



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

ALL PUBLIC ACTS appearing in this GAZETTE are to be considered official, and obeyed as such

ADELAIDE, THURSDAY, 20 AUGUST 2015

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## GOVERNMENT GAZETTE NOTICES

Notices for publication in the *South Australian Government Gazette* should be emailed to [governmentgazette@dpc.sa.gov.au](mailto:governmentgazette@dpc.sa.gov.au). Content should be sent as Word format attachment(s). Covering emails should include the date the notice is to be published and to whom the notice will be charged. **Closing time for lodgement is 4 p.m. on the Tuesday preceding the regular Thursday publication.** Gazette enquiries to: **Phone 8207 1045**. The *Government Gazette* is available online at: [www.governmentgazette.sa.gov.au](http://www.governmentgazette.sa.gov.au).

Department of the Premier and Cabinet  
Adelaide, 20 August 2015

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Urban Renewal Authority Board of Management, pursuant to the provisions of Urban Renewal Act 1995:

Member: (from 20 August 2015 until 30 July 2017)

David James McArdle  
Terence Robert Groom

By command,

JOHN ROBERT RAU, Acting Premier

HUD0017/15CS

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Department of the Premier and Cabinet  
Adelaide, 20 August 2015

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable John Robert Rau, MP, Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations and Minister for Child Protection Reform to be also Acting Premier for the period from 28 September 2015 to 2 October 2015 inclusive, during the absence of the Honourable Jay Wilson Weatherill, MP.

By command,

JOHN ROBERT RAU, Acting Premier

DPC15/040CS

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Department of the Premier and Cabinet  
Adelaide, 20 August 2015

HIS Excellency the Governor in Executive Council has been pleased to appoint the people listed to the position of Community Visitor for a period of 3 years commencing on 20 August 2015 and expiring on 19 August 2018, pursuant to the provisions of the Mental Health Act 2009:

- James Jeffrey Evans
- Angelikh Koutsidis
- Julie Margaret
- Ankur Ravindra Patel
- Sultana Razia.

By command,

JOHN ROBERT RAU, Acting Premier

HEAC-2015-00059

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Department of the Premier and Cabinet  
Adelaide, 20 August 2015

HIS Excellency the Governor in Executive Council has been pleased to issue a Notice declaring the Environment Protection (Water Quality) Policy 2015, approved by the Minister for Sustainability, Environment and Conservation, to be an authorised environment protection policy and fixing 1 January 2016 as the day on which it will come into operation, pursuant to the provisions of the Environment Protection Act 1993.

By command,

JOHN ROBERT RAU, Acting Premier

15MSECCS047

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## AGRICULTURAL AND VETERINARY PRODUCTS (CONTROL OF USE) REGULATIONS 2004

*Approval of Quality Assurance Schemes*

NOTICE is hereby given that pursuant to Regulation 7 (2) of the Agricultural and Veterinary Products (Control of Use) Regulations 2004, the quality assurance schemes listed in Column A are approved by the Minister for Agriculture, Food and Fisheries for the specified crops listed opposite in Column B. A person is an accredited participant of a particular scheme only if he or she satisfies the requirements specified in Column C.

Column A	Column B	Column C
A scheme established by the Woolworths Quality Assurance (WQA) Standard Version 08; published by Woolworths Supermarkets.	beetroot, coriander, endive, chicory, kale, parsley, radish, spring onion.	A current certification of WQA Version 08 for the supply of a crop of a kind for which the scheme is approved, issued in accordance with the relevant Standard.
A scheme established by the Recommended International Code of Practice General Principles of Food Hygiene CAC/RCP 1-1969 including Annex on Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for its Application, as adopted by the Codex Alimentarius Commission in 1997.	beetroot, coriander, endive, chicory, kale, parsley, radish, spring onion.	A current certification meeting the requirements of Codex Alimentarius Alinorm:97/13A for the supply of a crop of a kind for which the scheme is approved.
A scheme established by the Freshcare Code of Practice—Food Safety and Quality; 3rd Edition, published by Freshcare Ltd, N.S.W., Australia.	beetroot, coriander, endive, chicory, kale, parsley, radish, spring onion.	A current certification of Freshcare for the supply of a crop of a kind for which the scheme is approved, issued by Freshcare Ltd.

Dated 18 August 2015.

GEOFF RAVEN, Chief Inspector (Plant Health Act 2009) for and on behalf of  
LEON BIGNELL, Minister for Agriculture, Food and Fisheries

## COMMUNITY HOUSING PROVIDERS (NATIONAL LAW) (SOUTH AUSTRALIA) ACT 2013

NOTICE TO RECOGNISE TRANSFER OF UNDERTAKINGS OF  
HOUSING CO-OPERATIVE TO CORRESPONDING ENTITY AND TRANSFER INSTRUMENT*Recognition of Corresponding Entity*

NOTICE is hereby given pursuant to Clause 15 (3) of Schedule 3 to the Community Housing Providers (National Law) (South Australia) Act 2013, that the Minister for Housing and Urban Development, the Hon. John Rau, recognises that the undertakings of the transitioning housing co-operatives identified below in Column A (Transitioning Housing Co-operative), are being taken over by the corresponding entity, Column B (Corresponding Entity) registered on the National Register of Community Housing Providers.

Column A: Transitioning Housing Co-operative	Column B: Corresponding Entity	Column C: Registration Number
Southern Housing Support Co-operative Inc.	Southern Housing Support Co-operative Incorporated	R4934141010
Peach Housing Co-operative Inc.	PEACH Housing Co-operative Inc.	R4940141118
Mile End Housing Co-operative Inc.	Mile End Housing Co-operative Inc.	R4895140917
North East Housing Co-operative Inc.	North East Housing Co-operative Incorporated	R4945150512
MERZ Co-operative Incorporated	MERZ Housing Co-operative Incorporated	R4894141114
Paris Flat Housing Co-operative Inc.	Paris Flat Housing Co-operative Limited	R4897141023
Lansones Village Housing Co-operative Inc.	Lansones Village Housing Cooperative Incorporated	R4939150423
Hills Housing Co-operative Incorporated	Hills Housing Cooperative Incorporated	R4902150202

Pursuant to Clause 15 (4) of Schedule 3 to the Community Housing Providers (National Law) (South Australia) Act 2013, that the Minister for Housing and Urban Development, the Hon. John Rau, upon request of the transitioning co-operatives listed under Column A (Transitioning Housing Co-operative), transfers all assets and liabilities of the transitioning co-operatives listed under Column A (Transitioning Housing Co-operative) to the entities listed under Column B (Corresponding entity).

*Dissolution of Existing Entities*

Subject to Clause 12 (a) of Schedule 3 to the Community Housing Providers (National Law) (South Australia) Act 2013, the co-operatives listed under Column A (Transitioning Housing Co-operative) under the South Australian Co-operative and Community Housing Act 1991, are hereby cancelled and the co-operatives dissolved.

Dated 18 August 2015.

MARIA PALUMBO, Director, Housing Strategy, Renewal S.A., Delegate for  
JOHN RAU, Minister for Housing and Urban Development

## DEVELOPMENT ACT 1993: SECTION 46 (1)

*Preamble*

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

## NOTICE

PURSUANT to Section 46 (1) of the Development Act 1993, being of the opinion that a declaration under that Section is appropriate for the proper assessment of development of major environmental and economic importance, I declare that Section 46 of the Act applies to all development of a kind specified in Schedule 1, in that part of the State specified in Schedule 2.

## SCHEDULE 1

The following kinds of development are specified:

- (a) the construction of a building and/or any works within the site specified in Schedule 2 for one or more of the following purposes:
  - (i) tourist accommodation and facilities;
  - (ii) function and conference facilities;
  - (iii) marina and ferry docking facilities;
  - (iv) retail premises;
  - (v) commercial premises; and
  - (vi) maintenance facilities.
- (b) The undertaking of works for the purposes of, or otherwise related to; water supply and storage, electricity supply and storage, telecommunications, stormwater, effluent treatment and disposal, roads, parking and paths; in connection with the development whether undertaken on land specified in Schedule 2 or on other land in order to adequately service the development;
- (c) a change in the use of land associated with any development within the ambit of a preceding paragraph;
- (d) the division of an allotment associated with any development within the ambit of a preceding paragraph; and
- (e) any related or ancillary development associated with development within the ambit of a preceding paragraph.

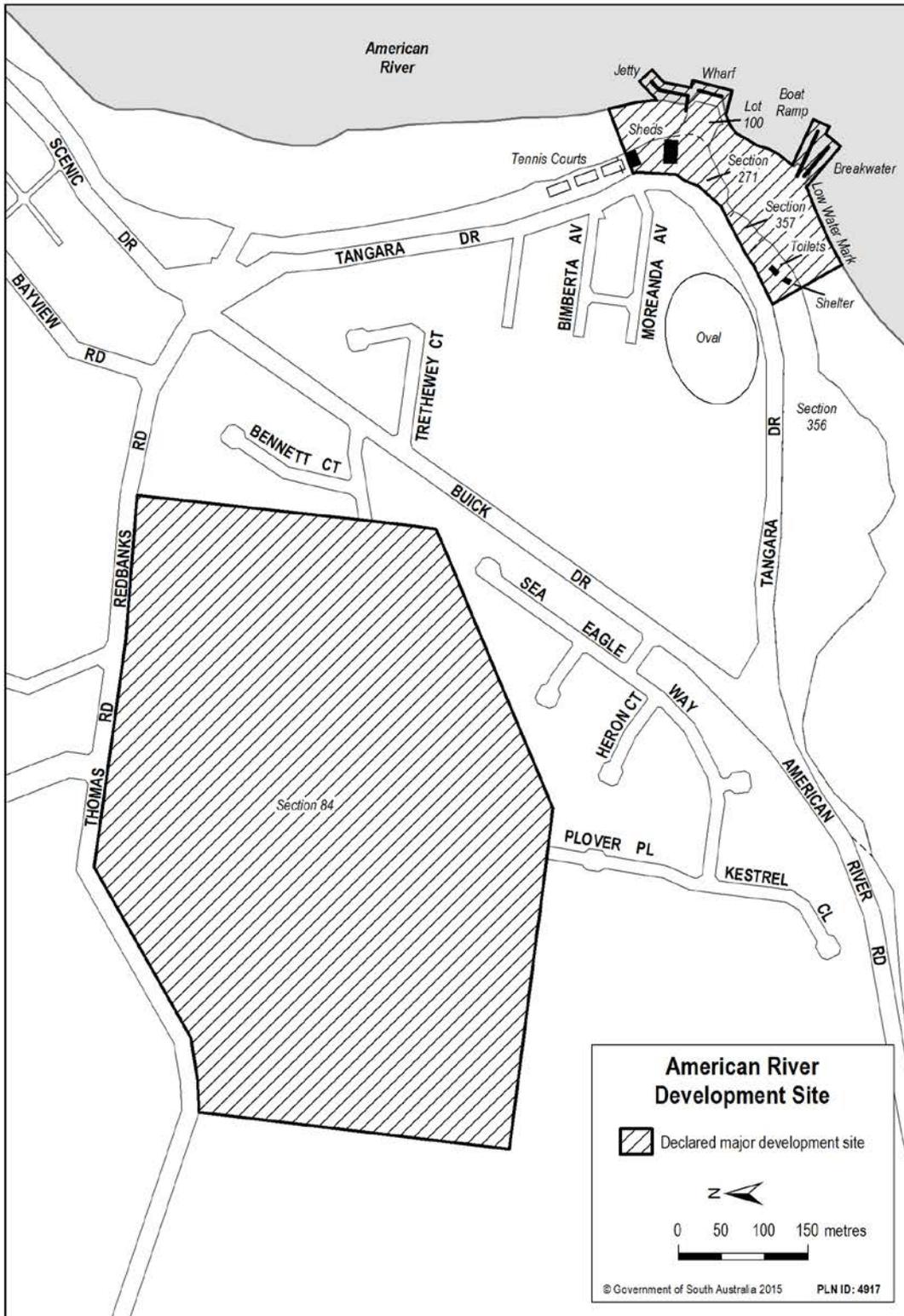
## SCHEDULE 2

The whole of the land comprised in the table below, as shown on the attached map in Schedule 3:

Plan Parcel	Title
D93295 A100	CT6142/412
H110500 S84	CT5424/524
H110500 S271	CR5856/801
H110500 S356	CR5757/351
H110500 S357	CR5759/875

And the land immediately to the east, adjacent to Sections 356 and 357, in the Area named American River (known as the American River boat ramp).

SCHEDULE 3



Dated 18 July 2015.

JOHN RAU, Minister for Planning

## ENVIRONMENT PROTECTION ACT 1993

*Variation to Existing Approval of Collection Depot*

I, ANDREA KAYE WOODS, Delegate of the Environment Protection Authority ('the Authority'), pursuant to Section 69 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

*Variation to Existing Approval of Collection Depot*

Vary the approval of the collection depot listed at Schedule 1 of this Notice, that was granted under the Act prior to the date of this Notice and impose the conditions of this approval to be as follows:

(i) *Approval of Collection Depot:*

The collection depot identified by reference to the following matters is approved:

- (a) the name of the collection depot described in Column 1 of Schedule 1 of this Notice;
- (b) the name of the proprietor of the depot identified in Column 3 of Schedule 1 of this Notice; and
- (c) the location of the depot described in Columns 4 and 5 of Schedule 1 of this Notice.

The collection depot listed at Schedule 1 of this Notice is approved in relation to all classes of containers, which were approved under the Act, at or subsequent to the date of this Notice, as Category B Containers.

(ii) *Conditions of Approval:*

Impose the following conditions on the approval:

- (a) If the Approval Holder's name or postal address (or both) changes, then the Approval Holder must inform the Authority in writing, within 28 days of the change occurring.
- (b) If the collection depot is sold to another party, the Approval Holder must inform the Authority in writing, within 28 days of settlement.
- (c) The Approval Holder who wishes to cease operation of the depot shall notify the Authority in writing, no less than 14 days from date of closing.
- (d) The Approval Holder, or a person acting on his or her behalf, must not pay a refund on, or seek reimbursement for, containers that the Approval Holder, or the person acting on his or her behalf, knows were not purchased in South Australia.
- (e) The Approval Holder must ensure that prominent signage is displayed, detailing the offence and the penalties under Section 69 the Act, for presenting interstate containers for refund.

## SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Depot Name	Company/Trading Name	Proprietors	Depot Location Street	Depot Location Suburb	Certificate of Title No. Volume/Folio No.	Collection Area
Darke Peak Recycling	Darke Peak Recycling	Denice Hean	9 Darke Terrace	Darke Peak	Vol. 5607, Folio 496	Regional

## DANGEROUS SUBSTANCES ACT 1979

I, JOHN RAU, Minister for Industrial Relations in and for the State of South Australia, hereby appoint each of the following persons to be an Authorised Officer for the purposes of the Dangerous Substances Act 1979, pursuant to Section 7 (1) of that Act:

- Kendall Ann Hoile;
- Tore Ware Nielsen;
- Nicholas Perry; and
- Barry Anthony John Sheppard.

Dated 17 August 2015.

JOHN RAU, Deputy Premier, Minister  
for Industrial Relations

## EXPLOSIVES ACT 1936

*Notice by the Minister*

I, JOHN RAU, Minister for Industrial Relations in and for the State of South Australia, hereby appoint the following person to be an Inspector of Explosives for the purposes of the Explosives Act 1936, pursuant to Section 9 (1) of that Act:

- Ashley Rex Wood.

I revoke the appointments of the following persons as Inspectors of Explosives for the purposes of the Explosives Act 1936, pursuant to the provisions of Section 36 of the Acts Interpretation Act 1915:

- Arthur Reginald Dale Bruce;
- David James Cabrera;
- John Michael Dale;
- Marilyn May Lane;
- David Howard Marsh;
- William James Powell; and
- Deanna Denise Fay Trenham.

Dated 14 August 2015.

JOHN RAU, Deputy Premier, Minister for  
Industrial Relations

## EXPLOSIVES ACT 1936

I, JOHN RAU, Minister for Industrial Relations in and for the State of South Australia, hereby appoint the following persons to be Inspectors of Explosives for the purpose of the Explosives Act 1936, pursuant to Section 9 (1) of that Act:

- Kendall Ann Hoile;
- Tore Ware Nielsen;
- Nicholas Perry; and
- Barry Anthony John Sheppard.

Dated 17 August 2015.

JOHN RAU, Deputy Premier, Minister  
for Industrial Relations

## FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Professor Stephen Donnellan of the South Australian Museum, North Terrace, Adelaide, South Australia, (the 'exemption holder'), or a person acting as his agent, is exempt from Section 70, of the Fisheries Management Act 2007, and Regulations 7, 10 and 23 and Clauses 41, 112 (b) and 118 of Schedule 6 of the Fisheries Management (General) Regulations 2007, insofar as the exemption holder will not be guilty of an offence for the purposes of conducting research activities specified in Schedule 1 (the 'exempted activity'), in the area described in Schedule 2, using the gear specified by in Schedule 3, subject to the conditions specified in Schedule 4, from 14 August 2015 until 14 August 2016, unless varied or revoked earlier. Exemption No. ME9902792.

## SCHEDULE 1

Research activities as described in the project outline for the research project 'Systematics and evolutionary biology of marine fishes from South Australian waters—DNA barcoding and otolith referencing collection'.

## SCHEDULE 2

South Australia coastal waters including intertidal 'rocky' reefs but excluding Sanctuary and Restricted Access zones of any marine park unless authorised by permit under the Marine Parks Act 2007, aquatic reserves and the waters of the Adelaide Dolphin Sanctuary.

## SCHEDULE 3

Description of equipment used to undertake the proposed activity:

- 1 Seine net—shore based—6 m (5 mm mesh).
- 12 bait traps—shore based—various (up to 60 x 30 x 30 cm).
- Clove oil—shore based (rock pools).
- Hook and line (1 line per person)—shore and boat.

## SCHEDULE 4

1. The permit holder or their agent/s may collect five species at each sampled location of the following organisms:

- (a) Teleosts (non-protected species)—All life stages.
- (b) Sharks (non-protected species)—Adults.
- (c) Rays (non-protected species).
- (d) Chimaeras—Adults.

2. All other native fish must be either returned to the water on completion of scientific evaluation or lodged with the South Australian Museum. All non-native fish must be destroyed and disposed of appropriately.

3. The specimens collected by the exemption holders or their agent/s are to be used for scientific purposes only and must not be sold.

4. The agents of the exemption holder are Ralph Foster, Dr Terry Bertozzi and Tom Barnes.

5. Before conducting the exempted activity, the exemption holder must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you 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 agents undertaking the exempted activity and other related issues.

6. The exemption holder must provide a report in writing detailing the outcomes of the research and the collection of organisms pursuant to this notice to the Director, Fisheries and Aquaculture Policy, (G.P.O. Box 1625, Adelaide, S.A. 5001) within three months of the expiry of this notice, giving details.

7. While engaged 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 if requested.

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.

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

Dated 13 August 2015.

S. SLOAN, Director, Fisheries and  
Aquaculture Policy

## GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2015

	\$		\$
Agents, Ceasing to Act as.....	51.00	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	33.75
Incorporation .....	26.00	Discontinuance Place of Business.....	33.75
Intention of Incorporation .....	64.00	Land—Real Property Act:	
Transfer of Properties .....	64.00	Intention to Sell, Notice of.....	64.00
Attorney, Appointment of.....	51.00	Lost Certificate of Title Notices .....	64.00
Bailiff's Sale.....	64.00	Cancellation, Notice of (Strata Plan) .....	64.00
Cemetery Curator Appointed.....	37.75	Mortgages:	
Companies:		Caveat Lodgement .....	26.00
Alteration to Constitution .....	51.00	Discharge of.....	27.25
Capital, Increase or Decrease of .....	64.00	Foreclosures.....	26.00
Ceasing to Carry on Business .....	37.75	Transfer of .....	26.00
Declaration of Dividend.....	37.75	Sublet.....	13.00
Incorporation .....	51.00	Leases—Application for Transfer (2 insertions) each .....	13.00
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each .....	37.75
First Name.....	37.75	Licensing.....	75.50
Each Subsequent Name.....	13.00	Municipal or District Councils:	
Meeting Final.....	42.50	Annual Financial Statement—Forms 1 and 2 .....	712.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	506.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name .....	101.00
First Name.....	51.00	Each Subsequent Name.....	13.00
Each Subsequent Name .....	13.00	Noxious Trade .....	37.75
Notices:		Partnership, Dissolution of .....	37.75
Call.....	64.00	Petitions (small).....	26.00
Change of Name.....	26.00	Registered Building Societies (from Registrar-General) .....	26.00
Creditors.....	51.00	Register of Unclaimed Moneys—First Name .....	37.75
Creditors Compromise of Arrangement .....	51.00	Each Subsequent Name .....	13.00
Creditors (extraordinary resolution that 'the Com-		Registers of Members—Three pages and over:	
pany be wound up voluntarily and that a liquidator		Rate per page (in 8pt) .....	324.00
be appointed').....	64.00	Rate per page (in 6pt) .....	428.00
Release of Liquidator—Application—Large Ad.....	101.00	Sale of Land by Public Auction.....	64.50
—Release Granted .....	64.00	Advertisements.....	3.60
Receiver and Manager Appointed.....	58.50	¼ page advertisement .....	151.00
Receiver and Manager Ceasing to Act .....	51.00	½ page advertisement .....	302.00
Restored Name.....	47.75	Full page advertisement.....	591.00
Petition to Supreme Court for Winding Up.....	88.50	Advertisements, other than those listed are charged at \$3.60 per	
Summons in Action.....	75.50	column line, tabular one-third extra.	
Order of Supreme Court for Winding Up Action .....	51.00	Notices by Colleges, Universities, Corporations and District	
Register of Interests—Section 84 (1) Exempt .....	114.00	Councils to be charged at \$3.60 per line.	
Removal of Office.....	26.00	Where the notice inserted varies significantly in length from	
Proof of Debts .....	51.00	that which is usually published a charge of \$3.60 per column line	
Sales of Shares and Forfeiture.....	51.00	will be applied in lieu of advertisement rates listed.	
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Deceased Persons—Closed Estates.....	37.75		
Each Subsequent Estate.....	1.70		
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## GOVERNMENT GAZETTE NOTICES

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## MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2015

Acts, Bills, Rules, Parliamentary Papers and Regulations					
Pages	Main	Amends	Pages	Main	Amends
1-16	3.20	1.50	497-512	43.00	42.00
17-32	4.10	2.55	513-528	44.25	42.75
33-48	5.45	3.85	529-544	45.75	44.25
49-64	6.85	5.30	545-560	47.25	45.75
65-80	7.95	6.60	561-576	48.25	47.25
81-96	9.30	7.70	577-592	50.00	47.75
97-112	10.60	9.05	593-608	51.00	49.25
113-128	11.80	10.50	609-624	52.50	51.00
129-144	13.20	11.70	625-640	53.50	52.00
145-160	14.60	13.00	641-656	55.00	53.50
161-176	15.80	14.30	657-672	56.00	54.00
177-192	17.20	15.60	673-688	57.50	56.00
193-208	18.60	17.10	689-704	58.50	56.50
209-224	19.60	18.10	705-720	60.00	58.00
225-240	20.90	19.40	721-736	61.50	59.00
241-257	22.50	20.50	737-752	62.00	60.50
258-272	23.80	21.70	753-768	64.00	61.50
273-288	24.90	23.60	769-784	65.00	64.00
289-304	26.25	24.50	785-800	66.00	65.00
305-320	27.75	26.00	801-816	67.50	65.50
321-336	28.75	27.25	817-832	69.00	67.50
337-352	30.25	28.50	833-848	70.50	69.00
353-368	31.00	30.00	849-864	72.00	70.00
369-384	32.75	31.00	865-880	73.50	72.00
385-400	34.25	32.50	881-896	74.00	72.50
401-416	35.50	33.50	897-912	75.50	74.00
417-432	37.00	35.25	913-928	76.00	75.50
433-448	38.00	36.75	929-944	77.50	76.00
449-464	39.00	37.50	945-960	78.50	77.00
465-480	39.50	38.75	961-976	82.00	78.00
481-496	42.00	39.50	977-992	83.00	78.50

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## SOUTH AUSTRALIA

## GAMING MACHINES ACT 1992

GR Notice No. 13 of 2015  
**Gaming Machines—Jackpot Club Basic  
 Training—Recognition Notice 2015**

*[20 August 2015]*

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

**1. Citation, authorising provisions**

- (1) This notice may be cited as the Gaming Machines—Jackpot Club Basic Training—Recognition Notice 2015.
- (2) This notice is authorised by Section 10B (1) (b) of the *Gaming Machines Act 1992*.

**2. Recognised course of training**

- (1) This notice applies to the basic training course described in an application made by The Jackpot Club ABN 17 249 284 416 held on File No. AUTH 15/0049.
- (2) The course of training identified in the table is recognised as basic training for provision from the date indicated.

