



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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ADELAIDE, THURSDAY, 20 DECEMBER 2018

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

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Procurement Board, pursuant to the provisions of the State Procurement Act 2004:

Member: from 20 December 2018 until 19 December 2020  
Kelly Renee Tattersall

By command,

STEVEN SPENCE MARSHALL  
Premier

T&F18/115CS

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Bushfire Coordination Committee, pursuant to the provisions of the Fire and Emergency Services Act 2005:

Member: from 20 December 2018 until 13 November 2020  
Glenn Paul Benham

By command,

STEVEN SPENCE MARSHALL  
Premier

18EMS009CS

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Veterinary Surgeons Board of South Australia, pursuant to the provisions of the Veterinary Practice Act 2003:

Member: from 1 January 2019 until 31 December 2021  
Samantha Helen Franklin

Member: from 1 March 2019 until 28 February 2022  
Celia-Jane Dickason

Deputy Member: from 1 March 2019 until 28 February 2022  
Elise Katherine Spark (Deputy to Dickason)

By command,

STEVEN SPENCE MARSHALL  
Premier

MPI18/0022CS

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the TAFE SA Board of Directors, pursuant to the provisions of the TAFE SA Act 2012:

Director: from 1 January 2019 until 31 December 2019  
Tammie Michelle Pribanic

By command,

STEVEN SPENCE MARSHALL  
Premier

ME18/066

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Steven Spence Marshall, MP, Premier to be appointed as Acting Treasurer for the period from 21 December 2018 to 5 January 2019 inclusive, during the absence of the Honourable Robert Ivan Lucas, MLC.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC18/073CS

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Steven Spence Marshall, MP, Premier to be appointed as Acting Attorney-General for the period from 22 December 2018 to 29 December 2018 inclusive, during the absence of the Honourable Vickie Ann Chapman, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC18/073CS

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Steven Spence Marshall, MP, Premier to be appointed as Acting Minister for Energy and Mining for the period from 30 December 2018 to 13 January 2019 inclusive, during the absence of the Honourable Daniel Cornelis van Holst Pellekaan, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC18/073CS

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable John Anthony William Gardner, MP, Minister for Education to be appointed as Acting Minister for Health and Wellbeing for the period from 21 December 2018 to 6 January 2019 inclusive, during the absence of the Honourable Stephen Graham Wade, MLC.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC18/073CS

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable David James Speirs, MP, Minister for Environment and Water to be appointed as Acting Minister for Transport, Infrastructure and Local Government and Acting Minister for Planning for the period from 22 December 2018 to 31 December 2018 inclusive, during the absence of the Honourable Stephan Karl Knoll, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC18/073CS

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable David James Speirs, MP, Minister for Environment and Water to be appointed as Acting Minister for Primary Industries and Regional Development for the period from 6 January 2019 to 12 January 2019 inclusive, during the absence of the Honourable Timothy John Whetstone, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC18/073CS

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Robert Ivan Lucas, MLC, Treasurer to be appointed as Acting Minister for Education for the period from 15 January 2019 to 18 January 2019 inclusive, during the absence of the Honourable John Anthony William Gardner, MP.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC18/073CS

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable David Gregory Pisoni, MP, Minister for Industry and Skills to be also Acting Minister for Trade, Tourism and Investment for the period from 4 January 2019 to 9 January 2019 inclusive, during the absence of the Honourable David Wickham Ridgway, MLC.

By command,

STEVEN SPENCE MARSHALL  
Premier

18TTICS/00034

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint Pamela Mary Tate, Emilios John Kyrou and Richard Michael Niall to the office of Judge of the Supreme Court of South Australia on an auxiliary basis, for a period commencing on 20 December 2018 and expiring on 30 June 2019, it being a condition of appointment that the powers and jurisdictions of the office should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment - pursuant to the Judicial Administration (Auxiliary Appointments and Powers) Act 1988.

By command,

STEVEN SPENCE MARSHALL  
Premier

AGO0155-18CS

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Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint Michael John Buchan as the Chief Executive of the South Australian Housing Trust for a term commencing on 1 January 2019 and expiring on 31 December 2021 - pursuant to section 68 of the Constitution Act 1934.

By command,

STEVEN SPENCE MARSHALL  
Premier

MHACS18009

Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint Brett Gregory Rowse as a Competition Commissioner for a term of two years commencing on 20 December 2018 and expiring on 19 December 2020 - pursuant to section 5 of the Government Business Enterprises (Competition) Act 1996.

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC18/083CS

Department of the Premier and Cabinet  
Adelaide, 20 December 2018

His Excellency the Governor in Executive Council has been pleased to appoint Cecil Stephen Camilleri to the position of Community Visitor for a period of 1 year commencing on 20 December 2018 and expiring on 19 December 2019 - pursuant to the provisions of the Mental Health Act 2009.

By command,

STEVEN SPENCE MARSHALL  
Premier

HEAC-2018-00078

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#### ADELAIDE PARK LANDS ACT 2005

##### *Appointments*

PURSUANT to Division 2 of the Adelaide Park Lands Act 2005 ('the Act'), I, Stephan Knoll, Minister for Transport, Infrastructure and Local Government, Minister of the Crown to whom the administration of the Act is committed, am pleased to appoint the following persons as members of the Board of Management of the Adelaide Park Lands Authority:

For the purposes of Section 6 (1) (b) of the Act:

Anita Allen  
Kirsteen MacKay  
Roger Kevin Zubrinich  
Sally Smith

For the purposes of Sections 6 (1) (b) and 6 (4) of the Act:

Stephanie Anne Jonhston

Pursuant to Section 7 (2) of the Act, I appoint the above members for the period commencing 1 January 2019 and concluding 31 March 2019.

Pursuant to Section 10 (2) of the Act, I appoint Sally Smith as Deputy Presiding Member of the Board of Management of the Adelaide Park Lands Authority for the period commencing 1 January 2019 and concluding 31 March 2019.

Dated: 17 December 2018

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

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#### AQUACULTURE ACT 2001

##### *Grant of Aquaculture Lease*

Pursuant to the provisions of section 22 of the *Aquaculture Act 2001*, notice is hereby given of the grant of the following lease for the purposes of aquaculture in the waters of the state:

LA00440

Further details are available for the above lease on the Aquaculture Public Register; which can be found at [http://www.pir.sa.gov.au/aquaculture/aquaculture\\_public\\_register](http://www.pir.sa.gov.au/aquaculture/aquaculture_public_register) or by contacting Aquaculture Leasing & Licensing on 8226 0900.

Dated: 12 December 2018

EMILY KAESE  
Leasing & Licensing Officer

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#### ASSOCIATIONS INCORPORATION ACT 1985

##### SECTION 43A

##### *Deregistration of Associations*

NOTICE is hereby given that the Corporate Affairs Commission approves the applications for deregistration received from the associations named below pursuant to section 43A of the Associations Incorporation Act, 1985. Deregistration takes effect on the date of publication of this notice.

Barossa Valley Fishing Club Incorporated  
Dorper Sheep Society of Australia Incorporated  
Energy Skills Board (SA) Incorporated  
Friends of Annie Doolan's Cottage Incorporated  
Hope Adelaide Incorporated  
In Step School of Dance Incorporated  
Inspire South Australia Incorporated  
Joint Adjudicator Nominating Authority (JANA) Incorporated  
Metro South Junior Football League Incorporated  
Wattle Rangers 4WD Club Incorporated  
Woodlands Grove Residents Association Incorporated  
Yorke Peninsula Softball Association Incorporated

Dated: 17 December 2018

ROSALBA ALOI  
A Delegate of the Corporate Affairs Commission

## CROWN LANDS MANAGEMENT ACT 2009

### *Hunting On Unalienated Crown Lands*

I, David Speirs, Minister for Environment and Water, being the Minister for the Crown to whom the administration of the *Crown Lands Management Act 2009* is for the time being committed,

1. Hereby revoke all previous notices in respect of hunting on unalienated Crown lands, and
2. Declare that open season hunting on unalienated Crown land is permitted in 2019, with the exception of the following locations:

#### **Murraylands Area**

- The waters of the River Murray within 150 metres either side of any lock or weir structure
- Pieces 14, 15 and 16, Deposited Plan 75804, Hundred of Cadell (Cadell Evaporation Basin)
- Allotment 2, Deposited Plan 34467, Hundred of Waikerie (Hart Lagoon)
- Pieces 5 & 6, Deposited Plan 48756, Cobdogla Irrigation Area (Cobdogla Evaporation Basin)
- Section 388, Hundred of Holder (Riverfront Reserve) (Maize Island)
- Sections 23, 172, 247, 295, 296, Hundred of Gordon (Thieles Flat)
- Sections 1781, 1784 and Pieces 3 and 4 and Allotment 5, Deposited Plan 23536, Berri Irrigation Area (Berri Evaporation Basin)
- Allotment 99, Deposited Plan 26809, Hundred of Ettrick
- Allotments 200 & 202, Deposited Plan 68309, Hundred of Kingsford (Billiat)
- Sections 305, 306, 307 and 312 Renmark Irrigation District and Section 327, Hundred of Paringa (Paringa Paddock)
- Sections 586, 661, 662, 663, 664, 698 and 710, Hundred of Baker
- Sections 65, 74, 89, 90, 91, 92, 99, 100, 108, 109, 186, 413, 467, 468, 469, 470, 471, 496, 497, 498, 499, 538, 539, 540, 541, 542, 604, Allotments 100, 101, 102, 103, and Pieces 104, 105, 106, 107, 108, 109, 110, 111, 112, 113 in Filed Plan 213447, Allotment 1 in Filed Plan 40190, allotment 1 in Filed plan 5729, Allotment 95 and Pieces 96 and 97 in Filed plan 216307 all situated in the Hundred of Nangkita.
- Sections 23, 24, 25, 26, 56, 57, 77, 164, 168, 170, 175, 176, 180, 273, 274, 275, 276, 289, 305, 309, 310, 323, 324, 422, 454 and 455; Allotment 16 of Deposited Plan 113848; Allotment 44 of Deposited Plan 113849; Allotment 40 of Deposited Plan 113850; Allotment 8 of Deposited Plan 113851; Allotment 2 of Deposited Plan 26481; Allotment 101 of Deposited Plan 28223; Allotment 13 of Deposited Plan 61131; Allotment 100 of Deposited Plan 72725; Allotment 90 of Deposited Plan 81505; and Pieces 5 & 6 of Deposited Plan 88864 all in the Hundred of Paringa (Upper Pike Floodplain).

#### **South East Area**

- Allotments 1 to 4, Deposited Plan 23394, Hundreds of Hindmarsh and Riddoch (Lake Leake)
- Section 725, Hundred of Caroline (Eight Mile Creek)
- Section 583, Hundred of Waterhouse (Lake Eliza) and environs
- Section 582, Hundred of Waterhouse (Lake St Clair) and environs
- Section 80, Hundred of Lake George (Lake St Clair) and environs.

#### **Adelaide Area**

- Sections 2082, 2083, 2084, 2086, Hundred of Kondoparinga (Bullock Hill)
- Allotments 3 and 4, Deposited Plan 23558 and Sections 679 to 681, 686 to 688, 693, 695 and 722, Hundred of Port Gawler (Port Gawler)
- Allotment 22, Deposited Plan 76309, Hundred of Port Adelaide (Mutton Cove)
- Piece 103, Deposited Plan 68900, Hundred of Encounter Bay (Spring Mount)
- Piece 2, Deposited Plan 28258, Hundred of Adelaide (Morialta)
- Allotment 1, Filed Plan 30401, Part Para Woodlands Reserve
- All of the Crown Land parcels within the Adelaide International Bird Sanctuary including Sections 314-316, 320-330, 337, 506-510, 512-515, 535-536, 615 Hundred of Port Adelaide. Allotments 102 and 104 Deposited Plan 50216 in the Hundred of Port Adelaide
- Allotment Pieces 571 and 572 Deposited Plan 68116 in the Hundred of Port Adelaide
- Allotment 21 in Deposited Plan 79457 in the Hundred of Waitpinga.

#### **Northern and Yorke Area**

- Sections 2349 and Allotment 60, Deposited Plan 27952 and Allotment 72, Deposited Plan 28222, Hundred of Wallaroo (Wallaroo Mines)
- Allotment 1, Deposited Plan 30408 and Allotment 2, Deposited Plan 29815, Hundred of Carribie (Gleeson's Landing/Thidna)
- Section 458, Hundred of Hanson (Porter's Lagoon)
- Sections 57, 59, 583 to 585, 628 and 629, Hundred of Clinton (Port Arthur Rd)
- Section 225 Hundred of Bright (Burra Creek/Worlds End Creek)
- Sections 49, 50, 56, 191 and 538 Hundred of Hallett, Sections 105, 108, 137 and 144 Hundred of Mongolata and Sections 47, 52, 53, 54, 55, 317 and 318 Hundred of Tomkinson (Caroona Creek).

**West Area**

- Allotment 410, Deposited Plan 60745, Hundred of Lake Wangary
- Sections 106, 109, 137 and 143 Hundred of Wrenfordsley (Sceale Bay).

**Outback Area**

- Allotment 2, Deposited Plan 34847, OH (Andamooka) (Finniss Springs)
- Block 422, Hundred 832300, OH (Kopperamanna) (Tirari Desert).

**Kangaroo Island Area**

- Allotment 1 in Deposited Plan 76540
- Section 507 Hundred of Dudley
- Section 557, Hundred of Dudley (Lashmar Lagoon)
- Section 91, Hundred of Dudley (Baudin)
- Section 525, Hundred of Dudley (Penneshaw)
- Section 510, Hundred of Dudley and Section 404, Hundred of Haines (Mt Thisby)
- Section 50, Hundred of Duncan and Section 175, Hundred of Cassini (Latham).

3. Declare that hunting is not permitted on Unalienated Crown Land in Marine Park Sanctuary Zones as listed in the following schedule.

Note that maps showing the location of Marine Park Sanctuary Zones can be found at:

<http://www.environment.sa.gov.au/marineparks/maps-and-coordinates>

**Schedule:**

- Sections 756, 757 and 771, Hundred of Myponga;
- Section 320 of the Hundred of Yankalilla;
- Sections 701, 702, 728, 730, 733, 807 and 808, Hundred of Port Gawler;
- Section 311 of the Hundred of Playford;
- Allotments 523, 525, 527 and 529 of Filed Plan 55177;
- Section 390 of the Hundred of Way;
- Allotment 57 of Deposited Plan 67302, Within the Hundred of Wookata;
- Section 58 of the Hundred of Moule;
- Sections 46, 47, 48, 58 and 59, Hundred of Bartlett;
- Allotments 103, 106 and 109 of Deposited Plan 80464, Within the Hundred of Wallanippie;
- Section 95 of the Hundred of Wallanippie;
- Sections 347, 348 and 349 of the Hundred of Hutchison;
- Section 37 of the Hundred of Louth;
- Section 852 of the Hundred of Seal Rock;
- Allotments 1 and 2 of Deposited Plan 33131, Within the Hundred of Lake Wangary;
- Sections 517, 518 and 519 of the Hundred of Lake Wangary;
- Allotment 15 of Deposited Plan 31182, Within the Hundred of Lake Wangary;
- Allotment 1 of Deposited Plan 69184, Within the Hundred of Lake Wangary;
- Sections 123, 590, 511 and 512, Hundred of Lake Wangary;
- Section 189 of the Hundred of Warrow;
- Allotment 500 of Deposited Plan 53874, Within the Hundred of Jenkins;
- Piece 110 of Deposited Plan 56246, Within the Hundred of Poynton;
- Section 70 of the Hundred of Poynton;
- Sections 123, 407, 489, 490 and 493 of the Hundred of Randell;
- Section 229 of the Hundred of Wrenfordsley;
- Allotment 204 of Deposited Plan 38929, Within the Hundred of Wrenfordsley;
- Sections 158, 159, 175, 176, 187, 237, 240, 241 and 242 of the Hundred of Wrenfordsley;
- Allotment 29 of Deposited Plan 41664, Within the Hundred of Wrenfordsley;
- Piece 1 of Deposited Plan 73266, Within the Hundred of Wrenfordsley;
- Allotment 2 of Deposited Plan 33127;
- Pieces 6 and 7 of Deposited Plan 78588, Within the Hundred of Menzies;
- Section 438 of the Hundred of Menzies;
- Allotment 201 of Deposited Plan 74635, Within the Hundred of Dudley;
- Sections 455, 458, 511 and 556 of the Hundred of Dudley;
- Allotment 1 of Deposited Plan 35927, Within the Hundred of MacGillivray;
- Piece 3 of Deposited Plan 33745, Within the Hundred of Tiparra;
- Section 547 of the Hundred of Tiparra;
- Sections 631, 685, 686, 687, 688, 689 and 745 of the Hundred of Melville;
- Allotment 1 of Deposited Plan 33129, Within the Hundred of Clinton;
- Sections 570 and 632 of the Hundred of Clinton;
- Sections 972, 1047, 1209 and 1210, 1230, 1231, 1232 and 1233 of the Hundred of Davenport;
- Section 245 of the Hundred of Copley;
- Allotment 507 of Deposited Plan 47651, Within the Hundred of Jenkins;
- Allotment 500 of Deposited Plan 53874, Within the Hundred of Jenkins;
- Section 123 of the Hundred of Jenkins;
- Allotment 171 of Deposited Plan 22929, Within the Hundred of Winninowie;
- Section 233 of the Hundred of Baroota;
- Sections 999, 1086, 1087, 1154, 1155, 1156, 1157, 1158, 1226, 1227, 1228, 1246 and 1247 of the Hundred of Pirie;
- Section 1209 of the Hundred of Davenport; and
- Section 120 of the Hundred of Crozier.

Dated: 17 December 2018

DAVID SPEIRS  
Minister for Environment and Water

DEVELOPMENT ACT 1993  
NOTICE UNDER SECTION 25(17)

*City of Tea Tree Gully*

*Commercial, Light Industry and Residential (Sites) Development Plan Amendment*

*Preamble*

1. The Commercial, Light Industry and Residential (Sites) Development Plan Amendment (the Amendment) by the City of Tea Tree Gully has been finalised in accordance with the provisions of the *Development Act 1993*.
2. The Minister for Planning has decided to approve the Amendment.

PURSUANT to section 25 of the *Development Act 1993*, I –

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

Dated: 5 December 2018

STEPHAN KNOLL  
Minister for Planning

DEVELOPMENT ACT 1993  
NOTICE UNDER SECTION 25(21A)

*City of Marion and City of Holdfast Bay*

*Seacliff Park Mixed Density Residential and Neighbourhood Activity Centre Development Plan Amendment*

*Preamble*

1. The Development Plan Amendment entitled ‘**Seacliff Park Mixed Density Residential and Neighbourhood Activity Centre Development Plan Amendment**’ (the Amendment) was commenced on 31 July 2012, when agreement between the Minister responsible for the administration of the *Development Act 1993* and the Cities of Marion and Holdfast Bay was reached on the Statement of Intent for the proposed Amendment.
2. Pursuant to section 25(21a) of the *Development Act 1993*, the DPA will lapse if not exempted by the Minister for Planning.
3. The Minister for Planning has decided to exempt this Amendment from lapsing by force as follows:

PURSUANT to section 25(21a) of the *Development Act 1993*, I exempt the Amendment from lapsing by force on the condition that the Amendment be completed by 31 December 2019.

Dated: 30 November 2018

STEPHAN KNOLL  
Minister for Planning

DEVELOPMENT ACT 1993  
SECTION 48

*Decision by the State Commission Assessment Panel as Delegate of the Governor*

*Preamble*

1. On 12 April 1990 the Governor granted a development authorisation under the Section 51 of the Planning Act 1982, in respect of the development of a marina extension, marine precinct and waterfront residential at the south-western end of Hindmarsh Island.
2. Following various amendments to the development, now known as ‘The Marina Hindmarsh Island’, development authorisation for Stages 2-6 of the development was granted by the Governor on 1 July 1993.
3. On 21 December 2000 notice of the Governor’s decision to grant a development authorisation under Section 48 of the Development Act 1993 (‘the Act’), in respect of an amended design of the proposal was published in the *South Australian Government Gazette* at p 3687. The proposal was the subject of an amended Environmental Impact Statement and an amended Assessment Report, pursuant to Section 47 of the Act.
4. Simultaneously, the Governor delegated his power to grant a variation to the development authorisation to the Development Assessment Commission (now the State Commission Assessment Panel) pursuant to Section 48 (8) of the Act.
5. Variations to the development authorisation were notified in the Gazette on 10 July 2003 at p 2895, on 28 April 2005 at p 999, on 9 February 2006 at p 470, on 16 August 2007 at p 3330, on 21 February 2008 at p 533, on 30 October 2008 at p 4947, on 4 February 2016 at p 332, on 7 March 2017 at p 811 and on 26 July 2018 at p 2908.
6. Application has now been made to the State Commission Assessment Panel, as delegate of the Governor, pursuant to Section 48 of the Act, for approval of a further amendment to ‘The Marina Hindmarsh Island (now called ‘Coorong Quays’).
7. By letter dated 13 August 2018 Mill Hill Capital Pty Ltd, trading as ‘Coorong Quays’, being the beneficiary of the development authorisation, sought a variation to the authorisation so as to permit a change to the approved layout plan to incorporate a new development component – an Aged Care Facility (conceptual site).
8. For ease of reference the relevant conditions attached to the ‘The Marina Hindmarsh Island’ development authorisation are republished hereunder.

*Decision*

Pursuant to Section 48 (7) (b) (ii) of the Development Act 1993, and having due regard to the matters set out in Section 48 (5) and all other relevant matters, the State Commission Assessment Panel exercising the power of the Governor delegated by notice in the *South Australian Government Gazette* dated 21 December 2000 pursuant to Section 48 (8), varies the ‘The Marina Hindmarsh Island’ development authorisation dated 26 July 2018, in accordance with the following conditions.

CONSOLIDATED VERSION OF CONDITIONS OF AUTHORISATION

1. ‘The Marina Hindmarsh Island’ proposal shall be undertaken in accordance with:
  - (a) the drawings contained in the application by Binalong Pty Ltd dated March 1990, except to the extent that they are varied by the drawings and documents described in Conditions 1 (b)-(o):

- (b) the drawings contained in the draft Environmental Impact Statement by Binalong Pty Ltd dated January 1990, except to the extent that they are varied by the drawings and documents described in Conditions 1 (c)-(o);
- (c) the drawing entitled 'Marina Goolwa. Proposed Lagoon Development Stage 2. Hindmarsh Island' granted approval by the Governor on 22 April 1993, except to the extent that it is amended by the drawings in Conditions 1 (d)-(k);
- (d) the following drawings contained in the amended EIS, except to the extent that they are varied by the drawings and documents described in Conditions 1 (e)-(o):
- (i) Part Site Plan, Project No. 86-1512K Sheet No. P2A dated 26 October 1999;
  - (ii) Part Site Plan, Project No. 86-1512K Sheet No. P18A dated 26 October 1999;
  - (iii) Residential Sales Centre. Plan and Elevation, Project No. 86-1512K Sheet No. P18 dated 26 October 1999; and
  - (iv) Redesign of Stages 4 and 5, Reference No. G20037 Revision 01 dated May 2000;
- (e) the following drawings contained in the amended Assessment Report dated November 2000, except to the extent that they are varied by the drawings and documents described in Conditions 1 (f)-(o):
- (i) Figure 3: Proposed Amended Staging Plan (General Layout); and
  - (ii) Figure 4: Amended Staging Plan (Residential Component);
- (f) the following drawings contained in the letters from The Marina Hindmarsh Island to Planning SA dated 7 April 2003, 9 April 2003 and 8 May 2003, except to the extent that they are varied by the drawings and documents described in Conditions 1 (g)-(o):
- (i) Part Site Plan, Project No. 86-1512K Sheet No. P2D dated 7 April 2003;
  - (ii) Boat Repair Facility, Project No. 86-1512K Sheet No. P19 dated March 2003;
  - (iii) Boat Storage Shed Elevations & Section, Project No. 86-1512K Sheet No. P18 dated 10 March 2003;
  - (iv) Boat Storage Shed, Project No. 86-1512K Sheet No. P18 dated April 2003;
  - (v) Jetty Construction Facility, Project No. 86-1512K Sheet No. P20 dated April 2003;
  - (vi) Marine Dry Stand Servicing, Project No. 86-1512K Sheet No. P15 dated April 2003;
  - (vii) Proposed Retirement Estate Development, Project No. 86-1512K Sheet No. SD01 dated 25 March 2003;
  - (viii) Proposed Retirement Estate Development, Project No. 86-1512K Sheet No. SD02 dated 1 April 2003;
  - (ix) Hindmarsh Island Marina—Stage 7 Roadworks and Drainage Overall Layout Plan, Job No. 2100250A Drawing No. SK1 dated March 2003;
  - (x) The Marina Hindmarsh Island Stages 6 and 8 Lagoon Residential Area, Cad File MRN2003C dated April 2003;
  - (xi) The Marina Hindmarsh Island—Stage 7 Proposed New Design, Cad File STAGE7NEW dated May 2003; and
  - (xii) The Marina Hindmarsh Island Staging Plan, Cad File STAGEPLAN dated May 2003;
- (g) the following drawings contained in the letters from The Marina Hindmarsh Island to Planning SA dated 9 June 2004, 16 August 2004, 9 December 2004, 16 December 2004, 3 January 2005 and 5 April 2005, except to the extent that they are varied by the drawings and documents described in Conditions 1 (h)-(o):
- (i) Location Plan, Proposed Design amendments. Drawn by L. Veska dated June 2004;
  - (ii) Amendment A—Plan showing proposed adjustment of boundaries of Allotment 1 in Development Plan 28183. Drawn by L. Veska dated June 2004;
  - (iii) Amendment B—Proposed Land Division Allotment 2036 in Development Plan 60446 of Nangkita. Drawn by L. Veska Version 3—July 2004;
  - (iv) Amendment C—Stage 7, Proposed New Design. Drawn by L. Veska dated May 2004;
  - (v) Amendment D—Proposed Land Division, Stage 9. Drawn by L. Veska dated May 2004;
  - (vi) Proposed Apartment Complex Vesta Drive, Hindmarsh Island. South and north elevation. Walter Brooke dated 24 August 2004;
  - (vii) Proposed Apartment Complex Vesta Drive, Hindmarsh Island. East and west elevation. Walter Brooke dated 24 August 2004;
  - (viii) Proposed Apartment Complex Vesta Drive, Hindmarsh Island. Typical Apartment Plans. Walter Brooke dated 24 August 2004;
  - (ix) Proposed Apartment Complex Vesta Drive, Hindmarsh Island. Floor Plans. Walter Brooke dated 24 August 2004;
  - (x) Proposed Apartment Complex Vesta Drive, Hindmarsh Island. Site Plan. Walter Brooke dated 24 August 2004;
  - (xi) Proposed Retirement Estate Vesta Drive, Hindmarsh Island. Site Plan—Central Facility. Walter Brooke dated 24 August 2004;
  - (xii) Proposed Retirement Estate Vesta Drive, Hindmarsh Island. Ground Floor and First Floor Plan and West Elevation—Central Facility. Walter Brooke dated 24 August 2004;
  - (xiii) Proposed Retirement Estate Vesta Drive, Hindmarsh Island. Part Site Plan-1. Walter Brooke dated 24 August 2004;
  - (xiv) Proposed Retirement Estate Vesta Drive, Hindmarsh Island. Part Site Plan-2. Walter Brooke dated 24 August 2004;
  - (xv) Proposed Yacht Club Facility Vesta Drive, Hindmarsh Island. Site Plan, Ground Floor and Upper Floor Plan and south-east elevation. Walter Brooke dated 24 August 2004;
  - (xvi) Marine Servicing Area. Part Site Plan. Walter Brooke dated 27 May 2004;
  - (xvii) Proposed Marine Servicing. Section AA, Floor Plan, south, north and west elevations. Walter Brooke dated 24 August 2004;
  - (xviii) Proposed Enviro Shed. Section AA, Floor Plan, south and east elevations. Walter Brooke dated 24 August 2004;
  - (xix) Amendment D—Proposed Land Division, Stage 9/Section Locations. Parsons Brinckerhoff/Drawn by L. Veska dated May 2004;

- (xx) Sections A and B—Amendment D—Proposed Land Division, Stage 9. Parsons Brinckerhoff. December 2004;
- (xxi) Retirement Estate Typical Residential Units. Unit Type E. Walter Brooke—undated;
- (xxii) Plan Showing Possible Exchange of Reserves. Drawn by L. Veska dated November 2004;
- (xxiii) Staging Plan. Drawn by L. Veska dated April 2005; and
- (xxiv) Current Reserve Areas—Ownership status on Staging Plan. Drawn by L. Veska—undated;
- (h) the following drawing contained in the letters from The Marina Hindmarsh Island to Planning SA dated 9 June 2004, except to the extent that they are varied by the drawings and documents described in Conditions 1 (i)-(o):
  - (i) Amendment C—The Marina Hindmarsh Island, Stage 7, Proposed New Design. Drawn by L. Veska dated May 2004;
- (i) the following drawings and plans contained in the letters from The Marina Hindmarsh Island to Planning SA dated 9 May 2006, 11 December 2006 and 15 December 2006, except to the extent that they are varied by the drawings and documents described in Conditions 1 (j)-(o):
  - (i) The Marina Hindmarsh Island, Plan of Proposed Amendment—Portion of Stage 7. Drawn by L. Veska dated May 2006;
  - (ii) The Marina Hindmarsh Island, Proposed Retirement Estate—Vesta Drive, Hindmarsh Island. Overall Site Plan. Walter Brooke dated 24 November 2006;
  - (iii) Retirement Estate—Typical Residential Units. Unit Type A. Walter Brooke—undated;
  - (iv) Retirement Estate—Typical Residential Units. Unit Type B. Walter Brooke—undated;
  - (v) Retirement Estate—Typical Residential Units. Unit Type C. Walter Brooke—undated;
  - (vi) Retirement Estate—Typical Residential Units. Unit Type D. Walter Brooke—undated;
  - (vii) Retirement Estate—Typical Residential Units. Unit Type F. Walter Brooke—undated;
  - (viii) Retirement Estate—Typical Residential Units. Two-storey Unit—Front Elevation. Walter Brooke—undated;
  - (ix) Retirement Estate—Typical Residential Units. Two-storey Unit. Walter Brooke—undated;
  - (x) Retirement Estate—Typical Residential Units. Unit Type F—Three Bedroom. Walter Brooke—undated;
  - (xi) Retirement Estate—Typical Residential Units. Two-storey four Bedroom Unit—Front Elevation/ Upper Floor. Walter Brooke—undated;
  - (xii) Retirement Estate—Typical Residential Units. Two-storey Unit. Walter Brooke—undated;
  - (xiii) The Marina Hindmarsh Island, Amended Land Division of Allotments 128 to 140 in Stage 7. Drawn by L. Veska dated June 2006;
  - (xiv) Plan Titled: 'WAREHOUSE UNITS'—undated;
  - (xv) Plan Titled: 'DUELLED KEY UNITS'—undated;
  - (xvi) Plan Titled: Marina Apartment, Hindmarsh Island. Walter Brooke—undated;
  - (xvii) Retirement Estate—Typical Residential Units. Two-storey four Bedroom Unit—Front Elevation. Walter Brooke—undated;
  - (xviii) Retirement Estate—Typical Residential Units. Two-storey four Bedroom Unit. Walter Brooke—undated;
  - (xix) Retirement Estate—Typical Residential Units. Unit—Special (Lot 62). Walter Brooke—undated; and
  - (xx) Retirement Estate—Typical Residential Units. Unit Type AA. Walter Brooke—undated;
- (j) the following drawings and plans contained in the letters from The Marina Hindmarsh Island to Planning SA dated 11 December 2006 and 3 October 2007, except to the extent that they are varied by the drawings and documents described in Conditions 1 (k)-(o):
  - (i) Resort Hotel & Conference Centre—Site Plan SK-01. Walter Brooke—undated;
  - (ii) Resort Hotel & Conference Centre—Basement Plan SK-02. Walter Brooke—undated;
  - (iii) Resort Hotel & Conference Centre—Ground Floor Plan SK-03A. Walter Brooke—undated;
  - (iv) Resort Hotel & Conference Centre—Elevations SK-04. Walter Brooke—undated;
  - (v) Resort Hotel & Conference Centre—Second Floor Plan SK-05. Walter Brooke—undated;
  - (vi) Resort Hotel & Conference Centre—Typical Unit Layout Plans SK-06. Walter Brooke—undated;
  - (vii) The Marina WWTP, Hindmarsh Island, SA—Process Diagram Revision C. Factor Consulting Engineers Pty Ltd dated 31 July 2007; and
  - (viii) The Marina WWTP, Torlano Drive, Hindmarsh Island, SA—Proposed Site Plan Revision A. Factor Consulting Engineers Pty Ltd dated 19 September 2007.
- (k) the following drawings and plans contained in the correspondence from The Marina Hindmarsh Island to the Department of Planning, Transport and Infrastructure dated 16 June 2015, 11 November 2015 and 19 January 2016, except to the extent that they are varied by the drawings and documents described in Conditions 1 (l)-(o):
  - (i) 'The Marina Hindmarsh Island Staging Plan'. Drawn by L. Veska dated Amended November 2007;
  - (ii) 2016 Allotment Plan SK01\_V2 (Revision C). Drawn by WALTERBROOKE—dated 19.01.2016;
  - (iii) Resort Hotel & Conference Centre—Site Plan SK-01 (Revision C). Walter Brooke—dated 4.11.2015;
  - (iv) Resort Hotel & Conference Centre—Elevations SK-07 (Revision C). Walter Brooke—dated 25.02.2010;
  - (v) Resort Hotel & Conference Centre—Basement Floor Plan SK-02 (Revision C). Walter Brooke—dated 4.11.2015;
  - (vi) Resort Hotel & Conference Centre—Ground Floor Plan SK-03 (Revision C). Walter Brooke—dated 4.11.2015;
  - (vii) Resort Hotel & Conference Centre—First Floor Plan SK-04 (Revision C). Walter Brooke—dated 4.11.2015; and
  - (viii) Resort Hotel & Conference Centre—Second Floor Plan SK-05 (Revision C). Walter Brooke—dated 4.11.2015.

- (l) the following documents as they relate to the marina extension and waterfront development, except to the extent that they are varied by any relevant documents described in Conditions 1 (a)-(o):
- (i) the Draft Environmental Impact Statement by Binalong Pty Ltd dated November 1989;
  - (ii) the Supplement to the Draft Environmental Impact Statement by Binalong Pty Ltd dated January 1990;
  - (iii) the application by Binalong Pty Ltd dated March 1990;
  - (iv) the letter from QED Pty Ltd, on behalf of Kebaro Pty Ltd, to Planning SA dated 16 June 2000;
  - (v) the document entitled 'Review and Amendment of the Environmental Impact Statement on the Hindmarsh Island Bridge Marina Extensions and Waterfront Development' dated 16 June 2000 ('the amended EIS');
  - (vi) the letter from the Marina Hindmarsh Island to Planning SA dated 2 October 2000;
  - (vii) the letter from the Marina Hindmarsh Island to Planning SA dated 1 December 2000;
  - (viii) the letter from The Marina Hindmarsh Island to Planning SA dated 7 April 2003;
  - (ix) the letter from The Marina Hindmarsh Island to Planning SA dated 9 April 2003;
  - (x) the letter from The Marina Hindmarsh Island to Planning SA dated 8 May 2003;
  - (xi) the letter from The Marina Hindmarsh Island to Planning SA dated 9 June 2004;
  - (xii) the letter from The Marina Hindmarsh Island to Planning SA dated 16 August 2004;
  - (xiii) the letter from Lynch Meyer to Planning SA dated 25 November 2004;
  - (xiv) the letter from The Marina Hindmarsh Island to Planning SA dated 9 December 2004;
  - (xv) the letter from The Marina Hindmarsh Island to Planning SA dated 16 December 2004;
  - (xvi) the letter from The Marina Hindmarsh Island to Planning SA dated 3 January 2005;
  - (xvii) the letter from QED Pty Ltd to Tom Chapman, dated 1 April 2005;
  - (xviii) the letter from The Marina Hindmarsh Island to Planning SA dated 5 April 2005;
  - (xix) the letter from QED Pty Ltd to Planning SA dated 28 May 2004;
  - (xx) the letter from The Marina Hindmarsh Island to Planning SA dated 20 December 2005;
  - (xxi) the letter from The Marina Hindmarsh Island to Planning SA dated 9 May 2006;
  - (xxii) the letter from The Marina Hindmarsh Island to Planning SA dated 11 December 2006;
  - (xxiii) the letter from The Marina Hindmarsh Island to Planning SA dated 15 December 2006; and
  - (xxiv) the letter from The Marina Hindmarsh Island to Planning SA dated 3 October 2007.
- (m) The following documents as they relate to the layout plan of the 'Gated Community' – Stage 10 except to the extent that they are varied by the drawings described in Conditions 1 (c)-(k):
- (i) Letter from The Marina Hindmarsh Island to Planning SA dated 24 July 2008;
  - (ii) Gated Community – new Layout Plan – SK-01 dated 24 July 2008;
  - (iii) Gated Community – street elevation drawings of housing options A to C – SK-02 dated 24 July 2008; and
  - (iv) Gated Community – street elevation drawings of housing options D – SK-02 dated 24 July 2008.
- (n) the following drawing contained in the correspondence from Coorong Quays Pty Ltd to the Department of Planning, Transport and Infrastructure dated 17 April 2018:
- (i) Drawing Ref – 27581-13-I-SV-DUI-R3.dwg dated 18 May 2018, prepared by FYFE.
- (o) the letter (and attached plan) from Coorong Quays Pty Ltd to the Department of Planning, Transport and Infrastructure dated 13 August 2018.
2. No works shall be commenced on a particular stage or component of the proposal unless and until:
    - (a) a building certifier or the Alexandrina Council has certified to the State Commission Assessment Panel that any work in the Stage that constitutes building work under the Development Act 1993, complies with the Building Rules;
    - (b) compaction specifications (certified by a registered engineer) for the areas for any residential allotments, commercial development and carpark in the Stage have been produced to the State Commission Assessment Panel; and
    - (c) binding arrangements (to the reasonable satisfaction of the State Commission Assessment Panel) have been made for the permanent management and maintenance of any public reserves in the Stage.
  3. No works shall commence on the Stage 10 land division until a Soil Erosion and Drainage Management Plan for the construction and operational of the stage has been prepared to the reasonable satisfaction of the State Commission Assessment Panel in consultation with the Environment Protection Authority. The Soil Erosion and Drainage Management Plan shall include appropriate strategies for the collection, treatment, storage and disposal of stormwater from the Stage 10 land division.
  4. A Stormwater Management Plan (SMP) shall be prepared following the requirements of the Environment Protection Authority 'Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry, 1997', the Environment Protection Authority 'Handbook for Pollution Avoidance on Commercial and Residential Building Sites, 2004' and the Planning SA 'Water Sensitive Urban Design Technical Documents, Greater Adelaide Region, 2008'.
  5. A Traffic Impact Study shall be undertaken to determine the potential impact of the proposal on surrounding arterial road networks and infrastructure.
  6. No works shall be commenced on the Stage 10 land division unless and until:
    - (a) a building certifier or the Alexandrina Council has certified to the State Commission Assessment Panel that any work that constitutes building work under the Development Act 1993, complies with the Building Rules; and
    - (b) compaction specifications (certified by a registered engineer) for the site have been produced to the State Commission Assessment Panel.

