THE SOUTH AUSTRALIAN

GOVERNMENT GAZETTE

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Department of the Premier and Cabinet
Adelaide, 27 June 2019

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

No. 12 of 2019— Supply Act 2019
An Act for the appropriation of money from the Consolidated Account for the financial year ending on 30 June 2020

By command,

VICKIE ANN CHAPMAN, MP
For Premier

Department of the Premier and Cabinet
Adelaide, 27 June 2019

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Outback Communities Authority, pursuant to the provisions of the Outback Communities (Administration and Management) Act 2009:

Member: from 1 July 2019 until 30 June 2022
William Raymond McIntosh
Frances Lynette Warwick Frahn
Lee Warmington

Presiding Member: from 1 July 2019 until 30 June 2022
William Raymond McIntosh

By command,

VICKIE ANN CHAPMAN, MP
For Premier

MLG19/003CS

Department of the Premier and Cabinet
Adelaide, 27 June 2019

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Training Centre Review Board, pursuant to the provisions of the Young Offenders Act 1993:

Member: from 2 July 2019 until 1 July 2022
Craig Gregory Wolfe

Member: from 14 July 2019 until 13 July 2022
Christopher Cornelis Boltje
Katrina Susanne Dee

Member: from 4 August 2019 until 3 August 2022
Branka King

Deputy Member: from 2 July 2019 until 1 July 2022
Timothy David Curtis (Deputy to Wolfe)

Deputy Member: from 14 July 2019 until 13 July 2022
Sharon Joy McKell (Deputy to Boltje)
Nikki Lamshed (Deputy to Dee)

Deputy Member: from 4 August 2019 until 3 August 2022
Ester Huxtable (Deputy to King)

By command,

VICKIE ANN CHAPMAN, MP
For Premier

AGO0080-19CS

Department of the Premier and Cabinet
Adelaide, 27 June 2019

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the SACE Board of South Australia, pursuant to the provisions of the SACE Board of South Australia Act 1983:

Member: from 1 July 2019 until 30 June 2021
Jane Elizabeth Danvers
Ann Elizabeth Doolette
Andrew John Balkwill
Alistair Brown

Presiding Member: from 1 July 2019 until 30 June 2021
Jane Elizabeth Danvers

Deputy Presiding Member: from 1 July 2019 until 30 June 2021
Ann Elizabeth Doolette

By command,

VICKIE ANN CHAPMAN, MP
For Premier

ME19/030

Department of the Premier and Cabinet
Adelaide, 27 June 2019

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

Director: from 2 July 2019 until 1 July 2021
Andrew David Bullock
Grant David Wilckens
Donna Marie Gauci
Ian Philip Horne

Chair: from 2 July 2019 until 1 July 2021
Andrew David Bullock

By command,

VICKIE ANN CHAPMAN, MP
For Premier

19TTICS/00014

Department of the Premier and Cabinet
Adelaide, 27 June 2019

His Excellency the Governor in Executive Council has been pleased to appoint judicial officers to the auxiliary pool for a period commencing on 1 July 2019 and expiring on 30 June 2020 - it being a condition of appointment that the powers and jurisdictions of office should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment - pursuant to the provisions of the Judicial Administration (Auxiliary Appointments and Powers) Act 1988:

- Michael David as an Auxiliary Judge of the Supreme Court of South Australia
- Bruce Malcolm Debelle as an Auxiliary Judge of the Supreme Court of South Australia
- Geoffrey Louis Muecke as an Auxiliary Judge of the Supreme Court of South Australia
- Paul John Rice as an Auxiliary Judge of the Supreme Court of South Australia
- Paul Vincent Slattery as an Auxiliary Judge of the Supreme Court of South Australia
- Wayne Cromwell Chivell as an Auxiliary Judge of the Supreme Court of South Australia
- Sydney William Tilmouth as an Auxiliary Judge of the Supreme Court of South Australia
- Brian Patrick Gilchrist as an Auxiliary Judge of the Supreme Court of South Australia
- Peter John Norman as an Auxiliary Master of the Supreme Court of South Australia
- John Stephen Roder as an Auxiliary Master of the Supreme Court of South Australia
- Dean Ernest Clayton as an Auxiliary Judge of the District Court of South Australia
- Gordon Fraser Barrett as an Auxiliary Judge of the District Court of South Australia
- Peter Robert Brebner as an Auxiliary Judge of the District Court of South Australia
- William David Jennings as an Auxiliary Judge of the Licensing Court of South Australia
- Stephen Kevin McEwen as an Auxiliary Judge of the Youth Court of South Australia
- Joanne Tracey as an Auxiliary Judge of the Youth Court of South Australia
- Mark Nicholas Rice as an Auxiliary Master of the District Court of South Australia
- Jonathan Romilly Harry as an Auxiliary Magistrate of South Australia and Auxiliary Magistrate of the Youth Court of South Australia
- Peter Yelverton Wilson as an Auxiliary Magistrate of South Australia and Auxiliary Magistrate of the Youth Court of South Australia
- Kym Boxall as an Auxiliary Magistrate of South Australia and Auxiliary Magistrate of the Youth Court of South Australia
- Gregory Ronald Alfred Clark as an Auxiliary Magistrate of South Australia and Auxiliary Magistrate of the Youth Court of South Australia
- Theodore Iuliano as an Auxiliary Magistrate of South Australia and Auxiliary Magistrate of the Youth Court of South Australia
- Clive William Kitchin as an Auxiliary Magistrate of South Australia and Auxiliary Magistrate of the Youth Court of South Australia
- Martin Keith as an Auxiliary Magistrate of South Australia

By command,

VICKIE ANN CHAPMAN, MP
For Premier

AGO0078-19CS

Department of the Premier and Cabinet
Adelaide, 27 June 2019

His Excellency the Governor in Executive Council has been pleased to appoint Peter John Norman to act in the office of Master of the District Court of South Australia on an auxiliary basis, for a period commencing on 31 August 2019 and expiring on 30 June 2020, it being a condition of appointment that the powers and jurisdictions of the office should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment - pursuant to the Judicial Administration (Auxiliary Appointments and Powers) Act 1988.

By command,

VICKIE ANN CHAPMAN, MP
For Premier

AGO0078-19CS

Department of the Premier and Cabinet
Adelaide, 27 June 2019

His Excellency the Governor in Executive Council has been pleased to appoint Barbara Ellen Johns to act in the office of Magistrate on an auxiliary basis, for a period commencing on 1 July 2019 and expiring on 18 January 2020, it being a condition of appointment that the powers and jurisdictions of the office should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment - pursuant to the Judicial Administration (Auxiliary Appointments and Powers) Act 1988.

By command,

VICKIE ANN CHAPMAN, MP
For Premier

AGO0078-19CS

Department of the Premier and Cabinet
Adelaide, 27 June 2019

His Excellency the Governor in Executive Council has been pleased to appoint Martin Keith to the office of Master of the District Court of South Australia on an auxiliary basis, for a period commencing on 1 July 2019 and expiring on 30 June 2020, it being a condition of appointment that the powers and jurisdictions of the office should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment - pursuant to the Judicial Administration (Auxiliary Appointments and Powers) Act 1988.

By command,

VICKIE ANN CHAPMAN, MP
For Premier

AGO0087-19CS

Department of the Premier and Cabinet
Adelaide, 27 June 2019

His Excellency the Governor in Executive Council has been pleased to appoint Roger James Thomas to the position of Commissioner for Aboriginal Engagement for a period commencing on 1 July 2019 and expiring on 30 June 2022 - pursuant to section 68 of the Constitution Act 1934.

By command,

VICKIE ANN CHAPMAN, MP
For Premier

DPC19/048CS

ADMINISTRATIVE ARRANGEMENTS ACT 1994

SECTION 9

Instrument of Revocation by the Minister for Health and Wellbeing

By Instrument of Delegation dated the 14th day of December 2011 and published in the SA Government Gazette of 15 December 2011, the Minister for Health and Ageing delegated all of the Minister's powers and functions under the *Health Care Act 2008*, in relation to the program of activity known as the Child and Family Health program delivered by the Women's and Children's Health Network, to the Minister for Education and Child Development.

I, the **Honourable Stephen Wade MLC, Minister for Health and Wellbeing**, hereby revoke that delegation.

This revocation operates from 1 July 2019.

Dated: 21 June 2019

THE HONOURABLE STEPHEN WADE, MLC
Minister for Health and Wellbeing

ASSOCIATIONS INCORPORATION ACT 1985

ORDER PURSUANT TO SECTION 42(2)

Dissolution of Association

WHEREAS the CORPORATE AFFAIRS COMMISSION ("the Commission') pursuant to section 42(1) of the *Associations Incorporation Act 1985* ("the Act") is of the opinion that the undertaking or operations of THE SOUTHERN TREE BREEDING ASSOCIATION INCORPORATED ("the Association") being an incorporated association under the Act are being carried on, or would more appropriately be carried on by a company limited by guarantee incorporated under the *Corporations Act 2001* (Cth) **AND WHEREAS** the Commission was on 25 February 2019 requested by the Association to transfer its undertaking to TREE BREEDING AUSTRALIA LIMITED (Australian Company Number 632 508 742), the Commission pursuant to section 42(2) of the Act **DOES HEREBY ORDER** that on 27 June 2019, the Association will be dissolved, the property of the Association becomes the property of TREE BREEDING AUSTRALIA LIMITED and the rights and liabilities of the Association become the rights and liabilities of TREE BREEDING AUSTRALIA LIMITED.

Given under the seal of the Commission at Adelaide

Dated: 19 June 2019

ROBERT TEMPLETON
A delegate of the Corporate Affairs Commission

CHILD SAFETY (PROHIBITED PERSONS) ACT 2016

Appointment of Registrar of the Central Assessment Unit

PURSUANT to section 22 (2) of the Child Safety (Prohibited Persons) Act 2016 and section 14(c) of the Acts Interpretation Act 1915, I appoint Trevor Maxwell Lovegrove as Registrar of the central assessment unit effective from 1 July 2019.

Dated: 25 June 2019

HON MICHELLE LENSINK MLC
Minister for Human Services

CHILD SAFETY (PROHIBITED PERSONS) ACT 2016

Authorisation to Perform Functions on Behalf of the Central Assessment Unit

I, MICHELLE LENSINK, Minister for Human Services, pursuant to section 14(c) of the Acts Interpretation Act 1915, authorise the persons holding or acting in the positions employed in the Department for Human Services Screening Unit referred to in Schedule 1, to exercise the powers and functions of the central assessment unit pursuant to section 20 (2) of the Child Safety (Prohibited Persons) Act 2016.

The authorisation is effective from 1 July 2019.

Dated: 25 June 2019

HON MICHELLE LENSINK MLC
Minister for Human Services

SCHEDULE 1

Director, Screening Unit
General Manager, Assessment
General Manager, Strategy and Governance
Complex Assessment Panel Member
Manager, Customer and Business Services
Senior Administrative Officer
Customer Service Officer
Senior Governance and Policy Officer
Feedback and Correspondence Officer
Project Officer
Team Leader – Senior Assessment
Senior Assessment Officer
Manager, Determinations
Team Leader – Determinations/Continuous Monitoring
Senior Determinations Officer
Team Leader, Assessment
Team Leader, Assessment Support
Assessment Officer

CHILD SAFETY (PROHIBITED PERSONS) ACT 2016

NOTICE BY THE MINISTER FOR HUMAN SERVICES

Declaration of the Central Assessment Unit

I, MICHELLE LENSINK, Minister for Human Services, hereby declare that the Department of Human Services Screening Unit, authorised under the *Children's Protection Act 1993* (repealed) for the purpose of conducting relevant history assessments for persons working with children, will continue as:

- the central assessment unit established for the purposes of section 20 (1) of the *Child Safety (Prohibited Persons) Act 2016*; and
- the South Australian participating screening unit for the purpose of the Intergovernmental Agreement for a National Exchange of Criminal History Information for People Working with Children.

This declaration is issued pursuant to section 14(c) of the Acts Interpretation Act 1915 and effective from 1 July 2019.

Dated: 25 June 2019

HON MICHELLE LENSINK MLC
Minister for Human Services

CHILD SAFETY (PROHIBITED PERSONS) ACT 2016

NOTICE BY THE MINISTER FOR HUMAN SERVICES

Working with Children Check Guidelines under the Child Safety (Prohibited Persons) Act 2016

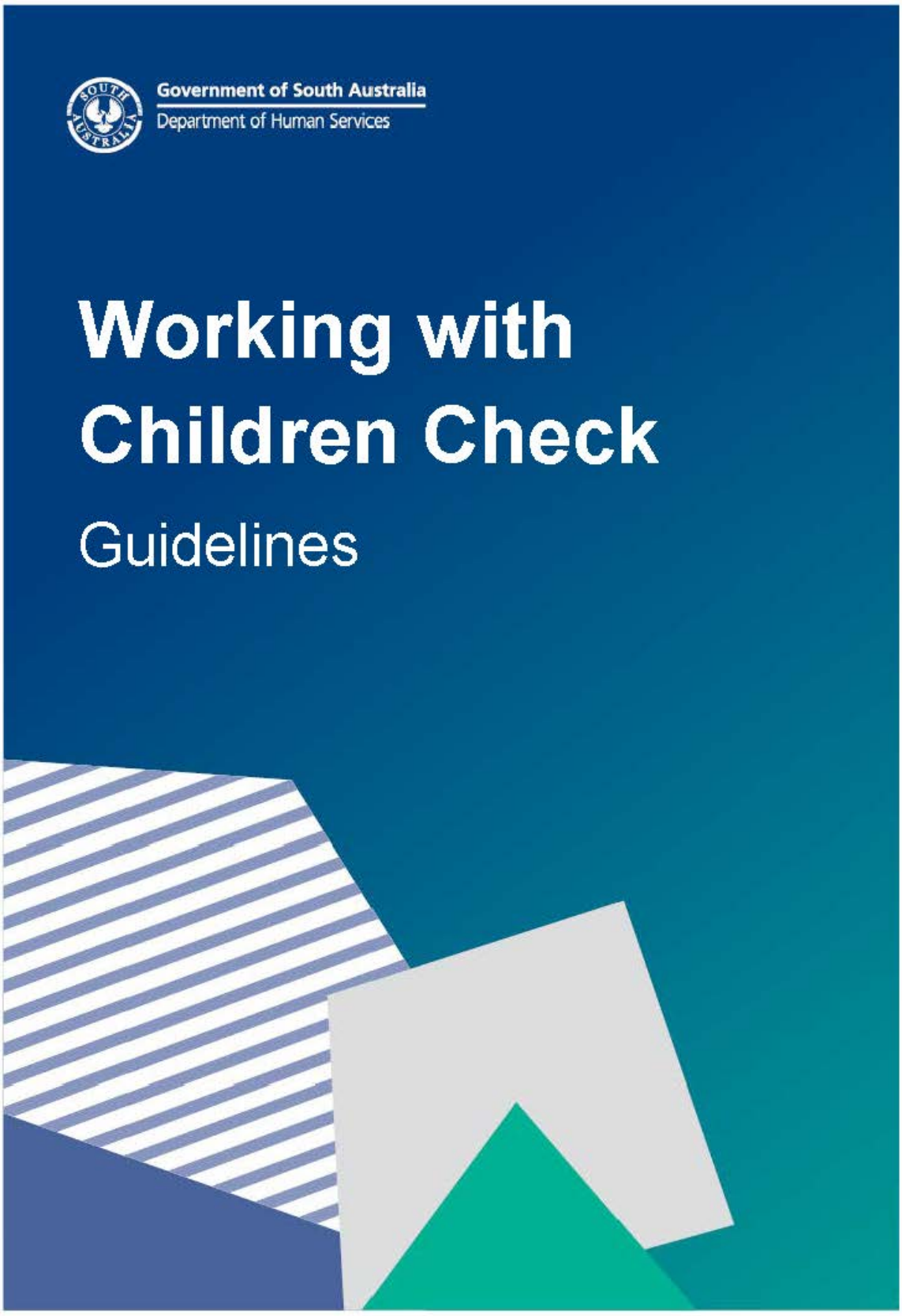
Pursuant to section 4 of the *Child Safety (Prohibited Persons) Act 2016*, and section 14(c) of the Acts Interpretation Act 1915, I, MICHELLE LENSINK, Minister for Human Services publish the following guidelines ─ Schedule 1 to this instrument, in relation to–

1. procedures to be followed by the central assessment unit when conducting working with children checks
2. standards to be applied by the central assessment unit when determining the weight to be given to evidence of a specified kind
3. benchmarks for periods within which certain applications for working with children checks are to be processed by the central assessment unit
4. the risk assessment criteria to be used by the central assessment unit in conducting working with children checks

These guidelines may be inspected or obtained at the Department for Human Services website https://screening.sa.gov.au/ and will be made available for inspection at the Office of the Minister for Human Services.

Dated: 25 June 2019

HON MICHELLE LENSINK MLC
Minister for Human Services


Government of South Australia
Department of Human Services
Working with Children Check
Guidelines

Working with Children Check Guidelines

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1. Introduction

The 'Working with Children Check Guidelines' (the Guidelines) are made pursuant to section 4 of the *Child Safety (Prohibited Persons) Act 2016* (the Act).

A working with children check in respect of a person consists of the central assessment unit assessing assessable information in relation to a person against the prescribed risk assessment criteria to determine whether or not the person poses an unacceptable risk to children.

On completing a working with children check, the central assessment unit must determine whether the person is, or is not, to be prohibited from working with children. Persons who pose an unacceptable risk to children are to be prohibited from working with them.

The Department for Human Services Screening Unit performs the functions and exercises the powers of the central assessment unit for the purposes of the Act.

The Guidelines are to be read as a whole and in conjunction with the Act and the *Child Safety (Prohibited Persons) Regulations 2019* (the Regulations).

They provide the framework for how the central assessment unit will conduct a working with children check for the purposes of the Act; i.e. how the central assessment unit will identify and assess assessable information against the risk assessment criteria to determine whether the person is, or is not, to be prohibited from working with children.

The Guidelines are intended to be subject to continuous improvement and will be reviewed periodically to determine whether they are meeting the requirements of the Act and Regulations.

2. Objects and principles

In performing its functions under the Act, the central assessment unit must have regard to, and seek to give effect to, the objects and principles of the Act.

The Act's primary objective is to minimise the risk to children posed by persons who work with them. It is a further object of the Act to provide a framework for the prohibition of persons who pose an unacceptable risk to children from working with them.

The paramount consideration in respect of the administration, operation and enforcement of the Act must be the best interests of children, having regard to their safety and protection.

A working with children check is not a determination of a person's suitability to work with children. A working with children check that does not result in a person being prohibited from working with children is not proof of good character or that the person does not pose a risk to children. It is an assessment of one person's prior conduct, it is a point in time assessment of past behaviour in order to predict future risk.

The fact that a working with children check is conducted in relation to an employee does not satisfy an employer's obligation to ensure that a workplace is safe for children. It is one part of a range of strategies to be employed by employers and the community to keep children safe.

Employers and caregivers cannot rely on working with children check to absolve them of responsibility for safeguarding children. Organisations and employers must have in place comprehensive strategies to ensure child safe environments.

3. Automatic prohibition from working with children – *prescribed offences*

The following persons are automatically prohibited from working with children:

- a person who has been found guilty, as defined in section 5(2) of the Act, of a prescribed offence committed as an adult pursuant to section 15(1)(c) of the Act; or
- a person who, under a law of the Commonwealth, or of another State or Territory, is prohibited from working with children (however described) pursuant to section 15(1)(b) of the Act.

The prohibition from working with children operates pursuant to a statutory prohibition under section 15(1) of the Act. It is not based on an assessment undertaken by the central assessment unit as to whether or not the person poses an unacceptable risk to children or a determination of the central assessment unit pursuant to section 26(5) of the Act, as to whether or not the person should be prohibited from working with them.

The prohibition applies irrespective of whether a person has applied, or intends to apply, for a working with children check in South Australia.

Where a person submits an application for a working with children check, and a prescribed offence or interstate or territory prohibition is identified in relation to the person, the central assessment unit cannot continue to conduct a working with children check in relation to the application.

Additionally, where the central assessment unit is conducting a working with children check and the person to whom the application relates becomes a prohibited person (through the

identification of a prescribed offence or interstate or territory prohibition), the central assessment unit cannot continue to conduct a working with children check in relation to the application.

The central assessment unit will notify the person in writing that the person is subject to a statutory prohibition from working with children pursuant to section 15(1)(b) or section 15(1)(c) of the Act.

Persons prohibited from working with children as a result a prescribed offence have no avenue to review the prohibition.

For persons prohibited from working with children in South Australia because of an interstate or territory prohibition (however described) there is no right of review in South Australia. The person may seek a review of the original decision in the jurisdiction in which the decision was made. If a decision is changed, the applicant may apply for a working with children check in South Australia.

Appendix 1 – Category 1: Categories of prescribed offences

Spent convictions

An offence of which a person is convicted where that conviction is spent pursuant to the *Spent Convictions Act 2009* or a corresponding law within the meaning of that Act is excluded from the definition of prescribed offence.

The statutory prohibition no longer applies if the prescribed offence for which the person was convicted becomes spent.

A person with a spent conviction or offence may apply for a working with children check, noting that a spent conviction or offence may form assessable information or otherwise be taken into account for the purposes of a working with children check.

4. Conducting a working with children check

To conduct a working with children check the central assessment unit will, as far as is reasonably practicable, actively seek to obtain assessable information in respect of a person.

Where a presumptive disqualification offence, as defined in section 26A of the Act, is identified, the central assessment unit will assess:

- information provided by the person regarding the circumstances of the presumptive disqualification offence to determine whether the offence may be disregarded in determining whether the person poses an unacceptable risk to children; and/ or
- whether information provided by the person demonstrates the existence of exceptional circumstances that may be capable of satisfying the central assessment unit that the person does not appear, or no longer appears, to pose an unacceptable risk to children.

If either of the above are satisfied, the central assessment unit will proceed to identify and assess any other assessable information against the prescribed risk assessment criteria to determine whether or not the person poses an unacceptable risk to children.

The central assessment unit will conduct a risk assessment where any other assessable information is identified in relation to the applicant.

On completing a working with children check in respect of a person, the central assessment unit will determine whether the person is, or is not, to be prohibited from working with children.

5. Assessable information

Consents

When signing an application form for a working with children check, the applicant consents to the central assessment unit obtaining assessable information in relation to the person from police, courts, government agencies or other relevant bodies to assist the central assessment unit make a determination in accordance with the Act, Regulations and Guidelines.

Types of assessable information

The central assessment unit may consider the following assessable information in relation to a person as part of a working with children check to determine whether or not a person the person poses an unacceptable risk to children:

Criminal history information

- Information that relates to offences of which the person has been found guilty;
- Information that relates to offences with which the person has been charged.

Disciplinary and misconduct information

- Information that relates to disciplinary proceedings in which the person was a defendant or respondent;
- Information that relates to disciplinary action taken against the person;
- Information that relates to findings of misconduct made against the person;
- Information that relates to the cancellation of an approval of a foster parent under the *Family and Community Services Act 1972*;
- Information that relates to the cancellation of an approval of an approved carer under the *Children and Young People (Safety) Act 2017*.

Child protection information

- Information that relates to a notification made pursuant to Part 4 Division 1 – *Notification of abuse or neglect* – of the *Children's Protection Act 1993*;
- Information that relates to a notification made pursuant to Chapter 5 Part 1 – *Reporting of suspicion that child or young person may be at risk* – of the *Children and Young People (Safety) Act 2017*;
- Information (whether or not obtained under the *Children's Protection Act 1993* or the *Children and Young People (Safety) Act 2017*), held by the administrative unit of the Public Service that is responsible for assisting the Minister in the administration of the *Children and Young People (Safety) Act 2017* and that relates to harm caused, or a risk of harm, to a child.

Other information

The central assessment unit may also consider the following:

- Information provided by the person for the purposes of a working with children check. This may information submitted with the application, or obtained or supplied as a part of the assessment process;
- Information the Registrar may require a public sector agency or other specified persons provide to the central assessment unit pursuant to sections 36 or 37 of the Act;
- Information provided to the central assessment unit by the Commissioner of Police pursuant to section 39 of the Act;
- Information that relates to a restraining order under the *Criminal Procedure Act 1921* issued against the person;

- Information that relates to an intervention order, associated order or interim intervention order under the *Intervention Orders (Prevention of Abuse) Act 2009* issued against the person;
- Any other information determined by the Registrar, in accordance with any requirements set out in these guidelines, to be assessable information.

The information identified above is considered *assessable information*:

- Whether or not the relevant conviction, offence or conduct occurred before or after the commencement of this section;
- Whether or not the relevant offence or conduct was committed or occurred in South Australia or elsewhere;
- Regardless of the outcome of the charges;
- Whether the information was obtained before or after the commencement of this section;
- Whether or not an appeal has been lodged or finally determined in respect of the relevant matter;
- Regardless of the outcome of any proceedings, action or appeal to which the information relates.

Other information determined by the Registrar to be assessable information

Where the central assessment unit is in possession of information that does not meet the statutory definition of assessable information, Regulation 8(f) provides that the Registrar may make a determination that any other information is to be assessable information in accordance with any requirements set out in these Guidelines.

Information that has been classified as criminal intelligence, information provided to the central assessment unit by an employer subject to requirements of section 19 of the Act, or information provided to the central assessment unit by certain persons pursuant to section 40 of the Act may be other information.

In making a determination that other information is assessable information, the Registrar must be satisfied that the information has a bearing on the central assessment unit's assessment of whether or not a person is, or is not, to be prohibited from working with children.

Protected information

Regulation 3 provides protected information is information that may, if disclosed,

- prejudice a criminal investigation or an investigation or assessment being conducted, or likely to be conducted, under the *Children's Protection Act 1993* or the *Children and Young People (Safety) Act 2017*; or
- identify, or enable the identification of, a child who has been abused or neglected or is at risk of harm; identify a parent, guardian or family member of a child has been abused or neglected or is at risk of harm; or identify a person who has made a report or notification that a child may be being abused or neglected, or may be at risk of harm; or
- endanger a person's life or physical safety or wellbeing.

Classifying specified information as protected information

Regulation 4 provides that the Registrar may, in accordance with any requirements set out in the Guidelines, classify specified information as protected information.

In making a determination to classify specified information a protected information, the Registrar must be satisfied that the information will prejudice an investigation or identify or endanger certain persons as described above.

Obtaining and using assessable information

The central assessment unit should, as far as is reasonably practicable, actively seek to obtain assessable information in relation to the person in respect of whom the working with children check is to be conducted.

However, the central assessment unit not required to assess all assessable information relating to a person.

The fact that the central assessment unit may not assess all assessable information in relation to a person in the course of a working with children check will not, of itself, invalidate the working with children check, or a decision of the central assessment unit made in relation to the working with children check.

In conducting a working with children check, the central assessment unit is not bound by the rules of evidence. It may adopt, as in its discretion it considers appropriate, any findings, decision or judgment of a court or other tribunal; and may otherwise inform itself as it thinks fit.

6. Persons automatically not prohibited from working with children

Except where the person is a prohibited person, the central assessment unit must, in a case where there is no assessable information relating to a person in respect of whom a working with children check is conducted, determine that the person is not to be prohibited from working with children.

The central assessment unit will write to the person advising that the person is not prohibited from working with children.

7. Persons presumed to pose an unacceptable risk to children – *presumptive disqualification offences*

A person who has been found guilty of a presumptive disqualification offence will be presumed to pose an unacceptable risk to children.

Where it is identified that a person has been found guilty of a presumptive disqualification offence as defined by section 26A of the Act the central assessment unit must determine that the person is to be prohibited from working with children, unless the person satisfies the central assessment unit that:

- the circumstances of the presumptive disqualification offence are such that the offence should be disregarded in determining whether the person poses an unacceptable risk to children; or
- such exceptional circumstances exist in relation to the person that the person does not appear, or no longer appears, to pose an unacceptable risk to children.

(collectively referred to as exceptional or other circumstances)

Appendix 2 – Category 2: Categories of presumptive disqualification offences

Invitation to demonstrate exceptional or other circumstances

Where the central assessment unit identifies that a person has been found guilty of a presumptive disqualification offence, the central assessment unit will write to the person outlining the relevant information before the central assessment unit decision maker and

invite them to make submissions in relation to these matters and provide any further information.

The central assessment unit will not ask the person about, nor will they be required to respond to, any other assessable information that may exist in relation to the applicant at this stage.

The burden is on the person the subject of the application to demonstrate that the circumstances of the relevant offence should be disregarded in determining whether the person is an unacceptable risk to children or that such exceptional circumstances exist in relation to the person that the person does not pose an unacceptable risk to children.

A person who has not previously had a working with children check, or has not had a check within the preceding five years, will be given thirty calendar days to make a written submission and/ or provide further information in relation to the application, from the date of the central assessment unit's letter inviting a response.

A person who has had a working with children conducted within the preceding five years, where the central assessment unit determined they are not prohibited from working with children, will be given seven calendar days to make a written submission and/ or provide further information in relation to the application, from the date of the central assessment unit's letter inviting a response.

If the person does not respond to the invitation within the time provided, the central assessment unit must determine the person poses an unacceptable risk to children and is prohibited from working with them.

The central assessment unit will issue the person a prohibition notice prohibiting the person from working with children.

The central assessment unit is not required to consider or assess any further information in relation to an application for a working with children check made by the person.

Assessing exceptional or other circumstances

Where person responds to an invitation from the central assessment unit to make a written submission and/ or provide further information in relation to the application, the central assessment unit will consider the submissions and/ or information to assess whether:

- the circumstances of the presumptive disqualification offence are such that the offence may be disregarded in determining whether the person poses an unacceptable risk to children; or
- such exceptional circumstances exist in relation to the person that the person does not appear, or no longer appears, to pose an unacceptable risk to children.

The burden is on the person the subject of the application to make out that exceptional or other circumstances described above.

When assessing whether the person has rebutted the presumption, the Central assessment unit will only consider the applicant's submissions in regard to the above matters and the information already before it in relation to those matters.

Guidance for determining whether circumstances exist to disregard offence

A person with a presumptive disqualification offence may rebut the presumption that they pose an unacceptable risk to children if they provide information and evidence to demonstrate that the circumstances of the relevant offence or charge are such that that offending or alleged offending do not indicate that the person will pose a risk to children. This will require assessment of the relevant circumstances on a case-by-case basis.

Factors to be considered as to whether the circumstances of the presumptive disqualification offence committed, or alleged to have been committed, by the person are such that the offence should be disregarded in determining whether the applicant poses an unacceptable risk to children may include but are not limited to:

- the offending was in response to an abusive domestic violence relationship;
- the person was acting in self-defence to, or defending another, against an unprovoked assault; or
- the person committed the offending under the direction/duress of a person in authority (e.g. a family member).

Guidance for determining exceptional circumstances

Alternatively, a person with a presumptive disqualification offence may rebut the above presumption if they provide information and evidence that satisfies the central assessment unit of exceptional circumstances in relation to him or her that demonstrates that he or she does not appear, or no longer appears, to pose an unacceptable risk to children, despite the relevant offending or charge.

In order to be exceptional, such circumstances must, at the very least, be unusual or in the nature of exception and of such significance that it justifies displacing of the statutory presumption that the person poses an unacceptable risk to children. Such exceptional circumstances are not limited to the circumstances of the offence or charge leading to a presumed prohibition.

Exceptional circumstances that may exist in relation to the person such that the person does not appear, or no longer appears, to poses an unacceptable risk to children may include, but are not limited to:

- the applicant has voluntarily completed a supervised intervention program (treatment, rehabilitation, behaviour management).

Independent evidence must exist which verifies the exceptional or other circumstances, either provided by the applicant or identified by the central assessment unit. The word of the person the subject of the application is not sufficient.

The age of the offence or that a person has not offended since the presumptive disqualification offence are, in and of themselves, factors not capable of satisfying the central assessment unit that the person should not be presumed to pose a risk to children and/or that the relevant offending should be disregarded for the purposes of assessing risk to children.

In assessing the person's circumstances, the paramount consideration of the central assessment unit must be the best interests of children, having regard to their safety and protection.

Outcome of assessment of exceptional or other circumstances

If a person with a presumptive disqualifying offence **does not** satisfy the central assessment unit that:

- the circumstances of the presumptive disqualification offence are such that the offence should be disregarded in determining whether the person poses an unacceptable risk to children; or
- such exceptional circumstances exist in relation to the person that the person does not appear, or no longer appears, to pose an unacceptable risk to children,

the central assessment unit must determine the person poses an unacceptable risk to children and should be prohibited from working with them. The central assessment unit is not required to consider or assess any further information in relation to an application for a working with children check made by that person.

The central assessment unit will issue the applicant a prohibition notice prohibiting the person from working with children.

If a person with a presumptive disqualification offence provides information capable of demonstrating either that:

- the circumstances of the presumptive disqualification offence are such that the offence should be disregarded in determining whether the person poses an unacceptable risk to children; or
- such exceptional circumstances exist in relation to the person that the person does not appear, or no longer appears, to pose an unacceptable risk to children,

the central assessment unit may assess other assessable information in relation to that person.

8. Risk assessment process – all other assessable information

What is a risk assessment?

A risk assessment is an evaluation of whether a person poses an unacceptable risk to children in light of any assessable information (including criminal history, any child protection information or any disciplinary or misconduct information) identified in relation to the person, conducted by the central assessment unit.

The central assessment unit will not make any presumption of outcome as a starting point.

The intent of the risk assessment process is not to decide whether a person is guilty or innocent or to reinvestigate a matter; but rather to determine whether a person poses an unacceptable risk to children. The most important consideration in making a working with children check determination is the best interests of children, having regard to their safety and protection.

Risk context

The risk to be assessed is the risk to children posed by persons who work with them.

It is not the role of the central assessment unit to determine whether an applicant did or did not do something based on the information before them, a working with children check is not an investigatory process; it is a consideration whether the behaviour indicates the applicant presents a risk to children.

In considering whether an applicant poses an unacceptable risk to children, the central assessment unit will consider the nature and degree of any risk identified and possible harm that may flow if the perceived risk eventuated.

In determining if there is an unacceptable risk to children, the central assessment unit does not need to be satisfied that it is likely the person will cause harm to a child in the future. Risk must be unacceptable; it does not need to be likely.

When a risk assessment is undertaken

The central assessment unit will conduct a risk assessment where assessable information is identified in relation to the applicant.

As described above, this is subject to the central assessment unit identifying:

- that the person is already prohibited from working with children pursuant to sections 15(1)(b) or (c) of the Act; or

- that the person has been found guilty of a presumptive disqualification offence for the purposes of the Act and has not rebutted the statutory presumption that they pose an unacceptable risk to children.

The central assessment unit will not conduct a risk assessment in these circumstances.

Where a person who has been found guilty of a presumptive disqualification offence for the purposes of the Act satisfies the central assessment unit that exceptional or other circumstances exist in relation to them or their relevant offence, such that the relevant offence may be disregarded and/or the person does not, or no longer, appears to pose a risk to children, the central assessment unit will proceed to conduct a risk assessment in relation to the person, taking into account other assessable information.

A person who has had a working with children check where the central assessment unit determined they were not to be prohibited from working with children is subject to ongoing monitoring for new assessable information. This may lead to a statutory prohibition, the identification of a presumptive disqualification offence or other assessable information that may result in a re-assessment and possible prohibition of a person wanting to work with children.

Initial assessment

To identify risk the central assessment unit will consider all assessable information in relation to the applicant, which includes criminal history information, disciplinary and misconduct information, child protection information or other information.

The existence of potential sources of risk is identified through the initial assessment process, where the central assessment unit will, as far as is reasonably practicable, actively seek to obtain assessable information in relation to the person in respect of whom the working with children check is to be conducted.

Where there is no assessable information in relation to a person in respect of whom a working with children check is conducted, the central assessment unit must determine that the person is not to be prohibited from working with children.

For assessment purposes, assessable information has been categorised according to seriousness and relevance in the context of prohibiting persons who pose an unacceptable risk to children from working with them and may be managed in accordance with the processes below:

- Information that requires a detailed risk assessment (Category 3 information)
- Low risk assessable information (Category 4 information)

Appendix 3 – Category 3: Information that requires a detailed risk assessment

Appendix 4 – Category 4: Low risk assessable information

Treatment of low risk assessable information

As part of a risk assessment, a central assessment unit decision maker must review the assessable information before them, assess it, and determine if collectively it demonstrates, on the balance of probabilities, that the person poses an unacceptable risk to children.

Low risk assessable information represents information of a type that predominantly involves offending or behaviour that is less serious or has less relevance to children and accordingly less weight may be attached to it as part of the assessment process.

In accordance with the Standards outlined at Part 9 of these Guidelines, category 4 information is information has been weighted to assist the central assessment unit decision maker conduct a risk assessment.

Where **only** low risk assessable information is identified in relation to a person in respect of whom a working with children check is conducted, the central assessment unit may determine that the person is not to be prohibited from working with children, without further assessing the information against the risk assessment criteria set out at Part 10 of these Guidelines.

The identification of low risk assessable information alone, is unlikely to require closer or further analysis that is undertaken in a detailed risk assessment. An applicant who has only low risk assessable information may be not prohibited from working with children.

However, where category 3 information that requires a detailed assessment has been identified in relation to an applicant category 4 low risk assessable information may be used or form part of a risk assessment.

Information that requires a detailed risk assessment

A detailed risk assessment must be undertaken where category 3 assessable information is identified in relation to the person, or where a presumptive disqualification offence has been identified and the person has satisfied the central assessment unit exceptional or other circumstances exist.

Where the person has rebutted the statutory presumption that they pose an unacceptable risk to children, a detailed risk assessment must follow.

A detailed risk assessment is conducted by the central assessment unit assessing assessable information in relation to a person against the prescribed risk assessment criteria to determine whether or not the person poses an unacceptable risk to children.

Where category 3 assessable information has been identified in relation to the person the subject of the working with children check low risk assessable information may be used or form part of a risk assessment, bearing in mind its weighting.

Conducting a risk assessment

It is not possible to outline every potential consideration or outcome. The tables below identify the minimum considerations in the event assessable information examined during the risk assessment requires further scrutiny.

Any conclusions reached, about a person's risk to children, will be based on information and evidence obtained by the central assessment unit decision maker.

Factors not to be considered as part of a risk assessment

When conducting a risk assessment the following factors should not be taken into consideration:

- the impact of a prohibited outcome on the person – the rights of, or personal impact on the person the subject of the application, should they be prohibited from working with children following a risk assessment are not relevant considerations in assessing whether they pose an unacceptable risk to children;
- the role of the person the subject of the application – a working with children check outcome is portable between roles and employers. Any stated role of the person at the time of application or throughout the assessment process bears no weight as to whether the applicant poses an unacceptable risk to children; and/ or
- lived experience – it is acknowledged that some individuals, by virtue of their history, have valuable lived experience to share with children, and that a person can make significant changes in their life, this alone is not relevant for the risk assessment. The role of the central assessment unit is to determine whether, based on assessable information, a person poses an unacceptable risk to children. It is not to assess suitability for employment; this is an employer's responsibility.

9. Standards pursuant to section 4(2)(b) of the Act

Weighting information sources

As part of a risk assessment, a central assessment unit decision maker must review the assessable information before them, assess it, and determine if it meets the standard of proof required, and demonstrates that an applicant poses an unacceptable risk to children.

The standard of proof required when conducting a risk assessment as part of a working with children check is the civil standard, i.e.: does the person pose an unacceptable risk to children on the balance of probabilities.

In other words, if, following an analysis of the information, the central assessment unit decision maker determines that it is more probable than not, that an applicant poses an unacceptable risk to children, the central assessment unit will determine an applicant is to be prohibited from working with them.

The weight given to information for the purposes of making this assessment relates to the quality, relevance and seriousness of the information. In the context of a risk assessment, it is the emphasis or degree of reliance a decision maker may place on the information before them.

Information that is of low quality (i.e. incomplete, vague, circumstantial or uncorroborated) will be given less weight than evidence that is direct, unrefuted or supported by other information from a reliable source. For example, information provided by an independent witness or notifier in regard to abuse sustained by a child is of greater weight that information offered by a person whose evidence may be compromised in some way.

To determine the weight to be given to assessable information in a risk assessment, the Central assessment unit will evaluate the evidence in accordance with the guidelines provided in *Table 1 – Weighting Information Sources*. These factors should be used as a guide only; they are not intended to be an assessment checklist.

Possible information (evidence) before the decision maker might include:

- Regulatory or agency reports – e.g. Department for Child Protection investigation or outcome rationale reports;
- Professional reports/assessment – e.g. reports from medical professionals, psychologists, police reports;
- Applicant submissions – submitted as part of the application process or during risk assessment process;
- Statutory declarations; or
- Court documents (Sentencing remarks, Court Orders)/ police documents.

Table 1 – Weighting Information Sources

Weighting Information Sources		
Characteristic	**Greater weight**	**Lesser weight**
Reliability of information	Competent, reliable and credible witness/ notifier statement Information that has been corroborated Evidence was tested in a court of law Unbiased or unconnected witness/ notifier Information obtained from regulatory agency or government agency Report, statement or document from professional with relevant expertise or experience Consistent with information provided by applicant, in application, and by other sources 'Substantiated' or 'responsible for harm' outcome following child protection investigation Substantiated findings of misconduct	Inconsistent with objective facts of a matter (where known) History of fraud or deception Information obtained from a source with conflict of interest Unsubstantiated outcome following child protection investigation Personal experience or opinions, anecdotal information
Relevance of information	Information is closely connected or has the ability to prove or support a determination that an applicant poses or does not pose an unacceptable risk to children.	Information is not closely connected, appropriate or relevant to determining whether the applicant poses does not pose an unacceptable risk to children.
Source of information (How the information was obtained)	Information obtained from regulatory agency or government agency as part of information gathering for assessment Mandated notifier Obtained from employer or individual as part of mandatory reporting obligations under the Act (Section 19 or 40 notices)	Anonymous tip off Non-mandated notifier

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Weighting Information Sources		
Characteristic	**Greater weight**	**Lesser weight**
Nature, extent and outcome of investigation	Full investigation, with witness statements Independent investigation Child protection investigation completed which resulted in an outcome or finding of abuse unsubstantiated, abuse substantiated, or applicant responsible for harm. Action taken following abuse substantiated or responsible for harm finding, e.g. • Applicant found to be perpetrator • Resulted in court order	Unproven allegations will carry significantly less influence in the assessment of risk as there was insufficient evidence for a conviction Incomplete investigation Did not proceed to investigation because of insufficient evidence Child protection investigation closed no action (for any reason) Applicant resigned before investigation complete
Submissions from applicant (Including any evidence given by the applicant in an investigation in relation to the information)	Submissions consistent with other information provided by applicant, in their application, and by other sources utilised by the Screening Unit Submission provides rationale for actions, cause or circumstances, supported by evidence where available Submission outlines change in circumstances and reasons for change.	Inconsistent with objective facts of a matter (where known)

10. Risk assessment criteria pursuant to section 4(2)(d) of the Act

While the weight given to information relates to the quality of the evidence, or the degree of reliance the central assessment unit decision maker may place on the information before them, the risk assessment criteria is concerned with the content of the information or evidence. The central assessment unit decision maker must consider the substance of the information and have regard to:

- the nature, gravity and circumstances of the information including criminal offences, child protection information or disciplinary or misconduct information and how this is relevant to children or child related work;
- the length of time that has passed since the event occurred;
- the vulnerability of the victim at the time of the event including the age of the victim, the age of the person at the time of the event, the age difference between the person and the victim and the person's relationship to the victim or position of authority over the victim at the time of the event;
- the person's criminal, child protection, disciplinary or misconduct and/or other relevant history, including whether there is a pattern of concerning conduct;
- the person's conduct since the event;
- all other relevant circumstances in respect of the information including offending, child protection, disciplinary or misconduct and/or other information or other relevant history, and the impact on their eligibility to be engaged in child related work.

In weighing up the risk assessment criteria, the paramount consideration must be the best interests of children, having regard to their safety and protection.

Analysing risk

To determine whether the information indicates the person the subject of the application is presents a risk to children, the central assessment unit decision maker may consider the information in accordance with the guidance provided in the Table 2.

The risk assessment criteria should inform a thorough and balanced assessment of risk. The factors should be considered in their totality. They have not been recorded in any particular order and recording does not indicate priority or weight to be applied to an application. Nor is the table intended for use as a checklist. The particulars of the information may suggest additional matters relevant to the assessment of risk or that some of the contextual factors are not relevant.

Table 2 – Risk Assessment Criteria

Risk Assessment Criteria			
Criteria	**Increase Risk**	**Decrease Risk**	**Guidance and other factors to consider**
The **nature** of the information including criminal offences, child protection information or disciplinary or misconduct information, and how this is relevant to children or child related work ***Nature*** refers to the basic or inherent features, character or qualities of the information	Abuse of power or breach of trust Pre-meditated or wilful Committed against a child or in the presence of a child Use of force, coercion or weapon Unlawful deprivation of personal liberty Sexual or violence offence or misconduct Include fraud type offences Nature of offence or misconduct translates as risk to working with children Any child protection information where ground/s of abuse is sexual Any child protection information where ground/s of abuse is physical and child is under 2 years of age	Error of judgement – that is uncharacteristic (i.e. no other pattern of similar conduct)	If there is no identifiable victim, this does not necessarily diminish the offence or misconduct. Non-sexual offence or non-violent offence that is not fraud type misconduct, extreme misjudgements without accepting responsibility etc. – should be considered on a case-by-case basis. Lack of training or support does not necessarily mitigate a breach of common standards of behaviour and should be considered on a case-by-case basis.
The **gravity** of the information including criminal offences, child protection information or disciplinary or misconduct information, and how this is relevant to children or child related work ***Gravity*** refers to the seriousness of the information	Term of imprisonment imposed (including suspended sentence) Placed on a sex offender or violent offender register Dismissal, termination, reprimand or reduction in remuneration Evidence of behaviour escalating in severity or seriousness	Applicant ceased offending or misconduct without external intervention Nature of offence, child protection information or misconduct is not relevant to working with children	Severity of the penalty imposed – if imprisonment is not imposed, this does not necessarily mean the risk is not high. There are many very serious types of misconduct/offending that do not result in imprisonment for many reasons, e.g. first offence, agreement to do treatment, early plea etc. Sentencing remarks should be considered.

Risk Assessment Criteria			
Criteria	**Increase Risk**	**Decrease Risk**	**Guidance and other factors to consider**
	Offending, abuse or misconduct was prolonged Significant impact on victim including serious injuries Outcome of child protection investigation results in abuse or risk of abuse/ likelihood of abuse substantiated or responsible for harm outcome		Applicant is subject to current court orders - consider with nature of the offence. In some cases the Court Orders may have nothing to do with misconduct that will have a bearing on risk.
The **circumstances** of the information including criminal offences, child protection information or disciplinary or misconduct information, and how this is relevant to children or child related work ***Circumstances*** refers to the facts or conditions connected with the relevant information	Left scene of crime or attempted to cover-up offence Unprovoked or planned Information indicates incident occurred on a second or subsequent occasion; Information indicates event: • occurred in circumstances involving an abuse of power or breach of trust; • was pre-meditated or wilful; • occurred in the presence of a child.	Accident Offered assistance to victim Nature of offence, child protection information or misconduct is not relevant to working with children	Diminished capacity – if a person suffers mental health issues or substance abuse issues and in that state behaves, in a way, that puts people at risk (e.g. violence/ indecent assaults etc.), then this becomes a weighted factor for risk unless there is evidence that these issues have been addressed.
The **length of time that has passed** since the event occurred	Offending, incident, misconduct is recent.	Significant period of time since offending, incident, misconduct occurred with no similar offending, incidence or misconduct.	Sexual offending has recognised high recidivism rates. The relevance of a conviction being spent should be assessed on a case-by-case basis. Time since the offending and age of applicant when offence occurred should be considered together. For example, lesser weight may be given where the offending occurred a

Risk Assessment Criteria			
Criteria	**Increase Risk**	**Decrease Risk**	**Guidance and other factors to consider**
			significant time ago and when the applicant was an adolescent, as opposed to if the applicant was an adult at the time of offending.
Age of the applicant at the time of the offence, event or occurrence	Adult	Adolescent (13 to 17 years old) Child	Time since the offending and age of offender when offence occurred should be considered together. Level of maturity of offender at time of offending may be taken into consideration.
The **vulnerability of the victim** at the time of the event including the age of the victim, the age difference between the person and the victim	Victim is under 18, elderly or person with disability Victim was intoxicated, asleep or otherwise vulnerable during the event		
The **person's relationship to the victim** or **position of authority over the victim** at the time of the event	Formed a personal relationship with victim Abuse of power or breach of trust and care Person was in a position of authority over the victim e.g. guardian, carer, teacher		
The person's **criminal, child protection, disciplinary or misconduct and/or other relevant history**	Multiple convictions or allegations for the same type of offence or misconduct Multiple convictions or allegations for different offences or misconduct of relevance Multiple outcomes for the same type of offence, abuse, risk occurrence	Significant crime free period relative to criminal offending or misconduct which indicates that the underlying contributing factors to the concerning offending/ misconduct have been addressed. Significant abuse, incident or risk occurrence free period relative to	Weighting should be less for offending or misconduct that is of little relevance to risk to children. E.g. Some disorderly or traffic offence. Greater weight should be given to information that involves: • Violent behaviour or assault

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Risk Assessment Criteria			
Criteria	**Increase Risk**	**Decrease Risk**	**Guidance and other factors to consider**
	Multiple notifications for offence, abuse, risk occurrence Chronic abuse, multiple allegations or substantiations of abuse	notification type which indicates that the underlying contributing factors to the concerning abuse, incident, risk occurrence have been addressed. Chronicity of abuse – single allegation or substantiation of abuse	• Indecent or sexual behaviour • Failing to provide care for someone "Abuse/ incident/ risk occurrence free" periods on their own are not mitigating especially regarding sexual offending. E.g. A person may have had significant jail/ parole/ probation time and therefore the fact that they have not been recorded as behaving in a concerning manner may not be actual indicative of resolution of underlying factors and therefore has little value in mitigating risk. Consider possible relationship between any factors revealed in the child protection information and factors evident in other available information concerning the applicant that point to potential risk of harm.
Whether there is a **pattern of concerning behaviour**	Multiple offences whether similar or not Offence, abuse or misconduct commenced as a child and continued into adulthood Behaviours of risk that recur	Single offence or misconduct	
The **person's conduct since the event** Consider: • changes in circumstances since the	Breaches of court orders Rejects responsibility or minimises actions Little remorse expressed and/or if expressed aimed at perceived personal benefit	Improved management of mental health, illness, problematic alcohol and/or drug use Maturity or demonstrated change in behaviour	Sexual offending has recognised high recidivism rates. Likelihood of recidivism may introduce considerations and risk assessments that are compiled for criminal justice purposes that have little relevance to "real world" re-

Risk Assessment Criteria			
Criteria	**Increase Risk**	**Decrease Risk**	**Guidance and other factors to consider**
information • attitude towards event • treatment or rehabilitation undertaken by applicant	Failure to complete mandated treatment or engage with professional supports Likelihood of recidivism and prospect of rehabilitation Multiple withdrawals or non-graduation from voluntary treatment	Greater social support, stability or community engagement Evidence of change in socio-economic factors that influenced the circumstances that led to the offence or misconduct Expressed remorse, accepted responsibility and/or apologised upfront or at time of offence or conviction Shows insight into offending, abuse or misconduct and can articulate changes to attitude or behaviour to address offending or misconduct Steps taken to respond to issues of concern include - accepted treatment, successful completion of treatment program, counselling Demonstrated accepted need for change Demonstrated improvement in area of concern Evidence of change of behaviour	offending. Remorse should only be considered where assessed in by a qualified professional or stated in a Court document.
All **other relevant circumstances** in respect of their assessable information and the impact on their eligibility to be engaged in child related work	Case-by-case basis in consideration of the relevance and possible impact on child		

11. Administrative decision making

A central assessment unit determination as to whether a person is, or is not, to be prohibited from working with children is an administrative decision that requires the exercise of discretion. In other words, the decision maker has a choice about what decision to make and why.

How should decision makers exercise discretionary powers?

Central assessment unit decision makers may only exercise their discretionary powers in accordance with the legislative provisions conferring the power and in accordance with the objects and principles of the Act.

Central assessment unit decision makers will act reasonably and impartially and will not make decisions based on their personal values.

In exercising discretionary powers, central assessment unit decision-makers will have regard to specific requirements of the Act, Regulations and Guidelines as well as any other polices of the central assessment unit. They will satisfy general administrative law requirements to:

- act in good faith and for a proper purpose;
- comply with legislative procedures;
- consider only relevant considerations and ignore irrelevant ones;
- act reasonably and on reasonable grounds;
- make decisions based on supporting evidence;
- give adequate weight to matters of great importance but not give excessive weight to matters of no great importance;
- give proper consideration to the merits of the case;
- provide the person affected by the decision with procedural fairness; and
- exercise their discretion independently and not under the dictation of a third person or body.

A failure to act within the power provided or to comply with general administrative law principles may result in the South Australian Civil and Administrative Appeals Tribunal overturning a decision, or taking other action in respect of the decision.

Principles of procedural fairness

Procedural fairness requires government decision makers act fairly when making an administrative decision. It is concerned with the procedures used by a decision maker, rather than the final outcome reached. It expects that fair and proper procedure be used when making a decision.

Procedural fairness has two components – the hearing rule and the bias rule. The bias rule demands that a decision maker will not handle matters in which they have an actual or reasonably perceived conflict of interest or bias. The hearing rule requires that someone who will be affected by a prospective administrative decision must be heard, whether through oral or written submissions, before the decision is made.

The central assessment unit and the Registrar (as the case requires) are required to provide persons procedural fairness in exercising powers or performing functions under the Act as set out in regulation 10(1) of the Regulations.

Invitation to respond to information

The central assessment unit will provide persons who may be affected by a decision the opportunity to respond to assessable information before a determination is made to prohibit the person from working with children.

The central assessment unit will write to the applicant and invite them to make a written submission and/ or provide further information, about why they should not be prohibited from working with children.

Such assessable information is information a central assessment unit decision maker may rely, or place greater weight on, and is likely to result in a decision to prohibit the applicant from working with children.

The central assessment unit will ensure the applicant:

- is made aware of the assessable information relation to them, before preparing their reply; and
- has a reasonable chance to consider their position and the opportunity to reply in a way that is appropriate for them in their circumstances.

A central assessment unit decision maker will contact the applicant where they intend to make a determination to prohibit a person from working with children. Where, on the information before them, the central assessment unit decision maker intends to make a determination to not prohibit the applicant, the central assessment unit decision maker is not required to write to the applicant and invite them to make a submission.

Excluding *protected information* or information classified as *criminal intelligence*, assessable information the central assessment unit has in regard to the person the subject of the application that may result in an determination to prohibit should be

disclosed to the applicant. A summary of the information is sufficient; original documents and the identity of confidential sources do not have to be provided.

The person the subject of the application will be given thirty calendar days to make a written submission and/ or provide further information in relation to the application, from the date of the central assessment unit's letter inviting a response.

If the person does not respond to the invitation within the time provided, the central assessment unit decision maker will continue to conduct the risk assessment and make a determination based on the information before them. The failure or refusal of a person to make submission or provide further information will not be taken into account for the purposes of assessing whether or not the person poses an unacceptable risk to children.

When assessing information before them the central assessment unit decision maker will have regard to any submissions made by the applicant, and give proper and genuine consideration to that person's case.

Circumstances where procedural fairness requirements are displaced

Except insofar as there is a statutory requirement to provide reasons for a decision to prohibit a person from working with children, the central assessment unit decision maker is not, when conducting a working with children check, required to afford a person procedural fairness where:

- the Registrar, based on the assessable information available to them, is of the opinion that the person to whom the working with children check relates poses an immediate and serious risk to the safety of a child or children
- the *assessable information* consists of or includes information relating to a *prescribed offence* with which the person to whom the working with children check relates has been charged, but that has not yet been determined
- the person is a prohibited person

12. Outcome of a risk assessment

On completing a working with children check, the central assessment unit must determine whether the person is, or is not, to be prohibited from working with children.

There are two outcomes of a working with children check.

Not prohibited

The central assessment unit determines the person does **not** pose an unacceptable risk to children and is **not** prohibited from working with children.

The central assessment unit will write to the person advising that the person is not prohibited from working with children.

Prohibited

The central assessment unit determines, in accordance with the Act, the regulations and these Guidelines, that that the person poses an unacceptable risk to children and the central assessment unit determines that the person is to be prohibited from working with children.

The central assessment unit will issue a *prohibition notice* to the person prohibiting the person from engaging in child-related work.

Prohibition notice

A *prohibition notice* will be issued as soon as is reasonably practicable after the Central assessment unit makes the determination the person who is the subject of the application poses an unacceptable risk to children and is prohibited from working with children. It will remain in force until it is revoked in accordance with the Act.

Unless the central assessment unit is not required to give detailed reasons due to reliance on criminal intelligence or protected information (as explained further below), the *prohibition notice* will set out the reasons why the Central assessment unit determined that the person to whom the prohibition notice relates is to be prohibited from engaging in child-related work. It will also provide information on how the person to whom the prohibition notice relates can seek a review of the decision to issue the notice by the South Australian Civil and Administrative Tribunal.

Reasons for decisions

Giving reasons for a decision should enable the people affected by the decision to understand why a particular decision was made. Generally speaking, where the central assessment unit determines that a person is to be prohibited from working with children, it will provide that person with the reasons for that decision.

However, in cases where the central assessment unit determines to prohibit a person from working with children on the basis of information that is classified by the Commissioner of Police as criminal intelligence or information that is classified by the Registrar as protected information, the central assessment unit may simply provide reasons for the decision that it would be contrary to the public interest to allow the person to work with children.

Review

Persons prohibited from working with children as a result a prescribed disqualification offence and issued a prohibition notice may apply to the central assessment unit to have the prohibition notice revoked.

A person who has been issued a prohibition notice prohibiting them from working with children may apply to the central assessment unit to have the prohibition notice revoked.

They may also apply directly to the South Australian Civil and Administrative Tribunal (SACAT) to review the decision of the central assessment unit to issue the prohibition notice within 14 days after the applicant receives notice of the decision.

SACAT may allow an extension of time if it is satisfied that special circumstances exist and another party will not be unreasonably disadvantaged because of the delay in commencing proceedings.

13. Conducting additional working with children checks: monitoring

A person who is not prohibited from working with children is subject to ongoing monitoring of assessable information, which may lead to re-assessment, and possible prohibition of a person.

In addition to conducting a working with children check on application of a person, the central assessment unit may, at any time, conduct a working with children check in relation to a particular person.

An additional working with children check may be conducted on the application of an employer of the person; or on the central assessment unit's own motion and must be conducted if the Minister so directs.

All working with children checks will be conducted in accordance with these Guidelines.

14. Benchmarks pursuant to section 4(2)(c) of the Act

The central assessment unit aims to conduct working with children checks in a timely manner and in accordance with obligations imposed under the Act, Regulations and these Guidelines. The central assessment unit it committed to continuously improve the efficiency with which it processes applications, while ensuring risk assessments and decision making standards for determine whether or not the person poses an unacceptable risk to children are maintained.

To ensure risks to children are minimised, once all necessary information is obtained from external parties, the central assessment unit will aim to:

- process the majority of applications for which no risk assessment is required within 5 working days; and
- process the majority of working with children checks, for which a risk assessment is required, within 21 working days.

15. Appendices

Appendix 1 – Category 1: Categories of prescribed offences

An offence against a following provision of the *Criminal Law Consolidation Act 1935 (SA)* where the victim is a child:

- section 11 (murder)
- section 13 (manslaughter)
- Part 3 Division 9 (kidnapping and unlawful child removal)
- Part 3 Division 11 (rape and other sexual offences)
- section 72 (incest)
- Part 3 Division 11A (child exploitation offences)
- section 270B (assault with intent) with intent to commit one of the above offences;

An offence against a following provision of the *Criminal Code* of the Commonwealth where the victim is a child:

- section 271.4 (trafficking in children)
- section 271.7 (domestic trafficking in children)
- section 272.8 (sexual intercourse with child outside Australia)
- section 272.9 (sexual activity with child outside Australia)
- section 272.10 (Aggravated – Child with mental impairment or under care etc.)
- section 272.11 (persistent sexual abuse of child outside Australia)
- section 272.12 (sexual intercourse with young person outside Australia – defendant in position of trust/authority)
- section 272.13 (sexual activity intercourse with young person outside Australia – defendant in position of trust/authority)
- section 272.14 (procuring child to engage in sexual activity outside Australia)
- section 272.15 ('grooming' child top engage in sexual activity outside Australia)
- section 272.18 (Benefitting from offence
- section 471.19 (using a postal or similar service for child abuse material)
- section 471.20 (possessing, controlling, producing, supplying or obtaining child abuse material for use through a postal or similar service)
- section 471.22 (aggravated offence—offence involving conduct on 3 or more occasions and 2 or more people)
- section 471.24 (using a postal or similar service to procure persons under 16)
- section 471.25 (using a postal or similar service to "groom" persons under 16)
- section 471.26 (using a postal or similar service to send indecent material to person under 16)
- section 474.19 (using a carriage service for child pornography material)
- section 474.20 (possessing, controlling, producing, supplying or obtaining child pornography material for use through a carriage service)

against this Division)

- section 272.19 (encouraging offence against this Division)
- section 272.20 (preparing or planning offence against this Division)
- section 273.5 (possessing, controlling, producing, distributing or obtaining child pornography material outside Australia)
- section 273.6 (possessing, controlling, producing, distributing or obtaining child abuse material outside Australia)
- section 273.7 (aggravated offence—offence involving conduct on 3 or more occasions and 2 or more people)
- section 471.16 (using postal or similar service for child pornography)
- section 471.17 (Possessing, controlling, producing, supplying or obtaining child pornography material for use through a postal or similar service)
- section 474.22 (Using a carriage service for child abuse material)
- section 474.23 (possessing, controlling, producing, supplying or obtaining child abuse material for use through a carriage service)
- section 474.24A (aggravated offence—offence involving conduct on 3 or more occasions and 2 or more people)
- section 474.25A (using a carriage service for sexual activity with person under 16 years of age)
- section 474.25B (child with mental impairment or under care, supervision or authority of defendant)
- section 474.26 (using a carriage service to procure persons under 16 years of age)
- section 474.27 (using a carriage service to "groom" persons under 16 years of age)
- section 474.27A (using a carriage service to transmit indecent communication to person under 16 years of age)

An offence against section 233BAB of the Commonwealth *Customs Act 1901* (import/export of Tier 2 Goods) where they include items of child pornography.

However:

The offences below are not considered prescribed offences where:

- the victim is not less than 15 years and the offender not more than 18 years; or
- the victim is not less than 16 years and the offender not more than 19 years; and
- there is consent

An offence against a following provision of the *Criminal Law Consolidation Act 1935 (SA)* where the victim is a child:

- section 49 (unlawful sexual intercourse)
- section 56 (indecent assault)
- section 58 (acts of gross indecency)
- section 63 (production/dissemination child exploitation material)
- section 63A (possession of child exploitation material)
- repealed section 74 (persistent exploitation of child)

An offence against a following provision of the *Criminal Code* of the Commonwealth:

- section 272.8(1) (sexual intercourse with child outside Australia)
- section 272.9(1) (sexual activity with child outside Australia)
- section 471.16(1) (using postal or similar service for child pornography)
- section 471.17 (Possessing, controlling, producing, supplying or obtaining child pornography material for use through a postal or similar service)
- section 471.24(1) (using a postal or similar service to procure persons under 16)
- section 471.25(1) (using a postal or similar service to "groom" persons under 16)
- section 471.26 (using a postal or similar service to send indecent material to person under 16)
- section 474.19 (using a carriage service for child pornography material)
- section 474.20 (possessing, controlling, producing, supplying or obtaining child pornography material for use through a carriage service)
- section 474.25A(1) (using a carriage service for sexual activity with person under 16 years of age)
- section 474.26(1) (using a carriage service to procure persons under 16 years of age)
- section 474.27(1) (using a carriage service to "groom" persons under 16 years of age)
- section 474.27A (using a carriage service to transmit indecent communication to person under 16 years of age)

An offence against section 272.14 (procuring child to engage in sexual activity outside Australia) or section 272.15 ('grooming' child top engage in sexual activity outside Australia) of the *Criminal Code* of the Commonwealth where the sexual activity occurred, or was intended to occur, between the defendant and the victim and no other person.

Appendix 2- Category 2: Categories of presumptive disqualification offences

An offence against a following provision of the *Criminal Law Consolidation Act 1935 (SA)* where the victim is a child:

- Section 14 (criminal neglect)
- Section 33A (genital mutilation)
- Section 33B (removal of child from State for genital mutilation)
- Section 137 (robbery)
- Section 139A (dishonest communication with children)
- Section 142 (dishonest exploitation of position of advantage);

An offence against a following provision of the *Criminal Law Consolidation Act 1935 (SA)* where the victim is an adult:

- Section 11 (murder)
- Section 13 (manslaughter)
- Section 33A (genital mutilation)
- Section 39 (kidnapping)
- Section 48 (rape)
- Section 48A (compelled sexual manipulation)
- Section 51 (sexual exploitation of person with a cognitive impairment)
- Section 56 (indecent assault)
- Section 59 (abduction of male or female person)
- Section 60 (procuring sexual intercourse)
- Section 72 (incest)
- Section 270B of the *Criminal Law Consolidation Act 1935 (SA)* (assault with intent) with intent to commit one of the above offences;

An offence against a following provision of the *Criminal Law Consolidation Act 1935 (SA)*

- Section 7 (treason)
- Section 69 (bestiality)

An offence against section 37 of the *Summary Offences Act 1953* (SA) (possession, production or distribution of extremist material);

An offence against section 13 of the *Animal Welfare Act 1985* (SA) (ill-treat animal to cause death or serious harm);

An offence against a following provision of the *Controlled Substances Act 1984 (SA)*:

- Section 32 (trafficking)
- Section 33F (sale, supply or administration of controlled drug to child)
- Section 33G (sale, supply or administration of controlled drug in school zone);

An offence against a following provision of the *Criminal Code* of the Commonwealth:

- Section 72.3 (delivers places, discharges or detonates device - international terrorist activities)
- Section 80.1 (treason)
- Section 80.1AA (treason assist enemy to engage in armed conflict)
- Section 80.1AC (treachery)
- Section 80.2 (urging violence against the Constitution)
- Section 80.2A (urging violence against groups)
- Section 80.2B (urging violence against members of groups)
- Section 80.2C (advocating terrorism)
- Section 80.2D (advocating genocide)
- Section 83.1 (advocating mutiny)
- Section 91.1 (espionage - dealing with information concerning national security_
- Section 91.2 (espionage - dealing with information etc communicated or made available to foreign principal)
- Section 91.3 (espionage - dealing with security classified material)
- Section 91.6 (aggravated espionage offences)
- Section 91.8 (espionage on behalf of foreign principal)
- Section 101.1 (terrorist acts)
- Section 101.2 (providing or receiving training connected with terrorist acts)
- Section 101.4 (possessing things connected with terrorist acts)
- Section 101.5 (collecting or making documents likely to facilitate terrorist acts)
- Section 101.6 (other acts done in preparation for, or planning, terrorist acts)
- Section 102.2 (direct activities of a terrorist organisation)
- Section 102.3 (membership of a terrorist organisation)
- Section 102.4 (recruiting for a terrorist organisation)
- Section 102.5 (training involving a terrorist organisation)
- Section 102.6 (getting funds to, from or for a terrorist organisation)
- Section 102.7 (providing support to a terrorist organisation)
- Section 102.8 (associating with a terrorist organisation)
- Section 103.1 (financing terrorism)
- Section 103.2 (financing a terrorist)
- Section 271.2 (offence of trafficking in persons)

- Section 91.11 (soliciting or procuring espionage offence)
- Section 91.12 (prepare for espionage)
- Section 271.3 (Trafficking in persons - aggravated offence)

Appendix 3 – Category 3: Information that requires a detailed risk assessment

Any of the following categories of offences:

- Common assault or stalking
- Fraud and deception offences against adult
- Drug trafficking offences not captured in Category 2
- Dangerous and negligent acts not captured in Category 2
- Pornography offences against adult
- Prohibited and regulated weapons offences against adult
- Property Damage – Arson
- Environmental pollution – Air, Water, Soil
- Liquor and tobacco offence against child

Child protection investigation outcomes where grounds of abuse – **physical, emotional or neglect** and where:

- abuse **substantiated** and the applicant is the alleged perpetrator
- risk of abuse **substantiated** and the applicant is the alleged perpetrator
- the applicant has been found to be **responsible for harm**

Child protection investigation outcomes where grounds of abuse – **sexual** and where:

- abuse **substantiated** and the applicant is the alleged perpetrator
- risk of abuse **substantiated** and the applicant is the alleged perpetrator
- the applicant has been found to be **responsible for harm**
- **unsubstantiated sexual abuse** allegation and the applicant is the alleged perpetrator

Child protection investigation outcomes where **likelihood of harm substantiated** and the applicant is the alleged perpetrator.

Child protection investigation outcomes where qualifying offence identified in relation to applicant.

Appendix 4 – Category 4: Low risk assessable information

An following categories of offences:

- Police Incident Reports
- Crime Stoppers/Street Checks

Child protection investigation outcomes where grounds of abuse – **physical, emotional or neglect** and where:

- abuse **unsubstantiated** and the applicant is the alleged perpetrator
- risk of abuse **unsubstantiated** and the applicant is the alleged perpetrator

Child protection investigation outcomes where **likelihood of harm unsubstantiated** and the applicant is the alleged perpetrator.

Child protection reports closed no action (for any reason).

Child protection information where the applicant not the alleged perpetrator.

Child protection intakes screened:

- no grounds for intervention
- divert notifier action
- notifier only concern
- general practice
- adolescent at risk

Child protection intakes screened:

- extra-familial cases
- report on unborn
- interstate/ UHM
- Hague

DEVELOPMENT ACT 1993

SECTION 46 (1)

South Australia / New South Wales Electricity Interconnector Major Development Declaration

Preamble

Subsection (1) of section 46 of the Development Act 1993 allows the Minister for Planning to apply that section to a specified kind of development or project if the Minister is of the opinion that a declaration under that section is appropriate or necessary for the proper assessment of a development or project of major environmental, social or economic importance.

NOTICE

PURSUANT to section 46 sub-section (1) of the *Development Act 1993*, being of the opinion that a declaration is appropriate for the proper assessment of a development or project of major environmental, social and economic importance, I declare that section 46 of the Act applies to any development of a kind specified in the Schedule.

Schedule—Specified Kinds of Development

Any of the following forms of development or project are specified:

(a) Development associated with the construction of a new high voltage transmission line with a capacity of up to 330 kilovolts (kV), located within a 15 kilometre investigations corridor originating from the existing Robertstown Substation located approximately 5 kilometres north east of Robertstown, and travelling in an easterly direction to the New South Wales border, concluding at a location north of the River Murray near the Wentworth Road (approximately 50 kilometres north east of Renmark), including any or all of the following elements:

(i) the erection of free standing towers or guyed masts or a combination of both;

(ii) the installation of different towers/poles, under-grounding or taller structures where the need arises;

(iii) the installation of insulators, conductors and earth wires;

(iv) the provision and maintenance of vehicular access to each tower site, including land clearance and the installation of any necessary access gates or fencing;

(v) the clearance of an area for each tower site for construction operations;

(vi) the excavation and installation of concrete tower footings or guyed mast anchors;

(vii) the location of winch and brake sites including breaking machines for conductor stringing purposes; and

(viii) temporary laydown areas, construction compounds including accommodation, office buildings and sewerage treatment systems, and concrete batching plants.

(b) Development associated with the construction of a new 330/275 kV substation, located approximately 15 kilometres north east of Robertstown, including any or all of the following elements:

(i) transformers, switch gear and gantries;

(ii) control buildings; and

(iii) lightning masts.

(c) Telecommunications infrastructure

(d) Any of the following associated with development within the ambit of a preceding paragraph:

(i) a change in the use of land;

(ii) the establishment of any necessary easements; and

(iii) associated land division or leases necessary to implement the proposal.

(e) Any related or ancillary development associated with development within the ambit of a preceding paragraph.

Dated: 24 June 2019

HON STEPHAN KNOLL MP
Minister for Planning

ELECTORAL ACT 1985

Part 6 – Registration of Political Parties

NOTICE is hereby given that I have on this day de-registered the political party named below following application for de-registration made under the provision of section 44 of the Act:

Name of Party: Australian Conservatives (SA)

Dated: 27 June 2019

MICK SHERRY
Electoral Commissioner

FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

Fishing Run for the West Coast Prawn Fishery

TAKE NOTE that pursuant to regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 26 March 2019 on page 986 of the *South Australian Government Gazette* on 04 April 2019 prohibiting fishing activities in the West Coast Prawn Fishery is HEREBY varied such that it will not be unlawful for a person fishing pursuant to a West Coast Prawn Fishery licence to use prawn trawl nets in the areas specified in Schedule 1, during the period specified in Schedule 2, and under the conditions specified in Schedule 3.

SCHEDULE 1

The waters of the West Coast Prawn Fishery.

SCHEDULE 2

Commencing at sunset on 26 June 2019 and ending at sunrise on 9 July 2019.

SCHEDULE 3

1. Each licence holder must ensure that a representative sample of catch (a 'bucket count') is taken at least 3 times per night during the fishing activity.
2. Each 'bucket count' sample must be accurately weighed to 7kg where possible and the total number of prawns contained in the bucket must be recorded on the daily catch and effort return.
3. Fishing must cease if one of the following limits is reached:
   a. A total of 14 nights of fishing are completed
   b. The average catch per vessel, per night (for all 3 vessels) drops below 300 kg for two consecutive nights
   c. The average 'bucket count' for all vessels exceeds 270 prawns per bucket on any single fishing night in the Ceduna area
   d. The average 'bucket count' for all vessels exceeds 240 prawns per bucket on any single fishing night in the Coffin Bay area
   e. The average 'bucket count' for all vessels exceeds 240 prawns per bucket on any single fishing night in the Venus Bay area.
   f. The average 'bucket count' for all vessels exceeds 270 prawns per bucket on any single fishing night in the Corvisart Bay area.
4. The fleet must nominate a person to provide a daily update by telephone or SMS message to the Prawn Fishery Manager on 0477 396 367, to report the average prawn catch and the average prawn 'bucket count' for all vessels operating in the fishery.
5. No fishing activity may be undertaken after the expiration of 30 minutes from the prescribed time of sunrise and no fishing activity may be undertaken before the prescribed time of sunset for Adelaide (as published in the South Australian Government Gazette pursuant to the requirements of the *Proof of Sunrise and Sunset Act 1923)* during the period specified in Schedule 2.

Dated: 25 June 2019

STEVE SHANKS
Prawn Fisheries Manager
Delegate of the Minister for Primary Industries and Regional Development

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FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

Surveying in the West Coast Prawn Fishery

TAKE notice that pursuant to regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 26 March 2019, prohibiting fishing activities in the West Coast Prawn Fishery is HEREBY varied such that it will not apply to the holders of a West Coast Prawn Fishery licence issued pursuant to the *Fisheries Management (Prawn Fisheries) Regulations 2017* listed in Schedule 1 or their register master insofar as they may use prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of undertaking a prawn survey during the period specified in Schedule 2, subject to the conditions contained in Schedule 3 unless this notice is varied or revoked.

SCHEDULE 1

Licence Number	Licence Holder	Boat Name	Trawl Survey Area
D01	Paleologoudias, Nicholas	Bosanquet Bay	Venus bay

SCHEDULE 2

Commencing at sunset on 25 June 2019 and ending at sunrise on 26 June 2019.

SCHEDULE 3

1. The licence holders listed in Schedule 1 or their register master must operate within the trawl survey area nominated in the table in Schedule 1.
2. For the purposes of this notice the trawl survey areas cannot include any waters of a habitat protection zone or a sanctuary zone of a marine park established under the *Marine Parks Act 2007*.
3. The registered master must keep a 'skippers log' to record catch information during the survey.
4. All fish, other than King Prawns, Southern Calamari, Gould's Squid, Scallops, Octopus and Balmain Bugs taken during the exempted activity for survey purposes, are to be returned to the water immediately after capture.
5. The licence holders listed in Schedule 1 or their register master must comply with all regulations and conditions that apply to fishing activities undertaken pursuant to their licence, in addition to the conditions imposed by this exemption.
6. While engaged in fishing activities or unloading the survey catch, the licence holder listed in Schedule 1 or their register master must have a copy of this notice on board the boat or near his person. This notice must be produced to a Fisheries Officer if requested.
7. The licence holders listed in Schedule 1 or their register master must not contravene or fail to comply with the *Fisheries Management Act 2007*, or any other regulations made under that Act except where specifically exempted by this notice.

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

Dated: 24 June 2019

STEVE SHANKS
Prawn Fishery Manager
Delegate of the Minister for Primary Industries and Regional Development

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HEALTH CARE ACT 2008

SECTION 15

Notice by the Minister

WHERAS the Minister to whom the Health Care Act 2008 is committed ("the Minister"):

1. Pursuant to sub-sections 15(1), 15(3)(a) and 15(3)(c) of the *Health Care Act 2008* ("the Act"), by notice made on 2 June 2008 and published in the *South Australian Government Gazette* on 5 June 2008, established and assigned a name to the Country

Health SA Board Health Advisory Council Inc. and designated the Minister; the Chief Executive; any hospital incorporated under Part 5 of the Act and the SA Ambulance Service, as entities in relation to which the Country Health SA Board Health Advisory Council Inc. was established;

2. Pursuant to sub-sections 15(3)(c) and 15(4)(a) of the Act, by notice made on 27 October 2011 and published in the *South Australian Government Gazette* of 10 November 2011, varied the abovementioned notice made on 2 June 2008, by replacing the name assigned to the Country Health SA Board Health Advisory Council Inc. with the name 'Country Health SA Local Health Network Board Health Advisory Council Inc.'; and

3. Pursuant to sub-sections 15(3)(c) and 15(4)(a) of the Act, by notice made on 29 May 2012 and published in the *South Australian Government Gazette* of 31 May 2012, varied the abovementioned notice made on 27 October 2011, by replacing the name assigned to the Country Health SA Local Health Network Board Health Advisory Council Inc. with the name 'Country Health SA Local Health Network Health Advisory Council Inc.'.

