Local Government Act 1999 the townships of Kimba, Buckleboo and Waddikee, the boundaries of which are shown on Rack Plan 1338 (Kimba) and 1354 (Buckleboo) and 1339 (Waddikee) deposited in the Office of the Surveyor-General.

Copies of the plans can be viewed at the District Council of Kimba Office, 9 Cross Street, Kimba, the Council website www.kimba.sa.gov.au or at the Office of the Surveyor General, 101 Grenfell Street, Adelaide.

DL LARWOOD
Chief Executive Officer

LIGHT REGIONAL COUNCIL

Appointment of Members to Council Assessment Panel

Pursuant to Section 56A of the Development Act 1993 Council, at its meeting held on 28 August 2018, resolved to appoint the following members to its Council Assessment Panel to take effect from 1 October 2018:

Presiding Member	Mr Bruce Ballantyne
Independent Member	Mr Robert Veitch
Independent Member	Mr Mike Canny
Independent Member	Mr Joel Taggart

These appointments are for a twelve month term and shall expire on 30 September 2019.

Elected Member	Councillor David Shannon
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This appointment is for a term expiring at the conduct of the November 2018 general council election.

LISA SAPIO
Assessment Manager

NATIONAL ELECTRICITY LAW

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

Under ss 102 and 103, the making of the *National Electricity Amendment (Generator technical performance standards) Rule 2018 No. 10* (Ref. ERC0222) and related final determination. All provisions commence on **5 October 2018**.

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

Dated: 27 September 2018

NATIONAL ENERGY RETAIL LAW

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

Under ss 259 and 261, the making of the *National Energy Retail Amendment (Advance notice of price changes) Rule 2018 No. 3* (Ref. RRC0015) and related final determination. Schedule 2 will commence on **4 October 2018**. Schedule 1 will commence on **1 February 2019**.

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

Dated: 27 September 2018

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

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

BUSCH Marlies late of 9 Luhrs Road Payneham South Retired Clerk who died 6 June 2018
DUTTON Ian Colin late of 13 Hambridge Road Davoren Park of no occupation who died 16 August 2017
JOVIC Djurdja late of 25 Roopena Street Ingle Farm of no occupation who died 1 January 2013
LOCK Neil Francis late of 72 First Street Quorn of no occupation who died 13 June 2018
MORGAN Ross Hamilton late of 31 Warwick Avenue Kurralta Park Accountant who died 21 June 2018
NIELSEN Borge Juhl late of 333 Marion Road North Plympton Electronic Technician who died 31 January 2017
REYNOLDS Brian George James late of 129 Monument Road Hindmarsh Island Retired Fitter and Turner who died 20 March 2018
SAWYER Jean Florence late of 61 Railway Terrace Crystal Brook Home Duties who died 6 March 2018
TOBIN Roydon Clyde late of 580 Lower North East Road Campbelltown Retired Station Master who died 20 May 2018
VALENTI Gerold Peter late of 4 Farrant Street Prospect of no occupation who died 6 January 2018

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 26 October 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: 27 September 2018

N S RANTANEN
Acting Public Trustee

WATER INDUSTRY ACT 2012
STANDARD CUSTOMER SALES CONTRACT
Water Retail Service

This contract sets out the terms on which we supply a water retail service to you as a customer at your current supply address in accordance with the Water Industry Act 2012 (the Act).

These standard terms and conditions are published in accordance with section 36 of the Act.

The standard terms and conditions fixed under this section—

- a) must comply with the conditions of any relevant licence; and
- b) must not fix prices that exceed maximum prices fixed under this Act; and
- c) come into force on the day specified by the entity in the notice of the standard terms and conditions published in the Gazette under this section, being a day not earlier than the day on which the notice is published; and
- d) when in force are contractually binding on the water industry entity and the class of customers to which the terms and conditions are expressed to apply.

Subject to the conditions of a licence, a standard term or condition fixed under this section may be modified or excluded by express agreement between the water industry entity and a customer of the entity.

The document does not have to be signed to be binding.

1. THE PARTIES

1.1 This **contract** is between:

ROBUSTO INVESTMENTS PTY LTD ABN 75 117 034 545 of PO Box 752 Kent Town South Australia 5071 trading as COMPASS SPRINGS (referred to in this contract as “we”, “our”, or “us”); and

You, the **customer** as defined in the **Act** and to whom this **contract** applies (referred to in this **contract** as “you” or “your”)

2. DEFINITIONS

2.1 Words appearing in **bold** type like this are defined in Schedule 1 to this **contract**.

3. SERVICES PROVIDED UNDER THIS CONTRACT

3.1 This **contract** covers the sale and supply by us of a water **retail service** to your **supply address**.

3.2 We will provide your water retail service in accordance with all applicable regulatory instruments.

4. DOES THIS DOCUMENT APPLY TO YOU?

4.1 This document applies to you if:

- (a) your **supply address** receives, or will receive upon successful connection, our **water retail service** and you have not agreed to different terms and conditions with us;
- (b) you currently receive, or will receive upon successful connection, our **water retail service** with **special characteristics** relevant to the provision of that **water retail service**.