**TABLE**

<i>Course documentation description</i>	<i>Date of first provision</i>
Basic Gaming Version 2: June 2015	20 August 2015

## GEOGRAPHICAL NAMES ACT 1991

*Notice to Alter the Boundaries of Places*

NOTICE is hereby given pursuant to the provisions of the Geographical Names Act 1991, that I, STEPHEN MULLIGHAN, Minister for Transport and Infrastructure, Minister of the Crown to whom the administration of the Geographical Names Act 1991 is committed, DO HEREBY:

1. Exclude from the rural locality of **MILLBROOK** and include into the suburb of **INGLEWOOD** that area marked (A) on the plan.

2. Exclude from the rural locality of **MILLBROOK** and include into the suburb of **PARACOMBE** that area marked (B) on the plan.

3. Exclude from the rural locality of **MILLBROOK** and include into the suburb of **CUDLEE CREEK** that area marked (C) on the plan.

Copies of the plan showing the extent of the subject area can be viewed on the Land Services website at:

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

Dated 3 August 2015.

STEPHEN MULLIGHAN, Minister for  
Transport and Infrastructure

## GEOGRAPHICAL NAMES ACT 1991

*Notice to Alter the Boundaries of Places*

NOTICE is hereby given pursuant to Section 11B (1) (b) of the Geographical Names Act 1991, that I, MICHAEL BURDETT, Surveyor-General and Delegate appointed by Honourable Stephen Mullighan, Minister for Transport and Infrastructure, Minister of the Crown to whom the administration of the Geographical Names Act 1991 is committed DO HEREBY exclude from the rural locality of **APOINGA** and include into the suburb of **EMU DOWNS** that area marked (A) shown on the plan.

The altered boundary can be viewed on the Land Services Property Location Browser (PLB) website at:

<http://maps.sa.gov.au/plb/>

or on the Land Services website at:

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

Dated 13 August 2015.

M. BURDETT, Surveyor-General, Department  
of Planning, Transport and Infrastructure

DPTI.2015/10028/01

## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 1429 Main South Road, Bedford Park, S.A. 5042, being a the whole of Allotment 19 in Deposited Plan No. 4934 comprised in Certificate of Title Volume 5449, Folio 663.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Hanna Samuels,  
G.P.O. Box 1533,

Adelaide, S.A. 5001  
Phone (08) 7424 7032

Dated 18 August 2015.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner of Highways in the presence of:

A. J. BERRY, Manager, Real Estate Services,  
Department of Planning, Transport and  
Infrastructure

DPTI 2010/22317/01

## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 1431 Main South Road, Bedford Park, S.A. 5042, being a the whole of Allotment 53 in filed Plan No. 148089 comprised in Certificate of Title Volume 5799, Folio 15.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Hanna Samuels,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 7424 7032

Dated 18 August 2015.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner of Highways in the presence of:

A. J. BERRY, Manager, Real Estate Services,  
Department of Planning, Transport and  
Infrastructure

DPTI 2010/22314/01

## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 1347 Main South Road, Bedford Park, S.A. 5042, being a the whole of Allotment 112 and 113 in Filed Plan No. 216723 comprised in Certificate of Title Volume 5650, Folio 329.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Rocco Caruso,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 7424 7014

Dated 18 August 2015.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner of Highways in the presence of:

A. J. BERRY, Manager, Real Estate Services,  
Department of Planning, Transport and  
Infrastructure

DPTI 2014/09374/01

## LAND ACQUISITION ACT 1969

(SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 1329 Main South Road, Bedford Park, S.A. 5042, being a the whole of Allotment 8 in Deposited Plan No. 3608 comprised in Certificate of Title Volume 5609, Folio 268.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

John Gluis,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 7424 7019

Dated 18 August 2015.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner of Highways in the presence of:

A. J. BERRY, Manager, Real Estate Services,  
Department of Planning, Transport and  
Infrastructure

DPTI 2014/09361/01

## LAND ACQUISITION ACT 1969

(SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 1467 Main South Road, Bedford Park, S.A. 5042, being a the whole of Allotment 47 in Filed Plan No. 148083 comprised in Certificate of Title Volume 5805, Folio 806.

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

*Compensation*

A person who has or had an interest in the land that is divested or diminished by the acquisition or the enjoyment of which is

adversely affected by the acquisition who does not receive an offer of compensation from the Authority may apply to the Authority for compensation.

*Inquiries*

Inquiries should be directed to:

Chris Southam,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 7424 7036

Dated 18 August 2015.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner of Highways in the presence of:

A. J. BERRY, Manager, Real Estate Services,  
Department of Planning, Transport and  
Infrastructure

DPTI 2010/22202/01

## LAND ACQUISITION ACT 1969

(SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 1439 Main South Road, Bedford Park, S.A. 5042, being a the whole of Allotment 50 in Filed Plan No. 148086 comprised in Certificate of Title Volume 5441, Folio 55.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Chris Southam,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 7424 7036

Dated 18 August 2015.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner of Highways in the presence of:

A. J. BERRY, Manager, Real Estate Services,  
Department of Planning, Transport and  
Infrastructure

DPTI 2010/22309/01

## LAND ACQUISITION ACT 1969

(SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 1 Richard Street, Bedford Park, S.A. 5042, being a the whole of Allotment 49 in Filed Plan No. 148085 comprised in Certificate of Title Volume 5395, Folio 108.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Hanna Samuels,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 7424 7032

Dated 18 August 2015.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner of Highways in the presence of:

A. J. BERRY, Manager, Real Estate Services,  
Department of Planning, Transport and  
Infrastructure

DPTI 2010/22308/01

## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 1357 Main South Road, Bedford Park, S.A. 5042, being a the whole of Allotment 23 in Deposited Plan No. 3608 comprised in Certificate of Title Volume 5931, Folio 834.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Hanna Samuels,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 7424 7032

Dated 18 August 2015.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner of Highways in the presence of:

A. J. BERRY, Manager, Real Estate Services,  
Department of Planning, Transport and  
Infrastructure

DPTI 2014/09381/01

## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 1433 Main South Road, Bedford Park, S.A. 5042, being a the whole of Allotment 52 in Filed Plan No. 148088 comprised in Certificate of Title Volume 5798, Folio 958.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Hanna Samuels,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 7424 7032

Dated 20 August 2015.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner of Highways in the presence of:

A. J. BERRY, Manager, Real Estate Services,  
Department of Planning, Transport and  
Infrastructure

DPTI 2010/22313/01

## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 1465 Main South Road, Bedford Park, S.A. 5042, being a the whole of Allotment 3 in Deposited Plan No. 6261 comprised in Certificate of Title Volume 5219, Folio 675.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Chris Southam,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 7424 7036

Dated 20 August 2015.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner of Highways in the presence of:

A. J. BERRY, Manager, Real Estate Services,  
Department of Planning, Transport and  
Infrastructure

DPTI 2010/22203/01

South Australia

## **Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2015**

under the *Motor Vehicles Act 1959*

### **1—Short title**

This notice may be cited as the *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2015*.

### **2—Commencement**

This notice will come into operation on the date of publication in this *Gazette*.

### **3—Approved motor bikes and motor trikes**

For the purposes of Schedules 2 and 3 of the *Motor Vehicles Regulations 2010* and the transitional provisions of the *Motor Vehicles Variation Regulations 2005* (No. 233 of 2005), the motor bikes and motor trikes specified in Schedule 1 are approved.

## Schedule 1—Approved motor bikes and motor trikes

### 1—Motor bikes and motor trikes with an engine capacity not exceeding 260 ml

All motor bikes and motor trikes with an engine capacity not exceeding 260 milliliters and a power to weight ratio not exceeding 150 kilowatts per tonne other than the following:

Suzuki RGV250

Kawasaki KR250 (KR-1 and KR1s models)

Honda NSR250

Yamaha TZR250

Aprilia RS250

### 2—Motor bikes and motor trikes with an engine capacity not less than 261 ml and not exceeding 660 ml

The motor bikes and motor trikes listed in the table below.

MAKE	MODEL	VARIANT NAME	YEAR	CAPACITY
<b>AJS</b>	MODEL 18	MODEL 18	pre 1963	497
	MODEL 20	MODEL 20	1955-61	498
<b>ALDY</b>	All models	All models	Sep-13	Under 125
<b>APRILIA</b>	Moto 6.5	Moto 6.5	1998-99	649
	Mojito	Mojito	All	50
	M35	SR MAX 300	2012	278
	PEGASO 650	DUAL SPORTS	1994-01	652
	PEGASO 650	OUTBACK	2000-01	652
	PEGASO 650	Factory 650	2007-08	660
	PEGASO 650 I.E.	OUTBACK	2001-02	652
	PEGASO 650 I.E.	DUAL SPORTS	2001-06	652
	RS125/SBK	RS125/SBK	2013	125
	SR 50R	SR 50R	All	50
	SR MT 50	SR MT 50	All	49
	SR MT 125	SR MT 125	All	124
	SCRABEO 200	SCRABEO 200	All	181
	SCARABEO 300	VRG	2009	278
	SCARABEO 400	SCARABEO 400	2007	399
	SCARABEO 500	SCARABEO 500	2007-08	460
	SPORTCITY300	SPORTCITY300	2010-12	300
<b>ASIAWING</b>	STRADA 650	ROAD	2006-08	659
	STRADA 650	TRAIL	2006-08	659
<b>ATK</b>	LD450	ODES MCF450	2011-13	449
	SXV5.5	SXV 550	2006-08	553
<b>BENELLI</b>	605	605	1995	598
<b>BENELLI</b>	VELVET DUSK	VELVET DUSK	2003-05	383
	P25	GT600 RESTRICTED	2014-15	600
	P25	BN 600	2013-14	600
<b>BETA</b>		RESTRICTED		
	RR E3	RR350	2011	349
	RR E3	RR400	2010-11	398
	RR E3	RR450	2010-11	449

<b>BETA</b>	RR450	RR450	2008	448
<b>(continued)</b>	RR450	RR450	2000-07	448
	RR E3	RR520	2010-11	498
	RR525	RR525	2008	510
	RR525	RR525	2000-07	510
	FUPA RR E3	RR 2T 300	2012	293
<b>BMW</b>	C650	C600 Sport	All	647
	C650	C650 GT	All	647
	F650	FUNDURO	1995-00	652
	F650CS	SCARVAR	2002-05	652
	F650CS	SE ROAD	2004-06	652
	F650GS	DAKAR	2000-08	652
	F650GS	F650GS	2000-08	652
	F650ST	F650ST	1998	652
	F650	G650 GS	2009-2016	652
	F650	G650 GS Sertao	2012-2016	652
	G 450 X	G 450 X	2008-10	450
	G650GS	Sertao	All	650
	R45	R45	All	453
	R50	R50	1969	499
	R60	R60	1967	590
	R65	R65	1981-88	650
	R65LS	R65LS	1982-86	650
	R69	R69	1961	600
<b>BOLWELL</b>	LM25W	FIRENZE	2009	263
<b>BOLLINI</b>	All models	All models under 250	All	250
<b>BSA</b>	A50	A50	1964-70	500
	A65	A65	1966-69	650
	A7	A7	1961	500
	B40	B40	1969	350
	B44	B44	1967-71	440
	B50	B50	1971	495
	B50SS GOLDSTAR	B50SS GOLDSTAR	1971	498
	GOLD STAR	GOLD STAR	1962	500
	LIGHTNING	LIGHTNING	1964	654
	SPITFIRE MKIII	SPITFIRE MKIII	1967	650
	THUNDERBOLT	THUNDERBOLT	1968	499
<b>Buell</b>	Blast	STREET FIGHTER	2002-07	491
<b>Bug</b>	SEE KYMCO			
<b>BULTACO</b>	ALPINA	ALPINA	1974	350
	FRONTERA	FRONTERA	1974	360
	SHERPA	SHERPA	1974	350
<b>CALIFORNIA</b>	All models under 250cc	All models under	2014	249
<b>SCOOTER</b>		250cc		
<b>CAGIVA</b>	360WR	360WR	1998-02	348
	410TE	410TE	1996	399
	610TEE	610TEE	1998	576
	650 ALAZZURA	650 ALAZZURA	1984-88	650
	650 ELFANT	650 ELFANT	1985-88	650
	CANYON 500	DUAL SPORTS	1999-06	498
	CANYON 600	DUAL SPORTS	1996-98	601
	RIVER 600	RIVER 600	1995-98	601
	W16 600	W16 600	1995-97	601

<b>CFMOTO</b>	CF 650	CF650NK-LAM	2012-13	649
	CF 650	CF650TK-LAM	2013	649
<b>COSSCK</b>	650	Ural	1974	649
<b>DAELIM</b>	All models	All models under 250	All	Under 250
<b>DERBI</b>	Boulevard 50	Boulevard 50		50
	GP1 250	GP1 250		250
	MULHACEN	MULHACEN	2008	659
	RAMBLA	RA 300	2010	278
<b>DNEPER</b>	K650	K650	1972	650
	DNEIPNER	DNEIPNER	1974	650
	K650	K650 DNEPR	1967-74	650
	MT9	MT9	1974	650
<b>DUCATI</b>	400 MONSTER	400 MONSTER	2002	398
	400 SIE	400 S I E monster		398
	400 SS JUNIOR	400 SS	1989-96	398
	400SS	400SS	1992-95	398
	500SL	PANTAH	1984	499
	500 DESMO	500 Sport Desmo	1978	497
	600 MONSTER	600 MONSTER	1994-01	583
	600 MONSTER	DARK	1998-01	583
	600 S	600 SUPERSPORT	1994-97	583
	600M	600M	1994-01	583
	600SL	PANTAH	1980-84	583
	600SS	600SS	1994-98	583
	620 MONSTER LITE	M620 LITE	2003-07	618
	620 MULTISTRADA LITE	MTS620 24.5Kw	2005-07	618
	659 Monster	Monster 659	All	659
	DM 350	350	pre 85	350
	DM 450	450	pre 85	448
	DM450	DM450	1972	450
	DM500	DM500	1981-84	498
	F3	350 F3	1986-1989	349
	F4	400 F4	1986	400
	M4	M620ie LITE	2003-04	620
	M5	Monster 659	2011	659
<b>EAGLE WING</b>	Cino 125	Cino 125	All	125
	Elegante 125	Elegante 125	All	125
<b>ENFIELD</b>	BULLET	CLASSIC	1993-08	499
<b>see also Royal Enfield</b>	BULLET	DELUXE	1993-08	499
	BULLET	ELECTRA ROAD	2006-08	499
	BULLET 350	DELUXE	1988-01	346
	BULLET 350	SUPERSTAR	1988-95	346
	BULLET 350	CLASSIC	1993-01	346
	BULLETT 500	500	1995	499
	BULLET 65	ROAD	2003-04	499
	LIGHTNING	ROAD	2000-08	499
	MILITARY	ROAD	2002-08	499
	TAURAS	DIESEL	2001	325
<b>FANTIC</b>	TZ	EC300	2011-12	300
	TZ	Gas Gas EC30	2012	300
<b>FONZARELLI</b>	125	125	2014-15	Electric

<b>GAS-GAS</b>	EC300	SM SUPERMOTARD	2002	299	
	EC300	ENDURO	2001-02	299	
	EC400	FSE ENDURO	2002-03	399	
	EC450	FSE ENDURO	2003-05	449	
	EC450	FSE	2003-08	449	
		SUPERMOTARD			
	EC450	FSR ENDURO	2006-08	449	
	FS 400	FS40A	2006	398	
	FS 450	FS45	2006	443	
	FS 500	FS50	2006	503	
	FSE 400	400	2002	398	
	FSE 450	450	2003-08	398	
	PAMPERA	320 TRAIL	1998-02	333	
	PAMPERA	400 TRAIL	2006-08	399	
	PAMPERA	450	2007-08	443	
	SM400	SUPERMOTARD	2003-08	399	
	SM450	SUPERMOTARD	2003-08	443	
	TT300	EC300	1998-08	295	
	<b>GILERA</b>	FUOCO 500	FUOCO 500	2007-13	493
		NEXUS 500	NEXUS 500	2003-08	460
	<b>HARLEY DAVIDSON</b>	SS350	Sprint	69-74	350
		XGS SERIES	Street 500	2014-15	494
	<b>HONDA</b>	600V TRANSLAP	600V TRANSLAP	1988	583
		BROS	BROS	1992	399
		C70	DREAM	pre 1970	305
		CB100	CB100	All	100
		CB125e	CB125e	All	125
		CB175	CB 175 K1-K6	1969-1974	175
		CB200	CB200	All	200
		CB350	CB350	1969	348
		CB350F	CB350F	1973	325
		CB360	CB360	1973-74	360
		CB400	CB400	1981-2013	395
CB400F		CB400F	1975-77	408	
CB400N		CB400N	1981	395	
CB400T		CB400T	1977	408	
CB400 ABS		CB400 ABS	2008-2013	399	
CB450		CB450	1967-75	450	
CB500		CB500	1977	498	
CB500F		CB500FA	2012	471	
CB500X		CB500XA	2013	471	
CB550		CB550	1974-78	544	
CB650		CB650	All	650	
CBR125R		CBR125RR	2004	124.7	
CBR250R		CBR250RR	1986-1996	249.6	
CBR500R		CBR500RA	2012	471	
CBX550		CBX550F	1982-85	572	
CX500		CX500	1979	500	
CJ360		CJ360	1976	356	
CL450		CL450	1965-77	444	
CRF150		150R/RB	All	149	

<b>HONDA</b> <b>(continued)</b>	CRF250	CRF 250 (L/X/F/M/R) versions	2013	249
	CRF400R	CRF400R	2013	399
	CRF450X	CRF450X	2005-08	449
	CX500	CX500	1977-82	495
	DEAUVILLE	NT650V	2002-06	647
	CBR300R	CBR300R	2014-15	286
	CBR300R	CBR300RA	2014-15	286
	Fortza 300	NSS300 Forza	All	279
	FJS400A	SW-T400	2009	399
	FT500	FT500	1984	498
	FTS600D	SILVERWING	2006-08	582
	GB400	GB400	All	399
	GB500	GB507	1987-91	498
	GL400	GL400	1985	396
	NF02	SH300	2009	279
	NSS300	NSS300	2013	279
	NT400	NT400	1989-92	400
	NT650V	DEAUVILLE	2003-06	647
	NTV650	REVERE	1989-92	647
	NX650	DOMINATOR	1988-00	644
	PCX150	PCX150	153	
	REVERE	REVERE	1990	647
	SH150i	SH150i	2005	152.7
	SL350	SL350	1972	348
	OBI RVF400 VFR400	OBI RVF400 Otobai import model only	All	400
	Steed	steed	2002	398
	Today 50	Today	All	50
	VT400	VT 400	All	398
	VT400C	SHADOW	2009	399
	VT500	VT500	1983-87	491
	VT600C	VT600C	1993-00	583
	VT600C	SHADOW VLX	1988-2008	583
	VTR250	Interceptor	1997-2013	249
	XBR500	XBR500	1986-89	499
	XBR500SH	XBR500	1986-89	499
	XL350	XL350	1984-87	339
	XL500	XL500	1979-84	498
	XL600R	XL600R	1984-87	589
	XL600RMG	XL600RMG	1986-88	591
	XL600VH	TRANSALP	1987-89	583
	XL650V	TRANSALP	2002-08	647
	XL650	TRANSALP	2005	647
	XL650	XL650	All	250
	XR250	XR250R	All	
	XR350	XR350	1983	339
	XR350R	XR350R	1983-84	339
	XR350R	XR350R	1985-86	353
XR400	XR400	1996-08	397	
XR400 MOTARD	XR400M	1996-08	397	
XR400R	XR400R	1996-08	397	

<b>HONDA</b> (continued)	XR500R	XR500R	1983-84	498	
	XR600R	XR600R	1985-00	591	
	XR650L	XR650L/ XR650R	2001-06	644	
<b>HUNTER</b>	DD350E-6C	DAYTONA	2010-13	320	
	DD350E-6C	SPYDER	2010-13	320	
	DD350E-2	BOBBER	2011-13	320	
<b>HUSABERG</b>	FE250	ENDURO	All	250	
	FE350	ENDURO	All	350	
	FE400	ENDURO	All	399	
	FE450	ENDURO	2008-14	449	
	FE501E	ENDURO	1997-12	501	
	FE501	ENDURO	2012-14	510	
	FE570	ENDURO	2008-10	565	
	FE600E	ENDURO	1997-00	595	
	FE650E	ENDURO	2004-08	628	
	FE650E	ENDURO	2000-04	644	
	FS450E	ENDURO	2004	449	
	FS450	SUPERMOTARD	2008-10	449	
	FS570	SUPERMOTARD	2009-10	565	
	FS650C/E	SUPERMOTARD	2004-08	628	
	FS650E	SUPERMOTARD	2002-04	644	
	TE300	TE Series	2010-14	293	
	<b>HUSQVARNA</b>	300WR	WR300	2008-12	298
		310TE	TE310 A3	2009-13	303
		310TE	TE310 A2	2008-10	298
		350TE	TE350	1995	349
400SM		SUPERMOTARD	2002-04	400	
400TE		ENDURO	2000-01	400	
410TE		ENDURO	1998-00	400	
410TE		ENDURO	1994-97	415	
450SM/R/RR		SUPERMOTARD	2003-08	449	
450TC		MOTOCROSS	2001-08	449	
450TE		ENDURO	2001-07	449	
450TE-IE		ENDURO	2007-08	449	
450TXC		TRAIL	2007-08	449	
A6 SMR 449		A600AB	2010-12	450	
A6 TE 449		A600AATE449	2010-13	450	
A6 SMR 511		A601AB	2010-12	478	
A6 TE 511		A601AATE511	2010-13	478	
A6 SMR 511		A602AB	2012	478	
A8		TR650 TERRA	2013	652	
A8		TR650 STRADA	2013	652	
510SM		SUPERMOTARD	2006-10	501	
510TC		MOTOCROSS	2004-07	501	
510TE		ENDURO	1986-90	510	
510TE-IE		TE510IE	2008	510	
570TE		570TE(RP)	2000	577	
610SM		SUPERMOTARD	2000-08	577	
TE610		TE610(RP), dual sports	2000 on	577	
AE430		ENDURO	1986-88	430	
SMS630		A401AB SMS630	2010 on	600	
SMR449		SMR449	2011	449.6	

<b>HUSQVARNA</b> <b>(continued)</b>	SMR511	SMR511	2012	447.5
	FE250	FE Enduro	All	511
	TE125	TE125	All	125
	TE250/ R	ENDURO TE250	2010	250
	TE	TE300	2014 on	298
	FE	FE350	2014 on	350
	FE	FE450	2014 on	449
	FE	FE501	2014 on	501
	TE449	Enduro 2014	2013	449.6
	TE510	Enduro 2013	2013	477.5
	TE630	A401AA TE630	2010 on	600
	TR650	TR650 Terra	2013	652
	WR125	ENDURO		124.82
	WR250	ENDURO		249.3
	WR260	ENDURO	1990-91	260
	WR300	ENDURO	2010-13	293
	WR360	ENDURO	1991-03	349
	WR400	ENDURO	1984-88	396
	WR430	ENDURO	1988	430
	<b>HYOSUNG</b>	GT 250 EFI	GT 250EFI	All
GT250R EFI		GT250R EFI	All	249
GT650 EFI		GT650EFI Lams	All	647
GT650R EFI		GT650R EFI Learner	All	647
GV650C/S		Lams model	All	647
GV250		Aquila/EFI	All	249
<b>INDIAN</b> <b>JAWA</b>	VELO	VELO	1969	500
	350	350	1974	350
	634 ROAD	634 ROAD	1984-85	343
<b>JONWAY</b>	638 ROAD	638 ROAD	1985-86	343
	MALIBU	MALIBU 320	2012	320
<b>KAWASAKI</b>	BR250E	Z250SL/Z250SL ABS	2014-2016	249
	EN400	Vulcan	1986	400
	EN450	450LTD	1985-87	454
	EN500	Vulcan	1990-02	500
	ER-5	ER500	1999-06	498
	ER-6NL ABS	ER-6nl ABS learner model	2012-2016	649
	ER-650C	ER-6nL	2009	649
	ER-650C	ER-6nL ABS	2009-11	649
	Ninja 250	250r	1986-current	249
	EX300A (Ninja 300)	EX300B Ninja/ special	2014-16	296
	ER300B	ER300B (Z300 ABS)	2015	296
	EX400	GPX 400R	1987-94	399
	Ninja 650 L model	Ninja 650RL	2009	649
	Ninja 650	Ninja 650RL ABS	2009-16	649
	Ninja 650	Ninja 650L ABS	2011-14	649
	GPZ550	GPZ550	1981-90	553
	GT550	Z550	1984-88	553
	KL600	KLR600	1984-87	564
	KL650	KLR650	1987-99	651
	KL650E	KLR650	2013-16	651
KLE500	DUAL SPORTS	1992-08	498	
KLR600	KL600	1984-87	564	