7. The final design of the Stage 10 land division shall include measures to minimise greenhouse gas emissions and resource use during the construction and operational phases to the reasonable satisfaction of the State Commission Assessment Panel. Water Sensitive Urban Design measures and practices shall be adopted for the management of runoff, including stormwater capture and reuse.
8. No works shall be commenced on the Convention Centre and Hotel unless and until:
  - (a) a building certifier or the Alexandrina Council has certified to the State Commission Assessment Panel that any work that constitutes building work under the Development Act 1993, complies with the Building Rules; and
  - (b) compaction specifications (certified by a registered engineer) for the site have been produced to the State Commission Assessment Panel.
9. No works shall commence on the Convention Centre and Hotel until a Soil Erosion and Drainage Management Plan for the construction and operational stages has been prepared to the reasonable satisfaction of the State Commission Assessment Panel in consultation with the Environment Protection Authority. The Soil Erosion and Drainage Management Plan shall ensure that drainage practices are based on the principles outlined in the Environment Protection Authority 'Stormwater Pollution Prevention Code of Practice for the Building & Construction Industry, 1997' and the 'Stormwater Pollution Prevention Code of Practice for General Industry, Retail and Commercial Premises, 1998' prepared by the Environment Protection Authority and shall include appropriate strategies for the collection, treatment, storage and disposal of stormwater.
10. No works shall commence on the Convention Centre and Hotel until a Traffic Impact Study has been prepared, to the reasonable satisfaction of the Department of Planning, Transport and Infrastructure, to determine the potential impact on the surrounding arterial road network and any infrastructure improvements required.
11. No works shall commence on the Convention Centre and Hotel until a Noise Impact Study has been prepared, to the reasonable satisfaction of the Environment Protection Authority, to determine the impact on surrounding residents and suitable mitigation measures.
12. The final design of the Convention Centre and Hotel shall include measures to minimise greenhouse gas emissions and resource use during the construction and operational phases to the reasonable satisfaction of the State Commission Assessment Panel.
13. The final design of the Convention Centre and Hotel shall include measures to ensure environmental sustainability, particularly for energy and water conservation, to the reasonable satisfaction of the State Commission Assessment Panel. Water-sensitive urban design measures and practices shall be adopted for the management of run-off, including stormwater capture and re-use.
14. The children's playground shall be relocated to a suitable site to the reasonable satisfaction of the Alexandrina Council.
15. No works shall commence on the Convention Centre and Hotel until a Landscaping Plan has been prepared to the reasonable satisfaction of the State Commission Assessment Panel.
16. An application pursuant to the Real Property Act 1886, for the deposit of a plan of division shall not be submitted for:
  - (a) Stage 3 until at least 50% of Stage 2 allotments have been sold and transferred;
  - (b) Stage 6 until at least 50% of Stage 3 allotments have been sold and transferred; and
  - (c) Stage 8 until at least 50% of Stage 6 allotments have been sold and transferred.
17. All water supply connections within the development shall satisfy the requirements of the South Australian Water Corporation.
18. Water contained in the marina basin and residential lagoons shall be maintained at not less than the quality of the water of the River Murray adjacent to the site at all times.
19. Edge treatments and the channel and basin depths shall be maintained to the specifications depicted on the plans in the application by Binalong Pty Ltd dated March 1990.
20. Any population of *Wilsonia backhousei* on the site shall be either:
  - (i) clearly identified by signposting and protected from damage; or
  - (ii) transplanted, at the applicant's cost, to another location or locations on Hindmarsh Island specified in writing by the Chief Executive Officer of the Department for Environment and Heritage.
21. The expanded Waste Water Treatment Plant shall have sufficient capacity to cater for effluent generated by the Convention Centre and Hotel operating at full capacity.
22. The refurbishment of the effluent storage lagoons must be undertaken in accordance with the Environment Protection Authority 'Guideline Wastewater and Evaporation Lagoon Construction, 2004' and have sufficient capacity to ensure that during long periods of rain, when irrigation is not required, all wastewater is able to be adequately stored.
23. Three years after the commissioning date of the upgraded/ expanded Waste Water Treatment Plant an odour assessment shall be undertaken, to the reasonable satisfaction of the Environment Protection Authority, using an appropriate odour source modelling package and in accordance with the Environment Protection Authority 'Guideline Odour Assessment Using Odour Source Modelling'.
24. Three years after the commissioning date of the upgraded/ expanded Waste Water Treatment Plant a noise survey shall be undertaken, to the reasonable satisfaction of the Environment Protection Authority, to ensure that the requirements of the Environment Protection Authority 'Environment Protection (Noise) Policy, 2007' are being met.
25. The woodlot depicted on the drawing entitled 'Figure 3: Proposed Amended Staging Plan (General Layout)' in the amended Assessment Report dated November 2000 and the drawing entitled 'Figure 12: Design guidelines for woodlot' in the draft Environmental Impact Statement by Binalong Pty Ltd dated January 1990 shall be established in the first growing season occurring after wastewater levels are sufficient, in the opinion of the State Commission Assessment Panel, to enable adequate irrigation of plantings. Sufficient land shall be made available for future expansion of the woodlot in order to cater for any increase in capacity of the Waste Water Treatment Plant.
26. Public access shall be provided from the entrance road to the reserve depicted as allotment 909 on Land Division Application plans, Job No. 88A7091, Sheets 20 and 21 dated 29 July 1988.
27. Public access shall be provided to the marina basin.
28. Public access shall be provided to Council owned or managed reserves along the Island foreshore.
29. A Waste Management Plan to cater for the existing marina facilities and the boating hub area that incorporates the findings of the Marine Wastes Reception Facilities Needs Analysis—Site Needs Analysis for the Marina Hindmarsh Island (2000) prepared by Sinclair Knight Merz for the Marine Group of Environment Australia (Commonwealth Government) shall be prepared and submitted to Planning SA (a branch of the Department for Transport, Urban Planning and the Arts) by 30 June 2001. The waste management plan shall detail the different waste streams generated, outline any opportunities for recycling, and allocate responsibilities for the collection

- and disposal of waste and recyclable materials. The Waste Management Plan shall be prepared in consultation with the Environment Protection Agency (a branch of the Department for Environment and Heritage) and the Alexandrina Council.
30. A salinity monitoring program for the marina basin and residential lagoons shall be prepared and submitted to Planning SA (a branch of the Department for Transport, Urban Planning and the Arts) by 30 June 2001.
  31. All work shall be undertaken in accordance with:
    - (a) a Soil Erosion and Drainage Management Plan;
    - (b) a Waste Management Plan; and
    - (c) a salinity monitoring program.
  32. In lieu of exchanging reserve land, a hard court area shall be provided in the vicinity of the proposed carpark for the purpose of tennis and basketball activities. This shall be constructed and maintained by Kebaro Pty Ltd or an alternative body that Kebaro Pty Ltd chooses, other than Council.
  33. Differential pavement texture and colour shall be installed at three locations immediately east, north and west of the T-Junction of Vesta Drive, to emphasise the pedestrian crossing between:
    - the Yacht Club and the carpark;
    - the car park and the Active Aged Development; and
    - the Active Aged Development and eastern end of the Yacht Club.
  34. Suitable bunding shall be installed to ensure that any storm-water run-off from development in the Country Living Estate, is captured within the bounds of the development site. The bund shall be established prior to any construction activity.
  35. Native vegetation shall be established in order to provide a buffer area between the Country Living Estate and the samphire community. The vegetation shall be established within three months of the installation of the stormwater bund.
  36. A monitoring program shall be established to ensure that there is no weed spread from properties in the Country Living Estate to the samphire community. The program shall be commenced following the construction of dwellings.
  37. In relation to the amended land division components, that the financial, easement and internal drain requirements for water and sewerage services of the SA Water Corporation, if any, shall be met.
  38. That two copies of a certified survey plan shall be lodged for certificate purposes, for each of the land divisions.
  39. For the purposes of section 48(7) of the Development Act 1993, I specify water quality, stormwater management and waste management to be matters in relation to which the Governor may vary, revoke or attach new conditions.
  40. All works associated with the construction of the road intersection of Randell Road and Excelsior Parade and the completion of construction of Blanche Parade shall be designed, constructed and maintained to the reasonable satisfaction of the Alexandrina Council. All costs of these works shall be met by the proponent.

## NOTES TO APPLICANT

1. Although the general concept of each of the following elements (as amended) is considered acceptable, no development approval is hereby granted for:
  - Various buildings and structures within the marina precinct that have not been constructed.
  - Aged Care Facility.
  - Hotel and Convention Centre.
  - Stage 10 land division.
  - Caravan Park.
  - Heliport.
  - Yacht Club.

These elements will require the approval of an amendment of the development hereby approved. Detailed plans and, except in relation to the land division, elevations of each of these elements will be required for assessment.
2. A common building scheme encumbrance or equivalent device for development on residential allotments with similar terms to the current Memorandum of Encumbrance between Kebaro Pty Ltd and purchasers of allotments should be made with purchasers for each further stage to ensure compliance with consistent design standards.
3. Development approval under the Development Act 1993 only has been granted for the marina extension and waterfront development as amended. Compliance is still required with all other relevant legislation, including the Environment Protection Act 1993 and the Aboriginal Heritage Act 1988.
4. Further approvals for the Waste Water Treatment Plant and for the disposal of waste water will need to be sought from the Environment Protection Authority, the Department of Health and the Department of Environment and Water before construction can commence.
5. A decision on the reserved matters relating to Building Rules assessment and certification requirements will only be made by the Governor (or a delegate) after a Building Rules assessment and certification has been undertaken and issued by the Alexandrina Council, or a private certifier, as required by the Development Act 1993; and after the Minister for Planning receives a copy of all relevant certification documentation, as outlined in Regulation 64 of the Development Regulations 2008.
6. If the Building Rules assessment process demonstrates that the Hindmarsh Island Marina development complies with the Building Rules pursuant to the Development Act 1993 and Development Regulations 2008, the Alexandrina Council or private certifier conducting the Building Rules assessment, must:
  - (a) provide to the Minister the certification in the form set out in Schedule 12A of the Development Regulations 2008; and
  - (b) to the extent that may be relevant and appropriate:
    - (i) issue a schedule of essential safety provisions under Division 4 of Part 12;
    - (ii) assign a classification of the building under these regulations; and
    - (iii) ensure that the appropriate levy has been paid under the Construction Industry Training Fund 1993.
7. Regulation 64 of the Development Regulations 2008, provides further information about the type and quantity of all building certification documentation required for referral to the Minister.
8. Alexandrina Council or private certifier undertaking the Building Rules assessment and certification for the Hindmarsh Island Marina development, must ensure that any assessment and certification is consistent with this provisional development authorisation (including any conditions or notes that apply in relation to this provisional development authorisation).

Dated: 13 December 2018

SIMONE FOGARTY  
Presiding Member  
State Commission Assessment Panel

[REPUBLISHED]

In the *South Australian Government Gazette* of 1 November 2018, an error occurred on page 3896 in condition 12. The full notice should be replaced with the following:

DEVELOPMENT ACT 1993

SECTION 48

*Decision by the State Commission Assessment Panel*

*Preamble*

1. The decision of the Governor under Section 48 of the Development Act 1993, to approve the development of the solid waste landfill (Northward Fill Landfill Depot) at Inkerman, was published in the *South Australian Government Gazette* on 21 January 1999.
2. The proposal has been the subject of an Environmental Impact Statement and an Assessment Report under Section 46 and 46B of the Development Act 1993.
3. The development was the subject of further applications to amend the development authorisation, and associated amendments to the Environmental Impact Statement were made under Section 47 of the Development Act 1993.
4. Variations to the development authorisation were notified in the *South Australian Government Gazette* on 17 June 2004 at p 2191 (for an alteration to the method of waste transport and transfer to the disposal area, alteration of the maintenance workshop and removal of the long haul vehicle fuel storage area), 14 October 2004 at p 3847 (related to the landfill lining and leachate collection system), 13 April 2006 at p 1036 (related to the leachate collection system and a change to the operating hours), 20 September 2007 at p 3727 (for the receipt of additional waste materials), 5 June 2008 at p 1827 (related to the recycling of waste materials), 20 August 2009 at p 3676 (to allow the receipt of low level contaminated waste at the approved landfill and disposal of these wastes into cells that are separate from those used to dispose of solid wastes), 4 March 2010 at p 930 (for the receipt and disposal of non-metropolitan construction and demolition waste that is not required to go through a waste recovery and waste transfer facility; and an updated design of the liner system for low level contaminated waste cells) and 8 December 2011 at 4802 (for a modification to the design of the existing maintenance shed).
5. On 8 June 2018, Cleanaway Waste Management Ltd, the company now having the benefit of the development authorisation, applied for a variation to the development authorisation comprising an increase of the final landfill height from the approved height of 27 metres AHD to new height of 32 metres AHD – an increase of 5 metres. The variation application was the subject of an Amended Environmental Impact Statement (dated June 2018) under Section 47 of the Development Act 1993.
6. The State Commission Assessment Panel has, in considering the applications for a variation of the development authorisation, had regard to all relevant matters under Section 48 (5) of the Development Act 1993.
7. For ease of reference, the State Commission Assessment Panel has decided to revoke all conditions and substitute therefore the conditions contained herein. Requirements that pertain to the variation have been added to Condition 1.
8. The development authorisation notified in the *South Australian Government Gazette* on 1 November 2018 at p 3895 incorrectly stated in Condition 12 that the maximum height of the landfill including rehabilitation shall be restricted to 27 m AHD. This condition has now been corrected in accordance with the variation application granted approval on 27 September 2018.

*Decision*

PURSUANT to Section 48 of the Development Act 1993, the State Commission Assessment Panel, as delegate of the Governor:

- (a) vary the development authorisation granted to Cleanaway Waste Management Ltd on 8 December 2011 by:
  - (i) revoking all conditions of approval attached to the provisional development authorisation published in the *South Australian Government Gazette* on 8 December 2011; and
  - (ii) attaching the conditions of approval set out in this notice below;
- (b) specify all matters relating to this development authorisation (as varied) as matters in respect of which conditions of this authorisation may be varied or revoked, or new conditions attached.

PART A: CONDITIONS OF DEVELOPMENT AUTHORISATION

*General Conditions*

1. Except where minor amendments may be required by other legislation, or by conditions imposed herein, the proposed Major Development shall be undertaken in strict accordance with the following documents:
  - Application and letter from Transpacific Industries Group Inc. to the Development Assessment Commission dated 30 November 2009 (except to the extent that it may be varied by a subsequent document in this paragraph).
  - Application and letter (including accompanying plans) from Transpacific Industries Group Inc. to the Development Assessment Commission dated 20 January 2010 (except to the extent that it may be varied by a subsequent document in this paragraph).
  - Transpacific Waste Management, Northward Fill—EIS Amendment to Accommodate Additional Waste Types (dated 19 September 2008). Prepared by QED Pty Ltd (except to the extent that it may be varied by a subsequent document in this paragraph).
  - Proponent's response to submissions—Letter from QED Pty Ltd (on behalf of Transpacific Waste Management Pty Ltd) to the Department of Planning and Local Government dated 1 April 2009 (Ref: 10786) (except to the extent that it may be varied by a subsequent document in this paragraph).
  - Letter from MSP Constructions, on behalf of the Transpacific Industries Group Inc., to the Department of Planning dated 26 August 2011 (except to the extent that it may be varied by a subsequent document in this paragraph).
  - Application letter from Cleanaway Waste Management Ltd to the Department of Planning, Transport and Infrastructure dated 8 June 2018.
  - Northward Fill Landfill, Increase in Finished Landform Height – Amendment Environmental Impact Statement, Cleanaway Waste Management Ltd (dated June 2018). Prepared by Tonkin Consulting.

- Proponent's response to submissions—Letter from Cleanaway Waste Management Ltd to the Department of Planning, Transport and Infrastructure dated 29 August 2018.
2. Before any building work is undertaken on the site, the building work is to be certified by a private certifier, or by some person determined by the Minister for Planning, as complying with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the Regulations).

#### *Low Level Contaminated Waste/Treatment Plant Residues Cells*

3. Prior to the construction of the Low Level Contaminated Waste/Treatment Plant Residues Cell (LLCW/TPRC), the Licensee shall submit to the Environment Protection Authority for assessment and approval a revised Landfill Environmental Management Plan (LEMP) incorporating the design, construction, technical specifications, environmental and post-closure management of the LLCW/TPRC.
4. The Licensee shall, no less than three months prior to construction of any LLCW/TPRC at the Premises:
  - (a) provide to the Environment Protection Authority a specification document that provides a detailed design for the relevant cell; and
  - (b) not construct any cell unless written approval has been received from the Environment Protection Authority.
5. The Licensee shall prior to receiving, storing, treating or disposing of any waste within the LLCW/TPRC, provide to the Environment Protection Authority:
  - (a) an 'As Constructed Report' certifying compliance with the approved design for the lining system, including a Construction Quality Assurance (CQA) for the liner and the Level 1 Supervision Report; and
  - (b) not receive any LLCW/TPRC without written approval from the Environment Protection Authority.

#### *Groundwater*

6. Monitoring shall be undertaken over two successive winter seasons to determine the maximum seasonal watertable level for that period starting prior to the landfill operations starting.
7. An internal leachate-level monitoring bore network within each stage of the landfill shall be established to allow early identification of any problem with the leachate collection system before excessive leachate heads develop.
8. Groundwater monitoring bores shall be established down gradient of the leachate collection ponds to the satisfaction of the Environment Protection Authority.

#### *Leachate Management*

9. The 'As Constructed Report' shall include a certification from a geotechnical consultant that the liner and drainage system has been constructed in accordance with the design principles together with *in-situ* testing to demonstrate that the required permeability has been achieved prior to operations commencing, except as varied by Conditions (a), (b), (c) and (d).
  - (a) the high density polyethylene (HDPE) membrane and geotextile portion of the liner shall extend a minimum of 5 m laterally from the sump (measured from the toe of the sump side slope to the outer edge of the lining system) and the underlying clay outside the sump area must have a minimum thickness of 1 m;
  - (b) the drainage slopes towards drainage lines and along drainage lines shall be a minimum of 2% and 1% respectively;
  - (c) construction of the landfill liner and polylock system shall be undertaken and certified in accordance with Level 1 supervision and Construction Quality Assurance (CQA) procedures. A report documenting the results of the Level 1 supervision and construction quality control tests for the compacted clay liner, HDPE membrane and polylock system shall be prepared to the reasonable satisfaction of the Environment Protection Authority;
  - (d) appropriate procedures and controls shall be implemented on site to address potential risks or damage which may compromise the integrity of the leachate extraction system, including from vehicle traffic, Ultraviolet Radiation, and any movements of the overland pipework including interim flexible pipework used while cells are operational;
  - (e) contingency procedures shall be developed to address the potential for and response to any pipe rupture and leachate emission from the leachate pipes and extraction system; and
  - (f) the LEMP shall be updated to incorporate Conditions (d) and (e).

#### *Landfill Gas*

10. Landfill gas extraction wells shall be installed progressively as filling of the cell proceeds, to the satisfaction of the Environment Protection Authority.
11. All fire control measures proposed at the site shall be approved by the Country Fire Service prior to operations commencing.

#### *Buffers and Landscaping*

12. The maximum height of the landfill including rehabilitation shall be restricted to 32 m AHD (generally 12 m above the existing natural surface) to be consistent with the existing maximum topographic levels in the region.
13. All perimeter plantings shall be started as early as practicable after the date of this approval to achieve maximum amelioration of visual impacts.
14. Screening by suitable plantings where adequate natural screening is not provided, shall be provided for the perimeter fence, all built structures, stockpiles and internal roads (where practicable) using suitable species in accordance with the Vegetation Management and Revegetation Plan proposed as part of the Landfill Environmental Management Plan (LEMP).

#### *Noise and Dust*

15. The proponent shall comply with the provisions of the Environment Protection (Industrial Noise) Policy (1994, SA Government).
16. —
  - (a) the maximum hours of operation shall be 6 a.m. to 7.30 p.m. seven days per week and waste shall only be received between 6 a.m. and 7 p.m.;
  - (b) the Applicant shall ensure that close proximity and low impact directional reverse beepers are installed and utilised on all mobile plant associated with waste disposal operations; and
  - (c) noise levels shall not exceed 40 dB(A) in accordance with EPA Fact Sheet 424/04 between the hours of 10 p.m. and 7 a.m.

#### *Infrastructure*

17. The proponent shall pay all reasonable costs of the detailed design and construction of any public road works made necessary by this development and to the satisfaction of Transport SA.

*Building Rules*

18. Work constituting building work under the Development Act 1993, shall be certified by the Wakefield Regional Council or a private certifier, as complying with the Building Rules. Copies of the relevant certification documentation shall be provided to the Minister for Planning, as outlined in Regulation 64 of the Development Act 1993. No building works shall commence until a favourable decision has been notified in writing to the applicant by the Development Assessment Commission, as delegate of the Governor.

*Heritage*

19. The party with the benefit of this approval shall ensure that operators and construction personnel are made aware of the requirements under the Aboriginal Heritage Act 1988 that any burial site skeletal material or significant artefact discovery is reported to the Department of Premier and Cabinet (Aboriginal Affairs and Reconciliation).

*Wastes*

20. No Listed Waste as prescribed in Schedule 1, Part B of the Environment Protection Act 1993, or contaminated soil and material or asbestos containing material, shall be permitted to be disposed of without further development authorisation except as varied by the conditions listed below.
21. The proponent may receive and dispose of wastes from different regions as follows:
- (a) waste from the Adelaide Metropolitan Area that has gone through a Resource Recovery and Waste Transfer Facility; or
  - (b) waste from regional areas outside the Metropolitan area that:
    - o has been through a kerbside recycling service comprising at least 2 mobile garbage bins with a maximum 140 litre weekly waste collection and a minimum 240 litre fortnightly recycling collection;
    - o has been through a mobile garbage bin kerbside recycling system that yields at least 4 kg per household per week for recycling, excluding contamination;
    - o has been processed through a resource recovery facility/transfer station for the purposes of removing recyclable material prior to being transported for disposal; or
    - o comprises construction and demolition waste that does not contain recyclable materials.
22. The proponent may receive and dispose of the following additional wastes:
- (a) shredded tyres with other approved waste for a period of three years after which the proponent must apply for additional development approval;
  - (b) non-friable asbestos subject to handling and disposal procedures for non-friable asbestos, including the Environmental Management procedures as discussed in detail in Appendix F of the variation proposal; and
  - (c) quarantine waste subject to approval from AQIS to receive and dispose of quarantine waste. In addition, the proponent shall:
    - (i) receive quarantine waste that is accompanied by a completed Quarantine Waste Form developed by the Licensee;
    - (ii) dispose of quarantine waste immediately upon receipt;
    - (iii) ensure a minimum of 2 m of cover is placed over the waste immediately after disposal;
    - (iv) dispose of waste in accordance with requirements of AQIS (including supervision, deep burial and tracking);
    - (v) maintain records that describe details for each load of quarantine waste received and disposed including the following items:
      - o Location of disposal;
      - o Date and time of receipt and disposal;
      - o Volume of waste;
      - o Type of waste;
      - o Producer of the waste;
      - o Transporter of the waste and driver name; and
      - o Name of person supervising disposal of waste.
    - (vi) maintain procedures for the notification, handling, supervision, records management and disposal of quarantine waste and tracking systems to prevent the re-excavation of quarantine wastes.
  - (d) foundry sands—the proponent shall:
    - (i) assess the Used Foundry Sand in accordance with EPA Guidelines for Used Foundry Sand (UFS)—classification and disposal (EPA 329/03—September 2003);
    - (ii) ensure that the Used Foundry Sands have been classified prior to disposal according to the maximum concentrations in mg/kg (dry weight), and the maximum leachate concentration in mg/L, of the contaminants listed in the above referenced Guideline; and
    - (iii) ensure that only Used Foundry Sand classified and certified as Class 1 (or with lower contaminant levels) is received and disposed at the Premises,
  - (e) Low Level Contaminated Waste that meet the relevant Environment Protection Authority Low Level Contaminated Waste Criteria;
  - (f) construction and demolition waste from non-metropolitan areas—the proponent shall:
    - (i) maintain procedures and records, to the reasonable satisfaction of the Environment Protection Authority, that describe details for each load of waste received and disposed to ensure it does not contain recyclable materials.

## PART B: NOTES TO PROPONENT

*Building Rules*

- The proponent must obtain a Building Rules assessment and certification for any building work from either the Wakefield Regional Council or a private certifier (at the proponent's option) and forward to the Minister for Planning all relevant certification documents as outlined in Regulation 64 of the Development Regulations 2008.
- Pursuant to Development Regulation 64, the proponent is especially advised that the Wakefield Regional Council or private certifier conducting a Building Rules assessment must:
  - o provide to the Minister for Planning a certification in the form set out in Schedule 12A of the Development Regulations 2008 in relation to the building works in question; and
  - o to the extent that may be relevant and appropriate:

- (i) issue a Schedule of Essential Safety Provisions under Division 4 of Part 12;
  - (ii) assign a classification of the building under these regulations; and
  - (iii) ensure that the appropriate levy has been paid under the Construction Industry Training Fund 1993.
- Regulation 64 of the Development Regulations 2008 provides further information about the type and quantity of all Building Rules certification documentation for Major Developments required for referral to the Minister for Planning. The Wakefield Regional Council or private certifier undertaking Building Rules assessments must ensure that the assessment and certification are consistent with this development authorisation (including its Conditions and Notes).

*EPA Licensing and General Environmental Duty of Care*

- The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during both construction and operation, do not pollute the environment in a way which causes or may cause environmental harm.
- Environmental authorisation in the form of an amended licence may be required for the construction and/or operation of this development. The applicant is advised to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements.
- The Environment Protection Authority will require the proponent to review and amend where necessary the current Landfill Environmental Management Plan (LEMP) to satisfy the Authority's licensing requirements. Such a plan will be required to include provisions for the review, from time to time, of waste treatment and disposal methods to facilitate implementation of continuous improvement programs. The LEMP will be required to incorporate specific plans in relation to groundwater, leachate and, surface water management. It will also be required to include provisions for implementation of corrective actions in the event of any failure of the leachate and groundwater management systems.
- Control over the types of waste to be received at the site will be exercised by the Environment Protection Authority. This will be done through conditions of environmental authorisation or requirements under a relevant Environment Protection Policy rather than through conditions of development authorisation.
- It is likely that as a condition of such a license the Environment Protection Authority will require the licensee to carry out specified environmental monitoring of air and water quality and to make reports of the results of such monitoring to it.
- A financial assurance in accordance with the provisions of Section 51 of the Environment Protection Act 1993 will be required by the Environment Protection Authority as a condition of license.
- In regard to Conditions of Development Authorisation 3-5, a Geosynthetic Clay Liner may be used in the construction of a liner for a low level contaminated waste cell (such as in place of an upper 600 mm compacted clay liner) provided it has a specification equivalent to ELCOSEAL X3000 made by Geofabrics Australia or its equivalent.

Dated: 27 September 2018

SIMONE FOGARTY  
Presiding Member  
State Commission Assessment Panel

ENVIRONMENT PROTECTION ACT 1993

*Prohibition on Taking Water affected by Site Contamination*

I, ANDREW WALTER PRUSZINSKI, Manager of Site Contamination and Delegate of the Environment Protection Authority ('the Authority'), being satisfied that site contamination exists that affects or threatens groundwater and that action is necessary pursuant to section 103S of the *Environment Protection Act 1993* to prevent actual or potential harm to human health or safety hereby prohibit the taking of groundwater from the 1<sup>st</sup> and 2<sup>nd</sup> Quaternary aquifers (as defined below) within the area specified in the schedule to this notice, other than for environmental assessment or environmental monitoring purposes or as approved in writing by the Authority.

This Notice relates to groundwater in:

- (i) The 1<sup>st</sup> Quaternary aquifer, being the body of groundwater 0 to approximately 6 metres below the ground surface within the specified area; and
- (ii) The 1<sup>st</sup> and 2<sup>nd</sup> Quaternary aquifer, being the body of groundwater 0 to approximately 11 metres below the ground surface within the specified area

The site contamination affecting the groundwater is in the form of chlorinated hydrocarbons, petroleum hydrocarbons and metals which represent actual or potential harm to human health or safety. This prohibition becomes official upon the gazettal of this notice.

Dated: 13 December 2018

A. PRUSZINSKI  
Manager, Site Contamination  
Environment Protection Authority

SCHEDULE

*The Glenelg East/Glenelg/Glenelg South/Glengowrie First Quaternary Aquifer (0-6 Metres below Ground Level)  
Water Prohibition Area (Coordinates are provided in Gda94, Zone 54)*

Commencing at the junction of Brighton Road and Rugless Terrace 6126072N 273656E; thence generally easterly to the junction of Rugless Terrace, Farr Terrace and Short Avenue; thence southerly to the junction of Short Avenue and Allen Terrace; thence easterly to the junction of Allen Terrace and Wyatt Street; thence southerly to the junction of Wyatt Street and Wilson Terrace; thence easterly to the junction of Wilson Terrace and Girdlestone Street 6125783N 274360E; thence southerly to 6125735N 274364E; thence westerly to 6125734N 274354E; thence southerly to Cliff Street 6125678N 274359E; thence generally southerly across Cliff Street to 6125662N 274352E; thence southerly to 6125604N 274357E; thence easterly to 6125602N 274347E; thence southerly to Kipling Avenue 6125566N 274351E; thence westerly to the junction of Kipling Avenue and Diagonal Road; thence generally north westerly to the junction of Diagonal Road and Albert Street; thence generally westerly to the junction of Albert Street and Dyson Street; thence northerly to 6125515N 273806E; thence westerly to Brighton Road 6125508N 273717E; thence southerly to the junction of Brighton Road and Broadway; thence westerly to the junction of Broadway and Hastings Street; thence northerly to the junction of Hastings Street and Baker Street; thence westerly to the junction of Baker Street and Alma Street; thence northerly to the junction of Alma Street and Pier Street; thence easterly to 6125786N 273280E; thence northerly to 6125846N 273276E; thence westerly to 6125841N 273223E; thence northerly to 6125883N 273219E; thence easterly to 6125885N 273237E; thence northerly to 6125911N 273235E; thence easterly to 6125914N 273253E; thence northerly to 6125961N 273248E; thence generally easterly to 6125972N 273324E; thence northerly

Maturin Road 6126011N 273320E; thence easterly to the junction of Maturin Road and Partridge Street; thence northerly to 6126069N 273443E; thence easterly to Penzance Street 6126077N 273544E; thence easterly across Penzance Street to 6126075N 273557N; thence easterly to Brighton Road 6126082N 273623E; thence south easterly to the point of commencement (6126072N 273656E).

*The Glenelg East/Glenelg/Glenelg South/Glengowrie First and Second Quaternary Aquifer  
(0-11 Metres below Ground Level) Water Prohibition Area*

Commencing at the junction of Wilson Terrace and Girdlestone Street 6125783N 274360E; thence southerly to 6125735N 274364E; thence westerly to 6125734N 274354E; thence southerly to Cliff Street 6125678N 274359E; thence generally southerly across Cliff Street to 6125662N 274352E; thence southerly to 6125604N 274357E; thence easterly to 6125602N 274347E; thence southerly to Kipling Avenue 6125566N 274351E; thence westerly to the junction of Kipling Avenue and Diagonal Road; thence generally north westerly to the junction of Diagonal Road and Tennant Street; thence westerly to the junction of Tennant Street and Brighton Road; thence across Brighton Road to 6125616N 273683E; thence westerly to Penzance Street 6125609N 273592E; thence northerly to the junction of Penzance Street and Pier Street; thence northerly to the Penzance Street laneway 6125860N 273575E; thence easterly to Brighton Road 6125868N 273661E; thence across Brighton Road to 6125872N 273691E; thence easterly to Williams Avenue 6125890N 273912E; thence southerly to the junction of Williams Avenue and Wilson Terrace; thence easterly to the point of commencement (6125783N 274360E).

EQUAL OPPORTUNITY ACT 1984

NO: 3925/2018

*South Australian Employment Tribunal*

*Notice of Renewal of an Exemption before Deputy President Judge Farrell*

I HEREBY certify that on 13 December 2018, the South Australian Employment Tribunal, on the application of the Pembroke School Incorporated made the following orders for exemption:

1. Pembroke School Incorporated is exempted from the operation of section 37 of the *Equal Opportunity Act 1984* (SA) to permit it to favour girls or boys in respect of applications for enrolments at all year levels from its Early Learning Centre to Year 7, inclusive, for the purpose of obtaining gender balance in each year.
2. This exemption will be in force for three years.

Dated: 13 December 2018

L MCLAY  
Registrar  
South Australian Employment Tribunal

FISHERIES MANAGEMENT ACT 2007

*Section 79*

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activities described in the following Schedules during the periods specified.

SCHEDULE 1

**Waters of Spencer Gulf**

- 1) The act of taking or an act preparatory to or involved in the taking of any aquatic resource or aiding or abetting such activity and or being in possession of Snapper in the waters of the Spencer Gulf contained within and bounded by a line at a radius of 4 kilometres from the following navigation points:
  - 137° 32.600' East, 33° 28.900' South (Illusion)
  - 137° 36.300' East, 33° 36.300' South (Santa Anna)
  - 137° 19.100' East, 33° 54.700' South (Jurassic Park)
  - 136° 50.900' East, 33° 58.900' South (Estelle Star)

During the period 1201 hours on 15 December 2018 until 1200 hours on 15 December 2019.

- 2) The act of taking or an act preparatory to or involved in the taking of Snapper (*Chrysophrys auratus*) or aiding or abetting such activity in the waters of the Spencer Gulf contained within and bounded by a line at a radius of 4 kilometres from the following navigation point:
  - 137° 48.300' East, 33° 01.000' South (Point Lowly)

During the period 1201 hours on 15 December 2018 until 1200 hours on 15 December 2019.

SCHEDULE 2

**Waters of Gulf St Vincent**

- 3) The act of taking or an act preparatory to or involved in the taking of Snapper (*Chrysophrys auratus*) or aiding or abetting such activity; and or the possession of Snapper in the waters of the Gulf St Vincent contained within and bounded by a line at a radius of 4 kilometres from the following navigation point:
  - 137° 56.200' East, 35° 06.100' South (Tapley Shoals)
  - 138° 19.000' East, 35° 19.900' South (Sellicks Ground)

During the period 1201 hours on 15 December 2018 until 2359 hours on 31 March 2019.

For the purpose of this notice the spatial descriptions are geodesics based on the Geocentric Datum of Australia 1994 (GDA94).

Dated: 14 December 2018

SEAN SLOAN  
Executive Director  
Fisheries and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT ACT 2007

## Section 79

TAKE NOTICE that it is hereby declared that it shall be unlawful for a person fishing pursuant to the following fishery licences issued under the *Fisheries Management Act 2007*: Marine Scalefish Fishery; Restricted Marine Scalefish Fishery; Lakes and Coorong Fishery; Southern Zone Rock Lobster Fishery; or Northern Zone Rock Lobster Fishery, to engage in any class of fishing activity specified in Schedule 1 and Schedule 2 during the period from 1201 hours on 15 December 2018 until 1200 hours on 15 December 2019 unless varied or revoked earlier.

## SCHEDULE 1

The act of taking fish using more than 200 hooks at any one time per registered boat in the waters of Spencer Gulf and Gulf St Vincent Region.

## SCHEDULE 2

In all waters of the State, the act of using or carrying set lines when Snapper (*Chrysophrys auratus*) are on-board a registered boat during the following holiday periods:

- the period commencing at 0100 hours on Sunday 23 December 2018 and ending at midnight (2400) on Tuesday 1 January 2019; and
- the period commencing at 0100 hours on Friday 25 January 2019 and ending at midnight (2400) on Monday 28 January 2019; and
- the period commencing at 0100 hours on Friday 8 March 2019 and ending at midnight (2400) on Monday 11 March 2019; and
- the period commencing at 0100 hours on Thursday 18 April 2019 and ending at midnight (2400) on Monday 22 April 2019; and
- the period commencing at 0100 hours on Friday 7 June 2019 and ending at midnight (2400) on Monday 10 June 2019; and
- the period commencing at 0100 hours on Friday 4 October 2019 and ending midnight (2400) on Monday 7 October 2019.

For the purpose of this notice:

**Set line** - includes any device using hooks and known as a cross line, springer line, side line, long line, drop line or buoyed line;

**Waters of Gulf St. Vincent Region** - The Gulf St Vincent Region comprises waters of the state contained within and bounded by a line commencing at 35°17'59.60" South, 136°52'50.11" East (Cape Spencer) to the location on mean high water springs closest to 35°44'55.88" South, 136°35'14.77" East (Cape Borda, Kangaroo Island), then beginning easterly following the line of mean high water springs to the location closest to 35°50'29.19" South, 138°08'05.64" East (Cape Willoughby), then north-easterly to the location on the mean high water springs closest to 35°38'33.82" South, 138°31'20.77" East (Newland Head), then beginning westerly following the line of mean high water springs to the point of commencement.

**Waters of Spencer Gulf** - means the waters contained within Spencer Gulf north of the geodesic from the location on Mean High Water Springs closest to 34°59'07.15" South, 136°00'11.06" East (Cape Catastrophe, Eyre Peninsula) to the location on Mean High Water Springs closest to 35°17'59.60" South, 136°52'50.11" East (Cape Spencer, Yorke Peninsula).

Dated: 14 December 2018

SEAN SLOAN  
Executive Director  
Fishers and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT ACT 2007

## Section 79

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 within the area described in Schedule 2 during the period specified in Schedule 3.

## SCHEDULE 1

The act of taking or an act preparatory to or involved in the commercial take of any aquatic resources using a fish net.

## SCHEDULE 2

State waters contained within the area bounded by a line commencing near the location on mean high water springs closest to 34°30'10.66" South, 136°16'51.32" East, then southeast to the location on mean high water springs closest to 34°31'08.22" South, 136°15'21.26" East, then beginning southwards following the line of mean high water springs to the location closest to 34°31'37.28" South, 136°15'06.67" East, then southwest to the location on mean high water springs closest to 34°32'25.52" South, 136°15'35.12" East, then south to the line of mean high water springs to the location closest to 34°32'35.69" South, 136°15'41.43" East, then southwest to the location on mean high water springs closest to 34°32'45.97" South, 136°16'16.46" East, then beginning north following the line of mean high water to the point of commencement.

## SCHEDULE 3

- the period commencing at 0001 hours on 15 December 2018 until 2359 hours on 31 January 2019; and
- the period commencing at 0100 hours on Friday 8 March 2019 and ending at 2359 hours on Monday 11 March 2019; and
- the period commencing at 0100 hours on Thursday 18 April 2019 and ending at 2359 on Monday 23 April 2019; and
- the period commencing at 0100 hours on Friday 7 June 2019 and ending at 2359 on Monday 10 June 2019; and
- the period commencing at 0100 hours on Friday 4 October 2019 and ending 2359 on Monday 7 October 2019.

For the purpose of this notice:

**Fish net** - includes any net other than a hand net (including a dab net, dip net or shrimp net), hoop net, drop net or a prawn trawl net;

**Spatial information** - the spatial descriptions are geodesics based on the Geocentric Datum of Australia 1994 (*GDA94*). A map is enclosed for your reference.

Dated: 14 December 2018

SEAN SLOAN  
Executive Director  
Fisheries and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT ACT 2007

## Section 79

TAKE notice that it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1 within in the area described in Schedule 2 during the period specified in Schedule 3.

## SCHEDULE 1

The act of taking or an act preparatory to or involved in the use of more than one gill, mesh or hauling net in conjunction with another fishing net to perform the fishing activity known as "a double drain-off net shot" to take aquatic resources as described in licence condition 1309.