TAKE notice that I, Stephen Wade, Minister for Health and Wellbeing do hereby:

1. Pursuant to sub-sections 15(3)(c) and 15(4)(a) of the Act, vary the abovementioned notice made by the Minister on 29 May 2012 and published in the *South Australian Government Gazette* of 31 May 2012, by replacing the name assigned to the Country Health SA Local Health Network Health Advisory Council Inc. with the name 'Country Health Gift Fund Health Advisory Council Inc.'; and

2. Pursuant to sub-sections 15(3)(a) and 15(4)(a) of the Act, vary the abovementioned notice made by the Minister on 2 June 2008 and published in the *South Australian Government Gazette* on 5 June 2008, by replacing the entities previously designated to be entities in relation to which the Country Health Gift Fund Health Advisory Council Inc. is established, with 'The Minister; Flinders Upper North Local Health Network Incorporated; Eyre and Far North Local Health Network Incorporated; Yorke and Northern Local Health Network Incorporated; and Barossa Hills Fleurieu Local Health Network Incorporated'.

These variations come into operation on 1 July 2019.

Dated: 23 June 2019

STEPHEN WADE
Minister for Health and Wellbeing

HEALTH CARE ACT 2008

SECTION 15

Notice by the Minister

TAKE notice that I, Stephen Wade, Minister for Health and Wellbeing, do hereby vary a notice made by the Minister to whom the Health Care Act 2008 is committed pursuant to sub-sections 15(1) and 15(3)(a) of the Health Care Act 2008 on 2 June 2008 and published in the *South Australian Government Gazette* on 5 June 2008, which established each of the bodies listed in Column A of the Schedule as Health Advisory Councils (HACs) and designated the Minister and Country Health SA Hospital Incorporated as entities in relation to which the HACs were established. I hereby vary the notice:

1. Pursuant to sub-sections 15(3)(a) and 15(4)(a) of the Health Care Act 2008, by replacing the entities previously designated to be entities in relation to which the HACs are established, namely 'the Minister and Country Health SA Hospital incorporated', with the entities referred to in Column B of the Schedule.

SCHEDULE

A (HAC)	B (Entity/entities in relation to which HAC is established)
Barossa and Districts Health Advisory Council Inc.	The Minister and Barossa Hills Fleurieu Local Health Network Incorporated
Eudunda Kapunda Health Advisory Council Inc.	The Minister and Barossa Hills Fleurieu Local Health Network Incorporated
Gawler District Health Advisory Council Inc.	The Minister and Barossa Hills Fleurieu Local Health Network Incorporated
Hills Area Health Advisory Council Inc.	The Minister and Barossa Hills Fleurieu Local Health Network Incorporated
Kangaroo Island Health Advisory Council Inc.	The Minister and Barossa Hills Fleurieu Local Health Network Incorporated
South Coast Health Advisory Council Inc.	The Minister and Barossa Hills Fleurieu Local Health Network Incorporated
Ceduna District Health Services Health Advisory Council Inc.	The Minister and Eyre and Far North Local Health Network Incorporated
Eastern Eyre Health Advisory Council Inc.	The Minister and Eyre and Far North Local Health Network Incorporated
Far North Health Advisory Council	The Minister and Eyre and Far North Local Health Network Incorporated
Lower Eyre Health Advisory Council Inc.	The Minister and Eyre and Far North Local Health Network Incorporated
Mid-West Health Advisory Council Inc.	The Minister and Eyre and Far North Local Health Network Incorporated
Port Lincoln Health Advisory Council	The Minister and Eyre and Far North Local Health Network Incorporated
Hawker District Memorial Health Advisory Council	The Minister and Flinders and Upper North Local Health Network Incorporated
Leigh Creek Health Services Health Advisory Council	The Minister and Flinders and Upper North Local Health Network Incorporated
Port Augusta, Roxby Downs, Woomera Health Advisory Council	The Minister and Flinders and Upper North Local Health Network Incorporated
Quorn Health Services Health Advisory Council	The Minister and Flinders and Upper North Local Health Network Incorporated
The Whyalla Hospital and Health Services Health Advisory Council	The Minister and Flinders and Upper North Local Health Network Incorporated
Berri Barmera District Health Advisory Council Inc.	The Minister and Riverland Mallee Coorong Local Health Network Incorporated
Coorong Health Service Health Advisory Council Inc.	The Minister and Riverland Mallee Coorong Local Health Network Incorporated
Loxton and Districts Health Advisory Council Inc.	The Minister and Riverland Mallee Coorong Local Health Network Incorporated
Mallee Health Service Health Advisory Council Inc.	The Minister and Riverland Mallee Coorong Local Health Network Incorporated
Mannum District Hospital Health Advisory Council Inc.	The Minister and Riverland Mallee Coorong Local Health Network Incorporated

A (HAC)	B (Entity/entities in relation to which HAC is established)
The Murray Bridge Soldiers' Memorial Hospital Health Advisory Council Inc.	The Minister and Riverland Mallee Coorong Local Health Network Incorporated
Renmark Paringa District Health Advisory Council Inc.	The Minister and Riverland Mallee Coorong Local Health Network Incorporated
Waikerie and Districts Health Advisory Council Inc.	The Minister and Riverland Mallee Coorong Local Health Network Incorporated
Bordertown and District Health Advisory Council Inc.	The Minister and Limestone Coast Local Health Network Incorporated
Kingston/Robe Health Advisory Council Inc.	The Minister and Limestone Coast Local Health Network Incorporated
Millicent and Districts Health Advisory Council Inc.	The Minister and Limestone Coast Local Health Network Incorporated
Mount Gambier and Districts Health Advisory Council Inc.	The Minister and Limestone Coast Local Health Network Incorporated
Naracoorte Area Health Advisory Council Inc.	The Minister and Limestone Coast Local Health Network Incorporated
Penola and Districts Health Advisory Council Inc.	The Minister and Limestone Coast Local Health Network Incorporated
Balaklava Riverton Health Advisory Council Inc.	The Minister and Yorke and Northern Local Health Network Incorporated
Lower North Health Advisory Council Inc.	The Minister and Yorke and Northern Local Health Network Incorporated
Mid North Health Advisory Council Inc.	The Minister and Yorke and Northern Local Health Network Incorporated
Northern Yorke Peninsula Health Advisory Council Inc.	The Minister and Yorke and Northern Local Health Network Incorporated
Port Broughton District Hospital and Health Services Health Advisory Council Inc.	The Minister and Yorke and Northern Local Health Network Incorporated
Port Pirie Health Service Advisory Council	The Minister and Yorke and Northern Local Health Network Incorporated
Southern Flinders Health Advisory Council	The Minister and Yorke and Northern Local Health Network Incorporated
Yorke Peninsula Health Advisory Council Inc.	The Minister and Yorke and Northern Local Health Network Incorporated

These variations come into operation on 1 July 2019.

Dated: 23 June 2019

STEPHEN WADE
Minister for Health and Wellbeing

HEALTH CARE ACT 2008

SECTION 15

Notice by the Minister

TAKE notice that I, Stephen Wade, Minister for Health and Wellbeing do hereby vary a notice made by the Minister to whom the Health Care Act 2008 is committed pursuant to sub-sections 15(1) and 15(3)(a) of the Health Care Act 2008 on 2 June 2008 and published in the *South Australian Government Gazette* on 5 June 2008, which established and assigned a name to the South Coast Health Advisory Council Inc.

I vary the notice:

1. Pursuant to sub-sections 15(3)(c) and 15(4)(a) of the Health Care Act 2008 by replacing the name assigned to the South Coast Health Advisory Council Inc. with the name 'Southern Fleurieu Health Advisory Council Inc.'

Dated: 23 June 2019

STEPHEN WADE
Minister for Health and Wellbeing

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

Whereas the Minister for Human Services Delegate is satisfied that each of the houses described hereunder has ceased to be unsafe or unsuitable for human habitation for the purposes of the *Housing Improvement Act 2016*, notice is hereby given that, in exercise of the powers conferred by the said Act, the Minister for 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
40A Coglin Street, Brompton SA 5007	Allotment 80 Deposited Plan 91156 Hundred of Yatala	CT5392/431, CT6086/954, CT6086/955, CT6109/968
13 Guilford Street, Clare SA 5453	Allotment 2 Filed Plan 12283 Hundred Clare	CT5168/592
517 Stansbury Rd, Yorketown SA 5576 (AKA Lot 7) (PKA P/Section 295)	Allotment 7 Deposited Plan 76705 Hundred of Melville	CT4051/461, CT5828/503, CT6006/347
6 Lee Court, Para Hills SA 5096	Allotment 24 Deposited Plan 7473 Hundred of Yatala	CT5594/662
19 Gladstone Street, Adelaide SA 5000 (AKA 19-19A)	Allotment 112 Filed Plan 182574 Hundred of Adelaide	CT3828/175, CT5896/423
9 Lawhill ST, Port Victoria SA 5573	Allotment 98 Town Plan 131601 Hundred of Wauraltee	CT5221/972
415 North East Road, Hillcrest SA 5086	Allotment 332 Deposited Plan 4909 Hundred of Yatala	CT5126/163

Dated: 27 June 2019

CRAIG THOMPSON
Acting Housing Regulator and Registrar
Housing Safety Authority, SAHA
Delegate of Minister for Human Services

JUSTICES OF THE PEACE ACT 2005

SECTION 4

Notice of Appointment of Justices of the Peace for South Australia by the Commissioner for Consumer Affairs

I, Dini Soulio, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below for a period of ten years commencing from 1 July 2019 and expiring on 30 June 2029 it being a condition of appointment that the Justices of the Peace must take the oaths required of a justice under the *Oaths Act 1936* and return the oaths of office form to Justice of the Peace Services within three months after the date of appointment:

Dona Rae BETTERMAN
Simon James BURGE
Charles Rex COOPER
Marcel Anthony Joseph DE RUYTER
Gregory R A J DUARTE CALVO
Michelle Ann HOILE
Russell Grant MACKINVEN
Julie Michelle MCCREANOR
Shirley Anne MEGAW
Petronella Johanna MOYES
Nicole Suzanne NATION
Nader SHARIFI JAMALI

Dated: 19 June 2019

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

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 estate in fee simple in that piece of land being the whole of Allotments 103 and 104 in Filed Plan 207263 comprised in Certificate of Title Volume 5457 Folio 866, subject to the easement(s) over the land marked A to the Minister for Infrastructure (T 4021799).

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

2. Compensation

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

3. Inquiries

Inquiries should be directed to:

Carlene Russell
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2512

Dated: 25 June 2019

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

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 Allotments 19 and 20 in Deposited Plan No 976 comprised in Certificate of Title Volume 5773 Folio 990.

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

2. Compensation

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

3. Inquiries

Inquiries should be directed to:

Carlene Russell
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2512

Dated: 25 June 2019

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

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 estate in fee simple in that piece of land being the whole of Allotment 39 in Deposited Plan No 976 comprised in Certificate of Title Volume 6172 Folio 864, subject to the easement(s) over the land marked A to the Minister for Infrastructure (T 4423075).

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

2. Compensation

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

3. Inquiries

Inquiries should be directed to:

Carlene Russell
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2512

Dated: 25 June 2019

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 2019/01245/01

LIBRARIES BOARD OF SOUTH AUSTRALIA

Fees and Charges Schedule 2019-20

Description of Activity (* Denotes GST included where applicable)	**Previous Charge 2018-19**	**New Charge 2019-20**	**Last Changed**
PHOTOCOPYING			
Resource Card	1.00	1.00	1/07/2000
Black & White			
A4 self operated standard quality (rechargeable card)	0.15	0.15	1/07/2004
A3 self operated standard quality (rechargeable card)	0.30	0.30	1/07/2004
A4 staff operated	0.30	0.30	1/07/2004
A3 staff operated	0.60	0.60	1/07/2004
A4 B&W best quality (uses colour process)	2.00	2.00	1/07/1997
A3 B&W best quality (uses colour process)	4.00	4.00	1/07/1997
Photocopying of large Maps	Negotiated	Negotiated	1/07/1997
Colour			
A4 self operated standard quality (rechargeable card)	0.75	0.75	1/07/2009
A3 self operated standard quality (rechargeable card)	1.50	1.50	1/07/2009
A4 colour best quality	2.00	2.00	1/07/1999
A3 colour best quality	4.00	4.00	1/07/1999

Description of Activity (* Denotes GST included where applicable)	Previous Charge 2018-19	New Charge 2019-20	Last Changed
LAMINATING, MOUNTING AND BINDING			
Laminating			
Up to A5	2.00	N/A	1/07/2007
Up to A4	3.00	N/A	1/07/1997
Up to A3	4.00	N/A	1/07/1997
Up to A2	6.00	N/A	1/07/2017
FAX			
Send local first page	2.00	N/A	1/02/1994
Send STD first page	4.00	N/A	1/02/1994
Send overseas first page	6.00	N/A	1/02/1994
Send local subsequent pages	1.00	N/A	1/02/1994
Send STD subsequent pages	2.00	N/A	1/02/1994
Send overseas subsequent pages	3.00	N/A	1/02/1994
Receive up to 10 pages	2.00	N/A	1/02/1994
Receive additional pages	0.20	N/A	1/02/1994
FACILITIES HIRE	Negotiated	Negotiated	1/07/2004
REPRODUCTION FEES			
Reproduction Fees from Pictorial or Printed Collections and from films or videos in the Collections			
All categories (detailed below -)	Free	Free	1/07/2001
– all categories includes use in book or magazine, documentary film or video, display in public use building, post graduate thesis, commercial print, TV news or current affairs programs.			
– non-listed uses to be determined by the Director or delegate.			
COPIES ONTO MEDIA			
Audio CDs copied from the digital sound collection * (CD to MP3)	39.00	39.00	1/07/2016
Audio Cassette Tape Copies * (60 min cassette to MP3 only)	80.00	80.00	1/07/2016
Other audio formats to MP3	POA	POA	1/07/2016
Digital file (BWF) to MP3 first hour (files already existing from same OH interview)	29.00	29.00	1/07/2016
Digital file (BWF) to MP3 each subsequent hour (files already existing from same OH interview)	7.00	7.00	1/07/2016
DVD copies of film and video Betacam SP to DVD	71.00	71.00	1/07/2016
Copying from collections Video to Mpeg	71.00	71.00	1/07/2018
DVD copies of film and video DVD to DVD	39.00	39.00	1/07/2016
Retrieval of withdrawn items from offsite (Netley)			
– per first retrieval (up to 5 items per location)	Negotiated	Negotiated	1/07/2000
– per successive items retrieved	Negotiated	Negotiated	1/07/2000
MICROGRAPHIC			
35mm B&W microfilm positive *	100.00	100.00	1/07/2018
35mm B&W microfilm duplicate negative *	97.00	97.00	1/07/2018
REFORMATTING			
Labour rate per hour *	63.00	63.00	1/07/2016
DIGITAL IMAGING			
Digital Image Per Scan * up to 50Mb	25.00	25.00	1/07/2016
Digital Image Per Scan * up to 100Mb	50.00	50.00	1/07/2018
Digital Image Per Scan * up to 150Mb	96.00	96.00	1/07/2018
Digital Image Per Scan * up to 200Mb	189.00	189.00	1/07/2018
Digital Image Per Scan * up to 500Mb - original material A3 size or smaller	223.00	223.00	1/07/2018
Digital Image Per Scan * up to 1GB - original material A3 size or smaller	258.00	258.00	1/07/2018
Digital Image Per Scan * up to 1.5GB - original material A3 size or smaller	316.00	316.00	1/07/2018
Digital Image Per Scan * up to 2GB - original material A3 size or smaller	326.00	326.00	1/07/2018
LARGE FORMAT COLOUR SCANS - Overhead scanner			
Digital scan of tabloid size newspaper page	39.00	39.00	1/07/2017
Digital scan of broadsheet size newspaper page	47.00	47.00	1/07/2018
LARGE FORMAT SCANS - Roller scanner			
A2	39.00	39.00	1/07/2016
A1	47.00	47.00	1/07/2018
A0	56.00	56.00	1/07/2017
Digital photo of objects less than 60cm x 60cm *	50.00	50.00	1/07/2017
Digital photo of objects equal to or larger than 60cm x 60cm *	85.00	85.00	1/07/2018
Burn to DVD - first file	10.00	10.00	1/07/2009
Burn to DVD - per additional large file	5.00	5.00	1/07/2009
Access of image via web server *	6.00	6.00	1/07/2009

Description of Activity (* Denotes GST included where applicable)	Previous Charge 2018-19	New Charge 2019-20	Last Changed
LARGE FORMAT SCANS - Flatbed scanner			
A2	84.00	84.00	1/07/2018
A1	269.00	269.00	1/07/2018
A0	357.00	357.00	1/07/2018
LARGE FORMAT PRINTING			
A3			
Photo rag paper	38.00	38.00	1/07/2016
Photo pearl paper	33.00	33.00	1/07/2016
Canvas	40.00	40.00	1/07/2016
A2			
Photo rag paper	66.00	66.00	1/07/2017
Photo pearl paper	51.00	51.00	1/07/2017
Canvas	70.00	70.00	1/07/2017
A1			
Photo rag paper	102.00	102.00	1/07/2017
Photo pearl paper	81.00	81.00	1/07/2017
Canvas	110.00	110.00	1/07/2018
A0			
Photo rag paper	182.00	182.00	1/07/2018
Photo pearl paper	142.00	142.00	1/07/2018
Canvas	200.00	200.00	1/07/2018
Printing larger than A0 cost/m²	219.00	219.00	1/07/2018
PHOTOTEX PRINTS (one price - scan and print cost included) **Images to be chosen from existing portfolio**			
A1	257.00	257.00	1/07/2017
A0	441.00	441.00	1/07/2018
Printing larger than A0 cost/m² (maximum width 60inch/1524mm)	54.00	540.00	1/07/2018
COMPUTER RELATED SERVICES			
Labour rate per hour	63.00	63.00	1/07/2016
A4 B&W print self operated	0.20	0.20	1/07/2004
A3 B&W print (file sent for printing)	0.30	0.30	1/07/2004
A3 Colour print self operated	0.75	0.75	1/07/2009
A4 Colour print self operated	1.50	1.50	1/07/2009
A4 B&W print (file sent for printing)	0.40	0.40	1/07/2004
A3 B&W print (file sent for printing)	0.50	0.50	1/07/2004
A4 colour print (file sent for printing)	1.50	1.50	1/07/2004
A3 colour print (file sent for printing)	2.00	2.00	1/07/2004
A4 B&W print (from customer disk)	2.50	2.50	1/07/2004
A3 B&W print (from customer disk)	3.00	3.00	1/07/2004
A2 B&W print (from customer disk)	8.00	8.00	1/07/2011
A4 colour print (from customer disk)	3.50	3.50	1/07/2004
A3 colour print (from customer disk)	4.00	4.00	1/07/2004
A2 colour print (from customer disk)	11.00	11.00	1/07/2011
B&W Photo quality archival paper - up to A4 size print	19.00	19.00	1/07/2017
B&W Photo quality archival paper - up to A3 size print	22.00	22.00	1/07/2017
Colour Photo quality archival paper - up to A4 size print	23.00	23.00	1/07/2017
Colour Photo quality archival paper - up to A3 size print	26.00	26.00	1/07/2017
Digital Image per Scan (from Copy Centre) *	25.00	25.00	1/07/2017
Burn to CD-ROM (from Copy Centre) *	12.00	12.00	1/07/2009
Burn to DVD - first file (from Copy Centre)	10.00	10.00	1/07/2009
Burn to DVD - per additional large file (from Copy Centre)	5.00	5.00	1/07/2009
Access of Image via web server *	6.00	6.00	1/07/2009
MICROFILM READER PRINTER			
A4 microfiche / film self operated - ScanPro equipment	0.20	0.20	1/07/2013
A3 microfiche / film self operated - ScanPro equipment	0.30	0.30	1/07/2013
A4 microfiche / film staff operated	2.50	2.50	1/07/2008
A3 microfiche / film staff operated	3.80	3.80	1/07/2008
A2 microfiche / film staff operated	10.00	10.00	1/07/2008
A4 microfiche / film staff operated - enhanced image	18.00	18.00	1/07/2008
A3 microfiche / film staff operated - enhanced image	19.00	19.00	1/07/2008
A2 microfiche / film staff operated - enhanced image	22.00	22.00	1/07/2008
Scan and save microfilm image	12.00	12.00	1/07/2017
Burn to CD-ROM (from Copy Centre) *	12.00	12.00	1/07/2009
Access of Image via web server *	6.00	6.00	1/07/2009

Description of Activity (* Denotes GST included where applicable)	Previous Charge 2018-19	New Charge 2019-20	Last Changed
OVERHEAD SCANNER			
A4 B&W overhead scan	5.50	5.50	1/07/2008
A3 B&W overhead scan	6.50	6.50	1/07/2008
A2 B&W overhead scan	10.00	10.00	1/07/2008
A4 B&W overhead scan - enhanced image	18.00	18.00	1/07/2008
A3 B&W overhead scan - enhanced image	19.00	19.00	1/07/2008
A2 B&W overhead scan - enhanced image	22.00	22.00	1/07/2008
Scan and save overhead image	12.00	12.00	1/07/2017
Access of Image via web server *	6.00	6.00	1/07/2009
Burn to CD-ROM (from Copy Centre) *	12.00	12.00	1/07/2009
REPRODUCTION FROM HIGH RESOLUTION DIGITAL IMAGES			
Digital Image printed on ordinary paper - Black & White - up to A4	6.00	6.00	1/07/2011
Digital Image printed on ordinary paper - Black & White - up to A3	7.00	7.00	1/07/2011
Digital Image printed on ordinary paper - Black & White - up to A2	12.00	12.00	1/07/2017
Digital Image printed on ordinary paper - Colour - up to A4	8.00	8.00	1/07/2011
Digital Image printed on ordinary paper - Colour - up to A3	9.00	9.00	1/07/2011
Digital Image printed on ordinary paper - Colour - up to A2	14.00	14.00	1/07/2017
Digital Image printed to B&W photo quality paper archival paper - up to A4 size print	19.00	19.00	1/07/2017
Digital Image printed to B&W photo quality paper archival paper - up to A3 size print	22.00	22.00	1/07/2017
Digital Image printed to B&W photo quality paper archival paper - up to A2 size print	30.00	30.00	1/07/2015
Digital Image printed to colour photo quality paper archival paper - up to A4 size print	23.00	23.00	1/07/2017
Digital Image printed to colour photo quality paper archival paper - up to A3 size print	26.00	26.00	1/07/2017
Digital Image printed to colour photo quality paper archival paper - up to A2 size print	40.00	40.00	1/07/2015
Image downloaded and saved	17.00	17.00	1/07/2017
Access of Image via web server *	6.00	6.00	1/07/2009
Burn to CD-ROM (from Copy Centre) *	12.00	12.00	1/07/2009
NOTES			
– Copy Centre orders will only be held for a period of 3 months from the date of completion.			
– All Photographic and Print from Computer items: labour charges apply to all customised work.			
– Digital Images (previously Photographic Images):			
Priority Service- 3 working days maximum	Add 50%	Add 50%	1/07/2008
Express Service- 1 working day maximum (subject to availability)	Add 100%	Add 100%	1/07/2008
DOCUMENT DELIVERY SERVICE			
Faxing- Inter-Library Charges			
Interlibrary local per 10 pages(or Part) *	3.30	3.30	1/07/1991
Interlibrary STD up to 10 pages *	6.60	6.60	1/07/1991
Interlibrary STD per additional 10 pages *	3.30	3.30	1/07/1991
S.A. Public Libraries no charge for FAXES			
Document Delivery from State Library Collections (for Public)			
Photocopying A4 (staff operated)	0.30	0.30	1/07/2003
Photocopying A3 (staff operated)	0.60	0.60	1/07/2004
Priority copying (staff operated) within 5 working hours Monday to Friday	5.00	5.00	1/07/1997
Express copying (staff operated) within 2 working hours Monday to Friday subject to staff availability	10.00	10.00	1/07/2001
Printing from Public Workstations			
A4 Computer printout (staff operated)	0.50	0.50	1/07/2000
Special loans overdue fines PER DAY	2.00	2.00	1/07/1989
Charges to public for items from other libraries			
Interlibrary photocopying per article (up to 50 pages)			
Core - 4 working days *	16.50	16.50	1/07/2011
Rush - 24 Hours Mon to Fri *	33.00	33.00	1/07/2011
Express - 2 working hours Mon to Fri *	49.50	49.50	1/07/2011
Interlibrary photocopying each additional 50 pages *	4.00	4.00	1/07/2011
Interlibrary Loans to Australian Libraries			
Core - 4 working days *	16.50	16.50	1/07/2011
Rush - 24 Hours Mon to Fri *	33.00	33.00	1/07/2011
Express - 2 working hours Mon to Fri *	49.50	49.50	1/07/2011
Interlibrary Loans - from Overseas Libraries	Cost Recovery	Cost Recovery	1/07/2005
Interlibrary Copies - from Overseas Libraries	Cost Recovery	Cost Recovery	1/07/2005
Charges to libraries for items from State Library Collections			
Interlibrary photocopying per article (up to 50 pages)			
Core - 5 working days *	16.50	16.50	1/07/2011

Description of Activity (* Denotes GST included where applicable)	Previous Charge 2018-19	New Charge 2019-20	Last Changed
Rush - AM/PM Mon to Fri *	33.00	33.00	1/07/2011
Express - 2 working hours Mon to Fri *	49.50	49.50	1/07/2011
Interlibrary photocopying each additional 50 pages *	4.00	4.00	1/07/2011
Photocopying A4 & A3 for Public Libraries - PLASA levy (staff operated) *	0.30	0.30	1/07/1997
Maximum of $5.00 per request			
Interlibrary Loans to Australian Libraries			
Core - 4 working days *	16.50	16.50	1/07/2011
Rush - 24 Hours Mon to Fri *	33.00	33.00	1/07/2011
Express - 2 working hours Mon to Fri *	49.50	49.50	1/07/2011
Interlibrary Loans to Overseas Libraries	Cost Recovery	Cost Recovery	1/07/2005
Online Database Searches (by staff) including Newstext			
Basic Searches	Free	Free	1/07/2000
Full-text Records	Cost Recovery	Cost Recovery	2/07/1986
SPECIAL TOURS by arrangement			
Behind The Scenes - Tariff per person			
Adults	15.00	15.00	1/07/2008
Concession	12.50	12.50	1/07/2008
Hidden Treasures - Tariff per person			
Adults	15.00	15.00	1/07/2008
Concession	12.50	12.50	1/07/2008
Tourism Industry Tour packages - Designer Tours at the State Library			
Platinum pass tour - adult (no concession)	20.00	20.00	1/07/2010
Gold pass tour - adult (no concession)	15.00	15.00	1/07/2010
Silver Special tour - adult (no concession)	10.00	10.00	1/07/2010
SPECIAL SEMINARS (Family & Oral History) & SHORT COURSES			
Tariff per PERSON per session			
Hosted by State Library of South Australia	Negotiated	Negotiated	1/07/1991
Concession Card Holder	Negotiated	Negotiated	1/07/1994
Hosted by Public Libraries	Negotiated	Negotiated	1/07/1994
Concession Card Holder	Negotiated	Negotiated	1/07/1994
Other Seminars, short courses and training sessions	Negotiated	Negotiated	1/07/1996
EXTERNAL EXHIBITION LOANS			
Administration fee	Cost Recovery	Cost Recovery	1/07/2008
COLLECTION PHOTOGRAPHY			
Staff time for supervising external photography requests	Negotiated	Negotiated	1/07/2005
CONSULTANCIES			
Consultancies undertaken by the State Library negotiated on a case by case basis	Negotiated	Negotiated	1/07/1995
POSTAGE, HANDLING AND INVOICING			
Postage and handling			
Charged on a cost recovery basis and is dependent upon the service and quantities requested			
Invoicing Charge (per invoice)	5.00	5.00	1/07/2016
– To be applied to State Library product sales under $150			
– Does not apply to State Library fees levied			
– Publications may be liable for an invoicing charge			

Note: In accordance with a GST Ruling received from the Australian Taxation Office, any supply made by the State Library, being a gift deductible entity, will be GST free where the revenue received recovers less than 75% of the cost of the service provided.

Fees for services that include GST are denoted by an asterisk (*) next to the charge.

Dated: 18 June 2019

GEOFF STREMPEL
Director
State Library of South Australia

LOCAL GOVERNMENT ACT 1999

2019 Whyalla Stormwater Management Plan

Notice is hereby given in accordance with clause 19(4) of Schedule 1A to the *Local Government Act 1999* that the 2019 Whyalla Stormwater Management Plan prepared by the Whyalla City Council was approved by the Stormwater Management Authority on 21 June 2019, subject to the conditions specified in Schedule A.

SCHEDULE A

Conditions

1. The Whyalla City Council consults with the Department of Planning, Transport and Infrastructure (DPTI) as necessary to prepare a report on works to reduce the flood risk to the Lincoln Highway to a level that is acceptable to DPTI, and presents the report to the Authority for approval within twelve (12) calendar months of the date of publication of this notice.
2. The Whyalla City Council completes a Stormwater Harvesting and Reuse Strategy and provides the strategy to the Stormwater Management Authority for approval within eighteen (18) calendar months of the date of publication of this notice.

Dated: 24 June 2019

Executed for and on behalf of the Stormwater Management Authority by its Deputy Presiding Member pursuant to a resolution of the Board and in the presence of:

WALLY IASIELLO
Deputy Presiding Member

DAVID TREBILCOCK
General Manager

MENTAL HEALTH ACT 2009

Approved Treatment Centre

NOTICE is hereby given, in accordance with Section 96 of the Mental Health Act 2009, that the Chief Psychiatrist has determined, from 1st July 2019, that:

The Tarnanthi and Forensic Sub-Acute Unit will become part of the Glenside Health Service Approved Treatment Centre, 226 Fullarton Road, Glenside SA 5065.

Dated: 27 June 2019

DR JOHN BRAYLEY
Chief Psychiatrist

MENTAL HEALTH ACT 2009

Authorised Medical Practitioner

NOTICE is hereby given in accordance with Section 93(1) of the Mental Health Act 2009, that the Chief Psychiatrist has determined the following person as an Authorised Medical Practitioner:

Vineet Juneja

A determination will be automatically revoked upon the person being registered as a specialist psychiatrist with the Australian Health Practitioner Regulation Agency and as a fellow of the Royal Australian and New Zealand College of Psychiatrists.

Dated: 27 June 2019

DR J. BRAYLEY
Chief Psychiatrist

MINING ACT 1971

Declaration of Forfeiture of Exploration Licence

Notice is hereby given that the exploration licence mentioned and described at the foot hereof is declared forfeited.

Licensee	Australian Tailings Group Pty Limited
Licence Reference	Exploration Licence 5606
Location	Outalpa area – approx. 25km WSW of Olary
Reason for forfeiture	Non-payment of money due to Crown

Dated: 27 June 2019

A BLOOD
Executive Director
Mineral Resources Division
Department for Energy and Mining

MINING ACT 1971

Declaration of Forfeiture of Exploration Licence

Notice is hereby given that the exploration licence mentioned and described at the foot hereof is declared forfeited.

Licensee	Australian Tailings Group Pty Limited
Licence Reference	Exploration Licence 5607
Location	Outalpa area – approx. 5km WSW of Olary
Reason for forfeiture	Non-payment of money due to Crown

Dated: 27 June 2019

A BLOOD
Executive Director
Mineral Resources Division
Department for Energy and Mining

MINING ACT 1971

Declaration of Forfeiture of Exploration Licence

Notice is hereby given that the exploration licence mentioned and described at the foot hereof is declared forfeited.

Licensee	Australian Tailings Group Pty Limited
Licence Reference	Exploration Licence 5608
Location	Braemar area – approx. 125km SW of Olary
Reason for forfeiture	Non-payment of money due to Crown

Dated: 27 June 2019

A BLOOD
Executive Director
Mineral Resources Division
Department for Energy and Mining

MINING ACT 1971

Declaration of Forfeiture of Exploration Licence

Notice is hereby given that the exploration licence mentioned and described at the foot hereof is declared forfeited.

Licensee	Cronje Iron Pty Ltd
Licence Reference	Exploration Licence 5616
Location	Razorback Ridge area – approx. 60kn South of Yunta
Reason for forfeiture	Non-payment of money due to Crown

Dated: 27 June 2019

A BLOOD
Executive Director
Mineral Resources Division
Department for Energy and Mining

MINING ACT 1971

Declaration of Forfeiture of Exploration Licence

Notice is hereby given that the exploration licence mentioned and described at the foot hereof is declared forfeited.

Licensee	Cronje Iron Pty Ltd
Licence Reference	Exploration Licence 6007
Location	Mutootoo area – approx. 115km east of Peterborough
Reason for forfeiture	Non-payment of money due to Crown

Dated: 27 June 2019

A BLOOD
Executive Director
Mineral Resources Division
Department for Energy and Mining

MINING ACT 1971

Declaration of Forfeiture of Exploration Licence

Notice is hereby given that the exploration licence mentioned and described at the foot hereof is declared forfeited.

Licensee	Wentworth Metals Group Pty Ltd
Licence Reference	Exploration Licence 6008
Location	Weekeroo area – approx. 50km ENE of Yunta
Reason for forfeiture	Non-payment of money due to Crown

Dated: 27 June 2019

A BLOOD
Executive Director
Mineral Resources Division
Department for Energy and Mining

MINING ACT 1971

SECTION 28(5)

Exploration Licences

Notice is hereby given in accordance with Section 28(5) of the *Mining Act 1971* that the delegate of the Minister for Energy and Mining intends to grant Exploration Licences over the areas described below.

Applicant:	Havilah Resources Limited
Location:	Lake Yandra area – approximately 140 km north of Olary
Pastoral Leases:	Frome Downs, Quinyambie
Term:	Two years
Area in km^2:	329
Reference number:	2019/00050

Applicant:	Havilah Resources Limited
Location:	Tarkarooloo area – approximately 120 km north-northwest of Olary
Pastoral Leases:	Frome Downs
Term:	Two years
Area in km2:	26
Reference number:	2019/00051

Applicant:	Havilah Resources Limited
Location:	Eurinilla area – approximately 100 km north of Olary
Pastoral Leases:	Mulyungarie
Term:	Two years
Area in km2:	70
Reference number:	2019/00052

Applicant:	Gawler Resources Pty Ltd
Location:	Kootaberra area – approximately 70 km northwest of Port Augusta
Pastoral Leases:	Kootaberra
Term:	Two years
Area in km2:	169
Reference number:	2019/00055

Applicant:	Rio Tinto Exploration Pty Limited
Location:	Witchelina area – approximately 40 km northwest of Lyndhust
Pastoral Leases:	Witchelina
Term:	Two years
Area in km2:	110
Reference number:	2019/00059

Applicant:	Rio Tinto Exploration Pty Limited
Location:	Witchelina area – approximately 50 km northwest of Lyndhurst
Pastoral Leases:	Witchelina
Term:	Two years
Area in km2:	57
Reference number:	2019/00060

Applicant:	Rio Tinto Exploration Pty Limited
Location:	Witchelina area – approximately 60 km northwest of Lyndhurst
Pastoral Leases:	Witchelina
Term:	Two years
Area in km2:	45
Reference number:	2019/00061

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

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on 08 8429 2572.

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

http://energymining.sa.gov.au/minerals/exploration/public_notices/exploration_licence_applications or hard copy on request to Mineral Tenements.

Dated: 27 June 2019

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

MINING ACT 1971

SECTION 35A(1)

Extractive Minerals Lease

Notice is hereby given in accordance with Section 35A(1) of the *Mining Act 1971*, that an application for an Extractive Minerals Lease over the undermentioned mineral claim has been received:

Applicant:	McDonald Earthmovers Pty Ltd
Claim Number:	4472
Location:	Section 310, Hundred of Lincoln (Duck Ponds area, approx. 2 km west of Port Lincoln)
Area:	18.66 hectares approximately
Purpose:	Construction Materials (Limestone)
Reference:	2019/0724

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

A copy of the proposal has been provided to the District Council of Lower Eyre Peninsula and an electronic copy of the proposal can be found on the Department for Energy and Mining website: http://energymining.sa.gov.au/minerals/mining/public_notices_mining

Written submissions in relation to this application are invited to be received at the Department for Energy and Mining, Mining Regulation, Attn: Business Support Officer, GPO Box 320 ADELAIDE SA 5001 or dem.miningregrehab@sa.gov.au by no later than **25 July 2019**.

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

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

Dated: 27 June 2019

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

South Australia

Motor Vehicles (Conditional Registration—Recognition of Motor Vehicle Clubs) Notice 2019 - Mount Lofty Rangers 4WD Club

under the *Motor Vehicles Act 1959*

1—Short title

This notice may be cited as the *Motor Vehicles (Conditional Registration—Recognition of Motor Vehicle Clubs) Notice 201*9 - Mount Lofty Rangers 4WD Club

2—Commencement

This notice takes effect from the date it is published in the Gazette.

3—Interpretation

In this notice—

Act means the *Motor Vehicles Act 1959*;

Code of Practice means the 'Code of Practice for Club Registration - a 90 day conditional registration scheme for historic, left hand drive and street rod vehicles' published by the Department of Planning, Transport and Infrastructure;

Conditional Registration Scheme or ***Scheme*** means the scheme for conditional registration of historic, prescribed left hand drive and street rod motor vehicles under section 25 of the Act and regulations 15 and 16 of the Motor Vehicles Regulations 2010;

Department means the Department of Planning, Transport and Infrastructure

Federation means the Federation of Historic Motoring Clubs Inc;

MR334 form means an 'Approval for Registration of Vehicle on the Club Registration Scheme (MR334)';

Prescribed log book means a log book in a form approved by the Registrar;

Registrar means the Registrar of Motor Vehicles;

Regulations means the Motor Vehicles Regulations 2010.

4—Recognition of motor vehicles clubs

The motor vehicle clubs specified in Schedule 1 are, subject to the conditions set out in clause 5, recognised for the purposes of regulation 16 of the Regulations.

5—Conditions of recognition

A motor vehicle club specified in Schedule 1 must comply with the following conditions:

(a) the club must maintain a constitution approved by the Registrar;

(b) the club must nominate and have members authorised by the Registrar (authorised persons). The club's authorised person(s) are responsible for approving applicants and motor vehicles for registration under the Scheme. This includes confirming that Scheme applicants are financial members of a club; any other details as required by the Registrar on the MR334 form; and to inspect members' vehicles when requested to do so by the Registrar;

(c) the club must issue a prescribed log book to club members for each of their vehicles to record vehicle use;

(d) the club must cancel a member's prescribed log book when a member resigns, must ensure that a statutory declaration is provided when a member's log book is lost or destroyed, must keep details of members' prescribed log book return sheets and forward copies of the same to the Registrar or Federation annually as required;

(e) the club must create and maintain records detailing all its financial members, its authorised persons, all vehicles for which an MR334 form has been issued, all statutory declarations received and prescribed log books issued and returned to the club;

(f) the club must keep records for a period of 5 years from the date of the document and these records must include all duplicate MR334 forms, all records of motor vehicle inspections undertaken in accordance with paragraph (b), all statutory declarations provided by members for the purposes of paragraphs (d), all prescribed log books issued by reference to their serial number, the member's name and the vehicle for which it was issued, and to make all such records available for inspection or provide copies of the records at the request of the Registrar for audit purposes;

(g) the club must ensure, as far as practicable, that all members comply with the Code of Practice;

(h) the club, as far as practicable, must report to the Registrar or the Federation details of members and motor vehicles not complying with the conditions and criteria set out in the Code of Practice for the Scheme;

(i) the club must provide to the Registrar, within 2 months after the end of the club's financial year, an annual report detailing members from that financial year with vehicles registered under the Scheme who are no longer financial members of the club;

(j) the club must notify the Registrar, in writing, within 14 days of resolution to cease operation as a club and must provide the club records specified in paragraph (f) to the Registrar within 14 days of its dissolution.

Note—

Under regulation 16(3)(c) of the *Motor Vehicles Regulations 2010*, the Registrar may, by notice in the Gazette, withdraw the recognition of a motor vehicle club if satisfied that the club has contravened or failed to comply with a condition applying to its recognition by the Registrar, or if there is other good cause to withdraw the recognition.

Schedule 1—Recognised motor vehicle clubs

Historic, left-hand drive and street rod motor vehicle clubs

Mount Lofty Rangers 4WD Club

Made by the Deputy Registrar of Motor Vehicles

Dated: 19 June 2019

NATIONAL ELECTRICITY LAW

SECTION 90EA

Notice of Making of National Electricity Amendment (Retailer Reliability Obligation) Rule 2019

I, Daniel Cornelis van Holst Pellekaan, Minister for Energy and Mining for the Crown in right of the State of South Australia, as the Minister administering the *National Electricity (South Australia) Act 1996* of South Australia, hereby make the National Electricity Amendment (Retailer Reliability Obligation) Rule 2019 under section 90EA of the *National Electricity (South Australia) Law* on the recommendation of the Council of Australian Governments' Energy Council sitting as the Ministerial Council on Energy for the purposes of that section.

The National Electricity Amendment (Retailer Reliability Obligation) Rule 2019 will be publicly available on the Australian Energy Market Commission website: www.aemc.gov.au and commences operation as specified below:

- Schedules 1, 3, 4 and 5 of this Rule commence operation on 1 July 2019.
- Schedule 2 of this Rule commences operation on 26 March 2020 immediately after the commencement of Schedule 1 of the *National Electricity Amendment (Enhancement to the Reliability and Emergency Reserve Trader) Rule 2019 No. 3*.

Dated: 24 June 2019

HON DANIEL CORNELIS VAN HOLST PELLEKAAN MP
Minister for Energy and Mining

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Authorisation to Take Water

PURSUANT to section 128 of the *Natural Resources Management Act 2004*, I, David Speirs, Minister for Environment and Water, hereby authorise the taking of roof runoff (surface water) from all Surface Water Prescribed Areas within the State of South Australia for the purposes of commercial use (including irrigation) and industrial, environmental or recreational use, subject to the conditions specified in Schedule A.

SCHEDULE A

1. Surface water taken pursuant to this authorisation may only be used for one or more of the purposes described above and no other purpose, unless otherwise authorised.
2. Surface water taken pursuant to this authorisation can only be collected where the volume of water deemed to be collected from the connected roof area is equal to or less than 1500 kilolitres per annum.
3. The volume deemed to be collected from the connected roof area is determined as follows:

$$\text{Potential Estimated Average Annual Capture Amount (kilolitres)} = \frac{\text{roof area (in square metres)} \times \text{average annual rainfall for the relevant location (in millimetres)}}{1\,000}$$

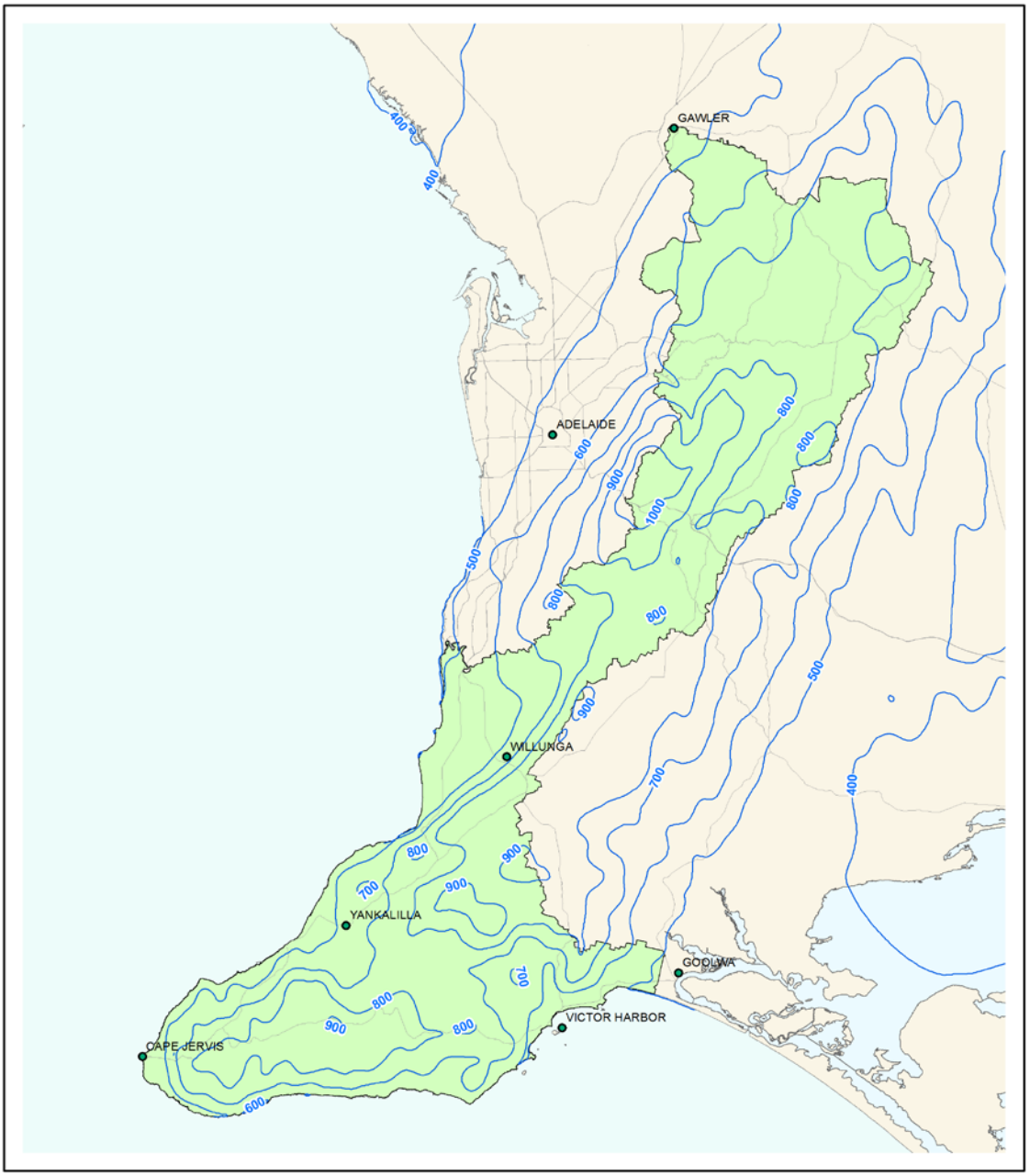
   on the basis that 1 mm of rain per square metre of roof yields 1 litre of water and using the relevant map of those appended as Attachments 1-7 to determine the average annual rainfall.
4. All water taken pursuant to this authorisation must be directed to closed water storage facilities (holding tanks).
5. Any water collected pursuant to this authorisation that overflows from a holding tank(s) must be released into the environment through the existing surface water drainage arrangements and must not be recaptured or redirected, unless otherwise authorised.
6. This authorisation will not apply where the Minister determines that the collection of rainwater from a particular roof by a person in a particular Surface Water Prescribed Area has or will have a detrimental effect on the ability of the holders of water licences in the same Surface Water Prescribed Area to exercise their rights in respect of the allocations endorsed on their licences and the Minister notifies the person in writing of that determination.

This authorisation commences on the date below and will remain in effect unless subsequently varied or revoked.

Dated: 16 June 2019

DAVID SPEIRS
Minister for Environment and Water

ATTACHMENT 1



Average Annual Rainfall of the Western Mount Lofty Ranges Prescribed Water Resources Area

Major Town
Annual Rainfall Isohyet (mm)
Major Road
Prescribed Water Resources Area

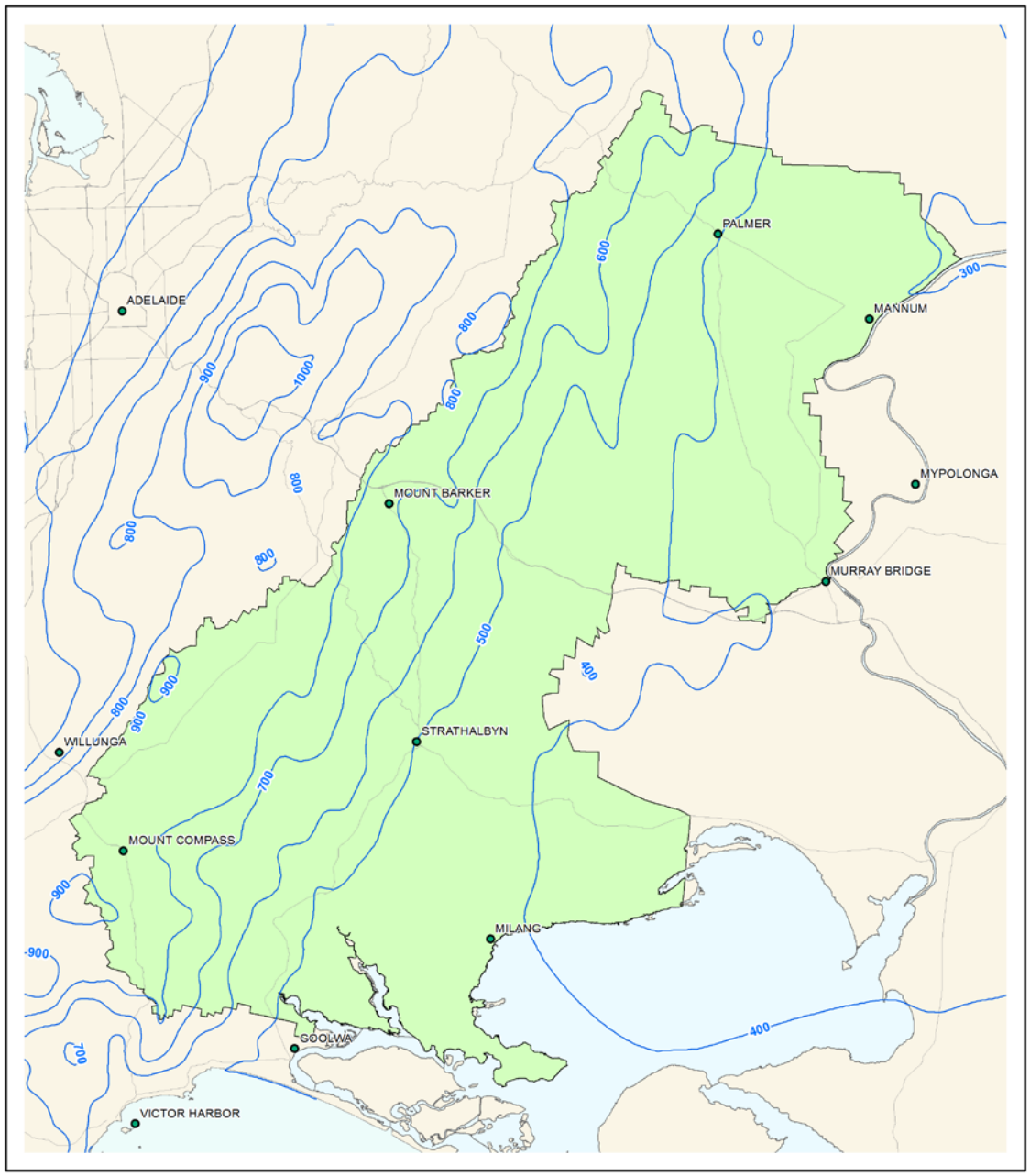
N

0 5 10 20 30 40 km

Produced By: Science, Monitoing and Information Branch
Department of Environment and Water
Projection: Lambert Conformal Conic
Datum: Geocentric Datum of Australia 1994
Date: January 2019

Government of South Australia
Department for Environment and Water

ATTACHMENT 2



Average Annual Rainfall of the Eastern Mount Lofty Ranges Prescribed Water Resources Area

Major Town
Annual Rainfall Isohyet (mm)
Major Road
Prescribed Water Resources Area

N

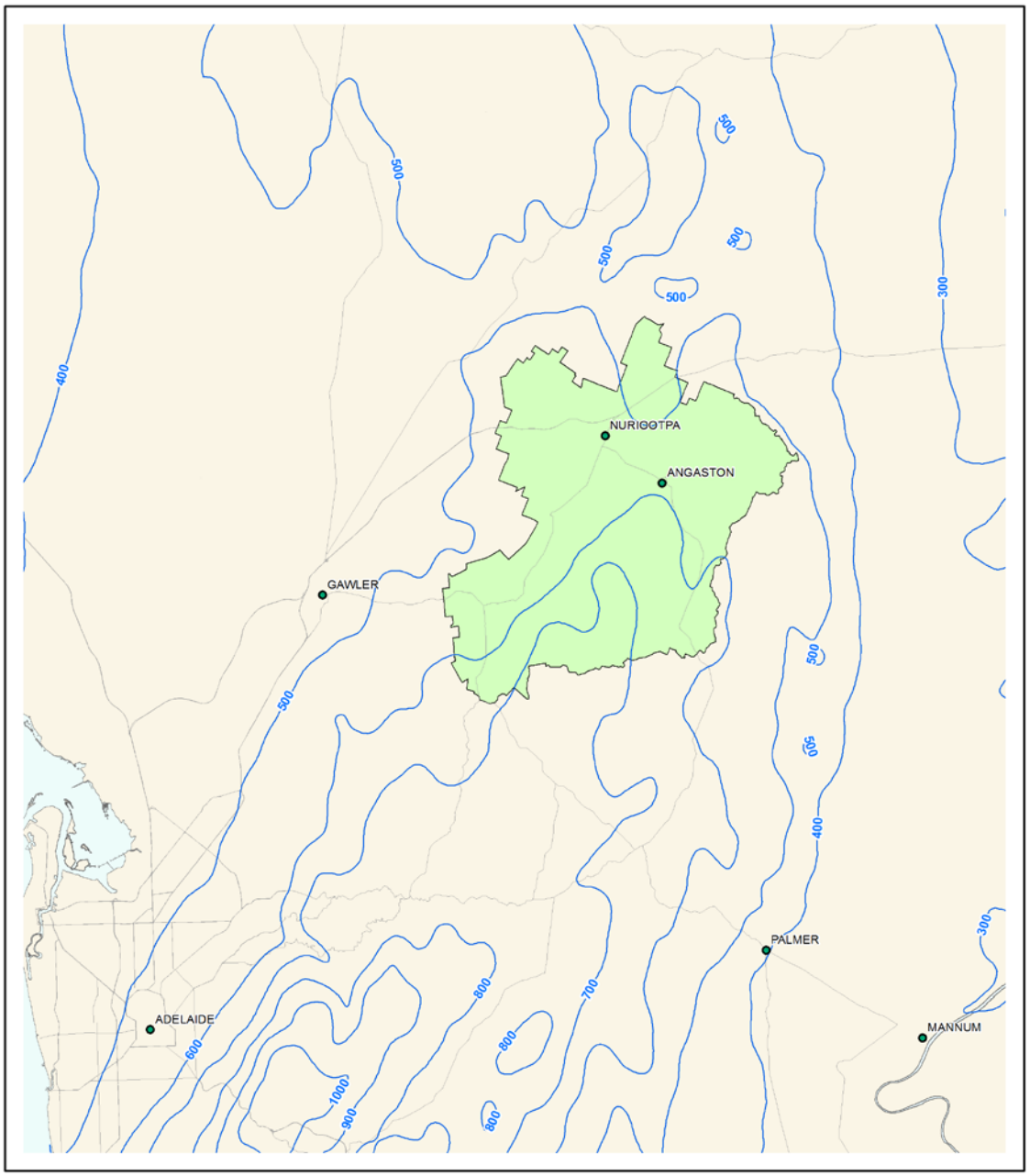
0 5 10 20 30 km

Produced By: Science, Monitoing and Information Branch
Department of Environment and Water
Projection: Lambert Conformal Conic
Datum: Geocentric Datum of Australia 1994
Date: January 2019

CC BY

Government of South Australia
Department for Environment and Water

ATTACHMENT 3



Average Annual Rainfall of the Barossa Prescribed Water Resources Area

Major Town
Annual Rainfall ISohyet (mm)
Major Road
Prescribed Water Resources Area

N

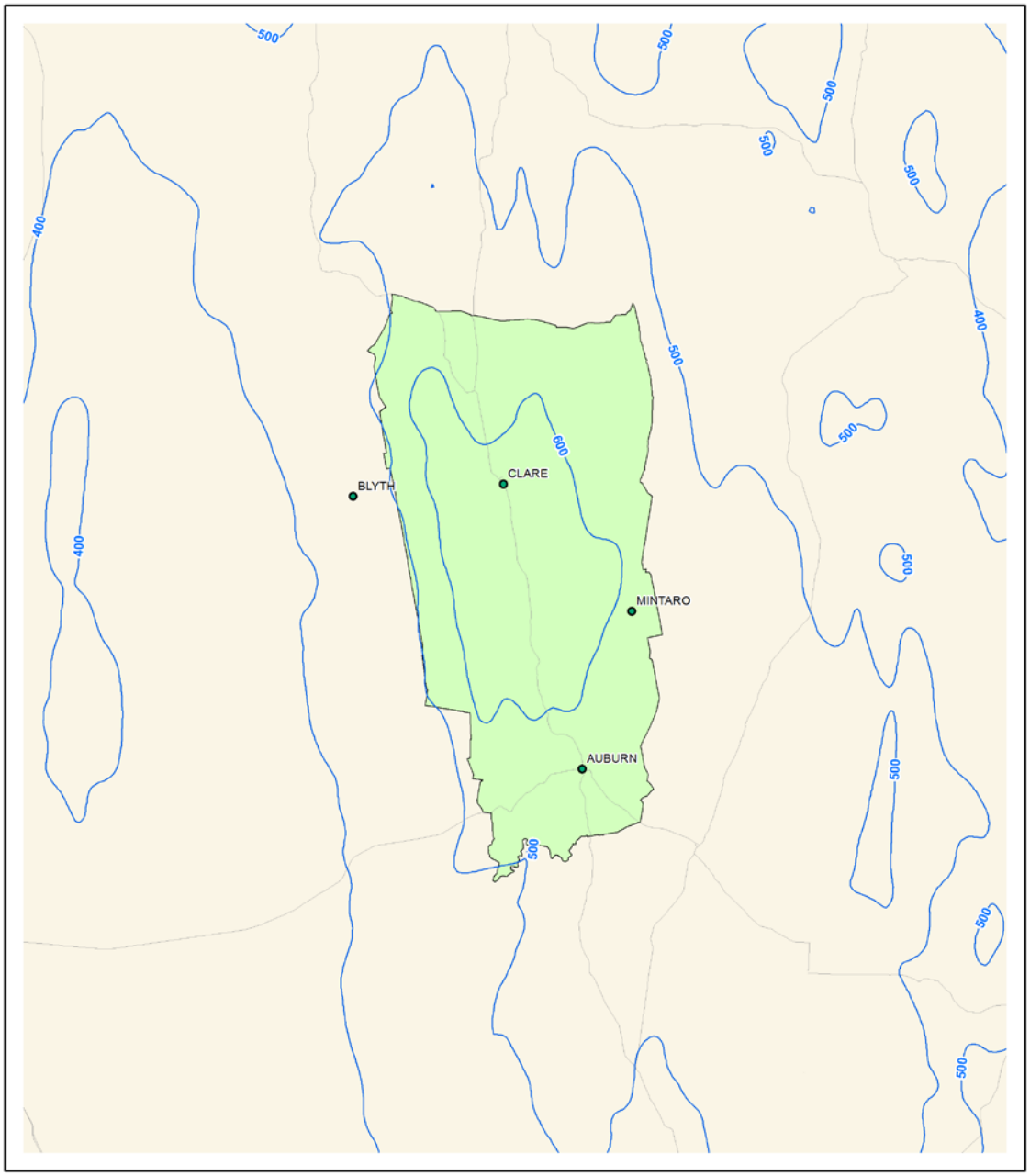
0 5 10 20 30 km

Produced By: Science, Monitoring and Information Branch
Department for Environment and Water
Projection: Lambert Conformal Conic
Datum: Geocentric Datum of Australia 1994
Date: January 2019

CC BY

Government of South Australia
Department for Environment and Water

ATTACHMENT 4



Average Annual Rainfall of the Clare Valley Prescribed Water Resources Area

Major Town
Annual Rainfall Isohyet (mm)
Major Road
Prescribed Water Resources Area

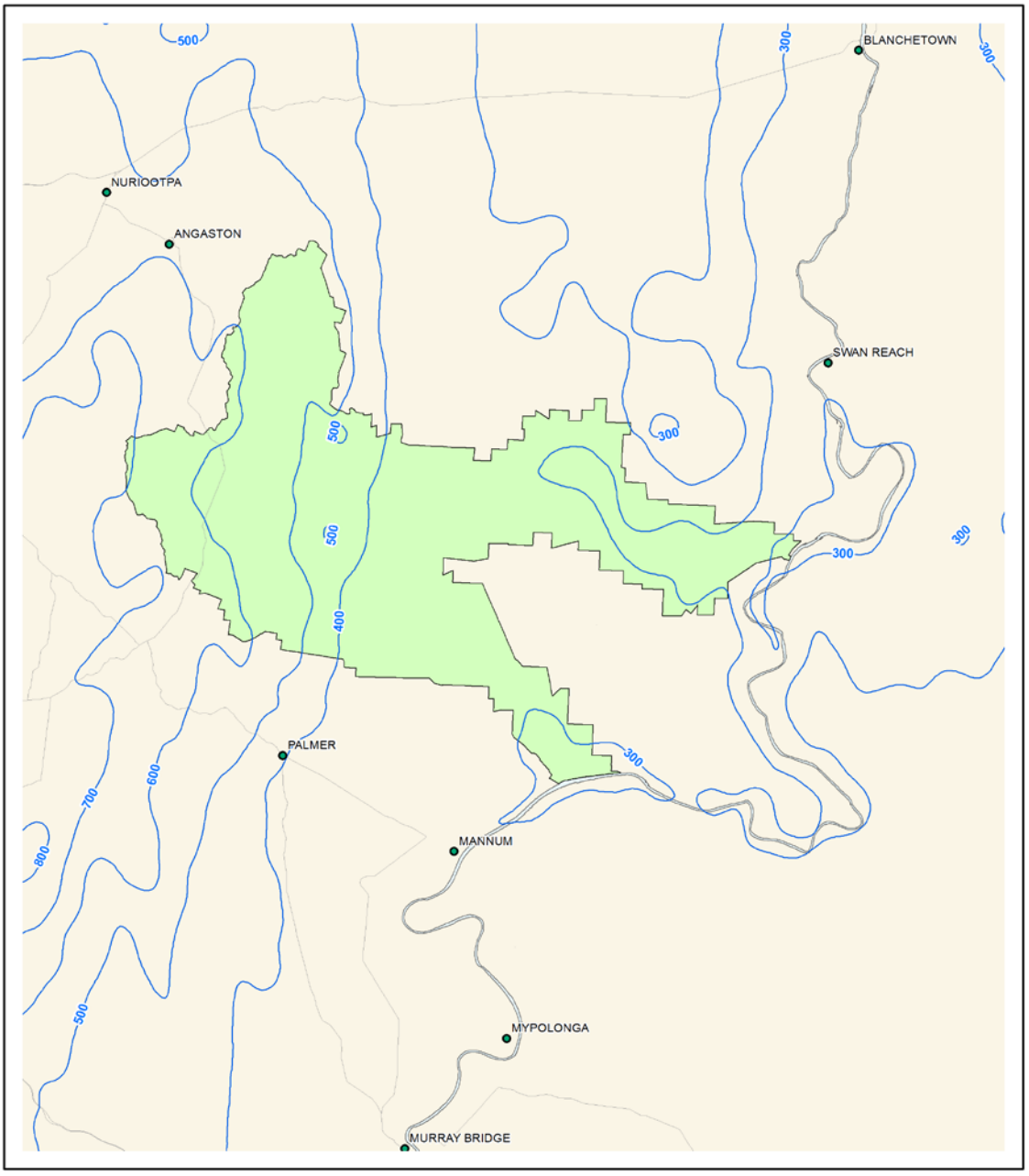
N

0 10 20 30 km

Produced By: Science, Monitoing and Information Branch
Department of Environment and Water
Projection: Lambert Conformal Conic
Datum: Geocentric Datum of Australia 1994
Date: January 2019

Government of South Australia
Department for Environment and Water

ATTACHMENT 5



Average Annual Rainfall of the Marne River and Saunders Creek Prescribed Water Resources Area

Major Town
Annual Rainfall Isohyet (mm)
Major Road
Prescribed Water Resources Area

N

0 5 10 20 30 km

Produced By: Science, Monitoring and Information Branch
Department for Environment and Water
Projection: Lambert Conformal Conic
Datum: Geocentric Datum of Australia 1994
Date: January 2019

Government of South Australia
Department for Environment and Water

ATTACHMENT 6

Average Annual Rainfall of the Morambro Creek Prescribed Surface Water Area

Major Town
Annual Rainfall Isohyet (mm)
Major Road
Prescribed Surface Water Area

N

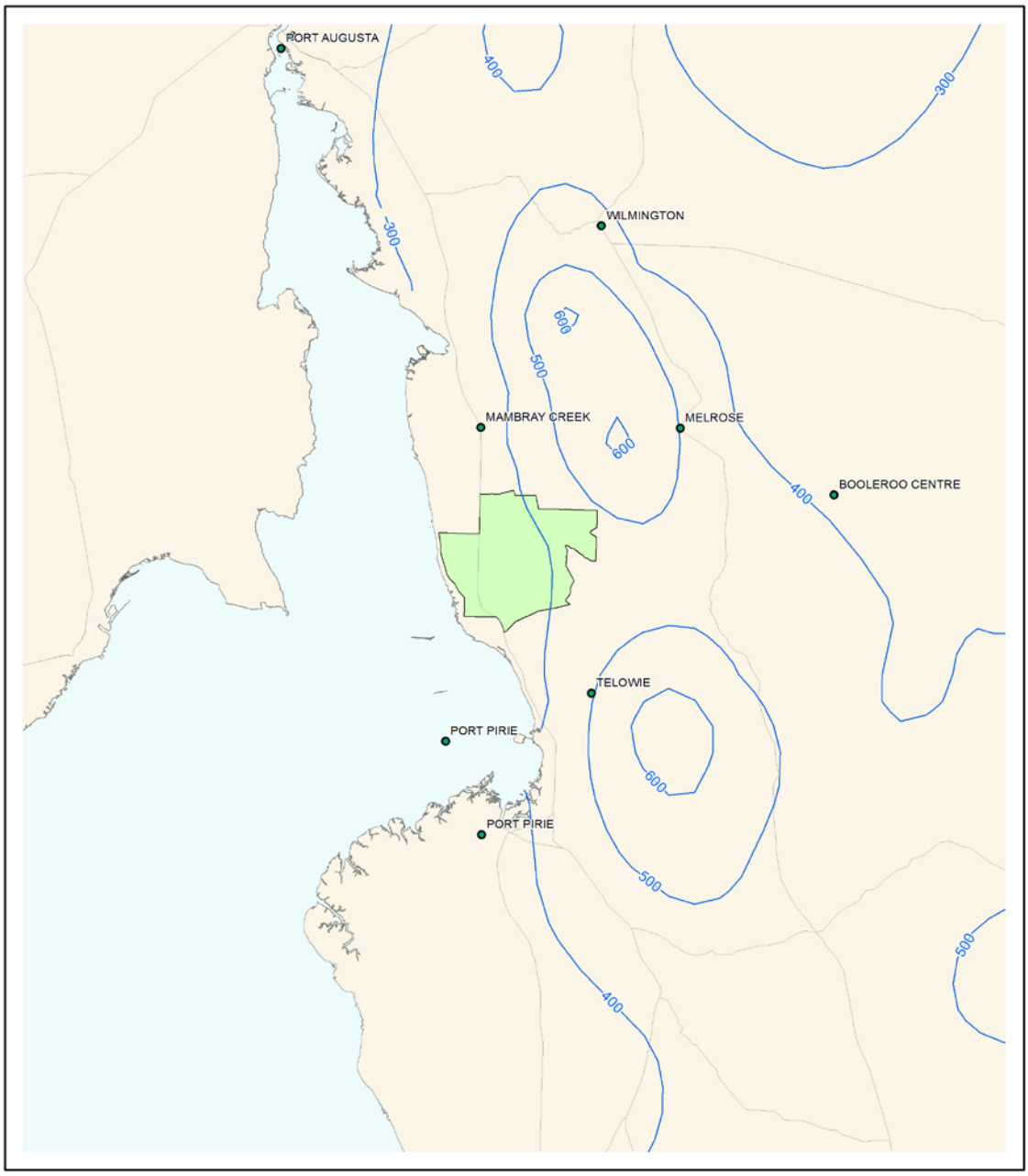
0 5 10 20 30 km

Produced By: Science, Monitoring and Information Branch
Department for Environment and Water
Projection: Lambert Conformal Conic
Datum: Geocentric Datum of Australia 1994
Date: January 2019

CC BY

Government of South Australia
Department for Environment and Water

ATTACHMENT 7



NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Authorisation to Take Water from the Central Adelaide Prescribed Wells Area.

PURSUANT to section 128 of the *Natural Resources Management Act 2004* (the Act), I, David Speirs, Minister for Environment and Water (the Minister) to whom the Act is committed, hereby authorise the Department of Planning, Transport and Infrastructure to take groundwater from wells within the Central Adelaide Prescribed Wells Area prescribed under the *Natural Resources Management (Central Adelaide—Prescribed Wells Area) Regulations 2007* in the areas specified in Schedule A, for the purpose set out in Schedule B and subject to the conditions specified in Schedule C.

SCHEDULE A

Area

Hundred of Noarlunga:

Certificate of Title	Allotment	Plan
CT6149/961	A2	D12512
CT6171/660	A150	F218080

SCHEDULE B

Purpose

Dewatering – Protection of subsurface infrastructure associated with Oakland's Rail Crossing

SCHEDULE C

Condition

1. A maximum total volume of 11,000 kilolitres of water may be taken per year from the Quaternary aquifer from the date of publication of this notice until 30 June 2022. Water may only be taken when the groundwater level intercepts the rail track sub-soil drain level (at 11.3m RL), as specified in the Preliminary Hydrogeological Review – Oakland's Rail Crossing Grade Separation (Golder, February 2018) and presents a risk to subsurface infrastructure.
2. The water user must monitor the water level (quarterly) of the target quaternary aquifer via well unit number 6627-15440 (Well ref. W2) and use the data collected to estimate the volume of any groundwater interception occurring within the sub-soil drainage infrastructure, as part of the ongoing management and operation of the infrastructure.
3. The water user must submit an annual report detailing observations from water level monitoring. The annual report must detail instances of groundwater level intercepting the sub-soil drainage infrastructure associated with the Oakland's Rail Crossing Infrastructure.
4. The annual report must be submitted to the Minister or the Minister's agent at the end of July of each water use year (commencing in 2020).

For the purposes of this authorisation:

'Water user' means a person who is authorised to take water pursuant to this notice.

Words used in this authorisation that are defined in the Act shall have the meanings as set out in the Act.

This authorisation will commence on the date below and will remain in effect until 30 June 2022 unless earlier varied or revoked.

Dated: 25 June 2019

DAVID SPEIRS
Minister for Environment and Water

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Authorisation to Take Water from the Gawler River Prescribed Watercourse—Ref. 291759

PURSUANT to Section 128 of the *Natural Resources Management Act 2004* ('the Act'), I, David Speirs, Minister for Environment and Water ('the Minister') in the State of South Australia and the Minister to whom the Act is committed, hereby authorise the taking of water from the Gawler River Prescribed Watercourse (which is part of the Western Mount Lofty Ranges Prescribed Water Resources Area prescribed under the Act) within the areas specified in Schedule A, for the purposes set out in Schedule B and subject to the conditions specified in Schedule C.

SCHEDULE A

Areas

Allotment (reserve) 47 of Deposited Plan 94551, within the Hundred of Mudla Wirra.

SCHEDULE B

Purpose

To supply water to municipal and agricultural users either directly or via managed aquifer recharge and recovery activities, through the operation of the Gawler Water Reuse Scheme.

SCHEDULE C

Conditions

1. Water may only be taken from the date of publication of this notice until 30 June 2020.
2. A maximum volume of 3,200 megalitres of surface water each water use year may be taken from the Gawler River Prescribed Watercourse during the period referred to in Condition 1 above.
3. Water must not be taken from the Gawler River Prescribed Watercourse when the rate of flow in the River at an approved point where water will be taken is less than 616 litres per second (threshold flow rate). The authorised water user must record flow rate immediately prior to and after each extraction of water from the Gawler River Prescribed Watercourse.
4. Structures associated with the purpose must be consistent with the objectives and principles of Section 8 (in particular section 8.5) of the Western Mount Lofty Ranges Prescribed Water Resources Area Water Allocation Plan and standards and guidelines as approved by the Minister or his representative.
5. Monitoring of surface water flow, volumes or water quality associated with the purpose must be consistent with relevant standards and guidelines as approved by the Minister or his representative.
6. The authorised water user must not take water except through a meter(s), supplied, installed and maintained in accordance with the South Australian Licensed Water Use Meter Specification approved by the Minister as may be amended from time to time.

7. The authorised water user must take meter readings(s) from each meter through which water is taken pursuant to this authorisation. The authorised water user must monitor and record timing and volumes of extraction.
8. The authorised water user must provide the data collected in accordance with Condition 3 and 7 to the Minister's representative before the last day of July each water use year.
9. The water user must notify the Minister's representative immediately if a meter fails to measure or record any quantity of water taken under this authorisation or if there is any reason to suspect that a meter may be defective.
10. The water user must comply with the provisions applying to meters set out in Regulation 14 of the *Natural Resources Management (Financial Provisions) Regulations 2005*. It is an offence to contravene or fail to comply with those provisions.

For the purposes of this authorisation:

'Water use year' means a period of 12 months commencing on 1 July and ending 30 June the following calendar year.

Words used in this authorisation that are defined in the Act shall have the meanings as set out in the Act.

This authorisation will commence on the date below and will remain in effect until 30 June 2020 unless earlier varied or revoked.

Dated: 24 June 2019

DAVID SPEIRS
Minister for Environment and Water

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Volume of Water Available for Allocation from the River Murray Consumptive Pool

PURSUANT to section 146 (4) of the *Natural Resources Management Act 2004* ('the Act'), I, David Speirs, Minister for Environment and Water and Minister to whom the Act is committed, hereby determine the volume of water available for allocation from each of the River Murray Prescribed Watercourse's Consumptive Pools to water access entitlement holders for the period 1 July 2019 to 30 June 2020, as set out below:

Consumptive Pool	Classes	Volume of water available for allocation	Water Access Entitlement	Water Allocation Rate as % of Nominal Maximum Water Allocation Rate of 1 kL/unit share
		kL	unit share	(%)
Metropolitan Adelaide	Class 6	37,700,000	130,000,000	29
All Purpose	Class 1	8,368,662	8,368,662	100
	Class 2	34,000,000	50,000,000	68
	Class 3	158,027,535	607,798,212	26
	Class 5	5,568,841	5,568,841	100
	Class 8	5,772,000	22,200,000	26
All Purpose	**Sub Total**	**211,737,038**	**693,935,715**	
Wetland	Class 9	38,953,915	38,953,915	100
Environmental	*Class 9	7,244,800	7,244,800	100
	Total	**295,635,753**	**870,134,430**	

* Riverine Recovery Program

This Notice will remain in effect until 30 June 2020, unless earlier varied.

Dated: 25 June 2019

DAVID SPEIRS
Minister for Environment and Water

NOTICE TO MARINERS

NO. 19 OF 2019 (TEMPORARY)

South Australia – Port Adelaide – Birkenhead Bridge – Maintenance Works

The Department of Planning, Transport and Infrastructure will be undertaking maintenance works on the Birkenhead Bridge between Tuesday 2 July 2019 and Friday 5 July 2019.

Works will be undertaken each day between 9am and 4pm during which the bridge is unable to be opened.

Mariners are advised to navigate with extreme caution in the vicinity.

Chart affected: Aus 137

Dated: 20 June 2019

GORDON PANTON
Manager Maritime Safety
Department of Planning, Transport and Infrastructure

2017/02277/01
www.dpti.sa.gov.au

NOTICE TO MARINERS

NO. 20 OF 2019

South Australia – Goolwa Channel – New Beacons

Mariners are advised that all existing navigation beacons in the Goolwa Channel between the Goolwa Barrage and the Murray Mouth have either been relocated or upgraded, and have been re-numbered. All beacons are now lit with lights with a 2 nautical mile range. Positions of all beacons in this area are provided in the table below.

Beacon No	Type	Latitude	Longitude	Light Characteristics
18	Port	35° 31’ 36.18” S	138° 48’ 43.67” E	Fl R 2s
16	Port	35° 31’ 39.93” S	138° 49’ 07.70” E	Fl R 4s
11	Starboard	35° 31’ 36.96” S	138° 49’ 08.24” E	Fl G 2s
9	Starboard	35° 31’ 43.43” S	138° 49’ 28.34” E	Fl G 4s
14	Port	35° 31’ 49.84” S	138° 49’ 41.19” E	Fl R 2s
7	Starboard	35° 31’ 53.71” S	138° 49’ 57.61” E	Fl G 2s
12	Port	35° 32’ 00.25” S	138° 50’ 05.07” E	Fl R 4s
10	Port	35° 32’ 05.40” S	138° 50’ 28.82” E	Fl R 2s
5	Starboard	35° 32’ 11.95” S	138° 50’ 50.04” E	Fl G 4s
8	Port	35° 32’ 23.73” S	138° 51’ 02.51” E	Fl R 4s
6	Port	35° 32’ 39.22” S	138° 51’ 16.07” E	Fl R 2s
3	Starboard	35° 32’ 47.24” S	138° 51’ 33.19” E	Fl G 2s
1	Starboard	35° 32’ 49.90” S	138° 51’ 53.11” E	Fl G 4s
4	Port	35° 32’ 52.36” S	138° 52’ 14.29” E	Fl R 4s
2	Port	35° 32’ 56.89” S	138° 52’ 30.07” E	Fl R 2s

Mariners are advised to navigate with caution in the area.

Dated: 20 June 2019

GORDON PANTON
Manager Maritime Safety
Department of Planning, Transport and Infrastructure

2017/02277/01
www.dpti.sa.gov.au

NOTICE TO MARINERS

NO. 21 OF 2019

South Australia – North Haven – New Beacon Light Characteristics

Mariners are advised that the light characteristics of the following beacons at the North Haven marina have been modified as per table below. The positions of the beacons remain unchanged.

Beacon	Latitude	Longitude	Light Characteristics	Range (nm)
Port (entrance)	34° 47’ 40.90” S	138° 28’ 56.88” E	Fl R 2s	4
Starboard (entrance)	34° 47’ 44.46” S	138° 28’ 54.28” E	Fl G 2s	4
Front Lead	34° 47’ 41.88” S	138° 29’ 05.79” E	F Bu	2

Mariners are advised to navigate with caution in the area.