<b>KAWASAKI</b> <b>(continued)</b>	KLR650E	KL650E	1987-2012	651	
	KL650E	KLR650	2013-2014	651	
	KLX150	KLX150E/KLX150 L	All		
	KLX250S	KLX250S	All	249	
	KLX250SF	KLX250SF	2013	249	
	KLX300R	KLX300R	1996-04	292	
	KLX400	KLX400	2003	400	
	KLX450R	KLX450R	2007-16	449	
	KLX650	KLX650	1989-95	651	
	KLX650R	ENDURO	1993-04	651	
	KZ400	KZ400	1974-84	398	
	KZ440	KZ440	1985	443	
	KZ500	KZ500	1979	497	
	KZ550	KZ550	1986	547	
	LE650D	Versys 650L ABS	2010	649	
	LE650D	Versys 650L ABS	2011-14	649	
	LTD440	LTD440	1982	443	
	LX400	LX400 Eliminator	1989	398	
	S2	S2	1972	346	
	S3	S3	1974	400	
	KLE500	Versys 650L ABS	2013	649	
	KLE650F	Versys 650L ABS	2014-16	649	
	EN650B	Vulcan S ABS/ABS L	2014-16	649	
	W400	EJ400AE	2006-09	399	
	Z400B2	KZ400B2	1979	398	
	Z400D	KZ400D	1975	398	
	Z500	Z500	1980	498	
	ZR550	ZEPHYR	1991-99	553	
	ZZR400	ZZR400	1991	399	
	ZZR400	ZZR400	1992	399	
	<b>KTM</b>	2T-EXC	300 EXC	2012	293
		125 Duke	125 exc	All	125
		200 Duke	200 exc	All	193
250 Duke		250 EXC/F	All	250	
300 exc		300exc	All	300	
390 Duke		390 Duke	All	390	
125 EXC		125 EXC	All	125	
200 EXC		200 EXC	All	193	
250 EXC/F		250 EXC/F	All	249	
300EXC		ENDURO	84-2011	293	
300EXC-E		ENDURO	2007-08	293	
300GS		ENDURO	1990-95	280	
350EXC-F		ENDURO	2011 on	347	
350EXC Special-R		ENDURO	2005-06	350	
360EXC		ENDURO	1996-98	360	
380EXC		ENDURO	2000	368	
RC390		RC390	All	390	
4T-EXC RACING		350 EXC-F	2012	350	
4T-EXC RACING		450 EXC	2012	449	
4T-EXC RACING		500 EXC	2012	510	
400EXC		ENDURO	2008-11	393	
400GS		ENDURO	1993-99	400	
400SC		400SC	1996-98	400	
400TE		400TE	2001	400	

<b>KTM</b>	450EXC	ENDURO	2002-07	448
<b>(continued)</b>	450EXC	ENDURO	2005-11	449
	450EXC	ENDURO	2011 on	449
	500EXC	ENDURO	2011 on	510
	500GS	ENDURO	1984-91	553
	510EXC	ENDURO	1999-02	510
	520EXC	ENDURO	2000-02	510
	525EXC	ENDURO	2002-05	510
	525EXC-R	ENDURO	2005-07	510
	530EXC	ENDURO	2008-11	510
	600 ENDURO	ENDURO	1987-93	553
	600 ENDURO INCAS	ENDURO	1989-90	553
	625SMC	625SMC	2004	609
	640 4T -EGS	640 LC4-EMY04	2004-05	625
	640 4T -EGS	640 LC4-MY05	2004-05	625
	660 SMC	4T-EGS	2004	654
	Freeride	Freeride (MY12 on)	2012	350
	IS DUKE	390 DUKE (C3)	2013	373
<b>KYMCO</b>	All model	All models		Under 300
<b>LAMBRETTA</b>	All model	Lambretta	pre 2008	Under 660
<b>LARO</b>	DD350E-6C	Pro Street 350	2011	320
	Cruiser250	cruiser 250		234
	SPT series	SPT350	2011	320
	V Retro 250	retro250		249
<b>LAVERDA</b>	500	500	1979	497
<b>LIFAN</b>	All model	All models	2009-10	Under 300
<b>LIFENG</b>	Regal Raptor	CRUISER 350	2011	320
<b>LONCIN</b>	LX 250-8	LX 250-8	All	250
<b>MAGELLI</b>	250 R SE	250 R SE	All	250
	250S	250S	All	250
<b>MAICO</b>	Enduro	500E	1984-88	488
<b>MATCHLESS</b>	G12	G12	pre 1966	646
	G80	HARRIS	1988-90	494
	G80	G80	pre 1963	497
<b>MCI</b>	All models	All models under 250	All	250
<b>MBK</b>	FALCONE	YAMAHA XT660R/X	2005-08	660
<b>MONTESA</b>	COTA 330	TRIAL	1985-86	328
	COTA 335	TRIAL	1986-88	327
	COTA 348T	TRIAL	1984-87	305
	COTA 350	TRIAL	1984-85	349
<b>MOTO GUZZI</b>	350 GT	350 GT	1992	350
	Falcone	Falcone	1972	498
	V35	V35	1977-90	346
	V50	V50	1977-79	490
	V50	Monza	1980-85	490
	V65	V65	1982-94	643
	V65	Lario	1984-89	643
<b>MOTO MORINI</b>	3.5 ROAD	3.5 ROAD	1984-85	344
	350 SPORT	350 SPORT	1974-85	344
	500 CAMEL	TRAIL	1984-86	479
	500 SEI	500 SEI	1984-85	479
	500 STRADA	500 STRADA	1977-85	479

<b>MUZ</b>	BAGHIRA	ENDURO	1999-02	660
	MASTIFF	SUPERMOTARD	1999-02	660
	SKORPION	REPLICA	1998-02	660
	SKORPION	SPORT	1998-02	660
	SKORPION	TRAVELLER	1998-02	660
	SKORPION	TOUR	1998-02	660
<b>MV AGUSTA</b>	350	350	1972-76	349
<b>NORTON</b>	650SS	650SS	1961-68	650
	ES2	ES2	pre 1963	490
	MANXMAN	b	1961	650
	MODEL 50	MODEL 50	1933-63	348
	MODEL 88	DOMINATOR	pre 1966	497
	NAVIGATOR	NAVIGATOR	1964	350
<b>OZ TRIKE</b>	FUN 500	FUN 500	pre 2008	500
<b>PANTHER</b>	MODEL 100	600	pre 1963	598
	MODEL 120	650	pre 1966	645
<b>PEUGEOT</b>	GEOPOLIS	AEAA	2007-08	399
	SATELIS	AEAA	2007-08	399
	SATELIS	AFAA	2007-08	493
<b>PGO</b>	All models	All models under 220	All	220
<b>PIAGGIO</b>	All models	All models	2010-15	Under 350
<b>QJ</b>	BJ60	BJ60	All	600
<b>MOTORCYCLES</b>				
	P25	BJ600	All	600
<b>RICKMAN</b>	650	Triumph	1964	649
<b>RIYA</b>	RY300T (RY)	RY300T	2012-15	288
<b>ROYAL</b>	All models under 660	All models under 660	till 2014	
<b>ENFIELD</b>				
	UMI CONTINENTAL	CONTINENTAL GT	2015	535
	UMI BULLET	BULLET 500	2015	499
<b>RS HONDA</b>	XR400M	MOTARD	2005-08	397
<b>RUDGE</b>	650	Rudge	pre 1961	650
<b>WHITWORTH</b>				
<b>SACH</b>	All models	All models	1980-2013	125
<b>SHERCO</b>	S4	ENDURO	2005-06	Under 125
	S4	ENDURO 250	2010	248
	S4	ENDURO 450	2007-10	448
	S4	ENDURO 510	2007-10	510
	S4	ENDURO 300	2010	290
<b>SUZUKI</b>	AN400	BURGMAN	2008-14	400
	AN650	BURGMAN	2002-15	638
	Burgman 650	Burgman 650	All	638
	Burgman 400ABS	Burgman 400ABS	All	400
	DR350	All	1991-98	349
	DR400	DR400	1999	400
	DR500	All	1981-84	498
	DR600R	DR600R	1985-90	598
	DR650	All	1990-08	644
	DR650SE	DR650SE	1997-14	644
	DR-Z250	DR-Z250	All	249
	DR-Z400E	DR-Z400E	All	398
	DR-Z400S	DR-Z400S	2005-14	398
DR-Z400SM	DR-Z400SM	2005-16	398	

<b>SUZUKI</b> <b>(continued)</b>	DL650AUE	V Strom 650XT learner approved	2014-15	645	
	Gladius	SVF650	2009-14	645	
	GN125	GN125	All	125	
	GZ/GN250	Marauder	All	250	
	GN400	GN400	1980-81	400	
	GR650	All	1983-88	651	
	GS400	GS400	1976-82	400	
	RMX450 (market name RMX450Z)	RMX450	2014-15	449	
	GS450	All	1981-89	450	
	GS500	GS500	2000-13	487	
	GS500E	GS500E	1976-99	492	
	GS500F	GS500F	2003-13	487	
	GS550	All	1977-82	549	
	GSR400	GSR400	2006-08	398	
	GSX400	F	1981-04	398	
	GSX400	E	1981-84	398	
	GSX650F	GSX650F /FU	2008-12	656	
	GT250	GT250 Hustler	All	250	
	GT380	GT380	1973-78	380	
	GT500	GT500	1976-78	500	
	GT550	GT550	1973-78	550	
	Intruder VL/LC 250	Intruder VL/LC 250	All	249	
	GW250/Z	Inazuma 250	2013-15	248	
	KATANA 550	KATANA 550	1981-83	550	
	LS650	Boulevard S40	2015	652	
	LS650	SAVAGE	1986-89	652	
	PE400	PE400	1980-81	400	
	RE5	ROTARY	1974	500	
	SFV650U	SFV650U	2009-15	645	
	SP370	ENDURO	1978	370	
	SV650S LAMS	SV650SU LAMs gladius	2008-2013	645	
	TU250X	TU250X	All	249	
	T500	T500	1970-74	500	
	TS400	TS400	1976	400	
	XF650	FREEWIND	1997-01	644	
	<b>SYM</b>	All models	All models under 400	2008-12	400
	<b>TGB</b>	All models	All models under 300	2012	300
	<b>TM</b>	300E	ENDURO	2000-08	294
		3002T	ENDURO	2010	297
		400E	ENDURO	2002-03	400
		450E	ENDURO	2003-08	449
		450MX	450MX	2008	449
4504T		ENDURO	2010	450	
530E		ENDURO	2003-08	528	
530MX		530MX	2008	528	
5304T		ENDURO	2010	528	
<b>TORINO</b>		All models	All models	2013	Under 250
<b>TRIUMPH</b>		21	21	1963	350
		DAYTONA 500	DAYTONA 500	1970	490
		Street triple	LAMs Street Triple 659 L67Ls7	2014	659

<b>TRIUMPH</b> <b>(continued)</b>	T100	TIGER	pre-1970	498	
	T120	BONNEVILLE	1959 and 1974	649	
	TR5	TROPHY	1969	449	
	TR6	TROPHY	1961-73	649	
	TR7	TIGER	1971	649	
	TRIBSA	TRIBSA	1960-70	650	
<b>URAL</b>	DNEIPNER	DNEIPNER	1974	650	
	K650	K650	1967-74	650	
	MT9	MT9	1974	650	
	THRUXTON	THRUXTON	1965-67	499	
<b>VESPA</b>	All models	All models	Until 1-9-2013	50-300	
<b>VOR</b>	400 ENDURO	400 ENDURO	2000	399	
	450 ENDURO	450 ENDURO	2002	450	
	500 ENDURO	500 ENDURO	2001	503	
	530 ENDURO	530 ENDURO	2001	530	
	VOR ENDURO	400SM	2000-01	399	
	VOR ENDURO	500SM	2000-01	503	
<b>XINGYUE</b> <b>YAMAHA</b>	XY400Y	XY400Y	2008-09	400	
	DT400	DT400	1976-77	400	
	GS125	GS125	1980s	124	
	FZR 250	FZR 250	All	249	
	FZ6R	FZ6R	All	600	
	FZ600	FZ600	All	600	
	IT426	IT426	1987	426	
	IT465	IT465	1987	465	
	IT490	IT490	1983	490	
	MT-03	MT03	2011	660	
	MT 07	MT07 & MT07LF	2015	655	
	MX400	MX400	1976	400	
	RD350	RD350	to 1975	350	
	RD400	RD400	1976	398	
	RT2	RT2	1970	360	
	RT350	RT350	1972	347	
	SR185	SR185	All	185	
	SR250	SR251	All	249	
	SR400	SR400	All	400	
	SR500	SR500	1978-1981	499	
	SRX400	SRX400	1985-90	400	
	SRX600	SRX600	1996	608	
	SZR660	SZR660	1997	659	
	Tenere	Tener	All	660	
	T MAX	Tmax 530	All	530	
	TT250R	TT250R	All	223	
	TT350	TT350	1986-01	346	
	TT500	TT500	1975	500	
	TT600	TT600	1990-95	595	
	<b>YAMAHA</b>	TT600E	TT600E	1997	595
		TT600R	TT600R	1998-2000	595
		TTR230	TT-R230	All	230
TX650		TX650	1976	653	
Virago		XV250	All	250	
WR250R		WR250R	All	250	

<b>YAMAHA (continued)</b>	WR250F	WR250F	All	250
	WR400F	WR400F	1998-2000	399
	WR426F	Belgarda import ONLY	2001	426
	WR450F	WR450F	2003-05	450
	WR450F	WR450F	2006-13	450
	XC125	vity	All	125
	XJ550	XJ550	1981-82	528
	XJ6	XJ6FL/NL (25kW)	2009-13	600
	XJ6	XJ6SL (25kW)	2010-12	600
	XJR400	ZJR400	1999	400
	XJR400	4HM	2003	399
	XS250	XS250	1978-1982	249
	XS400	XS400	1978-82	391
	XP500	XP500	2000-11	499
	XP500	XP500	2012	530
	XS650	XS650	1972-1984	653
	XT250	XT250		249
	XT350	XT350	1985-99	346
	XT500	XT500	1976-81	499
	XT550	XT550	1982-84	552
	XT600	XT600	1983-04	590
	XT660R	XT660R	2004-12	659
	XT660X	XT660X	2004-12	659
	XT660Z T N R	XT660Z	2012	660
	XTZ660	XT660Z Tenere	1991-2012	659
	XV400	XV400 Virago	1983	399
	XV535	XV535 Virago	All years	535
	XVS400	XVS400 Dragstar	2001-03	400
	XVS650A/custom	XVS650 custom and classic	2000-12	649
	XZ400	XZ400	1982	399
	XZ550	XZ550	1982-83	550
	YP400	MAJESTY	2008-12	395
	YZF-R15	YZF-R15	2013	150
	YZF R3	YZF R3A	2015	321
<b>Zero</b>	DS	Zero DS	until 2015	Electric
	S	Zero S	until 2015	Electric
<b>Zhejiang</b>	HT300T	Base	2015	275
<b>Zongshen</b>	ZS250GS	ZS250GS	All	250

**Note:**

All motorcycles built before December 1960 with an engine capacity not exceeding 660 ml are approved.

All motorcycles with electric powered engines are approved.

**Schedule 2—Revocation**

The *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2015* made on 23 July 2015 (*Gazette* No. 45, p.3502) is revoked.

Tim Harker

**DEPUTY REGISTRAR OF MOTOR VEHICLES**

12 August 2015

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## NATIONAL ELECTRICITY LAW

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

Under ss 102 and 103, the making of the *National Electricity Amendment (Demand management incentive scheme) Rule 2015 No. 8* and related final determination. All provisions of Schedule 4 commence on **20 August 2015**. All provisions of Schedules 1, 2 and 3 commence on **1 December 2016**.

Documents referred to above are available on the AEMC's website and are available for inspection at the AEMC's office.

Australian Energy Market Commission  
Level 6, 201 Elizabeth Street  
Sydney, N.S.W. 2000  
Telephone: (02) 8296 7800  
[www.aemc.gov.au](http://www.aemc.gov.au)

20 August 2015.

## NATIONAL PARKS AND WILDLIFE ACT 1972

## WILDERNESS PROTECTION ACT 1992

DRAFT Amendment to the Flinders Chase National Park, Kelly Hill Conservation Park, Ravine des Casoars Wilderness Protection Area and Cape Bouguer Wilderness Protection Area Management Plans (1999).

I, John Erwin Schutz, Director of National Parks and Wildlife, hereby give notice under the provisions of Section 38 of the National Parks and Wildlife Act 1972 and Section 31 of the Wilderness Protection Act 1992, that a draft amendment to the Flinders Chase National Park, Kelly Hill Conservation Park, Ravine Des Casoars Wilderness Protection Area and Cape Bouguer Wilderness Protection Area Management Plans (1999) has been proposed.

Copies of the draft amendment may be inspected at or obtained from the offices of the Department of Environment, Water and Natural Resources at:

- [www.environment.sa.gov.au/parkmanagement](http://www.environment.sa.gov.au/parkmanagement);
- Natural Resources Centre Kangaroo Island,  
37 Dauncey Street,  
Kingscote S.A. 5223,  
Telephone: 8553 4444.

Any person may make representations in connection with the draft amendment during the period up to and including 20 November 2015.

Written comments should be forwarded to the Senior Policy and Project Officer, Protected Area Management, Department of Environment, Water and Natural Resources, G.P.O. Box 1047, Adelaide, S.A. 5001 or emailed to:

[DEWNRProtectedAreaManagement@sa.gov.au](mailto:DEWNRProtectedAreaManagement@sa.gov.au);

or made on-line at:

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

J. E. SCHUTZ, Director of National Parks and Wildlife

## OATHS ACT 1936

## NOTICE OF TERMINATION OF APPOINTMENT OF PROCLAIMED MEMBERS OF THE POLICE FORCE TO TAKE DECLARATIONS AND ATTEST THE EXECUTION OF DOCUMENTS

*Notice by the Attorney-General*

PURSUANT to Section 33 (3) of the Oaths Act 1936, the appointment of the persons named below to take declarations and attest the execution of documents has, by virtue of the operation of Section 33 (2) (b) of that Act, been terminated by reason of those persons ceasing to be members of the Police Force:

Stephen Howard Andrews, appointed on 27 January 2012;  
Michael James Boonstoppel, appointed on 19 December 2013;  
Amanda Boughen, appointed on 30 April 2009;  
Caroline Anne Bristow, appointed on 30 April 2009;

Christopher John Brown, appointed on 26 July 2012;  
Russell Dean Burr, appointed on 30 April 2009;  
David Mark Cousins, appointed on 14 April 2005;  
Winston Andrew Fraser Coxon, appointed on 26 July 2012;  
Stephen John Dawson, appointed on 28 September 2006;  
Shawn John Deal, appointed on 8 October 2009;  
Andrew Lea Durbidge, appointed on 19 December 2013;  
Andrea Durbridge, appointed on 10 July 2014;  
Justin James Fenton, appointed on 22 May 2003;  
Barry Wilfred Fletcher, appointed on 18 January 2007;  
Graham Laurence Fox, appointed on 26 July 2012;  
Herbert Barry Graham, appointed on 1 July 2004;  
Graham Clifford Kalisch, appointed on 15 November 2001;  
Dale Martin Knoote-Parke, appointed on 18 January 2007;  
Paul James Lucas, appointed on 8 October 2009;  
Annette Mason, appointed on 27 May 2004;  
Michael Andrew McGinlay, appointed on 28 July 2011;  
Omona Anne Omo-Irefo, appointed on 19 February 2015;  
Archer Martin Pearson, appointed on 8 October 2009;  
Derryn Leanne Phillips, appointed on 22 May 2003;  
David Kenneth Pluck, appointed on 28 July 2011;  
Stephen Alan Robinson, appointed on 26 July 2012;  
Elije Daniel Jacob Smalbil, appointed on 18 September 1997;  
Neil Severn Smith, appointed on 11 March 1999;  
Amanda Stewart, appointed on 19 December 2013;  
Saskia Maria Viergever, appointed on 28 September 2006;  
Anthony Kevin Vowles, appointed on 15 November 2001;  
Jessica Helen Walsh, appointed on 22 April 2010;  
Felicity Alice Watts, appointed on 8 October 2009;  
Keith Philip Wheeler, appointed on 21 December 2000;  
Mark Scott Williams, appointed on 21 December 2000; and  
Neil Robert Wilson, appointed on 26 July 2012.

Dated 4 August 2015.

JOHN RAU, Deputy Premier, Attorney-General

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Petroleum Exploration Licences—PELs 117, 121 and 122*

PURSUANT to Section 90 of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that the abovementioned Petroleum Exploration Licences have been suspended for the period from and including 12 August 2015 until 11 August 2016, under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 21 March 2012.

The expiry date of PELs 117, 121 and 122 is now determined to be 3 April 2018.

Dated 13 August 2015.

B. A. GOLDSTEIN,  
Executive Director  
Energy Resources Division  
Department of State Development,  
Delegate of the Minister for Mineral  
Resources and Energy

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Petroleum Exploration Licence—PEL 120*

PURSUANT to Section 90 of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that the abovementioned Petroleum Exploration Licence has been suspended for the period from and including 12 August 2015 until 11 August 2016, under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 21 March 2012.

The expiry date of PEL 120 is now determined to be 3 October 2017.

Dated 12 August 2015

B. A. GOLDSTEIN,  
Executive Director  
Energy Resources Division  
Department of State Development,  
Delegate of the Minister for Mineral  
Resources and Energy

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Application for Grant of Petroleum Production Licence—PPL 261*

PURSUANT to Section 65 (6) of the Petroleum and Geothermal Energy Act 2000 (the Act) and Delegation dated 21 March 2012, notice is hereby given that an application for the grant of a Petroleum Production Licence over the area described below has been received from:

Beach Energy Limited  
Great Artesian Oil and Gas Pty Ltd

The application will be determined on or after 17 September 2015.

*Description of Application Area*

All that part of the State of South Australia, bounded as follows:

Commencing at a point being the intersection of latitude 27°45'00"S GDA94 and longitude 139°26'12"E GDA94, thence east to longitude 139°26'28"E GDA94, south to latitude 27°45'04"S GDA94, east to longitude 139°26'36"E GDA94, south to latitude 27°45'20"S GDA94, west to longitude 139°26'32"E GDA94, south to latitude 27°45'24"S GDA94, west to longitude 139°26'28"E GDA94, south to latitude 27°45'26"S GDA94, west to longitude 139°26'22"E GDA94, south to longitude 27°45'28"S GDA94, west to longitude 139°26'04"E GDA94, north to latitude 27°45'04"S GDA94, east to longitude 139°26'12"E GDA94 and north to the point of commencement.

Area: 0.65 km<sup>2</sup> approximately.

Dated 13 August 2015.

B. A. GOLDSTEIN,  
Executive Director  
Energy Resources Division  
Department of State Development,  
Delegate of the Minister for Mineral  
Resources and Energy

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Application for Grant of Petroleum Production Licence—PPL 262*

PURSUANT to Section 65 (6) of the Petroleum and Geothermal Energy Act 2000 (the Act) and Delegation dated 21 March 2012, notice is hereby given that an application for the grant of a Petroleum Production Licence over the area described below has been received from:

Beach Energy Limited  
Great Artesian Oil and Gas Pty Ltd

The application will be determined on or after 17 September 2015.

*Description of Application Area*

All that part of the State of South Australia, bounded as follows:

Commencing at a point being the intersection of latitude 27°36'22"S GDA94 and longitude 139°27'58"E GDA94, thence east to longitude 139°28'14"E GDA94, south to latitude 27°36'26"S GDA94, east to longitude 139°28'22"E GDA94, south to latitude 27°36'30"S GDA94, east to longitude 139°28'32"E GDA94, south to latitude 27°36'42"S GDA94, east to longitude 139°28'46"E GDA94, south to latitude 27°36'56"S GDA94, west to longitude 139°28'44"E GDA94, south to latitude 27°37'16"S GDA94, west to longitude 139°28'22"E GDA94, north to latitude 27°37'06"S GDA94, west to longitude 139°28'10"E GDA94, south to latitude 27°37'10"S GDA94, west to longitude 139°27'56"E GDA94, north to latitude 27°36'44"S GDA94, west to longitude 139°27'48"E GDA94, north to latitude 27°36'26"S GDA94, east to longitude 139°27'58"E GDA94 and north to the point of commencement.

Area: 1.86 km<sup>2</sup> approximately.

Dated 13 August 2015.

B. A. GOLDSTEIN,  
Executive Director  
Energy Resources Division  
Department of State Development,  
Delegate of the Minister for Mineral  
Resources and Energy

DETERMINATION AND REPORT OF THE  
REMUNERATION TRIBUNAL

No. 4 OF 2015

*Alternative Lease Vehicle for Judge Paul Rice*

1. The Remuneration Tribunal ('the Tribunal') has received a request from District Court Judge Paul Rice to obtain a vehicle not listed in the Schedule of Judicial Remuneration Vehicles attached to the current Determination of Conveyance Allowances for Judicial Officers (Determination No. 3 of 2015).

2. The request is made pursuant to Determination No. 3 of 2015 and on the basis of family circumstances.

3. The Tribunal has dealt with similar requests in the past.

4. Having considered the request, and having regard to Judge Rice's family circumstances, the Tribunal has no objection to the proposal. As the requested vehicle model is not listed in the Schedule of vehicles attached to Determination No. 3 of 2015, the Tribunal makes this specific determination to allow Judge Paul Rice to be supplied with a Holden Calais VF V Series Wagon (V8-6.0L) auto from Lease Plan (Fleet SA).