## SCHEDULE 2

State waters contained within the area bounded by a line commencing near the location on mean high water springs closest to 34°30'10.66" South, 136°16'51.32" East, then southeast to the location on mean high water springs closest to 34°31'08.22" South, 136°15'21.26" East, then beginning southwards following the line of mean high water springs to the location closest to 34°31'37.28" South, 136°15'06.67" East, then southwest to the location on mean high water springs closest to 34°32'25.52" South, 136°15'35.12" East, then south to the line of mean high water springs to the location closest to 34°32'35.69" South, 136°15'41.43" East, then southwest to the location on mean high water springs closest to 34°32'45.97" South, 136°16'16.46" East, then beginning north following the line of mean high water to the point of commencement.

## SCHEDULE 3

0001 hours on 15 December 2018 until 2359 hours on 14 December 2019.

For the purpose of this notice the spatial descriptions are geodesics based on the Geocentric Datum of Australia 1994 (GDA94). A map is enclosed for your reference.

Dated: 14 December 2018

SEAN SLOAN  
Executive Director  
Fisheries and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT ACT 2007

## Section 79

TAKE NOTICE that it is hereby declared that it shall be unlawful for a person fishing pursuant to the following fishery licences issued under the *Fisheries Management Act 2007*: Marine Scalefish Fishery; Restricted Marine Scalefish Fishery; Lakes and Coorong Fishery; Southern Zone Rock Lobster Fishery; or Northern Zone Rock Lobster Fishery, to engage in any class of fishing activity or have possession or control of aquatic resources specified in Schedule 1 and Schedule 2 during the period from 1201 hours on 15 December 2018 until 1200 hours on 15 December 2019 unless varied or revoked earlier.

## SCHEDULE 1

The act of taking more than 200 kilograms of Snapper (*Chrysophrys auratus*) per licence in any one day in the waters of Spencer Gulf/West Coast region.

The act of taking more than 350 kilograms of Snapper per licence in any one day in the waters of Gulf St. Vincent region and South East region.

The act of taking or possessing more than 200 kilograms of Snapper per licence in the waters of the Spencer Gulf/West Coast region in circumstances other than those found in Schedule 2.

The act of taking or possessing more than 350 kilograms of Snapper per licence in the waters of the Gulf St. Vincent region and South East region in circumstances other than those found in Schedule 2.

In all waters of the State the act of moving Snapper taken in accordance with this notice from the registered boat to any another vessel while at sea.

The act of unloading Snapper from a registered boat in a region (Spencer Gulf/West Coast region or Gulf St. Vincent region or South East region) other than the region in which Snapper were taken.

The act of taking or being in possession of Snapper where more than one licence is being operated from a registered boat at the same time.

The act of taking or being in possession of Snapper taken from a registered boat that has set lines on board, where there has been no prior to landing report made to PIRSA Fishwatch (1800 065 522) at least 1 hour before landing.

## SCHEDULE 2

The act of taking or being in possession of more than 400 kg of Snapper (*Chrysophrys auratus*) in the waters of the Spencer Gulf/West Coast region per licence from a fishing trip of more than one (1) day.

The act of taking or being in possession of more than 700 kg of Snapper in the waters of the Gulf St. Vincent region per licence from a fishing trip of more than one (1) day.

The act of taking or being in possession of more than 1050 kg of Snapper in the waters of the South East region per licence from a fishing trip of more than one (1) day.

The act of taking or possessing Snapper on a registered boat on a fishing trip of more than one (1) day, in any waters of the State where there has been no prior report made to PIRSA Fishwatch (1800 065 522):

- No less than 1 hour before leaving port; and
- No less than 1 hour before midnight for every day of fishing; and
- No less than 1 hour before landing to port.

For the purpose of this notice:

**in any one day** - means during the period commencing at midnight and ending at the midnight next following.

**set line** - includes any device using hooks otherwise known as a cross line, springer line, side line, long line, drop line or buoyed line.

**fishing trip** - means the time from when a registered vessel leaves any port until the time when the vessel returns to any port.

**Waters of Spencer Gulf/West Coast Region** - The West Coast/Spencer Gulf Region comprises all the waters of Spencer Gulf and the waters of the State west of a line commencing at 35°17'59.60" South, 136°52'50.11" East (Cape Spencer) to the location on mean high water springs closest to 35°44'55.88" South, 136°35'14.77" East (Cape Borda), then beginning southerly following the line of

mean high water springs to the location closest to 35°53'11.27" South, 136°32'06.00" East (Vennachar Point) then continuing south along the meridian of longitude 136°32'06.00" East to the southern limit of the waters of the State.

**Waters of Gulf St. Vincent Region** – The Gulf St Vincent Region comprises waters of the state contained within and bounded by a line commencing at 35°17'59.60" South, 136°52'50.11" East (Cape Spencer) to the location on mean high water springs closest to 35°44'55.88" South, 136°35'14.77" East (Cape Borda, Kangaroo Island), then beginning easterly following the line of mean high water springs to the location closest to 35°50'29.19" South, 138°08'05.64" East (Cape Willoughby), then north-easterly to the location on the mean high water springs closest to 35°38'33.82" South, 138°31'20.77" East (Newland Head), then beginning westerly following the line of mean high water springs to the point of commencement.

**Waters of South East** – The South East Region comprises the waters of the State east of a line commencing at 35°38'33.82" South, 138°31'20.77" East (Newland Head), then south westerly to a location on the mean high water springs closest to 35°50'29.19" South, 138°08'05.64" East (Cape Willoughby), then beginning westerly following the line of mean high water springs to the location closest to 35°53'11.27" South, 136°32'06.00" East (Vennachar Point), then continuing along the meridian of longitude 136°32'06.00" East to the southern limit of the waters of the State.

**Waters of Spencer Gulf** - The waters contained within Spencer Gulf north of the geodesic from the location on Mean High Water Springs closest to 34°59'07.15" South, 136°00'11.06" East (Cape Catastrophe, Eyre Peninsula) to the location on Mean High Water Springs closest to 35°17'59.60" South, 136°52'50.11" East (Cape Spencer, Yorke Peninsula).

For the purpose of this notice the spatial descriptions are geodesics based on the Geocentric Datum of Australia 1994 (*GDA94*).

Dated: 14 December 2018

SEAN SLOAN  
Executive Director  
Fisheries and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

#### FISHERIES MANAGEMENT ACT 2007

##### SECTION 79

##### *Charter Boat Fishery Snapper Bag Limit Reduction—Temporary Prohibition of Fishing Activity*

I HEREBY DECLARE that it is unlawful for an unlicensed person fishing as part of a charter boat fishing agreement with the holder of a licence issued under the *Fisheries Management (Charter Boat Fishery) Regulations 2016* to engage in the fishing activity specified in Schedule 1 in the area specified in Schedule 2 during the period specified in Schedule 3 unless varied or revoked earlier.

##### SCHEDULE 1

The act of taking or an act preparatory to taking of more than 3 Snapper (*Chrysophrys auratus*) that are between 38-60 cm in length and 1 Snapper that is >60 cm in length per person on any one day.

##### SCHEDULE 2

The waters of the state.

##### SCHEDULE 3

From 1201 hours on 15 December 2018 until 1200 hours 15 December 2019.

Dated: 14 December 2018

SEAN SLOAN  
Executive Director  
Fisheries and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

#### FISHERIES MANAGEMENT ACT 2007

##### SECTION 115

##### *Ministerial Exemption ME9903018*

TAKE NOTICE that pursuant to section 115 of the *Fisheries Management Act 2007*, Christopher Madden of 28 Kingswood Crescent, LOCKLEYS SA 5032 (the 'exemption holder'), is exempt from section 70 of the *Fisheries Management Act 2007* and Regulation 5, clauses 42, 74 and 95 of the *Fisheries Management (General) Regulations 2017* but only insofar as he may use the devices described in schedule 1 to take European Carp and *Gambusia* species in the area specified in schedule 2 for the purpose of research (the 'exempted activity'), subject to the conditions set out in schedule 3, from 10 December 2018 until 10 December 2019, unless varied or revoked earlier.

##### SCHEDULE 1

- Seine net – 10m length, 6mm mesh, 2m drop
- Seine net – 25m length, 10mm mesh, 2m drop

##### SCHEDULE 2

- Kaurna Park Wetland:
  - Latitude 34.736 south
  - Longitude 138.609 East

##### SCHEDULE 3

1. The exemption holder must not have more than two (2) seine nets in his possession at any time when undertaking activities under this notice.
2. The exempted activity may only be conducted by the exemption holder or the nominated agent, Darren Hicks.
3. All native fish taken in the course of the exempted activity must be immediately returned to the water.
4. Any noxious fish caught must be euthanized immediately and not returned to the water.
5. Immediately prior to commencing the exempted activity, the exemption holder must contact the PIRSA FISHWATCH on 1800 065 522 and provide the following details:
  - a. The licence number and person(s) conducting the activity;
  - b. The exact location(s) of the fishing activities;
  - c. The number of carp nets being used;
  - d. Exemption number ME9903018

6. While engaging in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer as requested.
7. The exemption holder must provide a written report to PIRSA, Fisheries and Aquaculture at (GPO Box 1625, ADELAIDE SA 5001) on the outcomes of the research no later than 15 days after the expiry of this notice.
8. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007 or any regulations made under that Act, except where specifically exempted by this notice.

Dated: 10 December 2018

SEAN SLOAN  
Executive Director  
Fisheries & Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

FISHERIES MANAGEMENT ACT 2007

SECTION 115

*Ministerial Exemption ME9903019*

TAKE NOTICE that pursuant to section 115 of the *Fisheries Management Act 2007*, Dr Dion Iervasi of 15 Buntings Road, KIRKSTALL VIC 3283 (the 'exemption holder'), is exempt from section 70 of the *Fisheries Management Act 2007* and regulation 5, clause 42, 74 and 95 of Schedule 6 of the *Fisheries Management (General) Regulations 2017* but only insofar as they may use the devices described in schedule 1 to survey fish species in the area specified in schedule 2 for the purpose of research (the 'exempted activity'), subject to the conditions set out in schedule 3, from 10 December 2018 until 10 June 2019, unless varied or revoked earlier.

SCHEDULE 1

- Single-winged fyke net - single 3m wing, 4mm mesh, 3m funnel, 0.6m high
- Double-winged fyke net - double 5m wing, 4mm mesh, 3m funnel, 0.6m high

SCHEDULE 2

Environmental flows monitoring sites:

Site Code	Waterway	Location	Easting	Northing
SAG18-01	South Para River	Para Wirra pool 1	300593	6161083
SAG18-02	South Para River	Para Wirra, pool 2	301359	6161360
SAG18-03	South Para River	Nolan's, pool 1	298530	6162008
SAG18-04	South Para River	Nolan's, pool 3	297986	6162183
SAG18-05	South Para River	Woodlands Weir pool 2	295447	6167103
SAG18-06	South Para River	Woodlands Weir pool 3	295155	6167016
SAG18-07	Torrens River	Gumeracha, pool 1	303559	6144236
SAG18-08	Torrens River	Gumeracha, pool 2	303533	6144158
SAG18-09	Torrens River	Cudlee Creek, pool 1 & 2	302688	6142234
SAG18-10	Torrens River	Cudlee Creek pool 3	302274	6142271
SAG18-11	Torrens River	Gorge, pool 1	292492	6140319
SAG18-12	Torrens River	Gorge, pool 2	292439	6140237
SAG18-13	Onkaparinga River	Clarendon, pool 2 & 3	284083	6111840
SAG18-25	Torrens River	Silkes Road, pool 2	288525	6139387
SAG18-26	Torrens River	Silkes Road, pool 1	288644	6139385
SAG18-27	Onkaparinga River	Old Noarlunga, pool 3	272750	6104418
SAG18-28	Onkaparinga River	Old Noarlunga, pool 1	273689	6104751
SAG18-29	Onkaparinga River	Brooks Road, pool 1 & 2	281815	6109140
SAG18-30	Onkaparinga River	Brooks Road, pool 3	281790	6108988

Dilution flows and fish barrier monitoring sites:

Site Code	Waterway	Location	Easting	Northing
SAG18-14	Torrens River	Stage 2 weir downstream	273627	6134636
SAG18-15	Torrens River	Stage 2 weir upstream	282116	6134911
SAG18-16	Torrens River	City weir downstream	279533	6133457
SAG18-17	Torrens River	Torrens Lake	279705	6133456
SAG18-18	Torrens River	Tapleys Hill Road weir upstream	273332	6131762
SAG18-19	Torrens River	Tapleys Hill Road weir downstream	273104	6131680
SAG18-20	Torrens River	Second Creek weir downstream	282029	6134636
SAG18-21	Torrens River	Second Creek weir upstream	282116	6134911
SAG18-22	Torrens River	Holbrooks Road weir upstream	275751	6133674
SAG18-23	Torrens River	Holbrooks Road weir downstream	276248	6133797
SAG18-24	Torrens River	Outlet weir downstream	271533	6131274

## SCHEDULE 3

1. The exemption holder must not have more than eight (8) fyke nets in their possession at any time when undertaking activities under this notice.
2. No more than six (6) single-winged fyke nets may be used at any one time per survey site
3. No more than two (2) double-winged fyke nets may be used at any one time per survey site
4. All set nets must be checked and emptied of contents no more than 12 hours after being set, subject to the requirements of sections 6 and 7 of this notice
5. The exempted activity may only be conducted by the exemption holder or the nominated agents:
  - a. Bryce Halliday
  - b. Adam Popoe
  - c. Kylie Iervasi
6. All native fish caught in the course of the exempted activity must be returned to the water as soon as practicable after being caught.
7. Any noxious fish caught must be euthanized immediately and not returned to the water.
8. Immediately prior to commencing the exempted activity, the exemption holder must contact the PIRSA FISHWATCH on 1800 065 522 and provide the following details:
  - a. The exemption number and names of person(s) conducting the activity;
  - b. The exact location(s) of where the fishing activities will be undertaken;
  - c. The number of fyke nets being used;
  - d. **Exemption number ME9903019**
9. While engaging in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer as requested.
10. The exemption holder must provide a written report to PIRSA, Fisheries and Aquaculture at (GPO Box 1625, ADELAIDE SA 5001) on the outcomes of the surveys no later than 15 days after the expiry of this notice.
11. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007 or any regulations made under that Act, except where specifically exempted by this notice.

Dated: 10 December 2018

SEAN SLOAN  
Executive Director  
Fisheries & Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT ACT 2007

## SECTION 115

*Ministerial Exemption ME9903024*

TAKE NOTICE that pursuant to section 115 of the *Fisheries Management Act 2007*, Mary Asikas, Principal of Hallett Cove R-12 School, 2-32 Gledsdale Road, HALLETT COVE SA 5158 (the 'exemption holder'), or a person acting as her agent, is exempt from section 70 of the *Fisheries Management Act 2007* and Regulation 5 and Clauses 74 and 116 of Schedule 6 of the *Fisheries Management (General) Regulations 2017* but only insofar as the exemption holder shall not be guilty of an offence when collecting and holding specified aquatic organisms from the waters specified in Schedule 1, using the gear specified in Schedule 2 (the 'exempted activity') and subject to the conditions specified in Schedule 3, from 10 December 2018 until 10 December 2019, unless varied or revoked earlier.

## SCHEDULE 1

South Australian marine coastal waters (including intertidal rocky reefs) excluding aquatic reserves, specially protected areas of any marine park, the Adelaide Dolphin Sanctuary and the River Murray.

## SCHEDULE 2

Soft mesh hand nets with the following configuration:

- Head – approximately 500 mm x 500 mm
- Handle – 1,500 mm extendable
- Mesh – 2 mm to 3 mm spacing

## SCHEDULE 3

1. The nominated agent of the exemption holder;
  - Mr Bill Round
2. The collection of the following organisms from coastal waters:
  - Rock Pool Shrimp x 50
  - Sweep x 1
  - Blennies and Gobies x 10
  - Cowfish x 2
  - Old Wives x 4
  - Toadfish x 2
  - Weedfish x 4
  - Southern Rock Lobster x 2
  - Blue Swimmer Crab x 2
  - Seastar x 6
  - Magpie Morwong x 2
  - Live Rock (including attached aquatic organisms) 25 kg
3. The specimens collected by the exemption holder are for educational display purposes only and must not be sold.

- 4 Any protected species taken incidentally while undertaking research under this exemption must be returned to the water as soon as possible.
- 5 The exemption holder may not collect specimens for aquaculture research purposes pursuant to this notice.
- 6 Organisms collected pursuant to this notice must not be released if they have been kept separate to their natural environment for any length of time.
- 7 Within 14 days of the collection of organisms pursuant to this notice, the exemption holder must provide a report in writing to PIRSA Fisheries and Aquaculture, (GPO Box 1625, ADELAIDE SA 5001), giving the following details:
  - the date and time of collection
  - the name and number of each species taken, including any mortalities resulting from collecting
  - locations of collection
  - details of disease outbreaks, if any
- 8 At least 1 hour before conducting research under this exemption, the exemption holder must contact PIRSA Fishwatch on **1800 065 522** and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of this notice in their possession at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of permit holders undertaking the exempted activity and other related questions.
- 9 A person acting as an agent of the exemption holder must possess a copy of a signed letter from the exemption holder stating that they are acting as an agent during the exempted activity, and identification stating that they are affiliated with the Hallett Cove R-12 School.
- 10 The exemption holders or a person acting as an agent must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under that Act, except where specifically exempted by this notice.

Dated: 10 December 2018

SEAN SLOAN  
Executive Director  
Fisheries and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

#### FISHERIES MANAGEMENT ACT 2007

##### SECTION 115

##### *Exemption Number ME9903033*

TAKE NOTICE that pursuant to Section 115 of the *Fisheries Management Act 2007*, unlicensed persons fishing as part of a charter boat fishing agreement with the holder of a licence issued under the *Fisheries Management (Charter Boat Fishery) Regulations 2016*, (the 'exemption holder') are exempt from the provisions of section 70 of the *Fisheries Management Act 2007* and Regulation 5, clauses 66 and 67 of Schedule 6 of the *Fisheries Management (General) Regulations 2017* but only insofar as the unlicensed person complies with section 79 notices in force relating to Charter Boat Fishery bag limit reductions for Snapper (*Chrysophrys auratus*) (the 'exempted activity') from waters as specified in Schedule 1, subject to the conditions specified in Schedule 2 during the period from 1201 on 15 December 2018 until 1200 15 December 2019, unless varied or revoked earlier.

##### SCHEDULE 1

The waters of the State.

##### SCHEDULE 2

1. Details of all Snapper taken pursuant to a charter boat fishing agreement must be provided to and recorded by the Charter Boat Licence holder.
2. The exemption holders must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under that Act, except where specifically exempted by this notice.

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

Dated: 14 December 2018

SEAN SLOAN  
Executive Director  
Fisheries and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

#### GAMING MACHINES ACT 1992

##### GR NOTICE NO. 17 OF 2018

##### *Gaming Machines—Club Safe and Gaming Care—Recognition Notice December 2018*

The Liquor and Gambling Commissioner publishes this notice under section 10B of the *Gaming Machines Act 1992*:

#### 1 Citation, commencement, authorising provisions

- (1) This notice may be cited as the Gaming Machines—Club Safe and Gaming Care—Recognition Notice December 2018.
- (2) This notice comes into operation on 1 January 2019.
- (3) This notice is authorised by section 10B(1)(a) of the *Gaming Machines Act 1992*.

#### 2 Recognised industry body—Club Safe

- (1) Club Safe Limited, ACN 120 845 365, is recognised as an industry body with which a licensee may enter into a responsible gambling agreement.
- (2) The recognition granted by this clause continues in force until midnight on 31 December 2019.

### 3 Recognised industry body—Gaming Care

- (1) Hotels Responsible Gambling Early Intervention Agency Limited (also known as Gaming Care), ACN 117 158 282, is recognised as an industry body with which a licensee may enter into a responsible gambling agreement.
- (2) The recognition granted by this clause continues in force until midnight on 31 December 2019.

Dated: 20 December 2018

DINI SOULIO  
Liquor and Gambling Commissioner

#### HOUSING IMPROVEMENT ACT 2016

##### SECTION 25

##### *Rent Control*

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

Address of Premises	Allotment Section	Certificate of Title Volume/Folio	Maximum Rental per week payable
94 Rudall Avenue, Whyalla Playford SA 5600	FL 1 Community Plan 25990 Hundred of Randell	CT5726/64, CT6055/381	\$0.00 Unfit for human habitation
134 Penfold Road, Wattle Park SA 5066	Allotment 3 Deposited Plan 5711 Hundred of Adelaide	CT5171/169	\$0.00 Unfit for human habitation

Dated: 20 December 2018

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

#### HOUSING IMPROVEMENT ACT 2016

##### SECTION 25

##### *Rent Control Revocations*

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

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
2 Rose Lane, Mitcham SA 5062	Allotment 2 Deposited Plan 42346 Hundred of Adelaide	CT5259/780
29 McIntosh Avenue, Glossop SA 5344 (PKA F/Sect 876)	Section 876 Hundred Plan 740200 Hundred of Berri Irrigation Area	CL806/18, CT5983/583
19 Elder St, Wallaroo SA 5556	Allotment 11 Filed Plan 102264 Hundred of Wallaroo	CT5118/611
Unit 12 45 Avenue Rd, Highgate SA 5063	UN 12 Strata Plan 1345 Hundred of Adelaide	CT5855/971
135 Ral Ral Avenue, Renmark SA 5341	Allotment 586 Filed Plan 177792 Hundred of OH(Renmark)	CT5641/644
10 Bests Pl, Burra SA 5417	Allotment 504 Deposited Plan 31242 Hundred of Koorlinga	CT5066/251
54 Chief Street, Brompton SA 5007	Allotment 83 Filed Plan 121930 Hundred of Yatala	CT1131/129, CT5777/375
556 Torrens Road, Woodville North SA 5012	Allotment 43 Filed Plan 115555 Hundred of Yatala	CT4326/329, CT5534/746
13 John Street, Goodwood SA 5034	Allotment 6 Deposited Plan 1217 Hundred of Adelaide	CT2510/106, CT5430/783
35 Winns Road, Coromandel Valley SA 5051	Allotment 73 Filed Plan 149258 Hundred of Adelaide	CT5792/869
145 Norman Road, Aldinga Beach SA 5173 Detached Galvanised iron clad structure located behind main house	Allotment 3 Deposited Plan 7917 Hundred of Willunga	CT5976/943

Dated: 20 December 2018

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

South Australia

## Liquor Licensing (Dry Areas) Notice 2018

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

### 1—Short title

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

### 2—Commencement

This notice comes into operation on 31 December 2018.

### 3—Interpretation

(1) In this notice—

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

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

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

(1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.

(2) The prohibition has effect during the periods specified in the Schedule.

(3) The prohibition does not extend to private land in the area described in the Schedule.

(4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—

(a) a person who is genuinely passing through the area if—

(i) the liquor is in the original container in which it was purchased from licensed premises; and

(ii) the container has not been opened; or

(b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or

(c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

## **Schedule 1—Elder Park Adelaide Parklands Area 1**

### **1—Extent of prohibition**

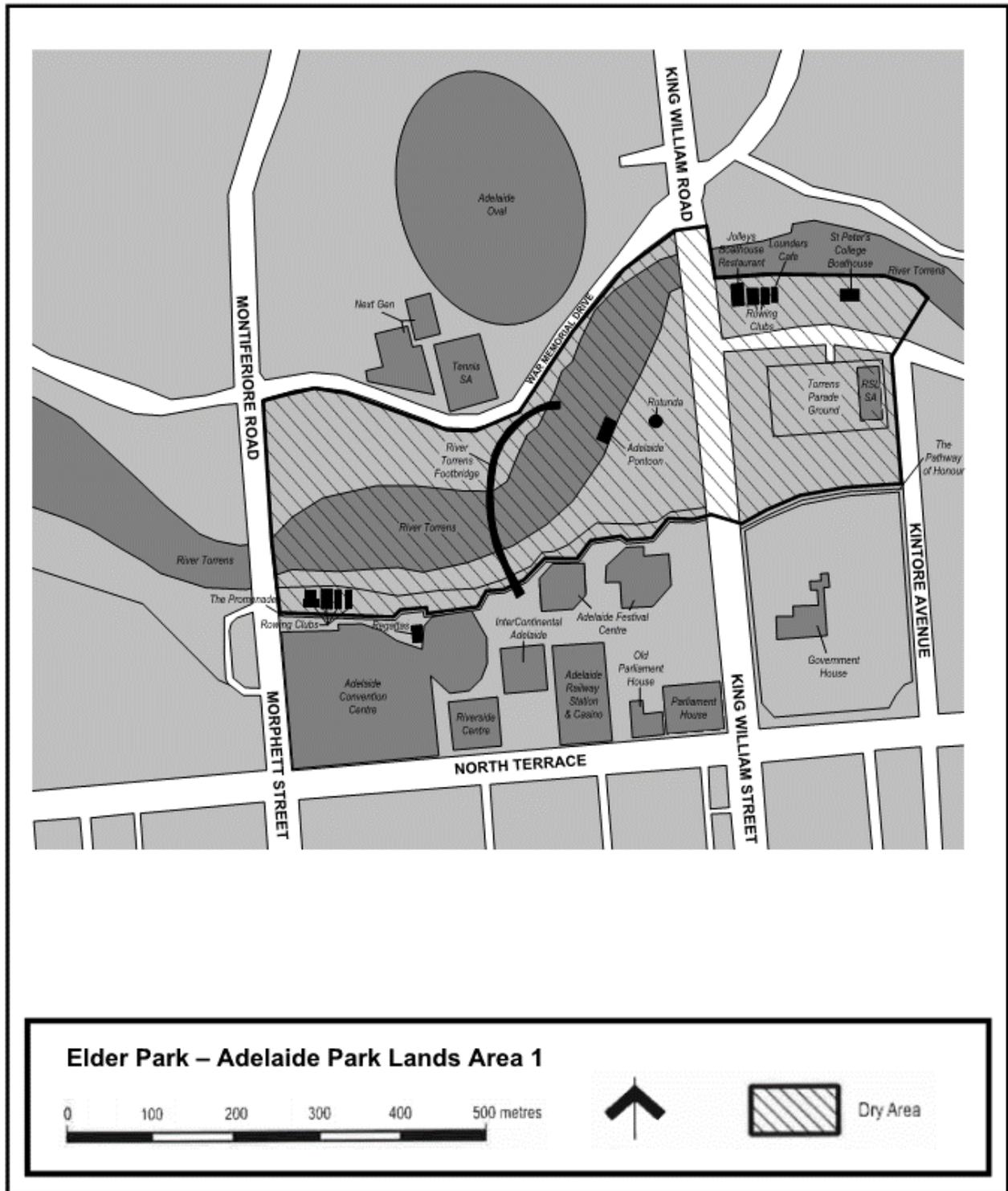
The consumption of liquor is prohibited and the possession of liquor is prohibited.

### **2—Period of prohibition**

From 11am to 8pm on 31 December 2018.

### **3—Description of area**

The Central portion of Elder Park/Tarntanya Wama (Park 26) bounded on the West by Montefiore road, on the North by War Memorial Drive, on the East by Kintore Avenue, the Southern Bank of the River Torrens in line with Kintore Avenue, on the South by the Pathway of Honour, the Northern boundary of the Adelaide Festival Centre and the Northern boundary of the promenade adjacent to the Adelaide Convention Centre.



**Made by the Deputy Commissioner  
on behalf of the Liquor and Gambling Commissioner**  
on 18 December 2018

MINING ACT 1971  
Notice under Section 15

WHEREAS by Notice published in the South Australian Government Gazette on 18 October 2018 at page 3816 ('the Notice'), pursuant to Section 15(5) of the *Mining Act 1971* ('the Act'), I advised that the Mineral Resources Division of the Department for Energy and Mining will be undertaking geological, geophysical and geochemical investigation and survey commencing from 18 October 2018 over all land described in the Notice.

PURSUANT to Section 15(5) of the Act, I further advise that the completion date in respect of the geological, geophysical and geochemical investigation and survey is 31 December 2025 and shall be the completion date effective from 18 October 2018, unless a further notice extending the completion date is published in the South Australian Government Gazette.

Dated: 20 December 2018

ALEX BLOOD  
Executive Director  
Mineral Resources  
Delegate of the Minister for Energy and Mining  
Delegate of the Director of Mines

#### MINING ACT 1971

##### Notice pursuant to Section 28(5)

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: SA Cobalt Pty Ltd  
Location: Ediacara area approximately 40km southwest of Leigh Creek  
Pastoral Leases: Nilpena, Beltana  
Term: Two years  
Area in km<sup>2</sup>: 646  
Reference number: 2018/00163

Applicant: Challenger Gold Operations Pty Ltd (Receivers and Managers Appointed) (Administrators Appointed)  
Location: Barton West area approximately 210km west-northwest of Tarcoola  
Term: Two years  
Area in km<sup>2</sup>: 146  
Reference number: 2018/00166

Applicant: Terramin Exploration Pty Ltd  
Location: Mount Torrens area approximately 40km east of Adelaide  
Term: Two years  
Area in km<sup>2</sup>: 93  
Reference number: 2018/00181

Applicant: Tigers Dominion Group Pty Ltd  
Location: McDouall Peak area approximately 95km southeast of Coober Pedy  
Pastoral Leases: Anna Creek, McDouall Peak  
Term: Two years  
Area in km<sup>2</sup>: 137  
Reference number: 2018/00182

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

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

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

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

#### MOTOR VEHICLES ACT 1959

##### SECTION 119

##### *Motor Vehicles (Scheme under which Approved Insurers Indemnify Nominal Defendant Liabilities) Notice 2018*

I, Robert LUCAS, Treasurer, note that:

1. I (as successor to the Minister for Finance) am the delegate of the Minister to whom the *Motor Vehicles Act 1959* (**MV Act**) is committed (being the Minister for Transport, Infrastructure and Local Government as successor to the Minister for Transport and Infrastructure) pursuant to an Instrument of Delegation dated 20 June 2013 in respect of the powers and functions under section 119 of the MV Act.
2. Section 119(1) of the MV Act empowers me to publish a scheme under which all insurers approved to provide compulsory third party insurance (**CTPI**) under Part 4 of the MV Act will contribute money in proportions provided for in the scheme for:
  - (a) satisfying claims made, or judgments pronounced, against the nominal defendant under Part 4 of the MV Act; and
  - (b) otherwise indemnifying the nominal defendant against payments made, and costs incurred, in respect of claims under Part 4 of the MV Act,
 (each, a **Nominal Defendant Claim**).
3. On 4 December 2015 the then Minister for Finance approved four private insurers to provide CTPI from 1 July 2016 (**Approved Insurers**). From 1 July 2016, the Motor Accident Commission (**MAC**) established under the *Motor Accident Commission Act 1992* (SA) ceased its function of being the sole approved insurer under Part 4 of the MV Act.
4. Each Approved Insurer is party to an Industry Deed dated 2 November 2015 (each an Industry Deed), being an undertaking and an agreement for the purposes of Section 101(4) of the MV Act, under which they have agreed to indemnity liabilities incurred by the nominal defendant being Nominal Defendant Claims.

By this *Gazette* Notice, I, the Treasurer, pursuant to section 119 of the MV Act hereby:

- (a) revoke all previous Schemes made by me or predecessor Minister pursuant to section 119 of the MV Act, with effect from the date of *Gazette* of this Notice; and

- (b) determine a new Scheme, which comes into operation on the date of Gazette of this Notice, under which Approved Insurers and MAC indemnify liabilities incurred by the nominal defendant comprising Nominal Defendant Claims in accordance with items 5 - 7 of this Notice.
5. Subject to item 7 of this Notice, Nominal Defendant Claims must be satisfied as follows:
- (a) Each Approved Insurer:
- (i) must meet and pay any Nominal Defendant Claim allocated to the Approved Insurer; and
- (ii) may retain any sum awarded to the nominal defendant or recovered from the claimant in connection with a Nominal Defendant Claim allocated to the Approved Insurer,
- provided that:
- (b) each Approved Insurer who handles a Nominal Defendant Claim which has been allocated to it is not entitled to recover from the nominal defendant any amount incurred or paid by it in handling the claim, but the Approved Insurer may retain any legal or other costs recovered from the claimant in relation to the claim.
- (c) The MAC:
- (i) remains liable for any Nominal Defendant Claim where death, or bodily injury, has been caused by, or has arisen out of the use of, a motor vehicle while MAC was the sole approved insurer under Part 4 of the MV Act (**pre-1 July 2016 Nominal Defendant Claim**);
- (ii) must meet and pay any pre-1 July 2016 Nominal Defendant Claim; and
- (iii) may retain any sum awarded to the nominal defendant or recovered from the claimant in connection with a pre-1 July 2016 Nominal Defendant Claim,
- provided that MAC is not entitled to recover from the nominal defendant any amount incurred or paid by it in handling the pre-1 July 2016 Nominal Defendant Claim, but may retain any legal or other costs recovered from the claimant in relation to the claim.
6. Clause 8.1 of the Industry Deed allows Approved Insurers, with the prior approval of the CTPI Regulator (established under the *Compulsory Third Party Insurance Regulation Act 2016*), to enter into a sharing agreement which addresses a number of different matters (**Sharing Agreement**), including:
- (a) the sharing or adjustment of the cost of Nominal Defendant Claims as between Approved Insurers; and
- (b) the sharing or adjustment of the costs of handling Nominal Defendant Claims as between Approved Insurers.
7. If the Approved Insurers enter or have entered into a Sharing Agreement with respect to the matters outlined at items 6(a) and 6(b) of this Notice, the arrangements set out in that Sharing Agreement will immediately apply as part of this Scheme to the extent that they supplement or vary the arrangements described at items 5(a) to 5(b) of this Notice.

Dated: 6 December 2018

ROBERT LUCAS  
Treasurer

## NATIONAL PARKS AND WILDLIFE ACT 1972

### *Open Season for the Taking of Specified Species of Protected Animals – Ducks*

PURSUANT to Section 52 of the *National Parks and Wildlife Act 1972*, I, David Speirs, Minister for Environment and Water, being the Minister for the Crown to whom the administration of the *National Parks and Wildlife Act 1972* is for the time being committed, declare an Open Season for the taking of specified species of protected animals as set out in this notice.

#### 1. Specified Species

The species to which the open season applies is limited to the following:

- Grey Teal (*Anas gibberifrons*)
- Chestnut Teal (*Anas castanea*)
- Pacific Black Duck (*Anas superciliosa*)
- Australian Shelduck (Mountain Duck) (*Tadorna tadornoides*)
- Maned (Wood) Duck (*Chenonetta jubata*)
- Pink-eared Duck (*Malacorhynchus membranaceus*)
- Hardhead (*Aythya australis*).

#### 2. Open Season Dates and Times

Subject to other provisions of this notice, the open season for the species identified in *Clause 1* is Saturday 16 March 2019 until Sunday 30 June 2019 inclusive, and the specified species of protected animal listed in *Clause 1* may only be taken in the period between 15 minutes before sunrise and 30 minutes after sunset on any given day of the open season.

Refer to *Clause 6* for further restrictions to open season dates in Game Reserves.

#### 3. Prohibition Against Taking Eggs

A person shall not take duck eggs of any species during the open season.

#### 4. Bag Limit

On any day of the open season, a person shall not take, have possession or control of more than eight (8) ducks made up of any combination of the following species:

- Grey Teal (*Anas gibberifrons*)
- Chestnut Teal (*Anas castanea*)
- Pacific Black Duck (*Anas superciliosa*)
- Australian Shelduck (Mountain Duck) (*Tadorna tadornoides*)
- Maned (Wood) Duck (*Chenonetta jubata*)
- Pink-eared Duck (*Malacorhynchus membranaceus*)
- Hardhead (*Aythya australis*).

**5. Area of the State**

The open season in relation to the species of protected animal listed in *Clause 1* applies to the whole of South Australia, excluding:

- 5.1 All reserves constituted under the *National Parks and Wildlife Act 1972*, other than those game reserves specified in *Clause 6* below; and
- 5.2 All wilderness protection areas and all wilderness protection zones constituted under the *Wilderness Protection Act 1992*; and
- 5.3 All sanctuary zones within any marine park established under the *Marine Parks Act 2007*.

**6. Open Season in Game Reserves**

6.1 Subject to the further restrictions contained in this clause, open season (including *Clause 2*, *Clause 3* and *Clause 4* restrictions) applies in relation to Chowilla Game Reserve, Moorook Game Reserve, Loch Luna Game Reserve, Currency Creek Game Reserve, Lake Robe Game Reserve, Mud Islands Game Reserve, Poocher Swamp Game Reserve, Bucks Lake Game Reserve and Tolderol Game Reserve.

6.2 Restrictions apply to the dates of the open season for Chowilla Game Reserve, Moorook Game Reserve and Loch Luna Game Reserve from those specified in *Clause 2*. The specified species in *Clause 1* may only be taken in Chowilla Game Reserve, Moorook Game Reserve and Loch Luna Game Reserve between 15 minutes before sunrise and 30 minutes after sunset on the following specified open season dates:

- Saturday 16 March 2019
- Sunday 17 March 2019
- Saturday 6 April 2019
- Sunday 7 April 2019
- Saturday 4 May 2019
- Sunday 5 May 2019
- Saturday 18 May 2019
- Sunday 19 May 2019
- Saturday 1 June 2019
- Sunday 2 June 2019
- Saturday 29 June 2019
- Sunday 30 June 2019

6.3 Area restrictions are imposed for the open season in relation to the specified species of protected animal listed in *Clause 1* in game reserves as follows:

**6.3.1 Chowilla Game Reserve**

The open season applies to the whole reserve, subject to the following exclusions:

- a) For safety reasons, all of the area within a 500 metre radius centred upon the Chowilla Homestead, shearing shed, Lock 6 on the River Murray, the Chowilla Creek Regulator and Coombool Outstation (homestead) including any portion of creeks or waterbodies within 500 metres of these sites.

**6.3.2 Moorook Game Reserve**

The open season applies to the whole reserve, subject to the following exclusions:

- a) The western boundary of Sections 474, 475 and 476, Hundred of Moorook, County of Albert, adjacent to the Kingston-Loxton Highway
- b) An area of Wachtels Lagoon being the land and water contained within and bounded by a line commencing at E 442748, N 6210926, then south-easterly to E 443079, N 6210458, then south-easterly to E 443268, N 6209307, then westerly to E 442454, N 6209208, then north-easterly to E 441377, N 6209958, then north-easterly to the point of commencement.

*All lines are geodesics based on the Geocentric Datum of Australia 1994 (GDA94).*

**6.3.3 Loch Luna Game Reserve**

The open season applies to all creeks and associated backwaters of the reserve, subject to the following exclusions:

- a) A 500 metre radius of any house or outbuilding, and within 300 metres of any road or bridge; and
- b) For safety reasons, the open season does not apply to all of the area within 500 metres radius of the homestead of Section 706 McIntosh Division Hundred of Cobdogla Irrigation Area.

Note: Access to Loch Luna is mainly by boat. All hunters should be aware of dangerous quicksand in a number of areas.

**6.3.4 Tolderol Game Reserve**

The open season applies to the whole reserve, subject to the following exclusions:

- a) The area of Tolderol Game Reserve being the land and water west of a line commencing at E 332052, N 6084977, south to E 332014, N 6083738.

*All lines are geodesics based on the Geocentric Datum of Australia 1994 (GDA94).*

**6.3.5 Bucks Lake Game Reserve, Currency Creek Game Reserve, Lake Robe Game Reserve, Mud Islands Game Reserve and Poocher Swamp Game Reserve**

The open season applies to the whole of each reserve.