Charts affected: Aus 130, 137, 781

Dated: 25 June 2019

GORDON PANTON
Manager Maritime Safety
Department of Planning, Transport and Infrastructure

2017/02277/01
www.dpti.sa.gov.au

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

TEMPORARY CESSATION OF SUSPENSION

Petroleum Exploration Licence PEL 94

Associated Activities Licence AAL 200

Pursuant to section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the suspension of PEL 94 and AAL 200 dated 28 March 2019 has been temporarily ceased, for the period 15 July 2019 to 19 July 2019 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of PEL 94 and AAL 200 remains as 4 November 2021.

Dated: 19 June 2019

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

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

TEMPORARY CESSATION OF SUSPENSION

Petroleum Exploration Licence PEL 570

Pursuant to section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the suspension of PEL 570 dated 16 January 2019 has been temporarily ceased, for the period 22 June 2019 to 28 June 2019 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of PEL 570 remains as 3 September 2021.

Dated: 18 June 2019

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

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

NOTICE UNDER SCHEDULE 8 – CLAUSE 9(7)

Revocation of Development Plans

Preamble

The Minister may, by notice in the gazette, revoke a Development Plan where it is considered that it is no longer required or appropriate for the purposes of the *Development Act 1993 or* the *Planning, Development and Infrastructure Act 2016.*

On 1 July 2019 the Planning and Design Code under the *Planning, Development and Infrastructure Act 2016* as applying to land not within a council (the Outback Code) came into effect. Accordingly, the Land Not Within a Council Area (Coastal Waters) Development Plan, the Land Not Within a Council Area Eyre, Far North, Riverland and Whyalla Development Plan and the Land Not Within a Council Area (Flinders) Development Plan are no longer required and should be revoked.

NOTICE

PURSUANT to Schedule 8 clause 9(7) of the *Planning, Development and Infrastructure Act 2016*, I, **Stephan Knoll,** Minister for Planning, hereby revoke the following Development Plans created under the *Development Act 1993* from **1 July 2019**:

a. Land Not Within a Council Area (Coastal Waters) Development Plan

b. Land Not Within a Council Area Eyre, Far North, Riverland and Whyalla Development Plan

c. Land Not Within a Council Area (Flinders) Development Plan

Dated: 26 June 2019

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

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

NOTICE UNDER SECTION 42

Practice Directions

Preamble

The State Planning Commission may issue a practice direction for the purposes of this Act.

A practice direction may specify procedural requirements or steps in connection with any matter arising under this Act.

NOTICE

PURSUANT to section 42 (4) (a) of the *Planning, Development and Infrastructure Act 2016*, I, **Michael Lennon,** State Planning Commission Chairperson,

a. issue the State Planning Commission Practice Direction (Notification of Performance Assessed Development Applications) 2019.

b. issue the State Planning Commission Practice Direction (Restricted and Impact Assessed Development) 2019.

c. issue the State Planning Commission Practice Direction (Appointment of Additional Members to an Assessment Panel) 2019.

d. issue the State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019.

e. fix the day on which these practice directions are published on the South Australian Planning Portal as the day on which the practice directions will come into operation.

Dated: 24 May 2019

MICHAEL LENNON
State Planning Commission Chairperson

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

NOTICE—SECTION 42(4)(A)

Issuing a Practice Direction

Preamble

The State Planning Commission may issue a practice direction for the purposes of this Act.

A practice direction may specify procedural requirements or steps in connection with any matter arising under this Act.

NOTICE

PURSUANT to section 42 (4) (a) of the *Planning, Development and Infrastructure Act 2016*, I, **Michael Lennon,** State Planning Commission Chairperson,

a. Issue the State Planning Commission Practice Direction (Out of Council Areas Inspection Policy) 2019.

b. Fix the day on which this practice direction is published on the South Australian Planning Portal as the day on which the practice direction will come into operation.

Dated: 21 June 2019

MICHAEL LENNON
State Planning Commission Chairperson

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 80(1)

Publication of Ministerial Building Standards

Preamble

1. Section 80(1) of the *Planning, Development and Infrastructure Act 2016* provides that the Minister for Planning may, after consultation with the State Planning Commission, publish Ministerial Building Standards that relate to building matters.
2. Section 3(1) of the *Planning, Development and Infrastructure Act 2016* provides that the ***Building Rules*** meaning includes the Ministerial Building Standards published by the Minister under the Act.

NOTICE

PURSUANT to section 80(1) of the *Planning, Development and Infrastructure Act 2016*, I, Stephan Knoll, being the Minister administering the *Planning, Development and Infrastructure Act 2016*, hereby give notice that the following Ministerial Building Standards have been published and now form part of the ***Building Rules*** under the Act:

1. Ministerial Building Standard MBS 001 – Upgrading health and safety in existing buildings, dated July 2019.
2. Ministerial Building Standard MBS 002 – Maintaining the performance of essential safety provisions, dated July 2019.
3. Ministerial Building Standard MBS 003 – Fire safety in caravan parks and residential parks, dated July 2019.
4. Ministerial Building Standard MBS 004 – Swimming pool safety – designated safety features for pools built before 1 July 1993, dated July 2019.
5. Ministerial Building Standard MBS 005 – Additional requirements for housing on designated Aboriginal lands, dated July 2019.
6. Ministerial Building Standard MBS 006 – Modifications to the application of the Building Code, dated July 2019.

These Standards have been published on the SA Planning portal at www.saplanningportal.sa.gov.au.

This notice will come into force on 1 July 2019.

Dated: 26 June 2019

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

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL) REGULATIONS 2017

CORRIGENDUM

NOTICE OF DECISION - REGULATION 46 (2) (A)

Determination by the Minister of the form for an application to a prescribed body under Regulation 46 (2) (a)

In *Government Gazette* No. 29, published on 20 June 2019, the second notice on page 2180 was missing the related form attachment. The full notice is replaced below:

Preamble

Regulation 46 (2) (a) of the Planning, Development and Infrastructure (General) Regulations 2017 provides that an application to a prescribed body for the purposes of Section 123 of the *Planning, Development and Infrastructure Act 2016* must be made in a form determined by the Minister for Planning (being a form published by the Minister in the Gazette).

NOTICE

PURSUANT to Regulation 46 (2) (a) of the Planning, Development and Infrastructure (General) Regulations 2017, I, Stephan Knoll, being the Minister administering the *Planning, Development and Infrastructure Act 2016*, have determined that the form contained in 'Attachment A' comprises the form for an application to a prescribed body for the purposes of Section 123 of the *Planning, Development and Infrastructure Act 2016*.

This notice will come into force on 1 July 2019

Dated: 12 June 2019

STEPHAN KNOLL
Minister for Planning

ATTACHMENT A

PRELIMINARY ADVICE AND AGREEMENT REQUEST FORM

Section 123 of the *Planning, Development and Infrastructure Act 2016* /
Regulation 46 of the *Planning, Development and Infrastructure (General) Regulations 2017*

Referral Agency: .....

Proponent name: .....

Postal address: .....

Contact person for further information: .....

Telephone: (1) ..... (2) .....

Email: .....

Relevant authority case manager (if applicable): .....

Telephone: ..... **Email:** .....

DEVELOPMENT DETAILS

Description of development:	
Floor area (m^2):	Maximum height (m):

LOCATION OF PROPOSED DEVELOPMENT

Unit no	Street no	Level	Lot no
Street name		State	Postcode
Suburb		Council area	
Section no	Hundred	Volume	Folio

Other referral agencies consulted: .....

Attached plans/documents: .....

.....

Signature: .....**Date:** .....

NOTE TO APPLICANTS:

This Pre-Lodgement Agreement Request Form is to be lodged with the relevant Referral Agency in order to initiate formal discussions under Section 123 of the *Planning, Development and Infrastructure Act 2016*. The decision whether to undertake such formal discussion is at the discretion of the relevant Referral Agency.

A decision to commence formal discussions does not commit any party to sign a pre-lodgement agreement. Any party can discontinue formal discussions at any stage. In such cases a Development Application can be lodged and be subject to standard referral procedures under section 122 of the *Planning, Development and Infrastructure Act 2016*.

Any signed agreement will incorporate the signed and stamped plans and reports that form part of the agreement. Any variation or deletion to such plans/reports will require an amended agreement or section 122 referral.

The agreement is only valid if the application, including the agreement and associated stamped plans and reports, are lodged with the relevant planning authority within 1 year of the agreement being signed and dated (unless the relevant authority determines that the agreement is no longer appropriate due to the operation of section 132).

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL) REGULATIONS 2017

CORRIGENDUM

NOTICE OF DECISION - REGULATION 57 (1)

Determination by the Minister of the form for a notice of a decision under Regulation 57 (1)

In *Government Gazette* No. 29, published on 20 June 2019, the third notice on page 2180 was missing the related form attachment. The full notice is replaced below:

Preamble

Regulation 57 (1) of the Planning, Development and Infrastructure (General) Regulations 2017 provides that notice of a decision on an application under Part 7 of the *Planning, Development and Infrastructure Act 2016* (other than Subdivision 4 of Division of that Part) must be given in a form determined by the Minister for Planning (being a form published by the Minister in the Gazette).

NOTICE

PURSUANT to Regulation 57(1) of the Planning, Development and Infrastructure (General) Regulations 2017, I, Stephan Knoll, being the Minister administering the *Planning, Development and Infrastructure Act 2016*, have determined that the form contained in 'Attachment A' comprises the form for a notice of a decision on an application given under Part 7 of the *Planning, Development and Infrastructure Act 2016* (other than Subdivision 4 of Division 2 of that Part).

The form may be adapted into a digital format for use on the SA planning portal.

This notice will come into force on 1 July 2019

Dated: 12 June 2019

STEPHAN KNOLL
Minister for Planning

ATTACHMENT A

DECISION NOTIFICATION FORM

Section 126(1) of the *Planning, Development and Infrastructure Act 2016*

TO THE APPLICANT:

Name: .....

Postal address: .....

Email: .....

IN REGARD TO:

Development application number:		Lodged on:	
Nature of proposed development:			

LOCATION OF PROPOSED DEVELOPMENT:

Unit no	Street no	Level	Lot no
Street name			
Suburb		State	Postcode
Section no	Hundred	Volume	Folio

DECISION:

Decision type	**Decision** (granted/refused)	**Decision date**	**No. of conditions**	**No. of reserved matters**	**Entity responsible for decision** (relevant authority)
Planning consent					
Land division consent					
Building consent					
Development approval					

FROM THE RELEVANT AUTHORITY: .....

Date: .....

INFORMATION TO BE INCLUDED ON DECISION TO GRANT A **MINOR VARIATION** PURSUANT TO REGULATION 65

MINOR VARIATION TO PREVIOUS AUTHORISATION:

Consent affected	**Description of minor variation**	**Date minor variation endorsed***	**Entity responsible for decision**

**date minor variation endorsed does not affect operative date of original consent*

CONDITIONS OF PLANNING CONSENT:

1.
2.
3.

Conditions imposed by prescribed body under section 122 of the Act:

4.
5.

Reserved matters under section 102(3) of the Act:

1.

CONDITIONS OF LAND DIVISION CONSENT:

1.
2.

CONDITIONS OF BUILDING CONSENT:

1.
2.

ADVISORY NOTES:

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 12 months from its operative date, subject to the below.
4. An approved development must be substantially commenced within 12 months of the date of Development Approval, and completed within 3 years from the operative date of the approval, unless this period has been extended by the relevant authority.
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
   (a) until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
   (b) if an appeal is commenced—
      (i) until the appeal is dismissed, struck out or withdrawn; or
      (ii) until the questions raised by the appeal have been finally determined (other than any question as to costs).

INFORMATION TO BE INCLUDED ON DECISION TO GRANT DEVELOPMENT APPROVAL PURSUANT TO SECTION 99(4) OF THE ACT

CONTACT DETAILS OF CONSENT AUTHORITIES:

Name: ..... Type of consent: .....

Postal Address: .....

Telephone: ..... Email: .....

Name: ..... Type of consent: .....

Postal Address: .....

Telephone: ..... Email: .....

INFORMATION TO BE INCLUDED ON DECISION TO GRANT BUILDING CONSENT

Building classification/s: .....

Approved no of occupants: .....

Essential safety provisions apply ☐ YES ☐ NO

CERTIFICATE OF BUILDING INDUSTRY INSURANCE:

Domestic building work must not commence before a copy of the certificate of building industry insurance has been lodged with the relevant authority. If not already lodged, you must lodge the required certificate of insurance before notice is given of intended commencement of building work (regulation 36).

Certificate of building industry insurance received ☐ YES ☐ NO

REQUIRED NOTIFICATIONS:

You are advised that notice and/or documentation must be provided to council when the following stages of building work are reached (*Regulation 93*):

☐ **One day's notice of the intended commencement of building work**

☐ **One or two days' notice** *(as relevant)* **of the following stages of building work:**

.....

.....

.....

☐ **One day's notice of the intended commencement of the installation of a designated building product on a designated building**

☐ **Provision of a completed supervisor's checklist in relation to the installation of a designated building product**

☐ **One business day's notice of the intended completion of the following stages of work:**

.....

.....

.....

☐ **Notice of completion of the building work, including a completed Statement of Compliance and relevant documentation**

On completion of building work, a Statement of Compliance must be completed in accordance with the Planning, Development and Infrastructure (General) Regulations 2017. A blank copy of a Statement of Compliance is available on the SA planning portal. Any certificates, reports or relevant documents that are required to be provided with the Statement (as listed in the building consent) must be forwarded to the building certifier or council (as relevant) with the completed Statement.

BUILDING OCCUPATION/COMPLETION:

A Certificate of Occupancy is required before the building can be occupied ☐ YES ☐ NO

Contact details of inspection authority:

Name: .....

Email .....

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL) REGULATIONS 2017

CORRIGENDUM

REGULATION 125 (1)

Determination by the Minister of the form for a disclosure of a commercial competitive interest under Regulation 125 (1)

In *Government Gazette* No. 29, published on 20 June 2019, the first notice on page 2179 was missing the related form attachment. The full notice is replaced below:

Preamble

Regulation 125 (1) of the Planning, Development and Infrastructure (General) Regulations 2017 provides that a disclosure of a commercial competitive interest under Section 208 (3) of the *Planning, Development and Infrastructure Act 2016* must be in the form determined by the Minister for Planning (being the form published by the Minister in the Gazette).

NOTICE

PURSUANT to Regulation 125 (1) of the *Planning, Development and Infrastructure (General) Regulations 2017*, I, Stephan Knoll, being the Minister administering the *Planning, Development and Infrastructure Act 2016* have determined that the form contained in 'Attachment A' comprises the form for a disclosure of a commercial competitive interest under Section 208 (3) of the *Planning, Development and Infrastructure Act 2016*.

The form may be adapted into a digital format for use on the SA planning portal.

This notice will come into force on 1 July 2019

Dated: 12 June 2019

STEPHAN KNOLL
Minister for Planning

ATTACHMENT A

Commercial competitive interest

Notice of disclosure under the *Planning, Development and Infrastructure Act 2016*

To: The Registrar [Insert name of relevant court]

And to: [Insert names of other parties to the proceedings]

Pursuant to section 208 of the *Planning, Development and Infrastructure Act 2016* I disclose [that I have a commercial competitive interest in the proceedings described below] *or* [that I am receiving, in connection with the proceedings described below, direct or indirect financial assistance from a person who has a commercial competitive interest in the proceedings]. [strike out material that is inapplicable]

The relevant proceedings for the purposes of this notice are as follows:

[Insert details of proceedings]

The name and contact details of a person providing direct or indirect financial assistance are as follows:

[In a case where the person giving the notice is receiving direct or indirect financial assistance from a person who has a commercial competitive interest in the proceedings, it is necessary to insert the full name and address of the person who is providing that financial assistance. This item need not be completed in any other case.]

Name and contact details:

[Insert full name and address of person making disclosure - the address may be that of a legal practitioner acting on behalf of the person]

Dated this ..... day of .....

Signature of person making disclosure: .....

(or of a legal practitioner acting on behalf of that person)

This form must be given to the person required to make the relevant disclosure—

(a) to the Registrar of the relevant court—

(i) in the case of a person who has commenced the proceedings—at the time of lodging the application or other documentation that commences the proceedings;

(ii) in the case of a person who becomes a party to the proceedings—within 10 business days after becoming a party to the proceedings;

(iii) in the case of a person who provides financial assistance to another person who commences or becomes a party to any relevant proceedings—within 10 business days after the commencement of the proceedings or the date on which the other person becomes a party to the proceedings (as the case may be); and

(b) to each of the other parties to the proceedings—

(i) in the case of a person who has commenced the proceedings—within 10 business days after commencing the proceedings;

(ii) in the case of a person who becomes a party to the proceedings—within 10 business days after becoming a party to the proceedings;

(iii) in the case of a person who provides financial assistance to another person who commences or becomes a party to any relevant proceedings—within 10 business days after the commencement of the proceedings or the date on which the other person becomes a party to the proceedings (as the case may be).

If the business of a person, or the business of an associate of a person (other than the proponent of the development), might be adversely affected by a particular development on account of competition in the same market, then the person will be taken to have a commercial competitive interest in any relevant proceedings that are related to that development. The circumstances in which proceedings are related to a development include a situation where proceedings constitute a challenge to the Planning and Design Code, or to the amendment of the Planning and Design Code, that affects a development.

Relevant proceedings are any proceedings before a court arising under or in connection with the operation of the *Planning, Development and Infrastructure Act 2016* including proceedings for judicial review, but not including criminal proceedings.

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL) REGULATIONS 2017

CORRIGENDUM

SCHEDULE 8 CLAUSE 4 (1) (J)

Designation of Buildings and Building Products under Clause 4 (1) (j) of Schedule 8

In *Government Gazette* No. 29, published on 20 June 2019, the first notice on page 2181 was missing the related form attachment. The full notice is replaced below:

Preamble

1. I have determined, as Minister for Planning, to publish a notice to designate a building or class of building and a build product or kind of building product pursuant to clause 4 (1) (j) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017.
2. A *designated building* or *designated building product* are defined in a notice published by the Minister in the *Gazette* for the purposes of clause 4 (1) (j) of Schedule 8.

NOTICE

The following information is designated by the Minister for the purposes of clause 4 (1) (j) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017.

This notice will come into force on 1 July 2019

Dated: 12 June 2019

STEPHAN KNOLL
Minister for Planning

ATTACHMENT A

NOTICE A – DESIGNATED BUILDING PRODUCTS

Section 119(1)(c) of the *Planning, Development and Infrastructure Act 2016*
Schedule 8, clause 4(1)(j) of the *Planning, Development and Infrastructure (General) Regulations 2017*

Designated building

For the purposes of Schedule 8(4)(j)(i) of the Planning, Development and Infrastructure (General) Regulations 2017 a *designated building* is a building with a *Building Code* classification of:

(a) Class 2, 3, or 9 consisting of two or more storeys; or a
(b) Class 5, 6, 7 or 8 consisting of three or more storeys

Designated building product

For the purposes of Schedule 8(4)(j)(ii) of the Planning, Development and Infrastructure (General) Regulations 2017 a *designated building product* is a building product that consists of a metal panel or lining formed with an aluminium, or similar thin metal sheet material, with any type of core material.

Details relating to the designated building product

For the purposes of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, the following information must be provided with an application for building rules consent for building work that involves the installation or alteration of this *designated building product* on this *designated building*:-

Details of the *designated building product/s* used, including:

a) Product name/s;
b) Product exterior and core material composition;
c) Proposed location/s of the product/s on the building;
d) Proposed installation/fixing method/s; and
e) If the *designated building product/s* form part of a Performance Solution (as defined by the *Building Code*), the details identified in a) through d) above and the completion of Attachment A of this Notice.

NOTICE A – DESIGNATED BUILDING PRODUCTS

Section 119(1)(c) of the *Planning, Development and Infrastructure Act 2016*
Schedule 8, clause 4(1)(j) of the *Planning, Development and Infrastructure (General) Regulations 2017*

Attachment A

PERFORMANCE SOLUTION

PART 1 - GENERAL INFORMATION

Development No:

Address of project:

Description of project:

Applicant:

Owner:

Classification/s: Type of construction:
No. of storeys:

PART 2 - ASSESSMENT METHOD/S

A *designated building product/s* is being used to achieve the following *Building Code Performance Requirement/s*:

The *Building Code Assessment Method/s* being used to demonstrate compliance with the above *Performance Requirements* are (Please tick)

- ☐ Evidence (as described in A5.2) to support that the *designated building product*/s meets the *Performance Requirement*/s identified (supporting evidence to be provided).
- ☐ *Verification Methods* -
  - The *Verification Methods* in the *Building Code* (supporting evidence to be provided)
  - Other *Verification Methods* (supporting evidence to be provided)
- ☐ *Expert Judgement* (supporting evidence to be provided)
- ☐ Comparison with the *Deemed-to-Satisfy Provisions* (supporting evidence to be provided)

PART 3 - DESIGNER / CONSULTANT DETAILS

Name of designer/consultant:

Occupation/specialty:

.... / ..... / .....

Signature of designer / consultant Date

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GENERAL) REGULATIONS 2017

CORRIGENDUM

SCHEDULE 8 CLAUSE 4 (7)

Minister's Schedule 8 List of Roof Truss Information under Clause 4 (7) of Schedule 8

In *Government Gazette* No. 29, published on 20 June 2019, the second notice on page 2181 was missing the related form attachment. The full notice is replaced below:

Preamble

Clause 4 (7) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017 provides that the Minister may publish a list of roof truss information for the purposes of Clause 4 (1) (i) of the Planning, Development and Infrastructure (General) Regulations 2017 as a prescribed document under Section 119 (1) (c) of the *Planning, Development and Infrastructure Act 2016* with an application for building work that involves the installation, alteration or removal and reinstatement of a roof truss must be made in a form determined by the Minister for Planning (being a form published by the Minister in the Gazette).

NOTICE

PURSUANT to Clause 4 (7) of schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, I, Stephan Knoll, being the Minister administering the *Planning, Development and Infrastructure Act 2016*, hereby publish the list contained in 'Attachment A' as the *Minister's Schedule 8 list of roof truss information* for purposes of Clause 4 (1) (i) of the Planning, Development and Infrastructure (General) Regulations 2017.

This notice will come into force on 1 July 2019

Dated: 12 June 2019

STEPHAN KNOLL
Minister for Planning

ATTACHMENT A

MINISTER'S SCHEDULE 8 LIST OF ROOF TRUSS INFORMATION

Section 119(1)(c) of the *Planning, Development and Infrastructure Act 2016*
Schedule 8 Clause 4(7) of the *Planning, Development and Infrastructure (General) Regulations 2017*

The following information must be provided with an application for building consent for building work that involves the installation, alteration, relocation or removal and reinstatement of roof trusses.

1. A structural design report that includes-

   (a) the name of the software program or standards used; and

   (b) the inputs and discretionary parameters used in the design, for example
   - importance level for building type
   - wind load and internal pressure coefficient
   - special loads or conditions, such as water tank, air-conditioner, solar system, corrosion, attached structures taken into account
   - truss spacing
   - top and bottom chord restraint spacing
   - overhang / eaves type / fascia type
   - roofing and ceiling type
   - roof pitch.

2. Drawings showing:

   (a) roof frame layout plan showing truss locations, spans, station for truncated girder truss;
   (b) layout plans of wall framing and floor framing;
   (c) girder truss locations, boot details and lateral restraint;
   (d) top chord bracing details – layout and fixing;
   (e) top chord restraint – spacing, fixing and splicing, intermediate ties for valley truss;
   (f) bottom chord restraint – spacing, size and bracing, direct fix;
   (g) tie down details and location;
   (h) overhang details – eave supported / non-supported, structural / non-structural fascia;
   (i) hip end framing and connection details;
   (j) gable end truss – supported or free spanning;
   (k) bearing widths (70mm min);
   (l) details including truss to truss connections, web bracing, non-load bearing braced wall connections, internal supports / tie downs, laminations;
   (m) special loads – solar heating, air-conditioning, hot water service, attached structures, etc.; and
   (n) concentrated / critical load paths to support framing (including girder trusses) and internal load bearing walls / supports.

3. Details showing:

   (a) for trusses:
   - elevation of each truss – dimensions, member layout, connections, support points (at panel points), web bracing (including details), lamination details, critical design information;
   - details indicating support points (correlating with framing layout plans); and

South Australia

Public Sector (Reorganisation of Public Sector Operations—Child and Family Intensive Support System) Notice 2019

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

1—Short title

This notice may be cited as the *Public Sector (Reorganisation of Public Sector Operations—Child and Family Intensive Support System) Notice 2019*.

2—Commencement

This notice will come into operation on 1 July 2019.

3—Transfer of employees

(1) The employees of the Department for Education listed in Schedule 1 are transferred to the employment of the Department of Human Services on the same basis of engagement as applied before the transfer such that their substantive employment is transferred to the Department of Human Services.

(2) The employees of the Department for Education listed in Schedule 2, being employees engaged on a temporary or casual basis, are transferred to the employment of the Department of Human Services on the same basis of engagement as applied before the transfer, but only insofar as their temporary or casual employment is to be transferred.

(3) The employee of the Department for Child Protection listed in Schedule 3 are transferred to the employment of the Department of Human Services on the same basis of engagement as applied before the transfer such that their substantive employment is transferred to the Department of Human Services.

Schedule 1—Employees being transferred on a substantive basis

Alexandra Brazell
Alicia Neville
Alisha Sopota
Alisa Piscioneri
Amanda Tarrant

Amy Reynolds
Andrea Blair
Angela Browne
Anna Becker
Annie Lonergan
Annie Moyle
Anushia Raja Segaran
Belinda Mammone
Belinda Sassi
Belinda Willmott
Brian Rees
Briana Green
Bronwen Drinkell
Bronwyn Warren
Bronwyn Whelan
Caitlin Anear
Carlye Bowden
Carmel Hemmings
Carol Brown
Carol Toole
Carolynne Du Rieu
Casey Mason
Caterina Carbone
Catherine Castle
Catherine Staunton
Cathy Tomaselli
Ceinwen Griffiths
Celia James
Cesarie Yamuragiye
Charlotte Dean
Chelsea Hallion
Christie Button
Chrystal Newchurch
Cindy Carlier
Coby Charters
Daniel Tumminello
Darjana Nikolic
David Hammond
Deb MacKay
Debbie Grose
Debbie Higgins
Deborah Othams
Debra Thompson
Deena Cakebread
Donna Broadhurst
Ebony Roberts

Eliza Huppatz
Ellen Taylor
Emilia Willgoose
Emily Richichi
Emma Curyer
Erica Knapp
Filomena Merlino
Fiona Pinnington
Fiona Pulford
Fran Noack
Gloria Debba
Hannah Vieceli
Hayley Thiele
Heath Kerley
Helen Sleeman
Ilona MacDonald
Imelda McDonagh
Jacqueline Kranz
James Ellis
Jane Bullock
Jane Harrison
Janelle Hutt
Jasmine Miller
Jayne Rayment
Jenna Makuch
Jessica Rogers
Jessica Scott
Jill Meldrum
Jo Kelley
Jo Versteegen
Joanne Macheda
Joanne Renshaw
Joanne Walker
Jodi Schulz
John Buckell
Jordan Keipert
Josephine Carroll
Joy Mansfield
Julia Webb
Julie Henderson
Karen Bode
Karen Copping
Karen Sajn
Karen Saunders
Karenzah Westdorp
Kate Breuer

Kate Carter
Katie Bills
Katrina Heading
Katrina Ochan
Kellie van Eyk
Kelly Cooper
Kelly McLeish
Kelly Williams
Kendall Crabtree
Keren Strathearn
Kerlina George
Kerri-Ann Mitchell
Kerrin Donnelly
Kerry Beck
Kim Wright
Kirsty Dimmick
Kirsty Woolcock
Kristen Love
Kylie Reid
Lani Bates
Laura Francis
Lauren Jew
Leanne Cocks
Leanne Stewart
Lee Bagshaw
Lesley Hodgson
Linda Ramsay
Louise Loder
Lucy Campbell
Luke Travers
Maija Robinson
Mandy Hodshon
Margaret Stevenson
Marissa Askham
Martin Gare
Megan Hickman
Melinda Sanders
Melissa Blanchard
Melissa Seccafien
Merridee Dangerfield
Michelle Harmer
Miel Cowell
Namaralee Braun
Narelle Jenke
Natalie Beckett
Natalie Jager

Nicol Hatzis
Nicole Caruso
Nicole Rawson
Nina Mekisic
Peter Wood
Philip Messent
Rachael Hayes
Rachelle Dawkins
Rebecca Brewster
Rebecca Coe
Rebecca Kouba
Rebecca Sparkes
Rhea Jacobs
Riaz Hazarika
Rose Burrows
Russell Willsmore
Ruth Coulter
Ruth McIver
Sabina Jackson
Sally Kirk
Sally Wilson
Samantha King
Samantha Tonkin
Sara Burgess
Sarah Bush
Sarah Macdonald
Sasha Houthuysen
Sasha Pelekanos
Shaun Harris
Silvia O'Connor
Simone Sargent
Skye Hayes
Sonia Regan
Sonja Hamblin
Sonja Tilbrook
Sophie Allouache
Stefan Parsons
Stephanie Wheaton
Susan Marks
Suzanne O'Brien
Tamara Green
Tania Kacic
Tania Shearer
Tanieka Pillen
Tanya Bachler
Theresa Todd

Tracey Alexander
Tracey Hill
Tracey Nuske
Tracy Neldner
Tracy Power
Vanessa Gruber
Veronique Noel
Vicki Addison
Vicki Coleman
Vicki Folland
Yvette Cole

Schedule 2—Employees being transferred on a temporary or casual basis

Alison Hunter
Annalise Nicholls
Bianca Berkelaar
Caroline Goldstone
Celia Frank
Christina Handley
Christopher Patzel
Dana Campion
Danielle Fisher
Deb Fehler
Denise Scappaticci
Eliza Neander
Elizabeth Francis
Elona Koop
Emily Carey
Emma Gillett
Grant White
Jessica Weber
Joanne Holmes
Julie-Anne Jacobs
Karen Gilmour
Kerry Moore
Lynda Hutt
Marcia Carbine
Melinda Eckert
Paula Mackenzie-Brown
Sandra Byrne
Sinead Watt
Sophie Millsteed
Tegan Druce
Zoe Kaczmarek

Schedule 3—Employee being transferred on a substantive basis

Karen Frost

Made by the Premier

on 21 June 2019

DHSCS19016

ROAD TRAFFIC ACT 1961

Breath Analysing Instruments Authorisation

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 18 June, 2019, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

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

PD Number	Officer Name
74679	BATES, Damian Ronald
76867	BEASLEY, Tristan Trent
76806	DERWENT, Kent William
76603	JOHNSON, Kayla Louise
76679	JOHNSTON, Aaron Philip
76887	JURJEVIC, Gemma
76802	KENWORTHY, Joseph James
76881	LEE, Heather Anne
76685	PEECOCK, Johnathan Andrew R
75581	PYE, Rhys Alan
75684	THEODOROULAKES, Adam
76540	WOOLMAN, Duane Christopher

Dated: 18 June 2019

GRANT STEVENS
Commissioner of Police

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	130. 4 October 2018	131. 18 October 2018	132. 1 November 2018
133. 15 November 2018	134. 22 November 2018	135. 29 November 2018	136. 6 December 2018
137. 20 December 2018	138. 24 January 2019	139. 14 February 2019	140. 30 May 2019
141. 6 June 2019	142. 13 June 2019	143. 20 June 2019	144. 27 June 2019

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS FOR THE TRANSPORT AND LOGISTICS TRAINING PACKAGE TLI

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Qualification Title	Nominal Term of Training Contract	Probationary Period
Road Transport Operator #	TLI20118	Certificate II in Road Transport Terminal Operations	18 Months	60 Days

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation

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

DISTRICT COUNCIL OF MOUNT BARKER
Webber Drive, Nairne. p18 and 19

CITY OF ONKAPARINGA
St Patricks Street, Willunga South. p26

CITY OF SALISBURY
Across McCormack Crescent, Salisbury North. p1 and 2
Easement in Reserve in lot 702 in LTRO DP 121247, McCormack Crescent, Salisbury North. p1 and 2
Orchard Grove, Salisbury North. p1 and 2
Across and in Spring Avenue, Salisbury North. p1 and 2
Across International Avenue, Salisbury North. p1 and 2

CITY OF WEST TORRENS
Glengyle Terrace, Glandore. p13
Barclay Street, Glandore. p13

BAROSSA COUNTRY LANDS WATER DISTRICT

CITY OF PLAYFORD
Juniper Boulevard, Virginia. p80 and 81
Kevin Street, Virginia. p80 and 81
Matthew Way, Virginia. p80 and 81
Limerick Street, Virginia. p80 and 81
Hanorah Avenue, Virginia. p80 and 81
Edmund Avenue, Virginia. p80 and 81
Mary Close, Virginia. p80 and 81

BURDETT COUNTRY LANDS WATER DISTRICT

THE RURAL CITY OF MURRAY BRIDGE
Queen Louisa Drive, Long Flat. p.79
Easements in lot 282 in LTRO DP 89532 (proposed road Queen Louisa Drive in Land Division number 415/D045/08), Long Flat Road, Long Flat. p79

PORT LINCOLN WATER DISTRICT

CITY OF PORT LINCOLN
Oscar Drive, Port Lincoln. p21 and 22
Eucalyptus Drive, Port Lincoln. p21 and 22
Flinders Highway, Port Lincoln. p68

PORT VICTOR WATER DISTRICT

CITY OF VICTOR HARBOR
Easements in lot 625 in LTRO DP 79869 (proposed roads Austral Circuit in Land Division Number 453/D052/07), Greenhills Road, Victor Harbor. p3 and 4
Across Greenhills Road, Victor Harbor. p3 and 4

SEWERS LAID

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

ADELAIDE DRAINAGE AREA

CITY OF BURNSIDE
Across Kingsley Avenue, Glenunga. FB 1289 p14
Easement in lot 101 in LTRO DP 2744, Sitters Memorial Drive, Burnside. FB 1289 p15
Sitters Memorial Drive, Burnside. FB 1289 p15

CITY OF CAMPBELLTOWN
Britton Avenue, Tranmere. FB 1289 p13
Way Street, Magill. FB 1289 p51

CITY OF HOLDFAST BAY
Across Anzac Highway, Glenelg North. FB 1289 p50
Douglas Grove, Glenelg North. FB 1289 p50

CITY OF MARION
Bowker Street, Warradale. FB 1289 p6
Kersley Avenue, Glengowrie. FB 1289 p7

CITY OF ONKAPARINGA
Easement in lot 50 in LTRO DP 112153, Homestead Drive, Aberfoyle Park. FB 1289 p8
Fourth Avenue, Moana. FB 1289 p17
Ocean Street, Aldinga Beach. FB 1289 p49

CITY OF PORT ADELAIDE ENFIELD
Third Street, Woodville Gardens. FB 1289 p9
Acacia Avenue, Klemzig. FB 1289 p11
Jeffcott Avenue, Lightsview. FB 1289 p52

CITY OF SALISBURY
Across McCormack Crescent, Salisbury North. FB 1288 p11-13
Easement in Reserve lot 702 in LTRO DP 121247, McCormack Crescent, Salisbury North. FB 1288 p11-13
Orchard Grove, Salisbury North. FB 1288 p11-13
Across and in Spring Avenue, Salisbury North. FB 1288 p11-13
Meka Court, Pooraka. FB 1289 p16

CITY OF WEST TORRENS
Easement in lot 259 in LTRO DP 4919, Fulham Park Drive, Lockleys. FB 1289 p10
Hoylake Street, Novar Gardens. FB 1289 p12
Netherby Avenue, Plympton. FB 1289 p53

VICTOR HARBOR COUNTRY DRAINAGE AREA

CITY OF VICTOR HARBOR
Across Armstrong Road, Victor Harbor. FB 1288 p14-17
Easement in lot 24 in LTRO DP 62105, Canterbury Road, Victor Harbor. FB 1288 p14-17
Easements in lot 625 in LTRO DP 79869 (proposed roads Austral Circuit in Land Division Number 453/D052/07), Greenhills Road, Victor Harbor. FB 1288 p14-17

OUTSIDE ADELAIDE DRAINAGE AREA

CITY OF PLAYFORD
Across and in Juniper Boulevard, Virginia. FB 1288 p21, 22 and 24
Kevin Street, Virginia. FB 1288 p21,22 and 24
Easements in lot 200 in LTRO DP 120371, Juniper Boulevard, Virginia. FB 1288 p21-24
Limerick Street, Virginia. FB 1288 p21,23 and 24
Across Hanorah Avenue, Virginia. FB 1288 p21, 23 and 24
In and across Edmund Avenue, Virginia. FB 1288 p21-24
Mary Close, Virginia. FB 1288 p21, 23 and 24

OUTSIDE PORT LINCOLN COUNTRY DRAINAGE AREA

CITY OF PORT LINCOLN
In and across Oscar Drive, Port Lincoln. FB 1288 p18-20
Easement in lot 506 in LTRO DP 119290, Oscar Drive, Port Lincoln. FB 1288 p18-20
Easements in lot 505 in LTRO DP 119290, St Andrews Drive, Port Lincoln. FB 1288 p18-20
Across Eucalyptus Drive, Port Lincoln. FB 1288 p18-20
Easements in lot 2013 in LTRO DP 119290, Cove View Drive, Port Lincoln. FB 1288 p18-20

Dated: 27 June 2019

ROCH CHEROUX
Chief Executive Officer
South Australian Water Corporation

South Australia

Planning, Development and Infrastructure Act (Commencement) Proclamation 2019

1—Short title

This proclamation may be cited as the *Planning, Development and Infrastructure Act (Commencement) Proclamation 2019*.

2—Commencement of suspended provisions

The following provisions of the *Planning, Development and Infrastructure Act 2016* (No 14 of 2016) come into operation on 1 July 2019:

(a) section 4;

(b) sections 49 and 50;

(c) section 51(1)(b) and (c);

(d) section 53;

(e) sections 64 to 66 (inclusive);

(f) section 67(1) to (3) (inclusive);

(g) sections 68 and 69;

(h) sections 75 and 76;

(i) sections 78 to 81 (inclusive);

(j) sections 89 to 100 (inclusive);

(k) Parts 7 to 12 (inclusive);

(l) Parts 14 to 19 (inclusive);

(m) section 232;

(n) sections 234 and 235;

(o) section 237;

(p) sections 239 and 240;

(q) Schedule 6 clause 1;

(r) Schedule 6 clauses 17 and 18;

(s) Schedule 6 clause 24;

(t) Schedule 8 clause 4;

(u) Schedule 8 clause 21(3);

(v) Schedule 8 clause 22;

(w) Schedule 8 clauses 27 to 29 (inclusive);

(x) Schedule 8 clause 32(1);

(y) Schedule 8 clause 35;

(z) Schedule 8 clauses 37 to 40 (inclusive).

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

South Australia

South Australian Public Health (Early Childhood Services and Immunisation) Amendment Act (Commencement) Proclamation 2019

1—Short title

This proclamation may be cited as the *South Australian Public Health (Early Childhood Services and Immunisation) Amendment Act (Commencement) Proclamation 2019*.

2—Commencement of Act

(1) Subject to subclause (2), the *South Australian Public Health (Early Childhood Services and Immunisation) Amendment Act 2019* (No 8 of 2019) (the ***Amendment Act***) comes into operation on 1 July 2019.

(2) The operation of sections 96B and 96C(1)(b) of the *South Australian Public Health Act 2011*, inserted into that Act by section 4 of the Amendment Act, is suspended until 1 January 2020.

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

South Australia

Statutes Amendment (Planning, Development and Infrastructure) Act (Commencement) Proclamation 2019

1—Short title

This proclamation may be cited as the *Statutes Amendment (Planning, Development and Infrastructure) Act (Commencement) Proclamation 2019*.

2—Commencement of suspended provisions

The following provisions of the *Statutes Amendment (Planning, Development and Infrastructure) Act 2017* (No 5 of 2017) come into operation on 1 July 2019:

(a) Part 5;

(b) Part 9;

(c) Part 13;

(d) Part 22.

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

South Australia

Statutes Amendment (Screening) Act (Commencement) Proclamation 2019

1—Short title

This proclamation may be cited as the *Statutes Amendment (Screening) Act (Commencement) Proclamation 2019*.

2—Commencement of Act and suspension of Part 4

(1) Subject to subclause (2), the *Statutes Amendment (Screening) Act 2019* (No 9 of 2019) (the ***Act***) comes into operation on 1 July 2019.

(2) The commencement of Part 4 of the Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations.

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

South Australia

Da Costa Samaritan Fund (Incorporation of Trustees) Proclamation 2019

under section 19(3) of the *Da Costa Samaritan Fund (Incorporation of Trustees) Act 1953*

1—Short title

This proclamation may be cited as the *Da Costa Samaritan Fund (Incorporation of Trustees) Proclamation 2019*.

2—Commencement

This proclamation comes into operation on 1 July 2019 immediately after the *Health Care (Local Health Networks) Proclamation 2019* comes into operation.

3—Declaration of incorporated hospitals to which section 19 applies

(1) The following hospitals (being incorporated hospitals within the meaning of the *Health Care Act 2008*) are declared to be hospitals to which section 19 of the *Da Costa Samaritan Fund (Incorporation of Trustees) Act 1953* applies:

(a) Barossa Hills Fleurieu Local Health Network Incorporated;

(b) Eyre and Far North Local Health Network Incorporated;

(c) Flinders and Upper North Local Health Network Incorporated;

(d) Limestone Coast Local Health Network Incorporated;

(e) Riverland Mallee Coorong Local Health Network Incorporated;

(f) Yorke and Northern Local Health Network Incorporated.

(2) The declaration of Country Health SA Local Health Network Incorporated as a hospital to which section 19 of the *Da Costa Samaritan Fund (Incorporation of Trustees) Act 1953* applies under the *Da Costa Samaritan Fund (Incorporation of Trustees) Proclamation 2011 Gazette 09.06.2011 p2546* is revoked.

Made by the Governor

on the recommendation of the trustees of the Da Costa Samaritan Fund Trust and with the advice and consent of the Executive Council
on 27 June 2019

South Australia

Energy Products (Safety and Efficiency) Variation Proclamation 2019

under section 5(2) of the *Energy Products (Safety and Efficiency) Act 2000*

Part 1—Preliminary

1—Short title

This proclamation may be cited as the *Energy Products (Safety and Efficiency) Variation Proclamation 2019*.

2—Commencement

This proclamation comes into operation on 1 July 2019.

3—Variation provisions

In this proclamation, a provision under a heading referring to the variation of a specified proclamation varies the proclamation so specified.

Part 2—Variation of *Energy Products (Safety and Efficiency) Proclamation 2012* (*Gazette 10.05.2012 p1683*) as varied

4—Variation of clause 6—Certification—gas products

(1) Clause 6(b)—after "The Australian Gas Association (ABN 98 004 206 044)" insert:

BSI Group ANZ Pty Limited (ABN 72 078 659 211)

(2) Clause 6(b)—delete "Vipac Engineers and Scientists Limited (ABN 33 005 453 627)"

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

South Australia

Health Care (Local Health Networks) Proclamation 2019

under section 29 of the *Health Care Act 2008*

Preamble

1 Country Health SA Local Health Network Incorporated is incorporated under the *Health Care Act 2008*.

2 The following incorporated hospitals are incorporated under the *Health Care Act 2008* and were established by the *Health Care (Local Health Networks) Proclamation 2018*:

(a) Barossa Hills Fleurieu Local Health Network Incorporated;

(b) Eyre and Far North Local Health Network Incorporated;

(c) Flinders and Upper North Local Health Network Incorporated;

(d) Riverland Mallee Coorong Local Health Network Incorporated;

(e) South East Local Health Network Incorporated;

(f) Yorke and Northern Local Health Network Incorporated.

3 It is now intended—

(a) to alter the name of South East Local Health Network Incorporated; and

(b) to transfer, subject to the transfer referred to in paragraph (c), the whole of the undertaking of the Country Health SA Local Health Network Incorporated to the incorporated hospitals referred to in clause 2 of this preamble and to the Minister for Health and Wellbeing; and

(c) to transfer the assets, rights and liabilities of Country Health SA Local Health Network Incorporated in respect of certain land to Ceduna Koonibba Aboriginal Health Service (Aboriginal Corporation) which has indicated its agreement to the transfer; and

(d) to dissolve Country Health SA Local Health Network Incorporated; and

(e) to provide for reporting on the operations of Country Health SA Local Health Network Incorporated in respect of the financial year ending on 30 June 2019 after its dissolution.

1—Short title

This proclamation may be cited as the *Health Care (Local Health Networks) Proclamation 2019*.

2—Commencement

This proclamation comes into operation on 1 July 2019.

3—Interpretation

In this Proclamation—

Barossa Hills Fleurieu Region means the area comprised of the places assigned, under the *Geographical Names Act 1991* as at 1 July 2019, the names listed in Schedule 1 clause 1;

Eyre and Far North Region means the area comprised of the places assigned, under the *Geographical Names Act 1991* as at 1 July 2019, the names listed in Schedule 1 clause 2;

Flinders and Upper North Region means the area comprised of the places assigned, under the *Geographical Names Act 1991* as at 1 July 2019, the names listed in Schedule 1 clause 3;

Limestone Coast Region means the area comprised of the places assigned, under the *Geographical Names Act 1991* as at 1 July 2019, the names listed in Schedule 1 clause 4;

PCMS contract number, in respect of a contract or agreement, means the contract number assigned to the contract or agreement and recorded in the Procurement and Contract Management System under the *Procurement and Contract Management System (PCMS) Policy Directive* (ISBN No 978-1-76083-049-6);

Riverland Mallee Coorong Region means the area comprised of the places assigned, under the *Geographical Names Act 1991* as at 1 July 2019, the names listed in Schedule 1 clause 5;

Yorke and Northern Region means the area comprised of the places assigned, under the *Geographical Names Act 1991* as at 1 July 2019, the names listed in Schedule 1 clause 6.

4—Alteration of name

The name of South East Local Health Network Incorporated is altered to *Limestone Coast Local Health Network Incorporated*.

5—Transfer of assets, rights and liabilities to Barossa Hills Fleurieu Local Health Network Incorporated

The following assets, rights and liabilities of Country Health SA Local Health Network Incorporated in existence immediately before the commencement of this proclamation are transferred to, and vested in, Barossa Hills Fleurieu Local Health Network Incorporated:

(a) all assets, rights and liabilities arising with respect to the following bank accounts, identified by reference to account name, held by Country Health SA Local Health Network Incorporated with the Commonwealth Bank of Australia:

(i) Country Health SA Local Health Network Incorporated - Barossa Hills Fleurieu Region Hospital Billing;

(ii) Country Health SA Local Health Network Incorporated - HMS Payroll;

(iii) Country Health SA Local Health Network Incorporated - Private Practice Account;

(b) all rights and liabilities under the contracts and agreements listed, by reference to the assigned PCMS contract number, in Schedule 2 clause 1;

(c) all rights and liabilities under a contract or agreement which—

(i) has an assigned PCMS contract number; and

(ii) is not listed in Schedule 2;

(d) all other assets, rights and liabilities (other than those referred to in clause 11) relating to the following services and facilities:

(i) Angaston District Hospital (previously Barossa Area Health Services);

(ii) Eudunda Hospital;

(iii) Gawler Health Service;

(iv) Gumeracha District Soldiers' Memorial Hospital (previously part of Northern Adelaide Hills Health Service);

(v) Kangaroo Island Health Service;

(vi) Kapunda Hospital;

(vii) Mount Barker District Soldiers' Memorial Hospital;

(viii) Mount Pleasant District Hospital (previously part of Northern Adelaide Hills Health Service);

(ix) Southern Fleurieu Health Service;

(x) Strathalbyn and Districts Health Service;

(xi) Tanunda War Memorial Hospital (previously Barossa Area Health Services);

(xii) community health services located at Angaston, Gawler, Kangaroo Island, Kapunda, Mount Barker, Nuriootpa, Tanunda and Victor Harbor;

(e) any other assets, rights and liabilities located within, or for which responsibility falls within, the Barossa Hills Fleurieu Region (other than those referred to in clause 11).

6—Transfer of assets, rights and liabilities to Eyre and Far North Local Health Network Incorporated

(1) Subject to subclause (2), the following assets, rights and liabilities of Country Health SA Local Health Network Incorporated in existence immediately before the commencement of this proclamation are transferred to, and vested in, Eyre and Far North Local Health Network Incorporated:

(a) all assets, rights and liabilities arising with respect to the following bank accounts, identified by reference to account name, held by Country Health SA Local Health Network Incorporated with the Commonwealth Bank of Australia:

(i) Country Health SA Local Health Network Incorporated - Eyre Flinders Far North West Region Hospital Billing;

(ii) Country Health SA Local Health Network Incorporated - ERH Payroll;

(b) all rights and liabilities under the contracts and agreements listed, by reference to the assigned PCMS contract number, in Schedule 2 clause 2;

(c) all other assets, rights and liabilities (other than those referred to in clause 5(c) or clause 11) relating to the following services and facilities:

(i) Amata Family Well Being Centre;

(ii) Ceduna District Health Service;

(iii) Cleve District Hospital and Aged Care;

(iv) Coober Pedy Hospital and Health Service;

(v) Cowell District Hospital and Aged Care;

(vi) Cummins and District Memorial Hospital;

(vii) Elliston District Hospital;

(viii) Kimba District Hospital and Aged Care;

(ix) Lock Health Centre;

(x) Oodnadatta Health Service;

(xi) Port Lincoln Health Service;

(xii) Streaky Bay District Hospital;

(xiii) Tumby Bay Hospital and Health Services;

(xiv) Wudinna Hospital;

(xv) community health services located at Amata, Ceduna, Cleve, Coober Pedy, Cowell, Cummins, Elliston, Kimba, Lock, Port Lincoln, Streaky Bay, Tumby Bay and Wudinna;

(xvi) mobile renal dialysis services and facilities provided to remote Aboriginal communities (including the Anangu Pitjantjatjara Yankunytjatjara Lands);

(d) any other assets, rights and liabilities located within, or for which responsibility falls within, the Eyre and Far North Region (other than those referred to in clause 5(c) or clause 11).

(2) The transfer of assets, rights and liabilities effected by subclause (1) does not apply in respect of the assets rights and liabilities of Country Health SA Local Health Network Incorporated in existence immediately before the commencement of this proclamation in connection with the whole of the land comprised in Allotment 2, Deposited Plan 53108 in the area named Thevenard, Hundred of Bonython.

7—Transfer of assets, rights and liabilities to Flinders and Upper North Local Health Network Incorporated

The following assets, rights and liabilities of Country Health SA Local Health Network Incorporated in existence immediately before the commencement of this proclamation are transferred to, and vested in, Flinders and Upper North Local Health Network Incorporated:

(a) all assets, rights and liabilities arising with respect to the following bank accounts, identified by reference to account name, held by Country Health SA Local Health Network Incorporated with the Commonwealth Bank of Australia:

(i) Country Health SA Local Health Network Incorporated - Eyre Flinders Far North East Region Hospital Billing;

(ii) Country Health SA Local Health Network Incorporated - MNR Payroll;

(iii) Country Health SA Local Health Network Incorporated - Medical Practice Account;

(b) all rights and liabilities under the contracts and agreements listed, by reference to the assigned PCMS contract number, in Schedule 2 clause 3;

(c) all other assets, rights and liabilities (other than those referred to in clause 5(c) or clause 11) relating to the following services and facilities:

(i) Hawker Memorial Hospital;

(ii) Leigh Creek Health Service;

(iii) Port Augusta Hospital and Regional Health Service;

(iv) Quorn Health Service;

(v) Roxby Downs Health Service;

(vi) Whyalla Hospital and Health Service;

(vii) community health services located at Hawker, Port Augusta, Quorn, Roxby Downs and Whyalla;

(d) any other assets, rights and liabilities located within, or for which responsibility falls within, the Flinders and Upper North Region (other than those referred to in clause 5(c) or clause 11).

8—Transfer of assets, rights and liabilities to Limestone Coast Local Health Network Incorporated

The following assets, rights and liabilities of Country Health SA Local Health Network Incorporated in existence immediately before the commencement of this proclamation are transferred to, and vested in, Limestone Coast Local Health Network Incorporated (as renamed under clause 4):

(a) all assets, rights and liabilities arising with respect to the following bank accounts, identified by reference to account name, held by Country Health SA Local Health Network Incorporated with the Commonwealth Bank of Australia:

(i) Country Health SA Local Health Network Incorporated - South East Region Hospital Billing;

(ii) Country Health SA Local Health Network Incorporated - NFW Payroll;

(b) all rights and liabilities under the contracts and agreements listed, by reference to the assigned PCMS contract number, in Schedule 2 clause 4;

(c) all other assets, rights and liabilities (other than those referred to in clause 5(c) or clause 11) relating to the following services and facilities:

(i) Bordertown Memorial Hospital;

(ii) Kingston Soldiers' Memorial Hospital;

(iii) Millicent and Districts Hospital and Health Service;

(iv) Mount Gambier and Districts Health Service;

(v) Naracoorte Health Service;

(vi) Penola War Memorial Hospital;

(vii) community health services located at Bordertown, Keith, Kingston, Lucindale, Millicent, Mount Gambier, Naracoorte and Penola;

(d) any other assets, rights and liabilities located within, or for which responsibility falls within, the Limestone Coast Region (other than those referred to in clause 5(c) or clause 11).

9—Transfer of assets, rights and liabilities to Riverland Mallee Coorong Local Health Network Incorporated

The following assets, rights and liabilities of Country Health SA Local Health Network Incorporated in existence immediately before the commencement of this proclamation are transferred to, and vested in, Riverland Mallee Coorong Local Health Network Incorporated:

(a) all assets, rights and liabilities arising with respect to the following bank accounts, identified by reference to account name, held by Country Health SA Local Health Network Incorporated with the Commonwealth Bank of Australia:

(i) Country Health SA Local Health Network Incorporated - Riverland Mallee Coorong Region Hospital Billing;

(ii) Country Health SA Local Health Network Incorporated - RHA Payroll;

(b) all rights and liabilities under the contracts and agreements listed, by reference to the assigned PCMS contract number, in Schedule 2 clause 5;

(c) all other assets, rights and liabilities (other than those referred to in clause 5(c) or clause 11) relating to the following services and facilities:

(i) Barmera Hospital;

(ii) Karoonda and District Soldiers' Memorial Hospital;

(iii) Lameroo District Health Service;

(iv) Loxton Hospital Complex;

(v) Mannum District Hospital;

(vi) Meningie and Districts Memorial Hospital and Health Services;

(vii) Murray Bridge Soldiers' Memorial Hospital;

(viii) Pinnaroo Soldiers' Memorial Hospital;

(ix) Renmark Paringa District Hospital;

(x) Riverland General Hospital;

(xi) Tailem Bend District Hospital;

(xii) Waikerie Health Service;

(xiii) community health services located at Barmera, Berri, Coonalpyn, Karoonda, Lameroo, Loxton, Mannum, Meningie, Murray Bridge, Pinnaroo, Renmark, Tailem Bend, Tintinara and Waikerie;

(d) any other assets, rights and liabilities located within, or for which responsibility falls within, the Riverland Mallee Coorong Region (other than those referred to in clause 5(c) or clause 11).

10—Transfer of assets, rights and liabilities to Yorke and Northern Local Health Network Incorporated

The following assets, rights and liabilities of Country Health SA Local Health Network Incorporated in existence immediately before the commencement of this proclamation are transferred to, and vested in, Yorke and Northern Local Health Network Incorporated:

(a) all assets, rights and liabilities arising with respect to the following bank accounts, identified by reference to account name, held by Country Health SA Local Health Network Incorporated with the Commonwealth Bank of Australia:

(i) Country Health SA Local Health Network Incorporated - Yorke And Northern Region Hospital Billing;

(ii) Country Health SA Local Health Network Incorporated - WAK Payroll;

(b) all rights and liabilities under the contracts and agreements listed, by reference to the assigned PCMS contract number, in Schedule 2 clause 6;

(c) all other assets, rights and liabilities (other than those referred to in clause 5(c) or clause 11) relating to the following services and facilities:

(i) Balaklava Soldiers' Memorial District Hospital;

(ii) Booleroo Centre District Hospital and Health Services;

(iii) Burra Hospital;

(iv) Central Yorke Peninsula Hospital (Maitland);

(v) Clare Hospital;

(vi) Crystal Brook and District Hospital;

(vii) Jamestown Hospital and Health Service;

(viii) Laura and District Hospital;

(ix) Minlaton Health Service;

(x) Orroroo and District Health Service;

(xi) Peterborough Soldiers' Memorial Hospital and Health Service;

(xii) Port Broughton and District Hospital and Health Service;

(xiii) Port Pirie Regional Health Service;

(xiv) Riverton District Soldiers' Memorial Hospital;

(xv) Snowtown Hospital;

(xvi) Southern Yorke Peninsula Health Service (Yorketown);

(xvii) Wallaroo Hospital and Health Service (previously Northern Yorke Peninsula Health Service);

(xviii) community health services located at Balaklava, Booleroo Centre, Burra, Clare, Crystal Brook, Gladstone, Jamestown, Kadina, Laura, Maitland, Minlaton, Orroroo, Peterborough, Port Broughton, Port Pirie, Riverton, Snowtown and Wallaroo;

(xix) Aboriginal health services located at Maitland, Moonta, Point Pearce and Port Pirie;

(d) any other assets, rights and liabilities located within, or for which responsibility falls within, the Yorke and Northern Region (other than those referred to in clause 5(c) or clause 11).

11—Transfer of assets, rights and liabilities to Minister for Health and Wellbeing

The following assets, rights and liabilities of Country Health SA Local Health Network Incorporated in existence immediately before the commencement of this proclamation are transferred to, and vested in, the Minister for Health and Wellbeing:

(a) all assets, rights and liabilities arising with respect to the following bank accounts, identified by reference to account name, held by Country Health SA Local Health Network Incorporated with the Commonwealth Bank of Australia:

(i) Country Health SA Local Health Network Incorporated - SER Payroll;

(ii) Country Health SA Local Health Network Incorporated - Main Account;

(iii) Country Health SA Local Health Network Incorporated - Oracle Operating;

(b) all other bank accounts and assets, rights and liabilities arising with respect to bank accounts and investments (including capital accounts and term deposits and other investment facilities) and any associated interest and liabilities (other than assets, rights and liabilities specified under clauses 5(a), 6(1)(a), 7(a), 8(a), 9(a) and 10(a)).

12—Transfer of certain assets, rights and liabilities to Ceduna Koonibba Aboriginal Health Service (Aboriginal Corporation)

All assets, rights and liabilities of Country Health SA Local Health Network Incorporated in existence immediately before the commencement of this proclamation in connection with the whole of the land comprised in Allotment 2, Deposited Plan 53108 in the area named Thevenard, Hundred of Bonython (which land is now held and will continue to be held in trust to permit suffer and to be used at all times as a reserve for aged pensions accommodation and aged persons care purposes), are transferred to, and vested in, Ceduna Koonibba Aboriginal Health Service (Aboriginal Corporation) (registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, Indigenous Corporation Number 7405).

13—Dissolution of Country Health SA Local Health Network Incorporated

The Country Health SA Local Health Network Incorporated is dissolved.

14—Reporting on operations of dissolved incorporated hospital

(1) Within 3 months after the dissolution of Country Health SA Local Health Network Incorporated, the Barossa Hills Fleurieu Local Health Network Incorporated is to deliver a report to the Minister with responsibility for the administration of the *Health Care Act 2008* on the operations of Country Health SA Local Health Network Incorporated during the financial year ending on 30 June 2019.

(2) A report under subclause (1) must incorporate the audited accounts and financial statements of the incorporated hospital for the financial year.

(3) The Minister with responsibility for the administration of the *Health Care Act 2008* must, within 12 sitting days after the receipt of a report under this clause, cause a copy of the report to be laid before both Houses of Parliament.

Schedule 1—Local health network regions

1—Barossa Hills Fleurieu Region

ALDGATE, ALLENDALE NORTH, ALTONA, AMERICAN BEACH, AMERICAN RIVER, ANGAS PLAINS, ANGAS VALLEY, ANGASTON, ANNADALE, ANTECHAMBER BAY, ASHBOURNE, ASHTON, AUSTRALIA PLAINS, BACK VALLEY, BAGOT WELL, BALD HILLS, BALHANNAH, BALLAST HEAD, BARABBA, BAROSSA GOLDFIELDS, BASKET RANGE, BAUDIN BEACH, BAY OF SHOALS, BELVIDERE, BETHANY, BETHEL, BIGGS FLAT, BIRCHMORE, BIRDWOOD, BLACKFELLOWS CREEK, BLAKISTON, BLETCHLEY, BOWER, BRADBURY, BRIDGEWATER, BROWN BEACH, BROWNLOW, BROWNLOW KI, BRUKUNGA, BUCHANAN, BUCHFELDE, BUGLE RANGES, BULL CREEK, CALLINGTON, CALOMBA, CAMBRAI, CAPE BORDA, CAPE JERVIS, CAREY GULLY, CARRICKALINGA, CASSINI, CASTAMBUL, CHAIN OF PONDS, CHAPEL HILL, CHARLESTON, CHERRYVILLE, CHITON, CLAYTON BAY, CLELAND, COCKATOO VALLEY, CONCORDIA, CRAFERS, CRAFERS WEST, CROMER, CUDLEE CREEK, CURRENCY CREEK, CUTTLEFISH BAY, CYGNET RIVER, DAVEYSTON, DAWESLEY, DE MOLE RIVER, DEEP CREEK, DELAMERE, D'ESTREES BAY, DINGABLEDINGA, DORSET VALE, DUBLIN, DUDLEY EAST, DUDLEY WEST, DUNCAN, DUTTON, DUTTON EAST, EBENEZER, ECHUNGA, EDEN VALLEY, EMU BAY, ENCOUNTER BAY, EUDUNDA, EVANSTON, EVANSTON GARDENS, EVANSTON PARK, EVANSTON SOUTH, FINNISS, FISCHER, FLAXLEY, FLAXMAN VALLEY, FLINDERS CHASE, FORDS, FOREST RANGE, FORRESTON, FRANKTON, FREELING, GAWLER, GAWLER BELT, GAWLER EAST, GAWLER RIVER, GAWLER

SOUTH, GAWLER WEST, GEMMELLS, GERANIUM PLAINS, GOMERSAL, GOOLWA, GOOLWA BEACH, GOOLWA NORTH, GOOLWA SOUTH, GOSSE, GRACE PLAINS, GREEN HILLS RANGE, GREENHILL, GREENOCK, GUMERACHA, HAHNDORF, HAINES, HAMILTON, HAMPDEN, HANSBOROUGH, HARROGATE, HARTLEY, HAY FLAT, HAY VALLEY, HAYBOROUGH, HEATHFIELD, HEWETT, HIGHLAND VALLEY, HILLIER, HINDMARSH ISLAND, HINDMARSH TIERS, HINDMARSH VALLEY, HOPE FOREST, HORSNELL GULLY, HOUGHTON, INGLEWOOD, INMAN VALLEY, INVERBRACKIE, IRONBANK, IRONSTONE, ISLAND BEACH, JULIA, JUPITER CREEK, KALBEEBA, KANGAROO FLAT, KANGAROO HEAD, KANMANTOO, KAPUNDA, KARATTA, KENTON VALLEY, KERSBROOK, KEYNETON, KINGSCOTE, KINGSFORD, KOHINOOR, KOONUNGA, KORUNYE, KRONDORF, KUDLA, KUITPO, KUITPO COLONY, KYEEMA, LAKE PLAINS, LANGHORNE CREEK, LENSWOOD, LEWISTON, LIGHT PASS, LINWOOD, LITTLEHAMPTON, LOBETHAL, LONG PLAINS, LONGWOOD, LOWER HERMITAGE, LOWER INMAN VALLEY, LOWER LIGHT, LYNDOCH, MACCLESFIELD, MACGILLIVRAY, MAGDALA, MALLALA, MARANANGA, MARBLE HILL, MCCRACKEN, MCHARG CREEK, MEADOWS, MENZIES, MIDDLE BEACH, MIDDLE RIVER, MIDDLETON, MILANG, MILLBROOK, MOCULTA, MONTACUTE, MONTARRA, MOPPA, MORN HILL, MOSQUITO HILL, MOUNT BARKER, MOUNT BARKER JUNCTION, MOUNT BARKER SPRINGS, MOUNT BARKER SUMMIT, MOUNT COMPASS, MOUNT CRAWFORD, MOUNT GEORGE, MOUNT JAGGED, MOUNT MAGNIFICENT, MOUNT MCKENZIE, MOUNT OBSERVATION, MOUNT PLEASANT, MOUNT TORRENS, MUNDOO ISLAND, MUSTON, MYLOR, MYPONGA, MYPONGA BEACH, NAIN, NAIRNE, NANGKITA, NEALES FLAT, NEPEAN BAY, NEWLAND, NGAPALA, NORMANVILLE, NORTH CAPE, NORTON SUMMIT, NURIOOTPA, NURRAGI, OAKBANK, PAECHTOWN, PAGES FLAT, PALMER, PARACOMBE, PARAWA, PARHAM, PARIS CREEK, PARNDANA, PEEP HILL, PELICAN LAGOON, PENNESHAW, PENRICE, PETWOOD, PEWSEY VALE, PICCADILLY, PINKERTON PLAINS, POINT PASS, POINT STURT, PORKY FLAT, PORT ELLIOT, PORT GAWLER, PROSPECT HILL, RAPID BAY, RED CREEK, REDBANKS, REEVES PLAINS, REID, ROBERTSTOWN, ROCKY PLAIN, ROSEDALE, ROSEWORTHY, ROWLAND FLAT, SALEM, SANDERGROVE, SANDERSTON, SANDLETON, SANDY CREEK, SAPPHIRETOWN, SCOTT CREEK, SEAL BAY, SECOND VALLEY, SEDAN, SEDDON, SEPPELTSFIELD, SHEA-OAK LOG, SILVERTON, SPRINGTON, ST IVES, ST JOHNS, ST KITTS, STEINFELD, STIRLING, STOCKWELL, STOKES BAY, STONE WELL, STRATHALBYN, STUN'SAIL BOOM, SUMMERTOWN, SUTHERLANDS, TANUNDA, TAUNTON, TEMPLERS, TERINGIE, THOMPSON BEACH, TOLDEROL, TOOPERANG, TORRENS VALE, TOTNESS, TOWITTA, TRURO, TUNGKILLO, TUNKALILLA, TWO WELLS, UPPER HERMITAGE, UPPER STURT, URAIDLA, VERDUN, VICTOR HARBOR, VINE VALE, VIVONNE BAY, WAITPINGA, WARD BELT, WASLEYS, WATTLE FLAT, WEBB BEACH, WESTERN RIVER, WILD HORSE PLAINS, WILLASTON, WILLIAMSTOWN, WILLOUGHBY, WILLOW CREEK, WILLSON RIVER, WILLUNGA HILL, WILLYAROO, WINDSOR, WIRRINA COVE, WISANGER, WISTOW, WOODCHESTER, WOODFORDE, WOODSIDE, WOOLSHEDS, YANKALILLA, YUNDI

2—Eyre and Far North Region

AMATA, ANNA CREEK, ARCKARINGA, ARNO BAY, AYERS RANGE SOUTH, BAIRD BAY, BARNA, BILLA KALINA, BOCKELBERG, BOOKABIE, BOONERDO, BOSTON, BRAMFIELD, BROOKER, BUCKLEBOO, BUTLER, CALCA, CAMPOONA, CARALUE, CARAWA, CEDUNA, CEDUNA WATERS, CHANDADA, CHARLTON GULLY, CHARRA, CHILPENUNDA, CHINBINGINA, CHUNDARIA, CLEVE,

COCATA, COCKALEECHIE, COFFIN BAY, COLLEY, COLTON, COMMONWEALTH HILL, COOBER PEDY, COOK, COOLILLIE, COOMUNGA, COORABIE, COOTRA, CORTLINYE, COULTA, COWELL, CROWN POINT, CUMMINS, CUNGENA, CUNYARIE, DARKE PEAK, DE ROSE HILL, DENIAL BAY, DUCK PONDS, EBA ANCHORAGE, EDILLILIE, ELLISTON, ERINGA, ERNABELLA, EVELYN DOWNS, FARM BEACH, FOUNTAIN, FOWLERS BAY, FREGON, GAWLER RANGES, GREEN PATCH, HAMBIDGE, HASLAM, HAWSON, HILTABA, HINCKS, INDULKANA, INGOMAR, INKSTER, IWANTJA, JAMIESON, KALANBI, KALDOONERA, KALTJITI, KAPINNIE, KAPPAWANTA, KARCULTABY, KARKOO, KELLIDIE BAY, KELLY, KENMORE PARK, KIANA, KIELPA, KIMBA, KONDOOLKA, KOOLGERA, KOONGAWA, KOONIBBA, KOONIBBA ABORIGINAL LAND, KOPPIO, KYANCUTTA, LAMBINA, LAURA BAY, LINCOLN NATIONAL PARK, LIPSON, LITTLE DOUGLAS, LOCK, LOCKES CLAYPAN, LOUTH BAY, MABEL CREEK, MALTEE, MARALINGA, MARLA, MARLA, MARYVALE, MCDOUALL PEAK, MERGHINY, MILLERS CREEK, MIMILI, MINNIPA, MINTABIE, MITCHELL, MITCHIDY MOOLA, MOODY, MORTANA, MOSELEY, MOUNT BARRY, MOUNT CLARENCE STATION, MOUNT COOPER, MOUNT DAMPER, MOUNT DRUMMOND, MOUNT DUTTON BAY, MOUNT HOPE, MOUNT JOY, MOUNT SARAH, MOUNT WEDGE, MOUNT WILLOUGHBY, MUDAMUCKLA, MURDINGA, MURLONG, NADIA, NANBONA, NARLABY, NILPINNA STATION, NORTH SHIELDS, NULLARBOR, NUNJIKOMPITA, NYAPARI, OAK VALLEY, OODNADATTA, PALKAGEE, PANITYA, PEARLAH, PENONG, PERLUBIE, PETINA, PIEDNIPPIE, PIMBAACLA, PINJARRA STATION, PINKAWILLINIE, PIPALYATJARA, POINT BOSTON, POLDA, POOCHERA, POONINDIE, PORT GIBBON, PORT KENNY, PORT LINCOLN, PORT NEILL, PUKATJA, PUNTABIE, PUREBA, PYGERY, RUDALL, SCEALE BAY, SHERINGA, SLEAFORD, SMOKY BAY, SOLOMON, STREAKY BAY, STUARTS CREEK, TALIA, THEVENARD, THURLGA, TIATUKIA, TIEYON, TODMORDEN, TOOLIGIE, TOOTENILLA, TULKA, TUMBY BAY, TYRINGA, ULEY, ULYERRA, UMUWA, UNGARRA, UWORRA, VENUS BAY, VERRAN, WADDIKEE, WALLALA, WANDANA, WANGARY, WANILLA, WARRAMBOO, WATARRU, WATRABA, WELBOURN HILL, WESTALL, WHARMINDA, WHITE WELL CORNER, WHITES FLAT, WHITES RIVER, WILCHERRY, WILLIAM CREEK, WINTINNA, WIRRULLA, WITERA, WUDINNA, YALANDA, YALATA, YALLUNDA FLAT, YANERBIE, YANINEE, YANTANABIE, YARDEA, YEELANNA, YELLABINNA, YUMBARRA

3—Flinders and Upper North Region

ALLANDALE STATION, ALPANA, ALTON DOWNS STATION, ANDAMOOKA, ANDAMOOKA OPAL FIELDS, ANDAMOOKA STATION, ANGEPENA, ANGORIGINA, ARCOONA, ARKAROOLA, ARKAROOLA VILLAGE, BACKY POINT, BARNDIOOTA, BELTANA, BELTANA STATION, BLACK HILL STATION, BLANCHE HARBOR, BLINMAN, BOLLARDS LAGOON, BON BON, BOSWORTH, BULGUNNIA, BUNGEROO, BURR WELL, CALLANNA, CAMERON CORNER, CARRIEWERLOO, CLAYTON STATION, CLIFTON HILLS STATION, COMMISSARIAT POINT, COONDAMBO, COOYERDOO, COPLEY, CORDILLO DOWNS, CORUNNA STATION, COWARIE, COWLEDS LANDING, CRADOCK, CULTANA, DAVENPORT, DOUGLAS POINT, DOUGLAS POINT SOUTH, DULKANINNA, EDIACARA, EMEROO, ERUDINA, ETADUNNA, FALSE BAY, FARINA, FARINA STATION, FITZGERALD BAY, FLINDERS RANGES, FROME DOWNS, GAMMON RANGES, GIDGEALPA, GILLES DOWNS, GLENDAMBO, GUM CREEK STATION, HAWKER, HOLOWILIENA, HOLOWILIENA SOUTH, IGA WARTA, ILLEROO, INNAMINCKA, IRON BARON, IRON KNOB, ISLAND LAGOON,

KALAMURINA, KANYAKA, KATUNGA STATION, KINGOONYA, KOKATHA, KOLENDO, KOOTABERRA, LAKE EVERARD, LAKE EYRE, LAKE FROME, LAKE GAIRDNER, LAKE GILLES, LAKE HARRIS, LAKE MACFARLANE, LAKE TORRENS, LAKE TORRENS STATION, LEIGH CREEK, LEIGH CREEK STATION, LINCOLN GAP, LINDON, LUCKY BAY, LYNDHURST, MACUMBA, MAHANEWO, MANGALO, MANNERS WELL, MARREE, MARREE STATION, MARTINS WELL, MERTY MERTY, MIDDLEBACK RANGE, MIDGEE, MILTALIE, MINBRIE, MIRANDA, MITCHELLVILLE, MOOLAWATANA, MOOLOOLOO, MOONAREE, MOORILLAH, MOTPENA, MOUNT ARDEN, MOUNT EBA, MOUNT FALKLAND, MOUNT FREELING, MOUNT HAVELOCK, MOUNT I'VE, MOUNT LYNDHURST, MOUNT SERLE, MOUNT VIVIAN, MULGA VIEW, MULGARIA, MULGATHING, MULKA, MULLAQUANA, MULOORINA, MUNDALLIO, MUNDOWDNA, MUNGERANIE, MURNINNIE BEACH, MURNPEOWIE, MYOLA STATION, MYRTLE SPRINGS, NARRINA, NEPABUNNA, NILPENA, NONNING, NORTH MOOLOOLOO, OAKDEN HILLS, OLYMPIC DAM, ORATUNGA STATION, PANDIE PANDIE, PANDURRA, PARACHILNA, PARAKYLIA, PERNATTY, PIMBA, PINDA SPRINGS, POINT LOWLY, POINT LOWLY NORTH, PORT AUGUSTA, PORT AUGUSTA WEST, PORT BONYTHON, PORT PATERSON, PRELINNA, PURPLE DOWNS, PUTTAPA, QUINYAMBIE, QUORN, ROXBY DOWNS, ROXBY DOWNS STATION, SALTIA, SECRET ROCKS, SHAGGY RIDGE, SIAM, SIMPSON DESERT, SOUTH GAP, STEPHENSTON, STIRLING NORTH, STRZELECKI DESERT, TARCOOLA, THREE CREEKS, UMBERATANA, UNO, UPALINNA, WALLERBERDINA, WAMI KATA, WARRAWEENA, WARTAKA, WERTALOONA, WHYALLA, WHYALLA BARSON, WHYALLA JENKINS, WHYALLA NORRIE, WHYALLA PLAYFORD, WHYALLA STUART, WILCOWIE, WILGENA, WILKATANA STATION, WILLOCHRA, WILLOW SPRINGS, WINTABATINYANA, WIRRAMINNA, WIRREALPA, WITCHELINA, WITCHITIE, WITJIRA, WOOLTANA, WOOMERA, WORUMBA, YADLAMALKA, YALYMBOO, YANKANINNA, YARRAH, YELTANA, YUDNAPINNA

4—Limestone Coast Region

ALLENDALE EAST, AVENUE RANGE, BANGHAM, BEACHPORT, BINNUM, BLACKFELLOWS CAVES, BLACKFORD, BOATSWAIN POINT, BOOL LAGOON, BORDERTOWN, BORDERTOWN SOUTH, BRAY, BRIMBAGO, BUCKINGHAM, BURRUNGULE, CADGEE, CANNAWIGARA, CANUNDA, CAPE DOUGLAS, CAPE JAFFA, CAREW, CAROLINE, CARPENTER ROCKS, CAVETON, CLAY WELLS, COLES, COMAUM, COMPTON, CONMURRA, COONAWARRA, CUSTON, DISMAL SWAMP, DONOVANS, EIGHT MILE CREEK, FOX, FRANCES, FURNER, GERMAN CREEK, GERMAN FLAT, GLENBURNIE, GLENCOE, GLENROY, GREENWAYS, HATHERLEIGH, HYNAM, JOANNA, KALANGADOO, KANGAROO INN, KEILIRA, KEITH, KEPPOCH, KINGSTON SE, KONGAL, KONGORONG, KOORINE, KOPPAMURRA, KRONGART, KYBYBOLITE, LAFFER, LAURIE PARK, LOCHABER, LOWAN VALE, LUCINDALE, MAAOUPE, MAGAREY, MAKIN, MARCOLLAT, MCCALLUM, MIL-LEL, MILLICENT, MINGBOOL, MOERLONG, MONBULLA, MOORAK, MOUNT BENSON, MOUNT BURR, MOUNT CHARLES, MOUNT GAMBIER, MOUNT LIGHT, MOUNT MCINTYRE, MOUNT SCHANK, MOYHALL, MUNDULLA, MUNDULLA WEST, NANGWARRY, NARACOORTE, NENE VALLEY, NORA CREINA, OB FLAT, PADTHAWAY, PELICAN POINT, PENOLA, PETHERICK, PINE HILL, PINKS BEACH, PLEASANT PARK, POOGINAGORIC, PORT MACDONNELL, RACECOURSE BAY, REEDY CREEK, RENDELSHAM, ROBE, ROCKY CAMP, ROSETOWN, SANDY GROVE, SEBASTOPOL, SENIOR, SHAUGH, SHERWOOD, SHORT, SOUTHEND, SPENCE, SQUARE MILE, STEWART RANGE, STRUAN, SUTTONTOWN, SWEDE FLAT, TANTANOOLA, TARATAP, TARPEENA,