4.2 Unless otherwise agreed by the parties, this document does not apply where:

- (a) we provide you with a non-standard water retail service; or
- (b) prior to the commencement of this **contract**, you were a **customer** receiving a **water retail service** from us pursuant to an existing written agreement and you have agreed to the continuation of that agreement until its term ends, at which point this **contract** takes effect.

4.3 This **contract** is with you as owner of the **supply address** and if you do not reside at the **supply address**:

- (a) you will continue to be bound by the terms of this **contract**; and
- (b) in addition to the general indemnity given in clause 33, you will indemnify us for any loss (whether direct or indirect, consequential or otherwise) we suffer arising out of, caused or contributed to by the occupant of the **supply address** provided that where any loss may be covered in whole or part by a policy of insurance held by us we will submit a claim for that loss and any amount paid to us by our insurer will be set off against the amount to be claimed from you pursuant to this sub-clause; and
- (c) you acknowledge that we will continue to bill you in accordance with clause 12; and
- (d) you must ensure the occupier of the **supply address** is made aware of the requirements of this **contract**, including the requirements with respect to the use of **water**.

5. CLASSIFICATION OF CUSTOMER CLASS

5.1 We may classify you as a **residential customer** or a **non-residential customer** in relation to your **supply address** after the commencement of this **contract** in accordance with **applicable regulatory instruments**.

6. COMMENCEMENT

6.1 If you are an existing **customer**, this **contract** will come into force on the day specified by the entity in the notice of the standard terms and conditions published in the Gazette under section 36 of the Act.

- 6.2 If you are a new **customer**, this **contract** starts on the date you apply for a connection in writing, satisfying all relevant pre-conditions (including payment of a connection fee and account establishment fee) and providing all required information.
- 6.3 If you are a person who becomes the registered proprietor of a **supply address**, this **contract** starts upon transfer of ownership of that **supply address** to you.

7. TERMINATION

- 7.1 Subject to any **applicable regulatory instruments** and clause 25 (Restriction Warning Notice) and clause 26 (Disconnection) we may terminate this **contract** by notice to you if:
- (a) the supply of the **water retail service** to your **supply address** has been disconnected in accordance with other provisions of this **contract** and you no longer have a right to be reconnected in accordance with clause 27; or
 - (b) you have notified us in accordance with clause 9.5 that you are no longer the owner of the **supply address** and we have entered into a new **contract** with the new owner; or
 - (c) we have notified you that you are in breach of a material term of this **contract**, you have not rectified that breach in a reasonable timeframe and the dispute resolution process steps referred to in Clause 28 of this **contract** have been exhausted; or
 - (d) circumstances beyond our reasonable control (including malicious damage caused by the occupier) mean that the water reticulation network necessary to provide the **water retail service** to your **supply address** are no longer available; or
 - (e) as otherwise required by law.
- 7.2 You may terminate this contract with us at any point by providing us with 3 business days' notice, which may be given by:
- (a) personal contact;
 - (b) telephone;
 - (c) electronic mail; or
 - (d) writing to us.
- 7.3 All rights and obligations accrued before the end of this **contract** continue despite the end of this **contract**, including your obligation to pay any amounts due to us.
- 7.4 If you do not give us safe and unhindered access to the **supply address** to conduct a final meter reading (where relevant), this **contract** will not end under clause 7.1 until we have issued you a final bill and you have paid any outstanding amount owed to us under this **contract**.
- 7.5 Your right to dispute a bill under clause 17 and recover amounts we have overcharged you in accordance with clause 19 continues despite the end of this contract.

8. WHAT YOU HAVE TO DO TO RECEIVE CONNECTION?

- 8.1 When you apply for a **water retail service** at your **supply address** we may require you to satisfy some pre-conditions. We will explain any pre-conditions that may apply to you when you apply to us for a **water retail service**.
- 8.2 Our obligation to sell or supply you with a **water retail service** at your **supply address** does not start until you satisfy our pre-conditions.