Dated: 17 December 2018

DAVID SPEIRS  
Minister for Environment and Water

## NATIONAL PARKS AND WILDLIFE ACT 1972

*Open Season for the Taking of Specified Species of Protected Animals – Stubble Quail*

PURSUANT to Section 52 of the *National Parks and Wildlife Act 1972*, I, David Speirs, Minister for Environment and Water, being the Minister for the Crown to whom the administration of the *National Parks and Wildlife Act 1972* is for the time being committed, declare an open season for the taking of Stubble Quail (*Coturnix pectoralis*) as set out in this notice.

1 **Open Season Dates and Times**

Subject to other provisions of this notice, the open season for the taking of Stubble Quail (*Coturnix pectoralis*) will start on Saturday 16 February 2019 and end on Saturday 31 August 2019 inclusive. Stubble Quail may only be taken in the period between sunrise and sunset on any given day of the open season.

2 **Prohibition Against Taking Eggs**

A person shall not take quail eggs of any species during the open season.

3 **Bag Limit**

On any day of the open season, a person shall not take, have possession or control of more than fifteen (15) Stubble Quail (*Coturnix pectoralis*).

4 **Area of the State**

The open season in relation to Stubble Quail (*Coturnix pectoralis*) applies to the whole of South Australia excluding:

- 4.1. All reserves constituted under the *National Parks and Wildlife Act 1972*; and
- 4.2. All wilderness protection areas and all wilderness protection zones constituted under the *Wilderness Protection Act 2*; and
- 4.3. All sanctuary zones within any marine park established under the *Marine Parks Act 2007*.

Dated: 13 December 2018

DAVID SPEIRS  
Minister for Environment and Water

## NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS) REGULATIONS 2016

*Closure of Gawler Ranges National Park*

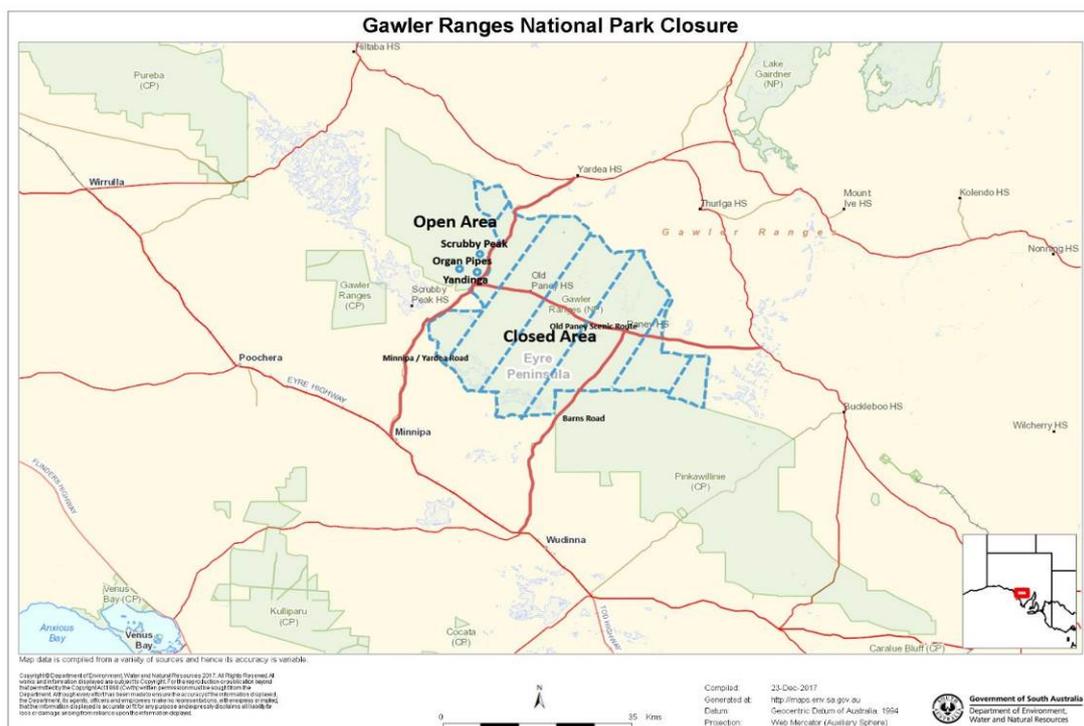
PURSUANT to Regulations 7(3) (a) and 7(3) (d) of the National Parks and Wildlife (National Parks) Regulations 2016, I, Stuart Anthony Maxwell Paul, Acting Director, Regional Programs, Parks and Regions, authorised delegate of the Director of National Parks and Wildlife, close to the public, part of Gawler Ranges National Park The area of closure will include all internal park access roads and campgrounds east of the Minnipa-Yardea Road and the area north of the Pine Lodge Track.

**6.00am on Saturday 2<sup>nd</sup> February 2019 until 6.00pm on Friday 8<sup>th</sup> February 2019.**

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

Dated: 13 December 2018

S. A. M. PAUL  
Acting Director  
Regional Programs, Parks and Regions  
Department for Environment and Water



## 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) in the State of South Australia and the Minister to whom the Act is committed, hereby authorise the taking of water from the Central Adelaide Prescribed Wells Area from the prescribed wells specified in Schedule A, for the purpose set out in Schedule B and subject to the conditions specified in Schedule C.

## SCHEDULE A

*Prescribed Wells*

Well unit number 6628-25192, located within Certificate of Title 5612/599 in the Hundred of Adelaide.

## SCHEDULE B

*Purpose*

For irrigation of turf and gardens at Linde Reserve, irrigating street trees in the local area and to service fountains for recreational use within the City of Norwood, Payneham and St Peters, in association with the Linde Reserve Managed Aquifer Recharge and Recovery Scheme.

## SCHEDULE C

*Conditions*

1. Water may only be taken from the date of publication of this notice until 30 June 2021.
2. A maximum volume of 30 megalitres of water per water use year may be taken from the prescribed well specified in Schedule A.
3. The water user must not take water except through a meter 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.
4. Meter readings must be used to determine the quantity of water taken.
5. The water user must measure and record, at least once during each calendar month, at the same time during each calendar month:
  - a. meter readings
  - b. extraction volumes; and
  - c. water salinity levels
6. The water user must provide the data collected in the form of an annual report in accordance with Condition 5 to the Minister's representative prior to the end of July each year in the form specified by the Minister's representative.
7. The water user must comply with all measuring, monitoring and recording requirements as specified in the Managed Aquifer Recharge Risk Management and Monitoring Plan ('the Plan') as approved by the Minister's representative and as amended from time to time; and at the times and in the manner required by the Plan. The Plan must be submitted and approved by no later than 1 January 2019.
8. The water user must notify the Minister or the Minister's agent 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.
9. 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.
10. Any additional injection/extraction wells for the purpose of managed aquifer recharge must be completed in the fractured rock aquifer system only and located on the parcel/s endorsed on this authorisation. Well construction must be in accordance with the General Specifications for Well Construction, Modification and Abandonment in South Australia (or any subsequent or related policy), as provided by the relevant authority. A permit for well construction must be obtained pursuant to section 127 and 135 of the Act, prior to the installation of the well.

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 2021 unless earlier varied or revoked.

Dated: 17 December 2018

DAVID SPEIRS  
Minister for Environment and Water

## REMUNERATION TRIBUNAL

## REPORT NO. 13 OF 2018

*Salary Sacrifice Arrangements for Judges, Court Officers and Statutory Officers***INTRODUCTION**

1. The Remuneration Tribunal ("the Tribunal") has jurisdiction under section 13 of the *Remuneration Act 1990* ("the Act"), to determine the remuneration payable to judicial officers. The Tribunal has additional jurisdiction, under section 14 of the Act, to determine the remuneration payable to holders of certain other specified statutory offices.
2. This report deals with the salary sacrifice arrangements applicable to Judges, Court Officers and Statutory Officers listed in paragraph 1 of the accompanying Determination.

**BACKGROUND**

3. On 1 March 2018, the Tribunal received an application from Mr Anthony Mackay of the Office of the Commissioner for Public Sector Employment ("OCPSE") for a review of the salary sacrifice arrangements applicable to the relevant officers.
4. The salary sacrifice provisions for Judges, Court Officers and Statutory Officers were last varied in 2007. On that occasion, the variations were to ensure alignment of the terms of the arrangements with those applicable to public sector employees.

**PROCEDURAL HISTORY**

5. Section 10(2) of the Act requires that before the Tribunal makes a Determination affecting the remuneration of a particular person, or persons, the Tribunal must allow that person, or persons, a reasonable opportunity to make submissions to the Tribunal.

6. The Tribunal, by letters, invited submissions from the Judicial Remuneration Coordinating Committee (“JRCC”), the Magistrates Association of South Australia (“MASA”) and the Statutory Officers to which the accompanying Determination applies. The Tribunal also invited the Honourable Premier (“the Premier”) to make submissions in the public interest.
7. Additionally, the Tribunal distributed an email notice of the review to judicial officers and placed a notice of the review on the Tribunal’s public website.

#### SUBMISSIONS

8. The Tribunal received submissions from the OCPSE, the JRCC, the MASA and the Crown Solicitor’s Office (“CSO”), on behalf on the Premier. A summary of those submissions is provided as follows:

Mr Anthony Mackay, Office of the Commissioner for Public Sector

- Minor misalignments have been noted regarding the provisions applicable to the relevant officers.
- A review of salary sacrifice arrangements in the public sector undertaken by a consulting firm, on behalf of SA Government, identified the relevant misalignments between the salary sacrifice scheme available to judicial officers and the scheme available to public sector employees.
- A Determination should be made which ensures salary sacrifice arrangements for Judicial Officers are aligned with those applicable to public sector employees.

The Hon Justice Stanley, Judicial Remuneration Coordinating Committee

- It is appropriate that the Tribunal review salary sacrifice arrangements for judicial officers.
- The JRCC agrees with the Premier’s submission that the current Determination should be varied to conform to the current arrangements enshrined in the South Australian Government Salary Sacrifice Arrangements (“SAGSSA”) Principal Agreement.
- The variation should operate prospectively from the date of any new Determination.
- There is no constitutional or statutory prohibition on the Tribunal making such a Determination in relation to salary sacrifice arrangements for judicial officers.

Magistrate David McLeod, Magistrates Association of South Australia

- MASA supports the submissions of the JRCC in relation to this matter.

Ms Lucy Hodge, the Crown Solicitor’s Office, on behalf of the Hon Premier

- It is appropriate and in the public interest to support the Determination being consistent with the SAGSSA Agreement, based upon the presumption that the SAGSSA Agreement is compliant with relevant Federal taxation provisions.
- The current Determination contains references to various judicial and statutory officers which require amendment in line with previous submissions made following the dissolution of the Industrial Relations Commission of South Australia and the expansion of the South Australian Employment Tribunal.

#### CONSIDERATION

9. On the basis of the material before it, the Tribunal, has concluded that the salary sacrifice arrangements applicable to Judges, Court Officers and Statutory Officers within the scope of application of the accompanying Determination should be brought into alignment with those available to South Australian Public Sector employees, as provided in the South Australian Government Salary Sacrifice Arrangements (“SAGSSA”) Principal Agreement.
10. The Tribunal has also considered the submission of the CSO, on behalf of the Hon. Premier in relation to necessary changes to the scope of application of the Tribunal’s Determination, arising from the dissolution of the Industrial Relations Commission of South Australia and the expansion of the South Australian Employment Tribunal. The Tribunal has effected those changes in the accompanying Determination.

Dated: 17 December 2018

JOHN LEWIN  
President  
PETER ALEXANDER  
Member  
PAMELA MARTIN  
Member

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REMUNERATION TRIBUNAL

DETERMINATION NO. 13 OF 2018

*Salary Sacrifice Arrangements for Judges, Court Officers and Statutory Officers*

#### INTERPRETATION

1. In this Determination, unless the contrary appears:
  - “**Acceptance**” means the acceptance of an offer, which is in the form set out in **Schedule 2**.
  - “**Administration Fee**” means the amount of:
    - (a) \$44.00 inclusive of GST or such other amount determined by the Commissioner to be payable by public sector officers to offset the Paying Authority’s costs of administering salary sacrifice arrangements; and/or
    - (b) an annual administration charge plus GST for administering the salary sacrifice arrangement payable by way of a deduction from the sacrificed amount to the Nominee in accordance with the relevant Service Agreement.

Administration fee may be subject to change from time to time as permitted by the paying authority.

*Please note that the fees described in both subparagraphs (a) and (b) are payable by an office holder appointing a Nominee to administer the Salary Sacrifice Arrangement and the fee described in subparagraph (a) is payable by an office holder where the Salary Sacrifice Arrangement only involves sacrificing salary into the Triple S Scheme, without the need to appoint a Nominee.*

“**Approved Purpose**” or “**Approved Benefit**” means a payment for any of the following:

Category A – Exempt from FBT

- contributions to a private superannuation fund that is complying, in that, it complies with the relevant laws regulating superannuation, including the Triple S scheme
- Work related items (portable electronic device, computer software, protective clothing, briefcase, tool of trade). Primarily for use in the employee's employment and does not apply where the employer otherwise provides the item.

Category B – Subject to FBT (Novated Lease):

- Own motor vehicle through a novated car lease

Category C – Subject to FBT (In House Benefits):

- Other (ATO approved) in-house benefits that may be approved by Government or the Minister for the Public Sector from time to time.

Category D – Not subject to FBT (if employee could have claimed an income tax deduction)

- membership fees and subscriptions to professional associations
- home office expenses
- financial counselling fees
- disability/income protection insurance
- self education expenses

“**Authorised Signatory**” means, in relation to:

- Court Officers and Judges other than the President and Deputy Presidents of the South Australian Employment Tribunal  
- the State Courts Administrator;
- President and Deputy Presidents of the South Australian Employment Tribunal  
- the Chief Executive, Department of the Premier and Cabinet;
- Auditor General  
- the Director, Audit (Policy, Planning and Research), Auditor General's Department;
- the Electoral Commissioner; and the Deputy Electoral Commissioner  
- the Chief Executive, Attorney General's Department
- the Health and Community Services Complaints Commissioner  
- the Chief Executive, Department of Health and Wellbeing

and includes a person authorised by that person to sign Offers on behalf of a Paying Authority.

“**Commissioner**” means the person for the time being appointed to, or carrying out, the duties of, the Commissioner for Public Sector Employment under the *Public Sector Act 2009*.

“**Court Officer**” means any of the following:

the State Coroner;  
the Commissioners of the Environment, Resources and Development Court.

“**Crown**” means the Crown in the right of the State of South Australia.

“**Determination**” means the Determination of the Remuneration Tribunal made on the 17<sup>th</sup> day of December 2018 in relation to salary sacrifice arrangements in respect of the office holder.

“**FBT**” means Fringe Benefits Tax.

“**Judges**” means any of the following members of the judiciary:

the Chief Justice of the Supreme Court;  
the Puisne Judges of the Supreme Court;  
the President of the South Australian Employment Tribunal;  
the Deputy Presidents of the South Australian Employment Tribunal;  
the Judges of the Environment, Resources and Development Court;  
the Judges of the South Australian Employment Tribunal;  
the Chief Judge of the District Court;  
the other District Court Judges;  
the Chief Magistrate;  
the Magistrates of the South Australian Employment Tribunal;  
the other Magistrates;  
the Masters of the Supreme Court; and  
the Masters of the District Court.

“**Nominee**” means the Panel Member selected by the office holder to administer his or her Salary Sacrifice Arrangement.

“**Offer**” means an offer by a Paying Authority to enter into a Salary Sacrifice Arrangement in the form set out in **Schedule 1**.

“**Office holder**” means any of the judges, court officers, or statutory officers.

“**Panel Agreement**” means an agreement between the Crown and a Panel Member for the purposes of engaging a person in order to implement and facilitate the performance of salary sacrifice agreements for office holders and public sector employees the terms of which are as approved from time to time by the Commissioner.

“**Panel Member**” means either:

- Maxxia Pty Ltd ACN 082 449 036; or
- any other person contracted by the Crown in right of the State of South Australia under a Panel Agreement for the purposes of implementing and facilitating the implementation of salary sacrifice agreements under this Determination.

“**Paying Authority**” means, in respect of each office holder, the person or body responsible for paying salary and allowances to the office holder on behalf of the Crown, and includes the Crown.

“**Sacrificed Amount**” means the amount that an office holder may specify as a portion of the office holder's salary for an FBT year that is to be sacrificed in advance prior to earning the same during the period covered by the Determination.

**“Salary Sacrifice Arrangement”** means a salary sacrifice arrangement in accordance with this Determination and the *“Guideline of the Commissioner for Public Sector Employment, Salary Sacrifice”* issued by the Commissioner for Public Sector Employment as updated from time to time.

**“Service Agreement”** means an agreement made between an office holder and a Panel Member which describes the terms and conditions under which the Panel Member will implement salary sacrifice for the office holder the terms of which will be as approved from time to time by the Commissioner for Public Sector Employment.

**“Statutory Officers”** means any of the following statutory office holders:

the Auditor-General;  
the Electoral Commissioner;  
the Deputy Electoral Commissioner; and  
the Health and Community Services Complaints Commissioner.

**“Triple S scheme”** means the Southern State Superannuation Scheme established by the *Southern State Superannuation Act 1994*.

2. In the interpretation of this Determination and any **Schedule** of this Determination:
- where appropriate, words denoting the singular include the plural and vice versa;
  - words importing one gender shall include a reference to all other genders;
  - the headings to the clauses in this Determination have been inserted for convenience of reference only and are not intended to be part of or to affect the meaning or interpretation of any of the terms or conditions of this Determination;
  - a reference to a person includes a reference to corporations and other entities recognised by law;
  - reference to a clause or Schedule is a reference to a clause or Schedule of this Determination; and
  - reference to any Act, regulation, ruling or by-law shall be deemed to include all amendments thereto and all statutory provisions substituted thereafter.

### PRINCIPLES OF SALARY SACRIFICE

3. A salary sacrifice arrangement is to be made available to office holders on the following basis:
- (a) it involves no additional cost to the Paying Authority;
  - (b) an office holder entering into a salary sacrifice arrangement (“participating officer”) must pay all costs associated with providing the salary sacrifice, including:
    - (i) any taxation liability whatsoever, including (without limiting the foregoing) Fringe Benefits Tax (“FBT”), incurred by the Paying Authority as a result of the office holder entering into a salary sacrifice;
    - (ii) the cost incurred by the Paying Authority in setting up each individual salary sacrifice; and
    - (iii) any administration fee charged by the office holder’s nominated Panel Member;
  - (c) salary may only be sacrificed by an office holder for an Approved Purpose;
  - (d) an office holder must appoint a Panel Member to administer the office holder’s salary sacrifice arrangements; except where the office holder’s Salary Sacrifice Arrangement only involves sacrifice of salary into the Triple S Scheme;
  - (e) an office holder must pay to the Paying Authority the Administration Fee as specified in clause 1 herein to partially offset the Paying Authority’s administration costs in establishing the salary sacrifice arrangement, and
  - (f) the Panel Member will act as agent of the Paying Authority for the purposes of administering the salary sacrifice arrangement.

### IMPLEMENTATION OF SALARY SACRIFICE

4. The Crown must give effect to a Salary Sacrifice Arrangement the terms of which must not be inconsistent with this Determination including Schedule 3 and as may be updated from time to time.
5. Salary and allowances otherwise payable to the office holder under a Determination of the Remuneration Tribunal are abated and reduced to the extent that payments are made by a Paying Authority in accordance with a Salary Sacrifice Arrangement. Payments so made are in satisfaction of, and will fully discharge, the obligation of the Paying Authority to pay that amount of salary to the office holder.

### COMMENCEMENT AND PERIOD OF OPERATION OF DETERMINATION

6. This Determination comes into operation on and from 17 December 2018 and shall remain in force until further Determination by the Tribunal.

Dated: 17 December 2018

JOHN LEWIN  
President

PETER ALEXANDER  
Member

PAMELA MARTIN  
Member

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#### SCHEDULE 1

*Offer by Paying Authority to Enter Into a Salary Sacrifice Arrangement  
in Accordance with the Determination of the Remuneration Tribunal*

#### DETAILS TO BE FILLED IN BY THE OFFICE HOLDER AND TO BE CHECKED AND SIGNED BY THE PAYING AUTHORITY

TO: .....

[insert name of office holder to whom offer is being made]

.....

[insert name of Paying Authority making the offer]

offers to enter into a Salary Sacrifice Arrangement on the terms and conditions set out in **Schedule 3** of the Remuneration Tribunal Determination 13 of 2018 and on the basis set out below.

This offer is only capable of acceptance by the lodgement with the Paying Authority of a correctly completed Acceptance of Offer in the form prescribed in **Schedule 2** of the Remuneration Tribunal Determination which is to be signed by you.

**BASIS OF SALARY SACRIFICE ARRANGEMENT:**

Item 1 **THE PAYING AUTHORITY**

The Paying Authority for this Salary Sacrifice Arrangement is:

Name:

Address:

Item 2 **THE OFFICE HOLDER**

The office holder for whom this Salary Sacrifice Arrangement is to be made is:

Name:

Address:

Item 3 **THE NOMINEE**

Please note that a nominee is not to be selected if the office holder's Salary Sacrifice Arrangement only involves sacrifice of salary into the Triple S Scheme or other in house benefits administered by the Paying Authority.

The nominee for this Salary Sacrifice Arrangement is:

Name:

Address:

Attention:

Item 4 **SALARY**

The office holder's salary upon which the Salary Sacrifice Arrangement is to be based is:

\$.....

Item 5 **APPROVED BENEFITS**

The Approved benefits in this Salary Sacrifice Arrangement are:

A payment for any Approved Benefit, being a payment for any of the following:

*[Delete those that do not apply]*

Category A – Exempt from FBT

- contributions to a private superannuation fund that is complying, in that, it complies with the relevant laws regulating superannuation, including the Triple S scheme
- Work related items (portable electronic device, computer software, protective clothing, briefcase, tool of trade). Primarily for use in the employee's employment and does not apply where the employer otherwise provides the item.

Category B – Subject to FBT (Novated Lease):

- Own motor vehicle through a novated car lease

Category C – Subject to FBT (In House Benefits):

- Other (ATO approved) in-house benefits that may be approved by Government or the Minister for the Public Sector from time to time.

Category D – No FBT if employee could have claimed an income tax deduction

- membership fees and subscriptions to professional associations
- home office expenses
- financial counselling fees
- disability/income protection insurance
- self education expenses

This offer is made on the .....day of .....20 .

Signed for the Paying Authority by:

.....

[Authorised Signatory]

.....

[Print name and title]

SCHEDULE 2

*Acceptance of Offer of Salary Sacrifice (and as Updated from Time to Time)*

**PAYING AUTHORITY'S COPY / OFFICE HOLDER'S COPY / NOMINEE'S COPY**

To: of

I, (name) of (address) have read, and accept, the offer to enter into a Salary Sacrifice Arrangement made by the Paying Authority on the (date) day of 20(year).

I have also read, and accept, the terms and conditions detailed in the document headed "Salary Sacrifice Terms and Conditions" being **Schedule 3** of the Remuneration Tribunal Determination 13 of 2018, ("Salary Sacrifice Terms and Conditions"). I agree to abide by the Salary Sacrifice Terms and Conditions irrespective of whether the Determination is effective, or remains in effect.

I agree to pay the applicable Administration Fee.

I understand that, for the purposes of the Australian Taxation Office, the Paying Authority is not a Public Benevolent Institution ("PBI").

The Office Holder will advise the Nominee of their selected approved benefits and benefit amounts excluding where only sacrificing to Triple S or selecting In House Benefits subject to FBT which will be managed by the Paying Authority.

The nominee will confirm in writing the benefits selected by and any subsequent amendments made by the Office Holder.

The Office Holder agrees and acknowledges that any Fringe Benefits Tax Liability which is incurred by the Employer or Office Holder in connection with the Salary Sacrifice Agreement will be a liability payable and due to be paid directly by the Office Holder (employee).

I acknowledge, and warrant to the Paying Authority, that I have elected to appoint .....(Nominee Company Name..... of .....Address..... to be my nominee within the meaning of the **SALARY SACRIFICE TERMS AND CONDITIONS** for all purposes associated with and in relation to the **SALARY SACRIFICE TERMS AND CONDITIONS** and I acknowledge that all correspondence to the nominee will be directed to the attention of Name.....

I acknowledge that the appointed Nominee may require additional documentation and agreements to be effected in order to establish and administer my salary sacrifice arrangements.

I further acknowledge that I will notify and endeavour to resolve all of the complaints, disputes and grievances in respect of the Salary Sacrifice Arrangement with the nominee or Paying Authority, whichever authority is responsible for administering the salary sacrifice benefit arrangements in question.

*Please note that the paragraph noted below applies only to an office holder who is sacrificing solely into the Triple S Scheme.*

I acknowledge that all contact and correspondence regarding my Salary Sacrifice Arrangement will be with the following contact in the paying authority:

[Name] .....  
 [Office] .....  
 [Phone number] .....  
 [Facsimile] .....  
 Signed: .....  
 Print name: .....  
 Dated: ...../...../.....

### SCHEDULE 3

#### *Terms and Conditions of Salary Sacrifice Arrangement*

## 1. INTERPRETATION

1.1 In this **Schedule**, unless the context otherwise requires or a contrary intention appears, the following terms have the following meanings:

- 1.1.1 “books and records” means either copies or originals of all documents whether written, electronic or otherwise which are associated with or related to the Salary Sacrifice Arrangement and such books and records include but are not limited to books of account, statements, financial accounts, charges, securities, guarantees, invoices, receipts, proposals, approvals, cheque butts, deposit books, correspondence, memoranda, notes, depreciation schedules, deeds, contracts, minutes and notices.
- 1.1.2 “charges and costs” means all amounts, expenses and disbursements incurred by the Paying Authority in respect of the establishment, administration, delivery and provision of the Salary Sacrifice Arrangement pursuant to the Remuneration Tribunal Determination 13 of 2018.
- 1.1.3 “expiry date” means the date upon which the Salary Sacrifice Arrangement made between the office holder and the Crown is terminated.
- 1.1.4 “FBT year” means the year ended 31 March of each year occurring during the life of the Salary Sacrifice Arrangement.
- 1.1.5 “losses” means losses, damages, penalties, interest or costs.
- 1.1.6 “offer” means the offer to enter into a Salary Sacrifice Arrangement made by the Paying Authority in the form set out in Schedule 1.
- 1.1.7 “parties” means the Paying Authority and the office holder who are participating in a Salary Sacrifice Arrangement made under this Determination.
- 1.1.8 “pre-determined review date” means each anniversary of the date upon which the Remuneration Tribunal Determination implementing salary sacrifice commences.
- 1.1.9 “relevant taxation legislation and rulings” means any legislation dealing with the imposition of and recovery of tax and includes, but is not limited to the:
- 1.1.9.1 *Income Tax Assessment Act 1936*; and
- 1.1.9.2 *Income Tax Assessment Act 1997*; and
- 1.1.9.3 *Fringe Benefits Tax Assessment Act 1986*; and
- 1.1.9.4 Taxation Rulings.
- 1.1.10 “sacrificed amount” means the amount that an office holder may specify as a portion of the office holder’s salary for a FBT year that is to be sacrificed in advance prior to earning the same during the period covered by the Determination.
- 1.1.11 “salary” means the gross or pre-tax wage rate and salary payable to the office holder as detailed by the Paying Authority at Item 4 of its offer contained in Schedule 1 herein.
- 1.1.12 “Salary Sacrifice” means the Salary Sacrifice Arrangement to be offered by the Paying Authority to the office holder to elect pursuant to this Determination.
- 1.1.13 “Salary Sacrifice Arrangement”:
- 1.1.13.1 means the establishment and the administration of the amount of salary sacrificed by the office holder pursuant to this Determination;
- 1.1.13.2 is the total of salary sacrifice benefits which are offered under this Determination to the office holder; and,
- 1.1.13.3 may be the subject of the Panel Agreement and the Service Agreement.
- 1.1.15 “Schedule” means the Schedule attached to the Salary Sacrifice Arrangement;

- 1.1.16 "services" means the services provided by the Nominee pursuant to the Service Agreement in respect of the establishment, administration, delivery and provision of the Salary Sacrifice Arrangement;
- 1.1.17 "taxation liability" means any liability of any description that may be pursuant to a Tax Act however so described.

## 2. SALARY SACRIFICE

- 2.1 The office holder may specify a proportion of the office holder's salary for a FBT year that is to be sacrificed in advance (the sacrificed amount) prior to earning the same during the period covered by the Arrangement.
- 2.2 The office holder may elect to take one or more Approved Benefits.
- 2.3 It is agreed between the parties that:
- 2.3.1 the office holder's option and election to participate in Salary Sacrifice shall be at no cost or expense to the Paying Authority;
- 2.3.2 all charges, costs, disbursements, fees or other similar expenses incurred by the Paying Authority for the purpose of establishing and the administration of the Salary Sacrifice Arrangement and any administration thereafter shall be deducted from the sacrificed amount withheld from the office holder's salary, or failing that the said charges, costs, disbursements, fees or other similar expenses incurred by the Paying Authority shall be deducted from the sacrificed amount withheld from the office holder's salary and failing that will become payable by the office holder within 21 days of the issuing of a written demand by the Paying Authority to the office holder;
- 2.3.3 the Paying Authority reserves the right to impose such charges, costs, disbursements, fees or other similar expenses in respect of the Salary Sacrifice Arrangement as it sees fit to be payable by the office holder, which charges, costs, disbursements, fees or other similar expenses incurred by the Paying Authority shall be deducted from the sacrificed amount withheld from the office holder's salary and failing that will become payable by the office holder within 21 days of the issuing of a written demand by the Paying Authority to the office holder;
- 2.3.4 each fortnight the Paying Authority will distribute and/or transfer the appropriate proportion of the office holder's salary to the Nominee in respect of the office holder's Salary Sacrifice Arrangement, except where the office holder's Salary Sacrifice Arrangement involves only sacrifice of salary into the Triple S Scheme, when the Paying Authority will make the payment directly into the said scheme.
- 2.3.5 the balance of the office holder's salary will continue to be paid in accordance with the Salary Determination;
- 2.3.6 the Salary Sacrifice Arrangement commences on the date specified in the offer, and ends on the earliest of:
- 2.3.6.1 the Expiry Date; or
- 2.3.6.2 the date upon which the Salary Sacrifice Arrangement is terminated in accordance with this Schedule; or
- 2.3.6.3 the date upon which the Ruling ceases to operate.

## 3. REVIEW OF SALARY SACRIFICE

- 3.1 the office holder may vary or terminate their Salary Sacrifice Arrangement by contacting the Nominee and/or the Paying Authority which administers their selected benefit arrangements.
- 3.2 In the event of a liability arising or expected to arise in relation to Salary Sacrifice on the part of the Paying Authority by reason of:
- 3.2.1 any relevant taxation legislation and rulings including, but not limited to, any assessment in respect of:
- 3.2.1.1 a fringe benefit;
- 3.2.1.2 income in the hands of the office holder or otherwise; or
- 3.2.1.3 any taxation liability, however so described,
- 3.2.2 any legislation passed by the South Australian Parliament which enacts equivalent taxation legislation to the extent that the liability may arise or be expected to arise by reason of an assessment of:
- 3.2.2.1 a fringe benefit; or
- 3.2.2.2 income in the hands of the office holder; or
- 3.2.2.3 any taxation liability or otherwise, however so described; or
- 3.2.3 any conduct of the office holder in relation to the office holder's Salary Sacrifice Arrangement which is in contravention of the Arrangement, then:
- 3.2.4 notwithstanding this Determination and the Salary Sacrifice Arrangement, the Paying Authority, without incurring any liability to the office holder, may terminate the Salary Sacrifice Arrangement forthwith upon the giving of a written notification to the office holder.

## 4. ADMINISTRATION

- 4.1 Except where the officer holder's Salary Sacrifice Arrangement involves only the sacrifice of salary into the Triple S Scheme or access in-house benefits via the Paying Authority and where no nominee needs to be appointed by the office holder, the office holder will notify the Paying Authority in writing of the name and the details of the Nominee appointed by the officer holder to establish and administer the Salary Sacrifice Arrangement on behalf of the office holder.

*It follows that all references to the Nominee herein do not in any way concern an office holder whose Salary Sacrifice Arrangement only involves sacrifice into the Triple S Scheme.*

- 4.2 It is a condition precedent to the Salary Sacrifice Arrangement commencing, that the office holder must complete the forms and documents referred to in Items 1 to 5 of **Schedule 1** to this Determination and forward a copy of the relevant forms and documents to the Paying Authority and the Nominee and where no Nominee has been appointed, to the paying authority.
- 4.3 The office holder must obtain agreement from the Nominee where a Nominee has been appointed that all amounts distributed and/or transferred by the Paying Authority to the Nominee pursuant to the Salary Sacrifice Arrangement:
- 4.3.1 shall be held in trust by the Nominee in accordance with the terms and provisions of the Service Agreement;
- 4.3.2 shall not be mingled by the Nominee with any other money paid into any other bank account operated by the Nominee pursuant to the Salary Sacrifice Arrangement;

- 4.3.3 shall at all times be identifiable and attributable to the office holder for the purpose of distribution and/or transfer by the Nominee pursuant to the terms of the Salary Sacrifice Arrangement toward Approved Benefits selected by the office holder in respect of the office holder's Salary Sacrifice Arrangement; and
- 4.3.4 shall at all times be held in a manner that would enable at any given time an accounting of:
- 4.3.4.1 the total sacrificed amount distributed and/or transferred to the Nominee by the Paying Authority, applied by the Nominee to Salary Sacrifice benefits and/or applied in any other manner whatsoever;
- 4.3.4.2 the balance of the sacrificed amount remaining.
- 4.4 The distribution and/or transfer of any amount by the Paying Authority to the Nominee pursuant to the Salary Sacrifice Arrangement is:
- 4.4.1 for the sole purpose of the distribution and/or transfer of the said amount in respect of any Salary Sacrifice benefits in the Salary Sacrifice Arrangement; and
- 4.4.2 not income or salary payable to the office holder.
- 4.5 All charges, costs, disbursements, fees or other similar expenses charged by the Nominee for administering the Salary Sacrifice Arrangement shall be deducted from the sacrificed amount withheld from the office holder's salary upon proper authorisation of the Nominee by the Paying Authority.
- 4.6 The office holder acknowledges that he/she will not expressly or impliedly, directly, indirectly order, instruct or otherwise require the Nominee to distribute and/or transfer or re-direct any amount distributed and/or transferred by the Paying Authority to the Nominee pursuant to the Salary Sacrifice Arrangement for the purpose of the distribution and/or transfer of the said amount in respect of any Approved Benefits in the Salary Sacrifice Arrangement to the office holder or any other person otherwise than in accordance with terms and provisions of the Salary Sacrifice Arrangement.
- 4.7 If any part of the Salary Sacrifice has been distributed and/or transferred in advance to the Nominee and the Salary Sacrifice Arrangement is subsequently revoked, superseded or terminated for whatever reason, then that amount that has been distributed and/or transferred which is more than the pro-rata entitlement as at the date of revocation or termination of the Salary Sacrifice Arrangement, shall be:
- 4.7.1 re-distributed and/or re-transferred to the Paying Authority by the Nominee; or
- 4.7.2 recoverable by the Paying Authority from the Nominee.
- 4.8 In the event of termination of employment with the Paying Authority for any reason whatsoever, the calculation of all statutory leave entitlements such as long service leave and annual leave shall be at the rate applicable to the office holder's salary pursuant to the relevant legislative requirements.
- 4.9 For the purpose of the Salary Sacrifice Arrangement, the Paying Authority:
- 4.9.1 will provide to the office holder; and
- 4.9.2 unreservedly authorises the Nominee to provide to the office holder, upon written request by the office holder, all books and records associated or related to Salary Sacrifice and the Salary Sacrifice arrangement including but not limited to the Salary Sacrifice benefits taken up by the office holder, and, the parties agree that this sub-clause operates and has full effect at all other times and survives the revocation or termination of the Salary Sacrifice Arrangement.
- 4.10 For the purpose of the Salary Sacrifice Arrangement, the office holder unreservedly consents to the Paying Authority or the Nominee disclosing any books and records for the purpose of the Salary Sacrifice Arrangement and for the purpose of complying with any relevant taxation law or rulings and any audit by the Australian Taxation Office or the Auditor-General of South Australia or auditors authorised by the Paying Authority.
- 4.11 A \$44.00 (inclusive of GST) **administration** fee may apply for the administration of the Salary Sacrifice Arrangement and will be deducted by the Paying Authority from the first amount of salary which is sacrificed by the office holder.

## 5. FINANCIAL ADVICE

- 5.1 The office holder acknowledges that he/she has sole responsibility for seeking independent and personal financial advice with respect to his or her acceptance of Salary Sacrifice and the Salary Sacrifice Arrangement and that this is not a matter for the Paying Authority at all.

## 6. SUPERANNUATION

- 6.1 The Paying Authority shall make contributions in respect of the Paying Authority share of the liability accruing for benefits in relation to the office holder's membership of the superannuation schemes established under the *Superannuation Act 1988* and/or the *Southern State Superannuation Act 1994*, on the same terms and conditions as applied as at the date of commencement of the Salary Sacrifice Arrangement, subject to the office holder making any election required under the relevant superannuation legislation to maintain benefits applicable to salary (as defined in the relevant superannuation legislation) applying at the date of the commencement of the Salary Sacrifice Arrangement.

## 7. ACKNOWLEDGMENTS

- 7.1 In electing to Salary Sacrifice, the office holder acknowledges and undertakes:
- 7.1.1 that the Approved Benefits selected are the only items available for selection in the Salary Sacrifice Arrangement;
- 7.1.2 that amounts transferred by the Paying Authority to its Nominee pursuant to the Salary Sacrifice arrangement will only be used to pay the Approved Benefits selected by the office holder; and
- 7.1.3 not to enter into any agreements which are contrary to the terms of the Salary Sacrifice Arrangement and the Service Agreement (if applicable), and in the event that such an agreement is entered into, then the Service Agreement (if applicable) and the Salary Sacrifice Arrangement shall take precedence.
- 7.2 The office holder acknowledges that in the event of being appointed to a different office, that he or she may be subject to a different offer of Salary Sacrifice.
- 7.3 The office holder acknowledges that in the event of:
- 7.3.1 cessation of appointment; or
- 7.3.2 appointment to a different office,

he or she must notify the Nominee administering the Salary Sacrifice Arrangement or the Paying Authority in the event that no Nominee has been appointed by the office holder, at least 7 days prior to such an event occurring where such matter or thing is within the knowledge of the office holder.

- 7.4 The parties acknowledge and accept that any cost, loss, expense or liability incurred by either party, pursuant to the relevant taxation legislation and rulings will be the responsibility of that party and will be met by that party.
- 7.5 The office holder must comply with the terms and provisions of the Salary Sacrifice Agreement. The parties acknowledge and agree that the office holder will enter into agreements with the Nominee to facilitate the administration of the office holder's salary packaging arrangement and any such agreements must be consistent at all times with the terms of the Salary Sacrifice Arrangement.
- 7.6 The office holder acknowledges that the total and sole responsibility for the administration of the Salary Sacrifice Arrangement rests with the Nominee where a Nominee has been appointed and that the office holder will notify and endeavour to resolve all of its complaints, disputes and grievances in respect of the Salary Sacrifice Arrangements with the Nominee only if a Nominee has been appointed and not the Paying Authority.
- 7.7 The parties agree and acknowledge that the terms of this Agreement are subject at all times to the Panel Agreement and the Service Agreement.