THE GAP, THORNLEA, TILLEY SWAMP, TRIHI, WANDILO, WANGOLINA, WATTLE RANGE, WATTLE RANGE EAST, WEPAR, WEST RANGE, WESTERN FLAT, WILD DOG VALLEY, WILLALOOKA, WIRREGA, WOLSELEY, WOOLUMBOOL, WORROLONG, WRATTONBULLY, WYE, WYOMI, YAHL

5—Riverland Mallee Coorong Region

ALAWOONA, APAMURRA, ASHVILLE, AVOCA DELL, BAKARA, BAKARA WELL, BARMERA, BEATTY, BEAUMONTS, BERRI, BIG BEND, BILLIATT, BLACK HILL, BLANCHETOWN, BOLTO, BOOKPURNONG, BOOLGUN, BORRIKA, BOWHILL, BRENDA PARK, BRINKLEY, BUGLE HUT, BUNBURY, BURDETT, CADELL, CADELL LAGOON, CALIPH, CALOOTE, CARCUMA, CAURNAMONT, CHAFFEY, CHAPMAN BORE, CLAYPANS, COBDOGLA, COLEBATCH, COOKE PLAINS, COOLTONG, COOMANDOOK, COOMBE, COONALPYN, COORONG, COPEVILLE, COWIRRA, CRESCENT, CULBURRA, DEEPWATER, DEVLINS POUND, EBA, ELWOMPLE, ETTRICK, FIELD, FISHER, FIVE MILES, FORSTER, FRAHNS, FRAYVILLE, GALGA, GERANIUM, GERARD, GERARD COMMUNITY, GIFFORD HILL, GLOSSOP, GOLDEN HEIGHTS, GOOD HOPE LANDING, GREENBANKS, GURRA GURRA, HALIDON, HOLDER, HOLDER SIDING, JABUK, JERVOIS, JULANKA HOLDINGS, KANNI, KAROONDA, KARTE, KATARAPKO, KEPA, KI KI, KINGSTON ON MURRAY, KRINGIN, LAKE ALBERT, LAKE ALEXANDRINA, LAKE CARLET, LAMEROO, LANGS LANDING, LINDLEY, LONG FLAT, LOVEDAY, LOWBANK, LOXTON, LOXTON NORTH, LYRUP, MAGGEA, MALINONG, MALPAS, MANNUM, MANTUNG, MARAMA, MARKARANKA, MARKS LANDING, MAUDE, MCBEAN POUND, MENINGIE, MENINGIE EAST, MENINGIE WEST, MERCUNDA, MERIBAH, MILENDELLA, MINDARIE, MOBILONG, MONARTO, MONARTO SOUTH, MONASH, MONTEITH, MOORLANDS, MOOROOK, MOOROOK SOUTH, MORGAN, MORPHETTS FLAT, MOUNT MARY, MULGUNDAWA, MUNDIC CREEK, MURBKO, MURRAWONG, MURRAY BRIDGE, MURRAY BRIDGE EAST, MURRAY BRIDGE NORTH, MURRAY BRIDGE SOUTH, MURTHO, MYPOLONGA, NAIDIA, NALPA, NARRUNG, NATURI, NETHERTON, NEW RESIDENCE, NEW WELL, NGARKAT, NILDOTTIE, NORTH WEST BEND, NORTHERN HEIGHTS, NOTTS WELL, OLD CALPERUM, OLD TEAL FLAT, OVERLAND CORNER, PAISLEY, PALLAMANA, PARILLA, PARINGA, PARRAKIE, PARUNA, PATA, PEAKE, PEEBINGA, PELLARING FLAT, PERPONDA, PIKE RIVER, PINNAROO, POLTALLOCH, POMPOOTA, PONDE, POOGINOOK, PORT MANNUM, PUNTHARI, PUNYELROO, PURNONG, PYAP, PYAP WEST, QUALCO, RAMCO, RAMCO HEIGHTS, RAUKKAN, RENMARK, RENMARK NORTH, RENMARK SOUTH, RENMARK WEST, RIVERGLADES, RIVERGLEN, ROCKLEIGH, ROCKY GULLY, ROCKY POINT, SALT CREEK, SANDALWOOD, SCHELL WELL, SHERLOCK, SPECTACLE LAKE, STOCKYARD PLAIN, STUART, SUNLANDS, SUNNYDALE, SUNNYSIDE, SWAN REACH, SWANPORT, TAILEM BEND, TALDRA, TAPLAN, TAYLORVILLE, TEAL FLAT, TEPKO, TINTINARA, TOORA, VEITCH, WAIKERIE, WALKER FLAT, WALL FLAT, WALTOWA, WANBI, WAPPILKA, WELLINGTON, WELLINGTON EAST, WHITE HILL, WHITE SANDS, WIGLEY FLAT, WILLOW BANKS, WINKIE, WOMBATS REST, WONGULLA, WONUARRA, WOODLANE, WOODLEIGH, WOODS POINT, WOOLPUNDA, WUNKAR, WYNARKA, YAMBA, YINKANIE, YOUNGHUSBAND, YOUNGHUSBAND HOLDINGS, YUMALI, ZADOWS LANDING

6—Yorke and Northern Region

ABMINGA STATION, AGERY, ALFORD, ALMA, AMYTON, ANAMA, ANDREWS, APOINGA, APPILA, ARDROSSAN, ARMAGH, ARTHURTON, AUBURN, AVON,

BALAH, BALAKLAVA, BALDINA, BALGOWAN, BANGOR, BARATTA, BARINIA, BAROOTA, BARUNGA GAP, BEAUFORT, BEETALOO VALLEY, BELALIE EAST, BELALIE NORTH, BELTON, BENBOURNIE, BENDA, BIBLIANDO, BIMBOWRIE, BINDARRAH, BLACK POINT, BLACK ROCK, BLACK SPRINGS, BLUFF BEACH, BLYTH, BOCONNOC PARK, BOOBOROWIE, BOOLCOOMATTA, BOOLEROO CENTRE, BOORS PLAIN, BOWILLIA, BOWMANS, BRADY CREEK, BRENTWOOD, BRIGHT, BRINKWORTH, BROUGHTON RIVER VALLEY, BRUCE, BULLOO CREEK, BUMBUNGA, BUNDALEER GARDENS, BUNDALEER NORTH, BUNDEY, BUNGAMA, BUNGAREE, BUNYUNG, BURNSFIELD, BURRA, BURRA EASTERN DISTRICTS, BUTE, CALPERUM STATION, CALTOWIE, CALTOWIE NORTH, CALTOWIE WEST, CANEGRASS, CANOWIE, CANOWIE BELT, CARRIETON, CAVENAGH, CHINAMAN WELLS, CHOWILLA, CLARE, CLEMENTS GAP, CLINTON, CLINTON CENTRE, COCKBURN, COLLINSFIELD, COLLINSVILLE, CONDOWIE, COOBOWIE, COOMOOROO, COONAMIA, CORNY POINT, COUCH BEACH, CROSS ROADS, CRYSTAL BROOK, CUNLIFFE, CUNNINGHAM, CURNAMONA, CURRAMULKA, DALKEY, DANGGALI, DAWSON, DEVONBOROUGH DOWNS, DOWLINGVILLE, EAST MOONTA, EDITHBURGH, EMU DOWNS, EMU FLAT, ERITH, ERSKINE, EURELIA, EUROMINA, EVERARD CENTRAL, FARAWAY HILL, FARRELL FLAT, FISHERMAN BAY, FLORINA STATION, FOUL BAY, FRANKLYN, GEORGETOWN, GERMEIN BAY, GILES CORNER, GILLENTOWN, GLADSTONE, GLUEPOT, GOYDER, GRAMPUS, GULNARE, GUM CREEK, HACKLINS CORNER, HALBURY, HALLELUJAH HILLS, HALLETT, HAMLEY, HAMLEY BRIDGE, HAMMOND, HANSON, HARDWICKE BAY, HARDY, HART, HAWKS NEST STATION, HILL RIVER, HILLTOWN, HONITON, HOPE GAP, HORNSDALE, HOSKIN CORNER, HOYLETON, HUDDLESTON, INKERMAN, INNESTON, JAMES WELL, JAMESTOWN, JERICHO, JERUSALEM, JOHNBURGH, KADINA, KAINTON, KALABITY, KALKAROO, KALLORA, KOOLUNGA, KOOLYWURTIE, KOONAMORE, KOONOONA, KOOROONA, KULPARA, KYBUNGA, LAKE VIEW, LAURA, LEASINGHAM, LEIGHTON, LOCHIEL, LOWER BROUGHTON, MAITLAND, MAMBRAY CREEK, MANNA HILL, MANNANARIE, MANOORA, MANUNDA STATION, MARION BAY, MAROLA, MARRABEL, MATTA FLAT, MAYFIELD, MELROSE, MELTON, MELTON STATION, MERRITON, MINBURRA, MINBURRA PLAIN, MINBURRA STATION, MINGARY, MINLATON, MINTARO, MINVALARA, MONGOLATA, MOOCKRA, MOOLEULOOLOO, MOONTA, MOONTA BAY, MOONTA MINES, MORCHARD, MOUNT BRYAN, MOUNT BRYAN EAST, MOUNT TEMPLETON, MOUNT VICTOR STATION, MULYUNGARIE, MUNDI MUNDI, MUNDOORA, MURRAY TOWN, MUTOOROO, NACKARA, NALYAPPA, NANTAWARRA, NAPPERBY, NARRIDY, NECTAR BROOK, NELSHABY, NETLEY GAP, NEW TOWN, NINNES, NORTH BEACH, NORTH BOOBOROWIE, NORTH HILLS, NORTH MOONTA, NORTH YELTA, NUROM, OAKVALE STATION, OLARY, OLD KOOMOOLOO, OODLA WIRRA, ORROROO, OULNINA, OULNINA PARK, OUTALPA, OWEN, PARAMATTA, PARATOO, PARCOOLA, PARNAROO, PASKEVILLE, PEKINA, PENWORTHAM, PETERBOROUGH, PETERSVILLE, PINE CREEK, PINE CREEK STATION, PINE POINT, PINE VALLEY STATION, PINERY, PIRIE EAST, PLUMBAGO, POINT PEARCE, POINT SOUTTAR, POINT TURTON, POLISH HILL RIVER, PORT ARTHUR, PORT BROUGHTON, PORT DAVIS, PORT GERMEIN, PORT HUGHES, PORT JULIA, PORT MOOROWIE, PORT PIRIE, PORT PIRIE SOUTH, PORT PIRIE WEST, PORT RICKABY, PORT VICTORIA, PORT VINCENT, PORT WAKEFIELD, PORTER LAGOON, PRICE, PROOF RANGE, PUALCO RANGE, QUONDONG, RAMSAY, REDHILL, RHYNIE, RISDON PARK, RISDON PARK SOUTH, RIVERTON, ROCHESTER, ROGUES POINT, SADDLEWORTH, SAINTS, SALTER SPRINGS, SANDILANDS, SEVENHILL, SHEAOAK FLAT, SNOWTOWN, SOLOMONTOWN, SOUTH HUMMOCKS, SOUTH

KILKERRAN, SPALDING, SPRING FARM, SPRING GULLY, STANLEY, STANLEY FLAT, STANSBURY, STEELTON, STOCKPORT, STOCKYARD CREEK, STONE HUT, STOW, STURT VALE, SULTANA POINT, SUNNYBRAE, SUNNYVALE, TARCOWIE, TARLEE, TARNMA, TAYLORVILLE STATION, TELOWIE, TEPCO STATION, TEROWIE, THE PINES, THOMAS PLAIN, THRINGTON, TICKERA, TIDDY WIDDY BEACH, TIKALINA, TOTHILL BELT, TOTHILL CREEK, UCOLTA, ULOOLOO, UNDALYA, URANIA, WADNAMINGA, WALLAROO, WALLAROO MINES, WALLAROO PLAIN, WALLOWAY, WANDEARAH EAST, WANDEARAH WEST, WARBURTO, WARD HILL, WARNERTOWN, WARNES, WAROOKA, WAROONEE, WASHPOOL, WATCHMAN, WATERLOO, WATERVALE, WAUKARINGA, WAURALTEE, WEDGE ISLAND, WEEKEROO, WEEROONA ISLAND, WEETULTA, WEST BUNDALEER, WESTONS FLAT, WHITE HUT, WHITWARTA, WHYTE YARCOWIE, WIAWERA, WILLALO, WILLAMULKA, WILLIPPA, WILLOWIE, WILMINGTON, WINNININNIE, WINNINOWIE, WINULTA, WIRRABARA, WOKURNA, WOMPINIE, WONGYARRA, WONNA, WOOL BAY, WOOLSHED FLAT, WOOLUNDUNGA, WORLDS END, YACKA, YALPARA, YANYARRIE, YARRAMBA, YATINA, YELTA, YONGALA, YORKE VALLEY, YORKETOWN, YUNTA

Schedule 2—Contracts and agreements for transfer

1—Contracts and agreements transferred to Barossa Hills Fleurieu Local Health Network Incorporated

PCMS Contract Number

GPA.2017.0012

GPA.2017.0017

GPA.2017.0031

GPA.2017.0038

GPA.2017.0047

GPA.2017.0048

GPA.2017.0077

GPA.2017.0078

GPA.2017.0087

GPA.2017.0088

GPA.2017.0115

GPA.2017.0119

GPA.2017.0135

GPA.2017.0169

GPA.2017.0179

GPA.2017.0182

GPA.2017.0193

GPA.2017.0199

GPA.2017.0201

GPA.2017.0211

GPA.2017.0213

PCMS Contract Number

GPA.2017.0215

GPA.2017.0223

GPA.2017.0224

GPA.2017.0228

GPA.2017.0239

GPA.2017.0245

GPA.2017.0246

GPA.2017.0256

GPA.2017.0262

GPA.2017.0263

GPA.2017.0275

GPA.2017.0280

GPA.2017.0285

GPA.2017.0288

GPA.2017.0303

GPA.2017.0304

GPA.2017.0308

GPA.2017.0314

GPA.2017.0319

GPA.2017.0334

GPA.2017.0337

GPA.2017.0344

GPA.2017.0348

GPA.2017.0354

GPA.2017.0356

GPA.2017.0357

GPA.2017.0360

GPA.2017.0364

GPA.2017.0366

GPA.2017.0368

GPA.2017.0376

GPA.2017.0378

GPA.2017.0380

GPA.2017.0389

SAH2012-212

SAH2012-297

SAH2012-357

SAH2012-910

SAH2012-911

PCMS Contract Number

SAH2012-912

SAH2012-913

SAH2012-914

SAH2012-918

SAH2012-919

SAH2012-922

SAH2013-10166

SAH2013-10276

SAH2013-11995

SAH2013-12040

SAH2013-12098

SAH2013-57

SAH2013-58

SAH2013-83

SAH2013-9993

SAH2013-9996

SAH2014-1118

SAH2014-1169

SAH2014-206

SAH2014-543

SAH2015-1603

SAH2015-1702

SAH2015-1822

SAH2015-210-10

SAH2015-210-13

SAH2015-210-21

SAH2015-210-3

SAH2015-210-37

SAH2015-210-4

SAH2015-381

SAH2015-540

SAH2015-540-1

SAH2015-540-2

SAH2016-1029

SAH2016-14761

SAH2016-1610

SAH2016-1611

SAH2016-1688

SAH2016-2006

PCMS Contract Number

SAH2016-2055

SAH2016-232

SAH2016-413

SAH2016-47

SAH2016-49

SAH2016-915

SAH2017-1

SAH2017-1151

SAH2017-1416

SAH2017-1505

SAH2017-1506

SAH2017-1512

SAH2017-1523

SAH2017-1573

SAH2017-1812

SAH2017-1826

SAH2017-18641

SAH2017-1928

SAH2017-1955

SAH2017-1968

SAH2017-2002

SAH2017-2173

SAH2017-471

SAH2017-473

SAH2017-486

SAH2017-487

SAH2017-591

SAH2017-701

SAH2017-796

SAH2018-1010

SAH2018-103

SAH2018-1037

SAH2018-1109

SAH2018-1153

SAH2018-1156

SAH2018-1180

SAH2018-119

SAH2018-1197

SAH2018-120

PCMS Contract Number

SAH2018-1202

SAH2018-1205

SAH2018-1209

SAH2018-121

SAH2018-122

SAH2018-1235

SAH2018-127

SAH2018-1313

SAH2018-1365

SAH2018-1480-1

SAH2018-1484

SAH2018-1553–10

SAH2018-1553–13

SAH2018-1553–14

SAH2018-1553–19

SAH2018-1553–35

SAH2018-1553–37

SAH2018-1553–38

SAH2018-1553–5

SAH2018-1553–6

SAH2018-1553–7

SAH2018-1553–9

SAH2018-1587

SAH2018-1608

SAH2018-1630

SAH2018-1631

SAH2018-1641

SAH2018-1656

SAH2018-1686

SAH2018-1690

SAH2018-1778

SAH2018-178

SAH2018-1904

SAH2018-255

SAH2018-271

SAH2018-274

SAH2018-275

SAH2018-545

SAH2018-572

PCMS Contract Number

SAH2018-657

SAH2018-700

SAH2018-711

SAH2018-713

SAH2018-742

SAH2018-744

SAH2018-762

SAH2018-776

SAH2018-816

SAH2018-859

SAH2018-900

SAH2018-918

SAH2018-919

SAH2018-920

SAH2018-966

SAH2019-100

SAH2019-101

SAH2019-102

SAH2019-103

SAH2019-151

SAH2019-166

SAH2019-170

SAH2019-192

SAH2019-199

SAH2019-20

SAH2019-269

SAH2019-284

SAH2019-317

SAH2019-326

SAH2019-33

SAH2019-34

SAH2019-375

SAH2019-396

SAH2019-398

SAH2019-437

SAH2019-442

SAH2019-50

SAH2019-58

SAH2019-90

PCMS Contract Number

SAH2019-91

SAH2019-92

SAH2019-93

SAH2019-99

2—Contracts and agreements transferred to Eyre and Far North Local Health Network Incorporated

PCMS Contract Number

GPA.2017.0002

GPA.2017.0016

GPA.2017.0072

GPA.2017.0372

GPA.2017.0390

SAH2013-9999

SAH2014-119

SAH2015-1825

SAH2015-210-1

SAH2015-210-14

SAH2015-210-25

SAH2015-210-29

SAH2015-210-30

SAH2015-210-32

SAH2015-210-36

SAH2015-210-40

SAH2015-210-45

SAH2015-210-5

SAH2015-218

SAH2015-220

SAH2015-899

SAH2016-1001

SAH2016-1476

SAH2016-862

SAH2017-1344

SAH2017-1361

SAH2017-1411

SAH2017-1535

SAH2017-1537

SAH2017-1540

SAH2017-1564

PCMS Contract Number

SAH2017-1565

SAH2017-1566

SAH2017-1579

SAH2017-1580

SAH2017-1692

SAH2017-1693

SAH2017-1694

SAH2017-1729

SAH2017-2241

SAH2017-2350

SAH2017-466

SAH2017-467

SAH2017-492

SAH2017-522

SAH2018-1147

SAH2018-1208

SAH2018-1257

SAH2018-1261

SAH2018-1413

SAH2018-1414

SAH2018-1480-2

SAH2018-1553–2

SAH2018-1553–21

SAH2018-1553–22

SAH2018-1553–24

SAH2018-1553–29

SAH2018-1553–32

SAH2018-1553–33

SAH2018-1553–34

SAH2018-1553–36

SAH2018-1600

SAH2018-1601

SAH2018-1643

SAH2018-1687

SAH2018-1688

SAH2018-1746

SAH2019-140

SAH2019-141

SAH2019-150

PCMS Contract Number

SAH2019-202

SAH2019-270

SAH2019-271

SAH2019-272

SAH2019-401

SAH2019-84

3—Contracts and agreements transferred to Flinders and Upper North Local Health Network Incorporated

PCMS Contract Number

GPA.2017.0022

GPA.2017.0035

GPA.2017.0036

GPA.2017.0184

GPA.2017.0186

GPA.2017.0188

GPA.2017.0189

GPA.2017.0203

GPA.2017.0266

GPA.2017.0307

GPA.2017.0325

GPA.2017.0343

GPA.2017.0365

GPA.2017.0371

GPA.2017.0377

GPA.2017.0381

SAH2012-548

SAH2012-570

SAH2012-629

SAH2014-129

SAH2015-1824

SAH2015-210-42

SAH2015-210-43

SAH2017-1366

SAH2017-1419

SAH2017-1420

SAH2017-1539

SAH2017-1568

SAH2017-1571

PCMS Contract Number

SAH2017-2245

SAH2017-2246

SAH2017-2247

SAH2017-507

SAH2017-513

SAH2017-514

SAH2017-516

SAH2017-676

SAH2018-1161

SAH2018-1203

SAH2018-1385

SAH2018-1397

SAH2018-1480-3

SAH2018-1579

SAH2018-1604

SAH2018-1685

SAH2018-1793

SAH2018-1823

SAH2018-1952

SAH2018-196

SAH2018-589

SAH2018-882

SAH2018-965

SAH2019-10

SAH2019-11

SAH2019-159

SAH2019-273

SAH2019-274

SAH2019-277

SAH2019-278

4—Contracts and agreements transferred to Limestone Coast Local Health Network Incorporated

PCMS Contract Number

GPA.2017.0117

GPA.2017.0295

GPA.2017.0327

GPA.2017.0329

GPA.2017.0367

PCMS Contract Number

GPA.2017.0369

GPA.2017.0375

SAH2012-388

SAH2012-396

SAH2012-398

SAH2012-412

SAH2012-453

SAH2015-210-2

SAH2015-210-23

SAH2015-210-24

SAH2015-210-27

SAH2015-210-38

SAH2015-286-1

SAH2015-286-2

SAH2015-439

SAH2015-582

SAH2016-139

SAH2016-143

SAH2016-991

SAH2017-1173

SAH2017-118

SAH2017-1336

SAH2017-1343

SAH2017-1417

SAH2017-1574

SAH2017-1589

SAH2017-1669

SAH2017-1824

SAH2017-1825

SAH2017-1975

SAH2017-468

SAH2017-520

SAH2017-588

SAH2018-1480-5

SAH2018-1822

SAH2018-872

SAH2019-390

SAH2019-391

SAH2019-394

5—Contracts and agreements transferred to Riverland Mallee Coorong Local Health Network Incorporated

PCMS Contract Number
GPA.2017.0003
GPA.2017.0009
GPA.2017.0014
GPA.2017.0018
GPA.2017.0062
GPA.2017.0063
GPA.2017.0064
GPA.2017.0095
GPA.2017.0292
GPA.2017.0293
GPA.2017.0328
GPA.2017.0347
GPA.2017.0373
GPA.2017.0384
SAH2013-56
SAH2015-1829
SAH2015-210-11
SAH2015-210-15
SAH2015-210-16
SAH2015-210-19
SAH2015-210-20
SAH2015-210-22
SAH2015-210-34
SAH2015-210-39
SAH2015-210-6
SAH2015-210-7
SAH2015-387
SAH2016-1347
SAH2016-2053
SAH2016-2080
SAH2017-1257
SAH2017-1334
SAH2017-1342
SAH2017-1415
SAH2017-1418
SAH2017-1584

PCMS Contract Number

SAH2017-1585

SAH2017-1586

SAH2017-1592

SAH2017-1593

SAH2017-1595

SAH2017-521

SAH2017-523

SAH2018-1239

SAH2018-1480-4

SAH2018-1768

SAH2018-348

SAH2018-413

SAH2018-701

SAH2019-258

SAH2019-275

6—Contracts and agreements transferred to Yorke and Northern Local Health Network Incorporated

PCMS Contract Number

GPA.2017.0021

GPA.2017.0028

GPA.2017.0029

GPA.2017.0033

GPA.2017.0042

GPA.2017.0044

GPA.2017.0046

GPA.2017.0061

GPA.2017.0074

GPA.2017.0075

GPA.2017.0080

GPA.2017.0101

GPA.2017.0109

GPA.2017.0112

GPA.2017.0129

GPA.2017.0130

GPA.2017.0131

GPA.2017.0132

GPA.2017.0227

GPA.2017.0247

PCMS Contract Number

GPA.2017.0251

GPA.2017.0269

GPA.2017.0278

GPA.2017.0291

GPA.2017.0296

GPA.2017.0300

GPA.2017.0330

GPA.2017.0352

GPA.2017.0353

GPA.2017.0361

GPA.2017.0370

GPA.2017.0374

GPA.2017.0379

GPA.2017.0391

SAH2014-57

SAH2015-1826

SAH2015-210-12

SAH2015-210-17

SAH2015-210-18

SAH2015-210-26

SAH2015-210-28

SAH2015-210-31

SAH2015-210-33

SAH2015-210-35

SAH2015-210-41

SAH2015-210-44

SAH2015-210-8

SAH2015-210-9

SAH2016-144

SAH2016-1649

SAH2016-2155

SAH2016-593

SAH2017-1341

SAH2017-1360

SAH2017-1398

SAH2017-1421

SAH2017-1423

SAH2017-1581

SAH2017-1582

PCMS Contract Number

SAH2017-1590

SAH2017-1591

SAH2017-470

SAH2017-472

SAH2017-478

SAH2017-680

SAH2017-681

SAH2018-1294

SAH2018-1480-6

SAH2018-1553–1

SAH2018-1553–11

SAH2018-1553–12

SAH2018-1553–15

SAH2018-1553–16

SAH2018-1553–17

SAH2018-1553–18

SAH2018-1553–20

SAH2018-1553–23

SAH2018-1553–26

SAH2018-1553–27

SAH2018-1553–28

SAH2018-1553-3

SAH2018-1553–30

SAH2018-1553–31

SAH2018-1553–4

SAH2018-914

SAH2019-120

SAH2019-267

SAH2019-268

SAH2019-338

SAH2019-340

SAH2019-359

SAH2019-403

SAH2019-413

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

South Australia

Planning, Development and Infrastructure (Designated Day) Proclamation 2019

under Schedule 8 clause 1 of the *Planning, Development and Infrastructure Act 2016*

1—Short title

This proclamation may be cited as the *Planning, Development and Infrastructure (Designated Day) Proclamation 2019*.

2—Commencement

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

3—Designated day

Pursuant to the definition of ***designated day*** in Schedule 8 clause 1 of the *Planning, Development and Infrastructure Act 2016*, 1 July 2019 is appointed as the designated day for the purposes of clauses 16, 22, 28, 35, 38 and 39 of that Schedule.

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

South Australia

Volunteers Protection Regulations 2019

under the *Volunteers Protection Act 2001*

Contents

1 Short title
2 Commencement
3 Interpretation
4 Definition of voluntary basis

Schedule 1—Revocation of *Volunteers Protection Regulations 2004*

1—Short title

These regulations may be cited as the *Volunteers Protection Regulations 2019*.

2—Commencement

These regulations come into operation on 1 September 2019.

3—Interpretation

In these regulations—

Act means the *Volunteers Protection Act 2001*.

4—Definition of voluntary basis

(1) For the purposes of the definition of ***voluntary basis*** in section 3 of the Act, a person works on a voluntary basis if the person is remunerated within the following limits:

(a) the person is reimbursed for any expenses incurred during the course of carrying out the work;

(b) the person is given a true honorarium in respect of the work.

(2) In this regulation—

true honorarium means a monetary gift made to a person in recognition of the person's work as a volunteer.

Note—

It follows that a true honorarium is not—

(a) subject to pay-as-you-go withholding or instalment tax; or

(b) paid as a consequence of the person's employment; or

(c) legally required to be paid to the person; or

(d) an amount that is relied on or expected by the person as a source of income.

Schedule 1—Revocation of *Volunteers Protection Regulations 2004*

The *Volunteers Protection Regulations 2004* are revoked.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 164 of 2019

DHSCS19010

South Australia

Criminal Law Consolidation (Medical Termination of Pregnancy) Variation Regulations 2019

under the *Criminal Law Consolidation Act 1935*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Criminal Law Consolidation (Medical Termination of Pregnancy) Regulations 2011*

4 Substitution of Schedule 3

Schedule 3—Prescribed hospitals

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Criminal Law Consolidation (Medical Termination of Pregnancy) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

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 *Criminal Law Consolidation (Medical Termination of Pregnancy) Regulations 2011*

4—Substitution of Schedule 3

Schedule 3—delete Schedule 3 and substitute:

Schedule 3—Prescribed hospitals

Ashford Hospital

The Burnside War Memorial Hospital Incorporated

The following hospital facilities of the Central Adelaide Local Health Network Incorporated:

- The Queen Elizabeth Hospital
- Royal Adelaide Hospital

Central Districts Private Hospital Incorporated

The following hospital facilities of the Barossa Hills Fleurieu Local Health Network Incorporated:

- Angaston District Hospital
- Eudunda Hospital
- Gawler Health Service
- Gumeracha District Soldiers' Memorial Hospital
- Kangaroo Island Health Service
- Kapunda Hospital
- Mount Barker District Soldiers' Memorial Hospital
- Mount Pleasant District Hospital
- Southern Fleurieu Health Service
- Strathalbyn and District Health Service
- Tanunda War Memorial Hospital

The following hospital facilities of the Eyre and Far North Local Health Network Incorporated:

- Ceduna District Health Service
- Cleve District Hospital and Aged Care
- Coober Pedy Hospital and Health Service
- Cowell District Hospital and Aged Care
- Cummins and District Memorial Hospital
- Elliston District Hospital
- Kimba District Hospital and Aged Care
- Oodnadatta Health Service
- Port Lincoln Health Service
- Streaky Bay District Hospital
- Tumby Bay Hospital and Health Service
- Wudinna Hospital

The following hospital facilities of the Flinders and Upper North Local Health Network Incorporated:

- Hawker Memorial Hospital
- Leigh Creek Health Service
- Port Augusta Hospital and Regional Health Service
- Quorn Health Service
- Roxby Downs Health Service
- The Whyalla Hospital and Health Service

The following hospital facilities of the Riverland Mallee Coorong Local Health Network Incorporated:

- Barmera Hospital
- Karoonda and Districts Soldiers' Memorial Hospital
- Lameroo District Health Service
- Loxton Hospital Complex
- Mannum District Hospital
- Meningie and Districts Memorial Hospital and Health Service
- Murray Bridge Soldiers' Memorial Hospital
- Pinnaroo Soldiers' Memorial Hospital
- Renmark Paringa District Hospital
- Riverland General Hospital
- Tailem Bend District Hospital
- Waikerie Health Services

The following hospital facilities of the Limestone Coast Local Health Network Incorporated:

- Bordertown Memorial Hospital
- Kingston Soldiers' Memorial Hospital
- Millicent and District Hospital and Health Service
- Mount Gambier and Districts Health Service
- Naracoorte Health Service
- Penola War Memorial Hospital

The following hospital facilities of the Yorke and Northern Local Health Network Incorporated:

- Balaklava Soldiers' Memorial District Hospital
- Booleroo Centre District Hospital and Health Service
- Burra Hospital
- Central Yorke Peninsula Hospital (Maitland)
- Clare Hospital
- Crystal Brook and District Hospital
- Gladstone Community Health Centre
- Jamestown Hospital and Health Service
- Laura and District Hospital
- Minlaton Medical Centre
- Orrorroo and District Health Service
- Peterborough Soldiers' Memorial Hospital and Health Service
- Port Broughton District Hospital and Health Service

- Port Pirie Regional Health Service
- Riverton District Soldiers' Memorial Hospital
- Snowtown Hospital
- Southern Yorke Peninsula Hospital (Yorketown)
- Wallaroo Hospital and Health Service (also known as Northern Yorke Peninsula Health Service)

Flinders Private Hospital

Glenelg Community Hospital Incorporated

The Memorial Hospital

North Eastern Community Hospital Incorporated

The following hospital facilities of the Northern Adelaide Local Health Network Incorporated:

- Lyell McEwin Hospital
- Modbury Hospital

Saint Andrews Hospital Incorporated

The following hospital facilities of the Southern Adelaide Local Health Network Incorporated:

- Flinders Medical Centre
- Noarlunga Hospital
- Repatriation General Hospital

Southern Districts War Memorial Hospital Incorporated

Stirling and Districts Hospital Incorporated

Wakefield Hospital Incorporated

Western Hospital

The Women's and Children's Hospital facility of the Women's and Children's Health Network Incorporated

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 165 of 2019

HEAC-2019-00020

South Australia

Health Care (Engagement Strategies) Variation Regulations 2019

under the *Health Care Act 2008*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Health Care Regulations 2008*

4 Insertion of regulation 7A
7A Prescribed requirements for engagement strategies

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Health Care (Engagement Strategies) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

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 *Health Care Regulations 2008*

4—Insertion of regulation 7A

After regulation 7 insert:

7A—Prescribed requirements for engagement strategies

(1) For the purposes of section 33A(3)(a) of the Act, the clinician engagement strategy developed by a governing board must—

(a) include the following:

(i) the objectives of the strategy;

(ii) an outline of how the strategy will contribute to the achievement of the functions of the governing board;

(iii) the manner in which consultation with health professionals will be conducted;

(iv) an outline of the key issues that will form the basis of consultation with health professionals, including issues focussed on the safety and quality of health services, service planning and design, service delivery and the monitoring and evaluation of service delivery;

(v) an outline of how the governing board will use information obtained from implementing the strategy to continuously improve consultation with health professionals;

(vi) an outline of how the effectiveness of consultation with health professionals under the strategy will be measured and publicly reported; and

(b) have regard to national and State strategies, policies, agreements and standards relevant to promoting consultation with health professionals; and

(c) outline the relationship between each of the following:

(i) the governing board's consumer and community engagement strategy;

(ii) the governing board's clinician engagement strategy;

(iii) providers of health services, including providers of primary health care services.

(2) For the purposes of section 33A(3)(a) of the Act, the consumer and community engagement strategy developed by a governing board must—

(a) include the following:

(i) the objectives of the strategy;

(ii) an outline of how the strategy will contribute to the achievement of the functions of the governing board;

(iii) the manner in which consultation with health consumers and members of the community will be conducted, including the manner in which consultation by health professionals and staff members with health consumers and members of the community will be conducted;

(iv) an outline of the key issues that will form the basis of consultation with health consumers and members of the community, including issues focussed on the safety and quality of health services, service planning and design, service delivery and the monitoring and evaluation of service delivery;

(v) an outline of how the governing board will use information obtained from implementing the strategy to identify and consult with health consumers and members of the community—

(A) who are or are at risk of experiencing poor health outcomes; or

(B) who may have difficulty accessing health services;

(vi) an outline of how the effectiveness of consultation with health consumers and members of the community under the strategy will be measured and publicly reported; and

(b) have regard to national and State strategies, policies, agreements and standards relevant to promoting consultation with health consumers and members of the community about the provision of health services; and

(c) outline the relationship between each of the following:

(i) the governing board's consumer and community engagement strategy;

(ii) the governing board's clinician engagement strategy;

(iii) providers of health services, including providers of primary health care services.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 166 of 2019

HEAC-2019-00020

South Australia

Water Industry Variation Regulations 2019

under the *Water Industry Act 2012*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Water Industry Regulations 2012*

4 Insertion of regulation 36A
36A Extension of Part 9A

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Water Industry Variation Regulations 2019*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Water Industry Regulations 2012*

4—Insertion of regulation 36A

After regulation 36 insert:

36A—Extension of Part 9A

In accordance with section 86ZR(6)(b) of the Act (and following a recommendation of the regulator as required by section 86ZR(6)(a) of the Act), the operation of Part 9A is extended by a further period of 5 years commencing when the initial prescribed period ends on 30 June 2019.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 167 of 2019

19EWDEWCS0043

South Australia

Health Practitioner Regulation National Law (South Australia) (Amendment of Law) Regulations 2019

under the *Health Practitioner Regulation National Law (South Australia) Act 2010*

Contents

Preamble

Part 1—Preliminary

1 Short title
2 Commencement
3 Amendment provisions

Part 2—Variation of *Health Practitioner Regulation National Law (South Australia)*

4 Amendment of section 113—Restriction on use of protected titles
5 Amendment of section 115—Restriction on use of specialist titles
6 Amendment of section 116—Claims by persons as to registration as health practitioner
7 Amendment of section 117—Claims by persons as to registration in particular profession or division
8 Amendment of section 118—Claims by persons as to specialist registration
9 Amendment of section 119—Claims about type of registration or registration in recognised specialty
10 Amendment of section 121—Restricted dental acts
11 Amendment of section 122—Restriction on prescription of optical appliances
12 Amendment of section 123—Restriction on spinal manipulation
13 Amendment of section 196A—Offences relating to prohibition orders
14 Insertion of section 241A
241A Proceedings for indictable offences
15 Amendment of section 242—Proceedings for other offences
16 Amendment of Schedule 6—Inspectors

Preamble

1 Section 4 of the *Health Practitioner Regulation National Law (South Australia) Act 2010* provides that if the Parliament of Queensland enacts an amendment to the *Health Practitioner National Law* set out in the Schedule to the *Health Practitioner Regulation National Law Act 2009* of Queensland (the ***Queensland Act***), the Governor may, by regulation, modify the *Health Practitioner Regulation National Law (South Australia)* text to give effect to that amendment as a law of South Australia.

2 The Parliament of Queensland has enacted the *Health Practitioner Regulation National Law and Other Legislation Amendment Act 2019* to amend the Queensland Act and the amendments set out in Part 2 of these regulations to the *Health Practitioner Regulation National Law (South Australia)* text give effect to those Queensland amendments.

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Health Practitioner Regulation National Law (South Australia) (Amendment of Law) Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

3—Amendment provisions

Pursuant to section 4(4) of the *Health Practitioner Regulation National Law (South Australia) Act 2010*, the *Health Practitioner Regulation National Law (South Australia)* text is amended as specified in Part 2 of these regulations.

Part 2—Variation of *Health Practitioner Regulation National Law (South Australia)*

4—Amendment of section 113—Restriction on use of protected titles

(1) Section 113(1), penalty provision—delete the penalty and substitute:

Maximum penalty:

(a) in the case of an individual—$60 000 or 3 years imprisonment or both; or

(b) in the case of a body corporate—$120 000.

(2) Section 113(2), penalty provision—delete the penalty and substitute:

Maximum penalty:

(a) in the case of an individual—$60 000 or 3 years imprisonment or both; or

(b) in the case of a body corporate—$120 000.

5—Amendment of section 115—Restriction on use of specialist titles

(1) Section 115(1), penalty provision—delete the penalty and substitute:

Maximum penalty:

(a) in the case of an individual—$60 000 or 3 years imprisonment or both; or

(b) in the case of a body corporate—$120 000.

(2) Section 115(2), penalty provision—delete the penalty and substitute:

Maximum penalty:

(a) in the case of an individual—$60 000 or 3 years imprisonment or both; or

(b) in the case of a body corporate—$120 000.

6—Amendment of section 116—Claims by persons as to registration as health practitioner

(1) Section 116(1), penalty provision—delete the penalty and substitute:

Maximum penalty:

(a) in the case of an individual—$60 000 or 3 years imprisonment or both; or

(b) in the case of a body corporate—$120 000.

(2) Section 116(2), penalty provision—delete the penalty and substitute:

Maximum penalty:

(a) in the case of an individual—$60 000 or 3 years imprisonment or both; or

(b) in the case of a body corporate—$120 000.

7—Amendment of section 117—Claims by persons as to registration in particular profession or division

Section 117(3), penalty provision—delete the penalty provision and substitute:

Maximum penalty:

(a) in the case of an individual—$60 000 or 3 years imprisonment or both; or

(b) in the case of a body corporate—$120 000.

8—Amendment of section 118—Claims by persons as to specialist registration

(1) Section 118(1), penalty provision—delete the penalty and substitute:

Maximum penalty:

(a) in the case of an individual—$60 000 or 3 years imprisonment or both; or

(b) in the case of a body corporate—$120 000.

(2) Section 118(2), penalty provision—delete the penalty and substitute:

Maximum penalty:

(a) in the case of an individual—$60 000 or 3 years imprisonment or both; or

(b) in the case of a body corporate—$120 000.

9—Amendment of section 119—Claims about type of registration or registration in recognised specialty

Section 119(3), penalty provision—delete the penalty provision and substitute:

Maximum penalty:

(a) in the case of an individual—$60 000 or 3 years imprisonment or both; or

(b) in the case of a body corporate—$120 000.

10—Amendment of section 121—Restricted dental acts

Section 121(1), penalty provision—delete the penalty provision and substitute:

Maximum penalty: $60 000 or 3 years imprisonment or both.

11—Amendment of section 122—Restriction on prescription of optical appliances

Section 122(1), penalty provision—delete the penalty provision and substitute:

Maximum penalty: $60 000 or 3 years imprisonment or both.

12—Amendment of section 123—Restriction on spinal manipulation

Section 123(1), penalty provision—delete the penalty provision and substitute:

Maximum penalty: $60 000 or 3 years imprisonment or both.

13—Amendment of section 196A—Offences relating to prohibition orders

Section 196A(1), penalty provision—delete the provision and substitute:

Maximum penalty: $60 000 or 3 years imprisonment or both.

14—Insertion of section 241A

Before section 242 insert:

241A—Proceedings for indictable offences

(1) An offence against Part 7 Division 10 or section 196A(1) is an indictable offence.

(2) Despite subsection (1), an offence against Part 7 Division 10 or section 196A(1) may be prosecuted as an indictable offence or a summary offence at the discretion of the prosecutor but, if prosecuted as a summary offence, the maximum penalty that may be imposed is a fine not exceeding $60 000 or imprisonment for 2 years.

15—Amendment of section 242—Proceedings for other offences

Section 242—after "this Law" insert:

, other than an offence mentioned in section 241A(1),

16—Amendment of Schedule 6—Inspectors

(1) Schedule 6, clause 16(1)—delete subclause (1) and substitute:

(1) If a seized thing has not been forfeited, the inspector must return it to its owner—

(a) if proceedings involving the thing are started within 6 months after the thing is seized—at the end of the proceedings and any appeal from the proceedings; or

(b) otherwise—

(i) 6 months after the thing is seized; or

(ii) at the end of any longer time for which the thing may be kept under subclause (3).

(2) Schedule 6, clause 16—after subclause (2) insert:

(3) If the seized thing is a document, the inspector may keep it while the inspector is satisfied it is needed, or may be needed, for the purposes of—

(a) a proceeding for an offence against this Law that is likely to be started or that has been started but not completed; or

(b) an appeal from a decision in a proceeding for an offence against this Law.

(3) Schedule 6, clause 17(1)—after "copy it" insert:

or take an extract from it

(4) Schedule 6, clause 17(2)—delete "or copying" and substitute:

, copying or taking of an extract

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 168 of 2019

HEAC-2018-00075

South Australia

Dangerous Substances (Dangerous Goods Transport) (Package Marking and Labelling) Variation Regulations 2019

under the *Dangerous Substances Act 1979*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Dangerous Substances (Dangerous Goods Transport) Regulations 2008*

4 Variation of regulation 3—Scope of Act and regulations
5 Variation of regulation 54—Seller's and supplier's duties
6 Variation of regulation 69—Consignor's duties
7 Variation of regulation 70—Packer's duties
8 Variation of regulation 74—Appropriately marked and labelled
9 Variation of regulation 91—Interpretation
10 Variation of regulation 102—Exceptions

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Dangerous Substances (Dangerous Goods Transport) (Package Marking and Labelling) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019 immediately after the *Dangerous Substances (Dangerous Goods Transport) Variation Regulations 2019* 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 *Dangerous Substances (Dangerous Goods Transport) Regulations 2008*

4—Variation of regulation 3—Scope of Act and regulations

Regulation 3(5)(g)—delete "or 3.5"

5—Variation of regulation 54—Seller's and supplier's duties

(1) Regulation 54(a)—delete "or 3.5"

(2) Regulation 54(b)—delete "or 3.5"

6—Variation of regulation 69—Consignor's duties

Regulation 69(b)—delete paragraph (b) and substitute:

(b) the goods have not been packed in the packaging in accordance with any relevant provision of Part 4 of the ADG Code, nor in accordance with Chapter 3.4 of the ADG Code (which applies only if the quantity of dangerous goods in each inner packaging or in each article does not exceed the quantity specified, or referred to, in column 7a of the Dangerous Goods List for those goods).

7—Variation of regulation 70—Packer's duties

Regulation 70(2)(a)—delete paragraph (a) and substitute:

(a) if the quantity of dangerous goods in each inner packaging or in each article does not exceed the quantity specified, or referred to, in column 7a of the Dangerous Goods List for those goods—Chapter 3.4 of the ADG Code; or

8—Variation of regulation 74—Appropriately marked and labelled

Regulation 74(2)—delete "column 7" and substitute:

column 7a

9—Variation of regulation 91—Interpretation

Regulation 91(2)—delete "***dangerous goods to which this Part applies***" and substitute:

designated dangerous goods

10—Variation of regulation 102—Exceptions

Regulation 102(1)(b) and (c)—delete paragraphs (b) and (c) and substitute:

(b) the quantity of dangerous goods in each inner packaging or in each article does not exceed the quantity specified, or referred to, in column 7a of the Dangerous Goods List for those goods; and

(c) the goods are packed in accordance with Chapter 3.4 of the ADG Code.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 169 of 2019

South Australia

National Electricity (South Australia) (Civil Penalties No 2) Variation Regulations 2019

under the *National Electricity (South Australia) Act 1996*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *National Electricity (South Australia) Regulations*

4 Variation of Schedule 1—Civil penalty provisions

Part 1—Preliminary

1—Short title

These regulations may be cited as the *National Electricity (South Australia) (Civil Penalties No 2) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

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 *National Electricity (South Australia) Regulations*

4—Variation of Schedule 1—Civil penalty provisions

(1) Schedule 1—after "clause 3.13.3(t)" insert:

clause 3.13.3A(e)

clause 3.13.3A(f)

clause 3.13.3A(g)

(2) Schedule 1—after "clause 4.15(h)" insert:

clause 4A.G.13(a)

clause 4A.G.17(b)

clause 4A.G.24(b)

(3) Schedule 1—after "clause 11.86.7(i)" insert:

clause 11.116.13(b)

Made by the Governor

on the unanimous recommendation of the Ministers of the participating jurisdictions and with the advice and consent of the Executive Council
on 27 June 2019

No 170 of 2019

South Australia

National Electricity (South Australia) (Local Provisions) Regulations 2019

under the *National Electricity (South Australia) Act 1996*

Contents

1 Short title
2 Commencement
3 Modification of National Electricity Rules—retailer reliability obligation

1—Short title

These regulations may be cited as the *National Electricity (South Australia) (Local Provisions) Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

3—Modification of National Electricity Rules—retailer reliability obligation

(1) In accordance with section 19C of the Act, the National Electricity Rules, insofar as they have effect as part of the law of South Australia, apply in relation to any T-3 reliability instrument made by the Minister under section 19B(1) of the Act—

(a) as though a reference in the following Parts and provisions of the Rules to a ***forecast reliability gap period*** includes a reference to the period specified in the instrument for the purposes of section 19B(2) of the Act:

(i) Rule 4A.C.4;

(ii) Rule 4A.D.4;

(iii) Rule 4A.D.5;

(iv) Rule 4A.D.9;

(v) Part G of Chapter 4A;

(vi) Part H of Chapter 4A; and

(b) as though a reference in the following Parts and provisions of the Rules to a ***forecast reliability gap*** includes a reference to a gap specified in the instrument for the purposes of section 19B(2) of the Act:

(i) Rule 4A.A.1;

(ii) Rule 4A.C.4;

(iii) Part G of Chapter 4A;

(iv) Part H of Chapter 4A; and

(c) as though, in Rule 4A.H.3(a)(1), after "T-3 reliability instrument" there were inserted:

or the South Australian Minister makes a T-3 reliability instrument under section 19B of the *National Electricity (South Australia) Act 1996*

(2) In accordance with section 19C of the Act, the National Electricity Rules, insofar as they have effect as part of the law of South Australia, apply in relation to a T-3 reliability instrument of a kind referred to in section 19B(8) of the Act and a T-1 reliability instrument for a region related to such a T-3 reliability instrument—

(a) as though the following amendments were made to those Rules:

(i) Rule 4A.C.10(b)—delete "which must be a day in the period which starts 7 days before the T-1 cut-off day and ends on that day (inclusive)" and substitute:

which day must be the day that falls 6 months before the first day of the *reliability gap period*;

(ii) Rule 4A.D.7—delete "that is 18 months after the date the relevant T-3 reliability instrument is effective" and substitute:

that falls 6 months before the contract position day

(iii) Rule 4A.G.16(a)(1)—delete "5" and substitute:

20

(iv) Rule 4A.G.16(d)(1)—delete subparagraph (1) and substitute:

(1) the contract position day;

(b) if the AER has not established an Auditors Panel under Rule 4A.E.5(a) on or before the day that falls 3 months before the reporting day specified in the T-1 reliability instrument, as though references to an Independent Auditor in Rule 4A.E.5(b), (c) and (e) were references to an auditor appointed from a panel of auditors established and maintained by the Minister.

(3) In this regulation—

Act means the *National Electricity (South Australia) Act 1996*.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 171 of 2019

South Australia

Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019

under the *Planning, Development and Infrastructure Act 2016*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Planning, Development and Infrastructure (General) Regulations 2017*

4 Variation of regulation 3—Interpretation
5 Insertion of regulations 3A to 3I
3A Application of Act (section 8)
3B Additions to definition of *development*
3C Exclusions from definition of *development*—general
3D Exclusions from definition of *development*—State heritage areas
3E Change in classification of buildings
3F Regulated and significant trees
3G Aboveground and inflatable pools
3H Public notice
3I Prescribed period (section 44(12)(b))
6 Revocation of regulation 4
7 Insertion of regulation 6A
6A Provision of documents and notices via the SA planning portal
8 Variation of regulation 18—Other matters
9 Insertion of Parts 4 to 18 and Schedules 1 to 19

Part 4—Statutory instruments

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21 Minor or operational amendments (section 76)

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26 Requirement to obtain advice of accredited professional

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27 Impact assessed development - categorisation
28 Complying building work

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34 Period for additional information and other matters

35 Amended applications
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68 Procedural matters (section 111(2))
69 Level of detail—EIS (section 112(b))
70 Level of detail—EIS (section 112(c))
71 EIS processes (section 113(5))
72 Consultation (section 113(6))
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Part 9—Special provisions relating to land division

Division 1—Preliminary

75 Interpretation

Division 2—Advice from Commission

76 Advice from Commission

Division 3—Presumption in respect of division of certain buildings

77 Presumption in respect of division of certain buildings

Division 4—Underground mains areas

78 Underground mains areas

Division 5—Assessment requirements—water and sewerage

79 Assessment requirements—water and sewerage

Division 6—Prescribed requirements—general land division

80 Prescribed requirements
81 Width of roads and thoroughfares
82 Road widening
83 Requirement as to forming of roads
84 Construction of roads, bridges, drains and services
85 Supplementary provisions

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86 Exclusion from requirement to obtain a certificate[1]
87 General land division
88 Division of land by strata title
89 General provisions

Division 8—Notification of decision

90 Notification of decision

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116 Rights of review and appeal

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21 Car parks etc in Osborne area of City of Port Adelaide Enfield

Schedule 5—Exclusions from definition of development—State heritage areas

1 Advertising displays
2 Council works
3 Retirement units
4 Sundry minor operations
5 Use of land and buildings
6 Painting

Schedule 6—Relevant authority—Commission

1 Areas of all councils
2 Adelaide Park Lands
3 City of Adelaide—developments over $10m

4 Inner Metropolitan Area—buildings exceeding 4 storeys
5 City of Port Adelaide Enfield—developments over $3m in identified area
6 West Beach Recreation Reserve
7 Private Open Space
8 City of Charles Sturt—developments over $3m in identified area
9 Certain electricity generators
10 Railways
11 Show grounds
12 Kangaroo Island—tourism development over $3m in certain conservation areas
13 University developments over $10m

Schedule 7—Complying building work

1 Dams
2 Pergolas
3 Demolition
4 Alterations
5 Building work outside council area
6 Haysheds etc
7 Stockyards
8 Sundry minor operations
9 Aquaculture
10 Aerials, towers etc
11 Railways

Schedule 8—Plans

1 Plans for certain types of development
2 Plans for residential alterations, additions and new dwellings
3 Plans for swimming pools
4 Plans for building work
5 Requirements for development near coast
6 Statement relating to electricity infrastructure
7 Requirements for general land division applications for development approval—proposal plans
8 Additional requirements for community plans
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10 Activities of environmental significance
11 Water resources requirements
12 Referrals with respect to River Murray Protection Areas
13 Referrals with respect to the use of River Murray water within the Murray-Darling Basin
14 Additional requirements for bushfire prone areas
15 Additional requirements for certain electricity generators

Schedule 9—Referrals

1 Interpretation
2 Deferral of referral
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Schedule 10—Work that affects stability of other land or premises

Schedule 11—Form of endorsement of scheme description—community titles

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Schedule 13—State agency development exempt from approval

1 Interpretation
2 General
3 Certain development in part of City of Mitcham
4 River Murray area
5 Certain development within the Park Lands

Schedule 14—Mining production tenements

1 Adelaide and Environs
2 The Coast
3 Other Areas

Schedule 15—Civil penalties

1 Form of notice of right to elect to be prosecuted (regulation 114)

Schedule 16—Map of initial part of designated Osborne area

Schedule 17—Map of additional part of designated Osborne area
10 Revocation of Schedules 1 and 2

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

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 *Planning, Development and Infrastructure (General) Regulations 2017*

4—Variation of regulation 3—Interpretation

(1) Regulation 3—after the definition of ***Act*** insert:

AHD, in relation to the potential for inundation, means *Australian height datum*;

ARI means *average recurrence interval* of a flood event;

coastal land means land that is within the Coastal Areas Overlay under the Planning and Design Code;

designated airport building heights area means an area identified under the Planning and Design Code (whether by use of an overlay or otherwise) as a designated airport building heights area;

designated building means a building, or class of building, designated by the Minister in a notice under Schedule 8, clause 4(1)(j);

designated building product means a building product, or kind of building product, designated by the Minister in a notice under Schedule 8, clause 4(1)(j);

designated environmental zone, subzone or overlay means an environmental zone, subzone or overlay identified under the Planning and Design Code as a designated environmental zone, subzone or overlay;

designated flood zone, subzone or overlay means a flood zone, subzone or overlay identified under the Planning and Design Code as a designated flood zone, subzone or overlay;

designated regulated tree overlay means an overlay identified under the Planning and Design Code as a designated regulated tree overlay;

essential safety provisions means—

(a) in relation to a building erected or altered after 17 June 1991—any safety systems, equipment or other provisions defined as such, or required to be installed under the Building Rules or a Ministerial building standard, any former regulations under the *Development Act 1993* or the *Building Act 1971*, or any Minister's Specification under the *Development Act 1993*; or

(b) in relation to a building erected or altered after 1 January 1974 but before 17 June 1991—any safety systems, equipment or other provisions required under Part 59 of the revoked *Building Regulations 1973* to be inspected, tested or maintained in good working order or submitted to a council, and in the case of log books, to be maintained and kept;

fire authority means—

(a) in relation to any part of the State where the South Australian Metropolitan Fire Service has responsibility for the provision of fire-fighting services—the South Australian Metropolitan Fire Service;

(b) in relation to any other part of the State—the South Australian Country Fire Service;

home activity means a use of a site by a person resident on the site—

(a) that does not detrimentally affect the amenity of the locality or any part of the locality; and

(b) that does not require or involve any of the following:

(i) assistance by more than 1 person who is not a resident in the dwelling;

(ii) use (whether temporarily or permanently) of a floor area exceeding 30 m^2;

(iii) the imposition on the services provided by a public utility organisation of any demand or load greater than that which is ordinarily imposed by other users of the services in the locality;

(iv) the display of goods in a window or about the dwelling or its curtilage;

(v) the use of a vehicle exceeding 3 tonne tare in weight;

Metropolitan Adelaide means Metropolitan Adelaide as defined by GRO Plan 639/93;

outbuilding does not include a private bushfire shelter;

private bushfire shelter means a building, associated with a Class 1a building under the Building Code, that may as a last resort provide shelter for occupants from the immediate life threatening effects of a bushfire event;

writing in relation to an advertisement, means all modes of representing or reproducing in visible form (other than by means of any illuminating or self-illuminating devices) words, figures, emblems or other symbols or any combination of words, figures, emblems or other symbols.

(2) Regulation 3—after its present contents as varied by this regulation (now to be designated as subregulation (1)) insert:

(2) The Planning and Design Code may identify—

(a) different airport building heights areas as designated airport building heights areas; and

(b) different environmental zones, subzones or overlays as designated environmental zones, subzones or overlays; and

(c) different flood zones, subzones or overlays as designated flood zones, subzones or overlays,

in relation to different provisions of these regulations.

(3) Subject to these regulations and the Planning and Design Code, if requirements for minimum finished floor levels expressed by reference to ARI or AHD are set out under the Planning and Design Code in respect of a zone, subzone or overlay, the zone, subzone or overlay will be taken to be a designated flood zone, subzone or overlay for the purposes of these regulations.

(4) For the purposes of these regulations, a reference to the natural surface of the ground, in relation to proposed development, is a reference to the existing ground level before the development is undertaken (disregarding any preparatory work or related work that has been (or is to be) undertaken for the purposes of the development).

(5) For the purposes of these regulations, a reference to a particular level or class of accredited professional is a reference to that level or class of accredited professional under the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*.

5—Insertion of regulations 3A to 3I

After regulation 3 insert:

3A—Application of Act (section 8)

(1) In accordance with section 8 of the Act, sections 151, 152 and 153 of the Act (relating to the classification and occupation of buildings) do not apply to any Class 1 or 10 building under the Building Code that is not within the area of a council.

(2) In accordance with section 8(2) of the Act, section 102(1)(d)(viii) of the Act does not apply in respect of development that does not involve the creation of a new boundary—

(a) that separates 2 or more sole occupancy units within an existing building; or

(b) that bounds a public corridor within an existing building; or

(c) that is within a prescribed separation distance from an existing building.

(3) In accordance with section 8(2) of the Act, section 102 subsection (9) of the Act applies, in respect of development to which subsection (1)(d)(viii) of that section applies (taking into account the operation of subregulation (2)), on the basis that a reference to the Building Rules is a reference to Section C of Volume 1, and P 2.3.1 of Volume 2, of the Building Code.

(4) In this regulation—

prescribed separation distance, in relation to a building, means the separation distance that applies to the building under the Building Code for the purpose of determining requirements for fire-resistance of building elements under the Code;

sole occupancy unit has the same meaning as in the Building Code.

3B—Additions to definition of *development*

An act or activity in relation to land specified in Schedule 3 is declared to constitute development for the purposes of the Act.

3C—Exclusions from definition of *development*—general

(1) Subject to this regulation, an act or activity specified in Schedule 4 is declared not to constitute development for the purposes of the Act.

(2) An exclusion under Schedule 4 is subject to any condition or limitation prescribed by Schedule 4 for the relevant act or activity.

(3) An exclusion under Schedule 4 does not apply in respect of a State heritage place.

(4) An exclusion under Schedule 4 does not apply in respect of any work involving any repair to, or alteration or restoration of, a building that would cause the building not to comply with the Building Rules.

(5) Nothing in this regulation or Schedule 4 affects the operation of Schedule 5.

3D—Exclusions from definition of *development*—State heritage areas

(1) Subject to this regulation, an act or activity specified in Schedule 5 that is to be undertaken within the State Heritage Area Overlay under the Planning and Design Code is declared not to constitute development for the purposes of the Act.

(2) An exclusion under Schedule 5 is subject to any condition or limitation prescribed by Schedule 5 for the relevant act or activity.

(3) An exclusion under Schedule 5 does not apply in respect of any work involving any repair to, or alteration or restoration of, a building that would cause the building not to comply with the Building Rules.

3E—Change in classification of buildings

Any work or activity that results in a change to the classification of a building under the Building Code is prescribed as building work for the purposes of the Act.

3F—Regulated and significant trees

(1) Subject to this regulation, the following are declared to constitute classes of regulated trees for the purposes of paragraph (a) of the definition of ***significant tree*** in section 3(1) of the Act, namely trees within a designated regulated tree overlay that have a trunk with a circumference of 2 m or more or, in the case of trees that have multiple trunks, that have trunks with a total circumference of 2 m or more and an average circumference of 625 mm or more, measured at a point 1 m above natural ground level.

(2) Subject to this regulation—

(a) a prescribed criterion for the purposes of paragraph (b) of the definition of ***significant tree*** in section 3(1) of the Act is that a regulated tree under subregulation (1) has a trunk with a circumference of 3 m or more or, in the case of a tree with multiple trunks, has trunks with a total circumference of 3 m or more and an average circumference of 625 mm or more, measured at a point 1 m above natural ground level; and

(b) regulated trees under subregulation (1) that are within the prescribed criterion under paragraph (a) are to be taken to be significant trees for the purposes of the Act.

(3) For the purposes of subregulations (1) and (2), the measurement of the circumference of the trunks of a tree with multiple trunks is to be undertaken on the basis of the actual circumference of each trunk and without taking into account any space between the trunks.

(4) Subregulations (1) and (2) do not apply—

(a) to a tree located within 10 m of an existing dwelling or an existing in-ground swimming pool, other than a tree within 1 of the following species (or genus) of trees:

Agonis flexuosa (Willow Myrtle)

Eucalyptus (any tree of the genus); or

(b) to a tree within 1 of the following species of trees:

Acer negundo (Box Elder)

Acer saccharinum (Silver Maple)

Ailanthus altissima (Tree of Heaven)

Alnus acuminate subsp. *Glabrata* (Evergreen Alder)

Celtis australis (European Nettle Tree)

Celtis sinensis (Chinese Nettle Tree)

Cinnamomum camphora (Camphor Laurel)

Cupressus macrocarpa (Monterey Cypress)

Ficus spp. (Figs), other than *Ficus macrophylla* (Morton Bay Fig) located more than 15 m from a dwelling

Fraxinus angustifolia (Narrow-leaved Ash)

Fraxinus angustifolia ssp. *Oxycarpa* (Desert Ash)

Pinus radiata (Radiata Pine/Monterey Pine)

Platanus x *acerifolia* (London Plane)

Populus alba (White Poplar)

Populus nigra var. *italica* (Lombardy Poplar)

Robinia pseudoacacia (Black Locust)

Salix babylonica (Weeping Willow)

Salix chilensis 'Fastigiata' (Chilean Willow, Evergreen Willow, Pencil Willow)

Salix fragilis (Crack Willow)

Salix x *rubens* (White Crack Willow, Basket Willow)

Salix x *sepulcralis* var. *chrysocoma* (Golden Weeping Willow)

Schinus areira (Peppercorn Tree); or

(c) to a tree belonging to a class of plants to which a declaration by the Minister under Chapter 8 Part 1 of the *Natural Resources Management Act 2004* applies; or

(d) to a tree that may not be cleared without the consent of the Native Vegetation Council under the *Native Vegetation Act 1991*; or

(e) to a tree planted as part of a woodlot, orchard or other form of plantation created for the purpose of growing and then harvesting trees or any produce.

(5) For the purposes of subregulation (4), the distance between a dwelling or swimming pool and a tree will be measured from the base of the trunk of the tree (or the nearest trunk of the tree to the dwelling or swimming pool) to the nearest part of the dwelling or swimming pool at natural ground level.

Note—

The scheme set out in subregulations (1) to (5) relates to the declaration of trees to be regulated trees or significant trees by regulations under the Act. A tree may also be declared to be a significant tree by the Planning and Design Code, and such a declaration has effect independently from those subregulations.

(6) For the purposes of the definition of ***tree damaging activity*** in section 3(1) of the Act, pruning—

(a) that does not remove more than 30% of the crown of the tree; and

(b) that is required to remove—

(i) dead or diseased wood; or

(ii) branches that pose a material risk to a building; or

(iii) branches to a tree that is located in an area frequently used by people and the branches pose a material risk to such people,

is excluded from the ambit of that definition.

3G—Aboveground and inflatable pools

(1) Any work or activity involving the construction of an aboveground or inflatable swimming pool which is capable of being filled to a depth exceeding 300 mm is prescribed under paragraph (b) of the definition of ***building work*** in section 3(1) of the Act.

(2) However—

(a) subregulation (1) does not apply if—

(i) the swimming pool is being placed where, or approximately where, the pool, or another pool capable of being filled to a depth exceeding 300 mm, has been previously located within the last 2 years; and

(ii) the placing of the pool, or another pool, at that location (or approximately that location)—

(A) has been previously granted approval under this Act or the repealed Act, other than where any safety features required on account of that approval have been removed; or

(B) occurred before 1 January 2004, other than where the pool that was previously so located did not incorporate a filtration system; and

(b) subregulation (1) applies subject to any exclusions from the ambit of the definition of ***development*** under Schedule 4 or 5.

(3) In this regulation—

swimming pool includes—

(a) a paddling pool; and

(b) a spa pool (but not a spa bath).

3H—Public notice

(1) For the purposes of the definition of ***public notice*** under the Act, public notice is a notice that is—

(a) published in a newspaper circulating generally in the area of the State that is relevant to the matter in relation to which public notice is to be given; and

(b) published on the SA planning portal; and

(c) for the purposes of section 113(5)(b) and (10)(b) of the Act, published in a newspaper circulating generally throughout the State; and

(d) for the purposes of section 131(13) of the Act, placed on the relevant land in accordance with the requirements of regulation 107(6).

(2) Subregulation (1)(d) does not apply—

(a) in relation to any part of the State that is not within the area of a council; or

(b) in relation to development that is to be carried out wholly on land covered by water.

3I—Prescribed period (section 44(12)(b))

For the purposes of section 44(12)(b) of the Act, the period of 15 business days is prescribed.

6—Revocation of regulation 4

Regulation 4—delete the regulation

7—Insertion of regulation 6A

After regulation 6 insert:

6A—Provision of documents and notices via the SA planning portal

(1) For the purposes of these regulations, any requirement to provide, furnish or lodge an application, document or other information to or with a person, body or other entity, or to provide or give a notification, may be satisfied by providing the application, document or other information, or by providing the notification, (as the case may be) via the SA planning portal, subject to complying with any relevant requirements applying under Part 4 Division 2 of the Act.

(2) However—

(a) subregulation (1) applies (and only applies) to the extent to which the SA planning portal has the facilities to allow the provision of an application, document or other information, or the provision of a notice, in the particular circumstances; and

(b) to the extent that the SA planning portal does not have the facilities envisaged by subregulation (1), or envisaged by any other provision of these regulations, an application, document or other information, or a notice, may be provided, furnished or lodged—

(i) by email, using the main or designated email address of the relevant person, body or other entity; or

(ii) by delivering the application, document, information or notice to the principal office or address of the relevant person, body or entity.

(3) For the purposes of subregulation (2), the designated email address of a person, body or other entity is an email address designated by the person, body or other entity as being an email address to be used under the Act or these regulations.

8—Variation of regulation 18—Other matters

Regulation 18—delete "not"

9—Insertion of Parts 4 to 18 and Schedules 1 to 19

After Part 3 insert:

Part 4—Statutory instruments

19—Incorporation of material (section 71(b))

For the purposes of section 71(b) of the Act, the following bodies are prescribed:

(a) the Minister, in relation to Ministerial building standards;

(b) Standards Australia;

(c) the Commonwealth Scientific and Industrial Research Organisation;

(d) any body prescribed by these regulations for the purposes of section 122 of the Act.

20—Notice of Code amendment (section 73(6)(d))

For the purposes of section 73(6)(d) of the Act, a notice must—

(a) identify the piece or pieces of land in relation to which the specific impact will apply; and

(b) describe the impact; and

(c) indicate where and when the relevant amendment to the Planning and Design Code may be inspected; and

(d) provide information about the consultation that is to occur under the Community Engagement Charter.

21—Minor or operational amendments (section 76)

The following documents are prescribed for the purposes of section 76(1)(d)(ii) of the Act:

(a) a coastal management plan (or part of a coastal management plan) approved by the Governor under the *Coast Protection Act 1972*;

(b) an environment protection policy (or part of an environment protection policy) under the *Environment Protection Act 1993*;

(c) a management plan (or part of a management plan) for a park or reserve adopted under the *National Parks and Wildlife Act 1972*;

(d) the list or amendment to the list of places entered, either on a provisional or permanent basis, in the State Heritage Register under the *Heritage Places Act 1993*;

(e) any regulation relating to the development of land under the *Electricity Act 1996*;

(f) a management plan (or part of a management plan) under the *Fisheries Management Act 2007*;

(g) an aquaculture policy under the *Aquaculture Act 2001*;

(h) an NRM plan (or a part of any such plan) prepared under Chapter 4 of the *Natural Resources Management Act 2004*.

Part 5—Relevant authorities and accredited professionals

22—Prescribed scheme (section 93)

For the purposes of section 93 of the Act—

(a) an assessment manager may act as a relevant authority for the purposes of giving planning consent in relation to—

(i) development that is classified as deemed-to-satisfy development under section 106 of the Act (including where there may be 1 or more minor variations under section 106(2) of the Act); and

(ii) development that is to be assessed under section 107 of the Act, other than where notice of the application must be given under section 107(3) of the Act; and

(b) an Accredited professional—planning level 3 may act as a relevant authority for the purposes of giving planning consent in relation to development that may be assessed as deemed-to-satisfy development under section 106 of the Act (including where there may be 1 or more minor variations under section 106(2) of the Act); and

(c) an Accredited professional—planning level 4 may act as a relevant authority for the purposes of giving planning consent in relation to development that may be assessed as deemed-to-satisfy development under section 106 of the Act, other than where there are 1 or more minor variations under section 106(2) of the Act; and

(d) an Accredited professional—surveyor may act as a relevant authority for the purposes of giving planning consent in relation to development that is constituted solely by the division of 1 or more allotments and that may be assessed as deemed-to-satisfy development under section 106 of the Act, other than where there are 1 or more minor variations under section 106(2) of the Act; and

(e) an assessment manager may act as a relevant authority for the purposes of giving consent under section 102(1)(c) or (d) of the Act.

23—State Planning Commission (section 94)

(1) For the purposes of section 94(1)(a)(ii) of the Act, the Commission is the relevant authority in relation to development of a class specified in Schedule 6.

(2) If the Commission is the relevant authority under section 94(1) of the Act—

(a) in a case where the Minister has acted under section 94(1)(h) of the Act—

(i) the entity that would otherwise be the relevant authority must provide to the Commission any application received by the relevant authority under the Act and these regulations in relation to the matter, together with any accompanying documentation or information and fees (other than where the Commission has indicated that the entity may retain some or all of the fees), within 5 business days after receipt of a copy of the Minister's notice under that section; and

(ii) the Commission may, as it thinks fit—

(A) adopt any act or decision in relation to the assessment of the application that has already been made by a relevant authority (including an act or decision under Part 7 of these regulations);

(B) disregard or reject any act or decision of a relevant authority that has already been made in relation to the assessment of the application; and

(b) in any case relating to development within the area of a council—the Commission must give the chief executive officer of the council for the area in which the development is to be undertaken a reasonable opportunity to provide the Commission with a report (on behalf of the council) on any matter specified under subregulation (3) that is relevant to the particular case (but if a report is not received by the Commission within 15 business days after the request is made to the chief executive officer, or within such longer period as the Commission may allow, the Commission may presume that the chief executive officer does not desire to provide a report).

(3) The following matters are specified for the purposes of a report under subregulation (2)(b):

(a) the impact of the proposed development on the following at the local level:

(i) essential infrastructure;

(ii) traffic;

(iii) waste management;

(iv) stormwater;

(v) public open space;

(vi) other public assets and infrastructure;

(b) the impact of the proposed development on any local heritage place;

(c) any other matter determined by the Commission and specified by the Commission for the purposes of subregulation (2)(b).

24—Assessment managers (section 96)

(1) This regulation applies in addition to the cases prescribed under regulation 22.

(2) For the purposes of section 96 of the Act, and subject to these regulations, an assessment manager may act as a relevant authority for the purposes of giving consent under section 102(1)(e) or (f) of the Act.

25—Accredited professionals (section 97)

(1) This regulation applies in addition to the cases prescribed under regulation 22.

(2) For the purposes of section 97 of the Act, and subject to these regulations, an Accredited professional—building level 1 may act as a relevant authority—

(a) for the purposes of giving planning consent in relation to deemed-to-satisfy development of a class determined by the Minister for the purposes of this subregulation (other than where there may be 1 or more variations); and

(b) for the purposes of giving building consent in relation to any class of development.

(3) For the purposes of section 97 of the Act, and subject to these regulations, if the requirement of subregulation (5) is satisfied, an Accredited professional—building level 2 may act as a relevant authority for the purposes of giving building consent in relation to building work that relates to a building that does not have, or will not have when the development is completed—

(a) a rise in storeys exceeding 3; or

(b) a floor area exceeding 2 000 m^2.

(4) For the purposes of section 97 of the Act, and subject to these regulations, if the requirement of subregulation (5) is satisfied, an Accredited professional—building level 3 may act as a relevant authority for the purposes of giving building consent in relation to building work that relates to a Class 1 or 10 building under the Building Code that does not have, or will not have when the development is completed—

(a) a rise in storeys exceeding 2; or

(b) a floor area exceeding 500 m^2.

(5) This subregulation requires that the calculations used for the purposes of the relevant building work referred to in subregulation (3) or (4) have been certified by an independent technical expert.

(6) In addition, for the purposes of section 97 of the Act, and subject to these regulations, an Accredited professional—building level 1, 2 or 3 may act as a relevant authority (in respect of development for which they are authorised to give building consent under a preceding subregulation) in relation to the following:

(a) the issue of a schedule of essential safety provisions;

(b) the assignment of a classification to a building under these regulations;

(c) the provision of a Statement of Compliance.

(7) In this regulation—

independent technical expert means a person who, in relation to building work—

(a) is not the building owner or an employee of the building owner; and

(b) has not—

(i) been involved in any aspect of the relevant development (other than through the provision of preliminary advice of a general nature); or

(ii) had a direct or indirect pecuniary interest in any aspect of the relevant development or any body associated with any aspect of the relevant development; and

(c) has engineering or other qualifications that the relevant authority is satisfied, on the basis of advice received from the accreditation authority under the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*, a relevant professional association, or another relevant registration or accreditation authority, qualify the person to act as a technical expert under this regulation.

26—Requirement to obtain advice of accredited professional

(1) For the purposes of section 235(2) of the Act, if the Commission or an assessment panel does not act under section 99(1) of the Act in relation to development that involves the performance of building work, the Commission or assessment panel (as the case may be) must, in assessing the development in respect of the Building Rules, seek and consider the advice of an accredited professional who would be qualified to give building consent in relation to the building work if the accredited professional were acting as a relevant authority in the particular case.

(2) For the purposes of section 235(2) of the Act, a council acting under section 99(2)(a)(i) of the Act must, in assessing the development in respect of the Building Rules, seek and consider the advice of an accredited professional who would be qualified to give building consent in relation to the building work if the accredited professional were acting as a relevant authority in the particular case.

Part 6—Development assessment - related principles

27—Impact assessed development - categorisation

(1) For the purposes of section 108(7) of the Act, the following sections of Part 7 Division 2 will apply in relation to a project that is the subject of a declaration under section 108(1)(c) of the Act:

(a) section 109(1)(b) and (2)(b);

(b) section 111(2)(d) and (3);

(c) sections 113 and 114;

(d) section 116(a);

(e) section 117.

(2) For the purposes of section 108(9) of the Act, the following principles are prescribed:

(a) the character of the receiving environment;

(b) the potential social, economic and environmental impacts of the development or project;

(c) the resilience of the environment to cope with change;

(d) the degree of confidence in the prediction of impacts resulting from the development or project;

(e) the extent to which undesirable impacts which may occur are likely to be irreversible;

(f) the extent to which impacts, and requirements for monitoring and assessing impacts, will be ongoing;

(g) the presence of other statutory assessment or policy frameworks which provide other procedures or processes to address any issues of concern.

(3) For the purposes of taking into account the principles prescribed by subregulation (2), consideration must be given to—

(a) the extent of impacts by an analysis of their—

(i) type; and

(ii) size; and

(iii) scope; and

(iv) intensity; and

(v) duration; and

(b) the nature of impacts by an analysis of—

(i) the degree to which the impacts are predictable; and

(ii) the resilience of the environment to cope with change; and

(iii) the degree to which the impacts can be reversed; and

(iv) the degree to which the impacts can be managed or mitigated; and

(v) the degree to which performance criteria can be applied in the circumstances of the case; and

(c) the significance of impacts by an analysis of—

(i) the degree to which the impacts adversely affect environmentally sensitive areas; and

(ii) the degree to which the impacts are acceptable considering the nature of the impacts; and

(d) other factors determined to be relevant by the Minister.

28—Complying building work

(1) For the purposes of section 118(1) of the Act, building work assessed by a relevant authority as being in a form specified in Schedule 7 must be granted building consent.

(2) Subregulation (1) does not apply in relation to—

(a) building work that affects a State heritage place; or

(b) building work to the extent excluded under a provision of Schedule 7.

Part 7—Assessment—processes and assessment facilitation

Division 1—Applications

29—Application to relevant authority

(1) Subject to these regulations, an application for a development authorisation under section 101 or 102(1) of the Act in relation to a proposed development may—

(a) be lodged electronically via the SA planning portal (and in accordance with any relevant requirements applying under Part 4 Division 2 of the Act); or

(b) be lodged with the relevant authority at the principal office of the relevant authority in accordance with the requirements of these regulations.

(2) An application to be lodged with an accredited professional (other than an assessment manager) will be lodged with the accredited professional in such manner as the accredited professional may require.

(3) A person who is lodging an application must comply with any other relevant requirement specified by a practice direction.

(4) A relevant authority who receives an application under subregulation (1)(b) or (2) must lodge the application on the SA planning portal within 5 business days after receipt of the application.

30—Plans, fees and related provisions

(1) An application to a relevant authority under section 119(1) of the Act must be accompanied by a copy of the plans, drawings, specifications and other documents and information relating to the proposed development required under Schedule 8 (prepared in accordance with the requirements of that Schedule).

(2) However—

(a) an applicant must not be required to comply with a requirement under Schedule 8 unless the requirement is directly relevant to the application; and

(b) if the application seeks consent for some, but not all, of the relevant matters referred to in section 102(1) of the Act, the plans, drawings, specifications and other documents and information must accord with Schedule 8 to such extent as may be appropriate to the matters to which the consent is sought.