9. YOUR GENERAL OBLIGATIONS

- 9.1 Legal obligations:
- (a) You must comply with all laws applicable to your **water retail service**.
- 9.2 Infrastructure:
- (a) You must not interfere with, or damage, the infrastructure on our side of the **connection point**.
 - (b) If installation of internal infrastructure at your **supply address** is reasonably required in order for us to provide you a **water retail service** then you must provide that infrastructure in compliance with all **applicable regulatory instruments**.
 - (c) You must not allow the **water retail service** provided under this **contract** to be cross-connected to any other **water retail service**.
- 9.3 Meters:
- (a) Unless we agree otherwise, we will install a meter on your **supply address** of a size and in a location determined by us.
 - (b) The meter is our property and includes the outlet riser of the meter to your **supply address**, inlet riser, stop tap and associated fittings.
 - (c) You must not use the stop tap to control the **water retail service** at the **supply address** unless that stoppage is reasonably necessary to undertake required temporary repairs to your infrastructure or to deal with an emergency.
 - (d) To the extent permitted by law, we do not accept responsibility for damage or loss including water as a result of stop tap malfunctions unless that damage or loss is caused by our negligence. An isolation valve should be installed to your internal pipework by a licensed plumber if you wish to control the water supply at your **supply address**.
 - (e) You must protect the meter from accident or damage and charges apply for the replacement of a damaged or lost meter and/or fittings.
 - (f) If you believe your meter is not accurately recording your water usage you may request that we test your meter. If you make a request you must pay us in advance our charge for checking the meter reading, metering data or for testing the meter.
 - (g) If:
 - (i) the meter is found to be within the 5% limits for reasonable accuracy (i.e. +/- 5%) your current bill stands and you will be charged the meter testing fee; or
 - (ii) the meter is found to be over-recording outside of the reasonable limits referred to in clause 9.2(g)(i) the meter testing fee paid under clause 9.2(f) will be credited to your next bill and we will credit your next bill with the percentage amount for which the meter has been over-recording for a period of 12 months prior to the replacement of your meter; or
 - (iii) the meter has been found to be under-recording we may recover under-charged amounts from you

- (h) If your meter has been found, by us, to be within the acceptable limits but you still believe the meter is inaccurate you have the right to have the meter independently tested at your cost. If the meter is found by such test to be over-recording outside the reasonable limits referred to in clause 9.2(g)(i) we will credit the testing fees against your next bill.

9.4 Illegal use of water retail services:

- (a) You must only use the **water retail service** provided by us for lawful purposes and, if you are found to be illegally using our **water retail service**, or otherwise consuming our **water retail service** not in accordance with this **contract** or **applicable regulatory instruments**, we may:
- (i) estimate the consumption for which **you** have not paid using an approved estimation method and bill **you** for that amount;
 - (ii) recover that amount from **you**, as well any costs associated with estimating the consumption; and
 - (iii) disconnect **your supply address** immediately.
- (b) By illegally using our **water retail service**, clauses 14 and 16 will not apply to you.
- (c) We will not be liable for any injury or damage to person or property as a result of the illegal use of our **water retail service**.

9.5 Sale of property:

- (a) You must inform us at least 10 **business days** prior to the transfer of registration for the **supply address** property so that we can attend to necessary adjustment processes prior to settlement.
- (b) In the event you sell or otherwise dispose of your interest in the **supply address** property, you will continue to be personally bound by this **contract** unless and until you notify us in accordance with this clause.

9.6 Use of water retail services:

- (a) You are permitted to use the **water retail service** at your **supply address** only. You are not permitted, without our prior written consent, to supply water to any other person or property.

10. FEES AND CHARGES

10.1 Any **fees and charges** associated with the sale and supply of a **water retail service** to you are set out in the **Price List** published from time to time and available on our website www.compasssprings.com.au.

10.2 Changes in fees and charges

- (a) We have the right to change our **fees and charges** from time to time.
- (b) Any changes to **fees and charges** applicable to you will be set out within 10 **business days** in the **Price List** published on our website.

10.3 GST

- (a) Amounts specified in our **Price List**, subject to amendment from time to time, and other amounts payable under this **contract** may be stated to be exclusive or inclusive of GST. Clause 10.3(b) applies unless an amount is stated to include GST.
- (b) Where an amount paid by you under this **contract** is payment for a “taxable supply” as defined for GST purposes, to the extent permitted by law, that payment will be increased so that the cost of the GST payable on the taxable supply is passed on to the recipient of that taxable supply.

11. TARIFF CHANGES

11.1 If we vary the type of tariff rate you are charged for your **water retail service**, we will notify you of the new tariff rate on your next bill.

11.2 Where this occurs within a billing cycle, we will calculate on a pro-rata basis using:

- (a) the old tariff rate up to and including the effective date for the change; or
- (b) the new tariff rate from the effective date to the end of the billing cycle.

12. BILLING

12.1 We will use our **best endeavours** to issue you a bill at least quarterly.

12.2 We may enter into an agreement with you to a different billing cycle with a regular recurrent period that differs to clause 12.1.

12.3 We will prepare a bill so that you can easily verify that the bill conforms to this **contract** and it will include at least the particulars required by the **Code**, except in circumstances permitted by **ESCOSA**.

12.4 We will issue a bill to you at the email or postal address provided pursuant to clause 34.1.

12.5 It is your responsibility to advise us of any change in your email or postal address, or pending change in your email or postal address, prior to the issue of your next bill.

12.6 Unless otherwise agreed with you, you must pay the amount shown on each bill by the date for payment (the pay-by date). The pay-by date will be no earlier than 12 **business days** from the date we send the bill.

12.7 If you have not paid a bill by the pay-by date, we will send you a reminder notice. This will give you a further pay-by date which will not be less than 6 **business days** after we issue the notice.

12.8 Subject to clause 12.9, if you have not paid a bill by the further pay-by date expressed in the reminder notice, you will be charged a late payment fee.