## **8. CONFIDENTIALITY**

- 8.1 The terms of the Salary Sacrifice Arrangement are to remain confidential between the parties.
- 8.2 The Paying Authority shall treat as strictly confidential all information obtained from the office holder or any other information acquired by it for the purposes of the Salary Sacrifice Arrangement and shall not divulge such information to any person without the office holder's prior written consent.
- 8.3 The Paying Authority shall:
  - 8.3.1 keep access to any data collected in the course of performing the Salary Sacrifice Arrangement, whether stored in manual files or on a computer data base, for the purposes of the Salary Sacrifice Arrangement, confidential;
  - 8.3.2 keep any record used by it for purposes of the Salary Sacrifice Arrangement confidential;
  - 8.3.3 not divulge such computer passwords to any person without the office holder's prior written consent; and
  - 8.3.4 immediately inform the office holder of any unauthorised use of a computer password.
- 8.4 The Paying Authority shall, if requested by the office holder provide the office holder with written undertakings not to divulge any confidential information or any computer password to any other person.
- 8.5 The Paying Authority shall immediately notify the office holder if it becomes aware of any disclosure or distribution of information or breach of this clause 8 by any person and shall give the office holder all reasonable assistance in connection with any proceedings which the office holder may institute against such person in respect of such disclosure or distribution.
- 8.6 The obligations as to confidentiality pursuant to this clause shall survive any expiry, revocation or termination of the Salary Sacrifice Arrangement.

## **9. SECURITY**

- 9.1 The Paying Authority shall only use those manual files and books and records of the office holder, which the office holder specifically authorises for performance of the Salary Sacrifice Arrangement, and only in a manner as directed by the office holder from time to time.
- 9.2 The Paying Authority shall immediately notify the office holder of any unauthorized use of the office holder's books and records.

## **10. NATURE OF RELATIONSHIP BETWEEN THE PARTIES AND LIABILITY**

- 10.1 Neither of the parties has the authority to act for or to incur any liability or obligation on behalf of the other except as expressly provided in the Salary Sacrifice Arrangement.
- 10.2 The Nominee (where appointed) is nominated by the office holder to receive the sacrificed amount and to apply it for the benefit of the office holder.
- 10.3 The office holder acknowledges and agrees that the Paying Authority is not liable to the office holder either directly or indirectly in respect of any matter touching or concerning the selection of the Nominee (where appointed), or in any manner whatsoever in respect of the Salary Sacrifice arrangement.
- 10.4 The office holder further acknowledges and agrees that the Paying Authority is not liable to the office holder at all either directly or indirectly for any acts or omissions whatsoever of the Nominee (where appointed) or any other person however so described in respect of the administration or any matter touching upon or concerning the administration of the Salary Sacrifice arrangement.
- 10.5 The office holder shall indemnify the Paying Authority from and against any income tax or any other taxation liability whatsoever (including any administrative penalty, fine or other amount) that may become payable pursuant to any relevant taxation legislation and rulings in respect of any monies transferred or distributed:
  - 10.5.1 by the Paying Authority to the Nominee;
  - 10.5.2 by the Paying Authority to the Triple S Scheme; or
  - 10.5.3 by the Nominee (where appointed) to any other person (including the office holder), in respect of any of the office holder's salary distributed and/or transferred to the Nominee in respect of Approved Benefits in accordance with the Salary Sacrifice Arrangement.
- 10.6 The office holder will indemnify the Paying Authority from and against all charges, costs, damages, disbursements, fees, losses suffered or incurred by the Paying Authority as a consequence of any:
  - 10.6.1 misappropriation;
  - 10.6.2 defalcation;
  - 10.6.3 failure to account; or
  - 10.6.4 any other breach/es of the Salary Sacrifice Arrangement or the Agency Agreement; by the Nominee (where appointed) of or in relation to any moneys it holds as trustee; or
  - 10.6.5 failure by the Nominee (where appointed) to make any payments as directed by the Paying Authority on the office holder's behalf or office holder pursuant to or as authorised by the Salary Sacrifice Arrangement; or

10.6.6 any other matter or thing done or omitted to be done by the Nominee (where appointed) in relation to the office holder.

10.7 The office holder acknowledges that she/he will indemnify the Paying Authority in respect of any and all charges, costs, damages, disbursements, fees, losses suffered or incurred by the Paying Authority as a result of the establishment, administration, delivery or provision of the Salary Sacrifice Arrangement or the Salary Sacrifice arrangement.

## 11. TERMINATION

11.1 Except as provided herein, the office holder does not have the right to revoke or terminate the Salary Sacrifice Arrangement.

11.2 The Salary Sacrifice Arrangement shall expire and terminate:

11.2.1 at any time by written agreement between the parties;

11.2.2 on the pre-determined review date;

11.2.3 pursuant to any one of the events listed in clause 3.1.2 and/or 3.2 of this Schedule;

11.2.4 if the Paying Authority gives to the office holder not less than twenty-one (21) days prior written notice terminating the Salary Sacrifice Arrangement at any time prior to the pre-determined review date;

11.2.5 at any time and without notice (except as otherwise stated) by the Paying Authority if the office holder:

11.2.5.1 is in default of any term in the Salary Sacrifice Arrangement and such default remains unremedied seven (7) days after a notice in writing specifying the default complained of has been given by the Paying Authority to the office holder;

11.2.5.2 fails in the opinion of the Paying Authority to comply with any provision of the Salary Sacrifice Arrangement;

11.2.5.3 threatens to do or does any of the following:

11.2.5.3.1 enters into bankruptcy either compulsorily or by virtue of Part X of the *Bankruptcy Act*;

11.2.5.3.2 makes an assignment for the benefit of his or her creditors, or makes an arrangement of composition with his or her creditors;

11.2.5.3.3 has a sequestration order made against his or her estate whether pursuant to the *Bankruptcy Act*, the *Family Law Act* or any other law of the Commonwealth or the State of the Commonwealth of Australia;

11.2.5.4 has any judgment entered or made against it or any similar occurrence under any jurisdiction which affects the Paying Authority;

11.2.5.5 engages in any conduct prejudicial to the interests of the Paying Authority in respect of the Salary Sacrifice Arrangement;

11.2.5.6 dies;

11.2.5.7 becomes in the opinion of the Paying Authority mentally incapable;

11.2.5.8 fails to comply with the terms of any default notice within the time stipulated, but without prejudice to any right of action or remedy which shall have accrued or which shall accrue thereafter in favour of the Paying Authority.

11.3 Notwithstanding anything to the contrary contained in the Salary Sacrifice Arrangement, in the event of any breach or suspected contravention by the office holder of any of clause 11.2.5.1 to 11.2.5.5 inclusive, 11.2.5.7 and 11.2.5.8 of this Schedule, the Paying Authority has the option to terminate the Salary Sacrifice Arrangement forthwith by written notice to the office holder.

## 12. SEVERABILITY

12.1 If any clause or part thereof is held by a court to be invalid or unenforceable such clause or part thereof shall be deemed deleted from the Salary Sacrifice Arrangement and the Salary Sacrifice Arrangement shall otherwise remain in full force and effect.

## 13. ASSIGNMENT

13.1 Neither the Paying Authority nor the office holder shall assign sub-contract or otherwise transfer any of its rights or obligations pursuant to the Salary Sacrifice Arrangement whether in whole or in part without the prior written consent of the other party.

## 14. GOVERNING LAW

14.1 The Salary Sacrifice Arrangement shall be governed by and construed in accordance with the laws for the time being in force in South Australia and the parties agree to submit to the jurisdiction of the courts of that State.

## 15. WAIVER

15.1 A waiver of any provision of the Salary Sacrifice Arrangement must be in writing.

15.2 No waiver by either of the parties of any breach of a term or condition contained in the Salary Sacrifice Arrangement shall operate as a waiver of another breach of the same or of any other term or condition contained in the Salary Sacrifice Arrangement.

15.3 No forbearance, delay or indulgence by either of the parties in enforcing the provisions of the Salary Sacrifice Arrangement shall prejudice or restrict the rights of that party.

## 16. NOTICES

16.1 Any notice or other communication to or by either of the parties shall be:

16.1.1 in writing addressed:

16.1.1.1 in the case of a body corporate, to the registered or principal office of that body corporate in South Australia;

16.1.1.2 in the case of a natural person, to the last known address of that person;

16.1.1.3 in the case of the Paying Authority, with the contact specified in the Acceptance Form contained in Schedule 2 of the Determination of the Remuneration Tribunal;

**17. ENTIRE AGREEMENT AND MODIFICATIONS**

17.1 Subject to this clause 17, the documents in the form set out in **Schedules 1, 2 and 3** when completed and signed by the parties respectively, and the Service Agreement (where applicable), and the Panel Agreement (where applicable) are incorporated into and form part of the Salary Sacrifice Arrangement and are binding on the parties.

17.2 No addition to or modification of any provision of the Salary Sacrifice Arrangement shall be binding upon the parties unless agreed to in writing by the Paying Authority and the office holder in the first instance and confirmed by written instruction signed by or on behalf of the parties.

## REMUNERATION TRIBUNAL

REPORT NO. 14 OF 2018

*Accommodation and Meal Allowances – Judges, Court Officers and Statutory Officers***INTRODUCTION AND BACKGROUND**

1. The Remuneration Tribunal (“the Tribunal”) has jurisdiction under section 13 of the *Remuneration Act 1990* (“the Act”), to determine the remuneration payable to judicial officers and certain other court officers. The Tribunal is also given jurisdiction under section 14 of the Act to determine the remuneration payable to holders of certain statutory offices. The Act defines remuneration as including: salary, allowances, expenses, fees and any other benefit of a pecuniary nature.
2. This Determination deals with the accommodation and meal allowances payable to judicial officers, certain other court officers, and those statutory officers whose position is within the ambit of section 14 of the Act.

**PROCEDURAL HISTORY**

3. Section 10(2) of the Act, requires that before the making of a Determination affecting the remuneration of a particular person, or persons of a particular class, the Tribunal must allow that person, or persons of that class, a reasonable opportunity to make submissions.
4. The Tribunal, by letters dated 18 September 2018, sent notifications of the review to the Judicial Remuneration Coordinating Committee (“JRCC”), the Magistrates Association of South Australia (“MASA”), and the Premier, as the Minister responsible for the Act. The Tribunal also distributed notices of the review to the Statutory Office Holders to which the accompanying Determination applies, on the same date.
5. On 19 September 2018, the Tribunal distributed an email notification of the review to judicial officers. Additionally, a notice of the review was also placed on the Tribunal’s website.

**SUBMISSIONS**

6. The JRCC submitted that the Remuneration Tribunal should review the amount of the accommodation and meal allowance in the usual way and otherwise make a determination that reflects the terms of Determination No. 14 of 2017.
7. The Crown Solicitor’s Office (“CSO”), on behalf of the Hon. Premier, submitted that the accommodation and meal allowances should be updated by the Tribunal in the customary manner, in line with the annual adjustments made to accommodation and meal allowances for the general SA public sector.
8. No other submissions were received by the Tribunal.

**CONCLUSIONS**

9. The allowances under consideration for Judges, Court Officers and Statutory Officers, are provided for the purpose of accommodation and meal expenses associated with travelling in an official capacity within South Australia and interstate.
10. The Tribunal has had regard to increases in accommodation and meal allowances applicable within the South Australian public sector and the relevant information concerning changes in the component costs of the subject of those allowances.
11. The Tribunal is of the view that justification exists to increase the allowances under consideration. The Tribunal has issued a Determination accordingly. The increases in the amounts of the allowances are marginal.

Dated: 17 December 2018

JOHN LEWIN  
PresidentPETER ALEXANDER  
MemberPAMELA MARTIN  
Member

## REMUNERATION TRIBUNAL

DETERMINATION NO. 14 OF 2018

*Accommodation and Meal Allowances – Judges, Court Officers and Statutory Officers***SCOPE OF DETERMINATION**

1. This Determination relates to accommodation and meal allowances and applies to judges, certain other court officers, and those statutory officers whose position is within the ambit of section 14 of the *Remuneration Act 1990* (“the Act”).

**INTERPRETATION**

2. In this Determination, unless the contrary appears:
  - “**Court Officer**” means a Commissioner of the Environment, Resources and Development Court.
  - “**Judge**” means any of the following members of the judiciary:
    - the Chief Justice of the Supreme Court;
    - the Puisne Judges of the Supreme Court;
    - the Masters of the Supreme Court;
    - the Chief Judge of the District Court;
    - the Judges of the Environment, Resources and Development Court;
    - the Masters of the District Court;

the Other District Court Judges;  
 the Judges of the South Australian Employment Tribunal;  
 the Chief Magistrate;  
 the Magistrates;  
 the Magistrates of the South Australian Employment Tribunal;  
 the State Coroner; and  
 the Deputy State Coroner.

“**Statutory Officer**” means any of the following statutory office holders:

the Auditor General;  
 the Electoral Commissioner;  
 the Deputy Electoral Commissioner; and  
 the Health and Community Services Complaints Commissioner.

#### ACCOMMODATION AND MEAL ALLOWANCES

3. A Judge, Court Officer or Statutory Officer who actually incurs expenditure for both accommodation and meals when travelling on official business and which necessitates absence from home overnight shall be paid an allowance as follows:
  - 3.1 Within Metropolitan Adelaide as defined by the *Development Act 1993* – at the rate of \$321 for each day which involves an overnight absence, for accommodation and meals.
  - 3.2 Outside Metropolitan Adelaide as defined by the *Development Act 1993* but within the State – at the rate of \$293 for each day that involves an overnight absence, for accommodation and meals.
  - 3.3 Interstate – at the rate of \$535 for Sydney and \$469 for cities other than Sydney for each day which involves an overnight absence, for accommodation and meals.
  - 3.4 When an additional period of less than 24 hours absence occurs without overnight accommodation consecutive with and immediately following a period of absence in paragraph 3.1, 3.2 or 3.3, then a further payment calculated at the rate of one half of the allowance shall be paid with respect to the excess hours.
  - 3.5 Reimbursement is not to be made for lunch during single day absences within South Australia.
  - 3.6 Employees who travel interstate and return on the same day may be reimbursed for lunch on the basis of actual expenditure up to \$24.55.

#### DATE OF OPERATION

4. The allowances prescribed in Clause 3 of this Determination shall operate on and from 17 December 2018, and supersede those prescribed in previous Determinations covering persons whose office is listed herein.

Dated: 17 December 2018

JOHN LEWIN  
 President

PETER ALEXANDER  
 Member

PAMELA MARTIN  
 Member

### REMUNERATION TRIBUNAL

REPORT NO. 15 OF 2018

*Conveyance Allowance – Judges, Court Officers and Statutory Officers*

#### INTRODUCTION

1. The Remuneration Tribunal (“the Tribunal”) has jurisdiction under section 13 of the *Remuneration Act 1990* (“the Act”), to determine the remuneration payable to judicial officers. The Tribunal also has jurisdiction, under section 14 of the Act, to determine the remuneration payable to holders of certain statutory public offices, some of whom are subject to this Report.
2. The Act defines remuneration as including; salary, allowances, expenses, fees and any other benefit of a pecuniary nature.
3. This report deals with the conveyance allowances payable to Judges, Court Officers and those statutory officers to whom it currently applies. Conveyance allowance is provided for meeting the costs associated with leasing a motor vehicle through Fleet SA.

#### BACKGROUND

4. The last review of the conveyance allowance was conducted in 2017, which resulted in the making of Determination 9 of 2017. That Determination provided for three levels of conveyance allowance amounts as follows:
  - \$17,541 per annum;
  - \$16,551 per annum; and
  - \$15,298 per annum.

#### Procedural history

5. Section 10(2) of the Act, requires that before the making of a Determination affecting the remuneration of a particular person, or persons of a particular class, the Tribunal must allow that person, or persons of that class, a reasonable opportunity to make submissions.
6. The Tribunal, by letters dated 18 September 2018, sent notifications of the review to the Judicial Remuneration Coordinating Committee (“JRCC”), the Magistrates Association of South Australia (“MASA”), and the Premier, as the Minister responsible for the Act. The Tribunal also distributed notices of the review to the Statutory Office Holders to which the accompanying Determination applies, on the same date.
7. On 19 September 2018, the Tribunal distributed an email notification of the review to judicial officers. Additionally, a notice of the review was also placed on the Tribunal’s website.

**SUBMISSIONS**

8. The JRCC submitted that the Tribunal should review the amount of the conveyance allowance in the usual way and otherwise make a determination that reflects the terms of Determination No. 9 of 2017.
9. The Crown Solicitor's Office ("CSO"), on behalf of the Hon. Premier, submitted that the Conveyance Allowance should be updated in the customary manner, by reference to the standard methodology.
10. No other submissions were received by the Tribunal.

**CONSIDERATION**

11. The Tribunal has conducted a review of relevant information concerning the cost of leasing motor vehicles. No increase in the costs analysed in that information is indicated which would justify any variation in the current level of the allowances.
12. Accordingly, a Determination has been issued with a minor amendment to the terms of Determination 9 of 2017<sup>1</sup>. In the accompanying Determination, the office of *Deputy Chief Magistrate* has been removed, as that office no longer exists.

<sup>1</sup> Remuneration Tribunal Determination 9 of 2017 – Conveyance Allowance for Judges, Court Officers and Statutory Officers

Dated: 17 December 2018

JOHN LEWIN  
President  
PETER ALEXANDER  
Member  
PAMELA MARTIN  
Member

REMUNERATION TRIBUNAL

DETERMINATION NO. 15 OF 2018

*Conveyance Allowance – Judges, Court Officers and Statutory Officers*

**DETERMINATION****1. INTERPRETATION**

- 1.1 In this Determination, unless the contrary appears:

“**Court Officer**” means Commissioners of the Environment, Resources and Development Court;

“**Executives**” means persons appointed to an executive position under the *Public Sector Act 2009*;

“**Judges**” means any of the following members of the judiciary:

the Chief Justice of the Supreme Court;  
the Puisne Judges of the Supreme Court;  
the President of the South Australian Employment Tribunal;  
the Deputy Presidents of the South Australian Employment Tribunal;  
the Judges of the Environment, Resources and Development Court;  
the Judges of the South Australian Employment Tribunal;  
the Chief Judge of the District Court;  
the other District Court Judges;  
the Chief Magistrate (as a Judge of the District Court);  
the Magistrates of the South Australian Employment Tribunal;  
the other Magistrates;  
the Masters of the Supreme Court;  
the Masters of the District Court;  
the State Coroner; and  
the Deputy State Coroner.

“**Registrar**” means the “Registrar” within the meaning of the *South Australian Employment Tribunal Act 2014* (SA).

“**Relevant authority**” means:

- (a) the State Courts Administrator in relation to Judges and Court Officers;
- (b) the Registrar in relation to the presidential members of the South Australian Employment Tribunal; and
- (c) the Director, Fleet SA in relation to other Statutory Officers.

“**Retirement**” bears the same meaning as in the *Judges’ Pensions Act 1971*, the *Superannuation Act 1988* and the *Southern State Superannuation Act 2009*.

“**Resignation**” bears the same meaning as in the *Judges’ Pensions Act 1971*, the *Superannuation Act 1988*, and the *Southern State Superannuation Act 2009*.

“**Statutory Officers**” means any of the following statutory office holders:

the Auditor-General;  
the Electoral Commissioner;  
the Deputy Electoral Commissioner; and  
the Health and Community Services Complaints Commissioner.

- 1.2 For the purposes of this Determination, “**salary**” bears the same meaning as in the *Judges’ Pensions Act 1971*, *Southern State Superannuation Act 2009*, and in the *Superannuation Act 1988*, to the intent and effect that any amount paid by way of conveyance allowance is not “salary”, and that any abatement or reduction of salary in accordance with this Determination will not affect the determination of entitlements or obligations pursuant to those Acts.

**2. CONVEYANCE ALLOWANCES****2.1 Amount of Allowances**

Subject to the conditions set out in this Determination, Judges, Court Officers and Statutory Officers are entitled to receive a conveyance allowance payable fortnightly at an annual rate as follows:

2.1.1 For:  
Judges of the Supreme Court;  
the Chief Judge of the District Court;  
the President of the South Australian Employment Tribunal; and  
the Auditor-General;  
an amount of \$17,541.

2.1.2 For:  
Judges of the District Court;  
the Chief Magistrate;  
Judges of the South Australian Employment Tribunal;  
Judges of the Environment, Resources and Development Court;  
Masters of the Supreme Court;  
the Electoral Commissioner; and  
the Health and Community Services Complaints Commissioner;  
an amount of \$16,551.

2.1.3 For:  
Magistrates;  
Masters of the District Court;  
the State Coroner;  
the Deputy State Coroner;  
Magistrates of the South Australian Employment Tribunal;  
Commissioners of the Environment, Resources and Development Court; and  
the Deputy Electoral Commissioner;  
an amount of \$15,298.

2.1.4 **JUDGE HANNON**

The Honourable Judge Hannon was appointed on 1 January 2015 as Deputy President of the South Australian Employment Tribunal ("SAET").

Section 69(6) of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016* provides:

*"The salary and allowances of a person to whom subsection (5)(a) applies will not be reduced during the person's term of office as a member of the Tribunal."*

Those provisions apply to Judge Hannon. At the relevant time Judge Hannon was entitled to the level of conveyance allowance applicable to a Judge of the Supreme Court and those other judicial officers listed at paragraph 2.1.1 above. Accordingly, it is noted that Judge Hannon continues to be entitled to the level of conveyance allowance applicable at the time immediately prior to his appointment as a Deputy President of SAET. This Determination therefore does not affect or effect the level of conveyance allowance to which Judge Hannon is entitled.

2.2. **Part Time Appointees**

Where a person to whom this Determination applies is appointed on a part time basis, that person is entitled to receive a conveyance allowance at a pro rata amount of the relevant allowance in clause 2.1, based on the number of ordinary hours worked as a proportion of the full time equivalent.

2.3. **Temporary Appointees**

Where a person who is not provided with a vehicle in their substantive position is appointed on a temporary basis to act as a Judge, Court Officer or Statutory Officer, that person is entitled after the expiration of the first calendar month of service to receive a conveyance allowance in accordance with clause 2.1.

2.4. **Use of Taxis and Private Vehicles**

2.4.1 **Judges and Court Officers**

A Judge or Court Officer is not entitled to use a government fleet vehicle allocated to the Courts Administration Authority, or to engage taxis or hire car at the expense of the State Courts Administrator, or to seek the payment of any additional allowance for the use of a private vehicle, whether for official or unofficial purposes unless:

- (a) it has been certified by the State Courts Administrator that it was inefficient or not cost effective for the Judge or Court Officer to use the vehicle available for their official and private use; or
- (b) such use or engagement is consistent with a general direction given by the Chief Judicial Officer of the relevant Court, or in the case of Court Officers, the presiding officer of the relevant Tribunal, as to the circumstances where the vehicle available for official and private use, need not be used by reason of efficiency and cost effectiveness.

For the presidential members of the South Australian Employment Tribunal, the Registrar is the relevant approval authority.

An example of circumstances where such certification or general directions may be given is for journeys to and from the airport, where it may be more efficient or cost effective to use a taxi.

2.4.2 **Statutory Officers**

A Statutory Officer must not engage a taxi or hire car, and is not entitled to the payment of any additional allowance for the use of a private vehicle, whether for official or unofficial purposes, unless it is inefficient or not cost effective to use the vehicle available for the Officer's official and private use.

2.4.3 **Amount of Reimbursement**

Where any person subject to this Determination is seeking payment of an additional allowance to cover the use of a private motor vehicle for official purposes, reimbursement of the cost will be made, calculated at the rate per kilometre at a rate equating to that pursuant to the *SA Public Sector Salaried Employees Interim Award*.

### 3. VEHICLES FOR OFFICIAL AND PRIVATE USE

#### 3.1 Selection of Vehicle

Persons who are subject to this Determination are entitled, in accordance with the conditions specified herein, to elect to have allocated to them a motor vehicle of any model and type from the Judicial Vehicle Schedule compiled by Fleet SA, as varied from time to time. Notice of the selected motor vehicle should be made in writing as follows:

- by Judges and Court Officers to the State Courts Administrator;
- by members of the South Australian Employment Tribunal to the Registrar, including members who are Statutory Officers; and
- by other Statutory Officers to the Director, Fleet SA.

The annual charge payable for each vehicle, determined by Fleet SA on the same basis as the calculation made in respect of the use of motor vehicles by Executives, is set out in the Judicial Vehicle Schedule compiled by Fleet SA.

#### 3.2 Temporary Appointees

Persons appointed on a temporary basis to act as a Judge, Court Officer or Statutory Officer are not entitled to make an election under clause 3.1.

#### 3.3 Charges for Use of Vehicles

The amount payable by a Judge, Court Officer or Statutory Officer for the use of a selected vehicle is the amount set out in the Fleet SA Judicial Vehicle Schedule adjacent to the description of the type of vehicle.

Where a person to whom this Determination applies is appointed on a part time basis, and elects pursuant to clause 3.1 to have a motor vehicle, the charge payable by that person pursuant to clause 3.4 shall be an amount determined by Fleet SA, which may be greater than the standard charge to a full time officer to appropriately reflect the proportionately greater private use of such a motor vehicle.

#### 3.4 Payment of Vehicle Charges

If a Judge, Court Officer or Statutory Officer makes an election under clause 3.1 and a vehicle is supplied in accordance with that election, then the salary and allowances otherwise payable to the Judge, Court Officer or Statutory Officer must be abated and reduced so as to offset the charges for the use of the vehicle for the period during which the Judge, Court Officer or Statutory Officer has the use of the vehicle.

#### 3.5 New Models or Types

3.5.1 If a new type of vehicle, or a new model of a type specified in the Schedules becomes available for selection in terms of 3.1 after the date of election but before the placement of a binding order, the Judge, Court Officer, or Statutory Officer is entitled to withdraw the original election and elect to take the new model or type of vehicle.

3.5.2 The annual charge payable for a new model or new type of vehicle is that amount determined by Fleet SA as the annual charge for private use of the vehicle by Executives. The annual charge takes into account the following:

- purchase price and depreciation;
- fuel, maintenance, insurance and registration costs and interest rates; (operating costs are calculated on the basis of an average of 70% private usage);
- Goods and Services Tax (GST);
- Fringe Benefits Tax (FBT) based on an attributed business rate of 20,000 kilometres per year; and
- the vehicle being retained for 3 years or 60,000 kilometres travelled, whichever first occurs.

3.5.3 If a model or type of vehicle selected by a Judge, Court Officer or Statutory Officer becomes unavailable before the placement of a binding order, the Judge, Court Officer or Statutory Officer must be advised accordingly and allowed to make a further election under clause 3.1.

3.5.4 If a model becomes unavailable after the date of placement of a binding order and a later or better model vehicle is supplied, any Judge, Court Officer or Statutory Officer who has selected the unavailable vehicle is liable only to pay the annual charge for the vehicle as selected, and not the charge payable for the vehicle as supplied.

#### 3.6 Accessories

The Judge, Court Officer or Statutory Officer may choose to have manufacturer approved accessories fitted to the vehicle. The full cost of the accessories and the expense of having them fitted (including any tax incurred) is payable by the Judge, Court Officer or Statutory Officer. When the vehicle is due for return the Judge, Court Officer or Statutory Officer may have personally-installed accessories removed from the vehicle, providing the Judge, Court Officer or Statutory Officer meets the full cost of restoring the vehicle to the same condition as if the accessories had not been fitted. No compensation will be paid if options are left on the vehicle unless agreed by the relevant authority.

Options such as airbags, ABS brake systems and cruise control may not be removed, and tow bars must not be reinstalled on another vehicle.

#### 3.7 Retention of Vehicle

Having made an election and receiving the vehicle, the Judge, Court Officer or Statutory Officer must keep the vehicle for a period equivalent to the period determined from time to time by Fleet SA as the period for the replacement of vehicles provided to Executives.

At the conclusion of that period the Judge, Court Officer or Statutory Officer will be entitled to make a new election, or, if he or she does not make an election, to be paid the allowance.

#### 3.8 Conditions of Use

The vehicle will be fully maintained, serviced and insured by the relevant authority.

Parking for the vehicle will be made available at or near the place of duty of the Judge, Court Officer, or Statutory Officer and the vehicle will be available for private and official use, subject to the following:

3.8.1 The Judge, Court Officer, or Statutory Officer must make the vehicle available for official use (including for official use by the Judge, Court Officer, or Statutory Officer) at all times whilst the vehicle is parked at or near the usual place of work of the Judge, Court Officer, or Statutory Officer, and the Judge, Court Officer or Statutory Officer, does not require the vehicle for private use.

3.8.2 The Judge, Court Officer, or Statutory Officer will be authorised by the relevant authority to refuel the vehicle provided the vehicle is fuelled in accordance with any requirements specified by Fleet SA, which may include

requirements that the vehicle be fuelled using a particular brand of motor fuel and that it be only fuelled in South Australia. (If fuelled otherwise than in accordance with those requirements, it will be at the cost of the Judge, Court Officer, or Statutory Officer).

- 3.8.3 The Judge, Court Officer, or Statutory Officer must make the vehicle available as required by the relevant authority for the purposes of the maintenance and repair of the vehicle and must deliver the vehicle to such place as the relevant authority may specify for that purpose.
- 3.8.4 The relevant authority will ensure that Judges, Court Officers and Statutory Officers are insured (which may be pursuant to Government "self-insurance") in respect of compulsory third party liability, third party property damage and any property damage to the vehicle and will hold the Judge, Court Officer, or Statutory Officer harmless in respect of any such property damage. Personal items within the vehicle need not be covered. The Judge, Court Officer, or Statutory Officer must comply with any requirements of the insurance policy of which the member is aware or should have been aware.
- 3.8.5 The Judge, Court Officer or Statutory Officer will be responsible for any driving or parking fines for offences incurred.
- 3.8.6 The vehicle is available to the Judge, Court Officer or Statutory Officer while on leave. Where the Judge, Court Officer or Statutory Officer is absent from duty for a period greater than 7 days then the Judge, Court Officer, or Statutory Officer will be responsible for fuelling the vehicle until returning to duty.
- 3.8.7 Vehicles may be driven interstate during periods of leave and there is no limit to privately travelled kilometres. Fuel charges for private interstate trips are entirely the personal responsibility of the Judge, Court Officer, or Statutory Officer.

### 3.9 **Special Conditions of Use**

Notwithstanding anything else in this Determination:

- 3.9.1 where any damage is the result of a wilful or deliberate act of any person, the relevant authority may take such action as he or she thinks fit to recover the cost of such damage;
- 3.9.2 the insurance and discharges are not applicable if the driver is under the influence of drugs and/or alcohol;
- 3.9.3 the insurance and discharges are not applicable if the insurance has been brought to the attention of the Judge, Court Officer or Statutory Officer and is avoided by an action of the driver of the vehicle; and
- 3.9.4 where the insurance policy contains an excess clause, then the Judge, Court Officer or Statutory Officer will be liable to repay the relevant authority the amount of that excess (or any part thereof) in the event that it becomes payable by reason of the driver of the vehicle being blameworthy for any of the damage giving rise to a claim on the policy when the vehicle is being used other than for official use.

### 3.10 **Care of Vehicle**

The Judge, Court Officer or Statutory Officer is responsible for ensuring that reasonable care is taken of the vehicle. Off street parking at the home of the person concerned is to be used if available and reasonable steps are to be taken to ensure its security. Where any damage to a vehicle supplied to a:

- 3.10.1 Judge or Court Officer is, in the opinion of the Courts Administration Council, the consequence of a serious breach of the obligations imposed by this clause, the Judge, or Court Officer must, on demand, pay the Courts Administration Authority the proper cost of rectification of such damage;
- 3.10.2 Statutory Officer is, in the opinion of the Director, Fleet SA, the consequence of a serious breach of the obligations imposed by this clause, the Statutory Officer concerned must, on demand, pay to Fleet SA the proper cost of rectification of such damage; and
- 3.10.3 Presidential member of the South Australian Employment Tribunal is, in the opinion of the Registrar, the consequence of a serious breach of the obligations imposed by this clause, the Member concerned must, on demand, pay to the Tribunal the proper cost of rectification of such damage.

### 3.11 **Additional Drivers**

The vehicle may be driven by any other Government employee who requires the vehicle for official use.

Judges, Court Officers, and Statutory Officers, must nominate to the relevant authority the names of any persons to use the vehicle at times when it is not required to be available for official use and, subject to the control and direction of the Judge, Court Officer or Statutory Officer, such persons will be authorised to use the vehicle upon such nomination.

Approval is required from the relevant authority for the vehicle to be driven by holders of any form of provisional licence or learner's permit. Approval is also required if any other category of person not otherwise mentioned, is to drive the vehicle.

### 3.12 **Right to Purchase**

At any time during the 12 months immediately preceding the date of his or her retirement or resignation, a Judge, Court Officer, or Statutory Officer may, by notice in writing to the relevant authority, elect to purchase the vehicle then allocated to him or her as at the date of his or her retirement or resignation or at the end of the lease period. After such notification has been given, the relevant authority must take such steps as are necessary to ensure that it can sell the vehicle to the member.

### 3.13 **No Changeover**

A Judge, Court Officer or Statutory Officer who makes an election under clause 3.12 shall not be permitted or required to hand a vehicle in for normally scheduled changeover where that changeover would occur between the date of election and the date of retirement/resignation/end of lease period.

### 3.14 **Conditions of Purchase**

The conditions in relation to a purchase made following an election under clause 3.12 shall be:

- 3.14.1 The price will be the fair market value for such a vehicle sold without any statutory warranty.
- 3.14.2 The price will be agreed between the Director, Fleet SA, and the Judge, Court Officer or Statutory Officer, due regard being had to prices generally recovered for such vehicles at Fleet SA public auctions.
- 3.14.3 Failing such agreement, the price will be determined by an independent valuer agreed by the parties. Where the prospective retiree/resignee is a:
- 3.14.3.1 Judge or Court Officer, any fee payable to such a valuer shall be borne in equal shares by the prospective retiree/resignee and the State Courts Administrator;

- 3.14.3.2. Statutory Officer, any fee payable to such a valuer shall be borne in equal shares with half payable by the respective retiree/resignee and the other half being payable from funds appropriated to pay expenses associated with the statutory office held by the retiree/resignee; and
- 3.14.3.3. Presidential member of the South Australian Employment Tribunal, any fee payable to such a valuer shall be borne in equal shares by the prospective retiree/resignee and the Registrar.
- 3.14.4. The price shall be payable in full on, or prior to, the date of retirement/resignation of the Judge, Court Officer or Statutory Officer.

#### 4. DATE OF OPERATION

- 4.1 The conveyance allowances prescribed in Clause 2.1 are operative from 1 July 2018.
- 4.2 If a Judge, Court Officer or Statutory Officer currently has the use of a vehicle pursuant to a previous Determination of the Remuneration Tribunal, the conveyance allowance and annual charge payable under the previous Determination will continue to apply. Clause 2 of this Determination will have no effect until that Judge, Court Officer or Statutory Officer takes delivery of a vehicle pursuant to this Determination, or elects not to receive a vehicle.
- 4.3 This Determination replaces in entirety Determination 9 of 2017.

Dated: 17 December 2018

JOHN LEWIN  
President  
PETER ALEXANDER  
Member  
PAMELA MARTIN  
Member

### REMUNERATION TRIBUNAL

REPORT NO. 16 OF 2018

*2018 Review of Judicial Security Allowance*

#### INTRODUCTION AND BACKGROUND

- The Remuneration Tribunal (“the Tribunal”) has jurisdiction under section 13 of the *Remuneration Act 1990* (“the Act”) to determine the remuneration payable to the judiciary and holders of the public offices listed in that section of the Act. The Tribunal is also given jurisdiction under section 14 of the Act to determine the remuneration payable to holders of certain other public offices where jurisdiction is conferred on the Tribunal by any other Act, or by proclamation by the Governor.
- The Tribunal’s most recent Determination in relation to Judicial Security Allowance was Determination 15 of 2017<sup>1</sup>. That Determination provides for a Judicial Security Allowance for the office holders within its scope of application, at the level of \$1,000 per annum.
- A review of the Judicial Security Allowance was conducted in 2017, with no adjustment made to the level of the allowance on that occasion.
- The Judicial Security Allowance is provided for the purpose of expenditures in relation to personal security at the judicial officer’s residence.

<sup>1</sup> Determination 15 of 2017 – Judicial Security Allowance

#### PROCEDURAL HISTORY

- Section 10(2) of the Act, requires that before the making of a Determination affecting the remuneration of a particular person, or persons of a particular class, the Tribunal must allow that person, or persons of that class, a reasonable opportunity to make submissions.
- The Tribunal, by letters dated 18 September 2018, sent notifications of the review to the Judicial Remuneration Coordinating Committee (“JRCC”), the Magistrates Association of South Australia (“MASA”), and the Premier, as the Minister responsible for the Act.
- On 19 September 2018, the Tribunal distributed an email notification of the review to judicial officers. Additionally, a notice of the review was also placed on the Tribunal’s website.

#### SUBMISSIONS

- The JRCC submitted that it does not seek any increase in the security allowance at this stage. The JRCC considers it more appropriate that an increase in the allowance be granted over a longer time period e.g. every five years, as small incremental increases will not reflect the increase in costs of providing home security.
- The Crown Solicitor’s Office (“CSO”) submitted that the Hon. Premier is satisfied with the position of the JRCC that the increase to the Judicial Security Allowance is best updated after a five-year period, and as such no increase is submitted to apply this year.
- No other submissions were received by the Tribunal.

#### CONSIDERATION

- Having regard to the submissions received and the Tribunal’s independent consideration of information within Australian Bureau of Statistics series concerning the costs of items of a similar nature, no justification is discernible for any variation to the Judicial Security Allowance.
- The proposal for a review of the Determination of the Judicial Security Allowance is not harmonious with the statutory requirement set out in Section 8(2) for the Tribunal to do so annually. Accordingly, the Tribunal will continue to conduct an annual review of the Determination.

Dated: 17 December 2018

JOHN LEWIN  
President  
PETER ALEXANDER  
Member  
PAMELA MARTIN  
Member

## RETIREMENT VILLAGES ACT 2016

## SECTION 5

*Notice of Exemption*

TAKE NOTICE that I, STEPHEN WADE, Minister for Health and Wellbeing, pursuant to subsection (2)(b) of section 5 of the *Retirement Villages Act 2016* (the Act), HEREBY EXEMPT Bellara Aged Care Village Pty Ltd, from subsection (6)(a)(i) of section 33 of the Act, subject to the conditions set out in Schedule 1.

## SCHEDULE 1

1. This exemption only applies in respect of the Bellara Aged Care Village.
2. This exemption only applies in respect of the 2017-2018 financial year.
3. At the annual meeting of residents of the Bellara Aged Care Village held pursuant to section 33(1)(b) the operator shall provide residents with the information described in section 33(6)(a)(i) of the Act but the information shall relate to the period from 30 January 2018 to 30 June 2018.

Dated: 17 December 2018

STEPHEN WADE  
Minister for Health and Wellbeing

## RETIREMENT VILLAGES ACT 2016

## SECTION 5

*Notice of Exemption*

TAKE NOTICE that I, STEPHEN WADE, Minister for Health and Wellbeing, pursuant to subsection 5(2) of the *Retirement Villages Act 2016* ("the Act") HEREBY EXEMPT the operator specified in Schedule 1 ("the Authority") from subsections 33(1)(b), 33(6)(a), and 40(1) of the Act in relation to the retirement villages specified in Schedule 2

## SCHEDULE 1

Eldercare Incorporated

## SCHEDULE 2

- a. Sash Ferguson
- b. Elmwood Grove
- c. Exhibition Court

This exemption is subject to the following conditions:

1. An annual meeting will be held at which the residents of the specified retirement villages operated by the Authority will be able to attend.
2. The annual meeting allowed in condition 1 must be held and run as if it were a meeting held in accordance with section 33 of the Act.
3. The exemption from subsections 33(7)(a) and 40(4) of the Act applies only to the standard of information ("Information") as prescribed by Regulation 10 of the *Retirement Villages Regulations 2017* that is required to be provided to residents pursuant to subsections 33(6)(a) and 40(1) of the Act.
4. Information may be prepared in a consolidated format for the specified retirement villages operated by the Authority and need not specifically relate to the site at which the relevant resident or residents reside.