5. Judge Rice will be required to pay any difference between the amount determined from time to time by Fleet SA as the annual charge payable by Executives for a Holden Calais VF Sedan, less the sum of \$758, and the amount determined from time to time by Fleet SA as the annual charge payable for an Holden Calais VF V-Series Wagon (V8-6.0L) auto, less the sum of \$758.

6. All other conditions of Determination No. 3 of 2015, as amended from time to time, will apply.

*Date of Operation*

This determination will come into operation from 15 August 2015.

Dated 15 August 2015.

JOHN LEWIN, President  
NICOLA VINCENT, Member  
PETER ALEXANDER, Member

## SUMMARY OFFENCES ACT 1953

*Notice of an Event Declaration*

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

Event: Royal Adelaide Show 2015.  
Place: Public place known as the Adelaide Showgrounds.  
Date: 4-13 September 2015.  
Conditions: May be subject to conditions specified in the notice.

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

SUPERINTENDENT DUNSTAN, Delegate  
of the Commissioner

South Australia

## **Environment Protection (Water Quality Policy) Notice 2015**

under section 28 of the *Environment Protection Act 1993*

### **1—Short title**

This notice may be cited as the *Environment Protection (Water Quality Policy) Notice 2015*.

### **2—Declaration of environment protection policy**

- (1) The draft policy known as the *Environment Protection (Water Quality) Policy 2015* and referred to the Governor by the Minister under section 28 of the *Environment Protection Act 1993* is declared to be an authorised environment protection policy under that Act.
- (2) The policy will come into operation on 1 January 2016.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 20 August 2015

South Australia

## **Environment Protection (Water Quality) Policy 2015**

under the *Environment Protection Act 1993*

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## Part 1—Preliminary

### 1—Short title

This policy may be cited as the *Environment Protection (Water Quality) Policy 2015*.

### 2—Commencement

This policy will come into operation on a day to be fixed by the Governor by notice in the Gazette.

### 3—Interpretation

- (1) In this policy, unless the contrary intention appears—

*Act* means the *Environment Protection Act 1993*;

*antifoulant* means any chemical substance designed for application to water submerged surfaces to inhibit the growth of plants, animals or other organisms on those surfaces;

*ANZECC* means the Australian and New Zealand Environment and Conservation Council;

*aquaculture licence* has the same meaning as in the *Aquaculture Act 2001*;

*ARMCANZ* means the Agriculture and Resource Management Council of Australia and New Zealand;

*cavity in land* includes a bore, mine shaft, well, infiltration basin and other similar structure and a naturally occurring sinkhole;

*class 1 pollutant* means a pollutant listed in Schedule 2;

*class 2 pollutant* means a pollutant listed in Schedule 3;

*contaminated stormwater* means stormwater that is contaminated by a class 1 pollutant, a class 2 pollutant or any material that could be reasonably prevented from entering the pipes, gutters and other channels used to collect and convey the stormwater;

*Coorong* means the area of water separated from the Lower Murray, and from Lake Alexandrina, by the Goolwa, Mundoo, Boundary Creek, Ewe Island and Tauwitchere Barrages, and separated from the ocean by Sir Richard Peninsula and Youngusband Peninsula, and by the geodesic from the location on mean high water springs closest to the mouth of the River Murray on the northern side of the headland of Sir Richard Peninsula to the location on mean high water springs closest to the northern side of the headland of Youngusband Peninsula;

*discharge waste or a pollutant* includes deposit the waste or pollutant or dispose of the waste or pollutant;

*discharge waste or a pollutant into waters or onto land*—see subclause (2);

*environmental values of waters*—see clause 6;

*hazardous waste* means listed waste having a characteristic described in Schedule 2 of the *Environment Protection (Movement of Controlled Waste) Policy 2014*;

*human wastewater* means human waste either alone or in combination with water;

***inland waters*** means waters of the State other than marine waters;

***Lake Albert and Lake Alexandrina*** means the waters of Lake Albert and Lake Alexandrina downstream from a line joining the upstream sides of the landings used by the ferry at Wellington closest to 35°19'52.53" South, 139°23'04.30" East, and separated from the Coorong by land and by the Goolwa, Mundoo, Boundary Creek, Ewe Island and Tauwitchere Barrages and including those waters of the Finnis River and Currency Creek situated upstream from Lake Alexandrina to the southernmost side of the first road bridge by which they are each crossed;

***landfill depot*** means a depot, facility or works for the controlled disposal of waste to land;

***liquid waste*** means waste classified as liquid waste in accordance with the assessment process set out in the guideline *Liquid waste classification test*, re-issued by the Authority in September 2003;

***listed waste*** means a substance or thing listed in Schedule 1 Part B of the Act;

***mandatory provision***—see subclause (4);

***MAR scheme*** means a scheme in which water is injected or otherwise purposely transferred into an aquifer for the purpose of environmental benefit or storage and subsequent recovery;

**Note—**

MAR stands for Managed Aquifer Recharge.

***medical sharp*** means an object or device that has been discarded in the course of medical, dental or veterinary practice or research and has a sharp point, protuberance or cutting edge that is capable of causing a penetrating injury to humans, and includes (but is not limited to) a needle, hypodermic needle, syringe with needle or any other surgical instrument;

***medical waste*** means waste consisting of—

- (a) medical sharps; or
- (b) human tissue, bone, organ, body part or foetus; or
- (c) a vessel, bag or tube containing a liquid body substance; or
- (d) an animal carcass discarded in the course of veterinary or medical practice or research; or
- (e) a specimen or culture discarded in the course of medical, dental or veterinary practice or research and any material that has come into contact with such a specimen or culture; or
- (f) any other article or matter that is discarded in the course of medical, dental or veterinary practice or research and that poses a significant risk to the health of a person who comes into contact with it;

***public stormwater system*** means any equipment or infrastructure for collecting, treating or conveying stormwater for the purposes of stormwater management, or flood mitigation, conducted by a public authority, and includes catchment management equipment and infrastructure;

***salt interception scheme*** means a scheme conducted by a public authority involving pumping and drainage of underground waters for the purpose of intercepting and avoiding saline water flows into those waters;

***septic system*** means a system used on premises for the on-site collection, treatment and disposal of sewage generated at the premises, and includes a septic tank;

***sewerage infrastructure*** has the same meaning as in the *Water Industry Act 2012*;

***sinkhole*** means a surface depression caused by a collapse of soil or overlying formation above fractured or cavernous bedrock;

***stormwater*** means rain or melted precipitation that runs off land or structures on land;

***surface waters*** means waters other than underground waters;

***trigger value***—see clause 7;

***underground waters*** means waters occurring naturally under the ground or introduced to an aquifer or other area under the ground;

***vessel*** means a boat, yacht, ship or other vessel capable of floating and being used on water;

***vessel facility*** means a facility for the mooring, berthing, securing, storage, construction, repair or maintenance of a vessel and includes a marina, pontoon, jetty, wharf, boat ramp, slipway and boat yard;

***waste*** has the same meaning as in the Act;

***waste depot*** has the same meaning as in section 113 of the Act;

***waste management hierarchy***—see clause 4;

***wastewater*** means waste principally consisting of water and includes—

- (a) human wastewater;
- (b) sewage;
- (c) water containing food or beverage waste;
- (d) wash down water or cooling water;
- (e) irrigation runoff or contaminated stormwater;
- (f) water containing any other trade or industrial waste;
- (g) any other water that has been used in any form of human activity;
- (h) a combination of any 1 or more of the above;

***wastewater lagoon*** means—

- (a) a sedimentation or detention basin; or
- (b) an artificial wetland; or
- (c) a leachate pond (containing leachate from composting or landfill works); or
- (d) a tailings dam; or
- (e) any other dam, pond or lagoon constructed and used for the purpose of holding wastewater;

***wastewater management system*** means a system designed and operated for the purpose of collecting and managing wastewater so as to minimise any adverse impacts of the wastewater on the environment;

***watercourse*** means any of the following (whether or not temporarily wet or temporarily dry):

- (a) a river, creek or other natural watercourse (whether modified or not);
- (b) a lake, wetland, swamp, dam or reservoir or other body of water that collects water or through which water flows;
- (c) the Coorong;

- (d) an artificial channel;
- (e) a public stormwater disposal system,

and includes part of a watercourse;

**Water Quality Guidelines** means the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000* prepared by ANZECC and ARMCANZ, as in force at the commencement of this policy;

**waters** means waters to which this policy applies (see clause 8).

- (2) For the purposes of this policy, the following applies in relation to the meaning of **discharge waste or a pollutant into waters or onto land**:
  - (a) a person discharges waste or a pollutant into waters or onto land if the person causes or allows the waste or pollutant to be discharged into the waters or onto the land or fails to prevent it from entering the waters or escaping onto the land (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table);
  - (b) waste or a pollutant will be taken to have been discharged onto land if it is discharged into a quarry or a cavity in land;
  - (c) the discharge of waste or a pollutant into a watercourse that is temporarily dry will be regarded as the discharge of the waste or pollutant into waters.
- (3) For the purposes of the descriptions of waters in this policy, unless the contrary intention appears, all lines are geodesics based on the *Geocentric Datum of Australia 1994 (GDA94)* as defined in the Commonwealth of Australia Gazette GN35 of 6 September 1995 and all co-ordinates are expressed in terms of GDA94.
- (4) In this policy, the expression **mandatory provision** followed by a statement as to the category of offence is to be taken to signify that contravention of the provision at the foot of which the expression appears is, for the purposes of Part 5 of the Act, an offence of the category so stated.

**Note—**

Unless the contrary intention appears, terms used in this policy that are defined in the Act have the respective meanings assigned to those terms by the Act.

#### **4—Waste management hierarchy**

In this policy, a reference to the waste management hierarchy is a reference to an order of priority for the management of waste in which—

- (a) avoidance of the production of waste; and
- (b) minimisation of the production of waste; and
- (c) reuse of waste; and
- (d) recycling of waste; and
- (e) recovery of energy and other resources from waste; and
- (f) treatment of waste to reduce potentially degrading impacts; and
- (g) disposal of waste in an environmentally sound manner,

are pursued in order with, first, avoidance of the production of waste, and second, to the extent that avoidance is not reasonably practicable, minimisation of the production of waste, and third, to the extent that minimisation is not reasonably practicable, reuse of waste, and so on.

**Note—**

The waste management hierarchy is as established under the *Zero Waste SA Act 2004*.

**5—Environmental harm**

For the purposes of section 5(1)(b) of the Act, each of the following is declared to constitute environmental harm in relation to waters:

- (a) loss of seagrass or other native aquatic vegetation from the waters;
- (b) a reduction in numbers of any native species of aquatic animal or insect in or in the vicinity of the waters;
- (c) an increase in numbers of any non-native species of aquatic animal or insect in or in the vicinity of the waters;
- (d) a reduction in numbers of aquatic organisms necessary to maintain the health of the ecosystem of the waters;
- (e) an increase in algal or aquatic plant growth in the waters;
- (f) the waters becoming toxic to vegetation on land;
- (g) the waters becoming harmful or offensive to humans, livestock or native animals;
- (h) an increase in turbidity or sediment levels of the waters.

**6—Environmental values of waters**

- (1) For the purposes of this policy, waters may have 1 or more of the following environmental values:
  - (a) aquatic ecosystems;
  - (b) recreation and aesthetics;
  - (c) drinking water for human consumption;
  - (d) primary industries—irrigation and general water uses;
  - (e) primary industries—livestock drinking water;
  - (f) primary industries—aquaculture and human consumption of aquatic foods.
- (2) The environmental values of waters are set out in Schedule 1.

**7—Activation of trigger values**

For the purposes of this policy, a trigger value for waters is activated if—

- (a) in the case of waters with an environmental value of aquatic ecosystems—a trigger value for an indicator specified in Chapter 3 of the Water Quality Guidelines—
  - (i) has been reached or exceeded for a chemical substance or a characteristic;  
or
  - (ii) in the case of a minimum level specified for a characteristic, has not been reached,

in respect of the waters when assessed against Chapter 3 of the Water Quality Guidelines (and any other provisions of those guidelines that assist in the interpretation and construction of Chapter 3) on the basis of a 95% level of protection of species; or

- (b) in the case of waters with an environmental value of primary industries—irrigation and general water uses—a trigger value for an indicator specified in Chapter 4.2 of the Water Quality Guidelines—

- (i) has been reached or exceeded for a chemical substance or a characteristic;  
or
- (ii) in the case of a minimum level specified for a characteristic, has not been reached,

in respect of the waters when assessed against Chapter 4.2 of the Water Quality Guidelines (and any other provisions of those guidelines that assist in the interpretation and construction of Chapter 4.2), applying, if there are long term and short term trigger values for an indicator, the long term trigger value; or

- (c) in the case of waters with an environmental value of primary industries—livestock drinking water—a trigger value for an indicator specified in Chapter 4.3 of the Water Quality Guidelines—

- (i) has been reached or exceeded for a chemical substance or a characteristic;  
or
- (ii) in the case of a minimum level specified for a characteristic, has not been reached,

in respect of the waters when assessed against Chapter 4.3 of the Water Quality Guidelines (and any other provisions of those guidelines that assist in the interpretation and construction of Chapter 4.3); or

- (d) in the case of waters with an environmental value of primary industries—aquaculture and human consumption of aquatic foods—a guideline value for an indicator specified in Chapter 4.4 of the Water Quality Guidelines—

- (i) has been reached or exceeded for a chemical substance or a characteristic;  
or
- (ii) in the case of a minimum level specified for a characteristic, has not been reached,

in respect of the waters when assessed against Chapter 4.4 of the Water Quality Guidelines (and any other provisions of those guidelines that assist in the interpretation and construction of Chapter 4.4).

## **8—Application of policy**

- (1) This policy applies in relation to all surface and underground waters (whether or not on or below private land) including the water within a public stormwater system or an irrigation drainage channel, but excluding—
- (a) water within the pipes and closed tanks of a water reticulation system or salt interception scheme; and
  - (b) water within sewerage infrastructure or any other wastewater management system; and
  - (c) water within a closed tank constructed of or lined with material impervious to water; and
  - (d) water within a private or public swimming pool.

- (2) This policy does not apply in relation to the discharge of uncontaminated stormwater into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).
- (3) Except for clause 9(e) and (f) (and Schedule 4) and Part 2 Division 3, and subject to an environmental authorisation held by a public authority relating to a prescribed activity of environmental significance referred to in Schedule 1, Part A, clause 4(2) of the Act (Discharge of Stormwater to Underground Aquifers), this policy does not apply in relation to the ultimate discharge of stormwater from a public stormwater system by a public authority responsible for the system into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).
- (4) Nothing in this policy affects the operation of an authority or exemption given by or under any Act or law (other than the *Environment Protection Act 1993*) and in force immediately before the commencement of this policy.
- (5) If, immediately before the commencement of this policy, a prescribed activity of environmental significance was being lawfully undertaken by a person in a manner that would contravene a provision of this policy, that provision will not apply in relation to the activity so undertaken until the expiry of the second year of operation of this policy.
- (6) In this clause—  
*uncontaminated stormwater* means stormwater other than contaminated stormwater.

## Part 2—Water quality measures

### Note—

Compliance with the measures in Divisions 1 and 2 may be enforced by the issue of environment protection orders.

## Division 1—General environmental duty

### 9—General environmental duty (section 25 of Act)

The provisions that a person must comply with in taking all reasonable and practicable measures to prevent or minimise environmental harm resulting from undertaking an activity that pollutes or might pollute waters (in compliance with the general environmental duty) include, but are not limited to, the following:

- (a) the person must apply the waste management hierarchy;
- (b) in the case of waters with an environmental value of aquatic ecosystems or primary industries—the person must avoid activating a trigger value for the waters;
- (c) in the case of waters with an environmental value of recreation and aesthetics—the person must have regard to the *Guidelines for Managing Risks in Recreational Water 2008* prepared by the National Health and Medical Research Council as in force from time to time;
- (d) in the case of waters with an environmental value of drinking water for human consumption—the person must have regard to the *Australian Drinking Water Guidelines 2011* prepared by the National Health and Medical Research Council as in force from time to time;

- (e) if the codes, standards, guidelines or other document prescribed in Schedule 4 contemplate measures that are expressed as mandatory in relation to the activity—the person must comply with those measures;
- (f) if the codes, standards, guidelines or other document prescribed in Schedule 4 contemplate measures that are not expressed as mandatory but are expressed as recommendations in relation to the activity—the person must have regard to those measures.

## Division 2—Offences

### 10—Class 1 pollutants

- (1) A person must not discharge a class 1 pollutant into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (2) Nothing in subclause (1) prevents—
  - (a) the lawful use of a pesticide or herbicide that has been manufactured for use in relation to waters provided it is used at a rate, concentration or level not exceeding a maximum rate, concentration or level specified by the manufacturer or by law; or
  - (b) the use by the holder of an aquaculture licence of a substance designed for therapeutic or prophylactic use for aquatic organisms in accordance with the *Aquaculture Regulations 2005*.
- (3) Subclause (1) does not apply in relation to—
  - (a) the discharge of wastewater or liquid waste by the holder of an environmental authorisation in accordance with the authorisation; or
  - (b) the discharge of a class 1 pollutant to the extent that the pollutant may be lawfully discharged under a subsequent provision of this Division.

### 11—Class 2 pollutants

- (1) A person must not discharge a class 2 pollutant into any waters or a cavity in land.

Mandatory provision: Category B offence.

- (2) Subclause (1) does not apply in relation to—
  - (a) any prescribed activity of environmental significance carried on by the holder of an environmental authorisation in accordance with the authorisation; or
  - (b) the discharge into waters of faeces from aquatic organisms by the holder of an aquaculture licence acting in accordance with the licence; or
  - (c) the incidental discharge into waters of a class 2 pollutant in the course of environmental watering carried out under—
    - (i) the *Murray-Darling Basin Act 2008*; or
    - (ii) the *Natural Resources Management Act 2004*; or
    - (iii) the *River Murray Act 2003*; or
    - (iv) the *Water Act 2007* of the Commonwealth; or

- (d) the discharge of a class 2 pollutant to the extent that the pollutant may be lawfully discharged under a subsequent provision of this Division.
- (3) In this clause—
- environmental watering*, in relation to waters, means the use of water to replenish or sustain the ecological values of ecosystems within the waters.

## 12—Discharge limits for declared activities

A person must not, in the course of undertaking an activity declared by amendment of this policy under clause 22, discharge a pollutant listed in the declaration into waters (including a particular body of waters) described or delineated in the declaration, at a rate, concentration or level that exceeds the rate, concentration or level specified by the declaration in respect of that pollutant.

Mandatory provision: Category A offence.

## 13—Antifoulants

- (1) A person must not use an antifoulant that contains tributyltin.
- Mandatory provision: Category A offence.
- (2) A person must, in using an antifoulant, or removing an antifoulant from any surface, comply with the following provisions:
- (a) the cleaning of the hull of a vessel or the surface of any structure that has been coated with an antifoulant, or of any equipment contaminated with antifoulant, may only be carried out—
    - (i) in dry dock; or
    - (ii) above the high water mark of any waters; or
    - (iii) below the high water mark of any waters while the tide is out to such an extent that there is no tidal water coming into contact with the vessel, structure or equipment;
  - (b) antifoulant residues—
    - (i) must not enter any waters; and
    - (ii) must not come into contact with any land that is below the high water mark of any waters; and
    - (iii) must be collected and disposed of at a waste depot that is authorised under the Act to receive such waste.

Mandatory provision: Category B offence.

- (3) Nothing in subclause (2) prevents the use by the holder of an aquaculture licence of an antifoulant in accordance with the *Aquaculture Regulations 2005*.

## 14—Waste from extractive industries

- (1) An operator of an extractive industry must ensure that—
- (a) waste generated at the premises is not discharged into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table); and
  - (b) the premises incorporate a wastewater management system; and

- (c) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used for the works.

Mandatory provision: Category B offence.

- (2) An operator of an extractive industry must ensure that stormwater that has been contaminated by extracted material on the premises has had as much extracted material removed from it as is reasonably practicable before it is discharged into any waters.

Mandatory provision: Category B offence.

- (3) In this clause—

***extractive industry*** means works involving the extraction, or extraction and processing (by crushing, grinding, milling or separating into different sizes by sieving, air elutriation or in any other manner), of sand, gravel, stone, shell, shale, clay or soil, but excluding dredging or the removal of sand from a beach.

## 15—Waste from miscellaneous works

- (1) An operator of works to which this clause applies (see subclause (2)) must ensure that—

- (a) waste generated at the premises is not discharged into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table); and
- (b) the premises incorporate a wastewater management system; and
- (c) the system is effectively operating in respect of any wastewater generated at the premises while the premises are being used for the works.

Mandatory provision: Category B offence.

- (2) This clause applies to the following works:

- (a) an ***abattoir, slaughter house or poultry processing works***, being works for the slaughter of animals and the production of meat or meat products for human or animal consumption;
- (b) a ***cattle feedlot***, being a confined yard or area in which cattle are held and are fed principally by mechanical means or by hand;
- (c) ***composting works***, being works for the production of compost;
- (d) ***concrete batching works***, being works for the production of concrete or concrete products by the mixing of cement, sand, rock, aggregate or other similar materials;
- (e) ***fish processing works***, being works for scaling, gilling, gutting, filleting, freezing, chilling, packing or otherwise processing fish for sale, but excluding—
- (i) such works conducted on vessels; or
- (ii) the processing of fish in the course of a business of selling fish by retail;
- (f) a ***milking shed***, being a structure, whether roofed or not, at which operations for the milking of animals are carried on (including associated yard areas in which animals are confined prior to or following milking);
- (g) ***milk processing works***, being works for separating, evaporating or otherwise processing milk for the manufacture of evaporated or condensed milk, cheese, butter, ice cream or other similar dairy products;
- (h) a ***piggery***, being a confined or roofed structure for the keeping or husbandry of pigs;

- (i) a *saleyard*, being a commercial yard at which cattle, sheep or other animals are gathered or confined for the purposes of their sale, auction or exchange (including associated transport loading facilities);
- (j) a *tannery or fellmongery*, being works for the commercial preservation or treatment of animal skins or hides, but excluding—
  - (i) the processing of skins or hides by primary producers in the course of primary production activities outside township areas; or
  - (ii) the processing of skins or hides in the course of taxidermy;
- (k) a *winery or distillery*, being works for processing grapes or other produce to make wine or spirits, but excluding works for bottling only.

## 16—Waste from septic systems

- (1) A person who owns or occupies premises at which a septic system is installed must ensure that waste from the septic system is not discharged into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (2) Subclause (1) does not apply in relation to the discharge of waste from a septic system if the waste has been treated so as to ensure that the level or concentration of a pollutant or characteristic specified in column 1 of the following table in respect of the water does not exceed the level or concentration specified in column 2 for that pollutant or characteristic at the point at which the waste enters or is reasonably likely to enter the waters:

<b>Pollutant or characteristic</b>	<b>Level or concentration</b>
total nitrogen (as nitrogen)	5 mg/L
total phosphorus (as phosphorus)	0.5 mg/L
biochemical oxygen demand	10 mg/L

## 17—Waste from sewerage infrastructure

- (1) An operator of sewerage infrastructure must ensure that waste from the infrastructure is not discharged into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (2) Subclause (1) does not apply in relation to the discharge of waste from sewerage infrastructure—
- (a) by the holder of an environmental authorisation in accordance with the authorisation; or
  - (b) in accordance with an approval within the meaning of the *South Australian Public Health (Wastewater) Regulations 2013* relating to the infrastructure.
- (3) In this clause—  
*waste*, from sewerage infrastructure, includes wastewater generated by the infrastructure.

**18—Waste from vessels**

- (1) Subject to subclause (2), the owner, or the person in charge, of a vessel must ensure that, while the vessel is on inland or marine waters, waste (other than greywater) produced on or brought onto the vessel is stored on the vessel in a container from which it cannot escape.

Mandatory provision: Category B offence.

- (2) Wastewater may be discharged from a vessel as follows:

- (a) blackwater may be discharged into marine waters from a vessel, provided that—

(i) the vessel is not a prescribed vessel; and

(ii) the blackwater—

(A) has been macerated into a fine slurry; and

(B) does not contain formaldehyde-based chemical treatments; and

(C) is not discharged into—

- prescribed waters; or
- waters within a harbor, marina or canal; or
- waters within 3 nautical miles from any person in the waters or an aquaculture lease; and

(iii) in addition, in the case of untreated blackwater—

(A) it is not discharged into waters within 3 nautical miles from mean high water springs; and

(B) the vessel is underway when the blackwater is discharged;

- (b) commercial fishing wastewater may be discharged from a vessel into marine waters other than prescribed waters, provided that it is not discharged into—

(i) waters within a harbor, marina or canal; or

(ii) waters within 3 nautical miles from any person in the waters,

(unless the Authority is satisfied that, due to the fishing operation involved, it is not reasonably practicable to prevent such discharge, in which case the wastewater may be so discharged following the removal from it of as much blood and other organic fishing or fish processing waste as is reasonably practicable).

- (3) Subject to subclause (4), the owner, or the person in charge, of a vessel constructed after the commencement of this policy must ensure that, while the vessel is on inland or marine waters, greywater produced on or brought onto the vessel is stored on the vessel in a container from which it cannot escape.

Mandatory provision: Category B offence.