12.9 You will not be charged a late payment fee if you have entered into a payment plan subject to our **Hardship Policy**.

13. PAYMENT METHODS

13.1 The payment methods we offer will be listed on your bill and are subject to change from time to time. At a minimum we will offer you the ability to pay your bills:

- (a) in person (cheque or credit card only),
- (b) by mail (cheque only),
- (c) by B-Pay,
- (d) by direct debit; or
- (e) by Centrepay (for residential customers).

13.2 If you pay us by cheque, direct debit from an account with an **ADI** or by credit card and the payment is dishonoured or reversed, which results in us incurring a fee, we may recover the amount of that fee from you.

14. FLEXIBLE PAYMENT ARRANGEMENTS

14.1 We offer flexible payment plans in accordance with this clause if you are a **residential customer** experiencing payment difficulties and you inform us in writing or by telephone that you are experiencing payment difficulties.

14.2 **Residential customers** experiencing payment difficulties are offered the following flexible payment options:

- (a) a system or arrangement under which a **residential customer** may make payments in advance towards future bills;
- (b) an interest and fee free payment plan or other arrangement under which the **residential customer** is given more time to pay a bill or to pay arrears (including any restriction, disconnection or restoration charges); and
- (c) redirection of your bill as requested by you.

15. PAYMENT DIFFICULTIES

15.1 If you are experiencing payment difficulty, we will provide you with information about:

- (a) Our flexible payment arrangements;
- (b) Our residential customer hardship policy;
- (c) Government concessions; and
- (d) Independent financial and other relevant counselling services.

16. HARDSHIP POLICY

16.1 We offer a Hardship Policy to all our **residential customers**.

16.2 Pursuant to the **Hardship Policy** we will:

- (a) have a process to identify if you are experiencing payment difficulties due to **financial hardship**;
- (b) have a process for early response to **customers** identified as experiencing payment difficulties due to hardship;
- (c) have processes in place to adequately train hardship staff;
- (d) offer alternative payment options including instalment plans;
- (e) offer Centrepay to residential customers;
- (f) have processes in place to identify appropriate government concession programs and financial counselling services where appropriate and advise **residential customers**;
- (g) provide information on the processes or programs available to **customers** to improve their **water** efficiency; and
- (h) provide information on the circumstances in which the **customer** will cease being eligible for the hardship program.

16.3 The **Hardship Policy** (as amended from time to time) and further details are available on our website, www.compasssprings.com.au.

17. BILLING DISPUTES

17.1 If you disagree with the amount you have been charged, you can ask us to review your bill in accordance with our **Enquiries, Complaints and Dispute Resolution Process** under clause 29.

17.2 We will review your bill and inform you of the outcome of that review as soon as reasonably possible and, in any event, within 30 **business days**.

17.3 Where we are reviewing a bill, we may require you to pay:

- (a) the greater of:
 - (i) that portion of the bill under review that we agree is not in dispute; or
 - (ii) an amount equal to the average amount of your bills in the previous 12 months (excluding the bill in dispute); and
- (b) any future bills that are properly due.

17.4 Where, after conducting a review of the bill, we are satisfied that it is:

- (a) correct, we may require you pay the amount of that bill which is still outstanding; or;
- (b) incorrect, we:
 - (i) will correct your bill;
 - (ii) will refund (or set off against the amount in clause 17.4(b)(iii)) any fee paid in advance;
 - (iii) may require you pay the amount of that bill which is still outstanding; and
 - (iv) will advise you of the existence of our **Enquiries, Complaints and Dispute Resolution Process** under clause 29.

17.5 If you advise us that you are not satisfied with our decision, and subject to clause 29, Disputes, Complaints and Dispute Resolution, we will inform you that you may lodge a dispute with the **industry ombudsman** scheme.

18. UNDERCHARGING

18.1 Where you have been undercharged we will inform you and we may recover from you any amount you have been undercharged.

18.2 Where any amount undercharged is as a result of an act or omission on our part we will recover only the amounts owed to us in the 12 months prior to us advising you in writing that there has been an error.

18.3 We will list the amount to be recovered as a separate item in a special bill or on the next bill, together with an explanation of that amount.

18.4 We will not charge you interest on amounts recovered due to an error on our part and we will offer you a period of time to repay the amounts undercharged at least equal to the period of undercharging if less than 12 months or 12 months in any other case.

19. OVERCHARGING

19.1 If we overcharge you due to an act or omission on our part, we will use our **best endeavours** to advise you within 10 **business days** of us becoming aware of the error.

19.2 If we have overcharged you and you have already paid your bill, we will:

- (a) credit the amount to your account and it will be deducted from your next bill; or
- (b) if you have ceased to purchase a **water retail service** from us, repay that amount to you within 10 **business days**.

20. INTEREST

20.1 Subject to clause 20.2, if you have not paid a bill by the pay-by date, we may, in addition to any other right we have in this **contract** or otherwise, charge interest on all unpaid amounts owed to us at our corporate overdraft interest rate.