Dated: 17 December 2018

STEPHEN WADE  
Minister for Health and Wellbeing

## RETIREMENT VILLAGES ACT 2016

## SECTION 5

*Notice of Exemption*

TAKE notice that I, STEPHEN WADE, Minister for Health and Wellbeing, pursuant to subsection (2)(b) of section 5 of the *Retirement Villages Act 2016* (the Act)

HEREBY EXEMPT the Aged Care Housing Group Incorporated (ARBN 142 240 499) (the operator) in relation to all retirement villages administered by the operator from the requirements of the sections of the *Retirement Villages Act 2016* specified in Column 1 and subject to the conditions set out in Column 2 of the following table.

Column 1 Section	Column 2 Conditions
22(c)	<ol style="list-style-type: none"> <li>1. Before a person enters into an Independent Living Unit residence contract the operator will provide a copy of the consolidated financial reports provided to residents at the last annual meeting of residents of Independent Living Units administered by the operator, including a written statement of any subsequent change in the affairs of the village and the operator that may significantly affect the resident's decision to enter the village. These financial reports should be provided at the same time as the other documents required to be provided to a person under section 22 of the Act.</li> <li>2. Before a person enters into a Resident Funded Unit residence contract the operator will provide a copy of the consolidated financial reports provided to residents at the last annual meeting of residents of Resident Funded Units administered by the operator, including a written statement of any subsequent change in the affairs of the village and the operator that may significantly affect the resident's decision to enter the village. These financial reports should be provided at the same time as the other documents required to be provided to a person under section 22 of the Act.</li> <li>3. Before a person enters into an Independent Living Unit residence contract the operator will provide a copy of the minutes of the last two annual meetings of all residents of Independent Living Units administered by the operator. These minutes should be provided at the same time as the other documents required to be provided to a person under section 22.</li> </ol>

Column 1 Section	Column 2 Conditions
	4. Before a person enters into a Resident Funded Unit residence contract the operator will provide a copy of the minutes of the last two annual meetings of all residents of Resident Funded Units administered by the operator. These minutes should be provided at the same time as the other documents required to be provided to a person under section 22.
33(6)	<ol style="list-style-type: none"> <li>1. The Operator will hold an annual meeting at which all residents who reside in Independent Living Units administered by the Operator will be able to attend.</li> <li>2. The Operator will hold an annual meeting at which all residents who reside in Resident Funded Units administered by the Operator will be able to attend.</li> <li>3. The annual meetings allowed in conditions 1 and 2 shall be held and run as if they are meetings held in accordance with section 33(1)(b) of the Act.</li> <li>4. At meetings of residents held pursuant to section 33(1)(b) or condition 1 the operator shall provide residents with the information described in section 33(6) of the Act but the information shall be consolidated information in relation to all Independent Living Units administered by the operator.</li> <li>5. At meetings of residents held pursuant to section 33(1)(b) or condition 2 the operator shall provide residents with the information described in section 33(6) of the Act but the information shall be consolidated information in relation to all Resident Funded Units administered by the operator.</li> </ol>
34(8)	<ol style="list-style-type: none"> <li>1. The operator may impose a special levy on residents who reside in Independent Living Units administered by the operator if the special levy is authorised by a special resolution passed at a meeting which all residents of Independent Living Units will be able to attend.</li> <li>2. The operator may impose a special levy on residents who reside in Resident Funded Units administered by the operator if the special levy is authorised by a special resolution passed at a meeting which all residents of Resident Funded Units will be able to attend.</li> </ol>
38 and 39	<ol style="list-style-type: none"> <li>1. Residents who reside in Independent Living Units administered by the operator may elect a residents' committee to consult with the operator of the retirement village, or a representative of the operator, in relation to matters of interest to Independent Living Unit residents and to represent the interests of these residents.</li> <li>2. Residents who reside in Resident Funded Units administered by the operator may elect a residents' committee to consult with the operator of the retirement village, or a representative of the operator, in relation to matters of interest to all Resident Funded Unit residents and to represent the interests of these residents.</li> <li>3. A residents' committee elected in accordance with condition 1 will function as if it is a residents' committee elected in accordance with section 38(1) of the Act.</li> <li>4. A residents' committee elected in accordance with condition 2 will function as if it is a residents' committee elected in accordance with section 38(1) of the Act.</li> <li>5. If a residents' committee is elected in accordance with condition 1 the operator will convene at least two meetings with the residents' committee to discuss the matters in section 33(6)(a) of the Act. These meetings will be held and run as if they are meetings held in accordance with section 39(1) of the Act.</li> <li>6. If a residents' committee is elected in accordance with condition 2 the operator will convene at least two meetings with the residents' committee to discuss the matters in section 33(6)(a) of the Act. These meetings will be held and run as if they are meetings held in accordance with section 39(1) of the Act.</li> </ol>
40(4)	<ol style="list-style-type: none"> <li>1. Interim financial statements presented pursuant to section 40 of the Act may be prepared in a consolidated format for all Independent Living Units administered by the operator and need not specifically relate to the site at which the relevant resident or residents reside, as prescribed by regulation 10 of the <i>Retirement Villages Regulations 2017</i>.</li> <li>2. Interim financial statements presented pursuant to section 40 of the Act may be prepared in a consolidated format for all Resident Funded Units administered by the operator and need not specifically relate to the site at which the relevant resident or residents reside, as prescribed by regulation 10 of the <i>Retirement Villages Regulations 2017</i>.</li> </ol>
Schedule 2, Part 4, clause 11(1)	<ol style="list-style-type: none"> <li>1. If one or more residence contracts in force in relation to Resident Funded Units administered by the operator do not make provision for dealing with surplus and deficits, the operator must, within 12 months of the commencement of the <i>Retirement Villages Act 2016</i>, hold a meeting of all residents of Resident Funded Units, to adopt a policy as to the manner in which a surplus or deficit will be dealt with in relation to all Resident Funded Units administered by the operator.</li> <li>2. If one or more residence contracts in force in relation to Independent Living Units administered by the operator do not make provision for dealing with surplus and deficits, the operator must, within 12 months of the commencement of the <i>Retirement Villages Act 2016</i>, hold a meeting of all residents of Independent Living Units, to adopt a policy as to the manner in which a surplus or deficit will be dealt with in relation to all Independent Living Units administered by the operator.</li> </ol>

I HEREBY REVOKE all previous exemptions granted to the operator.

Dated: 17 December 2018

STEPHEN WADE  
Minister for Health and Wellbeing

#### RETIREMENT VILLAGES ACT 2016

##### SECTION 5(2)

##### *Exemption from the application of Section 31(3)(a)*

TAKE notice that I, Stephen Wade, Minister for Health and Wellbeing, pursuant to Section 5(2) of the *Retirement Villages Act 2016* (the Act), hereby exempt Trinity Place ABN 78 065 792 878 from the application of Section 31(3)(a) of the Act:

This exemption is provided on condition that Trinity Place:

- (a) continues to fund the costs relating to the assets of the retirement village from the maintenance fee charged to residents; via the depreciation schedule; and

- (b) must not implement any payment, or otherwise fund, any replacement assets from any capital fund or maintenance reserve fund established in connection with the retirement village.

Dated: 17 December 2018

STEPHEN WADE  
Minister for Health and Wellbeing

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order*

*Road Closure – Public Road, Cherry Gardens*

BY Road Process Order made on 8 August 2018, the City of Onkaparinga ordered that:

1. The Public Road, situated adjoining the northern boundary of Section 300 Hundred of Noarlunga, more particularly delineated and lettered 'B' (northern portion only) on Preliminary Plan 17/0059 be closed.
2. Transfer the whole of the land subject to closure to Reginald Laurence Amos in accordance with the Agreement for Transfer dated 7 August 2018 entered into between the City of Onkaparinga and Reginald Laurence Amos.

On 17 December 2018 that Order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 120234 being the authority for the new boundaries.

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

Dated: 20 December 2018

M. P. BURDETT  
Surveyor-General

DPTI: 2017/23122/01

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order*

*Road Closure – Osmond Street and Laneway, Adelaide*

BY Road Process Order made on 21 September 2018, the Corporation of the City of Adelaide ordered that:

1. The whole of Osmond Street situated adjoining the western boundaries of Pieces 94 and 95 in Filed Plan 199614 and Allotment 51 in Deposited Plan 74307, more particularly delineated and marked 'A' in Preliminary Plan 17/0057 be closed.
2. The whole of the Laneway situated adjoining Symonds Place and more particularly delineated and marked 'B' in Preliminary Plan 17/0057 be closed.
3. Transfer the whole of land subject to closure marked 'A' and 'B' to Pulteney Grammar School Inc. in accordance with the Agreement for Transfer dated 12 September 2017.
4. The following easements are to be granted over the whole of the land subject to that closure:
  - i. Grant to Distribution Lessor Corporation (subject to Lease 8890000) an easement for the transmission of electricity by underground cable over the land marked 'E' in Deposited Plan 120095.
  - ii. Grant to Australian Gas Networks (SA) Ltd an easement for gas supply purposes over the land marked 'G' in Deposited Plan 120095.
  - iii. Grant to South Australian Water Corporation an easement for sewerage purposes over the land marked 'S' in Deposited Plan 120095.
  - iv. Grant to South Australian Water Corporation an easement for water supply purposes over the land marked 'W' in Deposited Plan 120095.

On 17 December 2018 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 120095 being the authority for the new boundaries.

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

Dated: 20 December 2018

M. P. BURDETT  
Surveyor-General

DPTI: 2017/21012/01

ROAD TRAFFIC ACT 1961

*Breath Analysing Instruments*

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 13 December, 2018, 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
76108	AIR, Kayla Valerie
76067	BARRETT, Talia Audra
76509	BIRNIE, Kathryn Mary

PD Number	Officer Name
76352	DAVIS, Christopher Scott
76633	HARRISON, Sharna
76584	MCCORMICK, Daniel Alan

Dated: 13 December 2018

GRANT STEVENS  
Commissioner of Police

Reference: 2018-0167

SOUTH AUSTRALIAN PUBLIC HEALTH ACT 2011

SECTION 51 (23) (B) – APPOINTMENTS

*Notice by the Minister for Health and Wellbeing*

TAKE notice that I, Stephen Wade, Minister for Health and Wellbeing, pursuant to section 51 (23) (b) of the *South Australian Public Health Act 2011*, do hereby declare the undermentioned entity as a Public Health Partner Authority:

- The Department for Correctional Services

Dated: 17 December 2018

STEPHEN WADE  
Minister for Health and Wellbeing

SUMMARY OFFENCES ACT 1953

DECLARED PUBLIC PRECINCTS

*Notice of Ministerial Declaration*

I, VICKIE CHAPMAN, Attorney-General in the State of South Australia, being the Minister responsible for the administration of Part 14B – Declared Public Precincts of the *Summary Offences Act 1953*, DO HEREBY DECLARE pursuant to the provisions of section 66N of the said Act that the area, comprised of more than one public place, within the following boundaries:

- Western boundary of West Terrace from northern boundary of North Terrace to southern boundary of Currie Street, and
- Southern boundary of Currie Street to eastern boundary of King William Street, and
- Southern boundary of Grenfell Street from eastern boundary of King William Street to eastern boundary of East Terrace, and
- Eastern Boundary of East Terrace to northern boundary of North Terrace, and
- Northern boundary of North Terrace to eastern boundary of Kintore Ave, and
- Eastern boundary of Kintore Avenue to northern boundary of Victoria Drive, and
- Northern boundary of Victoria Drive to eastern boundary of King William Road, and
- Eastern boundary of King William Road to northern boundary of War Memorial Drive, and
- Northern boundary of War Memorial Drive to western boundary of Montefiore Road, and
- Western boundary of Montefiore Road to northern boundary of North Terrace, and
- Northern boundary of North Terrace to western boundary of West Terrace

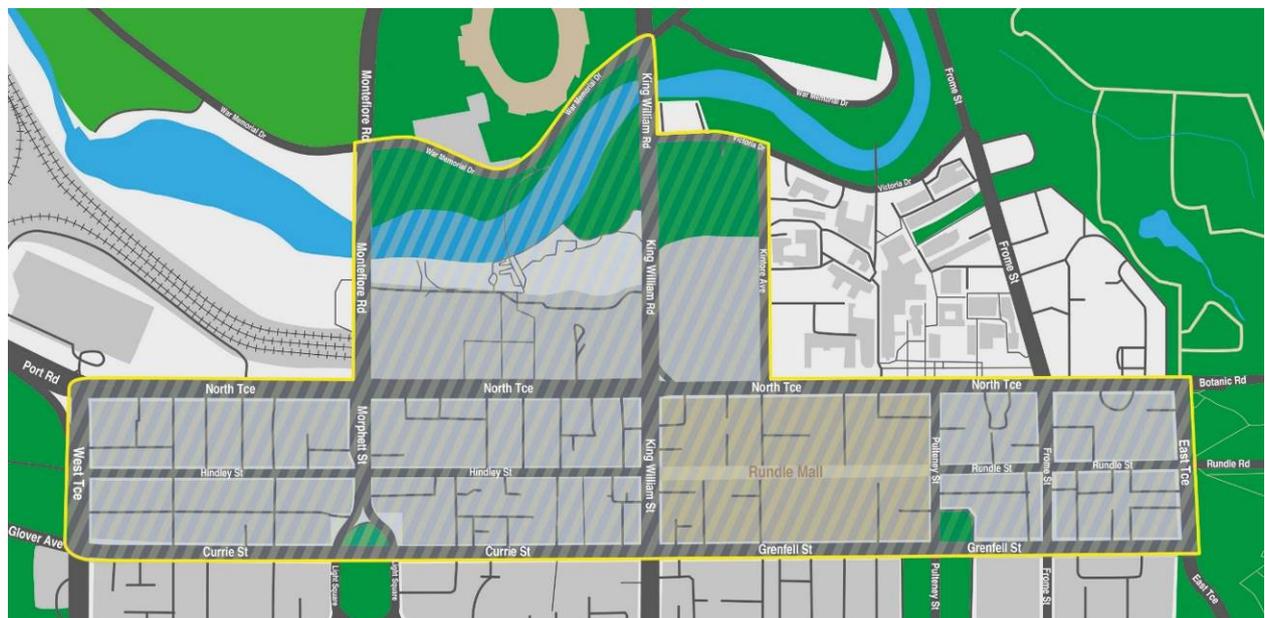
will be a declared public precinct for a period of twelve (12) hours from 6:00pm Monday 31 December 2018 until 6:00am Tuesday 1 January 2019, local time.

I am satisfied that there is, during the period specified in this declaration, a reasonable likelihood of conduct posing a risk to public order and safety in the area specified.

I am satisfied that the inclusion of each public place in the area is reasonable having regard to that identified risk.

Dated: 14 December 2018

VICKIE CHAPMAN  
Attorney-General



## SUMMARY OFFENCES ACT 1953

## DECLARED PUBLIC PRECINCTS

*Notice of Ministerial Declaration*

I, VICKIE CHAPMAN, Attorney-General in the State of South Australia, being the Minister responsible for the administration of Part 14B – Declared Public Precincts of the *Summary Offences Act 1953*, DO HEREBY DECLARE pursuant to the provisions of section 66N of the said Act that the area, comprised of more than one public place, within the following boundaries:

- Southern boundary of Pier Street taking a straight line west to the low tide of the Gulf St. Vincent, and
- Low tide of the Gulf St. Vincent (western edge) to northern boundary of Chappell Drive including the Holdfast Shores Promenade, and
- Northern boundary of Anzac Highway extending to Chappell Drive to eastern boundary of Brighton Road, and
- Eastern boundary of Brighton Road to southern boundary of Pier Street

will be a declared public precinct for a period of twelve (12) hours from 6:00pm Monday 31 December 2018 until 6:00am Tuesday 1 January 2019, local time.

I am satisfied that there is, during the period specified in this declaration, a reasonable likelihood of conduct posing a risk to public order and safety in the area specified.

I am satisfied that the inclusion of each public place in the area is reasonable having regard to that identified risk.

Dated: 14 December 2018

VICKIE CHAPMAN  
Attorney-General



## 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			

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS FOR THE HEALTH TRAINING PACKAGE HLT

*Trade/ #Declared Vocation/ Other Occupation	Qualification Code	Qualification Title	Nominal Term of Training Contract	Probationary Period
Health Support Worker #	HLT31015	Certificate III in Ambulance Communications (Call-taking)	12 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**

ADELAIDE CITY COUNCIL  
Market Street, Adelaide. p8

CITY OF CHARLES STURT  
Harley Place, Findon. p 1 and 2  
Baudin Avenue, Flinders Park. p7

CITY OF MARION  
Digital Drive, Tonsley, p5 and 6  
Henry Street, Tonsley, p5 and 6  
Charger Road, p5 and 6  
Almond Lane, p5 and 6  
Hannah Road, p5 and 6  
Eliza Place, p5 and 6

## CITY OF NORWOOD, PAYNEHAM &amp; ST PETERS

Alexander Lane and road proposed to be Alexander lane (lot 201 in LTRO DP 116998) in Land Division number 155/D013/17, Marden. p58 and 59

**CITY OF ONKAPARINGA**

Easements in lot 200 in LTRO DP 119039, Heppenstal Road, lot 201 in LTRO DP 119039, Samuel Street, and lots 202, 203 and 205 in LTRO DP 119039, Highview Court (proposed roads shown as Road One, Road Five, Road Four, Road Three and Road Two in Land Division number 145/D021/17), Hackham. p65-67

**CITY OF PLAYFORD**

Easements in lots 5002 and 5003 in LTRO DP 115603 (proposed roads Bracken Avenue, Orchid Court, Greenhood Crescent and Brookmont Boulevard in Land Division number 292/D093/14), Andrews Road, Andrews Farm. p3 and 4

**CITY OF PORT ADELAIDE ENFIELD**

Wattle Grove, Klemzig. p24  
Tiwu Street, Lightsview. p62  
Yarro Lane, Lightsview. p62

**CITY OF SALISBURY**

Cherry Avenue, Direk. p64 and 65

**OUTSIDE ADELAIDE WATER DISTRICT****DISTRICT COUNCIL OF MOUNT BARKER**

Rochfort Street, Mount Barker. p60 and 61  
Sisters Crescent, Mount Barker. p60 and 61

**MANNUM WATER DISTRICT****MID MURRAY COUNCIL**

Easement in lot 102 in LTRO DP 69409, Chandler Avenue, Mannum. p29

**PORT PIRIE WATER DISTRICT****PORT PIRIE REGIONAL COUNCIL**

Magor Road, Port Pirie South. p14

**ROBE WATER DISTRICT****DISTRICT COUNCIL OF ROBE**

Kokoda Drive, Robe. p57  
Albatross Close, Robe. p57  
Divot Lane, Robe. p57  
James Street, Robe. p57

**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 CHARLES STURT**

Frederick Road, Seaton. FB 1279 p57  
Baudin Avenue, Flinders Park. FB 1279 p59  
Rowell Road, West Croydon. FB 1281 p19  
Across Cameron Avenue, Findon. FB 1282 p1-3  
Harley Place, Findon. FB 1282 p1-3

**CITY OF HOLDFAST BAY**

Gosse Avenue, Glenelg North. FB 1281 p23

**CITY OF MARION**

Easements in allotment piece 550 in LTRO DP 119158, Alawoona Avenue, Tonsley. FB 1280p56-58  
Easements in lot 5025 in LTRO DP 118632 (proposed roads shown as Road RSOJ and Road RSOD in Land Division Number 100/D265/16), Hannah Road, Tonsley. FB 1280 p56-58  
In and across Hannah Road, Tonsley. FB 1280 p56-58  
Across and in Henry Street, Tonsley. FB 1280 p56-58  
Across and in Digital Drive, Tonsley. FB 1280p56-58  
Almond Lane, Tonsley. FB 1280 p56-58  
Eliza Place, Tonsley. FB 1280 p56-58  
Ferry Avenue, Plympton Park. FB 1281 p21

**CITY OF NORWOOD PAYNEHAM AND ST PETERS**

Grigg Street, Marden. FB 1281 p22  
Alexander Lane, Marden. FB 1282 p9-11  
Easements in lot 201 in LTRO DP 116998 (proposed road Alexander Lane in Land Division Number 155/D013/17), Alexander Lane, Marden. FB 1282 p9-11  
River Street, Marden. FB 1282 p9-11

**CITY OF ONKAPARINGA**

Howe Street, Christies Beach. FB 1279 p55  
Applecross Avenue, Morphett Vale. FB 1279 p58

**CITY OF PORT ADELAIDE ENFIELD**

Yongala Street, Taperoo. FB 1279 p56  
In and across Tiwu Street, Lightsview. FB 1282 p12-14  
Yarro Lane, Lightsview. FB 12582 p12-14

**CITY OF SALISBURY**

Wentworth Drive, Ingle Farm. FB 1281 p26  
Coordinate Road, Salisbury North. FB 1281 p27  
Across Desyllas Drive, Direk. FB 1282 p15-17  
Cherry Avenue, Direk. FB 1282 p15-17

**CITY OF TEA TREE GULLY**

Solandra Crescent, Modbury North. FB 1281 p25  
Gorman Street, Modbury. FB 1281 p30

**CITY OF WEST TORRENS**

Attrill Avenue, Hilton. FB 1279 p54

Selby Street, Kurralta Park. FB 1281 p31

**ANGASTON COUNTRY DRAINAGE AREA****THE BAROSSA COUNCIL**

Across Murray Street, Angaston. FB 1281 p29

Easements in lot 200 in LTRO DP 29530, Murray Street and lot 201 in LTRO DP 29530, Hill East Street, Angaston. FB 1281 p29

**BALHANNAH COUNTRY DRAINAGE AREA****ADELAIDE HILLS COUNCIL**

Glebe Road, Balhannah. FB 1281 p28

**MURRAY BRIDGE COUNTRY DRAINAGE AREA****THE RURAL CITY OF MURRAY BRIDGE**

Trevor Street, Murray Bridge. FB 1281 p24

**WHYALLA COUNTRY DRAINAGE AREA****THE CORPORATION OF THE CITY OF WHYALLA**

Easements in lots 8-10 in LTRO DP 91640, Ekblom Street, Whyalla Norrie. FB 1282 p8

**OUTSIDE ADELAIDE DRAINAGE AREA****CITY OF PLAYFORD**

Easements in lots 5002 and 5003 in LTRO DP 115603 (proposed roads Bracken Avenue, Orchid Crescent and Greenhood Crescent in Land Division Number 292/D093/14), Andrews Road, Andrews Farm. FB 1282 p4-7

Dated: 20 December 2018

ROCH CHEROUX  
Chief Executive Officer  
South Australian Water Corporation

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South Australia

## **Teachers Registration and Standards (Miscellaneous) Amendment Act (Commencement) Proclamation 2018**

### **1—Short title**

This proclamation may be cited as the *Teachers Registration and Standards (Miscellaneous) Amendment Act (Commencement) Proclamation 2018*.

### **2—Commencement**

The *Teachers Registration and Standards (Miscellaneous) Amendment Act 2018* (No 25 of 2018) will come into operation on 20 December 2018.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 20 December 2018

ME18/064

South Australia

## **Summary Offences (Disrespectful Conduct in Court) Amendment Act (Commencement) Proclamation 2018**

### **1—Short title**

This proclamation may be cited as the *Summary Offences (Disrespectful Conduct in Court) Amendment Act (Commencement) Proclamation 2018*.

### **2—Commencement of Act**

The *Summary Offences (Disrespectful Conduct in Court) Amendment Act 2018* (No 30 of 2018) comes into operation on 20 December 2018.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 20 December 2018

AGO0154-18CS

South Australia

# **Local Government (General) (Boundary Adjustment) Variation Regulations 2018**

under the *Local Government Act 1999*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *Local Government (General) Regulations 2013***

- 4 Substitution of regulation 5
  - 5 Boundary reform proposals—prescribed percentage or number of eligible electors
  - 5 Variation of Schedule 1—Forms
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Local Government (General) (Boundary Adjustment) Variation Regulations 2018*.

### **2—Commencement**

These regulations will come into operation on the day on which the *Local Government (Boundary Adjustment) Amendment Act 2017* 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 *Local Government (General) Regulations 2013***

### **4—Substitution of regulation 5**

Regulation 5—delete the regulation and substitute:

#### **5—Boundary reform proposals—prescribed percentage or number of eligible electors**

For the purposes of section 28(1)(d) of the Act, the prescribed percentage is at least 10% of eligible electors in respect of a proposal.

### **5—Variation of Schedule 1—Forms**

Schedule 1, Form 1—delete Form 1

**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 20 December 2018

No 251 of 2018

MTIL18/047CS

South Australia

# Work Health and Safety (Asbestos Air Quality) Variation Regulations 2018

under the *Work Health and Safety Act 2012*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### Part 2—Variation of *Work Health and Safety Regulations 2012*

- 4 Variation of regulation 726—Application of regulations 475, 476 and 489
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Work Health and Safety (Asbestos Air Quality) Variation Regulations 2018*.

### 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 *Work Health and Safety Regulations 2012*

### 4—Variation of regulation 726—Application of regulations 475, 476 and 489

Regulation 726(2)—delete "1 January 2019" and substitute:

1 January 2021

#### 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 20 December 2018

No 252 of 2018

T&F18/130CS

South Australia

## Firearms (Fees) Variation Regulations 2018

under the *Firearms Act 2015*

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### Contents

#### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### Part 2—Variation of *Firearms (Fees) Regulations 2018*

- 4 Substitution of Schedule 1  
Schedule 1—Fees
- 

### Part 1—Preliminary

#### 1—Short title

These regulations may be cited as the *Firearms (Fees) Variation Regulations 2018*.

#### 2—Commencement

These regulations will come into operation on 1 January 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 *Firearms (Fees) Regulations 2018*

#### 4—Substitution of Schedule 1

Schedule 1—delete the Schedule and substitute:

#### Schedule 1—Fees

- 1 Application for grant or renewal of firearms licence (other than a category 11 (dealer) licence)—
  - (a) if term of licence does not exceed 1 year \$94
  - (b) if term of licence exceeds 1 year but does not exceed 3 years \$245
  - (c) if term of licence exceeds 3 years but does not exceed 5 years \$389

**Note—**

Subject to the fees otherwise specified in items 2 and 3 of this table, one application fee for the grant or renewal of a licence may be payable in respect of an application that involves more than one category of licence (other than an application for a licence authorising the purpose of collecting, or collecting and displaying, firearms—see section 12(4) of the Act). However, a separate application will be required (and separate fee payable) in respect of each category of licence where the term for which the licence is to be issued is not the same (as determined in accordance with section 17 of the Act).

2	Application for grant or renewal of category 11 (dealer) licence authorising dealing in firearms or firearms and ammunition—	
	(a) if term of licence does not exceed 1 year	\$484
	(b) if term of licence exceeds 1 year but does not exceed 3 years	\$1 410
	(c) if term of licence exceeds 3 years but does not exceed 5 years	\$2 340
3	Application for grant or renewal of category 11 (dealer) licence that authorises dealing in ammunition only—	
	(a) if term of licence does not exceed 1 year	\$143
	(b) if term of licence exceeds 1 year but does not exceed 3 years	\$389
	(c) if term of licence exceeds 3 years but does not exceed 5 years	\$636
4	Application for variation of licence	\$56
5	Application for licence to replace licence lost, stolen or destroyed	\$56
6	Application for approval of person as a company's principal or secondary nominee	\$56
7	Application for registration of firearm in name of owner of firearm	\$37
8	Application for certificate of registration to replace certificate lost, stolen or destroyed	\$37
9	Application for permit to possess ammunition	\$37
10	Fee to witness the transfer of a firearm under regulation 51(5)	\$28
	However, if a firearm is registered in the name of the owner immediately after the transfer of the firearm is witnessed by a police officer, the witnessing fee is not payable.	
11	Application for international visitor permit	\$37
12	Application for foreign theatrical armourer permit	\$37
13	Application for foreign firearms dealer permit	\$37
14	Application for firearm refurbishment permit	\$37
15	Application for recognition of firearms club	\$562
16	Application for recognition of commercial range operator	\$562
17	Application for recognition of paint-ball operator	\$562
18	Application for accreditation or renewal of accreditation as an accredited paint-ball employee	\$37
19	Administrative fee on late renewal of licence	\$40

**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 20 December 2018

No 253 of 2018

18/POL010CS

South Australia

# State Procurement (Procurement Operations) Variation Regulations 2018

under the *State Procurement Act 2004*

---

## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### Part 2—Variation of *State Procurement Regulations 2005*

- 4 Variation of regulation 5—Exclusions from definition of procurement operations (section 4 of Act)
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *State Procurement (Procurement Operations) Variation Regulations 2018*.

### 2—Commencement

These regulations will come into operation on 1 January 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 *State Procurement Regulations 2005*

### 4—Variation of regulation 5—Exclusions from definition of procurement operations (section 4 of Act)

- (1) Regulation 5(1)—delete subregulation (1) and substitute:
  - (1) For the purposes of the definition of *procurement operations* in section 4 of the Act, the following are excluded from the definition:
    - (a) a prescribed construction project of a cost exceeding \$150 000;
    - (b) the provision of funding to a third party by a public authority that, in accordance with Treasurer's instructions, is classified as a grant.
- (2) Regulation 5(3)—after the definition of *construction work* insert:

*Treasurer's instructions* means instructions issued by the Treasurer under Part 4 of the *Public Finance and Audit Act 1987*.

**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 20 December 2018

No 254 of 2018

T&F18-056CS

South Australia

# Teachers Registration and Standards (Prescribed Offences) Variation Regulations 2018

under the *Teachers Registration and Standards Act 2004*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### Part 2—Variation of *Teachers Registration and Standards Regulations 2016*

- 4 Substitution of regulation 11
    - 11 Mandatory notification course to be completed before special authority to teach granted
  - 5 Insertion of regulation 12A
    - 12A Prescribed offences
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Teachers Registration and Standards (Prescribed Offences) Variation Regulations 2018*.

### 2—Commencement

These regulations will come into operation on 20 December 2018.

### 3—Variation provisions

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

## Part 2—Variation of *Teachers Registration and Standards Regulations 2016*

### 4—Substitution of regulation 11

Regulation 11—delete regulation 11 and substitute:

#### 11—Mandatory notification course to be completed before special authority to teach granted

For the purposes of section 30(2)(b) of the Act, a person must have satisfactorily completed a mandatory notification course during the period of 12 months before an application for a special authority to teach is made.

## 5—Insertion of regulation 12A

After regulation 12 insert:

### 12A—Prescribed offences

For the purposes of section 34A(1) of the Act, the following offences are prescribed:

- (a) an offence against a following provision of the *Criminal Law Consolidation Act 1935*:
  - (i) section 11 (murder);
  - (ii) section 13 (manslaughter);
  - (iii) section 14 (criminal neglect);
  - (iv) Part 3 Division 7A (causing physical or mental harm);
  - (v) Part 3 Division 8 (female genital mutilation);
  - (vi) Part 3 Division 8A (child marriage);
  - (vii) Part 3 Division 9 (kidnapping and unlawful child removal);
  - (viii) Part 3 Division 11 (rape and other sexual offences);
  - (ix) Part 3 Division 11A (child exploitation offences);
  - (x) Part 3 Division 12 (commercial sexual services and related offences);
  - (xi) Part 3 Division 16 (abduction of children);
  - (xii) Part 5 Division 5A (dishonest communication with children);
- (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 any of the preceding paragraphs;
- (c) an offence against Part 5 Division 2 or 3 of the *Controlled Substances Act 1984*;
- (d) an offence against a law previously in force in this State that corresponds to an offence referred to in a preceding paragraph;
- (e) an offence against the law of another State or Territory that corresponds to an offence referred to in any of the preceding paragraphs;
- (f) an offence against a following provision of the *Criminal Code* of the Commonwealth:
  - (i) section 271.4;
  - (ii) section 271.7;
  - (iii) section 272.8;
  - (iv) section 272.9;
  - (v) section 272.10;
  - (vi) section 272.11;

- (vii) section 272.12;
- (viii) section 272.13;
- (ix) section 272.14;
- (x) section 272.15;
- (xi) section 272.18;
- (xii) section 272.19;
- (xiii) section 272.20;
- (xiv) section 302.2;
- (xv) section 302.3;
- (xvi) section 302.4;
- (xvii) section 303.4;
- (xviii) section 303.5;
- (xix) section 303.6;
- (xx) section 304.1;
- (xxi) section 304.2;
- (xxii) section 304.3;
- (xxiii) section 305.3;
- (xxiv) section 305.4;
- (xxv) section 305.5;
- (xxvi) section 309.2;
- (xxvii) section 309.3;
- (xxviii) section 309.4;
- (xxix) section 309.7;
- (xxx) section 309.8;
- (xxxi) section 309.10;
- (xxxii) section 309.11;
- (xxxiii) section 309.12;
- (xxxiv) section 309.13;
- (xxxv) section 309.14;
- (xxxvi) section 309.15;
- (xxxvii) section 310.2;
- (xxxviii) section 310.3;
- (xxxix) section 471.16;
- (xl) section 471.17;
- (xli) section 471.19;
- (xlii) section 471.20;

- (xliii) section 471.22;
- (xliv) section 471.24;
- (xlv) section 471.25;
- (xlvi) section 471.26;
- (xlvii) section 474.19;
- (xlviii) section 474.20;
- (xlix) section 474.22;
- (l) section 474.23;
- (li) section 474.24A;
- (lii) section 474.25A;
- (liii) section 474.25B;
- (liv) section 474.26;
- (lv) section 474.27;
- (lvi) section 474.27A;
- (g) an offence against a law of the Commonwealth previously in force that corresponds to an offence referred to in paragraph (f);
- (h) a conspiracy to commit, or an attempt to commit, an offence referred to in any of the preceding paragraphs;
- (i) an offence of aiding, abetting, counselling or procuring the commission of an offence referred to in any of the preceding paragraphs;
- (j) 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 20 December 2018

No 255 of 2018

ME18/064

South Australia

# Housing Improvement (Prescribed Minimum Housing Standards) Variation Regulations 2018

under the *Housing Improvement Act 2016*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### Part 2—Variation of *Housing Improvement Regulations 2017*

- 4 Variation of regulation 3—Interpretation
  - 5 Substitution of regulation 9
    - 9 General standards
  - 6 Variation of regulation 10—Toilet, bathroom, kitchen and laundry areas
  - 7 Variation of regulation 11—Water supply and sewerage
  - 8 Substitution of regulation 13
    - 13 Fire safety
    - 14 Hazardous materials
    - 15 Miscellaneous
    - 16 Additional provisions relating to rooming houses
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Housing Improvement (Prescribed Minimum Housing Standards) Variation Regulations 2018*.

### 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 *Housing Improvement Regulations 2017*

### 4—Variation of regulation 3—Interpretation

- (1) Regulation 3—after the definition of *approval* insert:

*bedroom* means a room used, intended to be used, or reasonably capable of being used, as a bedroom;

- (2) Regulation 3, definition of *habitable room*—delete "or intended to be used," and substitute:  
intended to be used, or reasonably capable of being used,

## 5—Substitution of regulation 9

Regulation 9—delete the regulation and substitute:

### 9—General standards

The following general standards apply to residential premises:

- (a) the residential premises and any fixtures, fittings or other facilities provided with the residential premises must not present a health or safety hazard;
- (b) the fixtures, fittings and facilities prescribed as minimum housing standards under this Part must be—
  - (i) properly installed; and
  - (ii) fit for the purpose for which those fixtures, fittings or facilities are intended or ordinarily used; and
  - (iii) in good working order.

## 6—Variation of regulation 10—Toilet, bathroom, kitchen and laundry areas

Regulation 10(a)(i)—delete "handbasin" and substitute:

hand basin

## 7—Variation of regulation 11—Water supply and sewerage

- (1) Regulation 11(a)(i)—delete "handbasin, kitchen sink, laundry wash trough or basin and washing machine water supply outlets" and substitute:

hand basin, kitchen sink and laundry wash trough or basin

- (2) Regulation 11(a)(ii)—after "toilet" insert:  
and washing machine water supply outlet

- (3) Regulation 11(c)—delete "handbasin" and substitute:  
hand basin

## 8—Substitution of regulation 13

Regulation 13—delete regulation 13 and substitute:

### 13—Fire safety

- (1) The following fire safety standards apply to residential premises:
  - (a) the residential premises must be maintained so as not to present a fire hazard;
  - (b) in the case of residential premises comprising a Class 1 or Class 2 building—the premises must be fitted with smoke alarms in accordance with regulation 76B of the *Development Regulations 2008*;
  - (c) in the case of residential premises other than a Class 1 or Class 2 building—1 or more smoke alarms must be installed in accordance with the requirements of regulation 76B of the *Development Regulations 2008* (including the requirements applying on transfer of title of land) as if the residential premises were a Class 1 or Class 2 building.

- (2) In this regulation—

**Class 1 building** has the same meaning as in regulation 76B of the *Development Regulations 2008*;

**Class 2 building** has the same meaning as in regulation 76B of the *Development Regulations 2008*.

#### 14—Hazardous materials

- (1) Residential premises must be free from materials or substances that pose a material or serious risk of harm to the health of occupants.

**Examples—**

- 1 Disturbed or damaged asbestos.
- 2 Flaking lead paint.
- 3 Lead dust.
- 4 Chemical residues or vapours.

- (2) In this regulation—

**material or serious risk of harm** means a risk of harm that is not trivial or negligible.

#### 15—Miscellaneous

The following miscellaneous standards apply to residential premises:

- (a) each internal wall and ceiling in the residential premises must be constructed of rigid material and form a regular and durable surface;
- (b) the floor to ceiling height in each room in the residential premises must be not less than the minimum floor to ceiling height that, in the opinion of the Minister, applied in respect of such a room under the *Building Act 1971* immediately before its repeal;
- (c) any stairs (including the risers and goings and any landings, balustrades and handrails) in the residential premises must—
  - (i) if the construction of the stairs was the subject of a readily ascertainable approval under the *Building Act 1971*, the *Development Act 1993* or a corresponding previous enactment—comply with the building requirements under that approval; or
  - (ii) in any other case—comply with the building requirements that, in the opinion of the Minister, applied in respect of such construction under the law in force at the time of the construction (whether the *Building Act 1971*, the *Development Act 1993* or a corresponding previous enactment);
- (d) each habitable room in the residential premises and each room containing toilet, bathroom or laundry facilities—
  - (i) must be adequately ventilated; and
  - (ii) must be able to be adequately lit;

- (e) each external door in the residential premises must be fitted with a lock that is able to be operated from the outside with a key and unlocked from the inside without a key;
- (f) each external window in the residential premises that is able to be opened must be fitted with a latch;
- (g) in order for occupants of the residential premises to safely screen visitors, the residential premises must be provided with the following items at the main point of entry to the residential premises:
  - (i) a suitably placed window, lockable screen door, peep-hole, security chain or intercom system;
  - (ii) an external light fitting;
- (h) the footings must provide effective structural support to the residential premises;
- (i) the residential premises must be reasonably draught proof and weatherproof;
- (j) the residential premises must be reasonably free from mould or other irritants, structural disrepair or other adverse effects caused, or contributed to, by moisture or damp;
- (k) the grounds of the residential premises must be effectively drained;
- (l) the residential premises must provide reasonably free and unimpeded access to and from the premises so that, in the event of an emergency—
  - (i) occupants are able to escape from the premises; and
  - (ii) persons are able to enter the premises to provide medical or other emergency services;
- (m) the residential premises and its grounds must be maintained to prevent—
  - (i) the accumulation of rubbish; and
  - (ii) infestation by vermin;
- (n) any swimming pool on the grounds of the residential premises must comply with the requirements relating to swimming pool safety features under section 71AA of the *Development Act 1993*.