- (4) Greywater may be discharged from a vessel, provided that—

(a) the vessel is not permanently moored; and

(b) the greywater—

(i) does not contain formaldehyde-based chemical treatments or visible solids; and

(ii) is not discharged into—

(A) waters within a harbor, marina or canal; or

- (B) waters within 1 nautical mile from any person in the waters; or
  - (C) waters within 3 nautical miles from an aquaculture lease; and
- (iii) if untreated, is not discharged into—
  - (A) inland waters; or
  - (B) marine waters within 3 nautical miles from mean high water springs.
- (5) It will not be necessary in any proceedings for an offence against subclause (1) or (3) to prove that waste actually escaped from the container.
- (6) For the purposes of this clause, blackwater will be taken to be treated if each of the following specifications have been met in relation to the blackwater (other than by a process of dilution):
  - (a) the pH is between 6 and 8.5 (inclusive);
  - (b) the concentration of suspended solids is less than 35 mg/L;
  - (c) the level of biochemical oxygen demand is less than 25 mg/L;
  - (d) the level of chemical oxygen demand is less than 125 mg/L;
  - (e) the concentration of enterococci is less than 40 cells/0.1 L.
- (7) For the purposes of this clause, greywater will be taken to be treated if—
  - (a) each of the following specifications have been met in relation to the greywater (other than by a process of dilution):
    - (i) the concentration of suspended solids is less than 50 mg/L;
    - (ii) the concentration of grease is less than 25 mg/L;
    - (iii) the concentration of nitrogen is less than 10 mg/L;
    - (iv) the concentration of phosphorus is less than 1 mg/L;
    - (v) the concentration of enterococci is less than 40 cells/0.1 L; and
  - (b) the Authority is satisfied that the greywater has been subjected to a process (eg digestion, oxidation or some other process approved by the Authority) to reduce the level of biochemical oxygen demand.
- (8) In this clause, unless the contrary intention appears—

***aquaculture lease*** has the same meaning as in the *Aquaculture Act 2001*;

***blackwater*** means human wastewater or wastewater generated by flushing or cleaning a toilet, and includes treated blackwater;

***commercial fishing wastewater*** means wastewater produced in the course of commercial fishing or commercial fish processing, and includes deckhold water and water containing blood and other organic fishing or fish processing waste;

***greywater*** means wastewater generated by washing, laundering, bathing or showering and includes water containing food or beverage waste and treated greywater, but does not include blackwater;

***harbor*** has the same meaning as in the *Harbors and Navigation Act 1993*;

***marina*** means a boat basin for the mooring, berthing, securing or other storage of 2 or more vessels;

***Murray Mouth*** means the Coorong and coastal waters that are within 500 metres of a line joining the locations on mean high water springs closest to 35°33'18.69" South, 138°52'45.87" East (northern side of the headland of Sir Richard Peninsula) and 35°33'21.95" South, 138°52'53.34" East (northern side of the headland of Younghusband Peninsula);

***prescribed vessel*** means a vessel—

- (a) of or above 400 gross tonnage engaged in international shipping; or
- (b) authorised to carry more than 15 persons;

***prescribed waters*** means—

- (a) waters of the River Murray and its tributaries; or
- (b) waters of Lake George; or
- (c) waters of the Coorong above the Murray Mouth; or
- (d) waters of Lake Albert and Lake Alexandrina;

***treated blackwater***—see subclause (6);

***treated greywater***—see subclause (7);

***untreated blackwater*** means blackwater other than treated blackwater;

***untreated greywater*** means greywater other than treated greywater.

## **19—Waste from waste depots**

An operator of a waste depot must not discharge waste deposited or generated at the depot into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

## **20—Wastewater lagoons**

- (1) An operator of a wastewater lagoon must ensure that the contents of the lagoon do not overflow, or reach a level where it is reasonably likely that they will overflow, into any waters or onto land in a place from which they are reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table).

Mandatory provision: Category B offence.

- (2) Subclause (1) does not apply—
  - (a) to a wastewater lagoon that is used for the purposes of a public stormwater system; or
  - (b) to the extent that a degree of overflow has been contemplated in the design and normal course of operation of the lagoon.

## Division 3—Matters relating to Part 6 of Act

### 21—Matters relating to Part 6 of Act

In determining any matters under Part 6 of the Act in relation to an activity or development, the Authority must—

- (a) take into account whether the activity or development has resulted or may result in the pollution of any waters through the discharge of waste or a pollutant into waters or onto land; and
- (b) consider the requirements that should, in the event of an authorisation being granted, be imposed on all relevant persons for the purposes of preventing or minimising the pollution of the waters or its harmful effects; and
- (c) in imposing any such requirements, take into account (without limitation)—
  - (i) any code, standard, guidelines or other document referred to in this policy that applies to the activity or development or to the relevant waters; and
  - (ii) in addition, in the case of an exemption from a provision of this policy—whether the exemption should be subject to a condition—
    - (A) requiring a monitoring and reporting program to be carried out in relation to the activity; and
    - (B) if necessary, requiring the program to be independently checked and verified at regular intervals and the checked and verified results to be made available to the Authority.

## Part 3—Amendment of policy

### 22—Amendment of policy by Gazette notice under section 32 of Act

- (1) Pursuant to section 32(1)(c) of the Act, this policy may be amended by the Minister, by notice in the Gazette—
  - (a) as a consequence of an amendment to the Act, the making, variation or revocation of regulations under the Act or the making, amendment or revocation of another environment protection policy; or
  - (b) so as to—
    - (i) declare or modify, for the purposes of clause 12, an activity, waters or a pollutant or rate, concentration or level of a pollutant; or
    - (ii) modify Schedule 1, Schedule 2, Schedule 3 or Schedule 4; or
    - (iii) make amendments as a consequence of the amendment, revocation or substitution of an Act (other than the *Environment Protection Act 1993*), or a code, standard or guidelines (including the Water Quality Guidelines) or other document, referred to in this policy; or
    - (iv) make other amendments (including amendment of Part 1) as a consequence of an amendment referred to in a preceding subparagraph.
- (2) An amendment is to be in the form of a textual amendment and, as such, a provision may be deleted from, substituted in or inserted into the policy and material may be deleted from, substituted in or inserted into a provision of the policy.
- (3) The Authority cannot make a recommendation to the Minister for an amendment referred to in this clause unless—

- (a) the proposal has been reduced to writing, clearly setting out the purpose and likely impact of and reasons for the proposed amendment; and
- (b) in relation to an amendment under subclause (1)(b)—consultation has been undertaken as follows:
  - (i) relevant organisations and industries and the community likely to be affected by the proposed amendment have been consulted;
  - (ii) in addition, in respect of an amendment of Schedule 1 relating to environmental values of waters, the Minister responsible for the administration of the *Aboriginal Heritage Act 1988* has been consulted as to whether the waters have spiritual or cultural significance to a particular indigenous community;
  - (iii) the views expressed by those consulted have been considered by the Authority and communicated to the Minister.

## Schedule 1—Environmental values of waters (clause 6)

### 1—Interpretation

- (1) In this Schedule—

*background TDS level*—see subclause (2);

*Groundwater Data document* means the document titled *Groundwater Data* prepared by WaterConnect, as in force from time to time (see <http://www.waterconnect.sa.gov.au/Water-Resources/Groundwater/SitePages/Home.aspx>);

*TDS* means total dissolved solids.

- (2) For the purposes of this Schedule—a reference to the background TDS level of underground waters is—
- (a) in the case of underground waters in a well described in the Groundwater Data document—a reference to the background TDS level as indicated in that document for those waters; and
  - (b) in any other case—a reference to the background TDS level for the waters as measured by a method approved by the Authority.

### 2—Environmental values of waters—default values

Subject to clause 3, the following environmental values apply in relation to marine waters and inland surface waters.

Waters	Aquatic ecosystem	Recreation and aesthetics	Drinking water for human consumption	Primary industries—irrigation and general water uses	Primary industries—livestock drinking water	Primary industries—aquaculture and human consumption of aquatic foods
Marine waters	X	X				X
Inland surface waters	X	X		X	X	X

### 3—Environmental values of particular waters

The following environmental values apply in relation to the waters as specified:

Waters	Aquatic ecosystem	Recreation and aesthetics	Drinking water for human consumption	Primary industries — irrigation and general water uses	Primary industries — livestock drinking water	Primary industries — aquaculture and human consumption of aquatic foods
Lake Albert and Lake Alexandrina	X	X		X	X	X
Lake Bonney (South East) and tributaries	X	X				X
Public stormwater systems	X	X				
Surface waters in a water protection area (within the meaning of section 61 of the Act)	X	X	X	X	X	X
Underground waters as follows:						
(a) underground waters with a background TDS level of less than 1 200 mg/L			X	X	X	X
(b) underground waters with a background TDS level of 1 200 mg/L or more, but less than 3 000 mg/L				X	X	X
(c) underground waters with a background TDS level of 3 000 mg/L or more, but less than 13 000 mg/L					X	X

## Schedule 2—Class 1 pollutants

Agricultural chemicals

Asbestos

Biosolids and wastewater treatment sludge

Brick, bitumen or concrete cutting wastewater

Building washwater

Carpet or upholstery cleaning waste

Chemicals designed for human or animal therapeutic use

Chemicals listed in Schedule A of the *National strategy for the management of scheduled wastes 1992*, prepared by ANZECC, as in force from time to time

Cleaning agents

Concrete waste

Condensate from compressors

Construction and demolition waste (whether or not inert)

Detergents and their byproducts  
Domestic waste (being waste produced in the course of a domestic activity)  
Engine coolant  
Food or beverage waste  
Fuel dispensing area washwater  
Hard waste (for example, vehicles, tyres, batteries, metal parts, piping, electronic equipment and municipal solid waste)  
Hazardous waste  
Human waste  
High pressure water blasting waste  
Liquid waste  
Medical waste  
Motor vehicle servicing or repairs waste  
Oil, grease or lubricants  
Paint and paint scrapings  
Painting washwater  
Paint stripping waste  
Petroleum products  
Photographic chemicals  
Plaster, plaster waste and plaster wastewater  
Pool backwash water  
Pool chemicals  
Putrescible waste (for example, food scraps and dead animals that are putrid or likely to become putrid)  
Quarantine waste (waste that is subject to quarantine under the *Quarantine Act 1908* of the Commonwealth)  
Radioactive waste (being waste, the management or disposal of which is regulated under the *Radiation Protection and Control Act 1982* or a law of the Commonwealth)  
Roof cleaning waste  
Rubbish and litter (for example, bottles, cans, cartons, cigarette butts, food scraps, packaging and paper, glass or plastic items or materials)  
Sawdust  
Sewage  
Solvents  
Stain or varnish  
Steam cleaning waste  
Street cleaning waste  
Timber preservatives  
Trade waste  
Washdown water from cleaning animals or animal enclosures  
Washdown water from cleaning vehicles, plant or equipment  
Washdown water from commercial or industrial premises or wharves  
Waste from grease traps

### Schedule 3—Class 2 pollutants

Air conditioning or cooling system wastewater  
 Animal faeces  
 Fertilisers  
 Green waste (for example, lawn clippings, leaves and prunings)  
 Soil, clay, gravel or sand

### Schedule 4—Codes, standards, guidelines and other documents

Subject	Activity	Code, standard or guidelines
<b>Antifoulants</b>	Using antifoulant	<i>Anti-fouling and In-water Cleaning Guidelines June 2013</i> , published by the Australian Government Department of Agriculture, Fisheries and Forestry and Department of Sustainability, Environment, Water, Population and Communities, as in force from time to time
<b>Building or construction</b>	Undertaking a building or construction activity described in the <i>Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry 1999</i> prepared by the Authority	<i>Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry 1999</i> , prepared by the Authority
<b>Cattle feedlot</b>	Operating a cattle feedlot	<i>Guidelines for the Establishment and Operation of Cattle Feedlots in South Australia Second Edition February 2006</i> , prepared by the Authority, the Local Government Association of South Australia and Primary Industries and Resources SA, as in force from time to time
<b>Fire protection systems in buildings</b>	Undertaking the construction, maintenance or management of a fire protection system	<i>Guidelines for Fire Protection Services Pipework Systems—Wastewater Removal 2003</i> , prepared by the Authority
<b>MAR schemes</b>	Operating a MAR scheme	<i>Code of Practice for Aquifer Storage and Recovery 2004</i> , prepared by the Authority
<b>Milking sheds</b>	Operating a milking shed	<i>Code of Practice for Milking Shed Effluent 2003</i> , prepared by the Authority
<b>Piggery</b>	Operating a piggery	<i>Australian Pork Limited National Environmental Guidelines for Piggeries Second Edition 2010</i> , prepared by Australian Pork Limited
<b>Roads and public stormwater systems</b>	Undertaking by a public authority of— (a) the construction or maintenance of a public road; or (b) the management of a stormwater system or a part of such a system	<i>Stormwater Pollution Prevention Code of Practice for Local, State and Federal Government 1998</i> , prepared by the Authority
<b>Septic systems</b>	Using sludge collected from a septic system	<i>South Australian Biosolids Guidelines for the Safe Handling, Reuse or Disposal of Biosolids 1997</i> , prepared by the Authority

<b>Subject</b>	<b>Activity</b>	<b>Code, standard or guidelines</b>
<b>Sewerage infrastructure</b>	Operating sewerage infrastructure	<i>Code of Practice for Wastewater Overflow Management 2008</i> , prepared by the Authority
	Reusing, or supplying for reuse, sludge collected from sewerage infrastructure	<i>South Australian Biosolids Guidelines for the Safe Handling, Reuse or Disposal of Biosolids 1997</i> , prepared by the Authority
	Reusing, or supplying for reuse, wastewater collected from sewerage infrastructure	<i>Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) 2006</i> , prepared by Natural Resource Management Ministerial Council, Environment Protection and Heritage Council and the Australian Health Ministers Conference, as in force from time to time
		<i>Code of Practice for Wastewater Overflow Management 2008</i> , prepared by the Authority
<b>Vessels and vessel facilities</b>	Operating a vessel or vessel facility	<i>Code of Practice for vessel and facility management (marine and inland waters) 2008</i> , prepared by the Authority
<b>Vessels on inland waters</b>	Management (including disposal) of greywater produced on or brought onto vessel	Australian Standard 4995-2009 <i>Greywater treatment systems for vessels operated on inland waters</i> , as in force at the commencement of this policy
<b>Waste depot</b>	Operating a waste depot	<i>Environmental management of landfill facilities (municipal solid waste and commercial and industrial general waste) 2007</i> , prepared by the Authority
<b>Wastewater lagoons</b>	Operating, or undertaking the construction, maintenance or management, of a wastewater lagoon	<i>Wastewater Lagoon Construction 2014</i> , prepared by the Authority

## **Schedule 5—Revocation of *Environment Protection (Water Quality) Policy 2003***

The *Environment Protection (Water Quality) Policy 2003* is revoked.

South Australia

## **Holidays (Substitution of Appointed Day) Proclamation 2015**

under section 5 of the *Holidays Act 1910*

### **1—Short title**

This proclamation may be cited as the *Holidays (Substitution of Appointed Day) Proclamation 2015*.

### **2—Commencement**

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

### **3—Substitution of appointed day in 2017, 2018 and 2019**

- (1) Monday 13 March 2017 is declared to be a public holiday and bank holiday instead of the third Monday in May 2017.
- (2) Monday 12 March 2018 is declared to be a public holiday and bank holiday instead of the third Monday in May 2018.
- (3) Monday 11 March 2019 is declared to be a public holiday and bank holiday instead of the third Monday in May 2019.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 20 August 2015

MIR0041/15CS

South Australia

## **Oaths (Appointments) Proclamation 2015**

under section 33 of the *Oaths Act 1936*

### **1—Short title**

This proclamation may be cited as the *Oaths (Appointments) Proclamation 2015*.

### **2—Commencement**

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

### **3—Appointment of persons to take declarations and attest instruments**

The following police officers are appointed to take declarations and attest the execution of instruments:

- (a) Aidan Joseph ALLT
- (b) Monique Elizabeth ANDERSON
- (c) Scott Charles APPLEBEE
- (d) Kimberly Joy BAMBERY
- (e) Jason Craig BARRY
- (f) Gary John BATTY
- (g) Martin Robert BATTYE
- (h) George Angus BEATTY
- (i) Andrew David BISHOP-SPALDING
- (j) Julian Oliver BLACKWELL
- (k) Ryan Mark BOYLE
- (l) Tracey Louise BRADFIELD
- (m) Alan Robert BROWN
- (n) Matthew James BROWNE
- (o) Shona BRYCE
- (p) Christopher Paul BULLEN
- (q) Lisa Anne CAHILL
- (r) Christopher CANNING
- (s) Tammi Anne CLIFFORD
- (t) Anthony James CLIFT
- (u) Abbey Kate CONROY
- (v) John Luke CONSTANTINE
- (w) Charisse Jeannene COOPER
- (x) Cameron Lindsay CRICHTON

- (y) Sara Stevie CUSHNIE
- (z) Debra Jayne CZEGLIK
- (za) Stephen DANIELS
- (zb) Richard Michael DAVIS
- (zc) Christopher John DUNGEY
- (zd) Christine Leslie DUNN
- (ze) Christopher Michael DURRANT
- (zf) Bradley James EDWARDS
- (zg) Matthew Peter ELTON
- (zh) Eugene ENGELBRECHT
- (zi) Katie Jane EVANS
- (zj) Luke Edward FROST
- (zk) Joseph Andrew GALLINA
- (zl) Simone Louise GARDNER
- (zm) Beth GAULKE
- (zn) Brett Damien GIBBONS
- (zo) Melissa Jane GILCHRIST
- (zp) Michael James GLAISTER
- (zq) Jamie Thomas GROUTCH
- (zr) Thomas Stephen GUERIN
- (zs) Daniel Joseph HEIN
- (zt) Rebekah Jane HERDEN
- (zu) Mathew Sean HOGGETT
- (zv) Daryl Scott HOLLAND
- (zw) Amanda Marie HOOD
- (zx) Anthony Peter HORDACRE
- (zy) Gary Steven HOULTON
- (zz) Michael James HOUSTON
- (zza) Daniel Thomas ISAACSON
- (zzb) Kate Louise JOHN
- (zzc) Kimberley May JOLLY
- (zzd) Nathan Robert JONES
- (zze) Paul Benjamin JONES
- (zzf) Timothy John KASSEBAUM
- (zzg) Brett Andrew KINGSHOTT
- (zzh) Nina Jane KLEMM

- (zzi) James Rainer KORTE
- (zzj) Cade Robert LAWSON
- (zzk) Timothy LAWSON
- (zzl) Angela LEIGH
- (zzm) Tanya Marie LEONARD
- (zzn) David James LEYDEN
- (zzo) Summer Louise LOCHOWICZ
- (zzp) Daniel James LONG
- (zzq) Daniel O'Connell MANNERING
- (zzr) Jason Steven MARCHIORO
- (zzs) Victoria Anne MASELLI
- (zzt) Andrew John MCINERNEY
- (zzu) Kirsten Jane MCLOUGHLIN
- (zzv) Antonietta Albina MENEGHETTI
- (zzw) Kevin James MEYER
- (zzx) Richard Douglas MILES
- (zzy) Simon Glynn MILTON
- (zzz) Phillip Stephen MOSS
- (zzza) Robin Keven MROZOWSKI
- (zzzb) Daniel Das NAIR
- (zzzc) David Michael NOBLE
- (zzzd) Stuart Anthony NORMAN
- (zzze) Julia Joy O'CALLAGHAN
- (zzzf) Matthew John O'DONNELL
- (zzzg) Omomo Anne OMO-IREFO
- (zzzh) Trevor Ian ORCHARD
- (zzzi) Melissa Abby PERKINS
- (zzzj) Jarred Leigh PETHERS
- (zzzk) Daniel Michael POPLE
- (zzzl) Samuel James PRIEST
- (zzzm) Mark David RAWE
- (zzzn) Rebekah Anne REYNOLDS
- (zzzo) Stephanie Peta Earnshaw RICKARD
- (zzzp) Anika Esther ROE
- (zzzq) Steven Domenico SANGERMANO
- (zzzr) John Paul SCHODER

- (zzzs) Peta Jane SCHOLZ
- (zzzt) Briony Ann SCHRADER
- (zzzu) Paul Anthony SHACKLADY
- (zzzv) Trevor SHARPLES
- (zzzw) Trevor David SHENTON
- (zzzx) Tom James SHEPHARD
- (zzzy) Todd Owen SHEPPARD
- (zzzz) David Mark SHUTTLEWORTH
- (zzzza) Luke Edward SIBBONS
- (zzzzb) Peter John SIFKUS
- (zzzzc) James Thomas SIMPSON
- (zzzzd) Natasha Anne SMITH
- (zzzze) Sarah Jean TAGGART
- (zzzzf) John Craig TALIANGIS
- (zzzzg) Christine Rose THORNTON
- (zzzzh) Joanne Maree TRIPODI
- (zzzzi) Julie Louise TUPLIN
- (zzzzj) Damien Gabriel TURCI
- (zzzzk) Vanessa Kate WELFARE
- (zzzzl) Colin Douglas WHITE
- (zzzzm) Aaron Peter WILLIAMS
- (zzzzn) Gareth Andrew WILLIAMS
- (zzzzo) Matthew John WILLIAMS
- (zzzzp) Carly Rae WILLS
- (zzzzq) Rachel Ann WINDSOR
- (zzzzr) Gareth Evan WINSPER
- (zzzzs) Deborah Fay YOUNG

**Made by the Governor**

with the advice and consent of the Executive Council  
on 20 August 2015

JP15/020CS

South Australia

## Sexual Reassignment Regulations 2015

under the *Sexual Reassignment Act 1988*

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### Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Corresponding laws
- 5 Applications for recognition certificates
- 6 Registration of certificates
- 7 Registers and indexes
- 8 Regulation of access to reassignment records
- 9 Periodic returns

Schedule 1—Forms

Schedule 2—Revocation of *Sexual Reassignment Regulations 2000*

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### 1—Short title

These regulations may be cited as the *Sexual Reassignment Regulations 2015*.

### 2—Commencement

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

### 3—Interpretation

In these regulations, unless the contrary appears—

*Act* means the *Sexual Reassignment Act 1988*;

*Minister* means the Minister responsible for the administration of the *Health Care Act 2008*;

*psychiatrist* means a person registered under the *Health Practitioner Regulation*

*National Law* as a specialist in psychiatry;

*psychologist* means a person who is registered under the *Health Practitioner Regulation National Law* to practise in the psychology profession (other than a student);

*quarter* means a period of 3 months commencing on 1 January, 1 April, 1 July or 1 October in a year;

*register*—see regulation 7.

### 4—Corresponding laws

For the purposes of the Act, each of the following laws, as amended or substituted from time to time, is declared to be a corresponding law:

- (a) *Births, Deaths and Marriages Registration Act 1995* of New South Wales;

- (b) *Births, Deaths and Marriages Registration Act 1997* of the Australian Capital Territory;
- (c) *Births, Deaths and Marriages Registration Act 1996* of the Northern Territory;
- (d) *Births, Deaths and Marriages Registration Act 2003* of Queensland;
- (e) *Births, Deaths and Marriages Registration Act 1996* of Victoria;
- (f) *Births, Deaths and Marriages Registration Act 1999* of Tasmania;
- (g) *Gender Reassignment Act 2000* of Western Australia.

## **5—Applications for recognition certificates**

- (1) An application to a magistrate for the issue of a recognition certificate in respect of a person who has undergone a reassignment procedure must—
  - (a) be made in the form set out in Form 1 in Schedule 1; and
  - (b) be accompanied by—
    - (i) an affidavit, sworn by a medical practitioner, relating to the reassignment procedure that has been carried out and any associated treatment that has been provided to the person; and
    - (ii) if the application relates to an adult—an affidavit, sworn by a psychiatrist or psychologist, relating to the counselling that the person has received in relation to his or her sexual identity; and
    - (iii) a certified birth certificate; and
    - (iv) a fee of \$84.50.
- (2) A recognition certificate will be in the form set out in Form 2 in Schedule 1.

## **6—Registration of certificates**

For the purposes of section 9(3) of the Act, the prescribed fee is \$50.50.

## **7—Registers and indexes**

- (1) The Registrar must keep a register of reassignments of sex.
- (2) The Registrar must keep an index to the register that enables the Registrar to trace the connection between the entries that are made in the register and the entries that are made or altered in any other register or index under section 9(1)(b) of the Act.
- (3) Only a relevant person may—
  - (a) require that the register, or the index to the register, be searched; or
  - (b) obtain a copy of, or extract from—
    - (i) an entry in the register or the index to the register; or
    - (ii) an entry in any other register that identifies the person to whom the entry relates as a person whose sex has been reassigned.
- (4) If the Registrar issues a copy of, or extract from, an entry in a register or index that has been altered by the Registrar under section 9(1)(b) of the Act, the copy or extract must show the entry as altered.
- (5) However, the Registrar may issue a copy of, or extract from, an entry in a register or index that shows an alteration under section 9(1)(b) of the Act on the application of a person who is a relevant person in relation to that entry.