31—Verification of application

(1) Subject to subregulation (2), on the receipt of an application under section 119 of the Act, and in addition to any other requirement under these regulations, a relevant authority that has received the application must, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the Act—

(a) determine the nature of the development; and

(b) if the application is for planning consent—determine—

(i) whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and

(ii) the category or categories of development that apply for the purposes of development assessment; and

(c) determine whether the relevant authority is the correct entity to assess the application under the Act; and

(d) if the relevant authority is the correct entity to assess the application (or any part of the application)—

(i) check that the appropriate documents and information have been lodged with the application; and

(ii) confirm the fees required to be paid at that point under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*; and

(iii) provide an appropriate notice via the SA planning portal; and

(e) if the relevant authority is not the correct entity to assess the application (or any part of the application)—

(i) provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that it considers to be the correct relevant authority in accordance with any practice direction; and

(ii) provide an appropriate notice via the SA planning portal.

(2) The following provisions apply in connection with subregulation (1):

(a) the relevant authority must comply with subregulation (1) within 5 business days after receiving the application; and

(b) an entity that receives an application under subregulation (1)(e) (or a notice provided via the SA planning portal) must repeat the steps envisaged by that subregulation in relation to the application.

(3) This regulation does not apply in relation to a council acting as a relevant authority under section 99 of the Act.

32—Application for accepted development

If a relevant authority for the purposes of providing planning consent under the Act determines that the development falls within the category of accepted development, the relevant authority must (within 5 business days after receiving the application) advise the applicant accordingly.

33—Application and further information

(1) For the purposes of section 119(4) of the Act (but subject to this regulation), deemed-to-satisfy development that only comprises 1 or more of the following elements is prescribed:

(a) the construction of 1 or more dwellings;

(b) an alteration or addition to an existing dwelling;

(c) the construction of an outbuilding, garage, verandah, pergola or swimming pool associated with residential development.

(2) For the purposes of section 119(5) of the Act (but subject to this regulation), the following classes are prescribed:

(a) deemed-to-satisfy development that does not fall within the ambit of subregulation (1);

(b) development that will be assessed under section 107 of the Act.

(3) Subregulations (1) and (2) do not apply to the extent that the relevant authority, acting under section 119(9)(a) of the Act, permits an applicant—

(a) to vary an application; or

(b) to vary any plans, drawings, specifications or other documents that accompanied the application.

(4) Subregulations (1) and (2) do not apply in relation to seeking clarification about any document or information that has been provided by the applicant.

(5) For the purposes of section 119(5)(d), the period of 10 business days from the day on which notice has been provided under regulation 31(1) or, if a later day, the day on which the appropriate fees have been paid by the applicant, is prescribed.

(6) This regulation does not apply in relation to any documents or information that the applicant determines or agrees to provide in any event.

34—Period for additional information and other matters

(1) In accordance with section 119(6)(b) of the Act, if a request is made by a relevant authority under section 119(3) of the Act, the request must be complied with by the applicant within the period of 60 business days from the date of the request, or within such longer period as the relevant authority may allow.

(2) For the purposes of section 119(11) of the Act, any period of time in excess of 1 year required by the applicant to act as contemplated by that subsection is to be included in the time within which the relevant authority is required to decide the application.

35—Amended applications

(1) If a relevant authority permits an applicant to vary an application under section 119(9) of the Act, the date of receipt of the application as so varied (together with any amended plans, drawings, specifications or other documents or information, and appropriate fee) will, for the purposes of the time limits prescribed in Division 4, be taken to be the relevant day.

(2) However, subregulation (1) does not apply if the variations to the application are not substantial.

(3) If an application is varied following referral under Division 2 or giving of notice under Division 3, the relevant authority may, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.

(4) If a variation would change the essential nature of a proposed development (as referred to in section 119(9)(a) of the Act), the relevant authority and the applicant may, by agreement, proceed with the variation on the basis that the application (as so varied) will be treated as a new application under these regulations.

36—Certification of building industry insurance

(1) In this regulation—

certificate of insurance, in relation to domestic building work, means the certificate required under Part 5 Division 3 of the *Building Work Contractors Act 1995* evidencing the taking out of a policy of insurance in accordance with that Division in relation to that work;

domestic building work means building work—

(a) that constitutes domestic building work performed by a building work contractor under a domestic building work contract or on the building work contractor's own behalf under the *Building Work Contractors Act 1995*; and

(b) in relation to which a policy of insurance is required to be taken out in accordance with Part 5 Division 3 of that Act.

(2) The owner of land on which domestic building work is to be performed must ensure that a copy of a certificate of insurance in relation to that work is lodged with the relevant authority—

(a) —

(i) if a domestic building work contract for that building work has been entered into before the lodgment of an application for building consent under section 102(1)(b) of the Act; or

(ii) if the domestic building work is to be performed by a builder on the builder's own behalf,

at the same time as the application for building consent is lodged under these regulations; or

(b) in any other case—on or before the giving of notice of the intended commencement of the building work under Part 10 Division 2 of these regulations.

(3) A person must not commence domestic building work unless or until a copy of a certificate of insurance in relation to that work has been lodged in accordance with subregulation (2).

Maximum penalty: $2 500.

Expiation fee: $500.

37—Regulated and significant trees

For the purposes of subsections (7) and (8) of section 119 of the Act, the qualifications of a person providing an expert or technical report within the contemplation of either subsection is a Diploma in Arboriculture recognised in the Australian tertiary training system, or a comparable or higher qualification.

38—Withdrawing/lapsing applications

(1) If an application is withdrawn by the applicant under section 119(14) of the Act, the relevant authority must notify—

(a) any agency to which the application has been referred under Division 2; and

(b) any person who has made a representation in relation to the application under Division 3,

of the withdrawal.

(2) A relevant authority may lapse an application for a development authorisation under Part 7 of the Act if at least 1 year has passed since the date on which the application was lodged with the relevant authority under the Act.

(3) A relevant authority must, before it takes action to lapse an application under subregulation (2)—

(a) take reasonable steps to notify the applicant of the action under consideration; and

(b) allow the applicant a reasonable opportunity to make submissions to the relevant authority (in a manner and form determined by the relevant authority) about the proposed course of action.

(4) An applicant is not entitled to a refund of any fees if an application is lapsed under this regulation.

(5) If—

(a) an application relates to development that is to be assessed under section 107 of the Act, or to development classified as restricted development; and

(b) at least 1 year has passed since the date on which notice of the application was given under section 107(3)(a) or 110 of the Act (as the case may be),

the relevant authority must not give a planning consent under section 102(1) of the Act unless a new notice of the application has been given under section 107(3) or 110 of the Act.

39—Contravening development

An application for consent or approval may be made under these regulations notwithstanding that the development has been commenced or undertaken, or is continuing, in contravention of the Act.

40—Court proceedings

Subject to section 214(14) of the Act, a relevant authority which has received an application under these regulations may, by notice in writing to the applicant, decline to deal with the application until any proceedings under the Act have been concluded.

Division 2—Referrals

41—Referrals

(1) For the purposes of section 122 of the Act—

(a) the classes of development set out in Schedule 9 are prescribed; and

(b) the bodies set out in Schedule 9 are prescribed in relation to the respective classes of development; and

(c) the relevant periods set out in Schedule 9 are prescribed in relation to the respective bodies.

(2) A prescribed body must, immediately after making a request under section 122(3) of the Act, notify the relevant authority of the request via the SA planning portal (and, in doing so, provide reasonable information about what is requested).

(3) A request under section 122(3) of the Act must be made within 10 business days after the prescribed body receives the application.

(4) Two or more prescribed bodies may provide a joint response for the purposes of section 122 of the Act.

42—Additional information or amended plans

(1) If a relevant authority has referred an application to a prescribed body under this Division and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, it may repeat the referral process, and must do so if it appears that the additional information or amendment is significant.

(2) Any action taken by a prescribed body as a result of additional information, or a plan, drawing or specification, received under subregulation (1) will, to the extent of any inconsistency with any previous action taken by the prescribed body, override that previous action.

43—River Murray

(1) In this regulation—

related operational Act means a related operational Act under the *River Murray Act 2003*.

(2) If an application for the consent or approval of a proposed development must be referred under Schedule 9 to the Minister for the time being administering the *River Murray Act 2003*, that Minister—

(a) must, in considering the application, take into account any matter raised by another Minister or other authority responsible for, or involved in, the administration of a related operational Act that is provided to that Minister in response to the referral of the application by that Minister to the other Minister or authority for comment and that is provided to that Minister within a period specified by that Minister; and

(b) may, in providing a response to the relevant authority under section 122 of the Act, make that response on the basis of a matter referred to in paragraph (a).

44—Appeals

(1) In accordance with section 122(6) of the Act, no appeal lies against—

(a) a refusal of an application if the relevant authority is acting at the direction of the Technical Regulator under item 14 of the table in Schedule 9 clause 3; or

(b) a condition imposed by a relevant authority in accordance with a direction by the Technical Regulator under item 14 of the table in Schedule 9 clause 3.

45—Building matters

(1) If a relevant authority, in assessing an application for building consent, considers that—

(a) a proposed performance solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for the intervention of a fire authority; or

(b) the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or

(c) special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,

then the relevant authority must refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the relevant authority that a referral is not required.

(2) If a report is not received from the fire authority on a referral under subregulation (1) within 20 business days, the relevant authority may presume that the fire authority does not desire to make a report.

(3) The relevant authority must have regard to any report received from a fire authority under this regulation.

(4) If, in respect of an application referred to a fire authority under this regulation, the fire authority—

(a) recommends against the granting of building consent; or

(b) concurs in the granting of consent on conditions specified in its report,

but the relevant authority—

(c) proposes to grant building consent despite a recommendation referred to in paragraph (a); or

(d) does not propose to impose the conditions referred to in paragraph (b), or proposes to impose the conditions in varied form, on the grant of consent,

the relevant authority—

(e) must refer the application to the Commission; and

(f) must not grant consent unless the Commission concurs in the granting of the consent.

(5) A relevant authority must provide to the Commission a copy of any report received from a fire authority under subregulation (1) that relates to an application that is referred to the Commission under the Act.

(6) For the purposes of section 118(5) of the Act, building work comprising or including the construction or installation of a private bushfire shelter must not be granted a building consent unless the Commission concurs in the granting of the consent.

46—Preliminary advice and agreement (section 123)

(1) In this regulation—

prescribed body means a prescribed body under section 122 of the Act.

(2) An application to a prescribed body for the purposes of section 123 of the Act—

(a) must be made in a form determined by the Minister for the purposes of this regulation (being a form published by the Minister in the Gazette); and

(b) must be accompanied by such plans, drawings, specifications or other documents as may be determined by the Minister in publishing a form under paragraph (a).

(3) For the purposes of section 123(2)(c) of the Act, an agreement of a prescribed body—

(a) must be endorsed or certified by the prescribed body; and

(b) must be accompanied by such plans, drawings, specifications or other documents submitted under subregulation (2)(b) that are relevant to the agreement, being documents endorsed or certified by the prescribed body.

(4) For the purposes of section 123(3)(a) of the Act, the prescribed fee is equal to the fee that would be payable under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019* for a referral to a prescribed body had the application been for planning consent rather than under section 123 of the Act.

(5) If an applicant for planning consent proposes to rely on an agreement under section 123 of the Act, the applicant must ensure that the application lodged under regulation 29 is accompanied by a copy of the agreement and other documents endorsed or certified under subregulation (3).

(6) If—

(a) a relevant authority permits an applicant to vary an application under section 119(9) of the Act; and

(b) the relevant authority determines that the application no longer accords with the agreement indicated by the prescribed body,

then the application must (unless withdrawn) be referred to the prescribed body—

(c) to obtain a variation to the agreement under section 123 of the Act; or

(d) to obtain a response from the prescribed body for the purposes of section 122 of the Act (and the requirements of that section, and these regulations in relation to such a referral, other than for the payment of a fee under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*, will then apply).

(7) If—

(a) an application is withdrawn by the applicant; and

(b) the applicant sought to rely on an agreement under section 123 of the Act in connection with the application,

the relevant authority must notify the relevant prescribed body of the withdrawal.

(8) If—

(a) an application is lapsed by a relevant authority under regulation 38; and

(b) the applicant sought to rely on an agreement under section 123 of the Act in connection with the application,

the relevant authority must notify the relevant prescribed body of the lapsing.

(9) If—

(a) an applicant seeks to rely on an agreement under section 123 of the Act in connection with the application; and

(b) a notice of a decision on the application is issued by the relevant authority under regulation 57,

the relevant authority must provide a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under regulation 57.

(10) For the purposes of section 123(2)(d) of the Act, the period of 1 year is prescribed.

Division 3—Notice requirements and consultation

47—Performance assessed development and restricted development

(1) For the purposes of sections 107(3)(a)(i) and 110(2)(a)(i) or (ii) of the Act, a notice to the owner or occupier of each piece of relevant land (being adjacent land and, if relevant, directly affected land) must—

(a) be in writing sent to the address of the land (or to another address used by the owner or occupier known to the relevant authority); and

(b) identify the land on which the development is proposed; and

(c) describe the nature of the proposed development; and

(d) indicate where and when the relevant application may be inspected; and

(e) explain how a representation may be made under the Act.

(2) For the purposes of sections 107(3)(a)(ii) and 110(2)(a)(iv) of the Act, a notice placed on the relevant land must—

(a) be in a form determined by the Commission for the purposes of this regulation; and

(b) be placed in a prominent position as close as is reasonably practicable to a public road and in accordance with any other requirement specified by a relevant practice direction (if any); and

(c) comply with any requirements specified by a relevant practice direction (if any) relating to how any such notice is to be displayed and protected from the weather (if it is to be placed in the open).

(3) Subject to subregulation (4), the applicant is responsible for ensuring compliance with the requirements of subregulation (2).

(4) If—

(a) the applicant, in accordance with a procedure specified by a practice direction, requests the relevant authority to place a notice on land under subregulation (2); and

(b) pays the fee prescribed by the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*,

the relevant authority will be responsible for placing the notice on the land.

(5) Subregulation (4) does not apply if the relevant authority is the Minister or the Commission.

(6) The requirement to place a notice on the relevant land under section 107(3)(a)(ii) or 110(2)(a)(iv) of the Act does not apply—

(a) in any part of the State that is not within the area of a council; or

(b) in relation to development that is to be carried out wholly on land covered with water; or

(c) in relation to any place where the provisions of a zone, subzone or overlay under the Planning and Design Code applying to that place provide that such a notice need not be given.

(7) A person must not damage, destroy, obscure or remove a notice placed on land under section 107(3)(a)(ii) or 110(2)(a)(iv) of the Act during the period that applies under section 107(3)(b) or 110(2)(b) (as the case may be).

Maximum penalty: $2 500.

Expiation fee: $500.

(8) For the purposes of section 110(2)(a)(iv), a notice to the public generally must also be given by publishing a notice on the SA planning portal.

(9) This regulation applies subject to the operation of section 107(6) of the Act.

48—Notification of application of tree-damaging activity to owner of land

If an owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, the relevant authority must—

(a) give the owner notice of the application within 5 business days after the application is made; and

(b) give due consideration in its assessment of the application to any submission made by the owner within 10 business days after the giving of notice under paragraph (a).

49—Public inspection of applications

(1) For the purposes of sections 107(3) and 110(2) of the Act, the relevant authority must ensure that copies of—

(a) the application; and

(b) any supporting plans, drawings, specifications and other documents or information provided to the relevant authority under section 119 of the Act,

are reasonably available for inspection (without charge) by the public at the principal office of the relevant authority for the period commencing on the day on which notice of the application is first given under this Division and ending on the day on which representations must be lodged with the relevant authority under these regulations.

(2) The relevant authority must, pursuant to a request made within the period that applies under subregulation (1), on payment of a fee fixed by the relevant authority, provide to a member of the public a copy of any document or information available under that subregulation.

(3) A person who makes a request under subregulation (2) must, at the time of making the request, provide to the relevant authority the following information, namely the person's name, address and contact details, and must, at the request of the relevant authority, verify this information in such manner as the relevant authority thinks fit.

(4) In addition, the relevant authority must ensure that any document or information required to be available under subregulation (1) is also available on the SA planning portal.

(5) The preceding subregulations apply subject to the following qualifications:

(a) the relevant authority is not required to make available any plans, drawings, specifications and other documents or information which relate to the assessment of the proposed development against the Building Rules and which are not reasonably necessary for determining whether planning consent should be granted;

(b) the relevant authority is not required to make available any plans, drawings, specifications and other documents or information if to do so would, in the opinion of the relevant authority, unreasonably jeopardise the present or future security of a building.

50—Representations

(1) For the purposes of sections 107(3)(b) and 110(2)(b) of the Act—

(a) a representation to a relevant authority must be provided to the relevant authority—

(i) in relation to section 107(3)(b) of the Act—within 15 business days after the day on which the notice under section 107(3)(a)(i) would be expected to be received by the owner or occupier of land in the ordinary course of postage under subregulation (2); and

(ii) in relation to section 110(2)(b) of the Act—within 20 business days after the day on which the notice under section 110(2)(a)(i) would be expected to be received by the owner or occupier of land in the ordinary course of postage under subregulation (2); and

(b) a representation must include the name and address of the person (or persons) who are making the representation; and

(c) a representation must set out, with reasonable particularity, the reasons for the representation; and

(d) if a representation is made by 2 or more persons under section 110(2)(b)—the representation should nominate a person who will be taken to be making the representation for the purposes of any subsequent step or proceedings under section 110 of the Act.

(2) For the purposes of subregulation (1), the ordinary course of postage will be taken to be 4 business days from the day on which the notice is sent.

(3) If subregulation (1)(d) applies but a nomination is not made as envisaged by that subregulation, it will be taken that the first person named in, or otherwise indicated by, the representation as being a party to the representation is nominated as the person who will be taken to be making the representation for the purposes of any subsequent step or proceedings under section 110 of the Act.

(4) A representation under subregulation (1) must be in writing.

(5) A relevant authority may also, if it considers that it would assist the relevant authority in making a decision on the application, allow a person—

(a) who has made a representation under subregulation (1) in relation to development being assessed under section 107 of the Act; and

(b) who has indicated an interest in appearing before the relevant authority,

an opportunity (at a time determined by the relevant authority) to appear personally or by representative before it to be heard in support of the representation that has been made under subregulation (1).

(6) If a relevant authority decides to allow a person to appear under subregulation (5), the relevant authority must also give the applicant notice of the place and time where the person has been invited to appear under that subregulation and, if the applicant appears personally or by representative, allow the applicant a reasonable opportunity, on request, to respond to any relevant matter.

(7) This regulation applies subject to the operation of section 107(6) of the Act.

51—Response by applicant

(1) In accordance with sections 107(3)(c) and 110(2)(c) of the Act, a response to a representation must be made by the applicant within 15 business days after the relevant material is forwarded to the applicant, or within such longer period as the relevant authority may allow.

(2) An extension of time allowed by the relevant authority under subregulation (1) is not to be included in the time within which the relevant authority is required to decide the relevant application under these regulations.

52—Notice of hearing of submissions

If in accordance with section 110(2)(c)(ii) of the Act a person is to be allowed to appear personally or by representative before the Commission to be heard in support of a representation, or to respond to any matter, the Commission must, unless the person otherwise agrees, give the person at least 5 business days notice of the place and time at which the person should appear.

Division 4—Determination of application

53—Time within which decision must be made (section 125(1))

(1) In accordance with section 125 of the Act, and subject to these regulations, a relevant authority should deal with an application under Part 7 of the Act (other than where the Minister is the relevant authority under Division 2 Subdivision 4 of that Part) within the following periods, calculated from the relevant day under subregulation (2):

(a) if—

(i) the application seeks planning consent; and

(ii) the proposed development is of a kind prescribed as deemed-to-satisfy development under the Planning and Design Code,

5 business days;

(b) if—

(i) the application seeks planning consent; and

(ii) the proposed development is to be assessed under section 107 of the Act,

20 business days;

(c) if—

(i) the application seeks planning consent; and

(ii) the proposed development is to be assessed under section 110 of the Act,

60 business days;

(d) if—

(i) the application seeks building consent; and

(ii) the building falls within the Class 1 or 10 classification under the Building Code,

20 business days;

(e) in any other case—**60 business days**,

subject to the qualifications that—

(f) if paragraph (b) applies and the relevant authority is an assessment panel or the Commission, **an additional period of 20 business days** must be added to the period that applies under that paragraph; and

(g) if paragraph (b) or (c) applies and notice of the application for planning consent must be given under section 107(3) or 110(2) of the Act, **an additional period** equal to the period for representations under regulation 50, and for the receipt of any response from the applicant under regulation 51, must be added to the relevant period that applies under paragraph (b) or (c) (and, if relevant, paragraph (f)); and

(h) if paragraph (b) or (c) applies and the application must be referred to a prescribed body under section 122(1) of the Act, **an additional period equal to the relevant period applying under Schedule 9 plus** any period applying under section 122(4) of the Act (or, if more than 1 period, the longest period), must be added to the relevant period that applies under paragraph (b) or (c) (and, if relevant, paragraph (f)); and

(i) if the application must be referred to the Commission under section 118 of the Act—**an additional period of 10 business days** must be added to the period that applies under paragraph (c) or (e) (as the case may be); and

(j) if the application must otherwise be referred to another body for a report or concurrence under the Act or these regulations, or another body is entitled to report on the application under these regulations—an additional period equal to the time within which a report must be made by the body under these regulations in order to be taken into account for the purposes of any assessment must be added to the period that applies under paragraph (a), (b), (c), (d) or (e) (as the case may be) (and, if relevant, paragraph (f)); and

(k) if the application is the subject of proceedings before the Court before it is decided by the relevant authority—an additional period equal to the time taken by the Court to determine the matter plus an additional period of 10 business days or such longer period as the Court may direct in the particular case.

(2) For the purposes of subregulation (1), the relevant day is the day on which the relevant authority provides a relevant notice under regulation 31(1)(d) or, if a later day, the day on which the appropriate fees have been paid by the applicant.

(3) If 2 or more periods apply by virtue of the operation of subregulation (1)(g), (h) or (j) in a particular case, they will run concurrently.

(4) In addition, if an application seeks more than 1 consent under the Act from the same relevant authority at the same time, the time within which the relevant authority should deal with the application under subregulation (1) will be—

(a) unless paragraph (b) applies—the total of the relevant time periods that apply under that subregulation in relation to each consent; or

(b) if the application is for planning consent and 1 or more consents required under section 102(1)(c), (d), (e) or (f) of the Act—the longest time period that applies under that subregulation in relation to any 1 consent.

(5) Despite a preceding subregulation, where a council is acting as the relevant authority for the purpose of granting the final development approval under the Act and the council has received notice, via a scheme applying under the SA planning portal, that all relevant consents have been granted under Part 7 of the Act (and that none of those consents have lapsed), the council must, within 5 business days—

(a) if the consents are consistent—grant the final development approval; or

(b) if 2 or more consents are inconsistent—take reasonable steps to inform the applicant of the inconsistency.

(6) If or when the council is satisfied that the consents are consistent with each other after taking steps under subregulation (5)(b), the council must grant the final development approval within 5 business days.

(7) In addition, if the Commission is the relevant authority for the purposes of giving final development approval, the Commission should give that development approval within 5 business days from when all relevant consents have been granted under Part 7 of the Act (and none of those consents have lapsed) and the Commission is satisfied that those consents are consistent with each other.

54—Deemed consent notice (section 125(2))

(1) For the purposes of section 125(2) of the Act, a deemed consent notice will be in a form determined by the Commission for the purposes of this regulation (being in a form published by the Commission on the SA planning portal).

(2) A deemed consent notice may be given to the relevant authority—

(a) by notice lodged on the SA planning portal (and in accordance with any relevant requirements applying under Part 4 Division 2 of the Act); or

(b) by registered post.

55—Notification of decision—accredited professionals (section 89)

(1) For the purposes of section 89 of the Act, the following decisions are prescribed:

(a) a decision to grant a planning consent or a building consent;

(b) a decision to approve a variation to a planning consent or a building consent under regulation 65.

(2) For the purposes of section 89(a) of the Act—

(a) in relation to a proposed development that is to be undertaken in a part of the State that is not (wholly or in part) within the area of a council—the Commission is prescribed; and

(b) in any other case—the council for the area in which the proposed development is to be undertaken is prescribed.

(3) For the purposes of section 89(b) of the Act, the following information or documentation must be provided to the prescribed body in a case where subregulation (1)(a) applies:

(a) a copy of the plans, drawings, specifications and other documents and information lodged by the applicant, endorsed with the accredited professional's consent;

(b) a copy of any certificate, opinion or other document submitted to the accredited professional in connection with the application;

(c) in relation to building consent—if the accredited professional has determined under section 118(2) of the Act that it is appropriate to grant the consent despite the fact that the development is at variance with the Building Rules—

(i) notice specifying the variance and the grounds on which the determination is made; and

(ii) if relevant, evidence of any concurrence of the Commission;

(d) if relevant, a schedule of essential safety provisions in the appropriate form which sets out the matters to be specified under these regulations.

(4) If an accredited professional assigns a classification to a building, or assigns a new classification to a building, the accredited professional must—

(a) if the assignment is made in conjunction with the assessment of a development against the Building Rules and the granting of a building consent—at the time that the accredited professional notifies the council of the decision to grant the building consent; or

(b) in any other case—within 5 business days after making the assignment,

provide to the council notification of the classification assigned by the accredited professional, including information on—

(c) the address or location of the building; and

(d) if relevant—

(i) the maximum number of persons who may occupy the building; and

(ii) if the building has more than 1 classification—the part of the building to which the classification relates and the classifications currently assigned to other parts of the building.

56—Issue of building consent by other bodies

If the Minister, the Commission or an assessment panel issues a building consent, it must provide to the council for the area in which the development is to be undertaken (if any)—

(a) a copy of the plans, drawings, specifications and other documents and information lodged by the applicant, endorsed with the relevant consent; and

(b) if relevant, a schedule of essential safety provisions in the appropriate form which sets out the matters to be specified under these regulations.

57—Notice of decision (section 126(1))

(1) In accordance with section 126 of the Act, notice of a decision on an application under Part 7 of the Act (other than Division 2 Subdivision 4 of that Part) must be given in a form determined by the Minister for the purposes of this regulation (being a form published by the Minister in the Gazette).

(2) A notice under subregulation (1) must be given within 2 business days after the decision is made on the application by providing notice via the SA planning portal (and, if it appears necessary, by giving notice to the applicant in some other way determined to be appropriate by the relevant authority).

(3) If the decision provides for a planning consent or building consent, the notice must include a statement advising the applicant that building work cannot commence unless or until the development has been approved under the Act.

(4) The relevant authority must endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.

(5) If the decision is in respect of a development approval that has required a building consent, the relevant authority must, in acting under subregulation (4), provide to the successful applicant a copy of the plans, drawings, specifications and other documents and information lodged by the applicant in accordance with the requirements of these regulations (endorsed as required by subregulation (4)).

(6) A notice under this regulation may include any classification assigned to a building under section 151 of the Act.

(7) If the decision is or includes a consent with respect to proposed building work, the relevant authority issuing the notice may specify any additional stage of building work for which notice must be given to the council under regulation 93.

(8) In addition, if the decision is or includes a consent with respect to proposed building work for which a Statement of Compliance will be required, the notice must be accompanied by a notice indicating—

(a) that the statement will need to be completed in accordance with the requirements of these regulations; and

(b) that a blank copy of a Statement of Compliance is available on the SA planning portal; and

(c) what (if any) certificates, reports or other documents will need to be furnished at the time of the provision of the statement.

(9) A relevant authority that issues a notice under subregulation (1) must also provide the notice—

(a) to any other relevant authority—

(i) that has already given another development authorisation that relates to the same development; or

(ii) that is considering an application for another development authorisation that relates to the same development; and

(b) if the application was referred to a prescribed body under section 122 of the Act—to the prescribed body; and

(c) if an owner of the land to which the application related was not a party to the application—to that owner.

(10) The relevant authority must comply with subregulation (9) at the same time as the notice is provided under subregulation (2).

Division 5—Conditions

58—Notice of conditions

In accordance with section 126 of the Act, notice of a decision on an application under Part 7 of the Act must be accompanied by details of any condition to which the decision is subject (and, if any condition is imposed on the basis of a direction of a prescribed body under section 122 of the Act, the relevant authority must identify the prescribed body).

59—Regulated and significant trees

(1) For the purposes of section 127(4) of the Act, the prescribed number of trees is—

(a) if the development authorisation relates to a regulated tree—2 trees to replace the regulated tree; or

(b) if the development authorisation relates to a significant tree—3 trees to replace the significant tree.

(2) For the purposes of section 127(5), the following criteria are prescribed:

(a) the tree cannot be a tree within a species specified under regulation 3F(4)(b);

(b) the tree cannot be planted within 10 m of an existing dwelling or an existing in-ground swimming pool.

Division 6—Other matters

60—Consideration of other development authorisations

A relevant authority must, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the Act, and any conditions that apply in relation to that prior development authorisation.

61—Certificate of independent technical expert in certain cases

(1) This regulation applies to the assessment of a proposed development against the Building Rules in respect of—

(a) materials and forms of construction to which Part B1 of Volume 1, or Part 2.1 of Volume 2, of the Building Code applies; or

(b) the matters referred to in Section E of Volume 1 of the Building Code; or

(c) the matters referred to in Section J of Volume 1, or Part 2.6 of Volume 2, of the Building Code.

(2) For the purposes of section 118(8)(a) of the Act, a relevant authority must, in a circumstance where this regulation applies, accept that building work complies with the Building Rules to the extent that such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified by an independent technical expert who—

(a) certifies that the materials, forms of construction and systems to which the details, particulars, plans, drawings or specifications relate will, if installed or carried out in accordance with the details, particulars, plans, drawings or specifications, comply with the requirements of the Building Code; and

(b) sets out in detail the basis on which the certificate is given and the extent to which the person giving the certificate has relied on relevant tests, specifications, rules, standards, codes of practice or other publications.

(3) For the purposes of section 235(1) of the Act, a relevant authority or authorised officer may rely on a certificate of an independent technical expert in a circumstance to which this regulation applies.

(4) In this regulation—

independent technical expert means a person who, in relation to building work—

(a) is not the building owner or an employee of the building owner; and

(b) has not—

(i) been involved in any aspect of the relevant development (other than through the provision of preliminary advice of a routine or general nature); or

(ii) had a direct or indirect pecuniary interest in any aspect of the relevant development or any body associated with any aspect of the relevant development; and

(c) has engineering or other qualifications that the relevant authority is satisfied, on the basis of advice received from the accreditation authority under the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*, a relevant professional association, or another relevant registration or accreditation authority, qualify the person to act as a technical expert under this regulation.

62—Requirement to up-grade building in certain cases

(1) For the purposes of section 134(1)(a)(i) of the Act, 1 January 2002 is prescribed.

(2) For the purposes of section 134(4)(a) of the Act, an alteration that involves assessment by the relevant authority of the building work against the access provisions of the Building Code or a Ministerial building standard is an alteration of a prescribed class.

(3) If—

(a) an application is made for a building consent for building work in the alteration of a Class 1, 2 or 3 building under the Building Code; and

(b) the building is in a bushfire prone area; and

(c) the total floor area of the building would, after the completion of the proposed building work, have increased by at least 50%, when compared to the total floor area of the building as it existed 3 years before the date of the application (or, in the case of a building constructed since that time, as it existed at the date of completion of original construction),

then the relevant authority may require, as a condition of consent, that the entire building be brought into conformity with the relevant requirements of the Building Code for bushfire protection.

(4) In this regulation—

access provisions of the Building Code or a Ministerial building standard are the requirements within the Building Code or Ministerial building standard relating to access to buildings, or facilities and services within buildings, for people with a disability;

bushfire prone area means a bushfire prone area under regulation 98.

63—Urgent work

(1) For the purposes of section 135(2)(a) or 136(2)(a) of the Act, the relevant notification must be given—

(a) by telephone, using the main telephone number at the principal office of the relevant authority, or a number determined by the relevant authority for the purposes of this paragraph; or

(b) by email, using the main email address of the relevant authority, or an email address determined by the relevant authority for the purposes of this paragraph.

(2) For the purposes of section 135(2)(c) of the Act, the period of 28 days from the commencement of the relevant work, or such longer period as the relevant authority may allow, is prescribed.

(3) For the purposes of section 136(2)(c) of the Act, the period of 28 days from the performance of the relevant tree-damaging activity, or such longer period as the relevant authority may allow, is prescribed.

64—Building work affecting other land

(1) It must be assumed in designing, and assessing the design of, a building that it is possible that an excavation which intersects (but does not extend beyond) a notional plane extending downwards from the boundary at the site at a slope of 1 vertical to 2 horizontal from a point 600 mm below natural ground level at the boundary could be undertaken on an adjoining site.

(2) For the purposes of section 139 of the Act, work of the following nature is prescribed as building work which is to be treated for the purposes of that section as building work that affects the stability of other land or premises, namely:

(a) an excavation which intersects a notional plane extending downwards at a slope of 1 vertical to 2 horizontal from a point 600 mm below natural ground level at a boundary with an adjoining site (as depicted by the example shown as figure 1 in Schedule 10);

(b) an excavation which intersects any notional plane extending downwards at a slope of 1 vertical to 2 horizontal from a point at natural ground level at any boundary between 2 sites (not being a boundary with the site of the excavation), where the boundary is within a distance equal to twice the depth of the excavation (as depicted by the example shown as figure 2 in Schedule 10);

(c) any fill which is within 600 mm of an adjoining site, other than where the fill is not greater than 200 mm in depth (or height) and is for landscaping, gardening or other similar purposes.

(3) For the purposes of section 139(2)(b) of the Act, the owner of the affected land or premises may require the building owner to shore up any excavation or to underpin, stabilise or otherwise strengthen the foundations of any building to the extent specified by a professional engineer engaged by the owner of the affected land or premises.

(4) The building owner must pay the reasonable costs of obtaining a report and plans and specifications from a professional engineer for the purposes of subregulation (3).

(5) In subregulations (3) and (4)—

professional engineer means a person who is—

(a) a corporate member of Engineers Australia who has appropriate experience and competence in the field of civil or geotechnical engineering; or

(b) a person who is registered on the National Professional Engineers Register administered by Engineers Australia and who has appropriate experience and competence in the field of civil or geotechnical engineering.

65—Variation of authorisation (section 128)

(1) For the purposes of section 128(2)(b) of the Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) and the relevant authority is satisfied that the variation is minor in nature—

(a) the relevant authority may approve the variation; and

(b) the request is not to be treated as a new application for development authorisation; and

(c) unless the variation is such that the result is an inconsistency with another consent, no further step need be taken in relation to a development approval already given (and no new approval needs to be given) but the relevant authority—

(i) must endorse the notice that was given for the original development authorisation, including by noting the date of the minor variation and the nature of the variation; and

(ii) must—

(A) make any consequential changes to any plans, drawings, specifications or other documents or information that were endorsed at the time that the original development authorisation was given, note the date of the minor variation, and make a further endorsement; or

(B) in the case of any new plans, drawings, specifications or other documents or information, note the minor variation and make an endorsement.

(2) Nothing In subregulation (1) prevents a person seeking more than 1 variation of a development authorisation of a kind referred to in that subregulation (whether simultaneously or at different times).

66—Scheme descriptions—community titles

(1) If an application under Part 7 of the Act relates to the division of land by a plan of community division and the relevant authority has endorsed a scheme description in accordance with the *Community Titles Act 1996*, a notice under regulation 57(1) must be accompanied by a copy of the endorsed scheme description.

(2) An endorsement of a scheme description by a relevant authority under section 3 of the *Community Titles Act 1996* should be in the form set out in Schedule 11 Form 1.

67—Lapse of consents or approvals (section 126(2))

(1) Subject to this or any other regulation, any consent or approval under Part 7 of the Act (whether subject to conditions or not) will lapse at the expiration of—

(a) subject to the operation of paragraph (b)—12 months from the operative date of the consent or approval;

(b) if—

(i) the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months from the operative date of the approval—3 years from the operative date of the approval, unless the development has been substantially or fully completed within those 3 years (in which case the approval will not lapse); or

(ii) if the relevant development involves the division of land and an application for a certificate under section 138 of the Act has been lodged with the Commission, accompanied by the Certificate of Approval Fee under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*, within 12 months from the operative date of the relevant consent—3 years from the operative date of the consent.

Part 8—Impact assessed development

68—Procedural matters (section 111(2))

(1) For the purposes of section 111(2)(a) of the Act, a relevant authority must ensure that all relevant documentation (including the application and any accompanying documentation or information lodged by the proponent with the relevant authority under Part 7 Division 4 of the Act) is available to the Minister via the SA planning portal—

(a) in a case where section 108(1)(b) of the Act applies—within 5 business days after being requested to do so by the Minister; or

(b) in a case where section 108(1)(c) of the Act applies—within 5 business days after the notice is published on the SA planning portal.

(2) A relevant authority must, at the time that documents are provided to the Minister under subregulation (1), also transmit to the Minister any fees that have been paid by the proponent under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019* (less any amount that the Minister determines should be retained by the relevant authority).

(3) If—

(a) a proposed development is to be assessed by the Minister under section 115 of the Act; and

(b) the Minister indicates that an assessment of the development in respect of the Building Rules is to be referred to the council for the area in which the development is to be undertaken or to a building certifier under section 99(1) of the Act,

then, unless otherwise directed by the Minister—

(c) the application lodged with the Minister must be accompanied by a copy of the plans, drawings, specifications and other documents and information required by Schedule 8 (in accordance with the requirements of that Schedule); and

(d) the applicant must, at the appropriate time, also provide a copy of those plans, drawings, specifications and other documents and information to the council or building certifier (as the case may be).

69—Level of detail—EIS (section 112(b))

For the purposes of section 112(b) of the Act, the following persons and bodies are prescribed:

(a) the Environment Protection Authority;

(b) if the EIS relates to a proposed development that is to be undertaken within the Murray-Darling Basin, the Minister to whom the administration of the *River Murray Act 2003* is committed;

(c) if the EIS relates to a proposed development that is to be undertaken within, or is likely to have a direct impact on, the Adelaide Dolphin Sanctuary, the Minister to whom the administration of the *Adelaide Dolphin Sanctuary Act 2005* is committed;

(d) if the EIS relates to a proposed development that is to be undertaken within, or is likely to have a direct impact on, a marine park, the Minister to whom the administration of the *Marine Parks Act 2007* is committed;

(e) if the EIS relates to proposed development that is to be undertaken within the area of the council, the council for that area.

70—Level of detail—EIS (section 112(c))

For the purposes of section 112(c) of the Act, the Commission must—

(a) by written notice, provide an invitation to the proponent to express any view on the level of detail required in the EIS; and

(b) allow the proponent at least 20 business days to respond to that invitation in such manner as the Commission may determine.

71—EIS processes (section 113(5))

For the purposes of section 113(5) of the Act, the period of 30 business days from the date of referral of the EIS to the authority or body is prescribed.

72—Consultation (section 113(6))

In acting under section 113(6) of the Act with respect to consultation in relation to an EIS, the Minister should have regard to the principles applying under the Community Engagement Charter for public participation in planning processes (insofar as they may be appropriately adapted to an EIS process).

73—Notification of decision

(1) The Minister must ensure that the council for the relevant area receives notification of the outcome of the Minister's decision on a proposed development under Part 7 Division 2 Subdivision 4 of the Act.

(2) If a Minister's decision under Part 7 Division 2 Subdivision 4 of the Act relates to a development or project that involves or is for the purposes of a prescribed activity of environmental significance as defined by the *Environment Protection Act 1993*, the Minister must ensure that the Environment Protection Authority receives notification of the decision.

(3) A notification under this regulation may be given—

(a) via the SA planning portal; or

(b) in such other manner as the Minister may determine to be appropriate.

74—Cancellation of development authorisation (section 115(9))

For the purposes of section 115(9) of Act, the period of 2 years from the date of the development authorisation is prescribed.

Part 9—Special provisions relating to land division

Division 1—Preliminary

75—Interpretation

In this Part—

council means, in relation to any division of land that is not wholly within the area of a council, the Commission.

Division 2—Advice from Commission

76—Advice from Commission

(1) If an application relates to a proposed development that involves the division of land, the relevant authority must not, subject to subregulation (2), make a decision on the application until it has received a report from the Commission in relation to the matters under section 102(1) (as relevant).

(2) If a report is not received from the Commission within 20 business days from the day on which the application is lodged under regulation 29 or within such longer period as the Commission may require by notice to the relevant authority, it may presume that the Commission does not desire to make a report.

(3) A notice under subregulation (2) may be given—

(a) via the SA planning portal; or

(b) in such other manner as the Commission may determine to be appropriate.

(4) The Commission may, in relation to an application which relates to a proposed development that involves the division of land, consult with any other agency and may impose a time limit of 20 business days for a response from that agency.

Division 3—Presumption in respect of division of certain buildings

77—Presumption in respect of division of certain buildings

For the purposes of section 102(1)(c)(v) of the Act, if a proposed division of land relates to an existing Class 1 or 2 building under the Building Code, walls of the building exposed to a fire source feature as a result of the proposed division must comply with Section C of Volume 1 and P 2.3.1 of Volume 2, of the Building Code as in force at the time the application for consent is made (and the Commission may not issue a certificate in respect of the division under section 138 of the Act unless or until it is satisfied (in such manner as it thinks fit) that such compliance exists).

Division 4—Underground mains areas

78—Underground mains areas

(1) If a council considers that an area should be declared an underground mains area, the council may seek a report from the relevant electricity authority in relation to the matter.

(2) The council may, after having received and considered a report from the electricity authority, declare the area to be an underground mains area.

(3) If an application relates to a proposed development that involves the division of land within, or partly within, an underground mains area (even if the area is declared as such after the application is lodged with the relevant authority), a relevant authority may require, as a condition on its decision on the application, that any electricity mains be placed underground.

(4) In this regulation—

relevant electricity authority, in relation to an area, means a person who is authorised to operate an electricity mains in the area in accordance with a licence under the *Electricity Act 1996* or an exemption from the requirement to hold such a licence.

Division 5—Assessment requirements—water and sewerage

79—Assessment requirements—water and sewerage

(1) For the purposes of section 102(1)(c)(iii) and (1)(d)(vii) of the Act, the South Australian Water Corporation (being a water industry entity under the *Water Industry Act 2012*) is identified.

(2) For the purposes of section 102(1)(c)(iii) and (1)(d)(vii) of the Act, the South Australian Water Corporation may make and provide an assessment of the requirements of the Corporation in relation to the provision of water supply and sewerage services to land that is proposed to be divided.

(3) An assessment, or the update of an assessment, may be updated from time to time.

(4) An assessment, or the update of an assessment, is valid for a period of 60 business days after it is delivered to the person who proposes to divide the land.

(5) The fees specified for the purposes of this regulation by the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019* are payable in relation to an assessment, or the update of an assessment, by the person who proposes to divide the land.

(6) The payment of a fee referred to in subregulation (5) for the original assessment of the requirements of the Corporation in relation to the division of land must be credited against liability for a fee, charge or other amount set out in the assessment as being payable by the person who proposes to divide the land.

Division 6—Prescribed requirements—general land division

80—Prescribed requirements

The requirements set out in this Division are prescribed for the purposes of sections 102(1)(c)(v) and 138(1) of the Act.

81—Width of roads and thoroughfares

(1) Subject to subregulations (2) and (4), the width of any proposed road within the relevant division of land must be not less than 12.4 m or more than 35 m.

(2) Subject to section 38 of the *Roads (Opening and Closing) Act 1991*, the width of any proposed road which is likely to be used regularly or extensively by commercial vehicles must be not less than 20 m.

(3) Subject to subregulation (4), the width of every proposed thoroughfare, not being a road, must be not less than 2 m.

(4) The council may dispense with a width prescribed by subregulation (1) or (3) (and specify a different width) if it is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for underground services.

(5) Subject to subregulation (6), the width of the road at the head of every cul-de-sac must be at least 25 m for a length of not less than 25 m, or such other dimensions as may be acceptable to the council.

(6) The council may dispense with a requirement under subregulation (5) if it appears to the council that the cul-de-sac is likely to become a through road.

82—Road widening

(1) Subject to subregulation (2), if an existing road abuts land which is proposed to be divided and the council considers that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area, the proposed division of land must make provision for that widening.

(2) The abutting road referred to in subregulation (1) cannot be required to be widened—

(a) if the relevant plan delineates more than 5 allotments—by more than 15 m; or

(b) if the relevant plan delineates 5 allotments or less—

(i) to a total width in excess of 15 m; or

(ii) by an area in excess of 23 m^2 from the corner allotment abutting a junction of 2 or more roads shown on the relevant plan for the purpose of improving visibility; or

(c) in any case—if a building suitable for occupation exists on any part of the land considered necessary for road widening purposes, if the plan makes some other provision for road widening which will accord with the objectives of this regulation.

83—Requirement as to forming of roads

(1) Subject to subregulation (2), the roadway of every proposed road on a plan of division must be formed to a width specified by the council, and in a manner satisfactory to the council.

(2) The council must not, when specifying a width for a roadway to be formed under subregulation (1), specify a width in excess of 7.4 m unless, in the opinion of the council, that specification is necessary in view of the volume or type of traffic that is likely to traverse that road.

(3) Adequate provision must be made for the turning of vehicles at the head of a cul-de-sac.

(4) The council may dispense with the requirements under subregulation (3) if it is of the opinion that the cul-de-sac is likely to become a through road.

(5) Subject to subregulation (6), every footpath, water-table, kerbing, culvert and drain of every proposed road must be formed in a manner satisfactory to the council.

(6) The council may dispense with a requirement under subregulation (5).

84—Construction of roads, bridges, drains and services

(1) The roadway of every proposed road within the relevant division must be constructed and where required by the council, paved and sealed with bitumen, tar or asphalt or other material approved by the council.

(2) Any bridge, culvert, or underground drain or inlet which is reasonably necessary for a proposed road in accordance with recognised engineering design practice must be constructed.

(3) Any footpath, water-table, kerbing, culvert or drain of a proposed road required to be formed by the council must be constructed.

(4) Any drain which is necessary in accordance with recognised engineering practice for the safe and efficient drainage of the land and for the safe and efficient disposal of stormwater and effluent from the land must be provided and constructed.

(5) Electrical services must be installed in accordance with recognised engineering practice, and where relevant, in accordance with any requirement imposed under Division 4.

85—Supplementary provisions

(1) The manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under this Division must be in conformity with a road location and grading plan signed by a licensed surveyor and approved by the council before the commencement of the work.

(2) Subject to subregulation (4), all work referred to in regulation 83 and 84 must be carried out in a manner satisfactory to the council and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the council, a licensed surveyor, and approved by the council before the commencement of the work.

(3) In subregulation (2)—

professional engineer means a person who is—

(a) a corporate member of Engineers Australia who has appropriate experience and competence in the field of civil engineering; or

(b) a person who is registered on the National Professional Engineers Register administered by Engineers Australia and who has appropriate experience and competence in the field of civil engineering.

(4) Before the roadway of any proposed road is sealed, the applicant must satisfy the council that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation are necessary and need to be laid under the surface of the proposed road, have been made.

Division 7—Certificate in respect of division of land

86—Exclusion from requirement to obtain a certificate[1]

In accordance with section 138(1) of the Act, a certificate in respect of the division of land is not required if the division comprises a lease or licence to occupy part only of an allotment.

Note—

1 A certificate is also not required in a case involving a Crown development approved by the Minister under section 131 of the Act (see section 131(24)).

87—General land division

(1) In accordance with section 138(1) of the Act, the Commission may issue a certificate under that section notwithstanding that the requirements under Division 6 have not been fully satisfied if the council advises the Commission—

(a) that the applicant has entered into a binding arrangement with the council for the satisfaction of those requirements (other than a requirement under regulation 84(5)) and that the arrangement is supported by adequate security; and

(b) in a case where a requirement under regulation 84(5) has not been fully satisfied—that the applicant has entered into a binding arrangement with the appropriate electricity authority for the satisfaction of the requirement and that the arrangement is supported by adequate security.

(2) In accordance with section 138(1) of the Act, the Commission may issue a certificate under that section notwithstanding that the requirements of the relevant responsible Minister relating to the provision of water supply and sewerage services have not been fully satisfied if that Minister advises the Commission that the applicant has entered into a binding arrangement with the Minister for the satisfaction of those requirements and that the arrangement is supported by adequate security.

(3) A document approved by the Minister for the purposes of this regulation by notice published on the SA planning portal (and any alterations or amendments to any such document approved by the Minister from time to time by notice published on the SA planning portal) is recognised as a model for binding arrangements under subregulation (1) or (2), and an agreement that conforms with any such model will, to the extent that the agreement provides for the matters referred to in section 102(1)(c) of the Act, be taken to be a sufficient agreement, and to provide adequate security, for the purposes of section 138(1) of the Act in its applications to the division of the land.

(4) In this regulation—

electricity authority means a person who holds a licence under the *Electricity Act 1996* authorising the operation of a transmission or distribution network or a person exempted from the requirement to hold such a licence.

88—Division of land by strata title

(1) In accordance with section 138(1) of the Act, the Commission may issue a certificate under that section in relation to the division of land by strata plan under the *Community Titles Act 1996* or the *Strata Titles Act 1988* notwithstanding that the requirements of section 102(1)(d) of the Act have not been fully satisfied if the council advises the Commission that the applicant has entered into a binding arrangement with the council for the satisfaction of those requirements and that the arrangement is supported by adequate security.

(2) A document approved by the Minister from time to time by notice published on the SA planning portal (and any alterations or amendments to any such document approved by the Minister from time to time by notice published on the SA planning portal), is recognised as a model for binding arrangements under subregulation (1) (insofar as they are relevant to the particular kind of strata plan), and an agreement that conforms with any such model will, to the extent that the agreement provides for the matters referred to in section 102(1)(d) of the Act, be taken to be a sufficient agreement, and to provide adequate security, for the purposes of section 138(1) of the Act in its application to the division of land by strata plan under the *Community Titles Act 1996* or the *Strata Titles Act 1988*.

89—General provisions

(1) The approval of a model for binding arrangements by the Minister under this Division does not limit the ability of an applicant to enter into any other form of arrangement, to the satisfaction of the Commission and the relevant council, for the purposes of section 138(1) of the Act.

(2) In addition to the requirements of section 138(1) of the Act, the Commission must not issue a certificate on an application under this Division unless the Commission is satisfied—

(a) that any relevant development authorisation under the Act has not lapsed; and

(b) that the amount required under the open space contribution scheme under section 198 of the Act (if any) has been paid.

(3) A certificate under section 138 of the Act must—

(a) —

(i) be in the form of Schedule 12 and accompanied by a copy of the final approved land division plan, prepared in accordance with Schedule 8, signed and dated by a duly authorised officer of the Commission, and bearing the certification approved by the Commission for the purposes of this subparagraph; or

(ii) be in the form of a notation on a copy of the final approved land division plan and signed and dated by a duly authorised officer of the Commission; and

(b) in the case of a certificate for the division of land by community plan under the *Community Titles Act 1996* or by the strata plan under the *Strata Titles Act 1988*, incorporate, or be accompanied by, a certificate in a form approved by the Registrar-General from the relevant council (if any) which—

(i) evidences any necessary consent of the council to an encroachment by a building over other land; and

(ii) sets out—

(A) the date on which any relevant building was erected (if known); and

(B) the postal address of the site.

(4) Certificates may be issued under this Division for the division of land in stages, provided that the provisions of the Act and these regulations are complied with in relation to each stage.

(5) For the purposes of subregulation (3)—

(a) a certificate may be created and held as an electronic document; and

(b) a signature of a duly authorised officer may be provided by an electronic method that indicates the officer's certification in a way that is reasonably reliable.

(6) For the purposes of section 138(4) of the Act, a copy of the certificate and plan (or certificates and plans) referred to in subregulation (3) must be furnished to the relevant council—

(a) by providing the council with electronic access to the relevant documents via the SA planning portal; or

(b) at the request of the council (provided in such manner as may be determined by the Commission), by sending a written copy to the council.

(7) A certificate lapses at the expiration of 12 months following its issue (unless lodged with the Registrar-General under the *Real Property Act 1886* before its expiration, or extended by the Commission in response to an application made prior to the lapse of the certificate).

(8) The Commission must consult with the relevant council (if any) before it grants an extension of the period prescribed by subregulation (7).

(9) For the purposes of subregulation (7), a certificate will be taken to have been lodged with the Registrar-General if the Registrar-General has been provided with electronic access to the certificate via the SA planning portal under a scheme agreed between the Registrar-General and the Commission in connection with the operation of this regulation.

Division 8—Notification of decision

90—Notification of decision

(1) If a relevant authority (other than the Commission) issues a development authorisation in relation to development which involves (wholly or in part) a proposed division of land, the relevant authority must provide a copy of its notice of the decision to the Commission via the SA planning portal.

(2) The relevant authority must comply with subregulation (1) within 5 business days after the notice is given to the applicant under regulation 57.

Part 10—Special provisions relating to buildings and building work

Division 1—Preliminary

91—Interpretation

In this Part—

council has the same meaning as in Part 11 of the Act.

92—Commission to act outside council areas

Pursuant to section 145 of the Act, the Commission is prescribed for the purposes of the definition of ***council*** under that section.

Division 2—Notifications

93—Notifications during building work

(1) The following periods and stages are prescribed for the purposes of section 146(1) of the Act:

(a) 1 business day's notice of the intended commencement of building work on the site;

(b) in relation to the intended commencement of any stage of the building work specified by the council by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work—

(i) in the case of development being undertaken within Metropolitan Adelaide—1 business day's notice; and

(ii) in the case of development being undertaken outside Metropolitan Adelaide—2 business day's notice;

(c) 1 business day's notice of the intended completion of any stage of the building work specified by the council by notice in writing to the building owner on or before development approval is granted in respect of the work;

(d) without limiting a preceding paragraph—1 business day's notice of any stage specified by a relevant authority when giving a building consent in respect of the building work under regulation 57;

(e) without limiting a preceding paragraph—in relation to building work involving the use of a designated building product on a designated building, 1 business day's notice of the intended commencement of the installation of the designated building product;

(f) 1 business day's notice of completion of the building work.

(2) A notice under subregulation (1)(a) must include—

(a) the name, business address, email address, telephone number and builder's licence number of the licensed building work contractor responsible for carrying out the relevant building work (if any); and

(b) the name, residential or business address, email address and telephone number of the persons who are proposed to sign the Statement of Compliance in accordance with regulation 104 (if relevant).

(3) A notice by a person under subregulation (1) may be given—

(a) by notice via the SA planning portal (and in accordance with any relevant requirements applying under Part 4 Division 2 of the Act); or

(b) by telephone or email, using the main telephone number or email address (as the case may be) of the council; or

(c) by leaving a written notice with a duly authorised officer of the council.

(4) If a notice is given under subregulation (1)(e), the person who gives the notice must, within 1 business day after the notice is given, provide to the council a duly completed prescribed supervisor's checklist relating to the installation of the designated building product, signed by a registered building work supervisor.

(5) A person who breaches a requirement under subregulation (1) or (4) is guilty of an offence.

Maximum penalty: $10 000.

Expiation fee: $750.

(6) In this regulation—

prescribed supervisor's checklist means a checklist published by the Chief Executive on the SA planning portal for the purposes of subregulation (4).

Division 3—Safety, health and amenity

94—Essential safety provisions

(1) This regulation applies in relation to a building in which essential safety provisions are installed or required to be installed or to be inspected, tested or maintained under the Building Code or any former regulations under the *Building Act 1971* or the *Development Act 1993*.

(2) This regulation does not apply if the building is a Class 1a or 10 building under the Building Code.

(3) In this regulation, a reference to maintenance in respect of essential safety provisions includes a reference to replacing the safety provisions, and to keeping records relating to the carrying out of maintenance work on the safety provisions.

(4) A relevant authority or council must—

(a) on granting a building rules consent in relation to the construction of a building to which this regulation applies; or

(b) on the assignment of a change in the classification of a building to which this regulation applies in a case where there is no building work; or

(c) on application by the owner of a building to which this regulation applies and payment of the appropriate fee set out in the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*; or

(d) on issuing any other certification with respect to building work complying with the Building Rules in a case where this regulation applies,

issue a schedule in the form determined by the Chief Executive for the purposes of this regulation (being a form published by the Chief Executive on the SA planning portal) that specifies—

(e) the essential safety provisions for the building; and

(f) the standards or other requirements for maintenance and testing in respect of each of those essential safety provisions as set out in any relevant Ministerial building standard.

(5) A certificate of compliance must be provided for each essential safety provision that is specified under subregulation (4)(e).

(6) A certificate of compliance must be in the form determined by the Chief Executive for the purposes of this regulation (being a form published by the Chief Executive on the SA planning portal).

(7) A certificate of compliance—

(a) must be provided on completion of the installation of the essential safety provision; and

(b) must be signed by the person who installs the essential safety provision or, if the entity undertaking the installation is a company, by a manager or other person employed or engaged by the company who is responsible for managing the installation of the essential safety provision, in accordance with the requirements of the form; and

(c) must be provided to—

(i) the entity that will be issuing the certificate of occupancy for the relevant building; or

(ii) if a certificate of occupancy is not to be issued, to the council for the area in which the building is situated or, if the building is outside the area of a council, to the Commission.

(8) A certificate under subregulation (7)(c)(ii) must be provided within 20 business days after installation of the essential safety provision.

(9) The owner of a building in relation to which a schedule of essential safety provisions has been issued must not use or permit the use of the building unless maintenance and testing have been carried out, on an annual basis (according to calendar years), in respect of each essential safety provision of the building in accordance with the relevant Ministerial building standard in order to ensure that the essential safety provision is continuing to perform at least to the standard that was required when the essential safety provision was installed.

(10) The owner of a building to which subregulation (9) applies must, not later than 60 business days after the end of each calendar year, provide to the council adequate proof of the carrying out of maintenance and testing in respect of each relevant essential safety provision for that calendar year, as required under subregulation (9), by complying with the requirements of subregulation (11).

(11) An owner complies with the requirements of this subregulation if a verification in the form determined by the Chief Executive for the purposes of this subregulation, signed in accordance with the requirements of the form, is provided to the council (or, if the building is outside the area of a council, to the Commission) verifying—

(a) that maintenance and testing have been carried out in respect of the essential safety provisions of the building for the relevant calendar year as required under subregulation (9); and

(b) that there are no outstanding defects or failures reducing the effectiveness of an essential safety provision to perform at least to the standard that was required when the essential safety provision was installed or, to the extent that any such defect or failure may exist, that specified steps are being taken to rectify the defect or failure.

(12) Subregulation (10) does not apply if—

(a) the building is a Class 1b building under the Building Code; or

(b) the building is a Class 3, 4, 5, 6, 7, 8 or 9b building under the Building Code that does not have a rise in storeys exceeding 2 and does not have a floor area exceeding 500 m^2,

and the building is not subject to a requirement under subregulation (13).

(13) Despite subregulation (12), the council may require compliance with subregulation (10) if—

(a) the essential safety provisions were installed—

(i) under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or

(ii) as part of a performance solution under the Building Code; or

(b) the building has been the subject of a notice under section 157 of the Act.

(14) A person who fails to comply with a requirement under subregulation (8), (9), (10) or (11) is guilty of an offence.

Maximum penalty: $10 000.

Expiation fee: $750.

(15) The owner of a building in relation to which a schedule of essential safety provisions has been issued must, within 48 hours after being requested to do so by an authorised officer, provide to the authorised officer, for inspection by the authorised officer, written proof that the maintenance and testing required under subregulation (9) have been carried out over a period, not exceeding 2 preceding calendar years, specified by the authorised officer.

Maximum penalty: $2 500.

Expiation fee: $500.

95—Fire safety requirements—smoke alarms in dwellings

(1) In this regulation—

approved standard means—

(a) Australian Standard 3786 (as in force from time to time); or

(b) a Ministerial building standard published for the purposes of this regulation.

(2) This regulation applies to Class 1 and 2 buildings under the Building Code (whenever constructed).

(3) Subject to any other requirement in the Building Code, 1 or more smoke alarms complying with an approved standard must be installed in each dwelling that is, or forms part of, a building to which this regulation applies in locations that will provide reasonable warning to occupants of bedrooms in that dwelling so that they may safely evacuate in the event of fire.

(4) If title of land on which a building to which this regulation applies is situated is transferred, then, within 6 months from the day on which title is transferred, each dwelling that is, or forms part of, the building must have a smoke alarm or smoke alarms in accordance with the requirements of subregulation (3) that are powered through a mains source of electricity (unless the building is not connected to a mains source of electricity) or powered by 10 year life non-replaceable, non-removable permanently connected batteries.

(5) If a smoke alarm or smoke alarms are not installed in a building to which this regulation applies in accordance with the requirements of this regulation, the owner of the building is guilty of an offence.

Maximum penalty: $750.

Expiation fee: $150.

(6) For the purposes of this regulation—

(a) the transfer of the interest of—

(i) a unit holder of a unit under the *Strata Titles Act 1988*; or

(ii) an owner of a community lot under the *Community Titles Act 1996*; or

(iii) an occupant of a unit in a building unit scheme,

will be taken to be a transfer of title of land; and

(b) land will be taken to include a unit under the *Strata Titles Act 1988*, a community lot under the *Community Titles Act 1996* and a unit in a building unit scheme (and to the extent that such a unit or community lot comprises a building, it will be taken that the building is situated on that unit or lot); and

(c) a unit holder of a unit under the *Strata Titles Act 1988*, an owner of a community lot under the *Community Titles Act 1996* or an occupant of a unit in a building unit scheme will be taken to be the owner of any building comprising the unit or lot.

96—Fire safety requirements—brush fences

(1) A brush fence must not be constructed closer than 3 metres to a Class 1 or 2 building under the Building Code unless any external wall of the relevant building that will, as a result of the construction of the brush fence, be closer than 3 metres to the brush fence is fire resistant in accordance with the provisions of the Building Code relating to fire separation in respect of brush fences.

(2) For the purposes of subregulation (1), the distance of 3 metres will be measured from any part of a proposed or existing brush fence and from any part of an external wall of the relevant building.

(3) In this regulation—

brush means—

(a) Broombrush (*Melaleuca uncinata*); and

(b) any other form of dried vegetation material that has similar fire characteristics to Broombrush;

brush fence includes—

(a) a fence that is predominantly constituted by brush;

(b) a gate that is predominantly constituted by brush;

construction, in relation to a brush fence, includes an alteration of, or addition to, a brush fence but does not include the repair of an existing brush fence that does not enlarge or extend the brush fence;

external wall means an external wall within the meaning of the Building Code;

fire resisting means fire resisting within the meaning of the Building Code.

97—Health and amenity

(1) The owner of a building must ensure that all sewage and sullage discharged from the building is treated and disposed of in such a manner that the sewage or sullage does not endanger the health of any person or affect the foundation of any building on the site, or any adjacent site.

(2) A person will be taken to have complied with subregulation (1)if—

(a) the building is connected to a public sewer; or

(b) sewage or sullage discharged from the building is collected, treated and disposed of by means of a system which complies with the requirements of the relevant service provider and relevant regulating authority.

Division 4—General

98—Building Rules: bushfire prone areas

For the purposes of Performance Requirement GP5.1 of Volume 1, and P2.7.5 of Volume 2, of the Building Code, a building is in a bushfire prone area if it is in an area—

(a) defined as a designated bushfire prone area in a Ministerial building standard; or

(b) identified as a designated bushfire prone area under the Planning and Design Code.

99—Construction Industry Training Fund

(1) In this regulation—

government authority has the same meaning as in the *Construction Industry Training Fund Act 1993*.

(2) A relevant authority must not issue a building rules consent unless it is satisfied—

(a) that the appropriate levy has been paid under the *Construction Industry Training Fund Act 1993*; or

(b) that no such levy is payable.

(3) Subregulation (2) does not apply if—

(a) the building work is to be carried out for or on behalf of a government authority by a person or body other than—

(i) an officer or employee of a government authority; or

(ii) another government authority; and

(b) at the time that building rules consent is sought the government authority has not engaged the person or body to carry out that work.

(4) If after assessing a proposed development against the building rules the relevant authority is yet to be satisfied that the appropriate levy has been paid under the *Construction Industry Training Fund Act 1993* or is not payable, the relevant authority may notify the applicant that it cannot issue a building rules consent until it is satisfied that the levy has been paid or is not payable.

(5) If a notification is given under subregulation (4)—

(a) any period between the date of the notification and the date on which satisfactory evidence is provided to the relevant authority pursuant to the notification is not to be included in the time within which the relevant authority is required to decide the application; and

(b) if such evidence is not provided to the relevant authority within 20 business days after the date of the notification, the relevant authority may, if it thinks fit, determine that the application has lapsed.

100—Fire safety relating to existing class 2 to 9 buildings

Pursuant to section 8(2)(b) of the Act, section 157 of the Act applies in relation to a class 2 to class 9 building in existence on 19 September 2017 as if it were modified as follows:

(a) insert after subsection (3):

(3a) Despite a preceding subsection, the fire safety of an existing class 2 to class 9 building will be taken to be adequate for the purposes of this section if it complies with the provisions of a Ministerial building standard relating to upgrading health and safety in existing buildings (including any provisions of such a standard that assist in the interpretation or construction of those provisions) to the extent reasonably applicable to the building.

(b) delete subsection (14) and substitute:

(14) Any action taken under this section in relation to an existing class 2 to class 9 building should seek to achieve compliance with the provisions of a Ministerial building standard relating to upgrading health and safety in existing buildings (including any provisions of such a standard that assist in the interpretation or construction of those provisions) to the extent reasonably applicable to the building.

Part 11—Classification and occupation of buildings

101—Preliminary

In this Part—

council has the same meaning as in Part 11 of the Act;

designated relevant authority means any of the following:

(a) an Accredited professional—building level 1;

(b) an Accredited professional—building level 2;

(c) an Accredited professional—building level 3.

102—Classification of buildings

(1) The owner of a building to which a classification has not been assigned may apply to the council or a designated relevant authority for assignment of a classification to the building in accordance with the Building Code.

(2) An owner of a building may apply for a change in classification of that building (but an application may be subject to the need to obtain an appropriate consent or approval in respect of any associated development).

(3) An application under subregulation (1) or (2) must—

(a) specify the existing classification (if any), and the classification which is being sought; and

(b) be accompanied by—

(i) such details, particulars, plans, drawings, specifications, certificates and other documents as the council or designated relevant authority may reasonably require to determine the building's classification; and

(ii) the appropriate fee under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*.

(4) Subject to subregulation (5), a council or a designated relevant authority must assign the appropriate classification under the Building Code to a building if satisfied, on the basis of the owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.

(5) If an application under this regulation is made in respect of an existing class 2 to class 9 building, the council or designated relevant authority may require the applicant to satisfy it that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).

(6) On assigning a classification to a building (or part of a building), a council or designated relevant authority must, if relevant, determine and specify in the notice to the owner under section 151(3) of the Act—

(a) the maximum number of persons who may occupy the building (or part of the building); and

(b) if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building.

103—Certificates of occupancy

(1) Pursuant to section 152(1)(a) of the Act, a certificate of occupancy is not required in respect of a Class 10 building under the Building Code.

(2) Pursuant to section 152(3)(b) of the Act, the following documentation is required:

(a) a copy of a Statement of Compliance, duly completed in accordance with the requirements of regulation 104, that relates to any relevant building work, together with any documentation required under regulation 57(8)(c);

(b) unless already provided—a copy of any certificate of compliance under regulation 94(7) (if relevant);

(c) if the development has been approved subject to conditions, such evidence as the council may reasonably require to show that the conditions have been satisfied;

(d) if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such evidence as the council may reasonably require to show—

(i) in the case of a building more than 1 storey—that the requirements of any relevant Ministerial building standard have been complied with; or

(ii) in any other case—that the building is suitable for occupation.

(3) A council may, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under subregulation (2)(a) if—

(a) the council is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and

(b) it appears to the council, after undertaking an inspection, that the relevant building is suitable for occupation.

(4) If—

(a) a building is—

(i) to be equipped with a booster assembly for use by a fire authority; or

(ii) to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and

(b) facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act,

the council must not grant a certificate of occupancy unless or until it has sought a report from the fire authority as to whether those facilities have been installed and operate satisfactorily.

(5) If a report is not received from the fire authority within 15 business days, the council may presume that the fire authority does not desire to make a report.

(6) The council must have regard to any report received from a fire authority under subregulation (4) before it issues a certificate of occupancy.

(7) Pursuant to section 152(8) of the Act, an application for the issue of a certificate of occupancy must be decided—

(a) unless paragraph (b) applies—within 5 business days from the day on which all documentation required by the council under subregulation (2) is received by the council; or

(b) if the council must seek a report from a fire authority under subregulation (4)—within 20 business days from the day on which all documentation required by the council under subregulation (2) is received by the council.

(8) A certificate of occupancy will be in the form determined by the Chief Executive for the purposes of this regulation (being a form published by the Chief Executive on the SA planning portal).

(9) Pursuant to section 152(13) of the Act, a council may revoke a certificate of occupancy—

(a) if—

(i) there is a change in the use of the building; or

(ii) the classification of the building changes; or

(iii) building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300 m^2 is about to commence, or is being or has been carried out; or

(iv) the building is about to undergo, or is undergoing or has undergone, major refurbishment,

and the council considers that in the circumstances the certificate should be revoked and a new certificate sought; or

(b) if the council considers that the building is no longer suitable for occupation because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or

(c) if a schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of regulation 94(10); or

(d) if the council considers—

(i) that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or

(ii) that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate.

(10) Subject to subregulation (11), a reference in this regulation to a council will be taken to include a reference to a building certifier acting pursuant to section 154 of the Act.

(11) Subregulations (3) and (9) only apply to councils.

(12) If a building certifier issues a certificate of occupancy, the building certifier must, within 5 business days after issuing the certificate, provide to the council a copy of the certificate of occupancy, together with a copy of any documentation provided under subregulation (2).

104—Statement of Compliance

(1) In this regulation—

notice of completion means a notice of the completion of building work under regulation 93(1)(f).

(2) This regulation does not apply to a Class 10 building under the Building Code, other than a swimming pool or a private bushfire shelter.

(3) If building work is carried out in a case where this regulation applies, a duly completed Statement of Compliance in the form determined by the Chief Executive for the purposes of this regulation (being a form published by the Chief Executive on the SA planning portal) must be provided to the relevant authority under subregulation (4) when a notice of completion with respect to the building work is given.

(4) For the purposes of subregulation (3) the relevant authority is—

(a) if a building certifier was the relevant authority for the purposes of the assessment of the building work against the provisions of the Building Rules—that building certifier; or

(b) in any other case—the council.

(5) A Statement of Compliance provided under this regulation must be accompanied by any certificates, reports or other documents that the relevant authority, by notice issued at the time that the relevant building rules consent was given, indicated would need to be furnished at the time of the provision of the statement under this regulation.

(6) A Statement of Compliance must be completed as follows:

(a) the first part of the statement must be signed by the licensed building work contractor responsible for carrying out the relevant building work or, if there is no such person, by a registered building work supervisor or a building certifier;

(b) the second part must be signed by the owner of the relevant land, or by someone acting on his or her behalf.

(7) For the purposes of subregulation (6)(a), a licensed building work contractor (the ***contractor***) will be taken to be responsible for carrying out building work if the contractor is responsible, or is primarily responsible, for—

(a) performing the work; or

(b) engaging another person to perform the work in a situation where the contractor retains overall responsibility for the work.

(8) For the purposes of the first part of the Statement of Compliance, ***service connections*** are connections to any of the following:

(a) a public electricity source;

(b) water/sewerage infrastructure (within the meaning of the *Water Industry Act 2012*);

(c) a sewerage system, community wastewater management system or waste control system;

(d) a public telecommunications system;

(e) any other public service or facility provided by an authority or utility.

(9) If a requirement of this regulation (other than under subregulation (10) or (11)) is not complied with, the owner of the relevant land is guilty of an offence unless they establish that the failure to comply with the relevant requirement is due to the act or omission of another person.

Maximum penalty: $10 000.

Expiation fee: $750.

(10) The person who signs the first part of a Statement of Compliance under subregulation (6)(a) must, within 5 business days after signing the statement, provide to the council, and to the person referred to in subregulation (6)(b), a copy of the statement together with a copy of any documentation provided for the purposes of this regulation.

(11) If an accredited professional receives a Statement of Compliance under this regulation and a certificate of occupancy is not issued, the accredited professional must, within 5 business days of receiving the statement, provide to the council a copy of the statement together with a copy of any documentation provided for the purposes of this regulation.

Part 12—Crown development

105—Exclusion from the definition of State agency

For the purposes of section 131(1) of the Act, the South Australian Housing Trust is excluded from the ambit of the definition of ***State agency***.

106—Developments excluded from approval and notice

(1) For the purposes of section 131(4) of the Act (but subject to this regulation), the various forms of development specified in Schedule 13, when carried on by a prescribed agency, are excluded from the provisions of section 131 of the Act.

(2) For the purposes of section 131(28)(a) of the Act, the various forms of development set out in Schedule 13 clause 5 are declared to be minor works of a prescribed kind.

(3) If a prescribed agency proposes to undertake any building work which is within the ambit of Schedule 13 and to be undertaken within the area of a council, the prescribed agency must, before commencing that building work—

(a) give notice of the proposed building work to the council for the area in which the building work is to be undertaken; and

(b) furnish the council with—

(i) a description of the nature of the proposed work; and

(ii) so far as may be relevant, details of the location, siting, layout and appearance of the proposed work.

(4) Subregulation (3) does not apply if the building work is within the ambit of Schedule 4, Schedule 5 or Schedule 7.

(5) In this regulation—

prescribed agency means—

(a) a State agency within the meaning of section 131 of the Act; or

(b) a person who is acting under a specific endorsement of a State agency under section 131(2)(c) of the Act.

107—General scheme

(1) An application under section 131(2) of the Act must be in a form determined by the Minister.

(2) For the purposes of section 131(2) and (6) of the Act, the prescribed particulars are—

(a) a description of the nature of the proposed development; and

(b) details of the location, siting, layout and appearance of the proposed work; and

(c) if the proposed development is for the purposes of the provision of electricity generating plant with a generating capacity of more than 5 MW that is to be connected to the State's power system—a certificate from the Technical Regulator certifying that the proposed development complies with the requirements of the Technical Regulator in relation to the security and stability of the State's power system.

(3) In subregulation (2)—

(a) a reference to ***electricity generating plant*** is a reference to electricity generating plant within the ambit of paragraph (a) of the definition of ***electricity infrastructure*** in section 4(1) of the *Electricity Act 1996*; and

(b) ***power system*** has the same meaning as in the *Electricity Act 1996*.

(4) A notice under section 131(6) of the Act must be given to the council within 3 business days after the relevant application is lodged with the Commission.

(5) For the purposes of section 131(10) of the Act, if an application relates to development of a class prescribed under Schedule 9, the Commission must refer the application, together with a copy of any relevant information provided by the State agency, to the relevant body under that Schedule for comment and report within the period of 30 business days (and this period will also be the period that applies under section 131(12) of the Act).

(6) For the purposes of section 131(13)(a) of the Act, the requirement to give public notice includes the requirement to place a notice on the land, in a form determined by the Commission, as soon as may be reasonably possible after the relevant notice under regulation 3H(1)(b) is published on the SA planning portal (and the Commission may then cause the sign to be removed at a later time determined by the Commission).

(7) The Commission may require the relevant State agency to place the notice on the land under subregulation (6) on behalf of the Commission (and then to remove the sign under that subregulation).

(8) Subregulation (6) does not apply if—

(a) the relevant land—

(i) is not within the area of a council; or

(ii) constitutes a place that is wholly covered by water; or

(b) the Commission considers that it is impracticable or unnecessary to place a notice on the land under that subregulation.

(9) For the purposes of section 131(17) of the Act, the period of 60 business days is prescribed.

(10) A building certifier must not act under section 131(20) of the Act unless the building certifier is an accredited professional who would be qualified to give building consent in relation to the building work if the accredited professional were acting as a relevant authority in the particular case.

(11) For the purposes of section 131(22)(b) of the Act, the following are prescribed criteria when considering a variance with the Building Rules:

(a) that the provisions of the Building Rules are inappropriate to the particular building or building work, or that the proposed building work fails to conform with the Building Rules only in minor respects;

(b) that the variance is justifiable having regard to the performance requirements of the Building Code and would achieve the objects of the Act as effectively, or more effectively, than if the variance were not to be allowed.

(12) Despite subregulation (11), if in considering a matter under section 131(21) of the Act an inconsistency exists between the Building Rules and the Planning and Design Code in relation to a State heritage place or a local heritage place—

(a) the Planning and Design Code prevails and the Building Rules must not be applied to the extent of the inconsistency; but

(b) the person acting under that subsection must ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved that are as good as can reasonably be achieved in the circumstances.

108—Lapse of approval

(1) Subject to this regulation, an approval under section 131 of the Act (whether subject to conditions or not) will lapse at the expiration of—

(a) subject to the operation of paragraph (b)—12 months from the date of the approval; or

(b) if the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months from the date of the approval—3 years from the date of the approval, unless the development has been substantially or fully completed within those 3 years (in which case the approval will not lapse).

(2) Subject to this regulation, an approval for the proposed division of land will lapse at the expiration of 3 years from the date of the approval.

(3) A period prescribed under subregulation (1) or (2) may be extended by the Minister—

(a) when the relevant approval is given; or

(b) at such later time as may be appropriate.

Part 13—Mining

109—Mining production tenements

(1) Pursuant to section 160(2) of the Act, the appropriate Authority must refer an application for a mining production tenement to the Minister for advice if the land to be comprised in the tenement is situated in—

(a) those parts of the State described in Schedule 14, other than in a regional reserve under the *National Parks and Wildlife Act 1972*; or

(b) an area of a council not described in Schedule 14 and the council, after consultation with the appropriate Authority, objects to the granting of the tenement within a period of 30 business days from the date on which the council receives notice of the application.

(2) For the purposes of section 160(2) of the Act, the appropriate Authority must refer a proposed statement of environmental objectives under the *Petroleum and Geothermal Energy Act 2000* to the Minister for advice if an area to which the statement of environmental objectives would apply is within a part of the State described in Schedule 14, other than in a regional reserve under the *National Parks and Wildlife Act 1972*.

(3) However, in a case arising under the *Petroleum and Geothermal Energy Act 2000*, subregulations (1) and (2) operate subject to the following qualifications:

(a) the appropriate Authority may determine not to refer an application for a mining production tenement to the Minister under subregulation (1)(a) if a proposed statement of environmental objectives that covers the activities to be undertaken under the tenement has already been, or is to be, referred to the Minister under this regulation;

(b) the appropriate Authority may determine not to provide an application for a mining production tenement to a council for the purposes of subregulation (1)(b) and accordingly not to refer such an application to the Minister under that subregulation if a proposed statement of environmental objectives that covers the activities to be undertaken under the tenement has already been, or is to be, referred to the council by the appropriate Authority for consultation purposes;

(c) the appropriate Authority may determine not to refer a proposed statement of environmental objectives to the Minister under subregulation (2) if any mining production tenement that is to be covered by the statement of environmental objectives has already been, or is to be, referred to the Minister under this regulation.