## **16—Additional provisions relating to rooming houses**

- (1) The following standards apply to residential premises occupied under a rooming house agreement within the meaning of the *Residential Tenancies Act 1995*:
  - (a) each bedroom in the premises must—
    - (i) have a minimum floor space of 7.5m<sup>2</sup>; and
    - (ii) be fitted with a locking device that is able to be operated from the outside with a key and unlocked from the inside without a key; and

- (iii) have at least 2 electrical power points;
  - (b) each bedroom window in the premises must have a curtain or blind that can be opened and closed by the resident for privacy;
  - (c) the door to each shared toilet or bathroom facility in the premises must be fitted with a locking device enabling the door to be locked and unlocked from the inside only without a key;
  - (d) each of the following must be provided for use in the premises per maximum of 10 residents:
    - (i) a toilet;
    - (ii) a hand basin;
    - (iii) a bath or shower;
    - (iv) kitchen facilities (in accordance with the requirements of regulation 10);
    - (iv) laundry facilities (in accordance with the requirements of regulation 10).
- (2) This regulation applies in addition to any other provision of this Part, however, in the case of any inconsistency between this regulation and any other provision of this Part, this regulation prevails to the extent of the inconsistency.

**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 20 December 2018

No 256 of 2018

MHACS18004

## RULES OF COURT

## MAGISTRATES COURT OF SOUTH AUSTRALIA

*Amendment 23 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 23)'.
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. Rule 26(1) is amended to insert the following after '*Fences Act 1975*':

***Fines Enforcement and Debt Recovery Act 2017***

Sections 50 and 53

Form 7

(Note: An application in relation to a debt that exceeds \$12,000 is not a minor statutory proceeding and must be commenced in accordance with rule 37.)

4. The following is inserted after Rule 26(2):
  - (3) On the filing of an application under section 53 of the *Fines Enforcement and Debt Recovery Act 2017*, the Registrar must fix a date, time and place for a directions hearing and give at least 7 days notice in writing to the parties and serve a copy of the form commencing the action, together with any documents attached to it, on the other parties.
  - (4) Any application under section 50 or 53 of the *Fines Enforcement and Debt Recovery Act 2017* must be accompanied by an affidavit in support of it.
5. Rule 26(3) is renumbered Rule 26(5).
6. Rule 26(4) is renumbered Rule 26(6).
7. Rule 37(1) is amended to insert the following before '*Fire and Emergency Services Act 2005*'

***Fines Enforcement and Debt Recovery Act 2017***

Sections 50, 53 or 66

Form 7

8. The following is inserted after Rule 37(14):
  - (15) An application pursuant to sections 50, 53 or 66 of the *Fines Enforcement and Debt Recovery Act 2017* must be accompanied by an affidavit in support of it.
9. The following is inserted after Rule 38(2):
  - (3) On the filing of an application under sections 53 or 66 of the *Fines Enforcement and Debt Recovery Act 2017*, the Registrar must fix a date, time and place for a directions hearing, and give at least 21 days' notice in writing of the directions hearing to the parties, and serve the respondent with a copy of the application.
10. Rule 38(3) is renumbered Rule 38(4).
11. Rule 39(2) is amended to delete 'Independent Gambling Authority' and replace it with 'Liquor and Gambling Commissioner'.
12. Rule 45 is deleted.
13. The following is inserted after Rule 141(6):

**TERRORISM (POLICE POWERS) ACT 2005: SECTION 27C**

- 141A.** (1) An application pursuant to section 27C(2) for a transcript of evidence and a record of outcome must be made in writing to the Court.
- (2) The application must include the relevant court file number, the parties' names, and the date and time of the proceedings.
- (3) An application for a transcript of evidence and a record of outcome must be determined, where practicable, by the same Magistrate who made the initial order under section 27C(1).

14. Form 25 is deleted and replaced with Form 25.
15. Form 49 is deleted and replaced with Form 49.
16. Form 50 is deleted and replaced with Form 50.

Dated: 14 December 2018

MARY-LOUISE HRIBAL  
Chief Magistrate

BRETT JONATHON DIXON  
Magistrate

BRIONY KENNEWELL  
Magistrate

KYM ANDREW MILLARD  
Magistrate



You have been summoned to attend court to establish how the attached debt can be paid based on your financial circumstances. It is important that you are well prepared before you attend court to give an accurate picture of your financial situation.

### **FINANCIAL COUNSELLING SERVICES**

The Financial Counselling Service is a **FREE** and **CONFIDENTIAL** counselling and advisory service for people who are:

- \* having trouble making ends meet
- \* in debt or have high bills
- \* faced with a sudden drop in income
- \* behind in loan/credit repayments
- \* unfairly or unjustly treated by traders or creditors
- \* facing court action because of debts
- \* considering bankruptcy

You will still have control of your money. Financial Counsellors will provide the skills and knowledge to help you to work out your money problems. However, the decision to follow the advice is yours.

Financial Counsellors can:

- \* talk to your creditors about your debts
- \* advocate for you if you have been treated unfairly
- \* help you plan your finances

Financial Counsellors can give you information and advice on:

- \* dealing with creditors
- \* concessions and benefits
- \* consumer rights
- \* credit and debt issues
- \* bankruptcy information

If you would like the services of a Financial Counsellor, please call **1800 007 007** and make an appointment with one of the financial counselling service agencies listed on the South Australian Financial Counselling Association's website: <http://www.safca.org.au>

Form 49

## APPLICATION TO REVIEW A DECISION OF THE LIQUOR AND GAMBLING COMMISSIONER

### Magistrates Court of South Australia (Civil Division)

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

*Problem Gambling Family Protection Orders Act 2004*

Section 16

Court Use

Date Filed:

Trial Court				Action No			
Address	Street			Telephone	Facsimile	DX	
	City/Town/Suburb	State	Postcode	Email Address			
<b>Applicant</b>							
Full Name							
Address	Street			Telephone	Facsimile	DX	
	City/Town/Suburb	State	Postcode	Email Address			
Solicitor (if any)							
<b>Respondent</b>							
Full Name				Complainant's Reference			
Address	Street			Telephone	Facsimile	DX	
	City/Town/Suburb	State	Postcode	Email Address			
Solicitor (if any)							
I am dissatisfied with a decision of the Liquor and Gambling Commissioner and seek a review pursuant to s 16 of the Act.							
<b>Particulars of Commissioner's decision</b>							
Date of decision:							
Details:							
<b>Order Sought</b>							
Please state the reason for your application:							
Date				APPLICANT			
<b>Hearing details</b>	Registry			Date			
	Address			Time		am/pm	
	Telephone	Facsimile	Email Address				
I certify that I have served a copy of the Application on the Liquor and Gambling Commissioner.							
Date				REGISTRAR			

Form 50

**ORDER**  
**Magistrates Court of South Australia (Civil Division)**  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
**Problem Gambling Family Protection Orders Act 2004**  
 Section 16

<b>Court Use</b>
Date Filed:

This document must be served on the respondent personally						
Trial Court				Action No		
Address	<i>Street</i>		<i>Telephone</i>		<i>Facsimile</i>	<i>DX</i>
	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>	<i>Email Address</i>		
<b>Respondent</b>						
Full Name				Complainant's Reference		
Address	<i>Street</i>		<i>Telephone</i>		<i>Facsimile</i>	<i>DX</i>
	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>	<i>Email Address</i>		
Solicitor (if any)						
<b>Details of this Order</b>						
On an application made on _____ by _____, the undersigned:						
<input type="checkbox"/> 1. Affirm the decision of the Liquor and Gambling Commissioner. or <input type="checkbox"/> 2. Rescind the decision of the Liquor and Gambling Commissioner and Order:						
<input type="checkbox"/> You are required to participate in a program of counselling, rehabilitation or special education.						
<input type="checkbox"/> You are barred from taking part in gambling activities.						
<input type="checkbox"/> You are barred from attending at premises where gambling activities may be undertaken.						
<input type="checkbox"/> You are barred from attending at _____						
<input type="checkbox"/> You are required to close account number _____						
<input type="checkbox"/> You are restrained from contacting, harassing, threatening or intimidating a family member, namely _____ or any other person at a place where he/she resides or works to demand or request money for gambling related purposes.						
<input type="checkbox"/> You are barred from taking possession of personal property, including money, namely _____ reasonably needed by _____						
<input type="checkbox"/> You may only be on premises, namely _____ under the following conditions						
<input type="checkbox"/> You may only approach _____ at their place of residence or work, or any other person at the place of work or residence under the following conditions						
<input type="checkbox"/> You must return personal property or money, namely _____ to _____ or you must allow _____ to have access or make use of personal property, namely _____						
<input type="checkbox"/> You are required to make arrangements for specified family members, namely _____ to be paid or have access to money owing or accruing to the you from a third party, namely _____						
<input type="checkbox"/> You are required to make arrangements for specified family members, namely _____ to be paid or have access to your money that is in the hands of a third party (including money in an ADI account), namely _____						
<input type="checkbox"/> Other _____						
..... Date			..... MAGISTRATE			

**AFFIDAVIT OF PROOF OF SERVICE**

I, _____ of _____	
Occupation:	_____
MAKE OATH AND SAY I did personally serve a copy of this summons and Form 17 on the respondent named herein at _____	
on the _____ day of _____ 20____, between the hours of _____ and _____	
SWORN before me at _____ on the _____ day of _____ 20____	_____
Signature ..... (Person authorised to take Affidavits) (e.g. Justice of the Peace)	..... SERVER

## RULES OF COURT

## MAGISTRATES COURT OF SOUTH AUSTRALIA

*Amendment 69 to the Magistrates Court Rules 1992*

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 Rules 1992* as amended.

1. These Rules may be cited as the 'Magistrates Court Rules 1992 (Amendment 69)'.
2. The *Magistrates Court Rules 1992* ('the Rules') as amended by these amendments apply to and govern all actions commenced in the criminal division of the Court on and after the date on which these amendments are gazetted.
3. Sub-rule 18.01c. is amended to delete '*Children's Protection Act*' and replace it with '*Children and Young (Safety) Act 2017*'.
4. Rule 24.02 is amended to insert '128(2)-(4),' after 'Sections' and before '133'.
5. The following is inserted after rule 41.08:  
41.09 An application for a summons under s 113 of the Act, must be accompanied by a copy of the signed bond relating to the application.
6. The following is inserted after rule 77.05:  
**78.00 TERRORISM (POLICE POWERS) ACT 2005: SECTION 27C**  
78.01 An application pursuant to s 27C(2) for a transcript of evidence and a record of outcome must be made in writing to the Court.  
78.02 The application must include the relevant court file number, the parties' names, and the date and time of the proceedings.  
78.03 An application for the transcript of evidence and a record of outcome must be determined, where practicable, by the same Magistrate who made the initial order under s 27C(1).
7. Form 18 is deleted and replaced with Form 18.
8. Form 25 is deleted.
9. Form 26 is deleted.
10. Form 28 is deleted and replaced with Form 28.
11. Form 28AA is deleted and replaced with Form 28AA.
12. Form 29AA is deleted and replaced with Form 29AA.
13. Form 30 is deleted and replaced with Form 30.
14. Form 31 is deleted and replaced with Form 31.
15. Form 31AA is deleted and replaced with Form 31AA.
16. Form 41 is deleted and replaced with Form 41.
17. Form 45 is deleted and replaced with Form 45.
18. Form S8 is deleted and replaced with Form S8.

Dated: 14 December 2018

MARY-LOUISE HRIBAL  
Chief Magistrate

BRETT JONATHON DIXON  
Magistrate

BRIONY KENNEWELL  
Magistrate

KYM ANDREW MILLARD  
Magistrate

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Form 18



**NOTICE OF PENALTY**  
**Magistrates Court of South Australia**  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
*Criminal Procedure Act 1921*  
 Sections 27C and 62C

Court Use

Date Posted:

Registry					File No		
Address	Street			Telephone		Facsimile	DX
	City/Town/Suburb		State	Postcode	Email Address		
<b>Defendant</b>							
Name							
Address	Street			Telephone		Facsimile	DX
	City/Town/Suburb		State	Postcode	Email Address		
<b>In your absence you have been convicted of the following offence(s):</b>							
<b>Date Imposed</b>	<b>Offence</b>				<b>Offence Date</b>	<b>Penalty Due (inc. costs etc)</b>	
You are disqualified from holding or obtaining a driver's licence commencing on _____ and ending at midnight on _____							
<b>NOTE</b>							
You must not, under any circumstances drive any form of motor vehicle on a road or street (or any place to which the public have access) during the term of your disqualification.							
<b>Driving under disqualification is a serious offence for which you can be imprisoned for up to 6 months for a first offence or up to two years for a second. Imprisonment is the penalty most often ordered by the court for this offence.</b>							
<b>Payment Advice</b>							
The amount is due within 28 days of the date it was imposed. You will need to pay the penalty or enter into a payment arrangement with the Chief Recovery Officer of the Fines Enforcement and Recovery Unit. For all payment options please contact the Fines Enforcement and Recovery Unit on 1800 659 538 or seek further information from <a href="http://www.fines.sa.gov.au">www.fines.sa.gov.au</a> .							
<b>NOTICE TO THE DEFENDANT</b>							
<b>RE-HEARING</b>							
Section 76A of the <i>Criminal Procedure Act 1921</i> provides that the Court may, on its own initiative or on the application of any party, set aside a conviction or order provided that:							
a) the parties consent to have it set aside							
b) the conviction or order was made in error							
c) it is in the interest of justice to set aside the conviction or order							
If you wish to have the conviction or order set aside, you must complete the application for Rehearing (Form 19) and file this application within <b>14 days</b> of the day on which you received this notice. An application for Rehearing can be obtained online at <a href="http://www.courts.sa.gov.au/ForLawyers/Pages/Magistrates-Court-Criminal-Forms.aspx">www.courts.sa.gov.au/ForLawyers/Pages/Magistrates-Court-Criminal-Forms.aspx</a> or by contacting the Call Centre on (08) 8204 2444.							
If you do not apply to have the conviction or order set aside within <b>14 days</b> of the receipt of this notice the conviction or order will stand.							

Form 28



**POLICE/THIRD PARTY APPLICATION  
(INTERVENTION ORDER)**  
**Magistrates Court of South Australia**  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
*Intervention Orders (Prevention of Abuse) Act 2009*  
 Section 20

Court Use

Date Filed:

<b>Applicant</b> (Police applicant state rank and number)					
Name	Surname		Given name/s		AP Number
Address	Street		Telephone		Facsimile
	City/Town/Suburb		State	Postcode	Email Address
<b>Defendant</b> (Police may provide details separately)					
Name	Surname		Given name/s		Gender
					DOB
					dd/mm/yyyy
Address	Street				
	City/Town/Suburb		State	Postcode	
<b>Other address at which defendant may be found</b>					
Address	Street				
	City/Town/Suburb		State	Postcode	
<b>Proposed Protected Person(s)</b> (provide contact details on Annexure attached)					
Names	Surname		Given name/s		Gender
					DOB
					dd/mm/yyyy
	Surname		Given name/s		Gender
					DOB
					dd/mm/yyyy
	Surname		Given name/s		Gender
					DOB
					dd/mm/yyyy
	Surname		Given name/s		Gender
					DOB
					dd/mm/yyyy
<b>The applicant says that the defendant may commit the following act of abuse:</b> <input type="checkbox"/> domestic abuse <input type="checkbox"/> non-domestic abuse					
<b>The applicant seeks the intervention order terms on the attached sheet.</b>					
<b>Is there currently a Domestic Violence Order in place anywhere in Australia between any of the proposed protected person(s) and the defendant?</b> Yes <input type="checkbox"/> No: <input type="checkbox"/> (If yes, please attach a copy of the order)					
<b>COURT USE ONLY:</b> Registry checks confirm this is a current and enforceable Domestic Violence Order. Yes <input type="checkbox"/> No: <input type="checkbox"/> (not required if police are the applicant) (only to be completed if the applicant attaches a current Domestic Violence Order)					
<b>The applicant will seek a tenancy order:</b> Yes <input type="checkbox"/> No: <input type="checkbox"/> (If yes, please give this information)					
Address of premises:					
Term of lease:					
The present tenant(s):			The proposed tenant:		
Present rent:			How much is the bond:		
Name of landlord or agent:					
Phone number:			Email:		
<b>The applicant will seek a problem gambling order:</b> Yes <input type="checkbox"/> No <input type="checkbox"/>					

**You must provide details of the following:**

Any children who will not be protected persons but who may be affected by the order:

Name	Age	Name	Age
Name	Age	Name	Age

Are you aware of any relevant orders, agreements or pending applications under the *Family Law Act 1975* (Cth), between a person proposed to be protected by the order and the defendant?  
 Yes  No

Are you aware of any relevant orders, agreements, pending applications or contact determinations under the *Children and Young People (Safety) Act 2017*?  
 Yes  No

Are you aware of any relevant orders or agreements for the division of property under the *Family Law Act 1975* (Cth) or the *Domestic Partners Property Act 1996*, or a corresponding law of another jurisdiction between a person proposed to be protected by the order and the defendant?  
 Yes  No

Are you aware of any other legal proceedings between a person proposed to be protected by the order and the defendant?  
 Yes  No

If you answered 'yes' to any of the questions above, you must provide a copy or details of the order, agreement, pending application, contact determination or proceedings.

---

..... Date ..... APPLICANT

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

---

..... Date ..... JUSTICE OF THE PEACE / REGISTRAR





**FORM 28 ANNEXURE  
PROTECTED PERSON(S) DETAILS  
(INTERVENTION ORDER)**

**Magistrates Court of South Australia**

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

*Intervention Orders (Prevention of Abuse) Act 2009*

Section 20

**Court Use**

Date Filed:

This annexure should be kept separately from Form 28. It must not be served on the defendant with Form 28. Pursuant to r 18.04C it must be stored electronically, separately from the hard file and any hardcopy of the document must be subsequently destroyed.

**Protected Person(s) Details**

1.	Name	Surname		Given name/s		Gender
	Address	Street			Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					
2.	Name	Surname		Given name/s		Gender
	Address	Street			Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					
3.	Name	Surname		Given name/s		Gender
	Address	Street			Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					
4.	Name	Surname		Given name/s		Gender
	Address	Street			Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					
5.	Name	Surname		Given name/s		Gender
	Address	Street			Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					
6.	Name	Surname		Given name/s		Gender
	Address	Street			Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					

Form 28AA



**PRIVATE APPLICATION**  
**(INTERVENTION ORDER)**  
**Magistrates Court of South Australia**  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
*Intervention Orders (Prevention of Abuse) Act 2009*  
 Section 20

Court Use

Date Filed:

Applicant					
Name	Surname		Given name/s		
Defendant					
Name	Surname		Given name/s		Gender
					DOB
					dd/mm/yyyy
Address	Street				
	City/Town/Suburb		State	Postcode	
Other address at which defendant may be found					
Address	Street				
	City/Town/Suburb		State	Postcode	
Proposed Protected Person(s) (provide contact details on Annexure attached)					
Names	Surname		Given name/s		Gender
					DOB
					dd/mm/yyyy
	Surname		Given name/s		Gender
					DOB
					dd/mm/yyyy
	Surname		Given name/s		Gender
					DOB
					dd/mm/yyyy
	Surname		Given name/s		Gender
					DOB
					dd/mm/yyyy
<b>The applicant says that the defendant may commit the following act of abuse:</b> <input type="checkbox"/> domestic abuse <input type="checkbox"/> non-domestic abuse					
<b>The applicant seeks the intervention order terms on the attached sheet.</b>					
<b>Is there currently a Domestic Violence Order in place anywhere in Australia between any of the proposed protected person(s) and the defendant?</b> Yes <input type="checkbox"/> No: <input type="checkbox"/> (If yes, please attach a copy of the order)					
<b>COURT USE ONLY:</b> Registry checks confirm this is a current and enforceable Domestic Violence Order. Yes <input type="checkbox"/> No: <input type="checkbox"/> (only to be completed if the applicant attaches a current Domestic Violence Order)					
<b>The applicant will seek a tenancy order:</b> Yes <input type="checkbox"/> No: <input type="checkbox"/> (If yes, please give this information)					
Address of premises:					
Term of lease:					
The present tenant(s):			The proposed tenant:		
Present rent:			How much is the bond:		
Name of landlord or agent:					
Phone number:			Email:		
<b>The applicant will seek a problem gambling order:</b> Yes <input type="checkbox"/> No: <input type="checkbox"/>					

**You must provide details of the following:**

Any children who will not be protected persons but who may be affected by the order:

Name	Age	Name	Age
Name	Age	Name	Age

Are you aware of any relevant orders, agreements or pending applications under the *Family Law Act 1975* (Cth), between a person proposed to be protected by the order and the defendant?  
 Yes  No

Are you aware of any relevant orders, agreements, pending applications or contact determinations under the *Children and Young People (Safety) Act 2017*?  
 Yes  No

Are you aware of any relevant orders or agreements for the division of property under the *Family Law Act 1975* (Cth) or the *Domestic Partners Property Act 1996*, or a corresponding law of another jurisdiction between a person proposed to be protected by the order and the defendant?  
 Yes  No

Are you aware of any other legal proceedings between a person proposed to be protected by the order and the defendant?  
 Yes  No

If you answered 'yes' to any of the questions above, you must provide a copy or details of the order, agreement, pending application, contact determination or proceedings.

---

..... Date	..... APPLICANT
---------------	--------------------

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

---

..... Date	..... JUSTICE OF THE PEACE / REGISTRAR
---------------	---





**FORM 28AA ANNEXURE  
PROTECTED PERSON(S) DETAILS  
(INTERVENTION ORDER)**

**Magistrates Court of South Australia**

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

*Intervention Orders (Prevention of Abuse) Act 2009*

Section 20

**Court Use**

Date Filed:

This annexure should be kept separately from Form 28AA. It must not be served on the defendant with Form 28AA. Pursuant to r 18.04C it must be stored electronically, separately from the hard file and any hardcopy of the document can be subsequently destroyed.

**Applicant/Protected Person Details**

1.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

**Other Protected Person(s) Details**

2.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

3.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

4.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

5.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

6.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

Form 29AA



**INTERIM INTERVENTION ORDER**

**Magistrates Court of South Australia**

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

**Bail Act 1985**

Section 23A

<input type="checkbox"/> <b>NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER</b>						
AP Number						
Registry				File No		
Address	<i>Street</i>			<i>Telephone</i>		<i>Facsimile</i>
	<i>City/Town/Suburb</i>		<i>State</i>	<i>Postcode</i>	<i>Email Address</i>	
<b>Defendant</b>						
Name	<i>Surname</i>			<i>Given name/s</i>		DOB <i>dd/mm/yyyy</i>
<b>Applicant</b>						
Name	<i>Surname</i>			<i>Given name/s</i>		
<b>Protected Person(s)</b>						
Name(s)	<i>Surname</i>			<i>Given name/s</i>		DOB <i>dd/mm/yyyy</i>
	<i>Surname</i>			<i>Given name/s</i>		DOB <i>dd/mm/yyyy</i>
	<i>Surname</i>			<i>Given name/s</i>		DOB <i>dd/mm/yyyy</i>
	<i>Surname</i>			<i>Given name/s</i>		DOB <i>dd/mm/yyyy</i>
<b>Interim Intervention Order made:</b>						
<input type="checkbox"/> Issue interim intervention order (s 23A of the <i>Bail Act 1985</i> )						
<b>Intervention order made:</b>						
<input type="checkbox"/> This order is declared to address a domestic violence concern.						
The defendant must not:						
1 <input type="checkbox"/> assault, threaten, harass or intimidate the protected person(s).						
2 <input type="checkbox"/> follow or keep the protected person(s) under surveillance.						
3 <input type="checkbox"/> be within                    metres of the protected person(s).						
4 <input type="checkbox"/> contact or communicate with the protected person(s) either directly or in any way (including phone, letter, cards, SMS, messages, E-mail, Facsimile etc).						
5 <input type="checkbox"/> enter or remain within                    metres of the boundary of the protected person(s) place of residence, place of employment or any other place at which the protected person(s) is staying or working.						
6 <input type="checkbox"/> damage or interfere with the premises where the protected person(s) is staying, residing or is employed.						
7 <input type="checkbox"/> damage or take possession of personal property belonging to the protected person(s) and the following specified property:						
8 <input type="checkbox"/> enter or be within                    metres of the boundary of the following locations:						

- 9  enter or be within \_\_\_\_\_ metres of the boundary of any education or care facility attended by the protected person(s) and at the moment the protected person(s) are attending these facilities at
- 10  be in possession of the following weapon(s) or article(s):
- 11  publish on the internet, by E-mail, SMS or other electronic means any material about the protected person(s).
- 12  cause, allow or encourage another person to do anything forbidden by this order.
- 13  other:

The defendant is:

- 14  permitted to attend at the protected person(s) residence once in the presence of and at a time organised by a police officer to collect personal property not affected by this order.

The defendant must:

- 15  vacate the premises at \_\_\_\_\_ forthwith upon service of this order and not return to those premises unless this term is varied or dismissed by the Court.
- 16  to contact the nominee of the intervention program manager at phone number \_\_\_\_\_ and make and attend an appointment for assessment and if assessed as suitable undertake any intervention program that is appropriate for the defendant.

Notwithstanding the other terms of this order contact is permitted:

- 17  for access to children or at a meeting or hearing ordered by a court exercising jurisdiction under the *Family Law Act 1975* (Cth), the *Children and Young People (Safety) Act 2017* at a relevant hearing at the Social Security Appeals Tribunal or a court or tribunal hearing at which both a protected person and the defendant are required to attend.
- 18  by a solicitor or police
- 19  other:

Firearms orders (must be made):

- 20  any firearm, ammunition or part of a firearm in the possession of the defendant and any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm must be surrendered to the Registrar of Firearms forthwith.
- 21  for so long as this intervention order remains in force, any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm is suspended and the defendant is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The defendant is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment.
- 22  Other

<b>Hearing details</b>	Registry		Date
	Address		Time <span style="float: right;">am/pm</span>
	Telephone	Facsimile	Email Address

.....  
Date

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

#### IMPORTANT NOTICES TO THE DEFENDANT

- **Non-compliance with the order may render you liable to a term of imprisonment.**
- If you do not appear, an order may be made in your absence.
- If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories.
- If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is also enforceable in other Australian States and Territories.
- A copy of any evidence that was relied on to make the order may be obtained from the Registry.

**Proof of Service**

The defendant was present in Court when this order was made and is deemed served with the order pursuant to the *Intervention Orders (Prevention of Abuse) Act 2009*.

A copy of the order was provided to the defendant in the following manner:

The defendant was personally served with this order.

Name of person serving:

Address of person serving:

Name of person served:

Address at which service effected:

Date service effected:

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

I certify that I served the attached document on the defendant personally.

Certified this                      day of                      20                      .....

**Note – include instructions to the police officer serving this order**

**Note – Form 43 Multilingual Notice must be served with this Interim Order**



## FINAL INTERVENTION ORDER

**Magistrates Court of South Australia**

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

*Intervention Orders (Prevention of Abuse) Act 2009*

Section 23

*Sentencing Act 2017*

Section 28

<input type="checkbox"/> <b>NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER</b>					
AP Number					
Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
<b>Defendant</b>					
Name	Surname		Given name/s		DOB dd/mm/yyyy
<b>Applicant</b>					
Name	Surname		Given name/s		
<b>Protected Person(s)</b>					
Name(s)	Surname		Given name/s		DOB dd/mm/yyyy
	Surname		Given name/s		DOB dd/mm/yyyy
	Surname		Given name/s		DOB dd/mm/yyyy
	Surname		Given name/s		DOB dd/mm/yyyy
<b>Intervention order made:</b>					
<input type="checkbox"/> Confirm interim intervention order as a final intervention order (s 23(1)(a) of the <i>Intervention Orders (Prevention of Abuse) Act 2009</i> )					
<input type="checkbox"/> Issue final intervention order in substitution for interim intervention order (s 23(1)(b) of the <i>Intervention Orders (Prevention of Abuse) Act 2009</i> )					
<input type="checkbox"/> Confirm interim intervention order as final intervention order, or issue final intervention order in substitution for interim intervention order, by consent without admission (s 23(1)(a) and (b) and s 23(3) of the <i>Intervention Orders (Prevention of Abuse) Act 2009</i> )					
<input type="checkbox"/> Issue final intervention order where defendant has been found guilty of an offence or on sentencing for an offence (s 28 of the <i>Sentencing Act 2017</i> )					
<b>Details of intervention order:</b>					
<input type="checkbox"/> This order is declared to address a domestic violence concern.					
The defendant must not:					
1	<input type="checkbox"/> assault, threaten, harass or intimidate the protected person(s).				
2	<input type="checkbox"/> follow or keep the protected person(s) under surveillance.				
3	<input type="checkbox"/> be within            metres of the protected person(s).				
4	<input type="checkbox"/> contact or communicate with the protected person(s) either directly or in any way (including phone, letter, cards, SMS, messages, E-mail, Facsimile etc).				
5	<input type="checkbox"/> enter or remain within            metres of the boundary of the protected person(s) place of residence, place of employment or any other place at which the protected person(s) is staying or working.				



Firearms orders (for exceptions see section 14(2)):	
20	<input type="checkbox"/> any firearm, ammunition or part of a firearm in the possession of the defendant and any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm must be surrendered to the Registrar of Firearms forthwith.
21	<input type="checkbox"/> for so long as this intervention order remains in force, any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm is suspended and the defendant is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The defendant is prohibited from possession a firearm, ammunition or part of a firearm in the course of his or her employment.
22	<input type="checkbox"/> other
<div style="display: flex; justify-content: space-between; border-top: 1px solid black; border-bottom: 1px solid black;"> <span>..... Date</span> <span>..... REGISTRAR</span> </div>	
<b>IMPORTANT NOTICES TO THE DEFENDANT</b>	
<ul style="list-style-type: none"> <li>• <b>Non-compliance with the order may render you liable to a term of imprisonment.</b></li> <li>• If this is a Nationally Recognised Domestic Violence Order it applies and is enforceable in all Australian States and Territories.</li> <li>• If this is not a Nationally Recognised Domestic Violence Order, upon registration, this order is also enforceable in other Australian States and Territories.</li> <li>• A copy of any evidence that was relied on to make the order may be obtained from the Registry.</li> <li>• You cannot apply to the Court to vary or revoke this order for 12 months or such longer period as the Court may have ordered.</li> </ul>	

<b>Proof of Service</b>
<input type="checkbox"/> Service is not required pursuant to s 23(4) of the <i>Intervention Orders (Prevention of Abuse) Act 2009</i> .
<input type="checkbox"/> The defendant was present in Court when this order was made and is deemed served with the order pursuant to the <i>Intervention Orders (Prevention of Abuse) Act 2009</i> .
<input type="checkbox"/> A copy of the order was provided to the defendant in the following manner:
<input type="checkbox"/> The defendant was personally served with this order.
Name of person serving:
Address of person serving:
Name of person served:
Address at which service effected:
Date service effected:
Time of day: Between                      am/pm and                      am/pm
I certify that I served the attached document on the defendant personally.
Certified this                      day of                      20                      .....

**Note – Include instructions to the police officer serving this order.**

**Note – Form 43 Multilingual Notice must be served with this order.**

Form 31



**POLICE/THIRD PARTY  
APPLICATION FOR VARIATION OR  
REVOCATION OF INTERVENTION ORDER**  
Magistrates Court of South Australia  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
*Intervention Orders (Prevention of Abuse) Act 2009*  
Sections 26 and 29P

<b>Court Use</b>
Date Filed:

This document must be served on the respondent(s) personally					
Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Details of Person applying to vary or revoke the Intervention Order (Police applicant state rank and number)					
Name	Surname		Given name/s		AP Number
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Details of Parties to the Intervention Order (that is subject to this application)					
Applicant (Police applicant state rank and number) (where applicant is a protected person, provide name only)					
Name	Surname		Given name/s		AP Number
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Defendant					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Protected Person(s) (provide contact details on Annexure attached)					
Names	Surname	Given name/s		Gender	DOB dd/mm/yyyy
	Surname	Given name/s		Gender	DOB dd/mm/yyyy
	Surname	Given name/s		Gender	DOB dd/mm/yyyy
	Surname	Given name/s		Gender	DOB dd/mm/yyyy
Details of the Order (that is subject to this application)					
State of Issue:					
Order Reference No.:					
Date Order Issued:					
Court of Issue:					

Final or Interim Order? <input type="checkbox"/> Final <input type="checkbox"/> Interim	
Has the order been served upon or otherwise properly notified to the defendant? <input type="checkbox"/> Yes..... <input type="checkbox"/> No	
Is the Order a Nationally Recognised Domestic Violence Order? <input type="checkbox"/> Yes <input type="checkbox"/> No	
The following documents must be attached to this application: <input type="checkbox"/> A copy of the Order subject to this application. <input type="checkbox"/> An affidavit outlining the grounds on which this application is sought (including any material change in circumstances since the order was made).	
<b>You must provide details of the following:</b> Are you aware of any relevant orders, agreements or pending applications under the <i>Family Law Act 1975</i> (Cth), between a protected person and the defendant? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Are you aware of any relevant orders, agreements, pending applications or contact determinations under the <i>Children and Young People (Safety) Act 2017</i> ? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Are you aware of any relevant orders or agreements for the division of property under the <i>Family Law Act 1975</i> (Cth) or the <i>Domestic Partners Property Act 1996</i> , or a corresponding law of another jurisdiction between a protected person and the defendant? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Are you aware of any other legal proceedings between a protected person and the defendant? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If you answered 'yes' to any of the questions above, you must provide a copy or details of the order, agreement, pending application, contact determination or proceedings.	
<b>COURT USE ONLY:</b> Registry checks confirm this is a current and enforceable Domestic Violence Order.    Yes <input type="checkbox"/> No: <input type="checkbox"/> (not required if police are the applicant)	
The applicant seeks to <input type="checkbox"/> vary / <input type="checkbox"/> revoke the attached order. Details of variation sought:          <input type="checkbox"/> A related problem gambling order will need to be varied	
..... Date	..... APPLICANT
<b>Hearing details</b>	Registry <span style="float: right;">Date</span>
	Address <span style="float: right;">Time <span style="margin-left: 20px;">am/pm</span></span>
	Telephone <span style="margin-left: 40px;">Facsimile</span> <span style="float: right;">Email Address</span>
..... Date	..... JUSTICE OF THE PEACE / REGISTRAR
<b>IMPORTANT NOTICE TO THE RESPONDENT(S)</b> If you do not appear, an order may be made in your absence.	

<p><b>Proof of Service</b></p> <p>Name of person serving:</p> <p>Address of person serving:</p> <p>Name of person served:</p> <p>Address at which service effected:</p> <p>Date service effected:</p> <p>Time of day: Between                      am/pm and                      am/pm</p> <p>I certify that I served the attached document on the defendant personally.</p> <p>Certified this                      day of                      20                      .....</p>
--



**FORM 31 ANNEXURE  
PROTECTED PERSON(S) DETAILS  
(INTERVENTION ORDER)**

**Magistrates Court of South Australia**

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

*Intervention Orders (Prevention of Abuse) Act 2009*

Sections 26 and 29P

**Court Use**

Date Filed:

This annexure should be kept separately from Form 31. It must **NOT** be served on the defendant with Form 31. Pursuant to r 18.08B it must be stored electronically, separately from the hard file and any hardcopy of the document must be subsequently destroyed.

**Protected Person(s) Details**

1.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					
2.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					
3.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					
4.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					
5.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					
6.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email					

Form 31AA



**PRIVATE APPLICATION  
FOR VARIATION OR REVOCATION  
OF INTERVENTION ORDER**  
Magistrates Court of South Australia  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
*Intervention Orders (Prevention of Abuse) Act 2009*  
Sections 26 and 29P

Court Use

Date Filed:

This document must be served on the respondent(s) personally						
Registry				File No		
Address	Street		Telephone		Facsimile	
	City/Town/Suburb	State	Postcode	Email Address		
<b>Details of Person applying to vary or revoke the Intervention Order</b>						
Name	Surname		Given name/s		AP Number	
<b>Details of Parties to the Intervention Order</b> (that is subject to this application)						
<b>Defendant</b>						
Name	Surname		Given name/s		DOB dd/mm/yyyy	
Address	Street		Telephone		Facsimile	
	City/Town/Suburb	State	Postcode	Email Address		
<b>Protected Person(s)</b> (provide contact details on Annexure attached)						
Names	Surname		Given name/s		Gender	DOB dd/mm/yyyy
	Surname		Given name/s		Gender	DOB dd/mm/yyyy
	Surname		Given name/s		Gender	DOB dd/mm/yyyy
	Surname		Given name/s		Gender	DOB dd/mm/yyyy
<b>Details of the Order</b> (that is subject to this application)						
State of Issue:						
Order Reference No.:						
Date Order Issued:						
Court of Issue:						
Final or Interim Order? <input type="checkbox"/> Final <input type="checkbox"/> Interim						
Has the order been served upon or otherwise properly notified to the defendant? <input type="checkbox"/> Yes <input type="checkbox"/> No						
Is the Order a Nationally Recognised Domestic Violence Order? <input type="checkbox"/> Yes <input type="checkbox"/> No						
The following documents must be attached to this application:						
<input type="checkbox"/> A copy of the Order subject to this application.						
<input type="checkbox"/> An affidavit outlining the grounds on which this application is sought (including any material change in circumstances since the order was made).						
<b>COURT USE ONLY:</b> Registry checks confirm this is a current and enforceable Domestic Violence Order. Yes <input type="checkbox"/> No: <input type="checkbox"/> (not required if police are the applicant)						

**You must provide details of the following:**

Are you aware of any relevant orders, agreements or pending applications under the *Family Law Act 1975* (Cth), between a protected person and the defendant?  
 Yes  No

Are you aware of any relevant orders, agreements, pending applications or contact determinations under the *Children and Young People (Safety) Act 2017*?  
 Yes  No

Are you aware of any relevant orders or agreements for the division of property under the *Family Law Act 1975* (Cth) or the *Domestic Partners Property Act 1996*, or a corresponding law of another jurisdiction between a protected person and the defendant?  
 Yes  No

Are you aware of any other legal proceedings between a protected person and the defendant?  
 Yes  No

If you answered 'yes' to any of the questions above, you must provide a copy or details of the order, agreement, pending application, contact determination or proceedings.

---

The applicant seeks to  revoke /  vary the attached order.  
 Details of variation sought:

  
  
  
  
  
  
  
  
  
  
 A related problem gambling order will need to be varied

---

..... Date	..... APPLICANT
---------------	--------------------

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

---

..... Date	..... JUSTICE OF THE PEACE / REGISTRAR
---------------	---

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**IMPORTANT NOTICE TO THE RESPONDENT(S)**  
 If you do not appear, an order may be made in your absence.



**FORM 31AA ANNEXURE  
PROTECTED PERSON(S) DETAILS  
(INTERVENTION ORDER)**

**Magistrates Court of South Australia**

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

*Intervention Orders (Prevention of Abuse) Act 2009*

Sections 26 and 29P

Court Use
Date Filed:

This annexure should be kept separately from Form 31AA. It must **NOT** be served on the defendant with Form 31AA. Pursuant to r 18.08B it must be stored electronically, separately from the hard file and any hardcopy of the document must be subsequently destroyed.