- (6) If the Registrar is satisfied that there is an error, omission or misstatement in an entry on the register, the Registrar may correct the entry and make such consequential alterations to any other registers or indexes as the Registrar thinks fit.
- (7) In this regulation—
- relevant person* means—
- (a) a person to whom an entry in a register relates; or
  - (b) if the person to whom an entry in a register relates is a child—the guardian of the child; or
  - (c) a person acting under the authority of an order of the Supreme Court.

### 8—Regulation of access to reassignment records

- (1) This regulation applies to the following records kept by a hospital or by a person who carries out, or proposes to carry out, a reassignment procedure or who provides, or proposes to provide, associated treatment:
- (a) records relating to the mental condition of a person who proposes to undergo, is undergoing or has undergone a reassignment procedure;
  - (b) records relating to the personal circumstances or lifestyle of such a person;
  - (c) records relating to the procedures or treatment that such a person is to undergo, is undergoing or has undergone.
- (2) A person must not inspect, copy or remove a record (or any part of a record) to which this regulation applies unless—
- (a) the person is the person to whom the record relates; or
  - (b) in the case of a record that relates to a child—the person is the guardian of the child; or
  - (c) the person is acting with the consent of the person to whom the record relates or, in the case of a record that relates to a child, the person is acting with the consent of the guardian of the child; or
  - (d) the person is a medical practitioner or other person who is treating the person to whom the record relates; or
  - (e) the person is acting under the authority of a medical practitioner who is treating the person to whom the record relates; or
  - (f) the person is acting in the course of official duties as an officer or member of the staff of the hospital or other place where the record is being kept; or
  - (g) the person is acting in the course of official duties as an officer or employee of the administrative unit of the Public Service that is, under a Minister, responsible for the administration of the *Health Care Act 2008*; or
  - (h) the person is acting under the authority of the Minister for research purposes; or
  - (i) the person is acting under the authority of the South Australian Health Practitioners Tribunal established under the *Health Practitioner Regulation National Law (South Australia) Act 2010*; or
  - (j) the person is acting in the course of official duties as a member of a law enforcement or prosecution authority of the State; or

- (k) the person is acting under an authority given by a court or tribunal constituted by law; or
- (l) the person is a magistrate authorised under the Act to issue recognition certificates, or is a person acting under the authority of such a magistrate; or
- (m) the person is otherwise authorised to inspect, copy or remove the record under any Act or law.

Maximum penalty: \$2 000.

## 9—Periodic returns

- (1) If a person undergoes a reassignment procedure, or part of a reassignment procedure, or receives any associated treatment at a hospital, the hospital must, within 1 month of the end of the quarter in which the procedure or treatment occurs, provide, in a confidential manner, the following information to the Minister in the form of a return approved by the Minister:
  - (a) the name of the person concerned;
  - (b) details of the procedure or treatment;
  - (c) the name of any medical practitioner or other person who carried out or supervised the procedure or treatment;
  - (d) details of any counselling or other services that were provided in association with the procedure or treatment;
  - (e) an assessment, as at the end of that quarter, of the stage that has been reached in the person's treatment;
  - (f) any other information required as a condition of approval under section 6 of the Act.
- (2) A person must not inspect, copy or remove a return (or a copy of a return) prepared for the purposes of subregulation (1) unless—
  - (a) the person is a medical practitioner or other person who is treating the person to whom the return relates; or
  - (b) the person is acting under the authority of a medical practitioner who is treating the person to whom the return relates; or
  - (c) the person is acting in the course of official duties as an officer or member of the staff of the particular hospital; or
  - (d) the person is acting in the course of official duties as an officer or employee of the administrative unit of the Public Service that is, under a Minister, responsible for the administration of the *Health Care Act 2008*; or
  - (e) the person is acting under the authority of the Minister.

Maximum penalty: \$2 000.

## Schedule 1—Forms

### Form 1

*Application for issue of recognition certificate under the Sexual Reassignment Act 1988*

Name of applicant:

Address of applicant:

If the application is being made on behalf of a child—Name of child:

Name and address of hospital or hospitals at which the relevant reassignment procedure(s) was/were carried out:

Place and date of birth of applicant or, if the application is being made on behalf of a child, of the child:

Date:

Signed:

Address to be used for the purposes of this application:

#### Note—

This application must be accompanied by—

- an affidavit, sworn by a medical practitioner, relating to the reassignment procedure that has been carried out and any associated treatment that has been provided to the person to whom the application relates; and
- if the application relates to an adult—an affidavit, sworn by a psychiatrist or psychologist, relating to the counselling that the person has received in relation to his or her sexual identity; and
- a certified birth certificate; and
- the fee prescribed under the *Sexual Reassignment Regulations 2015*.

### Form 2

*Recognition certificate under the Sexual Reassignment Act 1988*

Name of person to whom this certificate relates:

I find—

- that the person named above has undergone a reassignment procedure in South Australia

or

- that the birth of the person named above is registered in South Australia

(General Register of Births Book No    Page No    ).

I am satisfied that the person named above is entitled to a recognition certificate under the *Sexual Reassignment Act 1988*.

I CERTIFY that    is of the    sex.

DATED this    day of    20

*A Magistrate authorised to issue recognition certificates under the Sexual Reassignment Act 1988.*

## **Schedule 2—Revocation of *Sexual Reassignment Regulations 2000***

The *Sexual Reassignment Regulations 2000* are revoked.

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 20 August 2015

No 195 of 2015

AGO0067/15CS

South Australia

## **State Records Variation Regulations 2015**

under the *State Records Act 1997*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Variation provisions

#### **Part 2—Variation of *State Records Regulations 2013***

- 3 Variation of regulation 4—Exclusions from application of Act
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *State Records Variation Regulations 2015*.

#### **2—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 Records Regulations 2013***

#### **3—Variation of regulation 4—Exclusions from application of Act**

Regulation 4(2)—delete "Transmission Lessor Corporation"

#### **Made by the Governor**

with the advice and consent of the Executive Council  
on 20 August 2015

No 196 of 2015

AGO0064/15CS

South Australia

## **Subordinate Legislation (Postponement of Expiry) Regulations 2015**

under the *Subordinate Legislation Act 1978*

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### **Contents**

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Postponement of expiry for 1 year—Regulations made before 1 January 2005
- 5 Expiry of obsolete regulations

Schedule 1—Postponement of expiry

Schedule 2—Expiry of obsolete regulations

Schedule 3—Revocation of *Subordinate Legislation (Postponement of Expiry)  
Regulations 2014*

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#### **1—Short title**

These regulations may be cited as the *Subordinate Legislation (Postponement of Expiry)  
Regulations 2015*.

#### **2—Commencement**

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

#### **3—Interpretation**

In these regulations—

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

#### **4—Postponement of expiry for 1 year—Regulations made before 1 January 2005**

The expiry under Part 3A of the Act of the regulations listed in Schedule 1 is postponed for a period of 1 year commencing on 1 September 2015.

#### **5—Expiry of obsolete regulations**

The regulations listed in Schedule 2 will expire under the Act on 1 September 2015.

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

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

*Agricultural and Veterinary Products (Control of Use) Regulations 2004* made under the  
*Agricultural and Veterinary Products (Control of Use) Act 2002*

*Art Gallery Regulations 2002* made under the *Art Gallery Act 1939*

- Australian Crime Commission (South Australia) Regulations 2004* made under the *Australian Crime Commission (South Australia) Act 2004*
- Authorised Betting Operations Regulations 2001* made under the *Authorised Betting Operations Act 2000*
- Boxing and Martial Arts Regulations 2002* made under the *Boxing and Martial Arts Act 2000*
- Brands Regulations 2001* made under the *Brands Act 1933*
- Children's Services (Registered Children's Services Centres) Regulations 2003* made under the *Children's Services Act 1985*
- Construction Industry Long Service Leave Regulations 2003* made under the *Construction Industry Long Service Leave Act 1987*
- Controlled Substances (Pesticides) Regulations 2003* made under the *Controlled Substances Act 1984*
- Corporations (Ancillary Provisions) Regulations 2001* made under the *Corporations (Ancillary Provisions) Act 2001*
- Correctional Services Regulations 2001* made under the *Correctional Services Act 1982*
- Criminal Law Consolidation (Witness Payment) Regulations 2004* made under the *Criminal Law Consolidation Act 1935*
- Dangerous Substances Regulations 2002* made under the *Dangerous Substances Act 1979*
- District Court (Fees) Regulations 2004* made under the *District Court Act 1991*
- Electronic Transactions Regulations 2002* made under the *Electronic Transactions Act 2000*
- Essential Services Commission Regulations 2004* made under the *Essential Services Commission Act 2002*
- Explosives (Fireworks) Regulations 2001* made under the *Explosives Act 1936*
- Fees Regulation (Public Trustee Administration Fees) Regulations 2002* made under the *Fees Regulation Act 1927*
- Fences Regulations 2003* made under the *Fences Act 1975*
- Food Regulations 2002* made under the *Food Act 2001*
- Freedom of Information (Fees and Charges) Regulations 2003* made under the *Freedom of Information Act 1991*
- Freedom of Information (General) Regulations 2002* made under the *Freedom of Information Act 1991*
- Gene Technology Regulations 2002* made under the *Gene Technology Act 2001*
- Hairdressers Regulations 2003* made under the *Hairdressers Act 1988*
- Highways (Port River Expressway Project) Regulations 2004* made under the *Highways Act 1926*
- Hindmarsh Island Bridge (Application of Tripartite Deed—Exclusion of Allotments) Regulations 2002* made under the *Hindmarsh Island Bridge Act 1999*
- Housing Improvement (Section 60 statements) Regulations 2001* made under the *Housing Improvement Act 1940*
- Judges' Pensions Regulations 2003* made under the *Judges' Pensions Act 1971*
- Juries (Remuneration for Jury Service) Regulations 2002* made under the *Juries Act 1927*

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

*Legislation Revision and Publication Regulations 2002* made under the *Legislation Revision and Publication Act 2002*

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

*Listening and Surveillance Devices Regulations 2003* made under the *Listening and Surveillance Devices Act 1972*

*Long Service Leave Regulations 2002* made under the *Long Service Leave Act 1987*

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

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

*National Parks and Wildlife (Kangaroo Harvesting) Regulations 2003* made under the *National Parks and Wildlife Act 1972*

*National Parks and Wildlife (National Parks) Regulations 2001* made under the *National Parks and Wildlife Act 1972*

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

*National Parks and Wildlife (Wildlife) Regulations 2001* made under the *National Parks and Wildlife Act 1972*

*Native Title (South Australia) Regulations 2001* made under the *Native Title (South Australia) Act 1994*

*Native Vegetation Regulations 2003* made under the *Native Vegetation Act 1991*

*Offshore Minerals Regulations 2002* made under the *Offshore Minerals Act 2000*

*Parliamentary Superannuation Regulations 2003* made under the *Parliamentary Superannuation Act 1974*

*Police Superannuation Regulations 2002* made under the *Police Superannuation Act 1990*

*Primary Industry Funding Schemes (Adelaide Hills Wine Industry Fund) Regulations 2003* made under the *Primary Industry Funding Schemes Act 1998*

*Primary Industry Funding Schemes (Apiary Industry Fund) Regulations 2001* made under the *Primary Industry Funding Schemes Act 1998*

*Primary Industry Funding Schemes (Deer Industry Fund) Regulations 2002* made under the *Primary Industry Funding Schemes Act 1998*

*Primary Industry Funding Schemes (Langhorne Creek Wine Industry Fund) Regulations 2001* made under the *Primary Industry Funding Schemes Act 1998*

*Primary Industry Funding Schemes (McLaren Vale Wine Industry Fund) Regulations 2003* made under the *Primary Industry Funding Schemes Act 1998*

*Primary Industry Funding Schemes (Pig Industry Fund) Regulations 2001* made under the *Primary Industry Funding Schemes Act 1998*

*Primary Industry Funding Schemes (Riverland Wine Industry Fund) Regulations 2001* made under the *Primary Industry Funding Schemes Act 1998*

*Prohibition of Human Cloning for Reproduction Regulations 2003* made under the *Prohibition of Human Cloning for Reproduction Act 2003*

- Public Corporations (Adelaide Film Festival) Regulations 2002* made under the *Public Corporations Act 1993*
- Public Corporations (Australian Children's Performing Arts Company) Regulations 2001* made under the *Public Corporations Act 1993*
- Public Corporations (Bio Innovation SA) Regulations 2001* made under the *Public Corporations Act 1993*
- Public Corporations (Economic Development Board) Regulations 2002* made under the *Public Corporations Act 1993*
- Public Intoxication Regulations 2004* made under the *Public Intoxication Act 1984*
- Radiation Protection and Control (Transport of Radioactive Substances) Regulations 2003* made under the *Radiation Protection and Control Act 1982*
- Registration of Deeds (Fees) Regulations 2004* made under the *Registration of Deeds Act 1935*
- Research Involving Human Embryos Regulations 2003* made under the *Research Involving Human Embryos Act 2003*
- River Murray Regulations 2003* made under the *River Murray Act 2003*
- Shop Trading Hours Regulations 2003* made under the *Shop Trading Hours Act 1977*
- South Australian Local Government Grants Commission Regulations 2004* made under the *South Australian Local Government Grants Commission Act 1992*
- South Australian Museum Regulations 2004* made under the *South Australian Museum Act 1976*
- Strata Titles Regulations 2003* made under the *Strata Titles Act 1988*
- Strata Titles (Fees) Regulations 2001* made under the *Strata Titles Act 1988*
- Subordinate Legislation (General) Regulations 2002* made under the *Subordinate Legislation Act 1978*
- Summary Offences (General) Regulations 2001* made under the *Summary Offences Act 1953*
- Superannuation Regulations 2001* made under the *Superannuation Act 1988*
- Superannuation (Electricity Industry Pensioners) Regulations 2001* made under the *Superannuation Act 1988*
- Superannuation (Transfer of Electricity Industry Members) Regulations 2002* made under the *Superannuation Act 1988*
- Tobacco Products Regulations 2004* made under the *Tobacco Products Regulation Act 1997*
- Unauthorised Documents Regulations 2001* made under the *Unauthorised Documents Act 1916*
- Victims of Crime (Fund and Levy) Regulations 2003* made under the *Victims of Crime Act 2001*
- Victims of Crime (Statutory Compensation) Regulations 2004* made under the *Victims of Crime Act 2001*
- Volunteers Protection Regulations 2004* made under the *Volunteers Protection Act 2001*
- West Beach Recreation Reserve Regulations 2003* made under the *West Beach Recreation Reserve Act 1987*
- Wine Grapes Industry Regulations 2004* made under the *Wine Grapes Industry Act 1991*

## **Schedule 2—Expiry of obsolete regulations**

*Fees Regulation (Registered Agents—Industrial and Employee Relations Act) Regulations 2003* made under the *Fees Regulation Act 1927*

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

## **Schedule 3—Revocation of Subordinate Legislation (Postponement of Expiry) Regulations 2014**

*The Subordinate Legislation (Postponement of Expiry) Regulations 2014* are revoked.

### **Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 20 August 2015

No 197 of 2015

AGO0061/15CS

South Australia

## **Animal Welfare Variation Regulations 2015**

under the *Animal Welfare Act 1985*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Animal Welfare Regulations 2012***

- 4 Variation of regulation 9—Use of traps prohibited in certain circumstances
  - 5 Insertion of regulation 11A
    - 11A Exemption from section 16 of Act
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Animal Welfare Variation Regulations 2015*.

#### **2—Commencement**

These regulations will come into operation 4 months after 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 *Animal Welfare Regulations 2012***

#### **4—Variation of regulation 9—Use of traps prohibited in certain circumstances**

- (1) Regulation 9(1)—after "dog," insert:
  - a feral cat,
- (2) Regulation 9(2)(c)(iv)—delete "sufficient strychnine" and substitute:
  - an agricultural chemical product approved by the Minister sufficient to ensure a rapid death for any animal caught in the trap
- (3) Regulation 9—after subregulation (2) insert:
  - (2a) A person must not set a jawed leg hold trap for a feral cat unless—
    - (a) use of the trap is reasonably required for the purposes of—
      - (i) a threatened species recovery program, or a research program related to feral cat management, approved by an animal ethics committee; or

- (ii) a native fauna conservation program approved by the Minister; and
- (b) the trap is set on land that is not less than 1 kilometre from the nearest residential premises; and
- (c) the trap is monitored every day; and
- (d) any animal caught in the trap is treated and released, or killed, as soon as is reasonably practicable after being caught; and
- (e) the jaws of the trap—
  - (i) are not serrated; and
  - (ii) are offset so that there is a distance of at least 6 millimetres between the metal parts of the jaws when the jaws are closed; and
  - (iii) are padded with rubber pads.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) Regulation 9(3)(c)—delete "inspected" and substitute:  
monitored

## 5—Insertion of regulation 11A

After regulation 11 insert:

### 11A—Exemption from section 16 of Act

A person is exempt from the operation of section 16(1) of the Act in respect of an activity undertaken—

- (a) for, or on behalf of, a person who holds a licence under Part 4 of the Act; or
- (b) under the supervision of a person who holds a licence under Part 4 of the Act or an employee of such a person.

## Made by the Governor

with the advice and consent of the Executive Council  
on 20 August 2015

No 198 of 2015

15MSECCS022

South Australia

## **Bail Regulations 2015**

under the *Bail Act 1985*

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### **Contents**

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Forms
- 5 Dealing with surrendered items
- 6 Section 13 statement

Schedule 1—Forms

Schedule 2—Section 13 statement

Schedule 3—Transitional provision

- 1 Forms

Schedule 4—Revocation of *Bail Regulations 2000*

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### **1—Short title**

These regulations may be cited as the *Bail Regulations 2015*.

### **2—Commencement**

These regulations will come into operation on 1 September 2015.

### **3—Interpretation**

- (1) In these regulations, unless the contrary intention appears—  
*Act* means the *Bail Act 1985*.
- (2) In these regulations, a reference to a form of a particular number is a reference to the form of that number set out in Schedule 1.

### **4—Forms**

- (1) The forms set out in Schedule 1 are prescribed for the purposes of the Act.
- (2) Subject to these regulations, a form set out in Schedule 1 must—
  - (a) be used for the purposes specified in the Schedule; and
  - (b) contain the information required by, and be completed in accordance with, the instructions contained in the forms.
- (3) The following forms are not required to be used if the bail authority providing the written reasons is a judge of the Supreme Court or the District Court:
  - (a) Form 2 (*Written record of reasons for refusal of bail application*);

- (b) Form 10 (*Written record of reasons—section 11(1c)*);
  - (c) Form 11 (*Written record of reasons—section 11(2ad)*).
- (4) If an application for review of a decision of a bail authority is made to the Supreme Court, the application must be made in accordance with the rules of the Supreme Court, instead of using Form 6 (*Application for review of bail by magistrate*).

## 5—Dealing with surrendered items

- (1) For the purposes of section 11A(4) of the Act, the Commissioner of Police must deal with a surrendered item in accordance with this regulation.
- (2) A surrendered item that is a prohibited weapon (within the meaning of Part 3A of the *Summary Offences Act 1953*), or that is an item that cannot otherwise be lawfully possessed in this State, is, by force of this subregulation, forfeited to the Crown.
- (3) The Commissioner of Police must retain a surrendered item (other than a surrendered item forfeited under subregulation (2)) in a location determined by the Commissioner of Police until—
- (a) the surrendered item is forfeited to the Crown under the Act or any other Act; or
  - (b) the surrendered item is returned in accordance with this regulation to the person who surrendered it; or
  - (c) the surrendered item is seized or surrendered under the provisions of another Act, whichever occurs first.
- (4) If the condition imposed under section 11(1)(a) of the Act on the grant of bail of the person who surrendered the surrendered item is revoked, or the grant of bail is terminated, the person may notify the Commissioner of Police of that fact.
- (5) Subject to this regulation, if the Commissioner of Police—
- (a) is notified pursuant to subregulation (4); or
  - (b) otherwise becomes aware that the grant of bail of the person is no longer subject to the condition imposed under section 11(1)(a) of the Act, or the grant of bail is terminated,

the Commissioner of Police must cause the surrendered item to be returned to the person who surrendered the item.

- (6) If the Commissioner of Police is required to return a surrendered item under subregulation (5), the Commissioner of Police must give notice in writing to the person who surrendered the item setting out—
- (a) that the surrendered items specified in the notice are to be returned to the person; and
  - (b) the location at which the surrendered items may be collected; and
  - (c) that the surrendered items must be collected from the specified location within 3 months of the date specified in the notice (or such longer time as may be specified by the Commissioner of Police); and
  - (d) that the surrendered items will only be returned if the person holds any necessary authorisation under the *Firearms Act 1977* or any other Act to possess the surrendered item; and
  - (e) the effect of subregulations (7) and (8).

- (7) However, the Commissioner of Police may refuse to return a surrendered item to a person if—
- (a) the person is on conditional release that is subject to a condition prohibiting the person from possessing a firearm, ammunition or part of a firearm; or
  - (b) the person does not hold any necessary authorisation under the *Firearms Act 1977* or any other Act to possess the surrendered item, or is otherwise prohibited from possessing the surrendered item,

and, if the Commissioner of Police does so refuse, he or she must give notice in writing to the person who surrendered the surrendered item setting out—

- (c) the reasons for the refusal; and
  - (d) in the case of a refusal contemplated by subregulation (7)(a)—the effect of subregulation (9).
- (8) If—
- (a) a surrendered item is not collected within the period specified in subregulation (6)(c); or
  - (b) the person does not, at the end of the period specified in subregulation (6)(c), hold the necessary authorisation under the *Firearms Act 1977* or any other Act to possess the surrendered item, or is otherwise prohibited from possessing the surrendered item,

the surrendered item is, by force of this subregulation, forfeited to the Crown.

- (9) If the Commissioner of Police refuses to return a surrendered item to a person pursuant to subregulation (7)(a)—
- (a) the surrendered item will be taken to have been surrendered pursuant to a direction under the provision of the Act under which the conditional release was granted (corresponding to section 11A(1) of the Act); and
  - (b) the surrendered item must be dealt with in accordance with that Act.
- (10) The Commissioner of Police may recover from the person who surrendered the surrendered item the reasonable costs incurred in connection with the storage of the surrendered item.
- (11) This regulation is in addition to, and does not derogate from, the operation of any other Act or law.
- (12) No compensation is payable by the Crown in respect of the forfeiture of a surrendered item under this regulation.
- (13) A notice required to be given to a person under this regulation may—
- (a) be given to the person personally; or
  - (b) be posted in an envelope addressed to the person—
    - (i) at the person's last known address; or
    - (ii) at the person's address for service; or
  - (c) be left for the person at the person's last known address or address for service with someone apparently over the age of 16 years; or
  - (d) be given by means of email, text message or other electronic form of communication.

(14) In this regulation—

***conditional release*** means—

- (a) release on bail under the Act; or
- (b) a bond under the *Criminal Law (Sentencing) Act 1988* or the *Criminal Law Consolidation Act 1935*; or
- (c) release from prison on home detention or parole, under the *Correctional Services Act 1982*; or
- (d) release on licence under the *Criminal Law (Sentencing) Act 1988* or the *Criminal Law Consolidation Act 1935*; or
- (e) release on licence, or conditional release from detention, under the *Young Offenders Act 1993*;

***surrendered item*** means a firearm, ammunition or any part of a firearm surrendered pursuant to a direction under section 11A(1) of the Act.

## 6—Section 13 statement

- (1) For the purposes of section 13(1)(b)(i) of the Act, a written statement explaining how, and to what authorities, an application for release on bail may be made under the Act must be in the form set out in Schedule 2.
- (2) If it appears that the native language of an applicant for bail is a language other than English, the written statement may be in the form of a translation into that other language of that form.

## Schedule 1—Forms

Form 1	Application for release on bail
Form 2	Written record of reasons for refusal of bail application
Form 3	Grant of bail
Form 4	Bail agreement
Form 5	Guarantee of bail
Form 6	Application for review of bail by magistrate
Form 7	Application to vary conditions of bail agreement Application to revoke bail agreement
Form 8	Application to vary terms of guarantee of bail Application to revoke guarantee of bail
Form 9	Notice of withdrawal of application for review of decision of bail authority
Form 10	Written record of reasons—section 11(1c)
Form 11	Written record of reasons—section 11(2ad)
Form 12	Direction to surrender firearms and ammunition

**Form 1—Application for release on bail***Bail Act 1985*

(section 8(1))

**Application for release on bail**I, *[Insert full name]* (the applicant) apply for bail.

Date of birth of applicant:

Signature of Applicant:

Date of application:

Time of application:

**Additional information if application made to a court**

Court applied to (if known):

Location of court (if known):

Court file number (if known):

Police file number (if known):

Offences in respect of which bail is applied for (if known):

Representation at hearing: YES/NO (provide details if YES):

**Decision of bail authority (other than court)***Tick appropriate box* Bail refused (The bail authority must make a written record of the reasons for its decision) Bail granted (Form 4 *Bail Agreement* must be completed)

Bail Authority:

- If the bail authority is a police officer—the police officer's surname, rank and police identification number:
- If the bail authority is not a police officer—the full name of the bail authority:

Bail authority's signature:

Date:

Time:

**Form 2—Written record of reasons for refusal of bail application***Bail Act 1985*

(section 12)

Bail applicant (insert full name):

- 1 In refusing bail, the following offences were taken into consideration:
- 2 It is likely that the applicant would abscond if released on bail for the following reasons (provide relevant details):

- (a) history of prior breaches of bail:
  - (b) lack of fixed address:
  - (c) lack of social or other ties:
  - (d) any other reason:
- 3 It is likely that the applicant would offend again if released on bail for the following reasons (provide relevant details):
  - (a) prior offences:
  - (b) other reasons that make the applicant likely to re-offend:
- 4 There is a presumption against bail under section 10A of the *Bail Act 1985* in relation to which the applicant has not established—
  - (a) the existence of special circumstances justifying his or her release on bail (provide relevant details); or
  - (b) in the case of a serious and organised crime suspect—a lack of prior conviction for a serious and organised crime offence (including such an offence in another jurisdiction) (provide relevant details):
- 5 Other reasons for refusing bail are (eg: interference with evidence or witnesses, hindering police enquiries etc):

**Bail Authority:**

- If the bail authority is a police officer—the police officer's surname, rank and police identification number:
- If the bail authority is not a police officer—the full name of the bail authority:

**Bail authority's signature:**

Date:

Time:

**Note—**

The Applicant must be given a copy of this form

**Acknowledgment of receipt**

I acknowledge that I have been provided with a copy of the reasons for the refusal of my application to be released on bail.