(4) For the purposes of section 160(5) of the Act, a report of the Commission is prescribed.

(5) For the purposes of section 161(5) of the Act, the Building Rules apply to building work if the building is intended to provide—

(a) housing or other forms of shelter; or

(b) office accommodation; or

(c) work areas or other amenities which are not directly involved in the performance of operations carried on in pursuance of any of the Mining Acts.

(6) If the Building Rules apply to building work under subregulation (5), the building work must not be undertaken unless it has been granted a building consent by the council or an appropriate accredited professional.

Part 14—Land management agreements

110—Register of land management agreements (section 192)

(1) For the purposes of section 192(5) of the Act—

(a) a designated authority or greenway authority must provide to the Minister a copy of any agreement to which it is a party within 20 business days after the agreement is entered into under section 192 of the Act; and

(b) the Chief Executive must ensure that the agreement is entered in a register kept on the SA planning portal for the purposes of that section within 10 business days after the agreement is received by the Minister under paragraph (a).

(2) For the purposes of section 192(6) of the Act, the register must be kept available on the SA planning portal.

111—Register of land management agreements (section 193)

(1) The Minister must establish a register of agreements entered into by the Minister, or any other designated Minister, under section 193 of the Act.

(2) A council must establish a register of agreements entered into by the council under section 193 of the Act.

(3) A register must contain, or provide access to, a copy of each agreement entered into by a Minister or the council (as the case may be) under section 193 of the Act and may contain other information the Minister or the council (as the case may be) considers appropriate.

(4) For the purposes of section 193(6) of the Act, a register must be kept available on the SA planning portal.

(5) For the purposes of section 193(16) of the Act, the period of 9 months from the operative date of the relevant development approval is prescribed.

(6) A notice given by the relevant authority under section 193(16) of the Act—

(a) must be in writing; and

(b) must identify the relevant development approval according to the site of the proposed development and the date on which the approval is given; and

(c) must state that the relevant authority has decided to lapse the development approval because the agreement has not been noted against the relevant instrument of title or land (as the case may be) under section 193 of the Act within the period that applies under subregulation (5).

(7) The relevant authority must also give a copy of a notice under subregulation (6) to—

(a) any owner of the land who is not a party to the agreement; and

(b) if the council for the area where the relevant land is situated is not a party to the agreement—the council.

(8) In this regulation—

operative date of an approval means—

(a) the date on which the approval is given; or

(b) if the decision to grant the approval has been the subject of an appeal under the Act, the date on which any appeal is dismissed, struck out or withdrawn, or all questions relating to any appeal have been finally determined (other than as to costs),

whichever is the later.

Part 15—Performance of certain functions relating to buildings and building work

112—Authorised officers and inspections

(1) Each council must appoint at least 1 authorised officer under section 210(1)(b) of the Act—

(a) who is an accredited professional who is—

(i) an Accredited professional—building level 1; or

(ii) an Accredited professional—building level 2; or

(iii) an Accredited professional—building level 3; or

(iv) an Accredited professional—building level 4; or

(b) who holds a current accreditation recognised by the Chief Executive for the purposes of this regulation; or

(c) who holds an approval from the Chief Executive.

(2) A person who is appointed under subregulation (1)—

(a) is authorised to carry out inspections for the purposes of section 144 of the Act; and

(b) is brought within the definition of ***designated authority*** under section 212(1) of the Act.

113—Fire safety

For the purposes of section 157(1), (2) and (17)(a)(i) of the Act, the prescribed qualifications are—

(a) the qualifications that apply for the purposes of gaining accreditation as an accredited professional who is—

(i) an Accredited professional—building level 1; or

(ii) an Accredited professional—building level 2; or

(b) the qualifications that allow a person to hold a current accreditation recognised by the Chief Executive for the purposes of this regulation; or

(c) qualifications that are approved by the Chief Executive.

Part 16—Enforcement

114—Civil penalties

For the purposes of section 225(3)(a) of the Act, a notice to be served by the designated entity must be in the form of Schedule 15.

115—Offences by bodies corporate—responsibilities of officers

(1) For the purposes of section 220(1) of the Act, a prescribed offence is an offence against section 115, 130, 131, 141, 155(13), 157(12), 193, 215, 216 or 228(8) of the Act.

(2) For the purposes of section 220(3) of the Act, an offence against section 83(4), 84(3),117, 135, 136, 139, 146, 151, 152, 155(8), 156, 157(5), 157(14), 208, 211, 213, 217, 231, 235, 236 or Schedule 4 clause 3 of the Act is prescribed (being an offence to which section 220(2) does not apply).

Part 17—Rights of review and appeal

116—Rights of review and appeal

An application under section 202(1)(b)(i)(A) must be made in a form determined by the Minister and published on the SA planning portal.

Part 18—Miscellaneous

117—Service of notices

(1) Subject to subregulation (2), and without derogating from any other regulation relating to the service of a notice or notification, or a document, which is required to be given or served on a person, or otherwise provided, under the Act or these regulations may be so given, served or provided as follows:

(a) by personal service on the person or an agent of the person; or

(b) by leaving it for the person at his or her usual or last known place of residence or business, or at any address for the service of notices or documents—

(i) with a person apparently over the age of 16 years; or

(ii) by placing it in a letter box, or in a conspicuous place; or

(c) by posting it in an envelope addressed to the person at his or her usual or last known place of residence or business, or at any address for the service of notices or documents; or

(d) in the case of a person who is the owner or occupier of a unit within a strata scheme under the *Strata Titles Act 1988*—by posting it to the person care of the strata corporation at the postal address of the strata corporation; or

(e) in the case of a person who is the owner or occupier of a community lot within a community scheme under the *Community Titles Act 1996*—by posting it to the person care of the community corporation at the postal address of the community corporation; or

(f) in the case of an incorporated body—by leaving it at its registered or principal office, or at any address for the service of notices or documents, with a person apparently over the age of 16 years, or by posting it in an envelope addressed to the body at its registered or principal office, or at any address for the service of notices or documents; or

(g) by sending it by using an email address known to be used by the person (in which case the notice or document will be taken to have been given or served at the time of transmission); or

(h) via the SA planning portal in cases contemplated by these regulations or provided for service under a facility established as part of the SA planning portal by the Chief Executive.

(2) For the purposes of subregulation (1)—

(a) the person or authority which must give, serve or provide a notice or document may assume that the address of an owner or occupier of land entered in the assessment book of the council for the area in which the land is situated, or shown in the certificate of title register book for the land, is the owner's or occupier's address for the service or provision of notices or documents; and

(b) if a notice or document must be given or provided to, or served on, 2 or more persons who appear to have the same place of residence or business, or who have the same address for the service of notices or documents, it will be taken that the notice or document has been provided to, or served on, each of them if 1 notice or document, addressed to all of them, is given or served in accordance with this regulation; and

(c) if a notice or document must be given or provided to, or served on, 2 or more persons who are the owners or occupiers of units within the same strata scheme under the *Strata Titles Act 1988*, it will be taken that the notice or document has been provided to, or served on, each of them if 1 notice or document, addressed to all of them as the owners or occupiers of the relevant units, is posted to the postal address of the strata corporation; and

(d) if a notice or document must be given or provided to, or served on, 2 or more persons who are the owners or occupiers of community lots within the same community scheme under the *Community Titles Act 1996*, it will be taken that the notice or document has been provided to, or served on, each of them if 1 notice or document, addressed to all of them as the owners or occupiers of the relevant lots, is posted to the postal address of the community corporation.

118—Prescribed rate of interest

(1) For the purposes of section 141(6)(a), 142(4)(a), 155(7)(a), 213(7) and 214(13)(a) of the Act, the rate of interest is the prescribed bank rate for the financial year in which the liability to pay the interest first arises.

(2) In this regulation—

prescribed bank rate, for a financial year, means the 1 year fixed (non comparison) rate applied by the Commonwealth Bank of Australia at the commencement of the financial year.

119—Application of Fund

For the purposes of section 195(g) of the Act, a public work or public purpose that promotes or complements a policy or strategy contained in a state planning policy is authorised as a purpose for which the Planning and Development Fund may be applied.

120—Record of applications

(1) A relevant authority must ensure that the following matters are recorded on the SA planning portal in respect of each application for a development authorisation under section 102 of the Act:

(a) the name and contact details of the relevant authority;

(b) the name and address of the applicant (or of each applicant);

(c) the date on which the application was lodged under section 119 of the Act;

(d) the date on which the application was verified under regulation 31;

(e) the date (or dates) on which the fees relating to the application were paid in accordance with these regulations and the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*;

(f) a description of the land which is the subject of the application;

(g) a brief summary of the matters, acts or things in respect of which any consent or approval is sought;

(h) details of any referral or concurrence on the application;

(i) details of any other decision made on the application by another entity exercising a power under this Act that has been notified to the relevant authority in accordance with these regulations;

(j) any decision on the application (including the date of the decision and any conditions that are imposed);

(k) the date of the commencement of any building work, and the date of the completion of any building work, as notified under regulation 93;

(l) if any decision on the application is the subject of an appeal, the result of the appeal.

(2) An accredited professional must keep a register that records, in respect of each application made to the accredited professional under the Act—

(a) the name and address of the applicant (or of each applicant); and

(b) the date of the application; and

(c) a description of the land which is the subject of the application; and

(d) a brief summary of the matters, acts or things in respect of which any consent or decision is sought; and

(e) details of any referral or concurrence on the application; and

(f) any decision on the application (including the date of the decision and any conditions that are imposed); and

(g) if any decision on the application is the subject of an appeal, the result of the appeal.

(3) An accredited professional must keep a record required under subregulation (2) for not less than 5 years after the date on which the relevant application is determined by the accredited professional.

(4) Nothing in this regulation requires a document to be included on the SA planning portal, or otherwise made available to the public, if to do so would—

(a) in the opinion of a relevant authority, or an accredited professional acting in any capacity, unreasonably jeopardise the present or future security of a building; or

(b) involve an infringement of copyright in matter contained in a document; or

(c) constitute a breach of any other law.

121—Documents to be provided by an accredited professional

(1) An accredited professional must ensure that he or she is able to produce to an authorised officer within a reasonable period (on request) and, in any event, within 5 business days, a copy of any of the following documents:

(a) any technical details, particulars, plans, drawings, specifications or other documents or information considered by the accredited professional on an application for a development authorisation;

(b) any certificates, opinions or other documents submitted to the accredited professional in connection with an application for a development authorisation;

(c) any document that the accredited professional is required to provide under regulation 55;

(d) any statement required under regulation 57(3).

122—Certificates of technical experts

If any advice, opinion, certificate or other document must be provided or given by a person with prescribed qualifications for the purposes of the Act or these regulations, the document containing the advice or opinion, or the certificate or other document, must state—

(a) the person's full name and contact details; and

(b) the person's relevant qualifications.

123—Accreditation of building products

For the purposes of section 237(1) of the Act, the following entities are prescribed:

(a) the Minister;

(b) a person or body duly authorised under the *Code Mark Scheme* administered by the Australian Building Codes Board.

124—General offence

(1) A person who contravenes or fails to comply with these regulations is guilty of an offence.

(2) A person who is guilty of an offence against these regulations for which no penalty is specifically prescribed is liable to a fine not exceeding $2 500.

(3) Subregulation (1) does not render the Minister, the Commission, a council, or any other authority referred to in these regulations, or any of their staff or officers, or a person acting on their behalf, liable to prosecution for an act or omission related to the administration or operation of these regulations.

125—Declaration of commercial competitive interest

(1) For the purposes of section 208(3) of the Act, a disclosure of a commercial competitive interest under that section must be in the form determined by the Minister for the purposes of this regulation (being a form published by the Minister in the Gazette).

(2) The form required under subregulation (1) must be given by the person required to make the relevant disclosure—

(a) to the registrar of the relevant court—

(i) in the case of a person who has commenced proceedings—at the time of lodging the application or other documentation that commences the proceedings; or

(ii) in the case of a person who becomes a party to the proceedings—within 10 business days after becoming a party to the proceedings; or

(iii) in the case of a person who provides financial assistance to another person who commences or becomes a party to any relevant proceedings—within 10 business days after the commencement of the proceedings or the date on which the other person becomes a party to the proceedings (as the case may be); and

(b) to each of the other parties to the proceedings—

(i) in the case of a person who has commenced proceedings—within 10 business days after commencing the proceedings; or

(ii) in the case of a person who becomes a party to the proceedings—within 10 business days after becoming a party to the proceedings; or

(iii) in the case of a person who provides financial assistance to another person who commences or becomes a party to any relevant proceedings—within 10 business days after the commencement of the proceedings or the date on which the other person becomes a party to the proceedings (as the case may be).

126—Additional expiable offences

For the purposes of Schedule 5 item 46 of the Act, the following expiation fees are fixed in respect of the following offences against the Act:

(a) section 151(5)—$750;

(b) section 152(1)—$750;

(c) section 155(8)—$200;

(d) section 157(5)—$225.

127—Issue of expiation notices

Authorised officers are designated persons who may give expiation notices under the Act or these regulations.

128—Limitation of time when action must be taken

Pursuant to section 8(2)(b) of the Act, section 159 of the Act does not apply to any defective building work—

(a) carried out before the commencement of the *Development Act 1993*; or

(b) carried out after the commencement of the *Development Act 1993* pursuant to an approval granted under another Act before the commencement of that Act; or

(c) carried out after the commencement of the *Development Act 1993* pursuant to an approval granted under the *Building Act 1971* after the commencement of the *Development Act 1993* by virtue of section 24 of the *Statutes Repeal and Amendment (Development) Act 1993*.

Schedule 1—Register of interest—primary return

Please read instructions and notes below before completing this return.

SURNAME OTHER NAMES

OFFICE HELD

	Registrable interests	Details
1	Provide a statement of any income source[2] that you have or a person related to you[3] has or expects to have in the period of 12 months after the date of the primary return.	
2	State the name of any company or other body, corporate or unincorporate, in which you hold, or a member of your family[4] holds, any office whether as director or otherwise, for the purpose of obtaining financial gain (including at some time in the future).	
3	State the name or description of any company, partnership, association or other body in which you or a person related to you[3] is an investor[5].	
4	Provide a concise description of any trust (other than a testamentary trust) of which you or a person related to you[3] is a beneficiary or trustee, and the name and address of each trustee.	
5	Provide the address or description of any land in which you have or a person related to you[3] has any beneficial interest[6] other than by way of security for any debt.	
6	Provide details of any fund in which you or a person related to you[3] has an actual or prospective interest to which contributions are made by a person other than you or a person related to you[3].	
7	If you are or a person related to you[3] is indebted to another person (not being related by blood or marriage) in an amount of or exceeding $7 500—state the name and address of that other person.	
8	If you are or a person related to you[3] is owed money by a natural person (not being related by blood or marriage) in an amount of or exceeding $10 000—state the name and address of that person.	
9	Declare any other substantial interest of yours or of a person related to you whether of a pecuniary nature or not, of which you are aware and which you consider might appear to raise a material conflict between your private interest and the duty that you have or may subsequently have as a member of a designated entity.	
10	Provide any other additional information which you think fit.	

Signature

Date

Instructions/notes

1 This return is to be completed in block letters except for signatures. If there is not sufficient space on this return for all of the information you are required to provide, you may attach additional papers for that purpose. Each such paper must be signed and dated.

2 Under the regulations—

income source, in relation to a person, means—

(a) any person or body of persons with whom the person entered into a contract of service or held any paid office; and

(b) any trade, vocation, business or profession engaged in by the person.

3.1 A ***person related to a member*** means—

(a) a member of the member's family;

(b) a family company of the member;

(c) a trustee of a family trust of the member.

3.2 A ***family company*** of a member means a proprietary company—

(a) in which the member or a member of the member's family is a shareholder; and

(b) in respect of which the member or a member of the member's family, or any such persons together, are in a position to cast, or control the casting or, more than one-half of the maximum number of votes that might be cast at a general meeting of the company.

3.3 A ***family trust*** of a member means a trust (other than a testamentary trust)—

(a) of which the member or a member of the member's family is a beneficiary; and

(b) which is established or administered wholly or substantially in the interests of the member or a member of the member's family, or any such persons together.

4 Under the Act—

family, in relation to a member, means—

(a) a spouse or domestic partner of the member; and

(b) a child of the member who is under the age of 18 years and normally resides with the member.

5 For the purpose of this return, a person is an investor in a body if—

(a) the person has deposited money with, or lent money to, the body that has not been repaid and the amount not repaid equals or exceeds $10 000; or

(b) the person holds, or has a beneficial interest in, shares in, or debentures of, the body or a policy of life insurance issued by the body.

6 A ***beneficial interest*** in property includes a right to re-acquire the property.

Note—

1 A member is required only to disclose information that is known to the member or ascertainable by the member by the exercise of reasonable diligence.

2 A member is not required to disclose information relating to a person as trustee of a trust unless the information relates to the person in the person's capacity as trustee of a trust by reason of which the person is related to the member.

3 A member may include in a return such additional information as the member thinks fit.

4 Nothing in this return will be taken to prevent a member from disclosing information in such a way that no distinction is made between information relating to the member personally and information relating to a person related to the member.

5 A member is not required to disclose the actual amount or extent of a financial benefit or interest.

Schedule 2—Register of interest—ordinary return

Please read instructions and notes below before completing this return.

SURNAME OTHER NAMES

OFFICE HELD

	Registrable interests	**Details**
1	Provide a statement of any income source of a financial benefit[2] that you have or a person related to you[3] has received, or was entitled to receive, during the return period.	
2	State the name of any company or other body, corporate or unincorporate, in which you held, or a member of your family[4] held, any office during the return period whether as director or otherwise, for the purpose of obtaining financial gain (including at some time in the future).	
3	State the name or description of any company, partnership, association or other body in which you or a person related to you[3] is an investor[5].	
4	Provide a concise description of any trust (other than a testamentary trust) of which you or a person related to you[3] is a beneficiary or trustee, and the name and address of each trustee.	
5	Provide the address or description of any land in which you have or a person related to you[3] has any beneficial interest[6] other than by way of security for any debt.	
6	Provide details of any fund in which you or a person related to you[3] has an actual or prospective interest to which contributions are made by a person other than you or a person related to you[3].	

	Registrable interests	Details
7	If you are or a person related to you[3] is indebted to another person (not being related by blood or marriage) in an amount of or exceeding $7 500—state the name and address of that other person.	
8	If you are or a person related to you[3] is owed money by a natural person (not being related by blood or marriage) in an amount of or exceeding $10 000—state the name and address of that person.	
9	Declare any other substantial interest of yours or of a person related to you whether of a pecuniary nature or not, of which you are aware and which you consider might appear to raise a material conflict between your private interest and the duty that you have or may subsequently have as a member of a designated entity.	
10	Provide any other additional information which you think fit.	

Signature

Date

Instructions/notes

1.1 This return is to be completed in block letters except for signatures. If there is not sufficient space on this return for all of the information you are required to provide, you may attach additional papers for that purpose. Each such paper must be signed and dated.

1.2 The ***return period*** for the purposes of this return is as follows:

(a) if your last return was a ***primary return*** under the Act—the period between the date of the primary return and 30 June next following;

(b) in any other case—the period of 12 months expiring on 30 June, or within 60 days after 30 June in any year.

2.1 Under the regulations—

income source, in relation to a person, means—

(a) any person or body of persons with whom the person entered into a contract of service or held any paid office; and

(b) any trade, vocation, business or profession engaged in by the person.

2.2 Under the regulations—

financial benefit, in relation to a person, means—

(a) any remuneration, fee or other pecuniary sum exceeding $1 000 received by the person in respect of a contract of service entered into, or paid office held by, the person; and

(b) the total of all remuneration, fees or other pecuniary sums received by the person in respect of a trade, profession, business or vocation engaged in by the person where the total exceeds $1 000,

but does not include an annual allowance, fees, expenses or other financial benefit payable to the person under the Act.

3.1 A ***person related to a member*** means—

(a) a member of the member's family;

(b) a family company of the member;

(c) a trustee of a family trust of the member.

3.2 A ***family company*** of a member means a proprietary company—

(a) in which the member or a member of the member's family is a shareholder; and

(b) in respect of which the member or a member of the member's family, or any such persons together, are in a position to cast, or control the casting or, more than one-half of the maximum number of votes that might be cast at a general meeting of the company.

3.3 A ***family trust*** of a member means a trust (other than a testamentary trust)—

(a) of which the member or a member of the member's family is a beneficiary; and

(b) which is established or administered wholly or substantially in the interests of the member or a member of the member's family, or any such persons together.

4 Under the Act—

family, in relation to a member, means—

(a) a spouse or domestic partner of the member; and

(b) a child of the member who is under the age of 18 years and normally resides with the member.

5 For the purpose of this return, a person is an investor in a body if—

(a) the person has deposited money with, or lent money to, the body that has not been repaid and the amount not repaid equals or exceeds $10 000; or

(b) the person holds, or has a beneficial interest in, shares in, or debentures of, the body or a policy of life insurance issued by the body.

6 A ***beneficial interest*** in property includes a right to re-acquire the property.

Note—

1 A member is required only to disclose information that is known to the member or ascertainable by the member by the exercise of reasonable diligence.

2 A member is not required to disclose information relating to a person as trustee of a trust unless the information relates to the person in the person's capacity as trustee of a trust by reason of which the person is related to the member.

3 A member may include in a return such additional information as the member thinks fit.

4 Nothing in this return will be taken to prevent a member from disclosing information in such a way that no distinction is made between information relating to the member personally and information relating to a person related to the member.

5 A member is not required to disclose the actual amount or extent of a financial benefit or interest.

Schedule 3—Additions to definition of development

Note—

The acts or activities set out in this Schedule constitute development.

1—Excavation or filling in identified zones or areas

(1) Any excavating or filling (or excavating and filling) of land in a zone or area identified under the Planning and Design Code for the purposes of this clause which involves the excavating or filling (or excavating and filling) of a volume of material which exceeds 9 m^3 in total, but not including the excavating of filling (or excavating and filling) of land—

(a) incidental to the ploughing or tilling of land for the purpose of agriculture; or

(b) incidental to the installation, repair or maintenance of any underground services; or

(c) on or within a public road or public road reserve; or

(d) in the event of an emergency in order—

(i) to protect life or property; or

(ii) to protect the environment where authority to undertake the activity is given by or under another Act.

2—Excavation or filling—local heritage places

Any excavating or filling (or excavating and filling) of land in a local heritage place which involves the excavating or filling (or excavating and filling) of a volume of material which exceeds 9 m^3 in total.

3—Excavation or filling in identified zones or areas subject to inundation or flooding

Any excavating or filling (or excavation and filling) of land, or the forming of a levee or mound, in a designated flood zone, subzone or overlay, or any other zone, subzone or overlay identified under the Planning and Design Code for the purposes of this clause, but not including the excavation or filling (or excavating and filling) of land—

(a) incidental to the ploughing or tilling of land for the purpose of agriculture; or

(b) incidental to the installation, repair or maintenance of any underground services; or

(c) on or within a public road or public road reserve; or

(d) in the event of an emergency in order—

(i) to protect life or property; or

(ii) to protect the environment where authority to undertake the activity is given by or under another Act.

4—Levee, mound over 3 m in height

Without limiting any other clause, the forming of a levee or mound with a finished height greater than 3 m above the natural surface of the ground.

5—Excavating or filling—coastal land etc

Any excavating or filling (or excavating and filling)—

(a) within coastal land; or

(b) within 3 nautical miles seaward of the coast measured from mean high water mark on the sea shore at spring tide,

which involves the excavating or filling (or excavating and filling) of a volume of material which exceeds 9 m^3 in total.

6—Coastal protection structures

The placing or making of any structure or works for coastal protection, including the placement of rocks, stones or other substances designed to control coastal erosion, within 100 m landward of the coast measured from mean high water mark on the sea shore at spring tide or within 1 km seaward of the coast measured from mean high water mark on the sea shore at spring tide.

7—River Murray—infrastructure

(1) Without limiting the operation of any other clause, the construction, installation or placement of any infrastructure for—

(a) the taking of water from any part of the River Murray system within the River Murray Floodplain Area; or

(b) the draining or depositing of any water or other substance or material into any part of the River Murray system within the River Murray Floodplain Area,

other than—

(c) where the infrastructure is being constructed, installed or placed by the Minister for the River Murray (or by a person who is undertaking works for or on behalf of that Minister); or

(d) where the infrastructure is to be used for domestic purposes within the River Murray Flood Plain Overlay under the Planning and Design Code.

(2) For the purposes of subclause (1), a reference to the River Murray Floodplain Area is a reference to the River Murray Protection Area so designated under the *River Murray Act 2003*.

(3) In subclause (1)—

infrastructure has the same meaning as in the *River Murray Act 2003*;

River Murray system has the same meaning as in the *River Murray Act 2003*.

8—Display of advertisements

(1) The commencement of the display of an advertisement.

(2) For the purposes of subclause (1), a change made to the type or contents of an existing advertisement will be taken not to constitute the commencement of the display of an advertisement if—

(a) the advertisement area is not increased; and

(b) the change does not involve the addition of animation or illumination.

9—Land division—certain Crown lands

The division of land subject to a lease under the *Crown Land Management Act 2009* or the *Irrigation Act 2009* where an application has been made to the Minister responsible for the administration of the relevant Act to surrender the lease for freehold title on the basis that the land will be granted in fee simple and then divided.

Schedule 4—Exclusions from definition of development—general

Note—

An act or activity specified in this Schedule is declared not to constitute development for the purposes of the Act, subject to the limitations set out in regulation 3C. For example, that regulation provides that an exclusion under Schedule 4 does not apply in respect of a State heritage place

1—Advertising displays

The commencement of an advertising display containing an advertisement—

(a) that is a traffic control device displayed and erected under the *Road Traffic Act 1961*; or

(b) that is displayed by reason of a statutory obligation on the Crown, a Minister of the Crown, an agency or instrumentality of the Crown, a council, or a person requiring such display; or

(c) that is on enclosed land or within a building and is not readily visible from land outside the enclosure or the building; or

(d) that is displayed for the purposes of identification, direction, warning or other information in relation to a detached, semi-detached, row or multiple dwelling or residential flat building (including an advertisement displayed for the purposes of a home activity), subject to the following conditions:

(i) that the advertisement area is not more than 0.2 m^2;

(ii) that the advertising display—

(A) does not move; and

(B) does not flash; and

(C) does not reflect light so as to be an undue distraction to motorists; and

(D) is not internally illuminated;

(iii) that not more than 2 such advertisements are displayed in relation to the same building; or

(e) that is displayed on a building or a building in separate occupation (other than the side or rear walls of the building) used primarily for retail, commercial, office, business or community purposes, subject to the following conditions:

(i) that the advertisement is not displayed or erected above any verandah or the fascia of a verandah or, in a case where there is no verandah, that no part of the advertisement is more than 3.7 m above ground level;

(ii) that the advertising display—

(A) does not move; and

(B) does not flash; and

(C) does not reflect light so as to be an undue distraction to motorists; and

(D) is not internally illuminated; or

(f) that announces a local event of a religious, educational, cultural, social or recreational character, or that relates to an event of a political character, subject to the following conditions:

(i) that the total advertisement area of all advertisements of that kind displayed on 1 building or site is not more than 2 m^2;

(ii) except for an advertisement that relates to a federal, State or local government election, that the advertisement is displayed for a period not exceeding 1 month prior to the event and 1 week after the conclusion of the event;

(iii) that the advertising display—

(A) does not move; and

(B) does not flash; and

(C) does not reflect light so as to be an undue distraction to motorists; and

(D) is not internally illuminated; or

(g) that is on land on which building work is being lawfully undertaken, subject to the following conditions:

(i) that the information in the advertisement refers to the work being undertaken;

(ii) that the advertising display—

(A) does not move; and

(B) does not flash; and

(C) does not reflect light so as to be an undue distraction to motorists; and

(D) is not internally illuminated;

(iii) that the advertisement area is not more than 3 m^2; or

(h) that constitutes a moveable sign under the *Local Government Act 1999* and is placed on a public street, road or footpath within an area of a council under that Act; or

(i) that is a real estate "for sale" or "for lease" sign, subject to the following conditions:

(i) that the sign is situated on the land which is for sale or for lease;

(ii) that the sign—

(A) does not move; and

(B) does not flash; and

(C) does not reflect light so as to be an undue distraction to motorists; and

(D) is not internally illuminated;

(iii) that the sign is not more than 4 m^2 in advertisement area;

(iv) that the sign is removed within 2 weeks after the completion of the sale or the entering into of the lease.

2—Council works

(1) The construction, reconstruction, alteration, repair or maintenance by or on behalf of a council of—

(a) a road, drain or pipe, other than the construction of a new road, drain or pipe within 100 m of the coast, measured from mean high water mark on the sea shore at spring tide; or

(b) an effluent drainage scheme, but not including any effluent pond or lagoon; or

(c) a structure or equipment used for or associated with the supply, conversion, transformation or control of electricity, other than—

(i) the construction of an electricity generating station, an electricity substation, a transmission line, a distribution main or a single wire earthed return electricity line; or

(ii) within a designated airport building heights area; or

(d) a single wire earthed return electricity line, other than any such activity—

(i) in areas of the Flinders Ranges identified under the Planning and Design Code as environmental areas for the purposes of this subparagraph, excluding townships; or

(ii) —

(A) in any zone, subzone or overlay identified under the Planning and Design Code for the purposes of this subsubparagraph; or

(B) where no such zone or area has been identified under the Planning and Design Code—in any of the following:

- rural land which is within 500 m of the coast measured from mean high water mark on the sea shore at spring tide;

- land within a country township, developed urban area or proposed urban area the Planning and Design Code which is within 100 m of the coast measured from mean high water mark on the sea shore at spring tide; or

(e) a recreation area, or a building in a recreation area, other than—

(i) the construction of a new building exceeding 30 m^2 in total floor area on a recreation area; or

(ii) an alteration or extension to an existing building on a recreation area which will result in the total floor of the building exceeding 30 m^2; or

(iii) the construction or alteration of, or an extension to, any building within 100 m of the coast (landward or seaward), measured from mean high water mark on the sea shore at spring tide; or

(iv) the placing or making of any structure or works for coastal protection, including the placement of rocks, stones or other substances designed to control coastal erosion, within 100 m landward of the coast measured from mean high water mark on the sea shore at spring tide or within 100 m of the seaward boundary of the recreation area where the recreation area extends seaward from the mean high water mark on the sea shore at spring tide; or

(f) the placement, installation or construction of playground, exercise or recreation equipment in a recreation area; or

(g) an item of street furniture (including directional signs, lighting, seating, weather shelters, bollards and bicycle racks), other than the construction of street lighting within a designated airport building heights area; or

(h) a building within an existing council works depot which is consistent with the continued use of the area as a council works depot, other than—

(i) the construction of a new building exceeding 200 m^2 in total floor area, or 10 m in height; or

(ii) an alteration or extension to an existing building which will result in the total floor area of the building exceeding 200 m^2, or the total height of the building exceeding 10 m; or

(iii) the performance of work within 10 m of a boundary of the depot.

(2) The erection, alteration or replacement by a council of a sign or advertisement (including in a case that involves the commencement of the display of an advertisement) on an item of street furniture located on a road or road reserve (but not on a part of a carriageway), subject to the following conditions:

(a) that the size of the display area does not exceed 3 m^2;

(b) that the sign or advertisement—

(i) does not incorporate a moving display or message; and

(ii) does not flash; and

(iii) is not internally illuminated;

(c) that the sign or advertisement is not within 100 m of a signalised intersection or a pedestrian actuated crossing;

(d) that the erection or display of the sign or advertisement is not classified as restricted development under the Planning and Design Code.

(3) If the work is certified by a building certifier as complying with the Building Rules (or the Building Rules to the extent that is appropriate in the circumstances after taking into account the requirements of the Building Rules), excavating or filling (or excavating and filling) of up to 1500 m^3 of material for the purpose of providing proper access to an existing wharf, jetty or mooring, but excluding excavating or filling where more than 1500 m^3 of material has been excavated or filled at the particular place within the previous 12 months.

3—Land division

(1) For the purpose of giving effect to a proposal approved or authorised under the provisions of the *Roads (Opening and Closing) Act 1991*, the division of a single allotment into 2 allotments or the adjustment of an allotment boundary.

(2) The grant or acceptance of a lease or licence, or the making of an agreement for a lease or licence, under—

(a) the *Aboriginal Lands Trust Act 2013*; or

(b) the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981*; or

(c) the *Maralinga Tjarutja Land Rights Act 1984*,

by virtue of which the Crown (or an agency or instrumentality of the Crown) becomes, or may become, entitled to possession or occupation of part only of an allotment.

(3) The grant or acceptance of a lease or licence on Trust Land (within the meaning of the *Aboriginal Lands Trust Act 2013*), or the making of an agreement for a lease or licence on Trust Land, in respect of which the Aboriginal Lands Trust has given permission under section 44 of that Act and by virtue of which a person becomes, or may become, entitled to possession or occupation of part only of an allotment.

(4) The grant or acceptance of a lease or licence, or the making of an agreement for a lease or licence, by virtue of which a person becomes, or may become, entitled to possession or occupation of part only of an allotment, other than a lease or licence over land—

(a) that comprises a dwelling or a dwelling and curtilage; or

(b) which permits or is varied to permit the use of the leased or licensed land and any part of it for residential purposes.

(5) The grant or acceptance of a lease or licence, or the making of an agreement for a lease or licence, related to the installation or alteration of telecommunications facilities or wind turbine generators, including any infrastructure associated with such facilities or generators.

(6) The division of an allotment pursuant to an order under the *Encroachments Act 1944*.

(7) The amendment of an existing strata plan under the *Community Titles Act 1996* or the *Strata Titles Act 1988* where the delineation of strata lots or strata units, and common property, is not altered.

(8) The division of an allotment for the purpose of widening or adding to an existing road, road reserve or drainage reserve, subject to the condition that any land that is being added to the road, road reserve or drainage reserve is, or is to be, vested in the Crown, a Minister of the Crown, an instrumentality or agency of the Crown, or a council.

(9) The division of an allotment—

(a) for the purpose of widening or adding to an existing rail corridor or rail reserve, subject to the condition that any land that is being added to the rail corridor or rail reserve is, or is to be, vested in an owner or operator of the relevant railway; or

(b) for purposes associated with the construction, use, alteration, extension, repair or maintenance of any form of infrastructure, or with gaining access to any form of infrastructure, located on a rail corridor or rail reserve.

Note—

The infrastructure need not be rail infrastructure.

(10) The conferral of a right to occupy a residential unit under the *Retirement Villages Act 2016*.

4—Sundry minor operations

(1) The construction or alteration of, or addition to, any of the following (including any incidental excavation or filling), other than in respect of a local heritage place:

(a) an outbuilding (other than in a designated flood zone, subzone or overlay or in any other zone, subzone or overlay identified under the Planning and Design Code for the purposes of this paragraph) in which human activity is secondary, and which—

(i) is detached from and ancillary to another building which is erected on the site, or for which consent has been granted by the relevant authority, or which is classified as accepted development or deemed-to-satisfy development; and

(ii) has a total floor area not exceeding 15 m^2; and

(iii) has no roof span (being the horizontal distance between supporting walls, posts or columns of the outbuilding) exceeding 3 m, and no part of the building being higher than 2.5 m above the natural surface of the ground; and

(iv) is not being constructed, added to or altered so that any portion of the building is situated—

(A) in front of any part of the building line of the building to which it is ancillary that faces the primary street; or

(B) within 900 mm of a boundary of the land with a secondary street (if the land has boundaries on 2 or more roads); and

(v) is not within 6 m of the intersection of 2 boundaries of the land where those boundaries both face a road, other than where a 4 x 4 m corner cut-off has already been provided (and is to be preserved);

(b) —

(i) a windmill, other than a windmill in a designated airport building heights area; or

(ii) a flagpole,

which is not attached to a building and is not more than 10 m in height, or which is attached to a building and is not more than 4 m in height above the topmost point of attachment to the building, exclusive of guy wires;

(c) a swimming pool or spa pool (other than in a designated flood zone, subzone or overlay or in any other zone subzone or overlay identified under the Planning and Design Code for the purposes of this paragraph) which is constructed in association with a dwelling and intended primarily for use by the occupants of that dwelling, and which—

(i) does not have a depth exceeding 300 mm; or

(ii) in the case of an aboveground or inflatable swimming pool or spa pool, does not incorporate a filtration system;

(d) a fence not exceeding 2.1 m in height (measured from the lower of the 2 adjoining finished ground levels), other than—

(i) a fence in—

(A) a designated flood zone, subzone or overlay; or

(B) in any other zone, subzone or overlay identified under the Planning and Design Code for the purposes of this subparagraph; or

(ii) a fence in the Local Heritage Area Overlay under the Planning and Design Code, or any other area identified under the Planning and Design Code for the purposes of this paragraph, that is situated on the boundary of the relevant allotment with a road (other than a laneway); or

(iii) a fence that exceeds (or would exceed) 1 m in height within 6 m of the intersection of 2 boundaries of land where those boundaries both face a road, other than where a 4 x 4 m corner cut-off has already been provided (and is to be preserved); or

(iv) —

(A) a masonry fence; or

(B) a fence any part of which is formed from masonry (including, for example, a fence that includes masonry piers or columns),

that exceeds (or would exceed) 1 m in height (measured (if relevant) from the lower of the 2 adjoining finished ground levels); or

(v) a fence that is (or is to be) a safety fence for a swimming pool or spa pool which is approved for construction, or requires approval for construction, on or after 1 July 1993; or

(vi) a brush fence that is (or is to be) closer than 3 m to an existing or proposed Class 1 or 2 building under the Building Code, with the distance to be measured from any part of the brush fence and from any part of an external wall of the building (being an external wall within the meaning of the Building Code) and with this subparagraph not extending to a repair of an existing brush fence that does not enlarge or extend the brush fence;

(e) a post and wire fence, other than a chain mesh fence, in a designated flood zone, subzone or overlay;

(f) a retaining wall (other than in a designated flood zone, subzone or overlay, or within 100 m of the coast measured from mean high water mark on the sea shore at spring tide) which retains a difference in ground levels not exceeding 1 m;

(g) a water tank (and any supporting structure) which—

(i) is part of a roof-drainage system; and

(ii) has—

(A) in the case of a tank in a Bushfire Risk area within a Hazards (Bushfire Protection) Overlay under the Planning and Design Code—a total floor area not exceeding 15 m^2 and a total volume not exceeding 60 000 L; or

(B) in any other case—a total floor area not exceeding 10 m^2 and a total volume not exceeding 40 000 L; and

(iii) is located wholly above ground; and

(iv) has no part higher than 4 m above the natural surface of the ground;

(h) a temporary builder's office, shed, store or other similar building—

(i) that is used for the purpose of storing materials or documents, providing amenities for workers, or for any other purpose connected with the performance of building work, other than to provide overnight accommodation; and

(ii) that is to be removed at the completion of the relevant building work; and

(iii) that is positioned on the ground and totally within the site of the building work;

(i) a deck (other than in a bushfire prone area under regulation 98, the Local Heritage Area Overlay under the Planning and Design Code or any other area identified under the Planning and Design Code for the purposes of this paragraph) which is used (or to be used) in association with an existing dwelling and which—

(i) will not have any point on the floor of the deck that is higher than 500 mm above the natural surface of the ground; and

(ii) will not have any portion of the deck situated within 900 mm of a boundary of the land;

(j) a tree house or cubby house (being a structure that is intended to be used primarily by children for recreational purposes) that is ancillary to a dwelling and that has a total floor area not exceeding 5 m^2;

(k) the installation of a screen to 1 or more sides of a structure for the purposes of privacy if—

(i) the screen comprises a permeable material (such as lattice or shadecloth); and

(ii) neither the height nor the length of the screen exceeds the dimensions of the structure to which it is fixed;

(l) the installation or construction of a masonry oven or similar structure used for the purpose of outdoor domestic cooking that does not exceed a total height of 2.0 m (excluding any flue or chimney).

(2) Other than in respect of a local heritage place or the Local Heritage Area Overlay under the Planning and Design Code, the installation of a garage or carport door (of any kind or style) if the garage or carport—

(a) already exists on the site; and

(b) is ancillary to another building which is erected on the site or for which consent has been granted by the relevant authority; and

(c) does not have any portion in front of any part of the building line of the building to which it is ancillary that faces the primary street.

(3) Other than in respect of a local heritage place or the Local Heritage Area Overlay under the Planning and Design Code, the construction of a shade sail if—

(a) the shade sail is to consist of permeable material; and

(b) the area of the sail will not exceed 20 m^2; and

(c) no part of the sail will be more than 3 m above ground or floor level (depending on where it is to be situated); and

(d) no part of the sail will be in front of any part of the building line of the building to which it is ancillary that faces the primary street.

(4) Other than in respect of a local heritage place, the repair, maintenance or internal alteration of a building—

(a) that does not involve demolition of any part of the building (other than the removal of fixtures, fittings or non load-bearing partitions); and

(b) that will not adversely affect the structural soundness of the building or the health or safety of any person occupying or using it; and

(c) that is not inconsistent with any other provision of this Schedule.

(5) Other than in respect of a local heritage place—

(a) the installation of, or any alteration of or addition to, a building that is necessary for or incidental to the installation of—

(i) an individual air handling unit mounted on a wall, window or floor; or

(ii) a ceiling or roof fan or fan coil section of air conditioning systems not exceeding 100 kg and installed within the ceiling space; or

(iii) an exhaust fan,

where the item being installed does not encroach on a public street or affect the ability of the building to resist the spread of fire; or

(b) the installation or alteration of a building or the making of any excavation or filling, that is necessary for or incidental to the installation of, any electrical, gas, water, sewage and sullage, or telecommunications service (including appliances and fittings), and which does not affect the ability of the building in which it is installed to resist the spread of fire; or

(c) the construction of a pergola or similar structure designed to provide shade associated with an existing dwelling (whether attached to the building or freestanding)—

(i) which does not have a solid roof; and

(ii) each freestanding side of which is open (that is, not enclosed with a solid material); and

(iii) no part of which is higher than 4 m above the ground; and

(iv) which is not being constructed so that any part of the pergola or structure will be in front of any part of the building line of the dwelling to which it is ancillary that faces the primary street.

(6) In respect of a local heritage place, the installation of, or an alteration of or addition to a building that is necessary for or incidental to the installation of—

(a) an individual air handling unit mounted on a wall, window or floor; or

(b) a ceiling or roof fan or fan coil section of air conditioning systems not exceeding 100 kg and installed within the ceiling space; or

(c) an exhaust fan; or

(d) any electrical, gas, water, sewage and sullage, or telecommunications service (including appliances and fittings),

where the item being installed—

(e) does not encroach on a public street or affect the ability of the place to resist the spread of fire; and

(f) will not, when installed, be able to be seen by a person standing at ground level in a public street.

(7) The external painting of a local heritage place—

(a) where the painting involves the repainting of an existing painted surface in the same or similar colours and so as to provide the same or similar texture, finish and effect; or

(b) without limiting paragraph (a), where the painting does not materially affect the heritage value of the place.

(8) Subclause (7) does not apply in relation to painting of any building that is also within the ambit of Schedule 5 clause 6.

(9) External painting of a building within an area identified under the Planning and Design Code for the purposes of paragraph (g) of the definition of ***development*** under section 3(1) of the Act where the painting involves the repainting of an existing painted surface in the same or similar colours and so as to provide the same or similar texture, finish and effect.

(10) The repair, maintenance or replacement of an existing seawall, levee bank or other structure associated with coast protection where there is no change to the materials used for the purposes of the structure and no change to the form or dimensions of the structure.

(11) The construction of a temporary building by, or with the authorisation of, a council where the building—

(a) does not remain on the site for more than 60 days; and

(b) is erected for the use of the council, or for some other public or community purpose approved by the council; and

(c) does not carry any advertising material (other than material which is incidental to the purpose for which the building is erected).

(12) Any work undertaken solely for the purposes of fitting a smoke alarm in accordance with the requirements under regulation 95.

(13) For the purposes of this clause—

(a) the primary street in relation to a building is the road that forms part of the street address of the building, as determined by the council for the relevant area when it is allocating numbers to buildings and allotments under section 220 of the *Local Government Act 1999*; and

(b) a secondary street in relation to a building is any road, other than the primary street, that shares a boundary with the land where the building is situated (or to be situated); and

(c) a reference to a ***fence*** includes any privacy screening attached to the fence.

(14) In this clause—

brush means—

(a) Broombrush (*Melaleuca uncinata*); and

(b) any other form of dried vegetation material that has similar fire characteristics to Broombrush;

brush fence includes—

(a) a fence that is predominantly constituted by brush; and

(b) a gate that is predominantly constituted by brush;

masonry means stone, brick, terracotta or concrete block or any other similar building unit or material, or a combination of any such materials;

road has the same meaning as in the *Local Government Act 1999* but does not include an alley, lane or right of way;

swimming pool includes a paddling pool.

5—Use of land and buildings

(1) The use of land and the use of any lawfully erected building which is ordinarily regarded as (and is in fact) reasonably incidental to any particular use of the land and the building, or the land or the building, and which is for the substantial benefit of the person or persons who, in any capacity, are making use of the land and the building, or the land or the building.

(2) The following uses of land or buildings (whether or not within the ambit of subclause (1)):

(a) the carrying on of a home activity on land used for residential purposes;

(b) without limiting paragraph (a), the use of any land or building for the display and sale of food produce if—

(i) the total floor area of the display does not exceed 30 m^2; and

(ii) the use of the land for the display and sale of food produce does not have a significant detrimental effect on the amenity of the locality or any part of the locality;

(c) the use of any land or building for the supply, conversion, transformation or control of electricity by 1 or more transformers or by any switchgear or other equipment used wholly or partly for supplying electricity to any part of such land or building;

(d) the keeping of animals, birds, or other livestock (other than horses, sheep, alpacas, cattle, pigs, goats, donkeys and wild animals) solely for the domestic needs or enjoyment of the occupants of a dwelling (and land appurtenant to a dwelling), other than the use of land for the keeping of free-flying birds within a designated airport building heights area;

(e) the parking of any vehicle not exceeding 3 000 kg in weight (including the weight of any attached trailer) on land used for residential purposes;

(f) the parking of a caravan or motor-home of any weight on land used for residential purposes by a person who is an occupant of a dwelling situated on that land;

(g) the carrying on of low impact entertainment on premises other than residential premises.

(3) In this clause—

low impact entertainment, in relation to premises, means live entertainment that is carried on—

(a) inside a building; and

(b) in accordance with the lawful use and occupation of the premises; and

(c) in compliance with the *Environment Protection Act 1993*,

but does not include—

(d) prescribed entertainment within the meaning of section 105 of the *Liquor Licensing Act 1997*; or

(e) entertainment that is to be carried on in connection with a proposed change of use of the premises.

6—Special cemetery buildings

The construction of a mausoleum in a public cemetery where—

(a) the mausoleum is located more than 50 m from the boundaries of the cemetery; and

(b) no part of the mausoleum is higher than 3 m above the natural surface of the ground; and

(c) the mausoleum is not internally accessible to the public (including any relative of a deceased person).

7—Inground sewerage pumping stations

(1) The construction of an inground sewerage pumping station (including any associated value chamber, electrical control or switching gear, and flue extending not more than 15 m above ground level)—

(a) that has a total floor area not exceeding 8 m^2 and a depth not exceeding 10 m; and

(b) that is designed and constructed in accordance with specifications approved by the Minister responsible for the administration of the *Water Industry Act 2012*.

(2) Subclause (1) does not apply to the construction of an inground sewerage pumping station with flue within a designated airport building heights area.

8—Inground water valve chamber

The construction of an inground water valve chamber—

(a) that has a total floor area not exceeding 15 m^2 and a depth not exceeding 4 m; and

(b) that is designed and constructed with specifications approved by the Minister responsible for the administration of the *Water Industry Act 2012*.

9—Certain building work outside council areas

Building work in relation to a Class 10 building under the Building Code that is not within the area of a council, other than building work—

(a) in a township, or in an Airport Building Heights (Aircraft Landing Areas) Overlay, Airport Building Heights (Regulated) Overlay, Coastal Areas Overlay, Conservation Zone, Historic Shipwrecks Overlay, Local Infrastructure (Airfield) Zone, Settlement Zone, Significant Landscape Protection Overlay, Hazards (Acid Sulfate Soils) Overlay, Ramsar Wetlands Overlay, River Murray Flood Plain Overlay, Specific Use (Tourism Development) Zone, or Township Zone under the Planning and Design Code; or

(b) in respect of a local heritage place; or

(c) within 500 m of a Key Outback and Rural Routes Overlay under the Planning and Design Code; or

(d) within 50 m of the boundaries of a township, or a Township Zone, Settlement Zone or Specific Use (Tourism Development) Zone under the Planning and Design Code; or

(e) on land that is subject to the *National Parks and Wildlife Act 1972*; or

(f) within part of the State described in Schedule 14; or

(g) that consists of prescribed infrastructure within the meaning of clause 13 to the extent that it constitutes development under that clause.

10—Demolition of buildings

The demolition of the whole of a building, other than in respect of—

(a) a local heritage place; or

(b) a building in a zone, subzone or overlay identified under the Planning and Design Code for the purposes of this paragraph.

11—Dams

The excavation or filling (or excavation and filling) of land for the purposes of a dam, other than—

(a) where a levee or mound with a finished height greater than 3 m above the natural surface of the ground is to be formed; or

(b) where a retaining wall which retains a difference in ground levels exceeding 1 m is to be used or formed; or

(c) where the dam is in—

(i) a designated flood zone, subzone or overlay; or

(ii) in any other zone subzone or overlay identified under the Planning and Design Code for the purposes of this subparagraph; or

(d) where the dam is to have a capacity exceeding 5 megalitres.

12—Amalgamation of land

(1) The amalgamation of 2 or more contiguous allotments.

(2) For the purposes of this clause, allotments separated only by a road or a road reserve will be regarded as contiguous.

13—Aerials, towers etc

(1) Other than in respect of a local heritage place or in any other zone, subzone or overlay identified under the Planning and Design Code for the purposes of this subclause, the construction, alteration or extension of prescribed infrastructure (including any incidental excavation or filling) if—

(a) the total height of the prescribed infrastructure, when constructed, altered or extended, will not exceed (taking into account attachments (if any))—

(i) in the case of prescribed infrastructure not attached to a building—

(A) in Metropolitan Adelaide—7.5 m or, in the case of prescribed infrastructure to be used solely by a person who holds an amateur licence under the *Radiocommunications Act 1992* of the Commonwealth, 10 m; or

(B) in any other case—10 m; or

(ii) in the case of prescribed infrastructure attached to a building—

(A) in a zone, subzone or overlay primarily designated for residential use under the Planning and Design Code in Metropolitan Adelaide—2 m; or

(B) in any other case—4 m,

above the topmost point of attachment to the building, disregarding any attachment by guy wires; and

(b) in the case of prescribed infrastructure that is or incorporates, or has as an attachment, a microwave, satellite or other form of communications dish—the diameter of the dish will not exceed—

(i) in a zone, subzone or overlay primarily designated for residential use under the Planning and Design Code or in the Local Heritage Area Overlay under the Planning and Design Code—1.2 m; or

(ii) in any other case—2.6 m.

(2) In a zone, subzone or overlay identified under the Planning and Design Code for the purposes of this subclause, other than in respect of a local heritage place, the construction, alteration or extension of prescribed infrastructure attached to a building if—

(a) the total height of the prescribed infrastructure, when constructed, altered or extended, will not exceed (taking into account attachments (if any)) 2 m above the topmost point of attachment to the building, disregarding any attachment by guy wires; and

(b) in the case of prescribed infrastructure that is or incorporates, or has as an attachment, a microwave, satellite or other form of communications dish—the diameter of the dish will not exceed 1.2 m.

(3) The construction, alteration or extension of prescribed subscriber connection telecommunications infrastructure at premises occupied or used by the subscriber, or in the immediate vicinity of those premises, where the infrastructure is located (or to be located) at a place that is not within the area of a council, other than infrastructure (or proposed infrastructure)—

(a) in a township, or in an Airport Building Heights (Aircraft Landing Areas) Overlay, Airport Building Heights (Regulated) Overlay, Coastal Areas Overlay, Conservation Zone, Historic Shipwrecks Overlay, Local Infrastructure (Airfield) Zone, Settlement Zone, Significant Landscape Protection Overlay, Hazards (Acid Sulfate Soils) Overlay, Ramsar Wetlands Overlay, River Murray Flood Plain Overlay, Specific Use (Tourism Development) Zone, or Township Zone under the Planning and Design Code; or

(b) in respect of a local heritage place; or

(c) within 500 m of a Key Outback and Rural Routes Overlay under the Planning and Design Code; or

(d) within 50 m of the boundaries of a township, or a Township Zone, Settlement Zone or Specific Use (Tourism Development) Zone under the Planning and Design Code; or

(e) on land that is subject to the *National Parks and Wildlife Act 1972*; or

(f) within part of the State described in Schedule 14.

(4) In this clause—

building does not include prescribed infrastructure;

prescribed infrastructure means a non load-bearing aerial, antenna, mast or open-framed tower, or other similar structure (but not including an advertising hoarding);

prescribed subscriber connection telecommunications infrastructure means any of the following when used (or to be used) in order to provide telecommunications facilities to a particular subscriber:

(a) an aerial, antenna, mast, tower or pole if—

(i) the total height of the structure (including attachments (if any)) does not (or will not) exceed 20 m; and

(ii) in the case of a structure that is or incorporates, or has an attachment, a microwave, satellite or other form of communications dish—the diameter of the dish does not (or will not) exceed 2.4 m;

(b) an equipment shelter or housing if—

(i) its total floor area does not (or will not) exceed 10 m^2; and

(ii) its height does not (or will not) exceed 3.5 m;

(c) an open-lattice frame or pole mounted with a solar panel or panels if—

(i) the total height of the frame or pole does not (or will not) exceed 4.5 m; and

(ii) the total area of the panels does not (or will not) exceed 20 m^2;

subscriber means a subscriber to a telecommunications service.

14—Railway activities

(1) Other than in respect of a local heritage place, the construction, alteration, extension, repair or maintenance (including any incidental excavation or filling) of any of the following:

(a) railway track, other than—

(i) track for a new railway line, but not including a siding or passing or crossing loop outside Metropolitan Adelaide that is to be less than 1 km in length; or

(ii) track for an extension to an existing railway line where the length of new track is to be at least—

(A) within Metropolitan Adelaide—500 m;

(B) outside Metropolitan Adelaide—2 km;

(b) infrastructure associated with a railway;

(c) if associated with a railway—

(i) a culvert or drain not more than 1 m deep; or

(ii) a pipe not more than 1 m in diameter.

(2) The construction, alteration, extension, repair or maintenance (including any incidental excavation or filling) of any of the following:

(a) tram or light rail track on—

(i) a public street or road; or

(ii) land owned by, or under the care, control and management of a Crown agency or instrumentality; or

(iii) unalienated Crown land;

(b) infrastructure associated with a tramway or light railway;

(c) if associated with a tramway or light railway—

(i) a temporary builder's office, shed, store or other similar building; or

(ii) a retaining wall; or

(iii) a bridge, other than a pedestrian bridge; or

(iv) a culvert or drain; or

(v) a pipe.

(3) Building work in relation to a Class 10 building under the Building Code on railway land which is not within the area of a council, other than where the building is, or is to be, within a township or 50 m from the boundary of a township.

(4) The alteration, extension, repair or maintenance of—

(a) a bridge over railway land; or

(b) a railway tunnel, or a tunnel under railway land.

(5) An alteration to an area used for vehicle access, carparking, or the standing of vehicles, in association with the use of a railway, tramway or light railway, or other railway, tramway or light railway activities.

(6) For the purposes of this clause, a reference to infrastructure associated with a railway, tramway or light railway includes a reference to infrastructure and related works required for the operation or maintenance of activities related to the railway, tramway or light railway.

(7) In this clause—

infrastructure means any of the following:

(a) track structures (including over or under track structures);

(b) track supports;

(c) any structure or equipment associated with any power, signalling, control or communications system (including signalling boxes, huts, gantries, masts, towers, poles and frames);

(d) installations or equipment for lighting platforms or other parts of any station, yards or sidings, other than within a designated airport buildings heights area;

(e) warning, directional or other signs;

(f) shelters and furniture, including information boards and seating, associated with any railway, tramway or light railway;

(g) other infrastructure related to the operation or maintenance of railway, tramway or light railway activities;

railway land means—

(a) land within a rail corridor or rail reserve, including any associated sidings; and

(b) railway yards; and

(c) other land over which a railway track, or tram or light rail track, passes;

railway line includes sidings and crossing or passing loops.

15—Gas infrastructure

(1) Subject to subclause (2), the construction, alteration, extension, repair or maintenance (including any incidental excavation or filling) of gas infrastructure.

(2) Subclause (1) does not apply where the gas infrastructure is within—

(a) a local heritage place; or

(b) coastal land.

(3) In this clause—

gas infrastructure has the same meaning as in the *Gas Act 1997*, but does not include a transmission pipeline within the meaning of the *Petroleum Act 2000*.

16—Solar photovoltaic panels

(1) Subject to subclause (2), the installation, alteration, repair or maintenance of a designated photovoltaic system on the roof of a building.

(2) Subclause (1) does not apply—

(a) to a designated photovoltaic system with a generating capacity of more than 5 MW that is to be connected to the State's power system; or

(b) if the place where the designated photovoltaic system is installed is a local heritage place and, when installed, it is able to be seen by a person standing at ground level in a public street.

(3) In this clause—

designated photovoltaic system means—

(a) a photovoltaic system comprising solar photovoltaic panels that have a total weight not exceeding 100 kg; or

(b) a photovoltaic system comprising solar photovoltaic panels that have a total weight exceeding 100 kg if—

(i) the weight load is distributed so that it does not exceed 100 kg at any 1 point of attachment to the roof; and

(ii) the panels (and any associated components) do not overhang any part of the roof; and

(iii) the panels are fitted parallel to the roof with the underside surface of the panels being not more than 100 mm above the surface of the roof; and

(iv) the panels are installed by a person who holds an accreditation under a scheme recognised by the Minister for the purposes of this paragraph.

17—Aquaculture development

Any form of aquaculture development in an aquaculture zone set out in an aquaculture policy under the *Aquaculture Act 2001*.

18—Removal of trees in certain cases

(1) A tree-damaging activity in relation to a regulated tree (including a tree that also constitutes a significant tree) if—

(a) the tree is within 1 of the following species of trees:

Melaleuca styphelioides (Prickly-leaved Paperbark)

Lagunaria patersonia (Norfolk Island Hibiscus); or

(b) the tree is within 20 m of a dwelling in a Medium or High Bushfire Risk area within a Hazards (Bushfire Protection) Overlay under the Planning and Design Code; or

(c) the tree is on land under the care and control of the Minister who has primary responsibility for the environment and conservation in the State; or

(d) the tree is on land under the care and control of the Board of the Botanic Gardens and State Herbarium; or

(e) the tree is dead.

(2) For the purposes of subclause (1)(b), the distance between a dwelling and a tree will be measured from the base of the trunk of the tree (or the nearest trunk of the tree to the dwelling) to the nearest part of the dwelling at natural ground level.

19—Cultana Training Area

(1) An act or activity carried out within the Cultana Training Area by or on behalf of, or with the authority or permission of, the Commonwealth Department of Defence or an arm of the Australian Defence Force.

(2) In this clause—

Cultana Training Area means the land comprised by the following:

(a) the Allotment comprising Pieces 81, 82 and 83 in Deposited Plan 85852 Out of Hundreds (Port Augusta);

(b) Allotment 6 in Deposited Plan 88907 Hundred of Handyside County of Manchester and Out of Hundreds (Port Augusta);

(c) Sections 4, 13, 14 and 15, Hundred of Jenkins County of Manchester;

(d) Allotment 7 in Deposited Plan 29397 Out of Hundreds (Port Augusta);

(e) the Allotment comprising the Pieces 8, 9, 10 and 11 in Deposited Plan 29397 Out of Hundreds (Port Augusta);

(f) Allotment 68 in Deposited Plan 85851 Hundred of Cultana County of York;

(g) Allotment 72 in Deposited Plan 85851 Hundred of Cultana County of York;

(h) the Allotment comprising Pieces 30, 31 and 32 in Deposited Plan 85850 Out of Hundreds (Whyalla), Out of Hundreds (Port Augusta) and Hundred of Cultana County of York;

(i) Allotment 67 in Deposited Plan 93251, Hundred of Cultana County of York and Out of Hundreds (Port Augusta).

20—Recreation paths

(1) The following development undertaken by or on behalf of the Crown, a council or other public authority:

(a) the construction, reconstruction, alteration, repair or maintenance of a recreation path (including in on coastal land);

(b) any ancillary development in connection with such a path, including—

(i) excavation, importation of fill and other earthworks; and

(ii) footings and other support structures; and

(iii) landscaping; and

(iv) the installation of—

(A) safety features; and

(B) directional signs, information boards, lighting, seating, weather shelters, rubbish bins or other street furniture.

(2) In this clause—

recreation path means a path that—

(a) is under the care, control and management of the Crown, a council or other public authority; and

(b) is open to the public for walking, cycling or similar recreational activities, without payment of a charge,

and includes a boardwalk.

21—Car parks etc in Osborne area of City of Port Adelaide Enfield

(1) The following development undertaken within the designated Osborne area:

(a) development—

(i) for the purposes of car parks and pedestrian bridges over a railway; and

(ii) involving the temporary placement of soil and other materials related to development in the vicinity of the designated Osborne area for the purposes of constructing a facility for the making of ships or a facility for the making of submarines (or both);

(b) development that is ancillary to development within the ambit of paragraph (a), including—

(i) excavation, importation of fill and other earthworks; and

(ii) footings and other support structures; and

(iii) landscaping; and

(iv) the installation of—

(A) safety features; and

(B) directional signs, information boards, lighting, seating, weather shelters, rubbish bins or other street furniture.

(2) In this clause—

designated Osborne area—the designated Osborne area is comprised of—

(a) the area designated as "car park" in the map set out in Schedule 16; and

(b) the area designated as "car park" in the map set out in Schedule 17.

Schedule 5—Exclusions from definition of development—State heritage areas

Note—

An act or activity specified in this Schedule is declared not to constitute development for the purposes of the Act, subject to the limitations set out in regulation 3D.

1—Advertising displays

The commencement of an advertising display containing an advertisement—

(a) that is a traffic control device displayed and erected under the *Road Traffic Act 1961*; or

(b) that is displayed by reason of a statutory obligation on the Crown, a Minister of the Crown, an agency or instrumentality of the Crown, the council, or a person requiring such display; or

(c) that is on enclosed land or within a building and is not readily visible from land outside the enclosure or the building; or

(d) that is displayed for the purposes of identification, direction, warning or other information in relation to a detached, semi-detached, row or multiple dwelling or residential flat building, subject to the following conditions:

(i) that the advertisement area is not more than 0.1 m^2;

(ii) that the advertising display—

(A) does not move; and

(B) does not flash; and

(C) does not reflect light so as to be an undue distraction to motorists; and

(D) is not internally illuminated;

(iii) that not more than 2 such advertisements are displayed in relation to the same building; or

(e) that is displayed on a building or a building in separate occupation (other than the side or rear walls of the building) used primarily for retail, commercial, office or business purposes, subject to the following conditions:

(i) that the advertisement is not displayed or erected above any verandah or the fascia of a verandah or, in a case where there is no verandah, that no part of the advertisement is more than 3.7 m above ground level;

(ii) that the advertising display—

(A) does not move; and

(B) does not flash; and

(C) does not reflect light so as to be an undue distraction to motorists; and

(D) is not internally illuminated; or

(f) that announces a local event of a religious, educational, cultural, social or recreational character, or that relates to an event of a political character, subject to the following conditions:

(i) that the total advertisement area of all advertisements of that kind displayed on 1 building or site is not more than 2 m^2;

(ii) except for an advertisement that relates to a federal, State or local government election, that the advertisement is displayed for a period not exceeding 1 month prior to the event and 1 week after the conclusion of the event;

(iii) that the advertising display—

(A) does not move; and

(B) does not flash; and

(C) does not reflect light so as to be an undue distraction to motorists; and

(D) is not internally illuminated; or

(g) that is on land on which building work is being lawfully undertaken, subject to the following conditions:

(i) that the information in the advertisement refers to the work being undertaken;

(ii) that the advertising display—

(A) does not move; and

(B) does not flash; and

(C) does not reflect light so as to be an undue distraction to motorists; and

(D) is not internally illuminated;

(iii) that the advertisement area is not more than 3 m^2; or

(h) that constitutes a moveable sign within the meaning of the *Local Government Act 1999* and is placed on a public street, road or footpath within an area of the council under that Act; or

(i) that is a real estate "for sale" or "for lease" sign, subject to the following conditions:

(i) that the sign is situated on the land which is for sale or for lease;

(ii) that the sign—

(A) does not move; and

(B) does not flash; and

(C) does not reflect light so as to be an undue distraction to motorists; and

(D) is not internally illuminated;

(iii) that the sign is not more than 4 m^2 in advertisement area;

(iv) that the sign is removed within 2 weeks after the completion of the sale or the entering into of the lease.

2—Council works

(1) The placement, replacement, installation, construction, reconstruction, alteration, repair or maintenance by the council of playground equipment on or in a recreation area.

(2) The repair or maintenance by the council of an item of street furniture (including directional signs, seating or rubbish bins), other than lighting infrastructure or a weather shelter.

(3) The replacement, construction, reconstruction, alteration, repair or maintenance by the council of a road, drain or pipe that does not materially affect the heritage value of the place.

3—Retirement units

The conferral of a right to occupy a residential unit under the *Retirement Villages Act 2016*.

4—Sundry minor operations

(1) The construction, reconstruction, repair or alteration of, or addition to, any of the following (including any incidental excavation or filling):

(a) an outbuilding in which human activity is secondary, and which—

(i) is behind a building or screened from view from a public road by a building; and

(ii) is detached from and ancillary to a building erected on the site, or for which consent has been granted by the relevant authority; and

(iii) has a total floor area not exceeding 10 m^2, no roof span (being the horizontal distance between supporting walls, posts or columns of the outbuilding) exceeding 3 m, and no part higher than 2.5 m above the natural surface of the ground; and

(iv) is not being constructed, added to or altered so that any portion of the building is nearer to an existing boundary of a road than any distance that may be prescribed in respect of set-backs by the Planning and Design Code for the road (or a portion of the road);

(b) a television aerial or antenna that is attached to the rear side of a chimney and not more than 1 m in height above the topmost point of the chimney;

(c) a swimming pool constructed in association with a dwelling and intended primarily for use by the occupants of that dwelling, and which—

(i) does not have a depth exceeding 300 mm; and

(ii) is not within 10 m of a boundary of a road on to which the relevant dwelling faces, and not within 3 m of any other boundary of the relevant allotment; and

(iii) does not have a finished height, and would not have any associated structure (other than a fence with a finished height), exceeding 1.5 m (measured from ground level);

(d) without limiting paragraph (c), an aboveground or inflatable swimming pool constructed in association with a dwelling and intended primarily for use by the occupants of that dwelling, and which does not incorporate a filtration system;

(e) a spa pool constructed in association with a dwelling and intended primarily for use by the occupants of that dwelling and situated behind the dwelling, and which does not have a maximum capacity exceeding 680 L;

(f) a fence not exceeding 2 m in height (measured (if relevant) from the lower of the 2 adjoining finished ground levels), other than—

(i) a fence situated on the boundary of the relevant allotment with a road (other than a laneway); or

(ii) —

(A) if there is no adjacent building facing the same road on to which the building faces—a fence situated between the building line of the main face of a building and the road on to which the building faces; or

(B) if there is an adjacent building facing the same road on to which the building faces—a fence situated between a notional line drawn between the nearest front corner of each building to the other building and the road on to which the buildings face,

(and for the purposes of this subparagraph buildings separated only by a laneway will still be taken to be adjacent); or

(iii) —

(A) a masonry fence; or

(B) a fence any part of which is formed from masonry (including, for example, a fence that includes masonry piers or columns),

that exceeds (or would exceed) 1 m in height (measured (if relevant) from the lower of the 2 adjoining finished ground levels); or

(iv) a fence that is (or is to be) a safety fence for a swimming pool approved for construction, or requires approval for construction, on or after 1 July 1993; or

(v) a brush fence that is (or is to be) closer than 3 m to an existing or proposed Class 1 or 2 building under the Building Code, with the distance to be measured from any part of the brush fence and from any part of an external wall of the building (being an external wall within the meaning of the Building Code) and with this subparagraph not extending to a repair of an existing brush fence that does not enlarge or extend the brush fence;

(g) a retaining wall that retains a difference in ground levels not exceeding 1 m;

(h) a water tank (and any supporting structure) that—

(i) is part of a roof-drainage system for a building; and

(ii) has a total floor area not exceeding 6 m^2; and

(iii) has no part higher than the eaves on the nearest part of the building; and

(iv) is situated behind or to the side of the building;

(i) a temporary builder's office, shed, store or other similar building that—

(i) is used for the purpose of storing materials or documents, providing amenities for workers, or for any other purpose connected with the performance of building work, other than to provide overnight accommodation; and

(ii) is to be removed at the completion of the relevant building work; and

(iii) is positioned on the ground and totally within the site of the building work.

(2) The repair, maintenance or internal alteration of a building that—

(a) does not involve demolition of any part of the building (other than the removal of fixtures, fittings or non load-bearing partitions); and

(b) will not adversely affect the structural soundness of the building or the health or safety of any person occupying or using it; and

(c) is not inconsistent with any other provision of this Schedule.

(3) The installation or alteration of a building, or the making of any excavation or filling, necessary for or incidental to the installation of any electrical, gas, water or sewage and sullage service (including appliances and fittings), the installation of which requires the approval of an authority other than a council, and which does not affect the ability of the building in which it is installed to resist the spread of fire.

(4) The construction, reconstruction, repair or alteration of a pergola associated with an existing dwelling (whether attached to the building or freestanding)—

(a) that does not have a roof; and

(b) where each freestanding side of which is open; and

(c) where no part of which is higher than 4 m above the ground; and

(d) that is not being constructed or altered so that any portion of the pergola is nearer to an existing boundary of a road than any distance that may be prescribed in respect of set-backs in the Planning and Design Code for the road (or that portion of the road); and

(e) that is not situated in front of the dwelling.

(5) The installation of, or an alteration of or addition to, a building that is necessary for or incidental to the installation of—

(a) an individual air handling unit mounted on a wall, window or floor; or

(b) a ceiling or roof fan or fan coil section of air conditioning systems not exceeding 100 kg and installed within the ceiling space; or

(c) an exhaust fan,

where the item being installed—

(d) is to be installed at the back of the building, or on the side of the building but at least 6 m back from the front wall of the building; and

(e) does not encroach on a public street or affect the ability of the place to resist the spread of fire.

(6) The construction of a temporary building by, or with the authorisation of, the council where the building—

(a) does not remain on the site for more than 30 days; and

(b) is erected for the use of the council, or for some other public or community purpose approved by the council; and

(c) does not carry any advertising material (other than material incidental to the purpose for which the building is erected).

(7) Any work undertaken solely for the purposes of—

(a) fitting a smoke alarm in accordance with the requirements under regulation 95; or

(b) installing a skylight; or

(c) replacing roofing materials, guttering or down-pipes with the same or similar materials or items; or

(d) replacing windows where the kind of materials, style and dimensions are not changing; or

(e) connecting a building or structure to the National Broadband Network (including the installation of fixed-line telecommunications facilities).

(8) In this clause—

brush means—

(a) Broombrush (*Melaleuca uncinata*); and

(b) any other form of dried vegetation material that has similar fire characteristics to *brush*;

brush fence includes—

(a) a fence that is predominantly constituted by brush; and

(b) a gate that is predominantly constituted by brush;

masonry means stone, brick, terracotta or concrete block or other similar building unit or material, or a combination of such materials;

swimming pool includes a paddling pool.

5—Use of land and buildings

The use of land and the use of any lawfully-erected building that is ordinarily regarded as (and is in fact) reasonably incidental to any particular use of the land and the building, or the land or the building, and that is for the substantial benefit of the person or persons who, in any capacity, are making use of the land and the building, or the land or the building, including, without limiting the generality of the foregoing, the following uses of land and buildings:

(a) the carrying on of a home activity;

(b) the use of any land or building for the supply, conversion, transformation or control of electricity by 1 or more transformers or by any switchgear or other equipment used wholly or partly for supplying electricity to any part of such land or building;

(c) the keeping of animals, birds, or other livestock (other than horses, sheep, alpacas, cattle, pigs, goats, donkeys and wild animals) solely for the domestic needs or enjoyment of the occupants of a residence (and land appurtenant to a residence);

(d) the parking of any vehicle not exceeding 3 000 kg in weight (including the weight of any attached trailer) on land used for residential purposes.

6—Painting

Painting of a building, other than painting that involves painting a previously unpainted brick or stone exterior surface of an existing building.

Schedule 6—Relevant authority—Commission

1—Areas of all councils

(1) The following classes of development in the areas of all councils:

(a) development undertaken by the South Australian Housing Trust, other than—

(i) the alteration of, or an addition to, an existing building; or

(ii) the construction of an outbuilding ancillary to, or associated with, an existing building; or

(iii) the division of land which creates not more than 4 additional allotments; or

(iv) the construction of a detached dwelling that will be the only dwelling on the allotment; or

(v) a tree-damaging activity undertaken in relation to a regulated tree; or

(vi) development of any kind undertaken outside Metropolitan Adelaide;

(b) development undertaken by the Urban Renewal Authority established under the *Urban Renewal Act 1995*, either individually or jointly with other persons or bodies, other than—

(i) the alteration of, or an addition to, an existing building; or

(ii) the erection of an outbuilding ancillary to, or associated with, an existing building; or

(iii) the commencement of an advertising display in relation to a division of land if the display is not situated on the site of the division of land and if the display is a real estate "for sale" or "for lease" sign, subject to the condition that the sign—

(A) does not move; and

(B) does not flash; and

(C) does not reflect light so as to be an undue distraction to motorists; and

(D) is not internally illuminated; or

(iv) the construction of a dwelling on a site if approval of the division of land in relation to the site on which the dwelling is to be situated has been authorised by the Commission for use for residential purposes.

(2) The following classes of development in the areas of all councils:

(a) prescribed mining operations, excluding the construction or excavation of borrow pits;

(b) development within a precinct under the *Urban Renewal Act 1995*, other than development within the precinct that falls within a class of development specified as development that is to be taken to be deemed-to-satisfy development for the purposes of the *Planning, Development and Infrastructure Act 2016*.

2—Adelaide Park Lands

(1) The following classes of development within the Adelaide Park Lands:

(a) development undertaken by a State agency (other than in partnership or joint venture with a person or body that is not a State agency);

(b) development undertaken by a State agency for the purposes of essential infrastructure (whether or not in partnership or joint venture with a person or body that is not a State agency);

(c) development undertaken by a person where the development is initiated or supported by a State agency for the purposes of the provision of essential infrastructure and specifically endorsed by the State agency for the purposes of this clause;

(d) without limiting a preceding paragraph, development undertaken for the purposes of the provision of electricity infrastructure.

(2) In subclause (1)—

electricity infrastructure has the same meaning as in the *Electricity Act 1996*;

State agency has the same meaning as in section 131 of the Act.

3—City of Adelaide—developments over $10m

(1) Development in the area of The Corporation of the City of Adelaide where the total amount to be applied to any work, when all stages of the development are completed, exceeds $10 million.

(2) Subject to subclause (3), development—

(a) under an application to vary a development authorisation given by the Commission under this clause; or

(b) which, in the opinion of the Commission, is ancillary to or in association with a development the subject of an authorisation given by the Commission under this clause.

(3) Subclause (2) does not apply to development involving a building in relation to which a certificate of occupancy has been issued.

4—Inner Metropolitan Area—buildings exceeding 4 storeys

(1) Development that involves the erection or construction of a building that exceeds 4 storeys in height in any zone, subzone or overlay in Metropolitan Adelaide identified under the Planning and Design Code for the purposes of this clause.

(2) Subject to subclause (3), development—

(a) under an application to vary a development authorisation given by the Commission under this clause; or

(b) which, in the opinion of the Commission, is ancillary to or in association with a development the subject of an authorisation given by the Commission under this clause.

(3) Subclause (2) does not apply to development involving a building in relation to which a certificate of occupancy has been issued.

5—City of Port Adelaide Enfield—developments over $3m in identified area

(1) Development in any zone, subzone or overlay in the City of Port Adelaide Enfield identified under the Planning and Design Code for the purposes of this clause where the total amount to be applied to any work, when all stages of the development are completed, exceeds $3 million.

(2) Subject to subclause (3), development—

(a) under an application to vary a development authorisation given by the Commission under this clause; or

(b) which, in the opinion of the Commission, is ancillary to or in association with a development the subject of an authorisation given by the Commission under this clause.

(3) Subclause (2) does not apply to development involving a building in relation to which a certificate of occupancy has been issued.

6—West Beach Recreation Reserve

All classes of development on that land bounded by bold black lines in the Schedule to the *West Beach Recreation Reserve Act 1987*.

7—Private Open Space

All classes of development on land subject to a proclamation continued in force and effect by virtue of Schedule 8 clause 37 of the Act or the *Statutes Repeal and Amendment (Development) Act 1993*, being a proclamation—

(a) made under section 62 of the *Planning Act 1982*; or

(b) having the force and effect of a proclamation made under section 62 of the *Planning Act 1982*.

8—City of Charles Sturt—developments over $3m in identified area

(1) Development in any zone in the City of Charles Sturt identified under the Planning and Design Code for the purposes of this clause where the total amount to be applied to any work, when all stages of the development are completed, exceeds $3 million.

(2) Without limitation, subclause (1) applies to—

(a) a variation of an application for development referred to in section 119(9)(a) of the Act if the development proposed to be varied has previously been given development authorisation under this clause by the Commission; and

(b) proposed development that the Commission considers to be ancillary to or in association with development that has previously been given development authorisation under this clause by the Commission,

but does not apply if—

(c) the development that was previously given development authorisation is deemed-to-satisfy development or comprised of a building in relation to which a certificate of occupancy has been issued; or

(d) in the case of paragraph (a)—the proposed variation is deemed-to-satisfy development; or

(e) in the case of paragraph (b)—the proposed development is deemed-to-satisfy development.