20.2 You will not be charged interest if you have entered into a payment plan subject to our **Hardship Policy**.

21. DEBT RECOVERY

21.1 We will not commence proceedings for the recovery of a debt relating to the sale and supply of a **water retail service** by us if:

- (a) you continue to adhere to the terms of a flexible payment plan or other agreed payment arrangement; or
- (b) we have failed to comply with the requirements of:
 - (i) our **Hardship Policy** in relation to you; or
 - (ii) the contact relating to non-payment of bills, payment plans and assistance to **residential customers** experiencing payment difficulties; or
- (c) you currently have a flow restriction device installed at the relevant **supply address** in accordance with clause 24.1(a).

22. INTERRUPTIONS

22.1 We will use our **best endeavours** to minimise the frequency and duration of interruptions or limitations to supply of your **water retail service**.

22.2 We may interrupt the supply of your **water retail service** in the following instances:

- (a) for maintenance;
- (b) for repair;
- (c) for augmentations to the **network**;
- (d) in the event of emergencies; or
- (e) for health and safety reasons.

22.3 In the event of an unplanned interruption, we will use our **best endeavours** to restore your **water retail service** as soon as practically possible and within the timeframes specified in the **regulatory service standards**.

22.4 Where a planned interruption is required, we will use our **best endeavours** to provide you with at least 4 **business days**' notice prior to planned works that will cause an interruption to your **water retail service**. This notice will be in writing where practicable but may be by radio or newspaper.

23. QUALITY, SAFETY AND RELIABILITY OF SUPPLY

23.1 Quality

- (a) Where your **water retail service** comprises drinking water we will provide drinking water, in accordance with all relevant health, environmental and other applicable regulatory requirements.
- (b) Our obligation under clause 23.1(a) is limited to the extent that such water quality is adversely affected by your actions or equipment and is subject to the terms of this contract.
- (c) If we need to reclassify your water retail service from drinking water to non-drinking water or vice versa, we will do so only in accordance with applicable regulatory instruments and notify you immediately if reclassification is to occur.

23.2 Reliability

- (a) We will use our **best endeavours** to provide you with a **water** flow rate to meet your reasonable needs. Please note that, for some **customers**, the flow rate may not be sufficient for all purposes without provision of additional on-site infrastructure. You assume the responsibility of providing such additional **water** infrastructure.
- (b) We will notify you under clause 23.3 if, due to the **special characteristics** of your **water retail service**, we are unable to provide you with such a flow rate.

23.3 Water retail service with special characteristics:

- (a) If, prior to the commencement of this **contract**, you were a **customer** that we supplied a **water retail service** with conditions as set out under a separate agreement, or without a formal agreement in place, this **contract** will now apply to the provision of that **water retail service** and the **special characteristics** applicable to that **water retail service** will apply.
- (b) We will advise you of the **special characteristics** of the **water retail service** applicable to you under this **contract**. For existing **customers**, we will advise you on commencement of this **contract**. For new **customers** we will advise you upon assessment of an application by you for a **water retail service** under this **contract**.

24. LIFE SUPPORT EQUIPMENT

24.1 If you, or someone you reside with has a medical condition where the continuation of a **water retail service** is critical for the operation of a life support equipment (as defined in the **Code**) you must:

- (a) notify us, with confirmation from a registered medical practitioner, that a person residing at the **residential customer's supply address** requires that continued use of life support equipment; and
- (b) inform us if the person for whom the life support requirement is required vacates the **supply address** or no longer requires the life support equipment.

24.2 We may rely on advice from a medical practitioner or hospital that life support equipment is no longer required at the **supply address**.

24.3 Once we are notified under this clause, but subject to clause 24.1(b), we will:

- (a) register the supply address as a life support equipment address;
- (b) not arrange for the disconnection or restriction of the supply to that **supply address** while the person continues to reside at that address and required the use of a life support equipment; and
- (c) provide you with:
 - (i) at least 4 **business days**' written notice of any planned interruptions to supply at the **supply address**;
 - (ii) advice there is likely to be a planned interruption to the supply at the **supply address**; and
 - (iii) an emergency telephone contact number (which is printed on your bill or available on our website).

25. RESTRICTIONS

25.1 Residential Customers

- (a) If you are a **residential customer**, we may, subject to compliance with the **Code**, arrange for the restriction of the supply of your **water retail service** to you where:
 - (i) you have not paid a bill or bills within the required timeframes;
 - (ii) you have not agreed to an offer of a flexible payment plan under clause 14 or another payment option to pay a bill;
 - (iii) you have not adhered to your obligations to make payments in accordance with the flexible payment plan or another payment option relating to the payment of bills;
 - (iv) you have not complied with the terms of our **Hardship Policy** referred to in clause 16 resulting in you being removed from that hardship program;
 - (v) you have not allowed entry to a Water Industry Officer appointed under the **Act** for the purposes consistent with carrying out duties in accordance with **applicable regulatory instruments**; or
 - (vi) you have used the **water retail service** illegally.
- (b) Before undertaking any arrangements for the restriction of supply of **water retail services** to your supply address for failure to pay a bill, we will:
 - (i) use our **best endeavours** to contact you personally by the methods outlined in the **Code**;
 - (ii) give you information about the terms of our **Hardship Policy** and assess your eligibility for participation in our **Hardship Policy**;
 - (iii) give you information on government funded concessions, if applicable, and refer you to the organisation responsible for that concession.
 - (iv) give you a reminder notice;
 - (v) after the expiry of the period referred to in the reminder notice, give you a written restriction warning notice in accordance with clause 26; and
 - (vi) advise you of the existence and operation of the **industry ombudsman** scheme.