Applicant's signature:

Date:

Time:

**Form 3—Grant of bail***Bail Act 1985*

[Insert full name] (the *person*) has been granted bail subject to the conditions listed below and stipulated in the bail agreement (see Form 4).

**Conditions**

(strike out conditions that do not apply)

- The person will reside at *[insert address]*.
- The person will reside at *[insert address]* and will, subject to section 11(2)(a)(ia) of the *Bail Act 1985*<sup>1</sup>, remain at that place of residence while on bail.
- The person will not make contact with *[specify]*:
- The person will place himself/herself\* under the supervision of a community corrections officer and obey the lawful directions of the officer.
- The person will report to the police at *[specify location of police station]* between the hours of *[insert time]* each day/\**[specify day of week]* commencing on *[insert date]*.
- The person will surrender any passport that he/she\* may possess.
- The person will not possess a firearm, ammunition or any part of a firearm.<sup>2</sup>
- The person will submit to testing for gunshot residue (including testing without notice) *[specify details if any]*:<sup>2</sup>
- The person agrees to forfeit to the Crown the sum of \$*[insert amount]* if the person fails to comply with a term or condition of the bail agreement.
- The person obtains *[specify how many required]* guarantees in the sum of \$*[insert amount]* each *[see over for details of each guarantor]*.
- Other condition(s):
- Other conditions required if the person is determined to be a serious and organised crime suspect<sup>3</sup>—
  - (a) the person will reside at *[insert address]* and will, subject to the *Bail Act 1985*, remain at that place of residence while on bail.
  - (b) the person will be fitted with a device of a kind approved by the Chief Executive Officer for the purpose of monitoring compliance with the condition referred to in paragraph (a) and to comply with all reasonable directions of the Chief Executive Officer in relation to the device.
  - (c) the persons will not communicate with any person other than *[specify persons or a class of persons]*.
  - (d) the person will possess, or use, only the following telephone, mobile phone, computer or other telecommunication device: *[insert details]*
- Other conditions required if the person is charged with a class 1 or class 2 offence (within the meaning of the *Child Sex Offenders Registration Act 2006*)<sup>4</sup>—
  - (a) the person will not engage in child-related work; and
  - (b) the person will not apply for child-related work.

\*Strike out whichever does not apply.

Bail Authority:

- If the bail authority is a police officer—the police officer's surname, rank and police identification number:
- If the bail authority is not a police officer—the full name of the bail authority:

Signature of bail authority:

Date:

Time:

**Note—**

- 1 Section 11(2)(a)(ia) of the Act provides that a condition that may be imposed in relation to the grant of bail is that the applicant agrees to reside at a specified address and to remain there while on bail, not leaving it except for remunerated employment, necessary medical or dental treatment, averting or minimising a serious risk of death or injury (whether to the applicant or some other person) or any other purpose approved by an appropriate departmental officer (see alternative condition for serious and organised crime suspects in Note 3).
- 2 Section 11(1a) of the Act provides that a bail authority may only vary or revoke the conditions of a grant of bail under section 11(1) if the bail authority is satisfied that—
  - there are cogent reasons for doing so; and
  - the possession of a firearm, ammunition or part of a firearm by the person to whom the bail agreement relates does not represent an undue risk to the safety of the public.

If a bail authority varies or revokes a condition imposed by section 11(1), the bail authority must make a written record of the reasons for its decision.

- 3 Section 11(2aa) of the Act provides that, if the person is determined to be a serious and organised crime suspect under section 3A of the Act, the following conditions must be imposed in relation to the grant of bail—
  - (a) that the person agrees to reside at a specified address and to remain there while on bail, not leaving it except for necessary medical or dental treatment, averting or minimising a serious risk of death or injury (whether to the person or some other person) or any other purpose approved by an appropriate departmental officer. The person must also agree to be fitted with a device of a kind approved by the Chief Executive Officer for the purpose of monitoring compliance with this residence condition; and
  - (b) that the person agree to not communicate with any person other than specified persons, or persons of a specified class or of a class prescribed by regulation; and
  - (c) that the person agree to use for communication purposes, or be in possession of, only such telephones, mobile phones, computers or other communication devices as may be specified.
- 4 Section 11(2ab) provides for these conditions to be imposed if the person is a class 1 or class 2 offence suspect (within the meaning of the *Child Sex Offenders Registration Act 2006*). A bail authority may only vary or revoke these conditions if satisfied that there are cogent reasons for doing so and the person engaging in child-related work will not pose a risk to the safety and well-being of children.

If a bail authority varies or revokes a condition imposed by section 11(2ab), the bail authority must make a written record of the reasons for its decision.

**Details of guarantor(s)**

Name in full:

Address:

**Form 4—Bail agreement**

*Bail Act 1985*

(section 6(2))

**Part A**

I, *[insert full name]* of *[insert address]* being charged with/convicted of/\* the following offences *[insert offences]*:

Agree to be present at *[insert name of court]* at *[insert time]* on *[insert date]*, or at any other time when called on and, subject to any direction in this agreement to the contrary, to be present throughout all proceedings relating to this matter until the matter is disposed of.

**Directions as to attendance at proceedings [insert]**

I agree to comply with all of the conditions of bail listed in this agreement.

I understand that if I do not appear when required, or if I fail to comply with a condition of bail—

- I may be arrested with or without a warrant; and
- I may have to pay any money that I have agreed to pay to the Crown if I breach this agreement; and
- I may be convicted of an offence against the *Bail Act 1985* and liable to a maximum penalty of a fine of \$10 000 or 2 years imprisonment.

**Conditions of bail<sup>1</sup>**

(*strike out conditions that do not apply*)

1 I agree that I will not leave the State for any reason except as allowed under the *Bail Act 1985*<sup>2</sup>.

2 I agree that—

- (a) I will reside at [insert address].
- (b) I will reside at [insert address] and will, subject to the *Bail Act 1985*<sup>3</sup>, remain at that place of residence while on bail.
- (c) I will not make contact with [insert name].
- (d) I will place myself under the supervision of a community corrections officer and obey the lawful directions of the officer.
- (e) I will report to the police at [insert address] between the hours of [insert time] and [insert time] each day/\*[specify day of week] commencing on [insert date].
- (f) I will surrender any passport that I possess.
- (g) I will not possess a firearm, ammunition or any part of a firearm.<sup>4 6</sup>
- (h) I will submit to tests (including testing without notice) for gunshot residue [specify details as required].<sup>5 6</sup>
- (i) I will forfeit to the Crown the sum of \$[insert amount] if I fail to comply with a term or condition of this bail agreement.
- (j) I will obtain [insert number of guarantees required by bail authority] guarantees in the sum of \$[insert amount] each.
- (k) Other condition(s):

(3) Additional conditions required if the person is determined to be a serious and organised crime suspect<sup>7</sup>—I agree that—

- (a) I will reside at [insert address] and will, subject to the *Bail Act 1985*, remain at that place of residence while on bail.
- (b) I agree to be fitted with a device of a kind approved by the Chief Executive Officer for the purpose of monitoring compliance with the condition referred to in paragraph (a) and to comply with all reasonable directions of the Chief Executive Officer in relation to the device.
- (c) I agree to not communicate with any person other than [specify persons or a class of persons].

- (d) I agree to possess, or use, only the following telephone, mobile phone, computer or other telecommunication device: *[insert details]*.
- (4) Additional conditions required if the person is charged with a class 1 or class 2 offence (within the meaning of the *Child Sex Offenders Registration Act 2006*)—I agree that<sup>8</sup>—
- (a) I will not engage in child-related work; and
- (b) I will not apply for child-related work.

Signature of person entering agreement:

Date:

Time:

Witnessed by authorised person<sup>9</sup>:

Signed:

Title, rank or other authorisation:

Date:

Time:

*\*Strike out whichever does not apply.*

**Notes—**

- 1 If condition 2(b), 2(d) or 2(e) applies to this agreement, a copy of the agreement must be sent to the government department of which the community corrections officer is an officer or employee, or the police station (as the case requires).
- 2 Section 11(6) of the Act provides that it is a condition of every bail agreement that the person released under the agreement will not leave the State for any reason—
  - if the person is under the supervision of an officer of a government department—without the permission of the Chief Executive Officer of the department;
  - in any other case—without the permission of a judge or magistrate, or police officer who is of or above the rank of sergeant or the responsible officer for a police station.
- 3 Section 11(2)(a)(ia) of the Act provides that one of the conditions that may be imposed in relation to the grant of bail is that the person agrees to reside at a specified address and to remain there while on bail, not leaving it except for remunerated employment, necessary medical or dental treatment, averting or minimising a serious risk of death or injury (whether to the person or some other person) or any other purpose approved by an appropriate departmental officer. This condition may not be imposed in relation to a person determined to be a serious and organised crime suspect under section 3A of the Act (see Note 7).
- 4 Section 11(1)(a) of the Act provides that it is a condition of every grant of bail that an applicant is prohibited from possessing a firearm, ammunition or any part of a firearm.
- 5 Section 11(1)(b) of the Act provides that it is a condition of every grant of bail that the applicant submit to such tests (including testing without notice) for gunshot residue as may be reasonably required by the bail authority, or a person or class of persons or body specified by the bail authority.
- 6 Section 11(1a) of the Act provides that a bail authority may only vary or revoke the conditions of a grant of bail under section 11(1) if the bail authority is satisfied that—
  - there are cogent reasons for doing so; and
  - the possession of a firearm, ammunition or part of a firearm by the person to whom the bail agreement relates does not represent an undue risk to the safety of the public.

If a bail authority varies or revokes a condition imposed by section 11(1), the bail authority must make a written record of the reasons for its decision.

- 7 Under section 11(2aa) of the Act, if the person is determined to be a serious and organised crime suspect under section 3A of the Act, conditions that must be imposed in relation to the grant of bail are—
- (a) that the person agrees to reside at a specified address and to remain there while on bail, not leaving it except for necessary medical or dental treatment, averting or minimising a serious risk of death or injury (whether to the person or some other person) or any other purpose approved by an appropriate departmental officer. The person must also agree to be fitted with a device of a kind approved by the Chief Executive Officer for the purpose of monitoring compliance with this residence condition; and
  - (b) that the person agree to not communicate with any person other than specified persons, or persons of a specified class or of a class prescribed by regulation; and
  - (c) that the person agree to use for communication purposes, or be in possession of, only such telephones, mobile phones, computers or other communication devices as may be specified.
- 8 Section 11(2ab) requires these conditions to be imposed if the person is a class 1 or class 2 offence suspect (within the meaning of the *Child Sex Offenders Registration Act 2006*). A bail authority may only vary or revoke these conditions if satisfied that there are cogent reasons for doing so and the person engaging in child-related work will not pose a risk to the safety and well-being of children.
- If a bail authority varies or revokes a condition imposed by section 11(2ab), the bail authority must make a written record of the reasons for its decision.
- 9 The authorised person may be the bail authority, a person or person of a class specified by the bail authority, a justice, a police officer who is of or above the rank of sergeant or the responsible officer for a police station or, if the person is in prison, the person in charge of the prison.

## Part B: To be completed by bail authority if a condition of bail is altered

Date:

Bail Authority:

- If the bail authority is a police officer—the police officer's surname, rank and police identification number:
- If the bail authority is not a police officer—the full name of the bail authority:

Details of new condition:

Signature of bail authority:

Signature of person granted bail:

Signature of guarantor:

## Form 5—Guarantee of bail

*Bail Act 1985*

(section 7(2))

### Guarantee of bail

I, *[insert full name]*, of *[insert address]* guarantee that *[insert name of person to be released on bail]* (**the person**) will comply with—

- \* all of the terms and conditions of the person's bail agreement; OR
- \* those terms and conditions of the person's bail agreement specified in this guarantee (*see below*).

*\* Strike out whichever does not apply.*

I undertake that, if the person fails to comply with a term or condition of the bail agreement to which this guarantee relates, I will forfeit to the Crown the sum of \$[insert amount].

I declare—

- (a) that I know [insert name of the person]; and
- (b) that I am of or above the age of 18 years; and
- (c) that I have been given a copy of the bail agreement in relation to which this guarantee is given; and
- (d) that I will ensure that the person to be released on bail will comply with the terms and conditions of the person's bail agreement in relation to which this guarantee is given.

I understand—

- (a) that if I know, or have reasonable grounds to suspect, that the person has failed to comply with a term or condition of the bail agreement in relation to which this guarantee is given, I am required to take reasonable steps to inform a police officer that the failure has, or may have, occurred and, if I fail to do so, then, in addition to the amount I have undertaken to forfeit to the Crown, I may also be liable to a fine of up to \$1 250; and
- (b) that this guarantee is in force for so long as the person is on bail, subject to the terms of this guarantee being varied or the guarantee being revoked.

Terms and conditions of bail agreement specified for the purposes of this guarantee:

Guarantor's signature:

Date:

Time:

Signature of authorised person<sup>1</sup> witness:

Title, rank or other authorisation of witness:

Date:

Time:

- 1 The authorised person who witnesses the guarantor's signature may be the bail authority, a person or person of a class specified by the bail authority, a justice, a police officer who is of or above the rank of sergeant or the responsible officer for a police station or, if the person is in prison, the person in charge of the prison.

## **Form 6—Application for review of bail by magistrate**

*Bail Act 1985*

(sections 14(2)(b) and 15)

**Note—**

If the Supreme Court is to review the decision of the bail authority, the appropriate application form under the rules of the Supreme Court must be completed and not this form.

### **Part A—Application**

[Insert full name of person applying for release on bail] of [insert address] is charged with/has been convicted of\* [insert offence(s)].

I, *[insert name of applicant]* of *[insert address]* apply to *[insert name of court]* at *[insert location]* to review a decision of a bail authority, namely *[insert name of bail authority and brief description of decision]* made at *[insert location where decision being reviewed was made]* on *[insert date of decision being reviewed]*.

Applicant's signature:

Date:

*\*Strike out whichever does not apply.*

### **Part B—Review of bail by magistrate by telephone under section 15**

Name of magistrate contacted:

Date contact made:

Time of contact:

Result of review: Refused/Granted\* (*\*strike out whichever does not apply*)

Signature of police officer or justice who contacted the magistrate:

**Note—**

Strike out Part B if the review of bail is to be heard in court.

### **Part C—Notice of court hearing of review of bail**

To—

- \* The person applying for release on bail
- \* The police prosecutor at *[insert location of court at which review of bail will be heard]*
- \* The Director of Public Prosecutions
- \* The guarantor of bail

*\*Strike out whichever does not apply.*

The application for review of a bail authority, the details of which are set out in Part A, has been listed for hearing at the Magistrates Court/Youth Court\* sitting at *[insert location of court]* on *[insert day and date]* at *[insert time]*.

*\*Strike out whichever does not apply.*

All parties to the application must attend the hearing.

Court officer's signature:

Date:

**Note—**

Strike out Part C if the review of bail is to be heard by telephone.

### **Form 7—Application to vary conditions of bail agreement or to revoke bail agreement**

*Bail Act 1985*

(section 6(4))

**Part A—Application**

*[Insert full name of person released on bail] of [insert address] is charged with/has been convicted of\* [insert offence(s)] and was granted bail on [insert date].*

I, *[insert name of applicant]* of *[insert address]* apply to *[insert name of bail authority]* at *[insert location]* to—

- \* vary the conditions of the bail agreement
- \* revoke the bail agreement

I make this application on the following grounds: *[insert grounds]*

Applicant's signature:

Date:

*\*Strike out whichever does not apply.*

**Part B—Notice of hearing**

To—

- \* The person on bail
- \* The police prosecutor at *[insert location]*
- \* The Director of Public Prosecutions
- \* The guarantor of bail

The application to—

- \* vary the conditions of a bail agreement
- \* revoke a bail agreement,

the details of which are set out in Part A, has been listed for hearing at *[insert name of court]* on *[insert day and date]* at *[insert time]*.

All parties to the application must attend the hearing.

Court officer's signature:

Date:

*\*Strike out whichever does not apply.*

**Form 8—Application to vary terms of guarantee of bail or to revoke guarantee of bail**

*Bail Act 1985*

(section 7(4))

**Part A—Application**

*[Insert full name of person released on bail] of [insert address] is charged with/has been convicted of\* [insert offence(s)] and was granted bail on [insert date].*

I, *[insert name of guarantor]* of *[insert address]* apply to *[insert name of bail authority]* at *[insert location]* to—

- \* vary the terms on my guarantee of bail
- \* revoke my guarantee of bail

I make this application on the following grounds:

Guarantor's signature:

Date:

*\*Strike out whichever does not apply.*

### **Part B—Notice of hearing**

To—

- \* The guarantor
- \* The person on bail
- \* The police prosecutor at *[insert location]*
- \* The Director of Public Prosecutions

The application to—

- \* vary the terms of a guarantee of bail
- \* revoke a guarantee of bail,

the details of which are set out in Part A, has been listed for hearing at *[insert name of court]* on *[insert day and date]* at *[insert time]*.

All parties to the application must attend the hearing.

Court officer's signature:

Date:

*\*Strike out whichever does not apply.*

### **Form 9—Notice of withdrawal of application for review of decision of bail authority**

*Bail Act 1985*

(section 16(2))

The Crown advises that the application to review the decision made on *[insert date]* by *[insert name of bail authority]* to grant bail to *[insert full name of person]* of *[insert address]* is withdrawn.

Signature of person acting on behalf of Crown:

Full name of person acting on behalf of Crown:

Date:

Time:

### **Form 10—Written record of reasons—section 11(1c)**

*Bail Act 1985*

(section 11(1c))

**Bail applicant:**<sup>1</sup> *[insert full name]*

Condition of bail to be varied or revoked:

Details of variation if condition is to be varied: *[specify as required]*

The condition/s\* of bail under section 11(1) of the *Bail Act 1985*<sup>2</sup> are varied/revoked\* for the following reasons<sup>3</sup>: *[specify reasons]*

Bail Authority:

- If the bail authority is a police officer—the police officer's surname, rank and police identification number:
- If the bail authority is not a police officer—the full name of the bail authority:

Signature of bail authority:

Date:

Time:

*\*Strike out whichever does not apply.*

**Notes—**

- 1 Section 11(1) of the Act provides that every grant of bail is subject to a condition prohibiting the applicant from possessing a firearm, ammunition or any part of a firearm and a condition requiring the applicant to submit to such tests (including testing without notice) for gunshot residue as may be reasonably required by the bail authority, or a person or class of persons or body specified by the bail authority.
- 2 Section 11(1a) of the Act provides that a bail authority may only vary or revoke the conditions imposed by section 11(1) of the Act if satisfied that—
  - there are cogent reasons to do so; and
  - the possession of a firearm, ammunition or part of a firearm by the person to whom the bail agreement relates does not represent an undue risk to the safety of the public.
- 3 Section 11(1c) of the Act provides that if a bail authority varies or revokes a condition imposed by section 11(1), the bail authority must make a written record of the reasons for its decision.

### **Form 11—Written record of reasons—section 11(2ad)**

*Bail Act 1985*

(section 11(2ad))

**Bail applicant:**<sup>1</sup> *[insert full name]*

Condition of bail to be varied or revoked:

Details of variation if condition is to be varied: *[specify as required]*

The condition/s\* of bail under section 11(2ab) of the *Bail Act 1985*<sup>2</sup> are varied/revoked\* for the following reasons<sup>3</sup>: *[specify reasons]*

Bail Authority:

- If the bail authority is a police officer—the police officer's surname, rank and police identification number:
- If the bail authority is not a police officer—the full name of the bail authority:

Signature of bail authority:

Date:

Time:

*\*Strike out whichever does not apply.*

**Notes—**

- 1 Section 11(2ab) of the Act provides that every grant of bail in relation to a person who is a class 1 or class 2 offence suspect is subject to a condition prohibiting the applicant from engaging in or applying for child-related work (within the meaning of the *Child Sex Offenders Registration Act 2006*).

- 2 Section 11(2ac) of the Act provides that a bail authority may only vary or revoke the conditions imposed by section 11(2ab) of the Act if satisfied that—
- there are cogent reasons to do so; and
  - the person engaging in child-related work will not pose a risk to the safety and well-being of children.
- 3 Section 11(2ad) of the Act provides that if a bail authority varies or revokes a condition imposed by section 11(1), the bail authority must make a written record of the reasons for its decision.

## **Form 12—Direction to surrender firearms and ammunition**

*Bail Act 1985*

(section 11A(1))

*[Insert full name]* has been granted bail subject to the conditions stipulated in the bail agreement (see Form 4).

Pursuant to section 11A(1) of the *Bail Act 1985*, I *[insert name of bail authority]* direct *[specify name of person who has been granted bail]* to surrender any firearm, ammunition, or part of a firearm owned by you or in your possession forthwith to *[specify location of police station]*.

Bail Authority:

- If the bail authority is a police officer—the police officer's surname, rank and police identification number:
- If the bail authority is not a police officer—the full name of the bail authority:

Signature of bail authority:

Date:

Time:

**Note—**

Section 11A(2) of the Act provides that a person who refuses or fails to comply with a direction under section 11A(1) is guilty of an offence.  
Maximum penalty: \$10 000 or imprisonment for 2 years.

## **Schedule 2—Section 13 statement**

### **Form—Section 13 statement**

*Bail Act 1985*

### **How to apply for release on bail**

#### **1—General**

The law of bail in South Australia is contained in the *Bail Act 1985*.

This pamphlet is designed to help you decide whether you are eligible to apply for bail, and to assist you in making such an application.

It will also assist people who want to "stand bail" (that is, be a guarantor) for you.

If there are things you do not understand, ask the police, telephone your lawyer, or ask the magistrate or the person who witnesses your bail documents for advice.

If you do not have a lawyer and you want help, you can ask to see the duty solicitor from the Legal Services Commission or telephone the Legal Services Commission during office hours. (Duty solicitors visit the larger courthouses during office hours—ask the police to contact the duty solicitor for you.)

## **2—What is a bail agreement?**

A bail agreement is an agreement between the Crown and a person requiring the person to be at his or her court hearings and to obey any special conditions set by the court during the period of the operation of the bail agreement in return for the person's release from custody on bail.

## **3—Can I apply for bail?**

### **Adults**

If you are aged 18 years or more, you can apply for bail in any of the following circumstances:

- you are appearing before a court in answer to a summons and you might be remanded in custody; or
- you are in custody on a charge of an offence after being arrested by the police; or
- you have been convicted of an offence but have not yet been sentenced; or
- you have been convicted of an offence and sentenced, but you have not exhausted all rights of appeal or review and you intend to appeal; or
- you are appearing in court for allegedly failing to observe a condition of a bond; or
- you have been arrested on a warrant and you are appearing, or are to appear, before a court as a witness;
- you have been arrested on a warrant issued by a court—
  - for failing to appear before that court on charges; or
  - for breach of a bond,

and the court has authorised the police officer in charge of the police station, or a person specified on the warrant, to grant bail on your arrest.

However, you cannot apply for bail after having been arrested if you are being detained under the *Summary Offences Act 1953* for a purpose related to the investigation of an offence until the end of that detention.

### **People under the age of 18 years**

If you are under the age of 18 years, you can apply for bail if you have been arrested on suspicion of having committed an offence and you have been taken into police custody.

## **4—I think I qualify for bail**

### **To whom do I apply for bail?**

There are various bail authorities under the *Bail Act 1985* that can hear and decide bail applications.

The following is a list of bail authorities for the purposes of the Act:

- the Supreme Court;
- the court before which you were charged;
- any court before which you must appear in relation to the matter;
- a justice;

- a sergeant of police;
- a police officer of a rank higher than sergeant;
- the responsible officer for a police station;
- the person specified on the warrant for your arrest.

Depending on your circumstances, you can apply to one of these bail authorities. You should check with a police officer, your lawyer or a court officer as to whom you must apply for bail.

### **How do I apply for bail?**

Your application for bail must be in writing.

Application forms are available from police stations, gaols and courts. You must answer all questions.