Applicant/Protected Person Details					
1.	Name	Surname		Given name/s	Gender
	Address	Street		Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				
Protected Person(s) Details					
2.	Name	Surname		Given name/s	Gender
	Address	Street		Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				
3.	Name	Surname		Given name/s	Gender
	Address	Street		Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				
4.	Name	Surname		Given name/s	Gender
	Address	Street		Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				
5.	Name	Surname		Given name/s	Gender
	Address	Street		Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				
6.	Name	Surname		Given name/s	Gender
	Address	Street		Telephone	Facsimile
		City/Town/Suburb	State	Postcode	Email Address
	Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email				

Form 41



**REQUEST TO REGISTER FOREIGN  
INTERVENTION ORDER**  
**Magistrates Court of South Australia**  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
*Intervention Orders (Prevention of Abuse) Act 2009*  
 Section 30

Court Use

Date Filed:

Registry				File No		
Address	Street		Telephone		Facsimile	DX
	City/Town/Suburb		State	Postcode	Email Address	
<b>Defendant</b>						
Name	Surname		Given name/s		DOB dd/mm/yyyy	
Address	Street					
	City/Town/Suburb		State	Postcode		
<b>Applicant</b> (provide contact details on Annexure attached)						
Name	Surname		Given name/s			
<b>Protected Person(s)</b> (provide contact details on Annexure attached)						
Names	Surname		Given name/s		Gender	DOB dd/mm/yyyy
	Surname		Given name/s		Gender	DOB dd/mm/yyyy
	Surname		Given name/s		Gender	DOB dd/mm/yyyy
	Surname		Given name/s		Gender	DOB dd/mm/yyyy
Date foreign order made:						
Date foreign order expires:						
A certified copy of the foreign order (including proof of service or certificate of proper notification on the defendant) must be attached for registration by the Court.						
<b>The reasons for requesting registration of the foreign order in South Australia:</b>						
Identify the relationship between the defendant and the protected person(s) at the time the foreign order was made:						
Do the protected person(s) wish for the order to be served on the defendant? Yes <input type="checkbox"/> No <input type="checkbox"/>						
Please give reasons for your answer:						

**You must provide details of the following:**

Are you aware of any relevant orders, agreements or pending applications under the *Family Law Act 1975* (Cth), between a protected person and the defendant?  
 Yes  No

Are you aware of any relevant orders, agreements, pending applications or contact determinations under the *Children and Young People (Safety) Act 2017*?  
 Yes  No

Are you aware of any relevant orders or agreements for the division of property under the *Family Law Act 1975* (Cth) or the *Domestic Partners Property Act 1996*, or a corresponding law of another jurisdiction between a protected person and the defendant?  
 Yes  No

Are you aware of any other legal proceedings between a protected person and the defendant?  
 Yes  No

If you answered 'yes' to any of the questions above, you must provide a copy or details of the order, agreement, pending application, contact determination or proceedings.

..... Date	..... APPLICANT		
<b>Hearing details</b>	Registry	Date	
	Address	Time	am/pm
	Telephone	Facsimile	Email Address
..... Date	..... REGISTRAR / JUSTICE OF THE PEACE		

The Registrar must obtain a certified copy of the foreign order and details of the next hearing date in the other jurisdiction, where applicable.



## FORM 41 ANNEXURE PROTECTED PERSON(S) DETAILS (INTERVENTION ORDER)

**Magistrates Court of South Australia**

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

*Intervention Orders (Prevention of Abuse) Act 2009*

Section 30

Court Use

Date Filed:

This annexure should be kept separately from Form 41. It must not be served on the defendant with Form 41. Pursuant to r 18.15A it must be stored electronically, separately from the hard file and any hardcopy of the document can be subsequently destroyed.

### Applicant/Protected Person Details

1.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

### Protected Person(s) Details

2.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

3.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

4.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

5.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

6.	Name	Surname		Given name/s		Gender
	Address	Street		Telephone	Facsimile	
		City/Town/Suburb	State	Postcode	Email Address	
Preferred method of contact: <input type="checkbox"/> Post <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email						

Form 45



**AFFIDAVIT**  
 (INTERVENTION ORDER)  
**Magistrates Court of South Australia**  
[www.courts.sa.gov.au](http://www.courts.sa.gov.au)  
*Intervention Orders (Prevention of Abuse) Act 2009*

<b>Court Use</b>
Date Filed:

Registry				File No	
<b>Applicant</b>					
Name	<i>Surname</i>	<i>Given name/s</i>	DOB	<i>dd/mm/yyyy</i>	
<b>Defendant</b>					
Name	<i>Surname</i>	<i>Given name/s</i>	DOB	<i>dd/mm/yyyy</i>	
Address	<i>Street</i>				
	<i>City/Town/Suburb</i>	<i>State</i>	<i>Postcode</i>		
<b>Details of Application</b>					
1. Name of person swearing affidavit: 2. Relationship of person swearing affidavit to the defendant: 3. All protected persons:					
	<b>Name</b>	<b>DOB</b>	<b>Relationship to Applicant</b>		
4. <b>Basis of application</b> (tick appropriate box(es)) It is reasonable to suspect that the defendant will commit an act of abuse against the protected person(s) by: <ul style="list-style-type: none"> <li><input type="checkbox"/> causing personal injury;</li> <li><input type="checkbox"/> causing emotional or psychological harm;</li> <li><input type="checkbox"/> denial of financial, social or personal autonomy;</li> <li><input type="checkbox"/> causing damage to property;</li> <li><input type="checkbox"/> other (specify)</li> </ul>					
5. <b>Details of conduct of defendant</b> 5.1 Brief description of background to relationship between protected person(s) and defendant.					

<p>5.2 Circumstances and dates of incidents that are the basis of this application, such as assaults and injuries, damage to property, harm to pets, emotional or psychological harm, denial of financial autonomy, threats, intimidation, publishing harmful matters, stalking and other relevant facts, with details of any supporting witnesses, other evidence and any reports to police.</p>
<p><b>6. Orders already in force</b></p> <p>If there are any relevant restraining or intervention orders between the protected person(s) and the defendant, give details of the date they were granted, who they affect and the court of issue and file number and any other identifying file references.</p>
<p><b>7. Other relevant orders, agreements, pending applications, determinations or legal proceedings</b></p> <p>Are you aware of any relevant orders, agreements or pending applications under the <i>Family Law Act 1975</i> (Cth), between a protected person or person proposed to be protected by the order and the defendant?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Are you aware of any relevant orders, agreements, pending applications or contact determinations under the <i>Children and Young People (Safety) Act 2017</i>?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Are you aware of any relevant orders or agreements for the division of property under the <i>Family Law Act 1975</i> (Cth) or the <i>Domestic Partners Property Act 1996</i>, or a corresponding law of another jurisdiction between a protected person or person proposed to be protected by the order and the defendant?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Are you aware of any other legal proceedings between a protected person or person proposed to be protected by the order and the defendant?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If you answered 'yes' to any of the questions above, you must provide a copy or details of the order, agreement, pending application, contact determination or proceedings.</p>
<p><b>8. Other Information</b></p> <p>Give details of any weapons in the defendant's possession.</p>  <p>Provide any other relevant information.</p>
<p>I, _____ swear/affirm that the contents of this affidavit are true and correct to the best of my knowledge and belief.</p> <p>Sworn/affirmed at:</p> <p>In the State of South Australia this _____ day of _____ 20____</p> <p>.....          Person Swearing Affidavit</p> <p>Before me:-</p> <p>.....          Justice of the Peace/          Commissioner for taking affidavits</p>

**Note to applicant** – a copy of this affidavit will be given to the defendant.

Form S8



## INTENSIVE CORRECTION ORDER

Magistrates Court of South Australia

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

*Sentencing Act 2017*

Section 81(1)

Court of Origin					
Sitting at				File No	
Registry Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
<b>Defendant</b>					
Name	Surname		Given name/s		DOB
	dd/mm/yyyy				
Address					
<b>Details of the offence(s) to which the intensive correction order relates:</b>					
<b>Date</b>	<b>Offence</b>		<b>Section and Act</b>		
<b>Details of the sentence that the Court has imposed:</b>					
Total sentence of imprisonment to be served:					
<b>Details of the Intensive Correction Order:</b>					
The Court has recorded a conviction against you for the offence(s) listed above and has imposed the sentence(s) shown for each matter. It has, however, ordered that the sentence(s) of imprisonment be served in the community while subject to intensive correction with the following conditions:					
1 <input type="checkbox"/> That you be of good behaviour and comply with all of the conditions of this order.					
2 <input type="checkbox"/> That you be under the supervision of a Community Corrections Officer for the period of this order and obey the lawful directions given to you by the Community Corrections Officer to whom you are assigned.					
3 <input type="checkbox"/> That you report, within two working days of this order being made, at the office of the Department of Correctional Services at: Phone: (08) 8224 2500. (NOTE: You need not report if, within that two day period, you receive notice from the Department of Correctional Services that it is not necessary to do so).					
4 <input type="checkbox"/> That you reside at the residence specified by the Community Corrections Officer to whom you are assigned throughout the period of the Intensive Correction Order and will not be absent from that address except for the purposes of:					
a. remunerated employment, but only if confirmed and approved by the Community Corrections Officer to whom you are assigned;					
b. your necessary medical or dental treatment;					
c. averting or minimising risk of serious injury or death to yourself or to any other person;					
d. any other purpose approved by the Community Corrections Officer to whom you are assigned.					

- 5  That you reside at the residence specified by the Court, namely \_\_\_\_\_, throughout the period of the Intensive Correction Order and will not be absent from that address except for the purposes of:
- a. remunerated employment, but only if confirmed and approved by the Community Corrections Officer to whom you are assigned;
  - b. your necessary medical or dental treatment;
  - c. averting or minimising risk of serious injury or death to yourself or to any other person;
  - d. any other purpose approved by the Community Corrections Officer to whom you are assigned.
- 6  That you travel to the specified address immediately upon release and upon arrival you contact the Intensive Corrections Unit of the Department for Correctional Services by telephoning 1300 796 199.
- 7  If, in the case of an emergency, you obtain permission from the Community Corrections Officer to whom you are assigned to reside at a new address you must make an application to the Court for a variation of your Intensive Correction Order conditions within two working days, but you can reside at that address until that application for variation is considered by the Court.
- 8  That you not leave the State without the prior written permission of the Community Corrections Officer to whom you are assigned.
- 9  That you wear an electronic transmitter and comply with the rules of electronic monitoring, including the requirement to fully charge the transmitter daily, for the term of this Intensive Correction Order.
- 10  That you provide and maintain in operating condition an active mobile telephone service with an appropriate mobile communication device and give the contact details to the Department for Correctional Services (DCS) so that they may use it to communicate with you at all times during the term of this Intensive Correction Order.
- 11  That you present yourself at the front door of your nominated address at the request of the Community Correction Officer to whom you are assigned, and respond to any telephone call at that address at any time, unless absent in accordance with these conditions.
- 12  That you surrender any passport you possess to the Registrar of the Court at the Court Registry, and not apply for a passport, nor attend within the boundary of the terminal building at any international airport whilst subject to this Intensive Correction Order.
- 13  That you do not possess a firearm, or ammunition or any part of a firearm.
- 14  That you submit to tests (including testing without prior notice) for gunshot residue as may be reasonably required.
- 15  That you not consume alcohol or any other drug which is not medically prescribed or otherwise legally available and then only at the prescribed or recommended dosage. You will submit to any drug and alcohol testing as directed by the Community Corrections Officer to whom you are assigned and sign all required forms and comply with the requirements of the testing procedures.
- 16  That you attend and complete any assessment, counselling, treatment and therapeutic programs as may be deemed appropriate to effectively case manage your individual needs as directed by the Community Corrections Officer to whom you are assigned.
- 17  That you contribute \_\_\_\_\_ to the cost of any course or treatment that you are required to undertake under this order.
- 18  That you attend an intervention program, namely \_\_\_\_\_.
- 19  That you contribute \_\_\_\_\_ to the cost of the intervention program that you are required to attend under this order.
- 20  That you not approach or communicate with, either directly or indirectly, \_\_\_\_\_, nor be within \_\_\_\_\_ metres of \_\_\_\_\_.
- 21  That you perform \_\_\_\_\_ hours of community service within \_\_\_\_\_ months from the date of this order and obey the lawful directions of the Community Corrections Officer to whom you are assigned for the purposes of community service.
- 22  That you authorise the Department for Correctional Services to reveal that you are subject to an Intensive Correction Order to any person it believes reasonably necessary for the purposes of confirming employment and compliance with the conditions of this order.
- 23  That you comply with any other conditions included in the *Sentencing Regulations 2018* made for the purpose of section 82 of the *Sentencing Act 2017*.
- 24  Other: \_\_\_\_\_

**What will happen if you comply with the conditions of this order:**

If, at the end of the designated period of imprisonment, you have complied with all of the above conditions, the sentence(s) of imprisonment ordered by the Court will not have to be served in an institution and your sentence will have been served.

**What can happen if you fail to comply with the conditions of this order:**

If you fail to comply with any part of the order set out above, this order may be revoked and the sentence of imprisonment which you were to serve under the Intensive Correction Order can be carried into effect to be served in an institution. In the case of a breach of a community service condition, you may be ordered to serve further time in prison on the basis of 1 day for every 7.5 hours of community service (or part thereof) not performed.

.....

.....

.....

Date

MAGISTRATE / REGISTRAR / JUSTICE OF THE PEACE

**Acknowledgment by Defendant**

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

.....

.....

Date

DEFENDANT

## CITY OF ADELAIDE

ADELAIDE PARK LANDS AUTHORITY (A SUBSIDIARY OF THE CITY OF ADELAIDE)

*Notice of Appointments*

The City of Adelaide, pursuant to Division 2 of Part 2 of the Adelaide Park Lands Act 2005 and Council resolution 18910 of 11 December 2018, having undertaken the required consultation with the Minister for Planning, appoints the following persons as members of the Board of Management of the Adelaide Park Lands Authority:

For the purposes of section 6 (1) (a) (i) of the Act:

The Lord Mayor, the Right Honourable Sandy Verschoor, who will be the Presiding Member of the Board;

For the purposes of section 6 (1) (a) (ii) of the Act:

Councillor Anne Moran

Councillor Philip Martin

Councillor Robert Simms

Councillor Helen Donovan

Pursuant to section 7 (2) of the Act, Council appoints the above persons for the period commencing 1 January 2019 and concluding 31 March 2019.

Dated: 18 December 2018

MARK GOLDSTONE  
Chief Executive Officer

## PORT AUGUSTA CITY COUNCIL

*Revocation of Community Land Classification*

Council at its meeting held on 11 December 2018, resolved to revoke the Community Land Classification applicable to Allotment 55 in Deposited Plan 75624 as described within Crown Record Volume 6010, Folio 433 having complied with all requirements in relation to Section 194 of the *Local Government Act 1999*.

Dated: 11 December 2018

JOHN BANKS  
Chief Executive Officer

## CITY OF WEST TORRENS

DEVELOPMENT ACT 1993

*Urban Trees Fund*

Notice is hereby given that the City of West Torrens Urban Trees Fund has been established pursuant to Section 50B(1) of the Development Act 1993. The Fund applies to all land within the Development Plan boundary according to the Council's Development Plan (12 July 2018 consolidation), except for the land within the following zones or areas:

- Zone Map WeTo/6, WeTo/7, WeTo/8, WeTo/10, WeTo/11 and WeTo/12 – Airfield (Af) Zone
- Zone Map WeTo/6 and WeTo/10 – Adelaide Shores (AdSh) Zone

The Fund will commence operation on 1 January 2019.

Dated: 12 December 2018

TERRY BUSS PSM  
Chief Executive Officer

## ALEXANDRINA COUNCIL

South Australia

**Liquor Licensing (Dry Areas) Notice 2018**

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

**1—Short title**

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

**2—Commencement**

This notice comes into operation on 21 December 2018.

**3—Interpretation**

(1) In this notice—

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

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

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

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

## **Schedule - Strathalbyn Area 1**

### **1—Extent of prohibition**

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

### **2—Period of prohibition**

From 6:00am – 9:00pm on 21 December 2018.

### **3—Description of area**

The area in Strathalbyn bounded as follows: commencing at the point at which the south-eastern boundary of North Parade meets the north-eastern boundary of West Terrace, then south-easterly along that boundary of West Terrace to the north-western boundary of Adams Street, then north-easterly along that boundary of Adams Street and the prolongation in a straight line of that boundary to the north-eastern boundary of Edinburgh Road, then north-westerly along that boundary of Edinburgh Road to the end of the road, then in a straight line by the shortest route to the point at which the south-eastern boundary of South Terrace meets the south-western boundary of Parker Avenue, then along the continuation of that straight line across South Terrace to the north-western boundary of South Terrace, then north-easterly along the north-western boundary of South Terrace to the south-western boundary of East Terrace, then north-westerly along the south-western boundary of East Terrace to the south-eastern boundary of North Parade, then south-westerly along the south-eastern boundary of North Parade to the point of commencement.

## **Schedule - Strathalbyn Area 2**

### **1—Extent of prohibition**

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

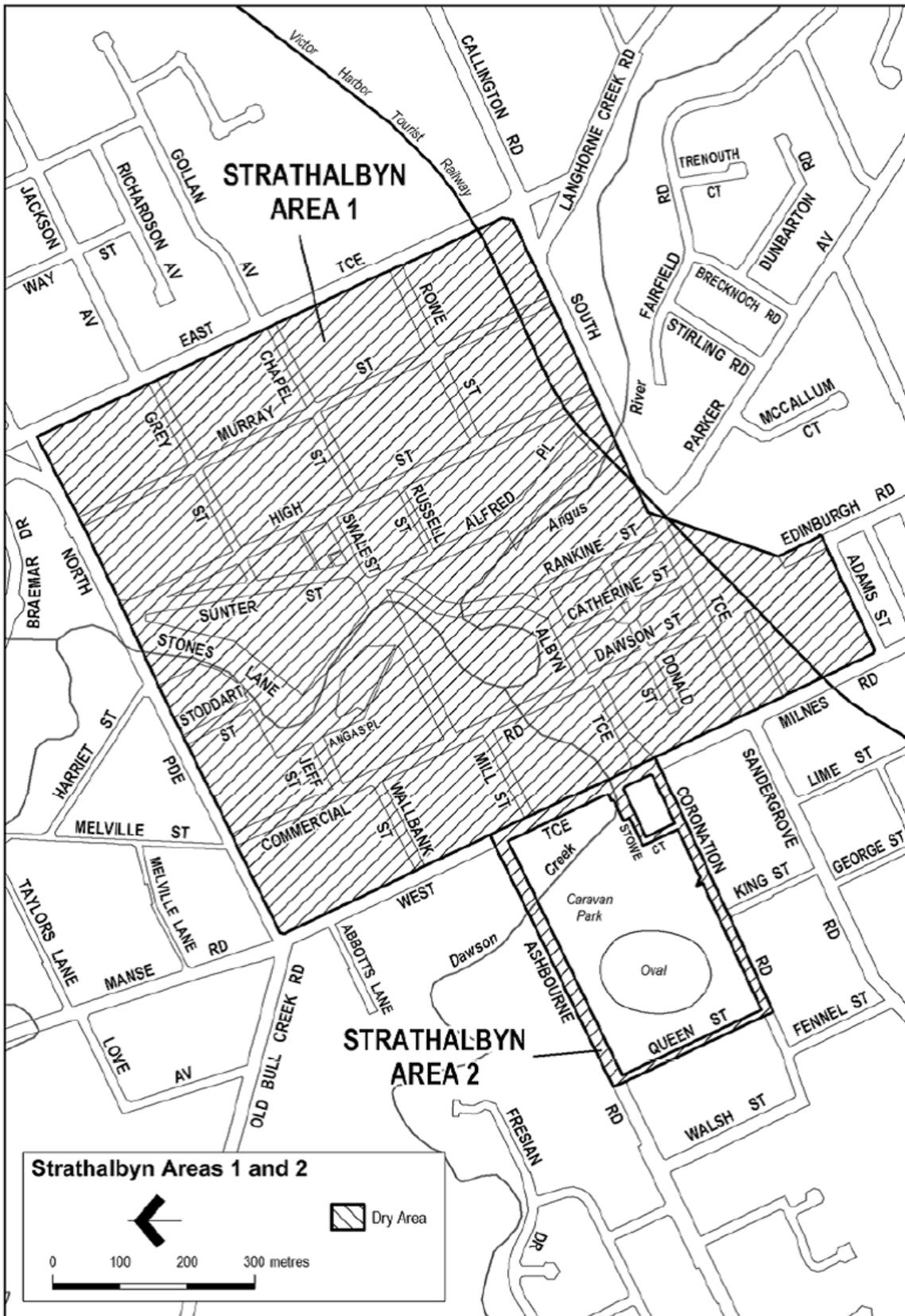
### **2—Period of prohibition**

From 6:00am – 9:00pm on 21 December 2018.

### **3—Description of area**

The area in Strathalbyn comprising the following roads:

Ashbourne Road between the south-western boundary of West Terrace and the prolongation in a straight line of the south-western boundary of Queen Street; Queen Street between Ashbourne Road and Coronation Road; Coronation Road between the prolongation in a straight line of the south-western boundary of Queen Street and the south-western boundary of West Terrace; Stowe Court between Coronation Road and West Terrace; West Terrace between the prolongation in a straight line of the south-eastern boundary of Coronation Road and the prolongation in a straight line of the north-western boundary of Ashbourne Road.



**Made by the Chief Executive Officer Alexandrina Council**

Glenn Rappensberg

On 14 December 2018

## DISTRICT COUNCIL OF CLEVE

*Change of Meeting Date*

Notice is hereby given that the Ordinary January Council Meeting will now be held on Tuesday 15 January 2019 commencing at 2.30pm in the Council Chambers, Main Street Cleve in lieu of Tuesday 8 January 2019.

Dated: 17 December 2018

P J ARNOLD  
Chief Executive Officer

## DISTRICT COUNCIL OF CLEVE

## LIQUOR LICENSING (DRY AREAS) NOTICE 2018

*Under Section 131(1a) of the Liquor Licensing Act 1997***1—Short title**

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

**2—Commencement**

This notice comes into operation on 31 December 2019.

**3—Interpretation**

(1) In this notice—

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

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

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

(1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.

(2) The prohibition has effect during the periods specified in the Schedule.

(3) The prohibition does not extend to private land in the area described in the Schedule.

(4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—

(a) a person who is genuinely passing through the area if—

(i) the liquor is in the original container in which it was purchased from licensed premises; and

(ii) the container has not been opened; or

(b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or

(c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

**Schedule—Arno Bay Area 1****1—Extent of prohibition**

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

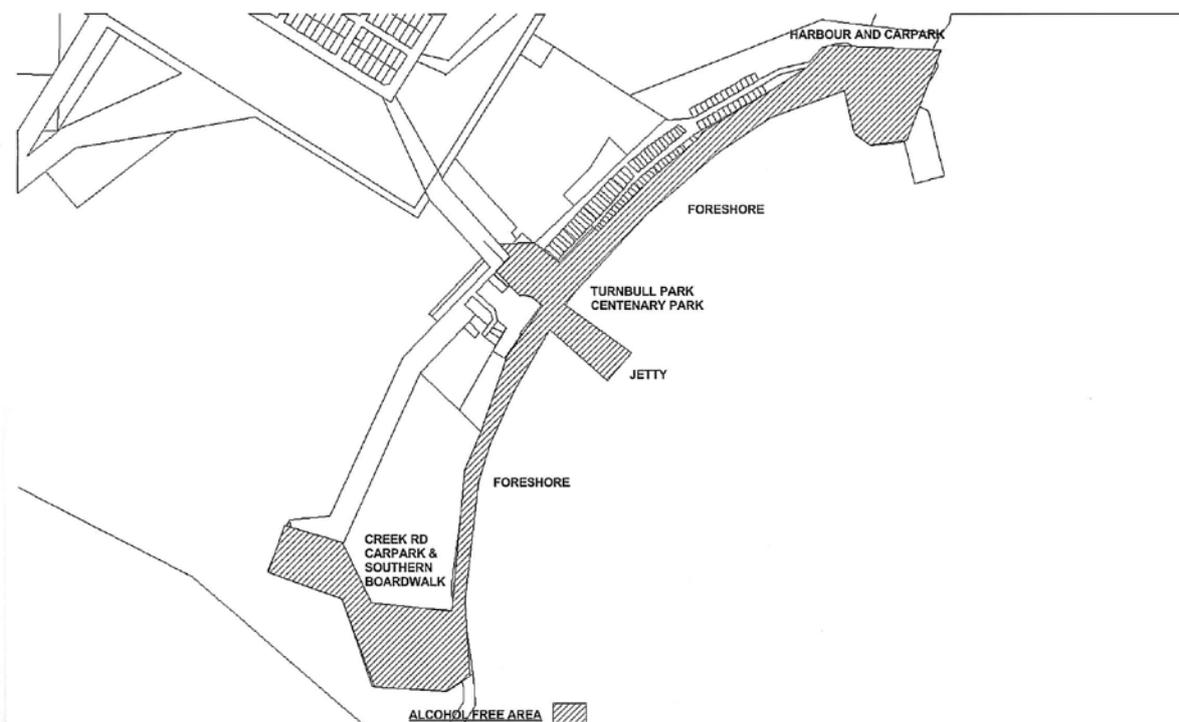
**2—Period of prohibition**

From 11:00pm on 31 December 2018 to 8am on 1 January 2019.

**3—Description of area**

The area in and adjacent to Arno Bay bounded as follows: commencing at the point at which the low water mark on the western side of Spencer Gulf is intersected by the prolongation in a straight line of the south-eastern boundary of Section 320 Hundred of Boothby, then southwesterly along that prolongation and boundary of Section 320, the south-eastern boundary of Lot 254 of FP 178666 and the prolongation in a straight line of the south-eastern boundary of Lot 254 to the south-western boundary of Piece 103 of DP 79319, then generally northwesterly along that boundary of Piece 103 to the point at which it meets the south-eastern boundary of Lot 101 of DP 79319, then in a straight line by the shortest route to the point at which the northern boundary of Lot 254 of FP 178666 meets the western boundary of the Lot (the northernmost point of Lot 254), then easterly in a straight line along the portion of the boundary of Piece 103 of DP 79319 that extends easterly from that point, and easterly along the prolongation in a straight line of that portion of the boundary, to the eastern boundary of Creek Road, then south-westerly along that boundary of Creek Road to the point at which it meets the northern boundary of Lot 254 of FP 178666, then generally south-easterly and easterly along that boundary of Lot 254 to the point at which the northern boundary of Lot 254 meets the western boundary of Section 344 Hundred of Boothby, then northerly along that boundary of Section 344 to the southern boundary of Lot 7 of DP 35379, then north-westerly, north-easterly and south-easterly along the southern, western and northern boundaries of Lot 7 to the point at which the northern boundary of Lot 7 meets the western boundary of Lot 6 of DP 35379, then generally north-easterly and north-westerly along that boundary of Lot 6 to the north-western boundary of the Lot, then north-easterly along the north-western boundary of Lot 6, and the prolongation in a straight line of that boundary, to the point at which the prolongation intersects the south-western boundary of Lot 27 of DP 55099, then south-easterly along that boundary of Lot 27 to the south-eastern boundary of the Lot, then in a straight line by the shortest route to the point at which the north-western and south-western boundaries of Section 359 Hundred of Boothby meet, then south-easterly along the south-western boundary of Section 359, and the prolongation in a straight line of that boundary, to the point at which the prolongation intersects the north-western boundary of Section 317 Hundred of Boothby, then generally north-easterly along that boundary of Section 317 and the north-western boundary of Piece 3 of DP 68273 to the point at which the north-western boundary of Piece 3 meets the north-eastern boundary of Section 412 Hundred of Boothby, then north-westerly along that boundary of Section 412 and the prolongation in a straight line of that boundary to the south-eastern boundary of Piece 2 of DP 68273, then generally north-easterly along that boundary of Piece 2 to the point at which it meets the north-western boundary of Lot 1 of DP 68273, then north-

easterly along that boundary of Lot 1 and the prolongation in a straight line of that boundary to the low water mark on the western side of Spencer Gulf, then generally southerly along the low water mark to the point at which it meets the commencement of the breakwater that forms the eastern wall of the Arno Bay marina, then southerly along the outer boundary of the breakwater to the end of the breakwater, then in a straight line by the shortest route (across the entrance to the marina) to the outer boundary of the eastern end of the breakwater that forms the southern and western walls of the marina, then generally southerly, westerly and north-westerly along the outer boundary of that breakwater back to the low water mark on the shore on the western side of the marina (so as to include the whole of the marina and each of the breakwaters in the area), then generally south-westerly along the low water mark to the north-eastern side of the Arno Bay jetty, then south-easterly, south-westerly and north-westerly around the outer boundary of the jetty (so as to include the whole of the jetty and any area below the jetty in the area) back to the low water mark on the south-western side of the jetty, then generally south-westerly and southerly along the low water mark to the point of commencement.



#### DISTRICT COUNCIL OF KIMBA

##### *Short Term Dry Area – Township of Kimba*

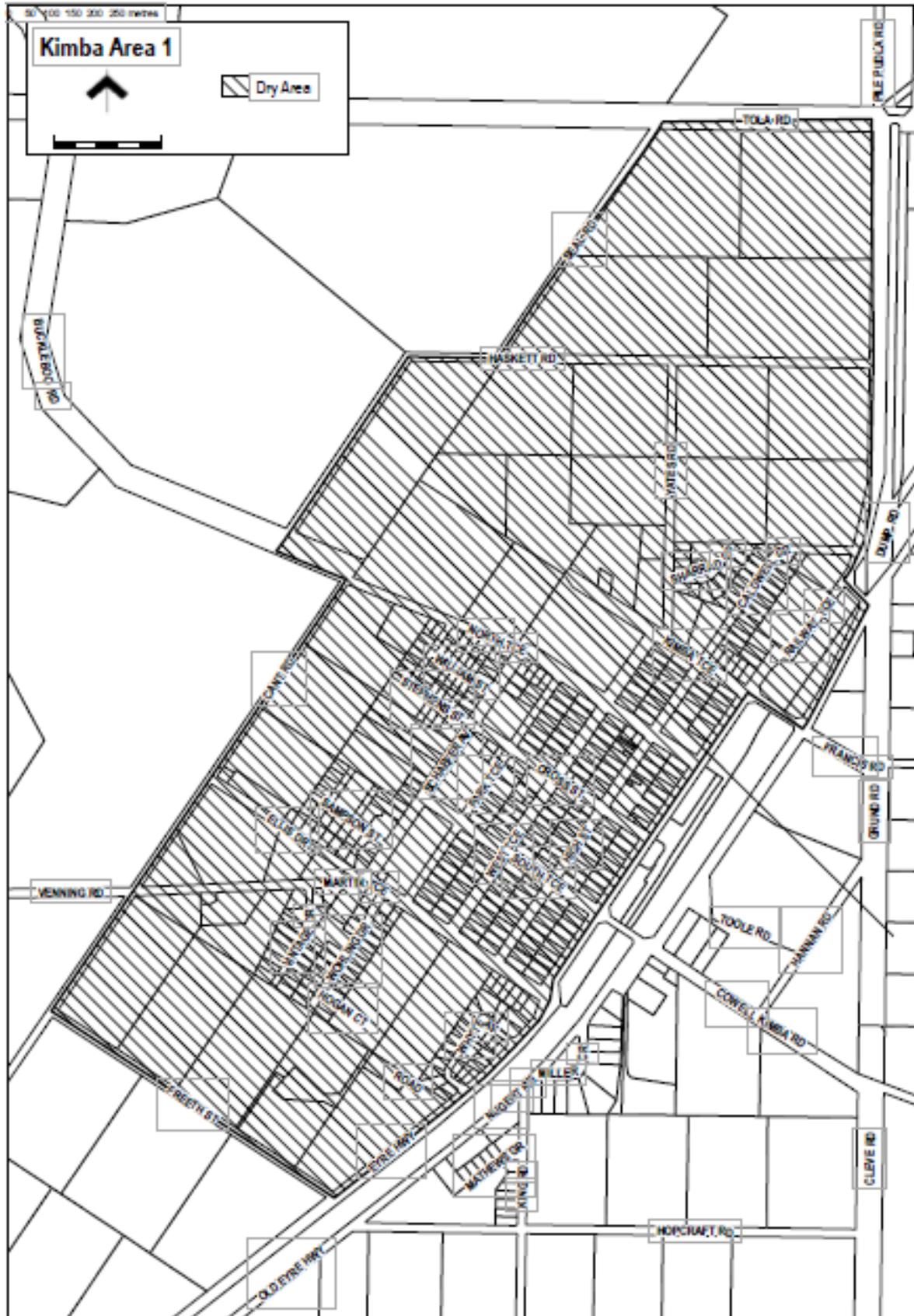
Notice is hereby given that the District Council of Kimba pursuant to Section 31(1a) of the Liquor Licensing Act 1997 declares a Short Term Dry Area from 9pm on 31 December 2018 until 8am 1 January 2019.

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

#### **Description of the Area:**

The area in and adjacent to Kimba bounded as follows: commencing at the point at which the prolongation in a straight line of the eastern boundary of Railway Terrace intersects the northern boundary of Tola Road, then westerly along the northern boundary of Tola Road to the point at which it is intersected by the prolongation in a straight line of the north-western boundary of Seal Road, then south-westerly along that prolongation and boundary of Seal Road to the northern boundary of Haskett Road, then westerly and south-westerly along that boundary of Haskett Road, and the prolongation in a straight line of that boundary, to the southern boundary of Buckleboo Road, then south-easterly along that boundary of Buckleboo Road to the north-western boundary of Cant Road, then south-westerly along that boundary of Cant Road to the point at which it is intersected by the prolongation in a straight line of the south-western boundary of Freeth Road, then south-easterly along that prolongation and boundary of Freeth Road, and the prolongation in a straight line of that boundary, to the south-eastern boundary of Eyre Highway, then generally north-easterly along that boundary of Eyre Highway to the southern side of the intersection at which Eyre Highway, South Terrace and Railway Terrace meet, then in a straight line by the shortest route (across the intersection) to the south-western end of the south-eastern boundary of Railway Terrace, then generally north-easterly along the south-eastern boundary of Railway Terrace to the south-western boundary of Kimba Terrace, then south-easterly along that boundary of Kimba Terrace to the north-western boundary of Eyre Highway, then generally north-easterly along that

boundary of Eyre Highway to the south-western boundary of Grund Road, then north-westerly along that boundary of Grund Road to the south-eastern boundary of Railway Terrace, then generally north-easterly and northerly along that boundary of Railway Terrace, and the prolongation in a straight line of that boundary, to the point of commencement.



DEB LARWOOD  
Chief Executive Officer

## DISTRICT COUNCIL OF KIMBA

*Change of Meeting Date*

Notice is hereby given that the District Council of Kimba resolved at its meeting held on 12th December, 2018 to change the scheduled January 2019 Council Meeting from Wednesday, 9th January, 2019 commencing at 2 pm to Wednesday, 16th January, 2019 commencing at 2 pm.

Dated: 12 December 2018

DEB LARWOOD  
Chief Executive Officer

## DISTRICT COUNCIL OF KIMBA

*Road Closure Pageant 2018*

Notice is hereby given that at a meeting of Council held on Monday 26th November 2018 the District Council of Kimba exercise the power subject to Sec 33 of the Road Traffic Act 1961 and Clause F of the instrument of general approval of the Minister dated 22nd August 2013 to make an order that High Street from Martin Terrace to the southern side of North Terrace remain closed between 4pm & 8.30pm and that High St between Cross St and the southern side of North Terrace remain closed between 8.30pm and 10.30pm on Friday 21st December 2018 for the purpose of holding Kimba's Christmas pageant and festivities.

That pursuant to Section 33 (1) (b) of the Road Traffic Act 1961, make an order directing that persons taking part in the event be exempted, in relation to roads from the duty to observe the Australian Road Rules specified and attached to the exemption.

Rule 230 – Crossing a road – General

Rule 298 – driving with a person in a trailer provided the speed of the vehicle does not exceed 25km.

Dated: 26 November 2018

DEB LARWOOD  
Chief Executive Officer

## WATTLE RANGE COUNCIL

*Revocation of Community Land Classification*

NOTICE is hereby given that the Wattle Range Council at its meeting held on 11 December 2018, in accordance with the provisions of Section 194 (3) of the Local Government Act 1999, the Council resolved that the community land classification over land situated at 12-14 Bowden Street, Penola (Allotment 2, D118378), Hundred of Penola as contained in Certificate of Title Volume 6206 Folio 356, be revoked.

The purpose of the revocation is to allow the transfer of the property to the National Trust of South Australia.

Dated: 13 December 2018

BEN GOWER  
Chief Executive Officer

## WATTLE RANGE COUNCIL

## ROAD (OPENING AND CLOSING) ACT 1991

*Road Closure—Williams/Public Road, Koorine*

NOTICE is hereby given, pursuant to Section 10 of the Roads (Opening and Closing) Act, 1991, that the Wattle Range Council hereby gives notice of its intent to implement a Road Process Order to close portion of the Public Road and merge with the adjoining Section 178, Hundred of Riddoch, shown delineated as "A" respectively on Preliminary Plan No.18/0058.

A copy of the plan and a statement of persons affected are available for public inspection at the office of the Council at George Street, Millicent and the Adelaide office of the Surveyor-General during normal office hours.

The Preliminary Plan can also be viewed at [www.sa.gov.au/roadsactproposals](http://www.sa.gov.au/roadsactproposals) or on the Wattle Range Council's website – [www.wattlerange.sa.gov.au](http://www.wattlerange.sa.gov.au)

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons. The application for easement or objection must be made in writing to the Council at PO Box 27, Millicent SA 5280 WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General at GPO Box 1354, Adelaide SA 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated: 20 December 2018

BEN GOWER  
Chief Executive Officer

## CONSTRUCTION INDUSTRY LONG SERVICE LEAVE ACT 1987

*Imposition of Levy*

NOTICE is hereby given pursuant to section 26 (8) of the Construction Industry Long Service Leave Act 1987 that the prescribed percentage fixed by the Construction Industry Long Service Leave Board in accordance with that Section is 2.00% effective 1 January 2019.

Dated: 12 December 2018

M. BOLAND  
Presiding Officer  
Construction Industry Long Service Leave Board

## NATIONAL ELECTRICITY LAW

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

Under s 99, the making of a draft determination and related draft rule on the *Meter installation – advanced meter communications* proposal (Ref. ERC0246). Written requests for a pre-determination hearing must be received by **27 December 2018**. Submissions must be received by **7 February 2019**.

Under s 95, ENGIE has requested the *Market making arrangements in the NEM* (Ref. ERC0249) proposal. The proposal seeks to amend the National Electricity Rules to introduce a tender process for market making responsibilities in the NEM. Submissions must be received by **7 February 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](mailto:submissions@aemc.gov.au) and cite the reference in the title. Before sending a request, please review the AEMC's privacy statement on its website.

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

Australian Energy Market Commission

Level 6, 201 Elizabeth Street  
Sydney NSW 2000

Telephone: (02)82967800

[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 20 December 2018

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# NOTICE SUBMISSION

Notices for publication must be submitted before 4 p.m. Tuesday, the week of intended gazettal.

Proofs of formatted content are supplied for all notice submissions. Alterations must be returned before 4 p.m. Wednesday.

The *SA Government Gazette* is compiled and published each Thursday. Requests to withdraw submitted notices must be received before 10 a.m. on the day of publication.

**Gazette notices should be emailed as Word files—and signed PDF files if applicable—in the following format:**

- Title (name of the governing legislation/department/organisation)
- Subtitle (description of notice)
- A structured body of text
- Date of authorisation
- Name, position, and department/organisation of the authorising person

**Please provide the following information in your email:**

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