25.2 Non-residential Customers

- (a) If you are a **non-residential customer**, we may, subject to compliance with the **Code**, arrange for the restriction of the supply of your **water retail service** at any of your **supply addresses** at which a **water retail service** is provided where:
 - (i) you have not paid a bill or bills within the required timeframes;
 - (ii) you have not allowed entry to a **water** industry officer appointed under the **Act** for the purposes consistent with carrying out duties in accordance with **applicable regulatory instruments**; or
 - (iii) you have used the **water retail service** illegally.
- (b) Before undertaking any arrangements for the restriction of supply of **water retail services** to your supply address for failure to pay a bill, we will:
 - (i) use our **best endeavours** to contact you personally by the methods outline in the **Code**;
 - (ii) offer you an extension of time to pay on terms and conditions (which may include the payment of interest approved by **ESCOSA** from time to time);
 - (iii) give you a reminder notice;
 - (iv) after the expiry of the period referred to in the reminder notice, give you a written restriction warning notice in accordance with clause 26; and
 - (v) advise you of the existence and operation of the **industry ombudsman** scheme.

25.3 Subject to compliance with the **Code**, we may restrict the supply of a **water retail service** to a **supply address** immediately if you:

- (a) have refused or failed to accept the offer of a flexible payment plan in accordance with clause 14 before the expiry of the 5 **business days** period in the restriction warning; or
- (b) have accepted the offer of a flexible payment plan in accordance with clause 14, but have refused or failed to take reasonable actions towards settling the debt before the expiry of the 5 **business days** period in the restriction warning.

25.4 The restriction of supply of **water retail services** under clause 25.1 or 25.2 will be no less than the minimum flow rate prescribed by **ESCOSA** by notice in writing from time to time.

26. RESTRICTION WARNING NOTICE

- (a) Prior to commencing action to restrict the supply of a **water retail service** to you, we will issue a restriction warning notice to you that:
 - (b) states the date of its issue;
 - (c) states the matter giving rise to the potential restriction of your **supply address**;
 - (d) where the notice has been issued for not paying a bill:
 - (i) state the date on which the restriction warning notice ends; and

- (ii) state that payment of the bill must be made during the restriction warning notice period,
- (e) for matters other than not paying a bill, allow a period of not fewer than 5 **business days** after the date of issue for you to rectify the matter before restriction occurs;
- (f) inform you of applicable restoration procedures and any charges for restoration (if applicable);
- (g) include details of our telephone number for complaints and disputes; and
- (h) include details of the existence and operation of the **industry ombudsman** scheme.

27. DISCONNECTIONS

- 27.1 We will not disconnect your water retail service for non-payment of a bill or bills. However, we may restrict your water retail service in accordance with clause 25.
- 27.2 We may arrange for the disconnection of your retail service if you have:
- (a) requested that disconnection;
 - (b) used the **water retail service** illegally; or
 - (c) refused entry to a **water** industry officer appointed under the **Act** for a purpose consistent with carrying out duties in accordance with **applicable regulatory instruments**.
- 27.3 If you request us to arrange for the preparation and issue of a final bill, or the disconnection of, your **supply address**, we will use our **best endeavours** to arrange for that final bill (in circumstances where final bills can be issued) or disconnection in accordance with your request.

28. RESTORATION OF WATER RETAIL SERVICE

- 28.1 If we have disconnected or restricted the supply of your **water retail service** to you, we will use our **best endeavours** to arrange for the reconnection or removal of flow restrictions within a time agreed with you, subject to:
- (a) Clause 9.4;
 - (b) the reasons for the disconnection or restriction being rectified by you; and
 - (c) you have paid the appropriate charge for reconnection or removal of water flow restriction (if applicable).
- 28.2 If you are a **residential customer**, we will not charge a restoration fee where you are experiencing **financial hardship** and should have been identified as eligible for our **Hardship Policy**, so long as you agree to participate in our hardship program upon restoration.
- 28.3 We will use our **best endeavours** to reconnect or remove **water** flow restrictions within the timeframes required by the **regulatory service standards**.