9—Certain electricity generators

(1) Development for the purposes of the provision of electricity generating plant with a generating capacity of more than 5 MW that is to be connected to the State's power system.

(2) A reference in subclause (1) to ***electricity generating plant*** is a reference to electricity generating plant within the ambit of paragraph (a) of the definition of ***electricity infrastructure*** in section 4(1) of the *Electricity Act 1996*.

(3) In this clause—

power system has the same meaning as in the *Electricity Act 1996*.

10—Railways

(1) Development for purposes connected with the construction or operation of a railway that is to be undertaken on railway land.

(2) In subclause (1)—

railway land has the same meaning as in Schedule 4 clause 14(7).

11—Show grounds

Development in a zone, subzone or overlay primarily designated for use in connection with show grounds identified under the Planning and Design Code for the purposes of this clause where the total amount to be applied to any work, when all stages of the development are completed, exceeds $4 million.

12—Kangaroo Island—tourism development over $3m in certain conservation areas

Development for the purposes of tourism in those parts of the area of the Kangaroo Island Council identified as coastal or coastal conservation zones, subzones or overlays under the Planning and Design Code for the purposes of this clause where the total amount to be applied to any work, when all stages of the development are completed, exceeds $3 million.

13—University developments over $10m

Development on land within Metropolitan Adelaide exceeding 10 000 m^2 occupied by a university if the total amount to be applied to any work, when all stages of the development are completed, exceeds $10 million.

Schedule 7—Complying building work

1—Dams

The construction, alteration or removal of a dam on land used for farming purposes, except where the dam is of masonry construction.

2—Pergolas

The construction of a pergola associated with an existing dwelling (whether attached to the building or freestanding)—

(a) which does not have a solid roof; and

(b) each freestanding side of which is open; and

(c) no part of which is higher than 4 m above the ground.

3—Demolition

The demolition of the whole of a building in respect of—

(a) a local heritage place; or

(b) a building in a zone, subzone or overlay identified under the Planning and Design Code for the purposes of Schedule 4 clause 10(b).

4—Alterations

An alteration to a building—

(a) that does not involve the demolition of any part of the building (other than the removal of the fixtures, fittings or non load-bearing partitions); and

(b) that will not adversely affect the structural soundness of the building or the health or safety of any person occupying or using it; and

(c) that is not inconsistent with any other provision of this Schedule.

5—Building work outside council area

Building work in relation to a Class 10 building under the Building Code which is not within the area of a council, other than building work within a township or 50 m from the boundary of a township.

6—Haysheds etc

The construction of—

(a) a hayshed or implement shed not exceeding 500 m^2 in total floor area; or

(b) a Class 10a building under the Building Code not exceeding 25 m^2 in total floor area,

where the hayshed, implement shed or Class 10a building—

(c) will be at least 50 m from any allotment boundary; and

(d) will be within a zone, subzone or overlay primarily designated for rural, farming, horticultural, primary industry or primary production use under the Planning and Design Code and within a part of the State outside the areas of the following councils:

(i) Adelaide Plains Council;

(ii) The Barossa Council;

(iii) Barunga West Council;

(iv) The District Council of Ceduna;

(v) Clare and Gilbert Valleys Council;

(vi) The Coorong District Council;

(vii) Town of Gawler;

(viii) Regional Council of Goyder;

(ix) Light Regional Council;

(x) Mid Murray Council;

(xi) The District Council of Mount Remarkable;

(xii) City of Playford;

(xiii) City of Salisbury;

(xiv) City of Victor Harbor;

(xv) Wakefield Regional Council;

(xvi) The District Council of Yankalilla.

7—Stockyards

The construction of a stockyard (including any associated ramp or facility for loading stock onto a vehicle), but not including any walkway or steps.

8—Sundry minor operations

(1) The construction or alteration of any of the following (including any incidental excavation or filling):

(a) an outbuilding in which human activity is secondary, and which has a total floor area not exceeding 15 m^2, no roof span (being the horizontal distance between supporting walls, posts or columns of the outbuilding) exceeding 3 m, and no part of the building higher than 2.5 m above the natural surface of the ground; or

(b) a fence not exceeding 2.1 m in height, or 1 m in the case of a masonry wall or fence (both measured from the lower of the 2 adjoining finished ground levels), other than—

(i) a safety fence for a swimming pool which is approved for construction, or requires approval for construction, on or after 1 July 1993; or

(ii) a brush fence that is (or is to be) closer than 3 m to an existing or proposed Class 1 or 2 building under the Building Code, with the distance to be measured from any part of the brush fence and from any part of an external wall of the building (being an external wall within the meaning of the Building Code) and with this subparagraph not extending to a repair of an existing brush fence that does not enlarge or extend the brush fence; or

(c) —

(i) a windmill; or

(ii) a flagpole,

which is not attached to a building and is not more than 10 m in height, or which is attached to a building and is not more than 4 m in height above the topmost point of attachment to the building, exclusive of guy wires; or

(d) a retaining wall which retains a difference in ground levels not exceeding 1 m; or

(e) a water tank (and any supporting structure) which—

(i) is part of a roof-drainage system; and

(ii) has a total floor area not exceeding 15 m^2 and a total volume not exceeding 60 000 L; and

(iii) is located wholly above ground; and

(iv) has no part higher than 4 m above the natural surface of the ground; or

(f) a temporary builder's office, shed, store or other similar building—

(i) that is used for the purpose of storing materials or documents, providing amenities for workers, or for any other purpose connected with the performance of building work, other than to provide overnight accommodation; and

(ii) that is to be removed at the completion of the relevant building work; and

(iii) that is positioned on the ground and totally within the site of the building work; or

(g) an electricity powerline or any associated structure.

(2) In this clause—

brush means—

(a) Broombrush (*Melaleuca uncinata*); and

(b) any other form of dried vegetation material that has similar fire characteristics to *brush*;

brush fence includes—

(a) a fence that is predominantly constituted by brush; and

(b) a gate that is predominantly constituted by brush.

9—Aquaculture

The construction in coastal waters of an offshore marine aquaculture structure that is embedded in the sea bed or moored from a mooring point embedded in the sea bed.

10—Aerials, towers etc

(1) Other than in respect of a local heritage place, the construction, alteration or extension of prescribed infrastructure (including any incidental excavation or filling) if the total height of the prescribed infrastructure, when constructed, altered or extended, will not exceed (taking into account attachments (if any))—

(a) in the case of prescribed infrastructure not attached to a building—10 m;

(b) in the case of prescribed infrastructure attached to a building—4 m above the topmost point of attachment to the building, disregarding any attachment by guy wires.

(2) In this clause—

building does not include prescribed infrastructure;

prescribed infrastructure has the same meaning as in Schedule 4 clause 13.

11—Railways

(1) Other than in respect of a local heritage place, building work undertaken for the purposes of the construction, alteration, extension, repair or maintenance of railway track (including track for a siding or a crossing or passing loop), other than building work associated with a new bridge or tunnel.

(2) In this clause—

bridge includes a bridge designed to be used by—

(a) vehicles other than trains; or

(b) people.

Schedule 8—Plans

1—Plans for certain types of development

An application for planning consent that relates to an outbuilding, carport, garage, verandah or pergola must be accompanied by—

(a) a site plan, drawn to scale, including appropriate bar and ratio scales, showing—

(i) the boundaries and dimensions of the site; and

(ii) the position of any existing or proposed building on the site; and

(iii) the minimum distance between the proposed building or structure and the front, side and rear boundaries of the site; and

(iv) the location of any regulated tree on the site or on adjoining land that might be affected by the work, or that might affect the work, proposed to be performed; and

(v) if the proposed building is to be a garage or carport—the location and finished ground level at each end of any driveway or proposed driveway and, if relevant, its location in relation to an existing or proposed vehicle access point under section 221 of the *Local Government Act 1999*, including a driveway or access point for which consent under the Act has been granted as part of an application for the division of land; and

(vi) the location of car parking spaces on the site; and

(vii) the north point; and

(viii) the location of any existing or proposed tanks and areas where the disposal of sewage may soak into the ground for an on-site sewerage or waste disposal system installed or to be installed in compliance with the *South Australian Public Health Act 2011*; and

(b) a plan drawn to scale—

(i) in the case of a garage or outbuilding—showing the floor plan of the garage or outbuilding, its dimensions and the location of any windows or doors; or

(ii) in any other case—showing the dimensions of the structure and its attachment or relationship to the existing dwelling; and

(c) elevation drawings, drawn to scale (including appropriate bar and ratio scales), of building heights in relation to any relevant or proposed building or structure that show—

(i) the front, rear and side views of the proposed building or structure; and

(ii) the existing ground level, proposed floor level (if relevant), roof pitch and building or structure height (both to the gutters and to the maximum roof ridge); and

(d) a schedule of colours for any cladding.

2—Plans for residential alterations, additions and new dwellings

An application for planning consent that relates to 1 or more proposed dwellings, or the alteration of or addition to an existing dwelling, must be accompanied by—

(a) a site plan, drawn to scale, including appropriate bar and ratio scales, showing—

(i) the boundaries and dimensions of the site; and

(ii) the position of the minimum front and side setbacks of any existing or proposed building on the site; and

(iii) the minimum distance between any proposed building and the front, side and rear boundaries of the site; and

(iv) existing ground and floor levels (if relevant), and proposed finished floor levels and proposed site (or "bench") levels, including in relation to the top of any kerb level, showing the height and location of any earthworks or retaining walls (if relevant); and

(v) the location of any regulated tree on the site or on adjoining land that might be affected by the work, or that might affect the work, proposed to be performed; and

(vi) the location and dimension of car parking spaces that are not fully enclosed or covered before and after completion of the proposed development; and

(vii) if a proposed building is to be or incorporate a garage or carport—the location and finished ground level at each end of any driveway or proposed driveway and, if relevant, its location in relation to an existing or proposed vehicle access point under section 221 of the *Local Government Act 1999*, including a driveway or access point for which consent under the Act has been granted as part of an application for the division of land; and

(viii) the north point; and

(ix) the location of any existing or proposed tanks and areas where the disposal of sewage may soak into the ground for an on-site sewerage or waste disposal system installed or to be installed in compliance with the *South Australian Public Health Act 2011*; and

(b) a floor plan drawn to scale, showing the location and purpose of rooms and other areas at the completion of the development; and

(c) elevation drawings, drawn to scale (including appropriate bar and ratio scales), in relation to any relevant or proposed building, showing—

(i) the elevation of each side of each proposed building; and

(ii) existing and proposed ground levels; and

(iii) proposed internal floor levels (relative to adjacent ground levels); and

(iv) ceiling heights; and

(v) in relation to the roof—

(A) the height (relative to the adjacent ground level) of the eaves and the ridge; and

(B) the pitch; and

(C) a description of the materials comprising the roof; and

(vi) the dimensions of proposed eave overhangs; and

(vii) the dimensions of proposed external doors and windows; and

(viii) a description of the proposed materials and finishes of all external surfaces, including walls, doors and windows; and

(ix) a description of proposed measures to be applied to any windows (other than ground level windows) or balconies designed to provide for privacy; and

(d) in the case of an application proposing deemed-to-satisfy development involving the construction of 1 or more new dwellings—

(i) a declaration by or on behalf of the applicant indicating whether or not, to the best of his or her knowledge and belief, the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land; and

(ii) if—

(A) the applicant has indicated; or

(B) the relevant authority has reason to believe,

that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land, other than if the previous use or activity was for residential purposes, a site contamination audit report (within the meaning of the *Environment Protection Act 1993*) which states—

(C) that site contamination does not exist (or no longer exists) at the allotment; or

(D) that any site contamination at the allotment has been cleared or addressed to the extent necessary to enable the allotment to be suitable for unrestricted residential use,

(unless the relevant authority is already in possession of such a report, or is otherwise satisfied that such a report is not required).

3—Plans for swimming pools

An application for planning consent that involves a swimming pool must be accompanied by a plan of the proposed swimming pool, drawn to scale (including appropriate bar and ratio scales), showing—

(a) proposed setbacks from the boundaries of the site; and

(b) the location of the pump and other equipment and details of any enclosure in which the pump or other equipment is to be located, including a description of the material comprising the enclosure; and

(c) the location of any existing or proposed tanks for an on-site sewerage or waste disposal system installed or to be installed (as the case may be) in compliance with the *South Australian Public Health Act 2011*.

4—Plans for building work

(1) An application for building consent must be accompanied by—

(a) a site plan, drawn to a scale of not less than 1:500, showing—

(i) the boundaries and dimensions of the site and any relevant easements; and

(ii) the positions and dimensions of any proposed building and its relationship to the boundaries of the site and any other features such as other buildings or trees on the site or on adjoining land or public places that might be affected by the work or affect the work proposed to be performed; and

(iii) the purpose for which any existing building on the site is used and for which any proposed building on the site is intended to be used; and

(iv) the levels of the site and of the floors of the proposed building in relation to any street drainage channel or council drain; and

(v) the method of drainage and services proposed to be used; and

(vi) if the building work falls within the category of accepted development and involves a garage or carport—the location and gradient of any driveway or proposed driveway and, if relevant, its location in relation to an existing or proposed vehicle access point under section 221 of the *Local Government Act 1999*; and

(vii) the location of any regulated tree on the site or on adjoining land; and

(viii) the approximate north point; and

(ix) the location of any existing or proposed tanks for an on-site sewerage or waste disposal system installed or to be installed (as the case may be) in compliance with the *South Australian Public Health Act 2011*; and

(b) drawings showing—

(i) a dimensioned plan of each floor level, drawn to a scale of not less than 1:200; and

(ii) dimensioned elevations and sections of any proposed building, drawn to a scale of not less than 1:200; and

(iii) the sizes and locations of footings and other structural components, drawn to a scale of not less than 1:200; and

(iv) such other details as may be necessary, drawn to a scale of not less than 1:200; and

(c) specifications describing materials and standards of work and, where not indicated on the drawings referred to in paragraph (b), such other information as may be necessary to show that the building work will, if performed in accordance with the specifications and drawings, comply with the Act and these regulations and provide satisfactory levels of safety on or about the site; and

(d) calculations or reports to show that the building work will, if performed in accordance with the calculations and reports, comply with the Act and these regulations; and

(e) details in writing of any foundation investigations that have been carried out; and

(f) if the building work falls within the category of accepted development—

(i) if a vehicle access point is to be established—if relevant, documentary evidence that it has been authorised under section 221 of the *Local Government Act 1999*; and

(ii) information about the material and colour of any cladding that is to be used; and

(g) if the building work involves the construction or alteration of, or addition to—

(i) a swimming pool or spa pool; or

(ii) a safety fence or barrier for a swimming pool or spa pool,

details relating to the proposed swimming pool, spa pool, fence or barrier (as the case requires), including, in the case of the construction of a swimming pool, a plan of the proposed swimming pool, drawn to a scale of not less than 1:200 (including appropriate ratio scales), showing—

(iii) the dimensions of the swimming pool and swimming pool safety features; and

(iv) proposed setbacks from the boundaries of the site; and

(v) the location of the pump and other equipment; and

(h) if the building work involves the construction or alteration of, or addition to, a retaining wall, a plan of the proposed retaining wall, drawn to a scale of not less than 1:200, including appropriate ratio scales—

(i) showing the location and dimensions of the proposed retaining wall, specifying the minimum and maximum height of the wall of relevant points; and

(ii) showing elevation drawings, drawn to scale, being a scale of not less than 1:200 (including appropriate ratio scales), showing a side view of the wall, existing ground level and minimum and maximum wall heights; and

(iii) describing the material comprising the retaining wall; and

(i) if the building work involves the installation, alteration, relocation or removal and reinstatement of a roof truss within the ambit of the Minister's Schedule 8 list of roof truss information—the details relating to the truss required by the Minister's Schedule 8 list of roof truss information; and

(j) if the building work—

(i) relates to a building, or class of building, designated by the Minister by notice published in the Gazette; and

(ii) involves the use of a building product, or kind of building product, designated by the Minister in the notice in circumstances specified in that notice,

—the details relating to the building product required by the Minister in that same notice.

(2) An application for building consent for development consisting of or involving the demolition or removal of a building (or part of a building) must be accompanied by—

(a) a description in writing of the construction of the building (or relevant part) to be demolished or removed; and

(b) a site plan showing the location of the building in relation to the boundaries of the site and any other features such as other buildings or trees on the site or on adjoining land or public places that might be affected by the work or affect the work proposed to be performed; and

(c) if only part of a building is to be demolished or removed, calculations or other information in writing to show that the remainder of the building will comply with the Act and these regulations, either as the building remains after the proposed demolition or removal takes place, or after other building work is performed; and

(d) a description in writing of the demolition procedure, including details of the measures to be taken to provide satisfactory levels of safety on or about the site.

(3) An application for building consent for development consisting of or involving an alteration to a building must, if—

(a) the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or

(b) the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building,

be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the relevant authority may reasonably require to show that the entire building will, on completion of the building work, comply with the requirements of the Act and these regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.

(4) An application for the assessment of proposed building work in stages must—

(a) in the case of an application for consent to the siting of, excavation and filling for, and general arrangements of, a proposed building, be accompanied by—

(i) a site plan, drawn to a scale of not less than 1:500, showing—

(A) the boundaries and dimensions of the site and any relevant easements; and

(B) the positions and dimensions of any proposed building and its relationship to the boundaries of the site and any other features such as other buildings or trees on the site or on adjoining land or public places that might be affected by the work or affect the work proposed to be performed; and

(C) the purpose for which any existing building on the site is used and for which any proposed building on the site is intended to be used; and

(D) the levels of the site and of the floors of the proposed building in relation to any street drainage channel or council drain; and

(E) the method of drainage and services proposed to be used; and

(ii) elevational drawings of the proposed building showing its relation to the ground levels of the site; and

(iii) plans and specifications showing the extent of excavation or filling to be carried out; and

(b) in the case of an application for consent to the construction of the substructure of a building, be accompanied by—

(i) the documents referred to in subclauses (1)(b), (c), (d) and (e) (but relating to the substructure only); and

(ii) such other documents as may be necessary to enable the extent of the superstructure to be determined; and

(c) in the case of an application for approval of the construction of the superstructure of a building, be accompanied by the documents referred to in subclauses (1)(b), (c) and (d).

(5) If a development involves—

(a) the construction of a fence closer than 3 m to an existing or proposed Class 1 or 2 building under the Building Code; or

(b) the construction of a Class 1 or 2 building under the Building Code closer than 3 m to an existing or proposed fence,

at least 1 plan or other document provided for the purposes of a preceding subclause must describe or indicate the material that makes up, or is proposed to make up, the fence (as the case requires).

(6) For the purposes of subclause (5), the distance of 3 m will be measured from any part of an existing or proposed fence and from any part of an existing or proposed external wall of the relevant building (being an external wall within the meaning of the Building Code).

(7) In subclause (1)—

Minister's Schedule 8 list of roof truss information means a list of roof truss information published by the Minister in the Gazette for the purposes of subclause (1)(i).

(8) In subclause (5)—

construction—

(a) in relation to a fence—includes an alteration of, or addition to, a fence but does not include the repair of an existing fence that does not enlarge or extend the fence; and

(b) in relation to a Class 1 or 2 building—means building or re-building, erecting or re-erecting, or extending or altering, the building.

5—Requirements for development near coast

If a development is to be undertaken on a site any part of which is in the Coastal Areas Overlay under the Planning and Design Code, the following particulars must be shown on the plan:

(a) the distance from high water mark to the nearest point or points where buildings suitable for human occupation are likely to be constructed; and

(b) the surface profile of the natural surface between high water mark and the points where buildings suitable for human occupation are likely to be constructed, at intervals of 30 m, together with a written description of the nature of the exposed surface along that profile.

6—Statement relating to electricity infrastructure

(1) An application relating to development that would involve the construction of a building may be accompanied by a declaration by or on behalf of the applicant to the effect that the erection of the building would not be contrary to the regulations prescribed for the purposes of section 86 of the *Electricity Act 1996*.

(2) Subclause (1) does not apply to a development that is intended only to house, or that constitutes, electricity infrastructure (within the meaning of the *Electricity Act 1996*) (so that an application relating to such a development is not required to be accompanied by the declaration referred to in that subclause).

(3) The declaration must be in a form determined by the Chief Executive and published on the SA planning portal.

7—Requirements for general land division applications for development approval—proposal plans

(1) This clause does not apply with respect to a division of land which is deemed-to-satisfy development under the Planning and Design Code.

Note—

Only a "final plan" is required for a division of land which is deemed-to-satisfy development under the Planning and Design Code.

(2) A plan which provides for the division of land must—

(a) show the following particulars:

(i) all allotments, roads, streets, thoroughfares and reserves into which the land is proposed to be divided, marked with distinctive numbers, names or symbols, the measurements and areas of the proposed allotments and reserves, the widths of all proposed roads, streets or thoroughfares, and the total area (bounded by a firm, clear line) of the land proposed to be divided;

(ii) the names, widths and alignments of abutting, existing or proposed roads, streets and thoroughfares and of any existing or proposed roads, streets or thoroughfares intersecting or forming a junction therewith;

(iii) the former subdivisional and section boundaries and the number of those subdivisions and sections all shown by broken lines;

(iv) the north point, the scale of the plan, the names of each owner of land and agent, and references to the volumes and folios of all certificates of title relating to the land proposed to be divided;

(v) a heading which contains a description of the land being divided by reference to any relevant Lands Titles Registration Office or General Registry Office plan showing the block or allotment number, the section number and the name of the hundred, and, in addition—

(A) if the division is lodged within the boundaries of a named area assigned pursuant to the *Geographical Names Act 1991* the words "In the area named ....."; or

(B) if the division is lodged for residential allotments and is outside the boundaries of any area named pursuant to the *Geographical Names Act 1991* the words "Laid out as the Township of ....."; or

(C) if the division is lodged for residential purposes and is outside the boundaries of any area named pursuant to the *Geographical Names Act 1991* but is adjoining to an existing named division, the words "Laid out as Portion of the Township of .....", the name being the name of the existing named division; or

(D) if the division is lodged for other than residential purposes and is outside the boundaries of any area named pursuant to the *Geographical Names Act 1991* no name is required but, if a name is used, the words "In the area named .....";

(vi) the position of any buildings intended to be retained on the land and the approximate position of any buildings which are to be demolished or removed;

(vii) all existing registered easements;

(viii) all relevant topographic features;

(ix) the location and gradient of any driveway or proposed driveway and, if relevant, its location in relation to an existing or proposed vehicle access point under section 221 of the *Local Government Act 1999*;

(x) the location of any regulated tree on the site or on adjoining land, including details of the species of tree and trunk circumference; and

(b) be drawn in accordance with the following rule of scale:

(i) if the area of the smallest allotment is one-fifth of 1 ha or under, a scale of not less than 1:1 000;

(ii) if the area of the smallest allotment is over one-fifth of a hectare and under 1 ha, a scale of not less than 1:2 500;

(iii) if the area of the smallest allotment is 1 ha or over, a scale so that such allotment or block will be delineated by no less than 3 cm^2 on the plan.

(3) A plan which provides for the division of land into more than 5 allotments, or for a new road must—

(a) show the following particulars in addition to those contained in subclause (2):

(i) the numbers of the sections, allotments or plans, and references to the volumes and folios of all certificates of title, of adjoining land, and of the land on the opposite side of any abutting road;

(ii) the contours of the present surface of the ground above some known datum level sufficient to determine the intended level or gradient of all proposed allotments, reserves and parcels of land, all abutting and proposed roads, streets or thoroughfares, and all roads, streets or thoroughfares with which it is intended that the proposed roads, streets or thoroughfares be connected, and where the land is to be filled or graded, both existing contours or levels and proposed contours or levels must be shown;

(iii) the positions and construction of new permanent marks; and

(b) be vouched for by a licensed surveyor as to its reasonable accuracy.

(4) The land comprised in a plan for the division of land must consist of a single allotment or an aggregation of contiguous allotments.

(5) For the purposes of subclause (4), allotments separated only by a road or a road reserve will be regarded as contiguous.

8—Additional requirements for community plans

(1) An application for the division of land by a plan of community division under the *Community Titles Act 1996* must be accompanied by the proposed scheme description of the relevant community scheme (unless a scheme description is not required to be lodged with the Registrar-General under section 15 of that Act).

(2) A plan which provides for the division of land by a plan of community division under the *Community Titles Act 1996* must state whether the plan is a primary plan, a secondary plan or a tertiary plan under that Act and—

(a) in the case of a secondary plan—must define the primary lot; or

(b) in the case of a tertiary plan—must define the secondary lot.

Note—

Section 15 of the *Community Titles Act 1996* provides that there is no need to lodge a scheme description with the Registrar-General if—

(a) the plan of community division under that Act—

(i) does not create more than 6 community lots (or such other number as is prescribed by regulation under that Act); and

(ii) does not create a development lot; and

(b) each of the community lots is intended to be used solely or predominantly for residential purposes.

9—Land division certificates—final plan

(1) A land division plan lodged for—

(a) a certificate under section 138 of the Act; and

(b) a division of land which is deemed-to-satisfy development under the Planning and Design Code,

must comply with—

(c) in the case of the division of land under Part 19AB of the *Real Property Act 1886*—the requirements for plans under that Act; or

(d) in the case of the division of land by a plan of community division under the *Community Titles Act 1996*—the requirements for plans under that Act; or

(e) in the case of the division of land by strata plan under the *Strata Titles Act 1988*—the requirements for plans under that Act.

10—Activities of environmental significance

(1) This clause applies with respect to an application that involves a development that must be referred to the Environment Protection Authority under item 16 of the table in Schedule 9 clause 3.

(2) An application to which this clause applies must be accompanied by—

(a) a site plan, drawn to a scale of not less than 1:500, showing—

(i) the boundaries and dimensions of the site; and

(ii) the location of the proposed development and, as relevant, any place on the site where an activity specified by the Planning and Design Code as an activity of environmental significance is to be carried out; and

(iii) the positions, dimensions and uses of any proposed or existing structures (including fences and retaining walls), and the location and nature of any proposed or existing easements; and

(iv) any significant topographical features (including any creek or flood plain); and

(v) the levels and slope of the site; and

(vi) the method of drainage, and the direction of any stormwater, and any works or services that are proposed to be installed or used in connection with the management of water; and

(vii) the location and size of any proposed or existing dams or bores; and

(viii) the location and nature of any proposed or existing effluent disposal facilities that are not to be connected to disposal or treatment services; and

(ix) the internal layout of any proposed or existing building to be used in connection with an activity specified by the Planning and Design Code as an activity of environmental significance, and where each such activity is to be carried out; and

(x) the location of any proposed or existing wastewater management system to be used in connection with an activity specified by the Planning and Design Code as an activity of environmental significance; and

(xi) the location of any proposed or existing waste storage, processing or disposal areas; and

(xii) the location of any proposed or existing access points for vehicles, and any areas of the site on which vehicles may be driven; and

(xiii) the approximate north point; and

(b) a plan or description of the surrounding area that identifies or describes—

(i) the location of the site in relation to adjacent land; and

(ii) the distance to the nearest building (if any) on each piece of adjacent land; and

(iii) the use of each piece of adjacent land; and

(iv) the location of any lake, creek, dam or other form of surface water within 500 m of a boundary of the site; and

(c) a detailed description of the activities to be undertaken in the site (including the proposed nature and operational capacity of the activities), and information on each of the following (insofar as may be relevant):

(i) methods to be used to minimise potential impacts (including noise, odours, fumes, dust and other airborne emissions);

(ii) methods to be used during any works and construction for the purposes of the development to prevent soil that is eroded,

(iii) the type and volume of waste to be generated on the site;

(iv) arrangements for the storage and disposal of waste, stormwater and sewage;

(v) the predicted human health and environmental impacts of the activities;

(vi) the type and number of vehicles using the site, traffic movements into, out of and around the site, and the kind of surfaces on which vehicles will be moving;

(vii) the hours and days of operation or trading;

(viii) the excavations, earthworks or embankments to be undertaken or created for the purposes of the development;

(ix) how soil erosion will be prevented, and how sediment or pollutant that is generated by such works will be minimised and managed, and how it will be prevented from affecting adjoining land.

11—Water resources requirements

(1) This clause applies with respect to an application that involves a development that must be referred to the Chief Executive of the Department of the Minister responsible for the administration of the *Natural Resources Management Act 2004* under item 7 of the table in Schedule 9 clause 3.

(2) An application to which this clause applies must be accompanied by a document which specifies—

(a) the estimated water allocation requirements for the relevant development; and

(b) the source or sources from which it is proposed that the water required for the purposes of the relevant development will be obtained.

12—Referrals with respect to River Murray Protection Areas

(1) This clause applies with respect to an application that involves a development that must be referred to the Minister for the time being administering the *River Murray Act 2003* under item 9 or 10 of the table in Schedule 9 clause 3.

(2) An application to which this clause applies must be accompanied by—

(a) a site plan, drawn to a scale of not less than 1:500, showing—

(i) the boundaries and dimensions of the site; and

(ii) the location of the proposed development and, as relevant, any place on the site where an activity specified in the relevant item of the table in Schedule 9 clause 3 is to be carried out; and

(iii) any significant topographical features (including the contours of the land and any creek or flood plain); and

(iv) the approximate location of any native vegetation; and

(v) the method of drainage, including drainage management, and the direction of flow of any stormwater, and the location and nature of any works or services that are proposed to be installed or used in connection with the management of water (including stormwater); and

(vi) the location and nature of any proposed or existing effluent disposal facilities that are to be used in connection with the development and are not to be connected to disposal or treatment services; and

(vii) the location and method of construction of any proposed access track or road which is to give access to any waterfront (if any); and

(viii) the approximate north point; and

(b) a plan or description of the surrounding area that identifies or describes—

(i) the land uses of adjacent land; and

(ii) the location of any watercourse, wetland, dam or other form of surface water within 500 m of a boundary of the site; and

(c) a detailed description of the activities to be undertaken on the site, and information on each of the following (insofar as may be relevant):

(i) methods to be used to minimise potential impacts on the River Murray;

(ii) arrangements for the storage, treatment, disposal or re-use of waste, stormwater or sewage;

(iii) the excavations, earthworks or embankments to be undertaken or created for the purposes of the development, and how soil erosion will be prevented.

(3) In this clause—

native vegetation has the same meaning as in the *Native Vegetation Act 1991*;

River Murray has the same meaning as in the *River Murray Act 2003*.

13—Referrals with respect to the use of River Murray water within the Murray-Darling Basin

(1) This clause applies in respect of an application that involves a development that must be referred to the Minister for the time being administering the *River Murray Act 2003* under item 11 of the table in Schedule 9 clause 3.

(2) An application to which this clause applies must be accompanied by—

(a) a site plan, drawn to a scale of not less than 1:500, showing—

(i) the boundaries and dimensions of the site; and

(ii) the location of any proposed or existing pumpsheds, pipes or other infrastructure for irrigation or drainage; and

(iii) the location and size of any proposed or existing dams or bores; and

(iv) the location on the site where the water is proposed to be used or applied; and

(v) the approximate north point; and

(b) detailed information on each of the following:

(i) the estimated water allocation requirements for the relevant development;

(ii) the source or sources from which it is proposed that the water required for the purposes of the relevant development will be obtained;

(iii) the capability of the soil on the site to sustain the proposed development;

(iv) the location of any place (whether or not on the site) from where water is proposed to be extracted.

14—Additional requirements for bushfire prone areas

An application for planning consent, building consent or consent under section 102(1)(c) or (d) of the Act that relates to development in a bushfire prone area identified under the Planning and Design Code must be accompanied by, or incorporate, the plans, drawings, specifications and other documents or drawings required under any relevant Ministerial building standard, insofar as they are relevant in the circumstances of the particular case.

15—Additional requirements for certain electricity generators

(1) An application in respect of a proposed development for which the Commission is the relevant authority in accordance with Schedule 6 clause 9 must be accompanied by a certificate from the Technical Regulator certifying that the proposed development complies with the requirements of the Technical Regulator in relation to the security and stability of the State's power system.

(2) In this clause—

power system has the same meaning as in the *Electricity Act 1996*.

Schedule 9—Referrals

1—Interpretation

(1) In relation to each item in the table in clause 3—

(a) development that falls within the ambit of column 1 is prescribed as a class of development for the purposes of section 122 of the Act; and

(b) the body referred to in column 2 is prescribed as the body to which the relevant application is referred for the purposes of section 122 of the Act; and

(c) the term ***Direction*** specified in column 3 means that the prescribed body may direct the relevant authority (subject to any qualification referred to in the relevant item)—

(i) to refuse the relevant application; or

(ii) if the relevant authority decides to consent to or approve the development—subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body, to impose such conditions as the prescribed body thinks fit,

(and that the relevant authority must comply with any such direction); and

(d) the period referred to in column 4 is prescribed for the purposes of section 122(1)(b) of the Act.

(2) Despite the provisions of these regulations and, in particular, items 9 and 10 of the table in clause 3, an application within the ambit of an exemption from the requirement to be referred to the Minister for the River Murray under section 122 of the Act published by that Minister under section 22(18) of the *River Murray Act 2003* need not be referred to that Minister under this Schedule (and will not be subject to a fee with respect to the referral of the application under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*).

Note—

An exemption issued by the Minister for the River Murray under section 22(18) of the *River Murray Act 2003* must be published in the Gazette. A list of the exemptions that have been issued may be found on the website of the Department for Environment and Water.

(3) The Planning and Design Code may specify all development within an overlay or area (to which an item in the table in clause 3 applies) as a class of development for the purposes of the item.

2—Deferral of referral

For the purposes of section 122(11) of the Act, the following provisions apply to a request under section 122(10) that a relevant authority defer a referral of an application under this Schedule to a particular stage in the process of assessment:

(a) in the case of a development to which item 14 of the table in clause 3 applies—a request may only be made during the period commencing on lodgement of the application and ending on the granting of planning consent in respect of the development;

(b) in any other case—a request may not be made in relation to the application.

3—Table

Development	Body	Function	Period
1—Development near the coast			
Development that is— (a) in the Coastal Areas Overlay under the Planning and Design Code; and (b) specified by the Planning and Design Code as development of a class to which this item applies.	Coast Protection Board	Direction	30 business days
2—Development affecting arterial roads			
Development that is— (a) in the Key Outback and Rural Routes Overlay under the Planning and Design Code; and (b) specified by the Planning and Design Code as development of a class to which this item applies.	Commissioner of Highways	Direction	20 business days
3—State heritage places			
Development that is— (a) in the State Heritage Place Overlay or State Heritage Area Overlay under the Planning and Design Code; and	Minister for the time being administering the *Heritage Places*	Direction	30 business days

(b) specified by the Planning and Design Code as development of a class to which this item applies.	*Act 1993*		
4—Historic shipwrecks (State)			
Development that is— (a) in the Historic Shipwrecks Overlay under the Planning and Design Code; and (b) specified by the Planning and Design Code as development of a class to which this item applies.	Minister for the time being administering the *Historic Shipwrecks Act 1981*	Direction	20 business days
5—Historic shipwrecks (Commonwealth)			
Development that is— (a) in the Historic Shipwrecks Overlay under the Planning and Design Code; and (b) specified by the Planning and Design Code as development of a class to which this item applies.	Commonwealth Minister for the time being administering the *Historic Shipwrecks Act 1976* (Commonwealth)	Direction	20 business days
6—Activities that would otherwise require permit under *Natural Resources Management Act 2004*			
Development that— (a) — (i) is in the Prescribed Watercourses Overlay under the Planning and Design Code; or (ii) relates to a dam; and (b) is specified by the Planning and Design Code as development of a class to which this item applies.	The Minister responsible for the administration of the *Natural Resources Management Act 2004*	Direction	30 business days
7—Certain activities that may give rise to water allocation issues under *Natural Resources Management Act 2004*			
Development that is— (a) in the Prescribed Watercourses Overlay or Prescribed Wells Area Overlay under the Planning and Design Code; and (b) specified by the Planning and Design Code as development of a class to which this item applies.	The Chief Executive of the Department of the Minister responsible for the administration of the *Natural Resources Management Act 2004*	Direction	30 business days
8—Dams in water restriction areas			
Development that will involve the construction or enlargement of a dam in a part of the State within the ambit of a notice under section 132 of the *Natural Resources Management Act 2004*.	The Chief Executive of the Department of the Minister responsible for the administration of the *Natural Resources Management Act 2004*	Direction	30 business days
9—Development in River Murray Floodplain Area			
Development that is—	Minister for the	Direction	30 business

(a) in the River Murray Flood Plain Overlay under the Planning and Design Code; and (b) specified by the Planning and Design Code as development of a class to which this item applies.	time being administering the *River Murray Act 2003*		days
10—Development in River Murray Tributaries Area			
Development that is— (a) in the River Murray Tributaries Area Overlay under the Planning and Design Code; and (b) specified by the Planning and Design Code as development of a class to which this item applies.	Minister for the time being administering the *River Murray Act 2003*	Direction	30 business days
11—Certain activities in Murray-Darling Basin Area			
Development that is— (a) in the Murray-Darling Basin Overlay under the Planning and Design Code; and (b) specified by the Planning and Design Code as development of a class to which this item applies.	Minister for the time being administering the *River Murray Act 2003*	Direction	30 business days
12—Development in high bushfire risk areas			
Development that is— (a) within a Hazards (Bushfire—High Risk) Overlay under the Planning and Design Code; and (b) specified by the Planning and Design Code as development of a class to which this item applies.	South Australian Country Fire Service	Direction	30 business days
13—Mining			
Development that is— (a) in an Extractive Industry Zone, or any overlay in which the term "mineral resources" or "extractive industries" appears in the title, or any other overlay that relates to mineral resources or extractive industries under the Planning and Design Code; and (b) specified by the Planning and Design Code as development of a class to which this item applies.	Minister for the time being administering the Mining Acts	Direction	30 business days
14—Electricity infrastructure			
Development that involves the construction of a building where a declaration has not been given under Schedule 8 clause 6(1), other than— (a) development of a kind referred to in Schedule 8 clause 6(2); or (b) development, or development of a class, excluded from the application of this item by the Planning and Design Code.	Technical Regulator—	Direction	20 business days
15—Aquaculture development			
Aquaculture development specified by the Planning and Design Code as development of a class to which this item applies, other than such development that is excluded from the application of this item by the Planning and Design Code.	Minister for the time being administering the *Aquaculture Act 2001*	Direction	20 business days
16—Activities of environmental significance			
Development—	Environment	Direction	30 business

(a) that involves, or is for the purposes of, an activity specified by the Planning and Design Code as an activity of environmental significance, other than development, or development of a class, excluded from the application of this item by the Planning and Design Code; or (b) that is— (i) in the Mount Lofty Ranges Water Protection Area Overlay, River Murray Flood Plain Overlay or Water Protection Overlay under the Planning and Design Code; and (ii) specified by the Planning and Design Code as development of a class to which this item applies.	Protection Authority		days
17—Airports			
Development that is— (a) in the Airport Building Heights Overlay or Building Near Airfields Overlay under the Planning and Design Code; and (b) specified by the Planning and Design Code as development of a class to which this item applies.	Commonwealth Minister for the time being administering the *Civil Aviation Act 1988* (Commonwealth)	Direction	20 business days

Schedule 10—Work that affects stability of other land or premises

FIGURE 1

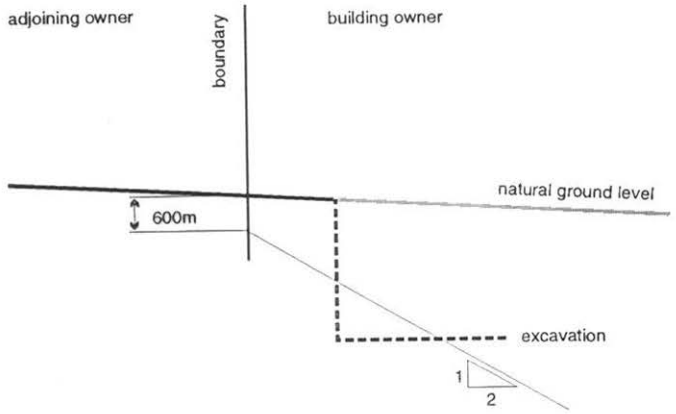
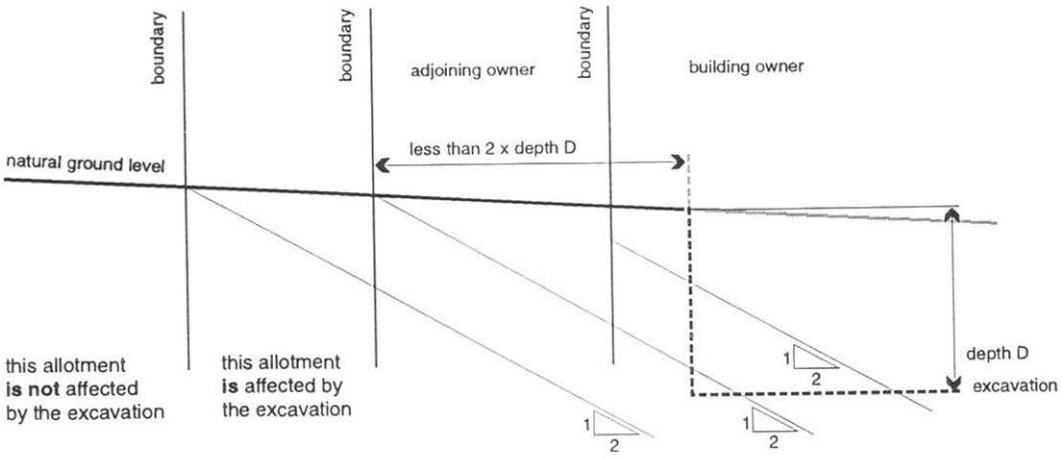


FIGURE 2



Schedule 11—Form of endorsement of scheme description—community titles

Form 1—Endorsement of scheme description

Planning, Development and Infrastructure (General) Regulations 2017

(regulation 66)

All the consents or approvals required under the *Planning, Development and Infrastructure Act 2016* in relation to the division of the land (and a change in the use of the land (if any)) in accordance with this scheme description and the relevant plan of community division under the *Community Titles Act 1996* have been granted

OR

No consent or approval is required under the *Planning, Development and Infrastructure Act 2016* in relation to the division of the land (or a change in the use of the land) in accordance with this scheme description

[Strike out whichever does not apply]

This endorsement does not limit a relevant authority's right to refuse, or to place conditions on, development authorisation under the *Planning, Development and Infrastructure Act 2016* in relation to any other development envisaged by this scheme description

Signed:

Date:

Note—

The endorsement may also include notes concerning conditions on any consent or approval, and notes concerning additional approvals that may be required in the future. The endorsement may be signed and dated by a duly authorised officer of the relevant authority.

Schedule 12—Land division certificate—prescribed form

Planning, Development and Infrastructure Act 2016

(section 138)

Planning, Development and Infrastructure (General) Regulations 2017

(regulation 89)

Approved in accordance with the requirements of section 138 of the *Planning, Development and Infrastructure Act 2016.*

Signed:

Description of signatory:

Date:

Schedule 13—State agency development exempt from approval

1—Interpretation

In this Schedule—

battery storage facility means a facility for the purposes of 1 or more batteries of a total capacity of more than 25 MW that are capable of being charged, storing energy and discharging it into the State's power system;

electricity generating plant means electricity generating plant within the ambit of paragraph (a) of the definition of ***electricity infrastructure*** in section 4(1) of the *Electricity Act 1996*;

power system has the same meaning as in the *Electricity Act 1996*.

2—General

(1) The following forms of development, other than in relation to a State heritage place or within the Adelaide Park Lands, are excluded from the provisions of section 131 of the Act:

(a) —

(i) the reconstruction (including widening), alteration, repair or maintenance of any road, bridge, railway, tramway, wharf, jetty or boat ramp (including pump-out facilities associated with a boat ramp); or

(ii) the maintenance of a levee bank;

(b) if the work is certified by a building certifier, or by some person nominated by the Minister for the purposes of this provision, as complying with the Building Rules (or the Building Rules to the extent that is appropriate in the circumstances after taking into account the requirements of the Building Rules and, insofar as may be relevant, the matters prescribed under regulation 107 for the purposes of section 131 of the Act)—

(i) accepted development or deemed-to-satisfy development under the Planning and Design Code; or

(ii) the construction, reconstruction or alteration of any of the following items of infrastructure or works if only of a local nature, namely, a water treatment station, pressure regulating station, pumping station, desalination plant, waste water pumping station, water filtration plant, water storage tank, pump-out facility or sewerage works; or

(iii) the construction, reconstruction or alteration of any works or infrastructure that is ancillary to works or infrastructure referred to in subparagraph (ii); or

(iv) the construction, reconstruction or alteration of a battery storage facility for the purposes of supporting the security or reliability of the State's power system; or

(v) the construction, reconstruction or alteration of electricity generating plant—

(A) that is of a temporary nature; and

(B) that has a generating capacity of more than 50 MW,

for the purposes of supporting the security or reliability of the State's power system; or

(vi) any infrastructure, structures, equipment or works associated with or ancillary to development under subparagraph (iv) or (v), including electricity powerlines, poles and fences, fuel supply infrastructure and roads or other means of access to such development; or

(vii) the construction, reconstruction or alteration of a building or equipment used for or associated with the supply, conversion, transformation or control of electricity (other than an electricity generating station or an electricity substation); or

(viii) the construction, reconstruction or alteration of a dwelling within an existing township, settlement or camp on—

(A) Trust land within the meaning of the *Aboriginal Lands Trust Act 2013*; or

(B) "the lands" within the meaning of the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981*; or

(C) "the lands" within the meaning of the *Maralinga Tjarutja Land Rights Act 1984*; or

(ix) the development of land dedicated under the *National Parks and Wildlife Act 1972*; or

(x) the construction, reconstruction or alteration of, or addition to a building contained within the existing security-fenced area of an existing electricity substation; or

(xi) the construction, reconstruction or alteration of or addition to, a building which is to be located wholly underground; or

(xii) the construction, reconstruction or alteration of, or addition to, an outbuilding (or a structure or building that is ancillary to an outbuilding), other than—

(A) the construction of a new building exceeding 1 storey in height; or

(B) where the outbuilding is not being constructed, added to or altered so that any part of the outbuilding is situated within the setback distance of the allotment prescribed under the Planning and Design Code (or, if no setback distance is so prescribed, within 900 mm of a boundary of the allotment); or

(C) where the relevant work would affect a local heritage place; or

(xiii) the construction, reconstruction or alteration of, or addition to, a classroom or covered outdoor educational area within the area of an existing school, other than—

(A) where the building exceeds 1 storey in height; or

(B) where the classroom or covered outdoor educational area is not being constructed, added to or altered so that any part of the classroom or covered outdoor educational area is situated within the setback distance of the area (of the school) prescribed under the Planning and Design Code (or, if no setback distance is so prescribed, within 900 mm of a boundary of the area); or

(C) where the building work would affect a local heritage place; or

(xiv) building work associated with the alteration of, or addition to, a building within the area of an existing school, other than—

(A) where the work will result in—

- the building exceeding 1 storey in height; or
- the creation of a new access point to or from a public road or the alteration of an existing access point to or from a public road; or
- fewer carparks on the site; or

(B) where the work will result in the building being situated within the setback distance of the area (of the school) prescribed under the Planning and Design Code (or, if no setback distance is so prescribed, within 900 mm of a boundary of the area); or

(C) where the building work would affect a local heritage place; or

(xv) building work associated with the alteration of, or addition to, any other building, other than—

(A) where the work will result in the building exceeding 1 storey in height; or

(B) where the work will result in the building being situated within the setback distance of the allotment prescribed under the Planning and Design Code (or, if no setback distance is so prescribed, within 900 mm of a boundary of the allotment); or

(C) where the building work would affect a local heritage place; or

(xvi) the alteration, repair or maintenance of, or addition to—

(A) a wall of an existing dam; or

(B) a spillway of an existing dam; or

(xvii) the construction of advertising displays or signs, if carried out by a State agency within the meaning of section 131 of the Act; or

(xviii) the installation, construction or alteration of playground equipment; or

(xix) the construction of a shade sail if no part of the sail will be 5 m above ground or floor level (depending on where it is situated);

(c) the construction, reconstruction, alteration, repair or maintenance of any drain, pipe or underground cable;

(d) the undertaking of any temporary development which is required in an emergency situation in order to—

(i) prevent loss of life or injury; or

(ii) prevent loss or damage to land or buildings; or

(iii) maintain essential public services; or

(iv) prevent a health or safety hazard; or

(v) protect the environment where authority to undertake the development is given by or under another Act;

(e) the undertaking of any development for a period of not more than 2 years for the purposes of research, investigation or pilot plants;

(f) the excavation, removal or placement of sand and other beach sediment by or as authorised by the Coast Protection Board on land which is owned by, or under the care and control of, a council or Crown agency or instrumentality, where the land is between mean low water mark on the sea shore at spring tide, and the landward limit of any sandy beach or sand dune;

(g) the granting of a lease or licence in a dedicated forest reserve under the *Forestry Act 1950*;

(h) an alteration to the cadastre arising from the administration of the *Crown Land Management Act 2009*, the *Pastoral Land Management and Conservation Act 1989*, or the *Irrigation Act 2009*, other than where 5 or more allotments are being created;

(i) a division of land arising out of, or reasonably incidental to, the implementation of any matter referred to above;

(j) an alteration, or repairs, to a building—

(i) which are predominantly internal; and

(ii) which do not change the external appearance or total floor area of the building; and

(iii) which will not adversely affect the structural soundness of the building or the safety of any person occupying or using it;

(k) excavating or filling (or excavating and filling) of up to 1 500 m^3 of material for the purpose of providing proper access to an existing wharf, jetty or mooring, but excluding excavating or filling where more than 1 500 m^3 of material has been excavated or filled at the particular place within the previous 12 months;

(l) the division of land arising out of the granting of a lease under the *Harbors and Navigation Act 1993* for the purposes of aquaculture;

(m) the construction, reconstruction or alteration of a fire hydrant, fire plug or location indicator in a public place that is not connected with the performance of any other building work that requires approval under the Act;

(n) the construction, reconstruction or alteration of an electricity power line, other than a transmission line of 33 000 volts or more;

(o) the construction, reconstruction, alteration, repair or maintenance of a beacon, buoy or other mark or structure (whether or not equipped with a light) intended to be an aide to navigation, other than a lighthouse, approved by the Marine Safety Section of the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the *Harbors and Navigation Act 1993*;

(p) the construction, reconstruction, alteration, repair or maintenance of antennae and associated infrastructure or equipment related to a Global Navigation Satellite System;

(q) the construction of an item of street furniture (including directional signs, lighting, seating, weather shelters, parking meters, parking pay stations and similar items or structures) that is associated with a development approved, or exempt from approval, under the Act, and directly related to an activity carried out at the site of the development, or on account of the development (whether or not the item is located on the site of the development or in a public place nearby);

(r) the construction of any of the following, if carried out by a State agency within the meaning of section 131 of the Act:

(i) tourist information or interpretative signs;

(ii) structures (including billboards) at roadside information bays;

(iii) shade-cloth structures;

(iv) a post and wire fence, including a chain mesh fence;

(s) works associated with the construction of a road on land which is—

(i) adjacent to the road; and

(ii) associated with the construction of the road;

(t) the use of any land or building, or the construction or alteration of, or addition to, a building for the purposes of an aquifer recharge scheme;

(u) the construction, reconstruction, alteration or addition to a security fence of an existing electricity substation or other electricity infrastructure within the meaning of the *Electricity Act 1996* subject to the following limitations:

(i) the fence must not exceed a height of 3.2 m (measured as a height above the natural surface of the ground);

(ii) —

(A) in the case of a fence that has a frontage to a public road—the fence must be a palisade or open metal fence or a chain mesh fence; or

(B) in any other case—the fence must be a palisade or open metal fence, a chain mesh fence or a fence clad in pre-colour treated sheet metal;

(v) the construction, reconstruction or alteration of—

(i) a correctional institution (within the meaning of the *Correctional Services Act 1982*) or training centre (within the meaning of the *Young Offenders Act 1993*); or

(ii) any works or infrastructure that is ancillary to such a correctional institution or training centre;

(w) tree-damaging activity in relation to a regulated tree—

(i) that is on any land—

(A) on which a school, within the meaning of the *Education and Early Childhood Services (Registration and Standards) Act 2011*, is located or is proposed to be built; and

(B) that is under the care, control or management of the Minister responsible for the administration of that Act; or

(ii) that is on any land—

(A) on which a road is located or is proposed to be built or widened; and

(B) that is under the care, control and management of the Commissioner for Highways; or

(iii) that—

(A) is on railway land as defined in Schedule 4 clause 14(7); or

(B) is on land adjacent to railway land and is, in the opinion of the Rail Commissioner, detrimentally affecting the use of, or activities or operations on, the railway land.

(2) Paragraphs (a), (b)(ii) to (vi), (b)(xi) to (xv) and (c) of subclause (1) do not apply to a proposed development if the site where the development is to be undertaken is subject to coastal processes, or in relation to which there is evidence to suggest that the site is likely to be affected by coastal processes within the foreseeable future, unless the Coast Protection Board has authorised the relevant development.

(3) Development of a kind referred to in subparagraphs (iv) to (vi) of subclause (1)(b) may only be undertaken at a site identified by the Minister by notice published in the Gazette.

(4) A notice published under subclause (3) may—

(a) identify 1 or more sites for the purposes of that subclause; and

(b) be varied or revoked by further notice published in the Gazette.

(5) Except as otherwise specified in this Schedule, subclause (1) does not apply to any development which comprises a tree-damaging activity in relation to a regulated tree.

(6) Subparagraph (v) of subclause (1)(b) expires on 1 July 2020.

3—Certain development in part of City of Mitcham

The following forms of development in a zone, subzone or overlay identified under the Planning and Design Code for the purposes of this clause (relating to the area of the City of Mitcham), are excluded from the provisions of section 131 of the Act:

(a) the undertaking of any temporary development required in an emergency situation in order to—

(i) prevent loss of life or injury; or

(ii) prevent loss or damage to land or buildings; or

(iii) maintain essential public services; or

(iv) prevent a health or safety hazard; or

(v) protect the environment where authority to undertake the development is given by or under another Act;

(b) an alteration, or repairs, to a building that—

(i) are predominantly internal; and

(ii) do not change the external appearance or total floor area of the building; and

(iii) will not adversely affect the structural soundness of the building or the safety of any person occupying or using it.

4—River Murray area

The following forms of development are excluded from the provisions of section 131 of the Act, namely the construction, reconstruction, alteration, repair or maintenance of infrastructure within the meaning of the *River Murray Act 2003* by the Minister for the River Murray (or by a person who is acting for or on behalf of that Minister) where the work is being undertaken in connection with the management of water flows, or for other environmental purposes, within the River Murray system, as defined by that Act, for the purposes of the *River Murray Act 2003* or the *Murray-Darling Basin Act 1993*.

5—Certain development within the Park Lands

The following forms of development within the Adelaide Park Lands, other than in relation to a State heritage place, are excluded from the provisions of section 131 of the Act:

(a) —

(i) the alteration, repair or maintenance of a road, bridge, railway or weir, or the reconstruction of a road where there is no increase in the area of road; or

(ii) the maintenance of a levee bank; or

(iii) the maintenance of the bank of the River Torrens or of any creek;

(b) if the work is certified by a building certifier, or by some other person nominated by the Minister for the purposes of this provision, as complying with the Building Rules (or the Building Rules to the extent that is appropriate in the circumstances after taking into account the requirements of the Building Rules and, insofar as may be relevant, the matters prescribed under regulation 107 for the purposes of section 131 of the Act)—

(i) the alteration of a local water treatment station, wastewater pumping station, pressure regulating station or pumping station; or

(ii) the construction, reconstruction or alteration of any works or infrastructure that is ancillary to works or infrastructure referred to in subparagraph (i); or

(iii) the alteration of a building or equipment used for or associated with the supply, conversion, transformation or control of electricity (other than an electricity generating station or an electricity substation); or

(iv) the alteration of, or addition to, a building contained within the existing security-fenced area of an existing electricity substation; or

(v) the alteration of, or addition to, a building—

(A) which is to be located wholly underground; and

(B) which will not result in a material change to the existing landform at the site of the development; or

(vi) without limiting subparagraph (v), the construction or reconstruction of a building—

(A) which is to be located wholly underground; and

(B) which is intended only to house essential infrastructure; and

(C) which has a total floor area not exceeding 15 m^2 and a depth (determined according to the distance below ground level of the base of the building) not exceeding 4 m; and

(D) which will not result in a material change to the existing landform at the site of the development; or

(vii) building work associated with the alteration of, or addition to, a building within the area of an existing school, other than—

(A) where the work will result in—

- the building exceeding 1 storey in height; or
- the creation of a new access point to or from a public road or the alteration of an existing access point to or from a public road; or
- fewer carparks on the site; or

(B) where the building is, or will be when the building work is completed, within 5 m of a boundary of the area of the school; or

(C) where the building work would affect a local heritage place; or

(viii) tree-damaging activity in relation to a regulated tree—

(A) that is on land—

- on which a school, within the meaning of the *Education and Early Childhood Services (Registration and Standards) Act 2011*, is located or is proposed to be built; and
- that is under the care, control or management of the Minister responsible for the administration of that Act; or

(B) that is on land—

- on which a road is located or is proposed to be built or widened; and

- that is under the care, control and management of the Commissioner for Highways;

(c) the construction, reconstruction, alteration, repair or maintenance of any drain, pipe or underground cable, other than the construction of a drain with a width or depth exceeding 1.5 m or a pipe with a diameter exceeding 1.5 m;

(d) the undertaking of any temporary development which is required in an emergency situation in order to—

(i) prevent loss of life or injury; or

(ii) prevent loss or damage to land or buildings; or

(iii) maintain essential public services; or

(iv) prevent a health or safety hazard; or

(v) protect the environment where authority to undertake the development is given by or under another Act;

(e) an alteration to the cadastre arising from the administration of the *Adelaide Park Lands Act 2005*;

(f) a division of land arising out of, or reasonably incidental to, the implementation of any matter referred to above;

(g) an alteration, or repairs, to a building—

(i) which are predominantly internal; and

(ii) which do not change the external appearance or total floor area of the building; and

(iii) which will not adversely affect the structural soundness of the building or the safety of any person occupying or using it;

(h) the construction, reconstruction or alteration of a fire hydrant, fire plug or location indicator in a public place that is not connected with the performance of any other building work that requires approval under the Act;

(i) the construction, reconstruction or alteration of an electricity power line, other than a transmission line of 33 000 volts or more;

(j) the construction of information or directional signs (whether attached to a structure or freestanding) that are associated with a development approved by the Commission under Schedule 6 clause 2, and directly related to an activity carried out at the site of the development, or on account of the development;

(k) the construction of any of the following, if carried out by a State agency within the meaning of section 131 of the Act:

(i) tourist information or interpretative signs;

(ii) structures (including billboards) at roadside information bays;

(iii) shade-cloth structures;

(iv) a post and wire fence, including a chain mesh fence;

(v) advertising displays or signs.

Schedule 14—Mining production tenements

1—Adelaide and Environs

The areas of the Adelaide Hills Council, the Adelaide Plains Council, the Alexandrina Council, The Barossa Council, the City of Burnside, The Corporation of the City of Campbelltown, the City of Charles Sturt, the Town of Gawler, the City of Holdfast Bay, the Light Regional Council, The Corporation of the City of Marion, the City of Mitcham, The District Council of Mount Barker, The Corporation of the City of Norwood, Payneham and St. Peters, the City of Onkaparinga, the City of Playford, the City of Port Adelaide Enfield, the City of Prospect, the City of Salisbury, the City of Tea Tree Gully, The Corporation of the City of Unley, the City of Victor Harbor, The Corporation of the Town of Walkerville and the City of West Torrens.

2—The Coast

(1) Those parts of the State situated within 800 m of the coast measured from mean high water mark on the seashore at spring tide.

(2) The coast as defined in the *Coast Protection Act 1972*.

(3) The parts of the State proclaimed by the Governor to be a coast protection district under the *Coast Protection Act 1972*.

3—Other Areas

The areas of the State of South Australia depicted on the series of maps deposited in the General Registry Office and numbered 156 of 1982 each map bearing the stamp *Planning Act 1982, Mining Production Tenement Regulations*, and titled as follows:

(a) Index Map (Map 1);

(b) Eyre Plan: Those proposed open space areas generally depicted on Map 2, which are more particularly described as follows:

(i) County Dufferin—Sections 2 and 86, out of hundreds, and surrounding areas. Aboriginal tribal grounds. Flora and fauna. Approximately 39 000 ha. (No 2)

(ii) The Gawler Ranges and adjacent small ranges. Scenic interest; Spring Hill and Mount Nott worthy of special consideration. (No 3)

(iii) Pilepudla Water Reserve—Various species of birds, small fauna and flora. Approximately 750 ha. (No 5)

(iv) Cortlinye Water Conservation Reserve—flora and fauna. Approximately 490 ha. (No 6)

(v) Pinkawillinie Area—Parts of the hundreds of Panitya, Pinkawillinie, Koogawa, Peella, Hill and Corrobinnie. Adjacent to Pinkawillinie Conservation Park. A potential wilderness reserve, approximately 92 000 ha. (No 8)

(vi) Yalanda Tanks—Water Conservation Reserve, hundred of Yalanda. Native flora, including acacia, cassia and orchids. Approximately 240 ha. (No 9)

(vii) Darke Peake Range—Area of geological interest and scenic beauty. Approximately 2 100 ha. (No 13)

(viii) Minbrie Range—Varying mallee, salt bush, blue bush associations and scenic views. Approximately 2 200 ha. (No 15)

(ix) Cleve Water Reserve—Sections 327, 328, 329, hundred of Mann. A catchment area with variety of fauna. Approximately 3 300 ha. (No 17)

(x) Moody Tanks—Railway Reserve—Section 48, hundred of Moody. A heavily timbered area. Approximately 77 ha. (No 25)

(xi) Sections 415, 416, 417, hundred of Louth—Sugar gum heath with abundance of orchid species. Approximately 535 ha. (No 33)

(xii) Section 99, hundred of Wanilla—Uncleared sand dune vegetation. Includes mallee, acacias and banksia. Approximately 430 ha. (No 34)

(xiii) Caraleu Bluff—Native pines, picnic area. Approximately 90 ha. (No 43)

(xiv) Tcharkulda Hill—Granite outcrop. Mallee, native pine, cassia. Picnic area. Approximately 195 ha. (No 44)

(xv) Pillawarta Creek—Sugar and blue gums, wildflowers. Approximately 80 ha. (No 46)

(xvi) Corunna—in the Baxter Ranges. Scenic hills, considerable native flora and fauna of scientific interest. (No 47)

(xvii) Polda Rock and Little Wudinna Rock—Sections 48 & 52, hundred of Wudinna. Suitable for recreation and picnic area. Approximately 115 ha. (No 48)

(xviii) Corrobinnie Hill—Rock outcrop with unusual erosion. Mallee broom and acacias. Approximately 40 ha. (No 49)

(xix) Minnipa Hill—Suitable for recreation and picnic area. Approximately 75 ha. (No 50)

(xx) Talia Caves—Approximately 220 ha. (No 53)

(xxi) Waddikee Rocks—Monument to explorer Darke. Approximately 85 ha. (No 54)

(c) Far North Plan: All boundary referral areas as depicted on Maps 3a to 3w inclusive;

(d) Kangaroo Island Plan: Those proposed open space areas generally depicted on Map 4 which are more particularly described as follows:

(i) Sections 399, 420, 421, 422 and 434, hundred of Dudley. Eastern end of island, frontage to Antechamber Bay and Chapman River. Suitable for general recreation and picnic area. Approximately 59 ha. (No 1).

(ii) Land adjacent to American River and Pelican Lagoon between the township of American River and Picnic Point, with a link to the south coast. Scenic area suitable for general recreation. (No 2).

(iii) Land north of Sections 7 and 8, hundred of Borda, adjacent to Cape Torrens Conservation Park. Includes high and spectacular cliffs. Natural vegetation largely in original state. Approximately 150 ha. (No 3).

(iv) Part Section 14, hundred of McDonald. South coast, at mouth of South West River. Suitable for general recreation. Approximately 12 ha. (No 4).

(e) Flinders Plan: Those areas depicted on Maps 5a to 5h inclusive, all of which define areas of environmental significance in the Flinders Ranges;

(f) Murray Mallee Plan: Those areas depicted on Maps 6a to 6f inclusive, all of which define areas of conservation significance;

(g) River Murray Valley Plan: Those areas depicted on Maps 7a to 7b, both of which define areas known as Conservation Zones;

(h) River Murray Valley Plan: Those areas depicted on Maps 8a and 8p inclusive, all of which define areas known as Flood Zones and Fringe Zones;

(i) Riverland Plan: Those areas depicted on Maps 9a to 9c inclusive, all of which define possible conservation park areas;

(j) Wetlands of the South-East: Those areas depicted on Maps 10a to 10q inclusive;

(k) Whyalla Town Plan: Approximately 1 400 ha of existing open space depicted on Map 11, and lying approximately 10 km north of the city of Whyalla;

(l) Yorke Peninsula Plan: Those areas depicted on Maps 12a to 12g inclusive, all of which define a boundary referral area.

Schedule 15—Civil penalties

1—Form of notice of right to elect to be prosecuted (regulation 114)

Civil penalty for contravention—notice of right to elect to be prosecuted for contravention

Planning, Development and Infrastructure Act 2016—section 225(3)

Reference number:
Issued by:
Date:

To: *[insert full name, company name (if applicable), postal address and any other information relevant for service of the notice]*

Notice to alleged offender

1 The *[insert name of designated entity]* is satisfied that you have committed an offence by contravening a provision of the *Planning, Development and Infrastructure Act 2016* as follows:
Provision contravened:
Address or location of contravention:
Details of contravention:

2 The purpose of this notice is to advise you that you may, by written notice to *[insert name of designated entity]*, elect to be prosecuted for the contravention (see section 225(3) of the Act).

If you do not elect to be prosecuted, the *[insert name of designated entity]* may commence civil penalty proceedings under section 225 of the Act for the purpose of obtaining an order from the Court that you pay an amount as a civil penalty in respect of the contravention.

In these civil proceedings, any contravention of the Act would only need to be proved on the balance of probabilities.

3 **If you elect to be prosecuted, rather than negotiating a civil penalty with the Authority or facing civil penalty proceedings, you must serve a written notice on the *[insert name of designated entity]* within 21 days after service of this notice.**

4 The following matters are relevant to the provision of a notice of election to the *[insert name of designated entity]*:

(1) The notice must be addressed to the *[insert name of designated entity]* as follows:
[insert relevant information]

(2) You may choose to use the Attachment (below) or you may inform the *[insert name of designated entity]* by your own letter, quoting your name and address shown at the top of this document.

(3) Section 225 of the Act may be found at www.legislation.sa.gov.au and additional information about the Act can be obtained on the SA planning portal. Information concerning this notice can also be obtained by telephoning the following number *[insert telephone number of relevant contact at designated entity]*.

(4) If you do not, within 21 days after service of this notice, give notice to the *[insert name of designated entity]* of election to be prosecuted, proceedings may be commenced to recover a civil penalty in the Environment, Resources and Development Court.

Attachment—Notice to Authority of election to be prosecuted

To: *[insert name of designated entity]*
[insert address]

Reference to notice under section 225(3) of the *Planning, Development and Infrastructure Act 2016*:
[insert reference number]

* Individual

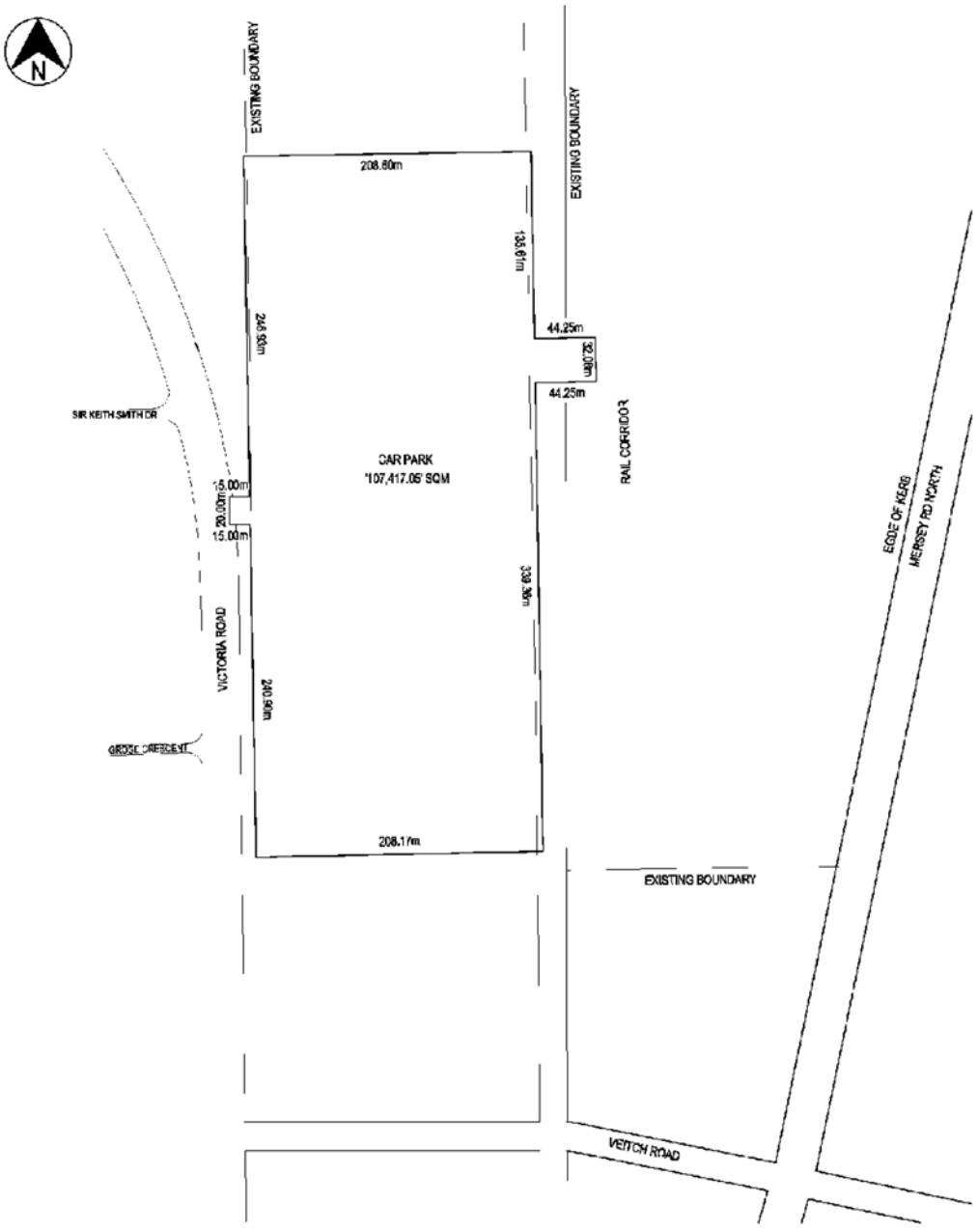
I elect to be prosecuted for the alleged contravention specified in the notice of the reference number set out above.
Name in full:
Contact details:
Date:
Signed:

* Company

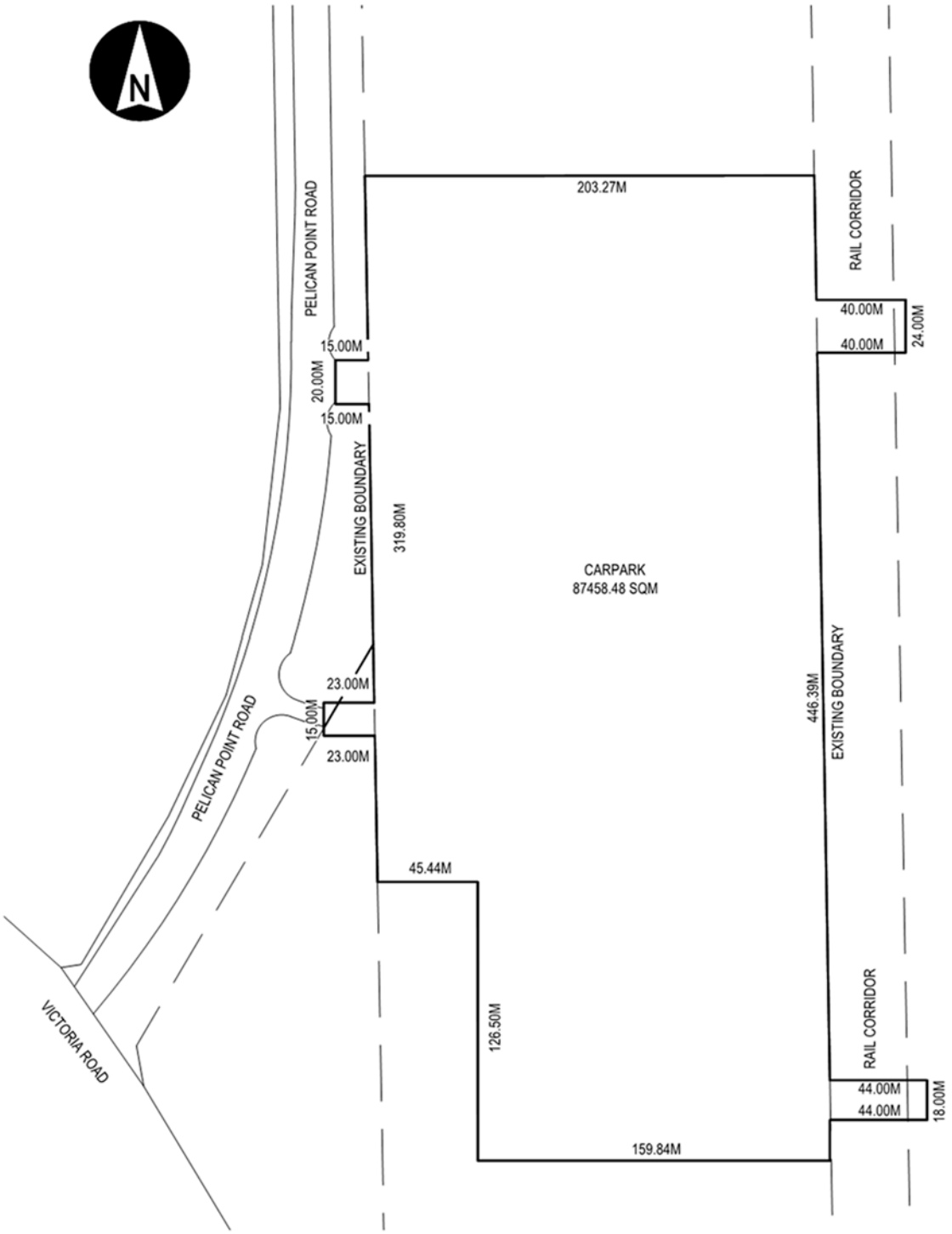
I, having authority to act for and on behalf of the company in this matter, give notice that the company elects to be prosecuted for the alleged contravention specified in the notice of the reference number set out above.
Name of company:
Name in full of person with authority to act:
Contact details:
Date:
Signed:

**Strike out whichever is inapplicable*

Schedule 16—Map of initial part of designated Osborne area



Schedule 17—Map of additional part of designated Osborne area



10—Revocation of Schedules 1 and 2

Schedules 1 and 2—delete the Schedules

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

being satisfied that provisions about the policy or policies that each body prescribed for the purposes of section 122 of the Act will seek to apply in connection with the operation of that section have been included in the Planning and Design Code, or that the Minister has provided an indication under section 122(2)(b) of the Act in a relevant case, and with the advice and consent of the Executive Council
on 27 June 2019

No 172 of 2019

MPL19/006CS

South Australia

Planning, Development and Infrastructure (Fees, Charges and Contributions) Variation Regulations 2019

under the *Planning, Development and Infrastructure Act 2016*

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Schedule 1—Fees

Part 1—Fees under *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*

Part 2—Fees relating to development assessment

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Schedule 2—Distribution of fees

1 Fees received by a designated entity
2 Payment requirements

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

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 *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*

4—Variation of regulation 3—Interpretation

(1) Regulation 3(1)—after the definition of ***Act*** insert:

allotment does not include an allotment for road or open space requirements;

(2) Regulation 3(1)—after the definition of ***authority*** insert:

designated entity means—

(a) an assessment panel acting as a relevant authority under section 82(c), (d) or (e) of the Act; or

(b) in relation to an assessment manager—

(i) in the case of an assessment manager appointed by a joint planning board—the joint planning board; or

(ii) in the case of an assessment manager appointed by the chief executive of a council—the council; or

(iii) in the case of an assessment manager appointed by the Chief Executive—an entity designated by the Chief Executive in the particular case;

development cost does not include any fit-out costs;

(3) Regulation 3(1)—after the definition of ***fee*** insert:

GST means the tax payable under the GST law;

GST component means a component attributable to a liability to GST;

GST law means—

(a) *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth); and

(b) the related legislation of the Commonwealth dealing with the imposition of a tax on the supply of goods and services;

quarter means a 3 month period commencing on any of the following days in any year:

(a) 1 January;

(b) 1 April;

(c) 1 July;

(d) 1 October;

5—Insertion of regulation 3A

After regulation 3 insert:

3A—Fees associated with the work of assessment managers

(1) For the purposes of these regulations, any fee paid or payable to an assessment manager acting as a relevant authority will be taken to be paid or payable to the designated entity that relates to the assessment manager.

(2) For the purposes of subregulation (1), the entity under paragraph (b) of the definition of ***designated entity*** that applies in relation to a particular assessment manager will be taken to be the designated entity that relates to that assessment manager.

6—Variation of regulation 4—Fees payable

Regulation 4—after its present contents (now to be designated as subregulation (1)) insert:

(2) If an application, matter or circumstance falls within more than 1 item under Schedule 1, then the fee under each such item applies and those fees in total will be payable.

7—Insertion of Part 4

After Part 3 insert:

Part 4—Development assessment fees (specific provisions)

8—Variation of authorisation (section 128)

(1) Subject to subregulation (2), an application seeking the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) will be subject to the fees prescribed by these regulations as if it were a new application for development authorisation, but only to the extent that a particular fee imposed in relation to the application reflects the step or steps to be undertaken by the relevant authority or another body on account of the application.