29. ENQUIRIES, COMPLAINTS AND DISPUTE RESOLUTION

- 29.1 If you have an enquiry or complaint relating to our water retail service or related matter, you can contact us on the details published on our website www.compasssprings.com.au
- 29.2 You may make a complaint to us regarding our services or compliance with this **contract**. We will address your complaint in the manner set out in our procedures for the management and resolution of customer enquiries and disputes. For further information regarding this process please refer to our website www.compasssprings.com.au
- 29.3 If you are not satisfied with the solution offered or action taken by us in response to your complaint you may have the complaint reviewed by one of our senior managers under our procedures for the management and resolution of customer enquiries and disputes.
- 29.4 If you are still not satisfied with the outcome of our internal dispute resolution process you may refer the matter to the **Industry Ombudsman** for external dispute resolution, subject to clause 28.5.
- 29.5 The parties agree to follow our internal dispute resolution procedure, in good faith, as set out in our procedures for the management and resolution of customer enquiries and disputes before referring the matter to the **Industry Ombudsman**.

30. RIGHT TO ENTER

- 30.1 In the case of an emergency or on agreement with you, we will enter your property to perform planned or unplanned maintenance to our infrastructure located at your **supply address**, in each case in accordance with sections 44 and 45 of the **Act**.

31. FORCE MAJEURE

- 31.1 If, but for this clause, either party would breach this **contract** due to the occurrence of a **force majeure event**:
- (a) the obligations of the party under this **contract**, other than an obligation to pay money, are suspended to the extent to which they are affected by the **force majeure event** for so long as the **force majeure event** continues; and
 - (b) the affected party must use its **best endeavours** to give the other party prompt notice of that fact including full particulars of the **force majeure event**, an estimate of its likely duration, the obligations affected by it and the extent of its effects on those obligations and the steps taken to remove, overcome or minimise those effects.
- 31.2 For the purposes of this clause, if the effects of a **force majeure event** are widespread we will be deemed to have given you prompt notice if we make the necessary information available by way of a 24 hour telephone service within 30 minutes of being advised of the **force majeure event** or otherwise as soon as practicable.
- 31.3 Either party relying on this clause by claiming a **force majeure event** must use its **best endeavours** to remove, overcome or minimise the effects of that **force majeure event** as quickly as practicable.
- 31.4 Nothing in this clause will require a party to settle an industrial dispute which constitutes a **force majeure event** in any manner other than the manner preferred by that party.

32. INFORMATION AND PRIVACY

- 32.1 We will keep your personal information confidential in accordance with applicable laws and our privacy policy.
- 32.2 We will also provide any relevant information to authorities in the event that you are under investigation for illegal use of our services or of any other crime.
- 32.3 By accepting a **water retail service** under this **contract** you are agreeing to the release of billing data to a tenant of your **supply address**, in accordance with processes approved by **ESCOSA** from time to time.

33. INDEMNITY

33.1 To the extent permitted by law, you hereby indemnify us against any third party claims arising out of, in respect of or in connection with the water retail service howsoever caused.

34. NOTICES

34.1 Unless you otherwise inform us of an alternative means of communication, you agree that any communication, bill, notice or consent under this **contract** which must be sent to you by us may be sent to the email address provided to us and if an email address has not been provided then to the postal address provided to us.

34.2 Communications will be deemed to be received by you on the day following the day on which such communication was posted or on the same day the email is sent.

34.3 You must immediately notify us of any change of your postal address or email address.

35. GENERAL

35.1 Applicable law

The laws in force in the State of South Australia govern this contract.

35.2 Severability

If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part of a clause is to be treated as removed from this contract and the rest of this contract is not affected.

35.3 Assignment

Your rights and obligations under this **contract** are personal and cannot be assigned, charged or otherwise dealt with, without our prior written consent.

35.4 Referral of Our Obligations

Some obligations placed on us under this **contract** may be carried out by others engaged by us to perform the obligations on our behalf.

35.5 Amending the **contract**

This contract may only be amended in accordance with the Code. We will publish any amendments to this contract on our website.

35.6 The Code

If the Code grants us a right which may be included in this contract, our rights under this contract are deemed to include such a right.

SCHEDULE 1 – DEFINITIONS

The following words have the attributed meaning for the purposes of this contract.

Act	means the <i>Water Industry Act 2012 (SA)</i> as amended from time to time.
applicable regulatory instruments	means any Act (including without limitation, the Act) or regulatory instrument made under an Act (including without limitation, the Regulations), or the Code or any other industry code, guideline, or other regulatory instrument issued by ESCOSA which applies to us.
ADI	means an authorised deposit taking institution within the meaning of the <i>Banking Act 1959 (Cth)</i> as defined in section 4 of the <i>Acts Interpretation Act 1915 (SA)</i> .
availability charge	a charge for the availability of a service (rather than the use of it). <i>The Local Government Act 1999/Roxby Downs Indenture Ratification Act 1982</i> allows us to recover this availability charge from you where our water infrastructure runs adjacent to your property.
best endeavours	means to act in good faith and use all reasonable efforts, skill and resources.
business day	means a day that is not a Saturday, a Sunday or a public holiday in the State of South Australia.
Centrepay	a free service for customers whereby bills may be paid as regular deductions from the customer's government welfare payments.
Code	means the Water Retail Code – Minor and Intermediate Retailers published by ESCOSA as amended from time to time.
connection point	means, in respect of a water retail service , the outlet of the meter at your supply address which then connects to the water reticulation network or, in respect of the dual reticulation recycled water service , the outlet of the meter at your supply address which then connects to the dual reticulation recycled water network .
contract	means this contract which has been approved by ESCOSA under clause 2.1 of the Code .
customer	means a customer as defined under section 4 of the Act .
Enquiries, Complaints and Dispute Resolution Process	means our enquiries, complaints and dispute resolution process as published on our website and as may be amended from time to time.
ESCOSA	means the Essential Services Commission of South Australia, a body created under the <i>Essential Services Commission Act 2002 (SA)</i> .
fees and charges	means our fees and charges as specified in our Price List .
Price List	means the fees and charges schedule published by us on our website as may be amended from time to time.
financial hardship	means a situation defined by reasonable assessment by us as a customer having desire to pay an account but being absent of the means to pay the account within 3 months of the due date despite all best efforts.
force majeure event	means an event outside the control of us, the occurrence of which could not be reasonably foreseen by us, or if it could be foreseen, could not reasonably have been guarded against.
Gazette	South Australian Government Gazette

Hardship Policy	means our financial hardship policy as published on our website and as may be amended from time to time.
Industry Ombudsman	means the industry ombudsman responsible for dealing with disputes under the Act .
meter	means the device and associated equipment owned by us used to measure the use of water of a property.
Minister	means the Minister for Water and the River Murray.
network	Means in respect of the water retail service , the water reticulation network or the dual reticulation recycled water network (as the case may be).
non-standard water retail service	means a water retail service we may provide to customers on terms and conditions other than that set out in this contract , but such services do not include a water retail service provided to customers with special characteristics as described in clause Error! Reference source not found.
Non-residential customer	means a customer other than a residential customer.
Regulations	means the <i>Water Industry Regulations 2012 (SA)</i> as may be amended from time to time.
regulatory service standards	means the regulatory service standards applicable to the provision by us to you of a retail service as determined and published from time to time by ESCOSA .
residential customer	means a customer which acquires a retail service primarily for their own domestic purposes.
sewage	includes any form of waste that may be appropriately removed or dealt with through the use of a sewerage retail service (but does not include trade waste).
special characteristics	means the particular features or characteristics of the retail service relevant to your supply address as set out in Schedule 2.
supply address	means the property address at which the water retail service is to be provided under this contract .
water	includes desalinated water and water that may include any material or impurities, but does not include recycled water or sewage .
Water industry entity	Robusto Investments Pty Ltd (ABN 75 117 034 545)
water restrictions	means limitations on water use proclaimed by the Minister from time to time.
water retail service	means a service constituted by the collection, storage, production, treatment, conveyance, reticulation or supply of water ; or any other service, or any service of a class, brought within the ambit of this definition by the Regulations .
water reticulation network	means our system of water mains and service pipes for the provision of water to 2 or more locations in the State.

SCHEDULE 2 – SPECIAL CHARACTERISTICS

1. RESTRICTIONS

Notwithstanding Clause 25 of this **contract** but subject in all things to Sections 59 and 60 of the Act and subject to the provisions of clauses 25 and 26 of this **contract** we may arrange restriction of your **water retail services** in the following circumstances:

1.1 Total Restriction

Where we believe on reasonable grounds that due to circumstances beyond our control we are unable to supply water to you where water is not available for supply by us from our usual source of supply in sufficient quantity or where the quality of water available for supply by us from our usual source of supply by us is, or is likely to be, below a standard prescribed by regulation.

1.2 Partial Restriction

Where the quantity of water of a standard prescribed by regulation available for supply by our **network** is diminished due to circumstances beyond our control we will use our best endeavours to remedy the problem.

Should we be unable to remedy the position and should we believe on reasonable grounds that the quantity of water available for supply by us is or is likely to be insufficient we may restrict the quantity of water available for supply to you on a proportionate basis as set out in this clause.

In that event, the proportionate reduction in the quantity of water available for supply by us to you will be a proportion of the total supply then available to the **network**. The relevant proportion will be the proportion that the quantity of water supplied to you by our **network** in the previous period of one year bears to the total quantity of water supplied in that year from our **network** to all of our customers.

If reasonably necessary, we will purchase bulk water to enable us to supply our customers in these circumstances. The cost incurred by us in purchasing that water will also be apportioned between our **network** customers in the same manner as the quantity of water supplied is restricted pursuant to this paragraph. We will take all reasonable steps to ensure that the cost of purchase of bulk water reflects a reasonable cost of both purchase and efficient delivery options (to our holding tanks) available to us.

2. RELEASE AND INDEMNITY

To the extent permitted by law you release us from and indemnify us against all claims and demands in respect of or arising from any accident, damage, death, injury or loss suffered by you or persons under your control which occurs in respect of the water retail service provided that where any loss may be covered in whole or part by a policy of insurance held by us we will submit a claim for that loss and any amount paid to us by our insurer will be set off against the amount to be claimed from you pursuant to this clause.

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