(2) The fee under Schedule 1 item 20 is payable in relation to an application seeking—

(a) a variation that is minor in nature under regulation 65(1) of the *Planning, Development and Infrastructure (General) Regulations 2017*; or

(b) any other variation that makes no substantive change to the development authorisation that has been previously given.

9—Staged development

(1) Subject to subregulation (2), if an application for a development authorisation is for a second or subsequent consent because the applicant is seeking the assessment of a particular development in stages, the base amount under Schedule 1 item 5 is only payable in relation to the first application.

(2) The base amount will again be payable if the application is to be treated as a new application for development authorisation in the manner envisaged by regulation 8 (and after taking into account the operation of section 128(2)(b) of the Act).

10—Calculations for building related assessments

The following provisions apply for the purposes of Schedule 1 items 11 and 22:

(a) the prescribed floor area is—

(i) for the purpose of calculating the fee on an application for building consent that consists of the erection of a building or the demolition of a building—the aggregate of the floor areas of the building proposed to be erected or demolished; or

(ii) for the purpose of calculating the fee on an application for building consent where the building work consists of an alteration to a building—

(A) the aggregate of the floor areas of the rooms or compartments to be altered; or

(B) if the alteration consists of the fixing or erection of an attachment that does not have a floor area—the floor area of the building within a distance of 3 metres of where the attachment is to be fixed or erected; or

(iii) for the purpose of calculating the fee on application for assignment of a classification to, or a change in the classification of, a building—the aggregate of the floor areas of the building;

(b) the floor area of a building is to be measured over any enclosing walls and is to include the area of the floor of any fully or partly covered carport, portico, verandah, balcony, porch or other similar structure attached or to be attached to the building;

(c) if a building is without storeys, or has a storey of a height of more than 10 metres, the floor area is to be calculated as if the building contained floors at 10 metre intervals, measured vertically;

(d) a building is to be taken not to have any floor area if it is principally of open framework or web construction or solid construction and without any fully or partly enclosed space intended for occupation or use by persons;

(e) the ***complexity factor*** is as follows:

(i) except as below—1.0;

(ii) for building work for the erection or alteration of a building that exceeds 6 storeys—1.3;

(iii) for building work for the erection or alteration of a building that contains an atrium—1.3;

(iv) for building work for the erection or alteration of a building that contains an arcade exceeding 40 metres in length—1.3;

(v) for building work that consists solely of the demolition of a building—0.2;

(vi) for assignment of classification or a change in classification where no building work is proposed—0.8;

(f) if a building is made up of parts that have different construction indices, the fee payable for the assessment of building work against the provisions of the Building Rules, the assignment of classification or a change in classification, is the aggregate of the fees calculated in accordance with this Schedule for those parts;

(g) if an application for building consent incorporates an application for the assignment of a classification to, or a change in the classification of, the building, 1 fee is payable in respect of the applications, being whichever of the fees for those applications that is of the greater amount.

11—Development undertaken by councils

No fee is payable under Schedule 1 Part 2 in respect of a development to be undertaken by a council unless the primary reason for the proposed development is to raise revenue for the council.

12—Excluded Crown development

No fee is payable under Schedule 1 in respect of a development excluded from the provisions of section 131 of the Act by regulation under section 131(4) of the Act.

13—Development to be assessed by an accredited professional

(1) The fees set out in Schedule 1 Parts 2 and 3 are not payable if the relevant authority is an accredited professional, other than an assessment manager.

(2) However—

(a) if an application is made to an accredited professional for planning consent, a fee of 5% of the fee that would be payable under Schedule 1 item 6(a), is payable by the applicant to the accredited professional at the time that the application is lodged with the accredited professional; and

(b) if an application is made to an accredited professional for building consent, a fee of 7% of the fee that would be payable under Schedule 1 item 11 is payable by the applicant to the accredited professional at the time that the application is lodged with the accredited professional.

(3) A fee paid under subregulation (2) must be forwarded by the accredited professional to the Chief Executive within 5 business days of its receipt by the accredited professional in accordance with any requirements determined by the Chief Executive.

(4) Except as provided by subregulations (2) and (3), the fee to be paid to an accredited professional (other than an assessment manager) will be determined by agreement between the applicant and the accredited professional.

14—Assessment requirements—water and sewerage

(1) A fee under Schedule 1 item 26 is payable to the South Australian Water Corporation.

(2) The fee is payable by the person who makes the application to divide the land.

15—Applications relating to certain electricity infrastructure—issue of certificate by Technical Regulator

The fee under Schedule 1 item 29 is payable to the Technical Regulator for the issue of a certificate required by the *Planning, Development and Infrastructure (General) Regulations 2017* to accompany an application in respect of a proposed development for the purposes of the provision of electricity generating plant with a generating capacity of more than 5 MW that is to be connected to the State's power system.

Part 5—Funds and off-set schemes

16—Open space contribution scheme

(1) If a variation is made to an amount prescribed under Schedule 1 item 24, the amount to be applied in a particular case is the amount in force as at the time the relevant application under Part 7 of the Act was made.

(2) In accordance with section 198(2) of the Act, if an application for the division of land under the *Community Titles Act 1996* or the *Strata Titles Act 1988* relates to an existing building unit scheme, a contribution is not payable under section 198 of the Act unless the plan divides the land into more units than existed on 22 February 1968, and in that case, the contribution will be calculated only in respect of the additional units.

(3) For the purposes of subregulation (2), an existing building unit scheme is a scheme where—

(a) land was, before 22 February 1968, laid out in a building unit scheme consisting of 2 or more properties designed for separate occupation; and

(b) as at that date, buildings to which the scheme relates had been erected.

17—Multi-unit buildings

If a variation is made to an amount prescribed under Schedule 1 item 25, the amount to be applied in a particular case is the amount in force as at the time the relevant application under Part 7 of the Act was made.

Part 6—Distribution of fees

18—Distribution of fees

Schedule 2 has effect in relation to the distribution of fees between various persons and bodies for the purposes of the Act and any relevant related set of regulations.

8—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

Schedule 1—Fees

Part 1—Fees under *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*

The following fees are payable for the purposes of the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*:

1	Application to the accreditation authority for accreditation under the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*, other than where item 2 applies—	
	(a) in the case of an application for accreditation as an Accredited professional—planning level 1; and	$760
	(b) in any other case	$560
2	Application to the accreditation authority for accreditation under the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019* where the person is a member of a professional association or body recognised by the Chief Executive for the purposes of regulation 16(2)(a) of the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019* and the person is applying as a member of that association or body for a corresponding level of accreditation under regulation 16(2)(a)(ii) of those regulations	$270
3	Application to the accreditation authority under regulation 19 of the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*	$180
4	Late application fee under regulation 19(3) of the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*	$60

Part 2—Fees relating to development assessment

The following fees are payable in relation to development assessment under the Act (including in connection with the *Planning, Development and Infrastructure (General) Regulations 2017*):

5	Application for planning consent—a lodgement fee (the ***base amount***)	$67.00

6	Application for planning consent—		
	(a)	if the proposed development is to be assessed as deemed-to-satisfy development under section 106 of the Act—	
		(i) if the development cost does not exceed $10 000	$41.75
		(ii) if the development cost exceeds $10 000 but does not exceed $100 000	$114.00
		(iii) if the development cost exceeds $100 000	0.125% of the total development cost up to a maximum of $200 000
	(b)	if the proposed development is to be assessed on its merits under section 107 of the Act—	
		(i) if the development cost does not exceed $10 000	$41.75
		(ii) if the development cost exceeds $10 000 but does not exceed $100 000	$114.00
		(iii) if the development cost exceeds $100 000	0.125% of the total development cost up to a maximum of $200 000
	(c)	if the proposed development is restricted development under section 108(1)(a) of the Act—	
		(i) a preliminary determination fee (including in a case where the Commission, after the application is made, determines to refuse the application without proceeding to make an assessment)	$137.00
		(ii) if the Commission determines to proceed to assess the development—	
		(A) if the development cost does not exceed $10 000	$57.00
		(B) if the development cost exceeds $10 000 but does not exceed $100 000	$137.00
		(C) if the development cost exceeds $100 000	0.125% of the total development cost up to a maximum of $200 000
	(d)	if the applicant applies for a review of the decision under section 110(15) of the Act	$137.00

	(e)	if the proposed development is to be assessed as impact assessed development under section 111 of the Act	$2 034.00 plus 0.25% of the total development cost, up to a maximum determined by the Minister
7	Application for planning consent that must be notified—		
	(a)	if section 107(3)(a) applies	$114.00
	(b)	if section 110(2)(a) applies	$114.00 plus an amount determined by the Commission as being appropriate to cover its reasonable costs in giving notice of the application under section 110(2)(a)(iv)
8	Application for planning consent that must be referred to 1 or more prescribed bodies under Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017* (and if the application must be referred to the same body under more than 1 item of that Schedule, then only 1 fee is payable with respect to the referral of the application to that body)		$398.00, for each referral
9	Application for building consent—a lodgement fee (the ***base amount***)		$67.00
10	Application for building consent—		
	(a)	if the development involves building work and the development cost exceeds $5 000 (including a case where the relevant assessment is undertaken by a building certifier) other than development consisting solely of a swimming pool, spa pool, or a safety fence or barrier for a swimming pool or spa pool; and	$75.50
	(b)	if the development involves the construction or alteration of, or addition to, a swimming pool or spa pool, or a safety fence or barrier for a swimming pool or spa pool	$200.00
11	Application for building consent—		
	(a)	in the case of a building that has a floor area	$F = 0.00236 \times CI \times A \times CF$, or $73.00, whichever is the greater

	(b) in the case of a building that does not have a floor area	$F = 0.00236 \times CI \times S \times CF$, or $73.00, whichever is the greater
	where—	
	F is the fee (in dollars) payable under this component (unless the $73.00 minimum applies)	
	CI is the construction index determined by the Minister from time to time and set out in the Schedule of Construction Indices published in the Gazette	
	A is the prescribed floor area	
	S is the projected area of the largest side or plane of the building	
	CF is the complexity factor	
12	If the application relates to a proposed development consisting of the construction or alteration of, or addition to, a protective tree netting structure that requires assessment against the provisions of the Building Rules	$452.00 plus $47.25 for each 10 000 square metres (or part of 10 000 square metres) of netting for the protective tree netting structure
13	If the application requires a relevant authority to grant consent to a development that is at variance with the Building Rules	$167.00
14	Application for the concurrence of the Commission under section 118 of the Act	$336.00
15	If an application must be referred to the Commission under section 118(4) of the Act—	
	(a) for a Class 1 or 10 building under the Building Code	$527.00
	(b) for any other Class of building under the Building Code	$1 156.00
16	Application for a development authorisation under section 102(1)(c) or (d) of the Act—	
	(a) other than where the application relates to deemed-to-satisfy development under these regulations or the Development Plan, a ***Land Division Fee*** of the following amount:	
	(i) if the number of allotments resulting from the division is equal to or less than the number of existing allotments	$77.50

		(ii) if the number of allotments resulting from the division is greater than the number of existing allotments	$169.00 plus $16.00 for each allotment up to a maximum of $7 737.00
	and		
		(b) a ***Statement of Requirements Fee*** for the purposes of section 102(1)(c) or (d) of the Act—	
		(i) if the number of allotments resulting from the division is equal to or less than the existing number of allotments	$316.00
		(ii) if the number of allotments resulting from the division is greater than the number of existing allotments	$447.00
17	Advice of the Commission under regulation 76 of the *Planning, Development and Infrastructure (General) Regulations 2017*—		
		(a) if the number of allotments resulting from the division is equal to or less than the existing number of allotments	$74.50
		(b) if the number of allotments resulting from the division is greater than the existing number of allotments	$224.00
18	A ***Certificate of Approval Fee*** for the purposes of section 138 of the Act—		
		(a) if the number of allotments resulting from the division is equal to or less than the existing number of allotments	$111.00
		(b) if the number of allotments resulting from the division is greater than the existing number of allotments	$373.00
19	Application under section 130 or 131 of the Act—a fee payable to the Commission if—		
		(a) the total development cost is greater than $100 000; or	The fee that would be payable under item 5, 6, 7, 16, 17 or 18 if the application were to be assessed by a relevant authority on an application under section 119 of the Act rather than under section 130 or 131 (as the case may be)
		(b) the development involves the division of land and the number of allotments resulting from the division will be greater than the existing number of allotments	

20	Application for a variation that is minor in nature or makes no substantive change to a development authorisation that has previously been given	$67.00

Part 3—Fees relating to building activity and use

The following fees are payable in relation to building activity and use (including in connection with the *Planning, Development and Infrastructure (General) Regulations 2017*):

21	Issue of a certificate relating to essential safety provisions under regulation 94 of the *Planning, Development and Infrastructure (General) Regulations 2017*	$103.00
22	Application for assignment of a classification to a building or a change in the classification of a building under section 151 of the Act	
	(a) in the case of a building that has a floor area	$F = 0.00184 \times CI \times A \times CF$, or $71.50, whichever is the greater
	(b) in the case of a building that does not have a floor area	$F = 0.00184 \times CI \times S \times CF$, or $71.50, whichever is the greater
	where—	
	F is the fee (in dollars) payable under this component (unless the $71.50 minimum applies)	
	CI is the construction index determined by the Minister from time to time and set out in the Schedule of Construction Indices published in the Gazette	
	A is the prescribed floor area	
	S is the projected area of the largest side or plane of the building	
	CF is the complexity factor.	
23	Application for a certificate of occupancy under section 152 of the Act	$48.00

Part 4—Funds and off-set schemes

The following fees are payable in relation to funds and off-set schemes:

24	Rates of contribution under section 198(1)(d), (2)(c) or (8) of the Act—	
	(a) where the land to be divided is within Greater Adelaide	$7 616 for each new allotment or strata lot delineated by the relevant plan that does not exceed 1 hectare in area

(b)	where the land to be divided is within any other part of South Australia	$3 058 for each new allotment or strata lot delineated by the relevant plan that does not exceed 1 hectare in area

25	Rates of contribution for the purposes of section 199(1) of the Act—	
(a)	where the prescribed building is within Greater Adelaide	$7 616 for each apartment or allotment delineated by the relevant plan
(b)	where the prescribed building is within any other part of South Australia	$3 058 for each apartment or allotment delineated by the relevant plan

Part 5—Other fees

The following fees are also payable:

26	An assessment, or the update of an assessment, under regulation 79 of the *Planning, Development and Infrastructure (General) Regulations 2017*—	
(a)	in relation to an original assessment	$402.00
(b)	in relation to an updating of the original or a subsequent assessment (including where the update is required because of an amended plan of division)	$116.00
27	Amount for the purposes of section 127(6) of the Act	$94.00 for each replacement tree that is not planted
28	Application for the extension of a development authorisation	$107.00
29	Certificate from Technical Regulator	$402.00
30	Application to register an agreement under section 192 or 193 of the Act	$80.00
31	Fee for the purposes of section 192(7) or 193(7) of the Act	$14.90
32	Application for the approval of the Minister under section 235 of the Act	$159.00

Note—

Fees for the purposes of section 99(3) of the Act and for the purposes of regulation 47(4)(b) of the *Planning, Development and Infrastructure (General) Regulations 2017* to be prescribed when required.

Schedule 2—Distribution of fees

1—Fees received by a designated entity

(1) A designated entity—

(a) is liable to pay to the Chief Executive—

(i) 5% of any fee paid or payable to the designated entity under Schedule 1 item 6(a); and

(ii) 7% of any fee paid or payable to the designated entity under Schedule 1 item 11, exclusive of any GST component; and

(iii) the total amount of any fee paid or payable to the designated entity under Schedule 1 item 14, 15, 16(b), 17 or 18; and

(b) is liable to pay to a prescribed body under Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017* $353 for each amount paid by an applicant under Schedule 1 item 8 on account of a referral to that prescribed body.

(2) A reference in subclause (1) to a fee payable under a particular item of Schedule 1 extends to a fee that, although payable, was waived (in whole or in part) by a relevant authority.

2—Payment requirements

An amount payable under this Schedule must be paid—

(a) in the case of a fee received by a designated entity by a payment via the SA planning portal—to the entity entitled to the amount under this Schedule under a scheme established by the Chief Executive for the purposes of this paragraph; and

(b) in any other case—to the entity entitled to the amount under this Schedule within 10 business days after the end of the quarter in which the amount is received by the designated entity under a scheme established by the Chief Executive for the purposes of this paragraph.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 173 of 2019

MPL19/006CS

South Australia

Planning, Development and Infrastructure (Transitional Provisions) (Staged Commencement) Variation Regulations 2019

under the *Planning, Development and Infrastructure Act 2016*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*

4 Variation of regulation 8—Adoption of DPA's
5 Variation of regulation 11—Related provisions
6 Insertion of regulation 15
15 References to provisions and instruments

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Planning, Development and Infrastructure (Transitional Provisions) (Staged Commencement) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019 immediately after the *Planning, Development and Infrastructure (Transitional Provisions) (Code) Variation Regulations 2019* 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 *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*

4—Variation of regulation 8—Adoption of DPA's

(1) Regulation 8—after subregulation (1) insert:

(1a) In addition to clause 9 of Schedule 8 of the PDI Act, if—

(a) a DPA has been prepared by the Minister under section 26 of the repealed Act; and

(b) the requirements of section 26(5)(d)(ii), (5a)(b) or (5b)(b) of the repealed Act relating to public consultation have been completed (whether before or after the commencement of this subregulation),

the Minister may, after consultation with the Commission—

(c) approve the relevant amendment; or

(d) alter the relevant amendment and approve the amendment as altered.

(2) Regulation 8—after subregulation (2) insert:

(2a) If the Minister approves an amendment (or an amendment as altered) under subregulation (1a), the Minister may, by notice in the Gazette, amend the Planning and Design Code to give effect to the amendment, subject to such modifications as may, in the opinion of the Minister, be necessary on account of the amendment being approved as an amendment to the Planning and Design Code rather than as an amendment to a Development Plan.

(3) Regulation 8(3)—after "subregulation (2)" insert:

or subregulation (2a)

(4) Regulation 8(5)—delete subregulation (5) and substitute:

(5) A council may not make an application under this regulation —

(a) in the case of an application that relates to an amendment designating 1 or more places as places of local heritage value under section 23(4) of the repealed Act (and not relating to any other matter)—after 31 December 2020; and

(b) in any other case—3 months after the date on which the Development Plan to which the DPA relates has been revoked by the Minister.

5—Variation of regulation 11—Related provisions

Regulation 11—after subregulation (6) insert:

(7) In relation to the operation of Schedule 8 clause 4 of the PDI Act—

(a) the clause will not apply in relation to development within an area of the State to which a Development Plan relates until development in that area is to be assessed under the PDI Act; and

(b) the designated day under that clause in relation to development within that area will be taken to be the relevant day applying under regulation 10(1)(a) in relation to that area.

(8) In addition to Schedule 8 clause 16 of the PDI Act:

(a) a member of an assessment panel does not need to be an accredited professional under the PDI Act (or under the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*) until the relevant day under regulation 10(1)(a) applies in relation to the area of the State in relation to which the assessment panel is constituted; and

(b) an assessment manager for an assessment panel does not need to be an accredited professional under the PDI Act (or under the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*) until the relevant day under regulation 10(1)(a) applies in relation to the area of the State in relation to which the assessment panel is constituted.

6—Insertion of regulation 15

After regulation 14—insert:

15—References to provisions and instruments

(1) A reference in any Act, statutory instrument or other document or instrument to a provision of the *Development Act 1993*, or a regulation made under the *Development Act 1993*, will, before the *Development Act 1993* is repealed, unless the context otherwise requires, be taken to include a reference to a corresponding provision in the PDI Act, or a corresponding regulation made under the PDI Act (as the case may be).

(2) A reference in any Act, statutory instrument or other document or instrument to the Planning Strategy or a Development Plan will, unless the context otherwise requires, be taken to include a reference to a state planning policy or the Planning and Design Code (as the case may be)

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 174 of 2019

MPL19/006CS

South Australia

Planning, Development and Infrastructure (Swimming Pool Safety) Regulations 2019

under the *Planning, Development and Infrastructure Act 2016*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Interpretation

Part 2—Swimming pools—designated safety requirements

4 Swimming pool safety features
5 Prescribed event
6 Requirements for designated safety features for swimming pools
7 Designated safety requirements—construction of designated safety features
8 Expiation of offences

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Planning, Development and Infrastructure (Swimming Pool Safety) Regulations 2019*.

2—Commencement

These regulations come into operation on the day on which section 156 of the *Planning, Development and Infrastructure Act 2016* comes into operation.

3—Interpretation

In these regulations—

Act means the *Planning, Development and Infrastructure Act 2016*.

Part 2—Swimming pools—designated safety requirements

4—Swimming pool safety features

For the purposes of the definition of ***swimming pool safety features*** in section 3(1) of the Act, the following features are prescribed (insofar as they are relevant to the particular circumstances taking into account the provisions of the Building Code):

(a) fences;

(b) barriers;

(c) water recirculation systems;

(d) secondary outlets from a swimming pool;

(e) warning notices.

5—Prescribed event

(1) For the purposes of the definition of ***prescribed event*** in section 156(1) of the Act, the transfer of title to land where a swimming pool is situated is prescribed as constituting a prescribed event.

(2) For the purposes of subregulation (1)—

(a) if a formal settlement forms part of the processes associated with a transfer of title to land, the title will be taken to be transferred at the time of settlement; and

(b) the transfer of the interest of—

(i) a unit holder of a unit under the *Strata Titles Act 1988*; or

(ii) an owner of a community lot under the *Community Titles Act 1996*; or

(iii) an occupant of a unit in a building unit scheme,

will be taken to be a transfer of title of land; and

(c) land will be taken to include a unit under the *Strata Titles Act 1988*, a community lot under the *Community Titles Act 1996* and a unit in a building unit scheme.

6—Requirements for designated safety features for swimming pools

(1) For the purposes of section 156(2) and (3)(a) of the Act, the following requirements are prescribed in relation to existing pools:

(a) in relation to a swimming pool approved, constructed or installed before 1 July 1993—the requirements set out in a Ministerial building standard published for the purposes of this regulation;

(b) in relation to any other swimming pool—the requirements relating to the construction and safety of swimming pools under the Building Code, as it applied at the time the application for a relevant consent or approval was made (being an application that related to the construction of the swimming pool or to some other form of building work where designated safety features are relevant).

(2) For the purposes of section 156(3)(b)(i) of the Act, the designated owner of an existing swimming pool must ensure that designated safety features are installed in accordance with the relevant requirements under subregulation (1) before the occurrence of a prescribed event.

7—Designated safety requirements—construction of designated safety features

If building work that involves the construction of a swimming pool is being carried out within the area of a council, then—

(a) a licensed building work contractor who is carrying out the work or who is in charge of carrying out the work; or

(b) if there is no such licensed building work contractor, the designated owner of the swimming pool,

must ensure that the construction of all relevant designated safety features is completed within 2 months of the completion of the construction of the swimming pool.

8—Expiation of offences

For the purposes of Schedule 5 item 46 of the Act—

(a) an expiation fee of $750 is fixed in respect of an offence against section 156(4) of the Act; and

(b) authorised officers under the Act, and authorised persons appointed under section 260 of the *Local Government Act 1999*, are designated as persons who are authorised to give expiation notices with respect to an expiation of an offence against section 156(4) of the Act.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 175 of 2019

South Australia

Independent Commissioner Against Corruption (Schedule 1 of Act) Variation Regulations 2019

under the *Independent Commissioner Against Corruption Act 2012*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Independent Commissioner Against Corruption Regulations 2013*

4 Variation of regulation 19—Declared public officers, public authorities and responsible Ministers (Schedule 1 of Act)

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Independent Commissioner Against Corruption (Schedule 1 of Act) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

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 *Independent Commissioner Against Corruption Regulations 2013*

4—Variation of regulation 19—Declared public officers, public authorities and responsible Ministers (Schedule 1 of Act)

Regulation 19, table—before the row of the table relating to private certifiers insert:

an accredited professional within the meaning of the *Planning, Development and Infrastructure Act 2016* (other than an accredited professional who only performs the functions of a relevant authority under that Act as a member of an assessment panel or as an assessment manager for an assessment panel)	the Minister responsible for the administration of the *Planning, Development and Infrastructure Act 2016*	Premier

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 176 of 2019

MPL19/006CS

South Australia

Road Traffic (Miscellaneous) (Emergency Vehicles and Declared Hospitals) Variation Regulations 2019

under the *Road Traffic Act 1961*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Road Traffic (Miscellaneous) Regulations 2014*

4 Variation of regulation 62—Emergency workers (sections 83 and 110AAAA of Act)
5 Substitution of Schedule 2

Schedule 2—Hospitals declared for compulsory blood tests

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Road Traffic (Miscellaneous) (Emergency Vehicles and Declared Hospitals) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

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 *Road Traffic (Miscellaneous) Regulations 2014*

4—Variation of regulation 62—Emergency workers (sections 83 and 110AAAA of Act)

Regulation 62(1)(c) and (d)—delete paragraphs (c) and (d) and substitute:

(c) persons engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008* on behalf of—

(i) SA Ambulance Service Inc; or

(ii) St John Ambulance Australia South Australia Incorporated,

or any other persons engaged in the provision of such services under section 57(1) of that Act;

(d) persons engaged in the provision of emergency ambulance services under section 57(2)(a) of the *Health Care Act 2008*;

5—Substitution of Schedule 2

Schedule 2—delete the Schedule and substitute:

Schedule 2—Hospitals declared for compulsory blood tests

Ardrossan Community Hospital Incorporated.

Ashford Hospital.

The following hospital facilities of Barossa Hills Fleurieu Local Health Network Incorporated:

- Angaston District Hospital
- Eudunda Hospital
- Gawler Health Service
- Gumeracha District Soldiers' Memorial Hospital
- Kangaroo Island Health Service
- Kapunda Hospital
- Mount Barker District Soldiers' Memorial Hospital
- Mount Pleasant District Hospital
- Southern Fleurieu Health Service
- Strathalbyn and Districts Health Service
- Tanunda War Memorial Hospital.

The following hospital facilities of Central Adelaide Local Health Network Incorporated:

- The Queen Elizabeth Hospital
- Royal Adelaide Hospital.

The following hospital facilities of Eyre and Far North Local Health Network Incorporated:

- Ceduna District Health Service
- Cleve District Hospital & Aged Care
- Coober Pedy Hospital and Health Service
- Cowell District Hospital & Aged Care
- Cummins and District Memorial Hospital
- Elliston District Hospital
- Kimba District Hospital & Aged Care
- Oodnadatta Health Service
- Port Lincoln Health Service
- Streaky Bay District Hospital
- Tumby Bay Hospital and Health Service
- Wudinna Hospital.

The following hospital facilities of Flinders and Upper North Local Health Network Incorporated:

Hawker Memorial Hospital

Leigh Creek Health Service

Port Augusta Hospital and Regional Health Service

Quorn Health Service

Roxby Downs Health Service

The Whyalla Hospital and Health Service.

Keith and District Hospital Incorporated.

The following hospital facilities of Limestone Coast Local Health Network Incorporated:

Bordertown Memorial Hospital

Kingston Soldiers' Memorial Hospital

Millicent and District Hospital and Health Service

Mt Gambier and Districts Health Service

Naracoorte Health Service

Penola War Memorial Hospital.

McLaren Vale & Districts War Memorial Hospital Incorporated.

The following hospital facilities of Northern Adelaide Local Health Network Incorporated:

Lyell McEwin Hospital

Modbury Hospital.

The following hospital facilities of Riverland Mallee Coorong Local Health Network Incorporated:

Barmera Hospital

Karoonda and Districts Soldiers' Memorial Hospital

Lameroo District Health Service

Loxton Hospital Complex

Mannum District Hospital

Meningie and Districts Memorial Hospital and Health Service

Murray Bridge Soldiers' Memorial Hospital

Pinnaroo Soldiers' Memorial Hospital

Renmark Paringa District Hospital

Riverland General Hospital

Tailem Bend District Hospital

Waikerie Health Service.

The following hospital facilities of Southern Adelaide Local Health Network Incorporated:

Flinders Medical Centre

Noarlunga Hospital

Repatriation General Hospital.

St. Andrew's Hospital Incorporated.

Stirling District Hospital Incorporated.

Wakefield Hospital.

The Women's and Children's Hospital facility of the Women's and Children's Health Network Incorporated.

The following hospital facilities of Yorke and Northern Local Health Network Incorporated:

Balaklava Soldiers' Memorial District Hospital

Booleroo Centre District Hospital and Health Service

Burra Hospital

Central Yorke Peninsula Hospital (Maitland)

Clare Hospital

Crystal Brook and District Hospital

Jamestown Hospital and Health Service

Laura and District Hospital

Minlaton Medical Centre

Orroroo and District Health Service

Peterborough Soldiers' Memorial Hospital and Health Service

Port Broughton District Hospital & Health Service

Port Pirie Regional Health Service

Riverton District Soldiers' Memorial Hospital

Snowtown Hospital

Southern Yorke Peninsula Hospital (Yorketown)

Wallaroo Hospital and Health Service (also known as Northern Yorke Peninsula Health Service).

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 177 of 2019

MTIL19/026CS

South Australia

Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Emergency Vehicles) Variation Regulations 2019

under the *Road Traffic Act 1961*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*

4 Variation of regulation 54—Emergency workers

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Emergency Vehicles) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

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 *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*

4—Variation of regulation 54—Emergency workers

Regulation 54(1)(c) and (d)—delete paragraphs (c) and (d) and substitute:

(c) persons engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008* on behalf of—

(i) SA Ambulance Service Inc; or

(ii) St John Ambulance Australia South Australia Incorporated,

or any other persons engaged in the provision of emergency ambulance services under section 57(1) of that Act;

(d) persons engaged in the provision of emergency ambulance services under section 57(2)(a) of the *Health Care Act 2008*;

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 178 of 2019

MTIL19/026CS

South Australia

Road Traffic (Light Vehicle Standards) (Emergency Vehicles and Other Matters) Variation Rules 2019

under the *Road Traffic Act 1961*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Road Traffic (Light Vehicle Standards) Rules 2018*

4 Variation of rule 3—Definitions
5 Substitution of rule 20
20 Compliance with requirement to have particular equipment
6 Variation of rule 52—Tyre tread
7 Variation of rule 122—Performance of braking systems
8 Variation of rule 144A—Hydrogen-powered vehicles
9 Variation of rule 144B—Electric-powered vehicles

Part 1—Preliminary

1—Short title

These rules may be cited as the *Road Traffic (Light Vehicle Standards) (Emergency Vehicles and Other Matters) Variation Rules 2019*.

2—Commencement

These rules come into operation on 1 July 2019.

3—Variation provisions

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

Part 2—Variation of *Road Traffic (Light Vehicle Standards) Rules 2018*

4—Variation of rule 3—Definitions

(1) Rule 3(1), definition of ***emergency vehicle***, (c), (d)—delete paragraphs (c) and (d) and substitute:

(c) a person engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008* on behalf of—

(i) SA Ambulance Service Inc; or

(ii) St John Ambulance Australia South Australia Incorporated,

or any other person engaged in the provision of emergency ambulance services under section 57(1) of that Act;

(d) a person engaged in the provision of emergency ambulance services under section 57(2)(a) of the *Health Care Act 2008*;

(2) Rule 3(1), definition of ***State Government enforcement vehicle***—after paragraph (c) insert:

(ca) an authorised officer under the *Heavy Vehicle National Law (South Australia)* (other than a police officer, or an officer of a council referred to in section 519 of the *Heavy Vehicle National Law (South Australia)* as modified by section 17 of the local application provisions of the *Heavy Vehicle National Law (South Australia) Act 2013*);

(3) Rule 3(1), definition of ***street rod vehicle***—after "means" insert:

a vehicle that

(4) Rule 3(1), definition of ***street rod vehicle***, (a)—delete "a vehicle that"

5—Substitution of rule 20

Rule 20—delete the rule and substitute:

20—Compliance with requirement to have particular equipment

(1) A vehicle is taken to have equipment mentioned in the Light Vehicle Standards only if the equipment is—

(a) in working order; and

(b) if the equipment is fitted to a trailer that is being towed by an eligible towing vehicle and the equipment must be connected to the eligible towing vehicle to perform its intended function—connected to the eligible towing vehicle.

(2) In this rule—

eligible towing vehicle, for a trailer, means a towing vehicle that has equipment that is capable of being connected to the equipment fitted to the trailer.

6—Variation of rule 52—Tyre tread

(1) Rule 52(2)—after "deep" insert:

in all principal grooves on the tyre

(2) Rule 52—after subrule (3) insert:

(4) In this rule—

principal grooves, in relation to a tyre, means wide grooves, other than secondary grooves—

(a) usually positioned in the central zone of the tyre tread but that may run across the tyre tread; and

(b) in which tread wear indicators are usually located;

secondary grooves, in relation to a tyre, means shallow grooves in the tyre tread that may disappear during the life of the tyre through wear;

tread wear indicators, in relation to a tyre, means projections within a groove of the tyre that indicate the degree of wear on the tyre's tread.

7—Variation of rule 122—Performance of braking systems

Rule 122(4), (5), (6) and (7)—after "metres a second" (wherever occurring) insert:

a second

8—Variation of rule 144A—Hydrogen-powered vehicles

(1) Rule 144A(1)—after "2019" insert:

, or a vehicle modified to be a hydrogen-powered vehicle after 1 January 2019,

(2) Rule 144A(2)(b)(i)—delete "25 millimetres" and substitute:

20 millimetres

9—Variation of rule 144B—Electric-powered vehicles

(1) Rule 144B(1)—after "2019" insert:

, or a vehicle modified to be an electric-powered vehicle after 1 January 2019,

(2) Rule 144B(2)(b)(i)—delete "35 millimetres" and substitute:

30 millimetres

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 rules come into operation as set out in these rules.

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 179 of 2019

MTIL19/026CS

South Australia

Motor Vehicles (Emergency Vehicles) Variation Regulations 2019

under the *Motor Vehicles Act 1959*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Motor Vehicles Regulations 2010*

4 Variation of regulation 15—Interpretation
5 Variation of regulation 99B—Definition of emergency worker

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Motor Vehicles (Emergency Vehicles) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

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 *Motor Vehicles Regulations 2010*

4—Variation of regulation 15—Interpretation

Regulation 15(1), definition of ***ambulance***, (a) and (b)—delete paragraphs (a) and (b) and substitute:

(a) a person engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008* on behalf of—

(i) SA Ambulance Service Inc; or

(ii) St John Ambulance Australia South Australia Incorporated,

or any other person engaged in the provision of emergency ambulance services under section 57(1) of that Act; or

(b) a person engaged in the provision of emergency ambulance services under section 57(2)(a) of the *Health Care Act 2008*;

5—Variation of regulation 99B—Definition of emergency worker

Regulation 99B(1)(c) and (d)—delete paragraphs (c) and (d) and substitute:

(c) persons engaged in the provision of emergency ambulance services under section 57(1) of the *Health Care Act 2008* on behalf of—

(i) SA Ambulance Service Inc; or

(ii) St John Ambulance Australia South Australia Incorporated,

or any other persons engaged in the provision of emergency ambulance services under section 57(1) of that Act;

(d) persons engaged in the provision of emergency ambulance services under section 57(2)(a) of the *Health Care Act 2008*;

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 180 of 2019

MTIL19/026CS

South Australia

Controlled Substances (Controlled Drugs, Precursors and Plants) (Expiation Fees) Variation Regulations 2019

under the *Controlled Substances Act 1984*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Controlled Substances (Controlled Drugs, Precursors and Plants) Regulations 2014*

4 Substitution of Schedule 5

Schedule 5—Expiation fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Controlled Substances (Controlled Drugs, Precursors and Plants) (Expiation Fees) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019.

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 *Controlled Substances (Controlled Drugs, Precursors and Plants) Regulations 2014*

4—Substitution of Schedule 5

Schedule 5—delete the Schedule and substitute:

Schedule 5—Expiation fees

1	Offence arising out of the possession of cannabis—		
	(a)	where the amount is less than 25 g	$250
	(b)	where the amount is 25 g or more but not more than 100 g	$400
2	Offence arising out of the possession of cannabis resin—		
	(a)	where the amount is less than 5 g	$250
	(b)	where the amount is 5 g or more but not more than 20 g	$400

3	Offence arising out of the smoking or consumption of cannabis or cannabis resin (not being an offence committed in a public place or other prescribed place)	$250
4	Offence arising out of the possession of equipment (1 or more pieces) for use in connection with the smoking or consumption of cannabis or cannabis resin (not being an offence involving the possession of such equipment for commercial purposes)	$250
5	Offence referred to in item 4 accompanied by another simple cannabis offence relating to the possession, smoking or consumption of cannabis or cannabis resin	$130
6	Offence involving cultivation of 1 cannabis plant	$400

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

after consultation by the Minister with the Controlled Substances Advisory Council and with the advice and consent of the Executive Council
on 27 June 2019

No 181 of 2019

South Australia

Child Safety (Prohibited Persons) Variation Regulations 2019

under the *Child Safety (Prohibited Persons) Act 2016*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Child Safety (Prohibited Persons) Regulations 2019*

4 Variation of regulation 6—Prescribed positions
5 Insertion of regulation 15A
15A Presumptive disqualification offences

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Child Safety (Prohibited Persons) Variation Regulations 2019*.

2—Commencement

These regulations come into operation on the day that section 26A of the *Child Safety (Prohibited Persons) Act 2016* comes 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 *Child Safety (Prohibited Persons) Regulations 2019*

4—Variation of regulation 6—Prescribed positions

Regulation 6—after paragraph (e) insert:

(f) a person employed by, or assigned to work in, the Office of the Director of Public Prosecutions as a witness assistance officer.

5—Insertion of regulation 15A

After regulation 15 insert:

15A—Presumptive disqualification offences

For the purposes of the definition of ***presumptive disqualification offence*** in section 26A(4) of the Act, the following offences are declared to be ***presumptive disqualification offences***:

(a) an offence against a following provision of the *Criminal Law Consolidation Act 1935* where the victim is an adult:

(i) section 11 (murder);

(ii) section 13 (manslaughter);

(iii) section 33A (female genital mutilation);

(iv) section 39 (kidnapping);

(v) section 48 (rape);

(vi) section 48A (compelled sexual manipulation);

(vii) section 51 (sexual exploitation of person with a cognitive impairment);

(viii) section 56 (indecent assault);

(ix) section 59 (abduction of male or female person);

(x) section 60 (procuring sexual intercourse);

(xi) section 72 (incest);

(b) an offence against section 270B of the *Criminal Law Consolidation Act 1935* (assault with intent) with intent to commit an offence referred to in paragraph (a);

(c) an offence against a following provision of the *Criminal Law Consolidation Act 1935* where the victim is a child:

(i) section 14 (criminal neglect);

(ii) section 33A (female genital mutilation);

(iii) section 33B (removal of child from State for genital mutilation);

(iv) section 137 (robbery);

(v) section 139A (dishonest communication with children);

(vi) section 142 (dishonest exploitation of position of advantage);

(d) an offence against a following provision of the *Criminal Law Consolidation Act 1935*:

(i) section 7 (treason);

(ii) section 69 (bestiality);

(e) an offence against section 37 of the *Summary Offences Act 1953* (possession, production or distribution of extremist material);

(f) an offence against section 13 of the *Animal Welfare Act 1985* (ill treatment of animals);

(g) an offence against a following provision of the *Controlled Substances Act 1984*:

(i) section 32 (trafficking);

(ii) section 33F (sale, supply or administration of controlled drug to child);

(iii) section 33G (sale, supply or administration of controlled drug in school zone);

(h) an offence against a law previously in force in this State that corresponds to an offence referred to in a preceding paragraph;

(i) an offence against the law of another State or Territory that corresponds to an offence referred to in any of the preceding paragraphs;

(j) an offence against a following provision of the *Criminal Code* of the Commonwealth:

(i) section 72.3;

(ii) section 80.1;

(iii) section 80.1AA;

(iv) section 80.1AC;

(v) section 80.2;

(vi) section 80.2A;

(vii) section 80.2B;

(viii) section 80.2C;

(ix) section 80.2D;

(x) section 83.1;

(xi) section 91.1;

(xii) section 91.2;

(xiii) section 91.3;

(xiv) section 91.6;

(xv) section 91.8;

(xvi) section 91.11;

(xvii) section 91.12;

(xviii) section 101.1;

(xix) section 101.2;

(xx) section 101.4;

(xxi) section 101.5;

(xxii) section 101.6;

(xxiii) section 102.2;

(xxiv) section 102.3;

(xxv) section 102.4;

(xxvi) section 102.5;

(xxvii) section 102.6;

(xxviii) section 102.7;

(xxix) section 102.8;

(xxx) section 103.1;

(xxxi) section 103.2;

(xxxii) section 271.2;

(xxxiii) section 271.3;

(k) an offence against a law of the Commonwealth previously in force that corresponds to an offence referred to in paragraph (j);

(l) a conspiracy to commit, or an attempt to commit, an offence referred to in any of the preceding paragraphs;

(m) an offence of aiding, abetting, counselling or procuring the commission of an offence referred to in any of the preceding paragraphs;

(n) an offence against the law of a foreign jurisdiction that corresponds to an offence referred to in any of the preceding paragraphs.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 182 of 2019

South Australia

Child Safety (Prohibited Persons) (Fees) Regulations 2019

under the *Child Safety (Prohibited Persons) Act 2016*

Contents

1 Short title
2 Commencement
3 Interpretation
4 Fees

Schedule 1—Fees

1—Short title

These regulations may be cited as the *Child Safety (Prohibited Persons) (Fees) Regulations 2019*.

2—Commencement

These regulations come into operation on the day that section 15 of the *Child Safety (Prohibited Persons) Act 2016* comes into operation.

3—Interpretation

In these regulations—

Act means the *Child Safety (Prohibited Persons) Act 2016*.

4—Fees

(1) For the purposes of the Act, the fees set out in Schedule 1 are prescribed.

(2) The Minister or the Registrar may waive or remit the whole or any part of a fee payable under the Act.

Schedule 1—Fees

Application for working with children check—general	$103.00
Application for working with children check—tertiary student placement	$56.50
Application for working with children check—volunteers	$Nil
Application for additional working with children check (all categories)	$103.00
Application for revocation of prohibition notice	$103.00
Prescribed fee under section 33A(1) of Act	$103.00

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 183 of 2019

South Australia

Supreme Court Variation Regulations 2019

under the *Supreme Court Act 1935*

Contents

Part 1—Preliminary

1 Short title
2 Commencement
3 Variation provisions

Part 2—Variation of *Supreme Court Regulations 2018*

4 Variation of Schedule 1—Fees in general jurisdiction

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Supreme Court Variation Regulations 2019*.

2—Commencement

These regulations come into operation on 1 July 2019 immediately after the *Supreme Court (Fees) Variation Regulations 2019* 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 *Supreme Court Regulations 2018*

4—Variation of Schedule 1—Fees in general jurisdiction

Schedule 1, Part 1, table, item 5, paragraph (b)—delete "$4 450.00" and substitute:

$450.00

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 June 2019

No 184 of 2019

RULES OF COURT

MAGISTRATES COURT OF SOUTH AUSTRALIA

Amendment 24 to the Magistrates Court (Civil) Rules 2013

PURSUANT to section 49 of the *Magistrates Court Act 1991* and all other enabling powers, we, the undersigned, do hereby make the following amendments to the ***Magistrates Court (Civil) Rules 2013*** as amended.

1. These Rules may be cited as the 'Magistrates Court (Civil) Rules 2013 (Amendment 24)'.
2. The *Magistrates Court (Civil) Rules 2013* ('the Rules') as amended by these amendments apply to and govern all actions commenced in the civil division of the Court on and after the date on which these amendments are gazetted.
3. Form 17 is deleted and replaced with Form 17.

Dated: 14 June 2019

MARY-LOUISE HRIBAL
Chief Magistrate

BRETT JONATHON DIXON
Magistrate

BRIONY KENNEWELL
Magistrate

MARK STEVEN SEMMENS
Magistrate

English Form 17

PLEASE READ CAREFULLY
IMPORTANT NOTICE

The enclosed document is from the MAGISTRATES COURT [CIVIL DIVISION].

If it is a CLAIM and if you do nothing the other side may get a judgment against you which can be enforced against **YOU**, your **HOUSE** and your **POSSESSIONS**.

If you want to defend the claim **[DEFENCE]** or blame someone else **[THIRD PARTY CLAIM],** or **[COUNTER CLAIM]** you only have 21 days to go to the MAGISTRATES COURT and file the necessary documents.

If it is a SUMMONS you must go to the NOMINATED COURT WHEN IT SAYS OR YOU MAY BE ARRESTED.

If it is any other document you must find out what it says because your house, possessions or yourself may be affected by it if you do nothing.

FOR INFORMATION go to:

* A Magistrates Court – the staff will explain it to you. See the address for "TRIAL COURT" on the other paper or go to the 1st Floor, 260-280 Victoria Square, Adelaide SA 5000.
* Interpreter Service – Interpreting and Translating Centre, Level 4, 44 Pirie Street, Adelaide SA 5000. Telephone: 1800 280 203 (This service is not free).
* Legal Services Commission – 159 Gawler Place, Adelaide SA 5000 Telephone: 1300 366 424 or see under "L" in Telephone Book.
* A solicitor or the Law Society of South Australia. Telephone (Law Society): (08) 8229 0200.

PLEASE BRING THE ENCLOSED DOCUMENT WITH YOU

Arabic نموذج 17

يرجى قراءة ما يلي بعناية
إشعار هام

الوثيقة المرفقة صادرة عن محكمة الصلح/محكمة الدرجة الأولى - MAGISTRATES COURT [القضايا المدنية]

إذا كانت المسألة **إدعاء** ولم تفعل أي شيء بشأنه فإن الطرف الآخر سوف يحصل على حكم ضدك وقد يطبّق هذا الحكم بالقوة ضدك **أنت، ومنزلك ومقتنياتك**.

إذا كنت تريد الدفاع عن هذا الإدعاء **[الدفاع]** أو تلقي باللوم على شخص آخر **[الإدعاء على طرف ثالث]**، أو أن ترفع **[دعوى مضادة]** فلديك فقط مدة 21 يومًا لتحضر إلى **محكمة الصلح** وأن تقدم المستندات اللازمة.

إذا كانت المسألة مذكرة للحضور إلى المحكمة أي (SUMMONS) فيتوجب عليك أن تتوجه إلى المحكمة المذكورة وفي الوقت المحدد في المذكرة وإلا فقد يتم القبض عليك.

إذا كانت المسألة تتعلق بأي وثيقة أخرى فيتوجب عليك أن تعرف ما محتواها لأن منزلك ومقتنياتك وأنت قد تتأثروا بها إذا لم تفعل أي شيء بشأنها.

للإستعلام يجب التوجّه إلى:

* إحدى محاكم الصلح أي (Magistrates Court) حيث سيقوم الموظفون هناك بشرحها لك. إنظر عنوان (TRIAL COURT) في الصفحة الأخرى أو توجه إلى الطابق الأول في العنوان التالي: 260-280 Victoria Square, Adelaide SA 5000
* خدمة الترجمة – مركز الترجمة الشفهية والخطية أي Interpreting and Translating Centre على العنوان التالي: Level 4, 44 Pirie Street, Adelaide SA 5000 , رقم الهاتف: 203 280 1800– (إن هذه الخدمة ليست مجانية).
* مفوضية الخدمات القانونية أي (Legal Services Commission) على العنوان التالي: 159 Gawler Place, Adelaide SA 5000 رقم الهاتف: 424 366 1300 أو أنظر تحت الحرف (L) في دليل الهاتف.
* إسأل أحد المحامين أو اتصل بجمعية القضاء في جنوب أستراليا أي (Law Society of South Australia) رقم الهاتف: (08) 8229 0200 (Law Society)

يُرجى إحضار الوثيقة المرفقة معك

Chinese 第17号表

请认真阅读

重要通知

后附文件由初级[民事]法庭送发。

如果当事人在收到诉讼文书后没有采取任何行动，对方当事人则有可能获得不利于**当事人本人、房产**和**财产**的判决。

如果当事人决定答辩**[抗辩]**或起诉其他人**[第三方诉讼请求]**或进行**[反诉]**，当事人应于二十一日内向初级法庭提交相关文件材料。

当事人收到传票后，必须于规定之日期前往指定法庭应诉，如缺席不到者，有可能会被刑事拘留。

如果随信还附有其他文件，当事人应了解文件的内容。因为如果当事人没有采取任何行动，其房产、财产或个人有可能会受到影响。

如需详情，请联系：

* 阿得雷德初级法庭—工作人员将会为您解释有关信息。法庭地址：1st Floor, 260-280 Victoria Square, Adelaide SA 5000或在报纸上寻找“审判庭”地址。

* 翻译服务—口译和笔译中心 地址：Level 4, 44 Pirie Street, Adelaide SA 5000
  联系电话：1800 280 203（有偿服务）

* 法律援助委员会—委员会地址：159 Gawler Place, Adelaide SA 5000
  联系电话：1300 366 424或查询电话簿“L”栏。

* 事务律师或南澳州法律协会
  联系电话：(08) 8229 0200

请随身携带后附文件

French Formulaire 17

À LIRE ATTENTIVEMENT
AVIS IMPORTANT

Le document ci-joint vous est transmis par la COURT DES MAGISTRATS [DIVISION CIVILE].

S'il s'agit d'une RECLAMATION (*CLAIM*) et si vous ne faites rien, la partie opposée pourra obtenir un jugement contre vous, qui sera exécuté contre **VOUS**, votre **MAISON** et vos **BIENS**.

Si vous voulez contester la réclamation **[DEFENCE]** ou attribuer le blâme à quelqu'un d'autre **[RECLAMATION CONTRE UNE TIERCE PARTIE] (*THIRD PARTY CLAIM*), ou [DEMANDE RECONVENTIONNELLE] (*COUNTERCLAIM*)** vous disposez seulement de 21 jours pour vous rendre à la COUR DES MAGISTRATS et déposer les documents nécessaires.

S'il s'agit d'une SOMMATION (*SUMMONS*) vous devez vous rendre au TRIBUNAL DÉSIGNÉ À LA DATE INDIQUÉE SINON VOUS RISQUEZ D'ÊTRE ARRÊTÉ(E).

S'il s'agit d'un autre document, vous devez savoir ce qu'il dit sinon, si vous ne faites rien, votre maison, vos biens ou vous-même risquez d'être affecté(e).

POUR PLUS D'INFORMATION:

* Allez à la Cour des Magistrats– le personnel vous l'expliquera. Vous trouverez l'adresse pour « TRIAL COURT » sur l'autre papier, sinon allez au 1er étage, 260-280 Victoria Square, Adélaïde SA 5000.

* Service d'interprétariat – Interpreting and Translating Centre, Level 4, 44 Pirie Street, Adelaide SA 5000.
  Téléphone: 1800 280 203– (Ce service n'est pas gratuit).

* Legal Services Commission – 159 Gawler Place, Adelaide SA 5000
  Téléphone: 1300 366 424 ou consulter l'annuaire téléphonique sous « L ».

* Un avocat ou la Law Society of South Australia.
  Téléphone (Law Society): (08) 8229 0200

EMPORTEZ LE DOCUMENT CI-JOINT AVEC VOUS

Persian

فرم شماره ۱۷

لطفا با دقت مطالعه کنید
اعلان مهم

مدرک ضمیمه از طرف دادگاه دادرسی (شاخه مدنی) میباشد.
اگر این یک دعوی علیه شماست (Claim) و شما هیچ کاری انجام ندهید، طرف مقابل(مدعی) ممکن است قضاوتی علیه شما اخذ نماید که در مورد شما، خانه و یا دارایی تان به اجرا گذاشته شود.
اگر شما می خواهید در مقابل این ادعا از خود دفاع نموده و یا شخص دیگری را مقصر معرفی نمایید(شکایت از شخص ثالث) و یا بر علیه شخص مقابل شکایت نمایید، فقط ۲۱ روز فرصت دارید که به دادگاه رفته و مدارک لازم را ارائه نمایید.
اگر این یک احضاریه است (Summons) ، شما باید در زمان مقرر به دادگاه مشخص شده مراجعه نمایید. در غیر اینصورت ممکن است بازداشت شوید.
در صورتی که مدرک ضمیمه هر گونه مدرک دیگری است، باید از محتوای آن آگاه شوید زیرا در صورتی که اقدامی ننمایید، ممکن است بر روی خانه، دارایی و یا خود شما تاثیر گذارد.
برای کسب اطلاعات بیشتر می توانید به مراجع زیر مراجعه نمایید:

* دادگاه دادرسی که کارکنان در مورد مدرک ضمیمه به شما توضیح خواهند داد. آدرس دادگاه حاکمه در برگه دیگری نوشته شده است یا می توانید مراجعه نمایید به آدرس:1st Floor, 260-280 Victoria Square, Adelaide SA 5000

* خدمات مترجم شفاهی – مرکز ترجمه شفاهی و کتبی به آدرس:Level 4, 44 Pirie Street, Adelaide SA 5000
تلفن :1800 280 203
(این خدمات مجانی نمیباشد)

* کمیسیون خدمات قانونی به آدرس:159 Gawler Place, Adelaide SA 5000
تلفن : 1300 366 424(یا به قسمت حرف L در کتاب راهنمای تلفن مراجعه نمایید)

* وکیل و یا جامعه حقوقی جنوب استرالیا :
تلفن(جامعه قانونی) : (08) 8229 0200

لطفا مدرک ضمیمه را به همراه داشته باشید

Spanish

Formulario 17

LEA DETENIDAMENTE
AVISO IMPORTANTE

El documento adjunto proviene del TRIBUNAL DE MAGISTRADOS [DIVISIÓN CIVIL].

Si se trata de una DEMANDA (CLAIM) y usted no hace nada, la otra parte podría obtener un fallo en su contra, el cual puede ser ejecutado en contra de **USTED**, su **CASA** y sus **PERTENENCIAS**.

Si usted desea defenderse contra la demanda **[DEFENSA]** o culpar a otra persona **[DEMANDA DE TERCEROS]** o bien presentar una **[RECONVENCIÓN]** tendrá solamente 21 días para presentarse ante el TRIBUNAL DE MAGISTRADOS y presentar los documentos necesarios.

Si se trata de un EMPLAZAMIENTO (SUMMONS), deberá presentarse en el JUZGADO INDICADO EN EL MOMENTO SEÑALADO O ES POSIBLE QUE LE ARRESTEN.

Si se trata de algún otro documento, averigüe lo que dice, porque su casa, sus pertenencias o usted mismo podrían verse afectados si no hace nada.

PARA OBTENER INFORMACIÓN recurra a:

* Un Tribunal de Magistrados: el personal le explicará el documento. Busque la dirección indicada bajo "TRIAL COURT" (JUZGADO) en el otro documento o bien diríjase a: 1er piso en 260-280 Victoria Square, Adelaide SA 5000.

* Servicio de Intérpretes – Interpreting and Translating Centre, Level 4, 44 Pirie Street, Adelaide SA 5000. Teléfono: 1800 280 203– (Éste no es un servicio gratuito).

* Legal Services Commission – 159 Gawler Place, Adelaide SA 5000
Teléfono: 1300 366 424 o bien busque bajo la "L" en la guía telefónica.

* Un abogado o al Colegio de Abogados de Australia Meridional (Law Society of South Australia).
Teléfono (Colegio de Abogados): (08) 8229 0200.

SÍRVASE TRAER EL DOCUMENTO ADJUNTO

Swahili Fomu 17

TAFADHALI SOMA KWA
UANGALIFU
TANGAZO MUHIMU

Hati iliyoambatanishwa ni kutoka MAHAKAMA YA HAKIMU MKAZI [KITENGO CHA MADAI].

Kama ni MADAI na kama usipofanya kitu upande mwingine unaweza kupata hukumu dhidi yako ambayo inaweza kutekelezwa juu **YAKO, NYUMBA** yako na **MALI** yako.

Kama unataka kutetea madai **[UTETEZI]** au kumlaumu mtu mwingine **[MADAI YA UPANDE WA TATU]**, au **[MADAI YA KUHESABIKA]** wewe una siku 21 tu kwenda MAHAKAMA YA HAKIMU MKAZI na kuwakilisha nyaraka muhimu.

Kama ni WITO lazima uende kwenye MAHAKAMA ILIYOTAJWA AU UNAWEZA KUKAMATWA.

Kama ni hati nyingine yoyote ni lazima kujua ni nini inasema maana nyumba na mali yako, au wewe mwenyewe maana inaweza kukuadhiri kama usipofanya chochote.

KW HABARI ZAIDI nenda:

* Mahakama ya Hakimu Mkazi – mfanyakazi ataweza kukuelezea. Tazama anwani kwa "KESI YA MAHAKAMA" kwenye karatasi nyingine au nenda kwa Daraja la 1, 260-280 Victoria Square, Adelaide SA 5000

* Huduma ya Ukalimani – Kituo cha Ukalimani na Utafsiri, Daraja la, Level 4, 44 Pirie Street, Adelaide SA 5000.
  Simu: 1800 280 203– (Huduma hii siyo bure).

* Huduma ya Tume ya Kisheria – 159 Gawler Place, Adelaide SA 5000
  Simu: 1300 366 424 au angalia chini "L" katika Kitabu cha Simu.

* Wakili au Chama cha Sheria ya Australia ya Australia.
  Simu (Chama cha Sheria): (08) 8229 0200.

TAFADHALI LETA PAMOJA NAWE WARAKA
ULIOAMBATANISHWA

Vietnamese Mẫu Văn Kiện 17

XIN HÃY ĐỌC KỸ
THÔNG BÁO QUAN TRỌNG

Văn kiện kèm theo đây phát xuất từ TÒA SƠ THẨM [CHI VỤ DÂN LUẬT] (MAGISTRATES COURT [CIVIL DIVISION]).
Nếu là một văn kiện liên quan đến một trường hợp tố tụng ĐỐI QUYỀN LỢI TRƯỚC TÒA và nếu quí vị không có hành động đáp ứng nào cả thì phía đối tụng có thể xin tòa phán quyết đối nghịch với quí vị, phán quyết này có thể được thi hành đối nghịch với **QUÍ VỊ**, qua giá trị **CĂN NHÀ** của quí vị và **CỦA CẢI THUỘC SỞ HỮU QUYỀN** của quí vị.
Nếu quí vị muốn biện hộ cho mình trong trường hợp tố tụng đòi quyền lợi đó **[QUYỀN BIỆN HỘ CỦA BỊ ĐƠN (DEFENCE)]** hoặc quy kết trách nhiệm pháp lý cho một người nào khác **[KHIẾU KIỆN ĐỆ TAM NHÂN (THIRD PARTY CLAIM)]**, hoặc **[PHẢN TỐ (COUNTER CLAIM)]** thì quí vị chỉ có 21 ngày để đi đến TÒA SƠ THẨM và đệ trình các văn kiện cần thiết.
Nếu văn kiện là một TRÁT ĐÒI HẦU TÒA thì quí vị phải đi đến TÒA ÁN ĐƯỢC CHỈ ĐỊNH VÀO NGÀY GIỜ GHI TRONG TRÁT TÒA BẰNG KHÔNG QUÍ VỊ CÓ THỂ BỊ BẮT GIAM.
Nếu là bất cứ một văn kiện nào khác thì quí vị phải tìm hiểu ý nghĩa của nội dung văn kiện bởi vì căn nhà của quí vị, của cải thuộc quyền sở hữu của quí vị hoặc chính bản thân quí vị có thể bị ảnh hưởng bởi văn kiện đó nếu quí vị không có hành động đáp ứng nào cả.

ĐỂ BIẾT THÊM CHI TIẾT quí vị hãy đến:

* Một Tòa Án Sơ Thẩm - nhân viên tòa án sẽ giải thích nội dung của văn kiện cho quí vị. Quí vị hãy xem địa chỉ của "TÒA ÁN XÉT XỬ" (TRIAL COURT) trên tờ giấy khác để đi đến Tầng Lầu 1 (1st Floor), 260 - 280 Victoria Square, Adelaide SA 5000.

* Dịch Vụ Thông Dịch Viên – (Trung Tâm Thông Phiên Dịch) Interpreting and Translating Centre, Level 4, 44 Pirie Street, Adelaide SA 5000.
  Điện thoại: 1800 280 203– (Đây không phải là một dịch vụ miễn phí).

* Hội Đồng Dịch Vụ Pháp Lý (Legal Services Commission) – 159 Gawler Place, Adelaide SA 5000
  Điện thoại: 1300 366 424 hoặc hãy xem phần danh mục dưới mẫu tự "L" trong Niên Giám Điện Thoại (Telephone Book).

* Một luật sư hoặc Hội Luật Gia Tiểu Bang Nam Úc (the Law Society of South Australia).
  Điện thoại (Hội Luật Gia): (08) 8229 0200.

XIN HÃY ĐEM THEO VĂN KIỆN ĐÃ ĐƯỢC GỬI ĐẾN QUÍ VỊ

CITY OF ADELAIDE

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that the Council of the Corporation of the City of Adelaide at its meeting held on 25 June 2019 and for the year ending 30 June 2020:

1. Adopted for rating purposes the valuations prepared by Valuers employed or engaged by the Valuer-General of annual values applicable to land within the Council area totalling $1,129,441,320 of which $889,122,110 is for rateable land.
2. Declared differential general rates based upon the use of land as follows:
   2.1 0.1149 rate in the dollar for all rateable land with a residential land use; and
   2.2 0.1408 rate in the dollar for all other rateable land in the Council area.
3. Declared a separate rate of 0.00209 rate in the dollar on all rateable land in the Council area to recover the amount of $1,755,765 payable to the Adelaide and Mount Lofty Ranges Natural Resource Management Board.
4. Declared a separate rate of 0.03582 rate in the dollar (the Rundle Mall Differential Separate Rate) on all rateable land except that with a residential land use within the 'Rundle Mall Precinct' (as defined) to fund marketing and management of the precinct, including actions and initiatives to promote Rundle Mall as a destination for shopping and to enhance the vibrancy of the precinct.

Dated: 25 June 2019

M. GOLDSTONE
Chief Executive Officer

RURAL CITY OF MURRAY BRIDGE

Adoption of Valuations and Declaration of Rates 2019-2020

NOTICE is hereby given that the Rural City of Murray Bridge at a meeting held on 11 June 2019, resolved:

Adopt the Annual Business Plan and Budget 2019-2020

That pursuant to Section 123(6) of the Local Government Act 1999 and Regulation 5A of the Local Government (Financial Management) Regulations 1999, having considered submissions in accordance with Section 12(6) of the Local Government Act 1999 and having regard to all relevant information in the possession of the Council, the Council adopts the Annual Business Plan and Budget for 2019-2020.

Adoption of Valuations

That pursuant to Section 167(2) of the Local Government Act 1999 the most recent valuations of the Valuer-General available to Council of the capital value of land within Council's area totalling $3,542,781,860 be adopted for rating purposes with the total capital value of rateable land within Council's area for 2019-2020 being $3,413,392,934.

Declaration of Rates

That, having taken into consideration the general principles of rating contained in Section 150 of the Local Government Act 1999 and having observed the requirements of Section 153 of the Local Government Act 1999, and in accordance with Regulation 10 of the Local Government (General) Regulations 1999, the Council declares, for the year ending 30 June 2020, a rate increase of 0% representing the following differential rates in respect of all rateable land within its area –

(i) 0.67541 cents in the dollar of the Capital Value of rateable land of Categories 1 and 9 uses (residential and "other" categories)

(ii) 1.08064 cents in the dollar of the Capital Value of rateable land of Categories 2, 3 and 4 uses (commercial categories)

(iii) 0.94556 cents in the dollar of the Capital Value of rateable land of Categories 5 and 6 uses (industrial categories)

(iv) 0.60786 cents in the dollar of the Capital Value of rateable land of Category 7 use (primary production category)

(v) 0.87802 cents in the dollar of the Capital Value of rateable land of Category 8 use (vacant land category)

Declaration of Minimum Rates

That pursuant to Section 158(1) (a) of the Local Government Act 1999 the Council fixes in respect to the year ending 30 June 2020, a minimum amount payable by way of general rates of $956.

Natural Resource Management Levy

That pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999, the Council declares, in respect of the year ending 30 June 2020 a separate rate of 0.0232366 cents in the dollar, based on the capital value of rateable land within the Council's area and within the area of the SA Murray-Darling Basin Natural Resources Management Board in order to recover the amount payable to the Board.

Declaration of Annual Service Charges and Services and Water Supply Schemes

Community Waste Water Management and Water Supply Schemes

(1) Riverglen

That pursuant to Section 155(2) of the Local Government Act 1999, a total of $98,940 is to be levied against the properties within the area defined as "Riverglen" to which Council provides the prescribed services of septic tank effluent disposal and water supply. A service charge of $809 per assessment is imposed on rateable and non rateable land and a service rate of 0.114220 cents in the dollar of the capital value of rateable land is declared on Allotments 1 to 30, 125 and 126 in Deposited Plan DP30450, Allotment 50 in Deposited Plan DP42391 and Units 1 to 73 in Strata Plan No SP11238, being land which the septic tank effluent disposal and the water supply schemes are provided.

(2) Woodlane

That pursuant to Section 155(2) of the Local Government Act 1999, a total of $64,786 is to be levied against the properties within the area defined as "Woodlane" to which Council provides the prescribed services of septic tank effluent disposal and water supply. A service charge of $783 per assessment is imposed on rateable and non rateable land and a service rate of 0.166189 cents in the dollar of the capital value of rateable land is declared on Allotments 1 to 18 in Deposited Plan DP48073, Allotments 191 and 192 in Deposited Plan DP75292, Allotments 1 to 4, 7 to 37 and 40 in Deposited Plan DP51229, Allotment 50 in Deposited Plan DP53034 and Allotment 200 in Deposited Plan DP62423, being land which the septic tank effluent disposal and the water supply schemes are provided.

The metered supply of water to sections of Woodlane commenced from 1 July 2010 with annual readings. The rates for supply of water are charged at $3.65 per kL for any usage above 130kL per annum.

Waste Collection

That pursuant to Section 155(2) of the Local Government Act 1999 the following variable annual service charges are imposed according to the nature of the service as follows:

(1) New Garbage Collection Service

For the supply of a mobile garbage bin to land to which the new service is provided, a service charge of $81 per bin in respect of the year ending 30 June 2020.

(2) Replacement Bins

For the replacement of lost, damaged or stolen bins, a service charge of $81 per bin in respect of the year ending 30 June 2020.

(3) Additional Garbage Collection Service

For the supply of additional mobile garbage bin/s to land to which the service is provided, an annual service charge of $135 per bin in respect of the year ending 30 June 2020.

(4) Kerbside Recycling and Green Waste Service

A service charge of $85 will be applied in 2019-20 for the provision of a kerbside recycling service. An additional $54 will be applied to Murray Bridge properties that receive the green waste service.

Dated: 11 June 2019

M. SEDGMAN
Chief Executive Officer

CITY OF NORWOOD PAYNEHAM & ST PETERS

Declaration of Public Roads

Notice is hereby given pursuant to Section 210 of the Local Government Act 1999 (SA), that the City of Norwood Payneham & St Peters resolved at the meeting held on 3 June 2019 that the private roads comprising allotments 39 & 44 in DP1253 known as Rose Street; allotment 42 in DP1253 known as Bonney Street; and allotment 43 in DP1253 known as Moulden Street are hereby declared to be public roads.

Dated: 27 June 2019

MARIO BARONE
Chief Executive Officer

ADELAIDE HILLS COUNCIL

CORRIGENDUM

Declaration of Public Road

The Adelaide Hills Council notice that appeared in the *Government Gazette* on 16 May 2019 on page 1298 declared the private roads comprising Allotments 89 and 90 in Filed Plan No. 158344 contained in Certificate of Title Volume 6221 Folio 964 as Public Road. However, the land description should read Allotments 89 and 90 in Filed Plan No. 15334.

Dated: 27 June 2019

ANDREW AITKEN
Chief Executive Officer

BARUNGA WEST COUNCIL

Naming of Public Road

NOTICE is hereby given in accordance with Section 219 of the Local Government Act 1999, that at the Council meeting of 12 March 2019, Council resolved to name the following un-named roads;

The un-named Government Road extending from Wards Hill Road to Sunnyside Road, be named **"Side Road".**
And
The un-named Government Road extending from Spencer Highway to the Tod residence, be named **"Tod Road".**

Dated: 27 June 2019

A COLE
Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that at its meeting held on 11 June 2019, the District Council of Cleve for the financial year ending 30 June 2020:

1. adopted for rating purposes, the capital valuations of land within the Council area as made by the Valuer General, being the most recent valuations available to the Council, totalling **$680,875,960**;
2. declared a fixed charge of **$487.00** payable in respect of rateable land within the Council area;
3. declared differential rates as follows:

All land within the Commercial (Bulk Handling) zones as defined in Council's Development Plan		**0.958592**	**cents in the $**
All other land within the Council area according to its land use as follows:			
Residential	(Category A)	**0.215872**	**cents in the $**
Commercial	(Category B, C & D)	**0.215872**	**cents in the $**
Industrial	(Category E & F)	**0.215872**	**cents in the $**
Primary Production	(Category G)	**0.387459**	**cents in the $**
Vacant Land	(Category H)	**0.215872**	**cents in the $**
Other	(Category I)	**0.215872**	**cents in the $**

4. imposed the following annual service charges, payable in respect to rateable land where a septic tank effluent disposal connection point is provided or made available:

a. within the Township of Cleve – **$505 per unit** in respect of each piece of rateable land (if a connected allotment) serviced by the Cleve Scheme;

b. within the Township of Cleve - **$337 per unit** in respect of each piece of rateable land (if an unconnected allotment) serviced by the Cleve Scheme;

imposed the following annual service charges, payable in respect to rateable land where a sewerage system connection point is provided or made available:

c. within the Township of Arno Bay (25 front row shacks & Hotel) – **$505 per unit** in respect of each piece of rateable land (if a connected allotment) serviced by the Arno Bay Scheme;

5. imposed an annual service charge of **$240.00 per bin per assessment** for the collection and disposal of waste and recyclables in respect of all land within the townships of Cleve, Arno Bay, Rudall and Darke Peak to which it provides or makes available the service;

6. imposed an annual service charge, upon properties serviced by a common antenna television retransmission service for the properties serviced by the Elson Subdivision CATV System and the Whyte St/Cottages CATV system **$115 (GST inc)**; and

7. declared a differential separate rate according to land use in order to reimburse the Council the amount contributed to the Eyre Peninsula Natural Resources Management Board as follows:

Land Use	Levy rate per Land Use ($)
Residential	**78**
Other & Vacant Land	**78**
Commercial	**117**
Industrial	**117**
Primary Production	**156**

Dated: 11 June 2019

PETER ARNOLD
Chief Executive Officer

DISTRICT COUNCIL OF ELLISTON

Adoption of Valuations and Declarations of Rates 2019-20

NOTICE is hereby given that the District Council of Elliston at its meeting held on 18 June 2019:

Adopted capital valuations to apply in its area for rating purposes supplied by the Valuer-General, being the most recent valuations available to the Council totalling $453,860,560.

Declared differential general rates varying according to the locality of the land and its use as follows:

1.0800 cents in the dollar in respect of all rateable land within the Bulk Handling Zone;
0.4230 cents in the dollar in respect of all rateable land within the Residential Zone;
0.4230 cents in the dollar in respect of all rateable land within the Commercial-Shop Zone;
0.4230 cents in the dollar in respect of all rateable land within the Commercial-Office Zone;
0.4230 cents in the dollar in respect of all rateable land within the Commercial-Other Zone;
0.4230 cents in the dollar in respect of all rateable land within the Industry-Light Zone;
0.4230 cents in the dollar in respect of all rateable land within the Industry-Other Zone;
0.4230 cents in the dollar in respect of all rateable land within the Primary Production Zone;
0.4230 cents in the dollar in respect of all rateable land within the Vacant Land Zone;
0.4230 cents in the dollar in respect of all rateable land within the Other Zone;

Declared a fixed charge of $274.50 payable in respect of rateable land within its area.

Declared that the annual service charges on all land to which the Council provides or makes available its Community Wastewater Management Systems is $382 per property.

Declared that the annual service charges on all land to which the Council provides or makes available its provision of water serviced by the Port Kenny Water Supply is $110 per property.

Declared that the annual service charges based on the level of usage and on all land to which the Council provides or makes available its prescribed service of the collection, treatment or disposal of waste via its Waste Management Service is as follows:

0-0.3m³ of waste per week on average - $235 per annum
0.3-0.6m³ of waste per week on average - $469 per annum
0.6m³ to 0.9m³ of waste per week on average - $704 per annum

Provided on the basis that the sliding scale provided for in Regulation (13) of the Local Government (General) Regulations will be applied. Single farm enterprises and adjoining allotments are only charged the annual service charge in respect of the assessment constituting the principal property.

Declared a separate rate based on a fixed charge of $77.97 against all residential, vacant and other rateable properties, $116.96 on commercial and industrial properties, and $155.95 on primary production properties in respect of all rateable land in the area of the Eyre Peninsula Natural Resources Management Board.

Dated: 18 June 2019

GEOFF SHERIDAN
Chief Executive Officer

DISTRICT COUNCIL OF ELLISTON

Naming of Public Road

NOTICE is hereby given that, at its meeting held on 18 June 2019 the District Council of Elliston resolved to name a public road at Waterloo Bay Estate, Elliston as Maile Way, pursuant to Section 219 (1) of the Local Government Act 1999.

Dated: 21 June 2019

GEOFF SHERIDAN
Chief Executive Officer

NORTHERN AREAS COUNCIL

Adoption of Annual Business Plan, Budget & Valuations and Declarations of Rates

NOTICE is hereby given that the Northern Areas Council at its meeting held on 18 June 2019, for the financial year ending 30 June 2020, in exercise of the powers contained in Chapter 10 of the Local Government Act 1999, resolved that the Council –

Adoption of Capital Valuations

Pursuant to and in accordance with Section 167(2)(a) of the Local Government Act 1999 adopts for the year ending 30 June 2020 for rating purposes, the most recent valuations available to the Council made by the Valuer-General of capital values in relation to all land in the area of the Council, with the total of the valuations being $1,572,802,740 comprising $1,538,843,447 in respect of rateable land and $33,959,293 in respect of non-rateable land before alteration.

Declaration of Differential General Rates

Pursuant to and in accordance with Sections 152(1)(c), 153(1)(b) and 156(1)(b) of the Local Government Act 1999 declares differential general rates on all rateable land within the Council area for the year ending 30 June 2020, comprising:

(1) a component based upon the assessed capital value of land, varying by reference to the locality of the land, as follows:

(a) 0.3513 cents in the dollar on rateable land in the "Rural" location, being all land zoned as "Primary Production", "Rural Landscape Protection" and "Forestry" in the Northern Areas Council Development Plan consolidated 12th February 2015;

(b) 0.5595 cents in the dollar on rateable land in the "Urban" location, being all land not zoned as "Primary Production", "Rural Landscape Protection" and "Forestry" in the Northern Areas Council Development Plan consolidated 12th February 2015; and

(2) a fixed charge of $390.00.

Declaration of Annual Waste Collection Service Charge

Pursuant to and in accordance with Section 155 of the Local Government Act 1999 declares an Annual Service Charge of $180.00 per service upon the land to which it provides or makes available the prescribed service of waste collection.

Declaration of Annual Community Wastewater Management Systems Service Charge

Pursuant to and in accordance with Section 155 of the Local Government Act 1999 and Regulation 12 of the Local Government (General) Regulations 2013 declares Annual Service Charges upon the land to which it provides or makes available the prescribed service known as the Community Wastewater Management System as follows:

(a) $482.00 per unit in respect of each piece of occupied land and $391.00 per unit in respect of each piece of vacant land serviced by the Jamestown Community Wastewater Management Systems

(b) $482.00 per unit in respect of each piece of occupied land and $391.00 per unit in respect of each piece of vacant land serviced by the Laura Community Wastewater Management Systems

(c) $482.00 per unit in respect of each piece of occupied land and $391.00 per unit in respect of each piece of vacant land serviced by the Moyletown area of Jamestown Community Wastewater Management Systems

(d) $482.00 per unit in respect of each piece of occupied land and $391.00 per unit in respect of each piece of vacant land serviced by the Gladstone Community Wastewater Management Systems.

Declaration of Separate Rate (State Government NRM Levy)

Pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999 and in order to reimburse the Council for amounts contributed to the Northern Yorke Natural Resources Management Board, being $287,635.00, declares a separate rate of 0.01882 cents in the dollar, based on the assessed capital value of all rateable properties in the area of the Council and of the Northern Yorke Natural Resources Management Board.

Dated: 18 June 2019

C BYLES
Chief Executive Officer

NATIONAL ELECTRICITY LAW

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

Under s 99, the making of a draft determination on the *Market making arrangements in the NEM* proposal (Ref. ERC0249). Requests for a pre-determination hearing must be received by **4 July 2019**. Submissions must be received by **8 August 2019**.

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

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

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

Australian Energy Market Commission

Level 6, 201 Elizabeth Street
Sydney NSW 2000

Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 27 June 2019

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

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

DALLY Frederick Raymond late of 10 Morton Road Christie Downs of no occupation who died 7 September 2018
DEER William late of 9 Luhrs Road Payneham South Retired Bus Driver who died 13 January 2019
GATES John Maxwell late of 86 Oaklands Road Glengowrie Retired Book Binder who died 30 November 2018
PONTT Norma Dorothy late of 5 Luther Road Loxton Retired Post Mistress who died 5 October 2018
SIRMAIS Mary Margaret Frances late of 580 Brighton Road South Brighton of no occupation who died 23 December 2018
THOMPSON Angas Ralph Allen late of 19 Cornhill Road Victor Harbor Retired Civil Servant who died 29 June 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 July 2019 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 June 2019

N S RANTANEN
Acting Public Trustee

NOTICE SUBMISSION

Notices for publication must be submitted before 4 p.m. Tuesday, the week of intended gazettal.

Proofs of formatted content are supplied for all notice submissions. Alterations must be returned before 4 p.m. Wednesday.

The *SA Government Gazette* is compiled and published each Thursday. Requests to withdraw submitted notices must be received before 10 a.m. on the day of publication.

Gazette notices should be emailed as Word files—and signed PDF files if applicable—in the following format:

- Title (name of the governing legislation/department/organisation)
- Subtitle (description of notice)
- A structured body of text
- Date of authorisation
- Name, position, and department/organisation of the authorising person

Please provide the following information in your email:

- Date of intended gazettal
- Details that may impact on publication of the notice
- Email address and phone number of the person authorising the submission
- Name of the person and organisation to be charged for the notice, if applicable
- Request for a quote, if required
- Purchase order, if required

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