If you were under the age of 18 years at the time you allegedly committed the offence for which you are arrested, your parent, guardian or custodian may assist you to make your application.

If there is something you do not understand, ask a police officer, your lawyer or a court officer to explain.

### **5—On what grounds will bail be granted or refused?**

Whether or not you are granted bail will depend on many factors, including—

- the seriousness and nature of the alleged offence;
- the likelihood that you—
  - may not attend court when required; or
  - may offend again; or
  - may interfere with evidence or a witness;
- any need you, or an alleged victim, may have for physical protection;
- medical matters;
- whether you have previously breached bail conditions;
- any other relevant matter.

For some applicants ("*prescribed applicants*" under section 10A of the *Bail Act 1985*) there is a presumption against granting bail and the applicant must establish the existence of special circumstances justifying release on bail.

### **6—What can I do if I am refused bail?**

If your application for bail is unsuccessful, you can ask for that decision to be reviewed. (A review is a type of appeal.)

If the bail authority is a police officer or a justice, the review will be carried out by a magistrate, who can be contacted (by telephone if necessary) by the person who made the original decision. If the police officer who made the decision is not immediately available to contact a magistrate, contact must be made by another police officer of or above the rank of sergeant or the responsible officer for the police station.

Once the magistrate has been told the facts of the case and the reason why your application was refused, you have the right to put your case. The magistrate must reach a decision straight away.

If the bail authority is a magistrate or a District Court judge, the review must be carried out by a Supreme Court judge.

If you are refused bail, you will be given a copy of the written reasons for that refusal.

You may apply for bail on a later occasion.

### **7—What is meant by a bail agreement?**

When you enter into a bail agreement, you are agreeing to attend a particular court on the next date and at the time fixed for your case as well as on every other occasion when your matter is listed and, unless directed otherwise in the agreement, to be present in court each time your matter is listed until it is finished.

You are also agreeing to comply with all of the conditions set out in your bail agreement. Failure to obey any condition of a bail agreement is a criminal offence and can, in some cases, be punished by up to 2 years gaol or a fine of up to \$10 000.

In addition, any money promised to the Crown as part of your bail agreement may have to be paid and, if necessary, collected in the same way as a fine.

### **8—What are conditions of bail?**

Conditions of bail are the rules that you must obey in return for your freedom.

In all cases, except where a bail authority allows you to live interstate or gives you permission to travel interstate for a specific reason, you cannot leave South Australia while on bail.

It is a condition of bail that you must not possess a firearm, ammunition, or any part of a firearm, and that you submit to such tests (including testing without notice) for gunshot residue, as required by the bail authority. These two conditions apply to the grant of every bail, and can only be varied or revoked if the bail authority is satisfied that there are cogent reasons to do so and the possession of a firearm, ammunition or part of a firearm does not represent an undue risk to the safety of the public. The bail authority must make a written record of the reasons for its decision to vary or revoke these conditions. Once you have been granted bail, the bail authority may direct you to surrender any firearms or ammunition you own or possess.

Other restrictions can be imposed on you, including, for example, not seeing or contacting certain people, staying away from certain places, agreeing to live at a certain address, being under the supervision of a community corrections officer, submitting to electronic monitoring such as by wearing a GPS tracking device, reporting to the police on a regular basis or giving up your passport. Conditions are set by the court to suit individual cases.

In certain circumstances there are mandatory conditions of bail that must be imposed:

- If you are determined to be a serious and organised crime suspect you must reside, with electronic monitoring, at a specified address and may only leave that address in certain limited situations, people that you may contact will be restricted and you will only be able to possess and use specified communication devices;
- If you are charged with certain offences where the victim is a child, there will be a condition that you agree not to engage in, or apply for, child-related work.

You can ask a bail authority to vary the conditions imposed on you under the bail agreement.

### **9—What is a guarantor and what does a guarantor have to do?**

Your guarantor is a person who enters into a guarantee that you will, if freed on bail, obey all the conditions of bail set by the bail authority (see clause 8).

If you do not comply with a condition of your bail agreement and you breach a condition, or if the guarantor knows that you have breached a condition or that you are likely to breach a condition, the guarantor must tell the police what you have done or are likely to do. If the guarantor does not do so, the guarantor can be liable to a fine of up to \$1 250.

In addition to the possibility of having to pay a fine, if you breach a condition of your bail agreement, your guarantor may have to pay to the Crown the sum of money that the guarantor has undertaken to pay in the guarantee.

### **10—Guarantor may apply to have guarantee varied or revoked**

Your guarantor may, at any time, apply to a bail authority to have the terms of the guarantee varied or the guarantee revoked. This could happen if your guarantor is afraid you may abscond or otherwise not comply with the conditions of your bail agreement.

## **Schedule 3—Transitional provision**

### **1—Forms**

A form prescribed under the *Bail Regulations 2000* as in force immediately before the commencement of this Schedule for a purpose specified in those regulations will be taken to comply with the requirements of these regulations for an equivalent purpose specified in these regulations for a period of 4 months from the date of commencement of this Schedule.

## **Schedule 4—Revocation of *Bail Regulations 2000***

The *Bail Regulations 2000* are revoked.

### **Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 20 August 2015

No 199 of 2015

AGO0057/15CS

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## CITY OF PLAYFORD

*Closure of Walkway Between Secombe Street and  
Mofflin Road, Elizabeth Grove*

NOTICE is hereby given, pursuant to Section 359 of the Local Government Act 1934, that the City of Playford at its meeting held on 28 July 2015, resolved to exclude vehicles from the following walkway:

That walkway located between Secombe Street and Mofflin Road, Elizabeth Grove described as Public Road, Allotment 420 in Deposited Plan 6184 contained in Certificate of Title Volume 4141, Folio 999.

The closure will become effective following the installation of gates at either end of the walkway and remain closed until revoked by Council.

Dated 19 August 2015.

S. GREEN, Acting Chief Executive Officer

## CITY OF PORT LINCOLN

*Appointment of Authorised Officer*

NOTICE is hereby given that the City of Port Lincoln has duly appointed Bradley Greenfield as an Authorised Officer, pursuant to the:

- (a) Local Government Act 1999; and
- (b) Authorisations under the Road Traffic Act 1999.

R. DONALDSON, Chief Executive Officer

## CITY OF SALISBURY

*Notice of Application of Dogs By-law*

PURSUANT to Section 246 (4a) of the Local Government Act 1999, notice is hereby given that at its meeting held on 20 July 2015, the Council passed the following resolution to establish dog free areas under By-Law No. 5—Dogs:

Pursuant to the power contained in Section 246 (3) (e) of the Local Government Act 1999, the Council resolves that effective from 1 September 2015, all Local Government land comprising a fully enclosed playground is a 'Dog Free Area' for the purposes of Clause 4 of By-Law No. 5—Dogs. For the purposes of this resolution:

- a 'playground' is an area upon which is installed equipment and/or other devices for the purpose of children's play; and
- a 'fully enclosed playground' is a playground that is fully enclosed by a fence or similar structure requiring entry via a gate.

J. HARRY, Chief Executive Officer

## CITY OF TEA TREE GULLY

## BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*By-law No. 1 of 2015—Permits and Penalties*

TO provide for a permit system, to fix maximum penalties in Council by-laws, to clarify the construction of such by-laws, and to repeal certain by-laws.

## PART 1—PRELIMINARY

1. *Short Title*

This by-law may be cited as the Permits and Penalties By-law 2015.

2. *Commencement*

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249 (5) of the Local Government Act 1999.

3. *Definitions*

In any by-law of the Council, unless the contrary intention is clearly indicated:

- 3.1 *authorised person* means a person appointed as an authorised person pursuant to Section 260 of the Local Government Act 1999;

3.2 *person* includes a natural person, a body corporate or incorporated association;

3.3 *Council* means the Corporation of the City of Tea Tree Gully.

4. *Construction*

Every by-law of the Council shall be subject to any Act of Parliament and Regulations made thereunder.

## PART 2—PERMITS

5. *Council May Grant Permits*

If any by-law of the Council states that a person needs a 'permit' or 'permission' to do a specified thing, then the following provisions apply:

5.1 The permit must be in writing.

5.2 The Council may:

5.2.1 attach conditions to the permit;

5.2.2 change or revoke a condition, by notice in writing; or

5.2.3 add new conditions, by notice in writing.

5.3 A person who holds a permit must comply with every condition attached to it. Failure to do so constitutes a breach of this by-law.

5.4 The Council may revoke a permit, by notice in writing, if:

5.4.1 the holder of the permit fails to comply with a condition attached to it; or

5.4.2 the permit is of a continuing nature, and the Council has reasonable grounds for revoking it.

5.5 The Council may, by resolution, fix, vary or revoke fees or charges for the granting of a permit to do a specified thing.

## PART 3—ENFORCEMENT

6. *Penalties*

6.1 A person who contravenes, or fails to comply with any by-law of the Council is guilty of an offence and is liable to:

6.1.1 a minimum penalty of \$300; and

6.1.2 a maximum penalty, being the maximum penalty referred to in the Local Government Act 1999, which may be fixed for offences against a by-law.

6.2 A person who is convicted of an offence against any by-law of the Council in respect of a continuing act or omission is liable, in addition to the penalty otherwise applicable, to a further penalty, being the maximum penalty referred to in the Local Government Act 1999, which may be fixed for offences of a continuing nature against a by-law.

## PART 4—MISCELLANEOUS

7. *Revocation*

Council's By-law No. 1—Permits and Penalties, published in the *Gazette* on 21 August 2008, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Tea Tree Gully held on 11 August 2015, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. MOYLE, Chief Executive Officer

## CITY OF TEA TREE GULLY

## BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*By-law No. 2 of 2015—Roads*

FOR the management of public roads.

## PART 1—PRELIMINARY

1. *Short Title*

This by-law may be cited as the Roads By-law 2015.

## 2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249 (5) of the Local Government Act 1999.

## 3. Definitions

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

- 3.1 *animal* includes birds and poultry but does not include a dog;
- 3.2 *camp* includes setting up a camp, or causing a tent, caravan or motorhome to remain on the road for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the road;
- 3.3 *dog* has the same meaning as in the Dog and Cat Management Act 1995;
- 3.4 *electoral matter* has the same meaning as in the Electoral Act 1985 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 3.5 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014; and
- 3.6 *road* has the same meaning as in the Local Government Act 1999.

### PART 2—MANAGEMENT OF ROADS

## 4. Activities Requiring Permission

A person must not on any road, without the permission of the Council:

- 4.1 *Advertising*  
display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed on a public road in accordance with the Council's Moveable Signs By-law 2015;
- 4.2 *Amplification*  
use an amplifier or other device whether mechanical or electrical for the purposes of amplifying sound to the public;
- 4.3 *Animals*
  - 4.3.1 cause or allow any animal, to stray onto, graze, wander on or be left unattended on any road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind and, then only if under the effective control of a person;
  - 4.3.2 lead, drive or exercise any animal in such a manner as to endanger the safety of any person;
- 4.4 *Camping*
  - 4.4.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
  - 4.4.2 camp or sleep overnight;
  - 4.4.3 camp or sleep overnight in a motorhome, except where a sign or signs erected by the Council indicate that camping on the road in such a vehicle is permitted;
- 4.5 *Donations*  
ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 4.6 *Handbills on Vehicles*  
place on any vehicle, or cause to be placed on any vehicle (without the consent of the owner of the vehicle), any handbill, book, notice, leaflet, or other printed matter;
- 4.7 *Posting of Bills, etc.*  
post any bills, advertisements or other papers or items on a building or structure on a road;

## 4.8 Preaching

preach or harangue;

## 4.9 Public Exhibitions and Displays

- 4.9.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;
- 4.9.2 conduct or hold any concert, festival, show, public gathering, street party, circus, performance or any other similar activity;
- 4.9.3 cause any public exhibitions or displays;

## 4.10 Working on Vehicles

perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

### PART 3—MISCELLANEOUS

## 5. Directions

A person must comply with any reasonable direction or request from an authorised person relating to:

- 5.1 that person's use of the road;
- 5.2 that person's conduct and behaviour on the road;
- 5.3 that person's safety on the road;
- 5.4 the safety and enjoyment of the road by other persons.

## 6. Removal of Animals

If any animal is found on a road in breach of this by-law:

- 6.1 any person in charge of the animal shall forthwith remove it from that land on the request of an authorised person; and
- 6.2 any authorised person may remove any animal from the road if the person fails to comply with the request, or if no person is in charge of the animal.

## 7. Exemptions

- 7.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker performing emergency duties.
- 7.2 The restrictions in paragraph 4.6, 4.7, 4.8 and 4.9 of this by-law do not apply to:
  - 7.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
  - 7.2.2 electoral matters authorised by a candidate and which relate to an election under the Local Government Act 1999 or the Local Government (Elections) Act 1999 that occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
  - 7.2.3 matters which relate to, and occur during the course of and for the purpose of a referendum.

## 8. Revocation

Council's By-law No. 2—Roads, published in the *Gazette* on 21 August 2008, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Tea Tree Gully held on 11 August 2015, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. MOYLE, Chief Executive Officer

## CITY OF TEA TREE GULLY

## BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*By-law No. 3 of 2015—Local Government Land*

FOR the management and regulation of the use of and access to all land vested in or under the control of the Council including the prohibition and regulation of particular activities on local government land.

## PART 1—PRELIMINARY

1. *Short Title*

This by-law may be cited as the Local Government Land By-law 2015.

2. *Commencement*

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249 (5) of the Local Government Act 1999.

3. *Definitions*

In this by-law:

- 3.1 *animal* includes birds, insects and fish;
- 3.2 *boat* includes a raft, canoe, personal watercraft or any other similar device;
- 3.3 *camp* includes setting up a camp, or cause a tent, caravan or motorhome to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 3.4 *children's playground* means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 5 metres of such devices if there is no enclosed area);
- 3.5 *community garden* means an area of land set aside by the Council for the purposes of being gardened collectively by a group of people;
- 3.6 *domestic animal* includes any duck, reptile or fish;
- 3.7 *electoral matter* has the same meaning as in the Electoral Act 1985 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 3.8 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014;
- 3.9 *funeral ceremony* means a ceremony only (i.e. a memorial service) and does not include a burial;
- 3.10 *inflatable castle* includes a bouncy castle, jumping castle and any other inflatable structure used for recreational purposes;
- 3.11 *liquor* has the same meaning as defined in the Liquor Licensing Act 1997;
- 3.12 *local government land* has the same meaning as in the Local Government Act 1999, but does not include any road;
- 3.13 *open container* means a container which:
  - 3.13.1 after the contents thereof have been sealed at the time of manufacture and:
    - 3.13.1.1 being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
    - 3.13.1.2 being a can, it has been opened or punctured;
    - 3.13.1.3 being a cask, has had its tap placed in a position to allow it to be used;
    - 3.13.1.4 being any form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or
  - 3.13.2 is a flask, glass or mug or other container used for drinking purposes;
- 3.14 *personal watercraft* means a device that:
  - 3.14.1 is propelled by a motor; and
  - 3.14.2 has a fully enclosed hull; and
  - 3.14.3 is designed not to retain water if capsized; and
  - 3.14.4 is designed to be operated by a person who sits astride, stands, or kneels on the device, and includes the device commonly referred to as a jet ski;
- 3.15 *traffic control device* has the same meaning as in the Road Traffic Act 1961;
- 3.16 *variable message sign* includes a permanent, portable or vehicle mounted electronic sign (except when the sign is used as a traffic control device);
- 3.17 *waters* means any body of water including a pond, lake, river, creek or wetlands under the care, control and management of Council.

## PART 2—MANAGEMENT OF LOCAL GOVERNMENT LAND

4. *Activities Requiring Permission*

A person must not on any local government land, without the permission of Council:

4.1 *Access to Waters*

enter any waters, or swim or use a boat in or on waters:

- 4.1.1 in an area where a nearby sign erected by the Council states that one or more of these activities is prohibited;
- 4.1.2 contrary to any condition or requirement stated on a nearby sign erected by the Council;

4.2 *Advertising and Signage*

- 4.2.1 display any sign for the purpose of commercial advertising, other than a moveable sign that is displayed in accordance with the Moveable Signs By-law 2015;
- 4.2.2 erect, install, place or display a variable message sign;

4.3 *Aircraft*

subject to the Civil Aviation Act 1988 (Cth), land or take off any aircraft on or from the land;

4.4 *Alteration to Local Government Land*

make an alteration to the land, including:

- 4.4.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property; or
- 4.4.2 erecting or installing a structure (including pipes, wires, cables, pavers, fixtures, fittings and other objects) in, on, across, under or over the land; or
- 4.4.3 changing or interfering with the construction, arrangement or materials of the land; or
- 4.4.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the land; or
- 4.4.5 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land;

4.5 *Amplification*

use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound to the public;

4.6 *Animals on Local Government Land*

- 4.6.1 ride, lead or drive any horse, cattle or sheep, except on any track or car park on local government land that the Council has set aside (through the erection of signage) for the use by, or in connection with that animal;
- 4.6.2 cause or allow any animal under his or her control to swim or bathe in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming;

- 4.6.3 allow an animal in that persons control, charge or ownership to damage Council property;
- 4.6.4 release or leave any domestic animal;
- 4.7 *Attachments*  
attach anything to a tree, plant, structure or fixture on local government land;
- 4.8 *Bees*  
place, or allow to remain, any bee hive;
- 4.9 *Boats*
- 4.9.1 hire or offer for hire a boat, raft, pontoon or other watercraft;
- 4.9.2 launch or retrieve a boat, raft, pontoon or other watercraft to or from any waters;
- 4.9.3 propel, float or otherwise use any boat, raft, pontoon or other watercraft on any waters;
- 4.10 *Bridge Jumping*  
jump from or dive from a bridge;
- 4.11 *Buildings and Structures*
- 4.11.1 erect or install a building;
- 4.11.2 use a building or structure other than for its intended purpose;
- 4.12 *Camping*
- 4.12.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
- 4.12.2 camp or sleep overnight;  
except where a sign or signs erected by the Council indicate that camping on the land is permitted or where the person is in a caravan park (the proprietor of which has been given permission to operate the caravan park on that land);
- 4.13 *Cemeteries*  
Comprising a cemetery:
- 4.13.1 bury or inter any human or animal remains;
- 4.13.2 erect any memorial;
- 4.14 *Closed Lands*  
enter or remain on any part of the land:
- 4.14.1 at any time during which the Council has declared that it shall be closed to the public, and which is indicated by a sign to that effect; or
- 4.14.2 where the land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked; or
- 4.14.3 where admission charges are payable, without paying those charges;
- 4.15 *Distribution*  
distribute anything to any bystander, passer-by or other person;
- 4.16 *Donations*  
ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 4.17 *Fires*  
light any fire except:
- 4.17.1 in a place provided by the Council for that purpose; or
- 4.17.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres; and
- 4.17.3 in accordance with the Fire and Emergency Services Act 2005;
- 4.18 *Fireworks*  
discharge any fireworks;
- 4.19 *Fishing*
- 4.19.1 fish in any waters on local government land to which the Council has resolved this subparagraph shall apply; or
- 4.19.2 fish from any bridge or other structure on local government land to which the Council has resolved this subparagraph shall apply;
- 4.20 *Flora, Fauna and Other Living Things*  
subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:
- 4.20.1 except in a community garden, damage, pick, or interfere with any plant, fungi or lichen thereon; or
- 4.20.2 tease, remove or cause harm to any animal or bird or the eggs or young of any animal or bird or aquatic creature;
- 4.20.3 use, possess or have control of any device for the purpose of killing or capturing any animal or bird;
- 4.21 *Funerals and Scattering Ashes*  
conduct or participate in a funeral ceremony, or scatter ashes on land to which the Council has resolved this subparagraph will apply;
- 4.22 *Golf*  
play or practice golf;
- 4.23 *Lighting*
- 4.23.1 use or operate any fixed floodlight;
- 4.23.2 use or operate any portable floodlight between sunrise and sunset on land to which this subparagraph applies;
- 4.24 *Model Aircraft*  
subject to the Civil Aviation Act 1988, fly or operate a model aircraft or drone aircraft;
- 4.25 *No Liquor*
- 4.25.1 consume, carry or be in possession or charge of any liquor on any local government land to which this subparagraph applies (provided the land constitutes a park or reserve);
- 4.25.2 excepting sealed containers, consume, carry or be in possession or charge of any liquor in an open container on any local government land to which this subparagraph applies (provided the land constitutes a park or reserve);
- 4.26 *Picking of Fruit, Nuts or Berries*  
except in any community garden, pick fruit, nuts, seeds or berries from any plant;
- 4.27 *Posting of Bills, etc.*  
post any bills, advertisements or other papers or items on a building, or structure on local government land;
- 4.28 *Preaching and Canvassing*  
preach, canvass, harangue or otherwise solicit for religious purposes except on any land or part thereof where the Council has, by resolution, determined this restriction shall not apply;
- 4.29 *Public Exhibitions and Displays*
- 4.29.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;
- 4.29.2 conduct or hold any concert, festival, show, public gathering, circus, performance or any other similar activity;
- 4.29.3 erect or inflate any inflatable castle;
- 4.29.4 cause any public exhibitions or displays;
- 4.30 *Removing*  
carry away or remove any earth, rocks, minerals, plant material (dead or living), animal remains (including shells and fossils) or any part of the land;

- 4.31 *Selling*  
sell anything or display anything for sale;
- 4.32 *Skateboards and Small Wheeled Devices*  
subject to the Road Traffic Act 1961, and the Local Government Act 1999, ride on a skateboard or use roller skates or roller blades on land to which the Council has resolved this subparagraph will apply;
- 4.33 *Vehicles*
- 4.33.1 drive or propel a motor vehicle thereon, unless on an area or road constructed or set aside by the Council for the parking or travelling of motor vehicles;
- 4.33.2 except on an area properly constructed for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters or bicycles take part;
- 4.34 *Weddings*  
conduct or participate in a marriage ceremony on land to which the Council has resolved this subparagraph will apply;
- 4.35 *Wetlands*  
subject to the Natural Resources Management Act 2004, where that land constitutes a wetland:
- 4.35.1 operate a model boat;
- 4.35.2 fish, or take any aquatic creature;
- 4.35.3 introduce any fish or aquatic creature;
- 4.35.4 take or draw water;
- 4.36 *Working on Vehicles*  
perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.
5. *Prohibited Activities*  
A person must not, on any local government land:
- 5.1 *Annoyances*  
unreasonably annoy or interfere with any other person's use of the land by making a noise or creating a disturbance that has not been authorised by the Council;
- 5.2 *Children's Playgrounds*  
use any device, equipment or apparatus installed in a children's playground if that person is of or over the age indicated by sign or notice as the age limit for using such equipment, apparatus or other installed device;
- 5.3 *Fishing*
- 5.3.1 return any noxious species including European carp (*Cyprinus carpio*) or redfin perch (*Perca fluviatilis*) caught by the person to any land or waters;
- 5.3.2 deposit or leave any dead fish (in part or whole) or offal;
- 5.4 *Interference with Permitted Use*  
interrupt, disrupt or interfere with any other person's use of local government land which is permitted or for which permission has been granted;
- 5.5 *Playing Games*
- 5.5.1 play or practice a game in any area where a sign indicates that the game is prohibited;
- 5.5.2 promote, organise or take part in any organised athletic sport in any area to which this subparagraph applies;
- 5.5.3 play any organised competition sport, as distinct from organised social play, in any area to which this subparagraph applies;
- 5.6 *Smoking*  
smoke tobacco or any other substance:
- 5.6.1 in any building or part of any building; or
- 5.6.2 on any local government land; to which the subparagraph applies;
- 5.7 *Toilets*  
in any public convenience:
- 5.7.1 urinate other than in a urinal or pan or defecate other than in a pan provided for that purpose;
- 5.7.2 smoke tobacco or any other substance;
- 5.7.3 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 5.7.4 use it for a purpose for which it was not designed or constructed;
- 5.7.5 enter any toilet that is set aside for use by the opposite sex except where:
- 5.7.5.1 a child under the age of five years accompanied by an adult person of that other sex; and/or
- 5.7.5.2 to provide assistance to a disabled person;
- 5.8 *Use of Equipment*  
use any item of equipment or property belonging to the Council other than in the manner and for the purpose for which it was designed or set aside.

## PART 3—MISCELLANEOUS

6. *Directions*

A person must comply with any reasonable direction or request from an authorised person relating to:

- 6.1 that person's use of the land;
- 6.2 that person's conduct and behaviour on the land;
- 6.3 that person's safety on the land;
- 6.4 the safety and enjoyment of the land by other persons.

7. *Removal of Animals and Exclusion of Persons*

- 7.1 If any animal is found on local government land in breach of this by-law:
- 7.1.1 any person in charge of the animal shall forthwith remove it from that land on the request of an authorised person; and
- 7.1.2 any authorised person may remove any animal from the land if the person fails to comply with the request, or if no person is in charge of the animal.
- 7.2 An authorised person may direct any person who is considered to be committing, or has committed, a breach of this by-law to leave local government land.

8. *Exemptions*

- 8.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a Contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker performing emergency duties.
- 8.2 The restrictions in paragraph 4.2.2, 4.7, 4.15, 4.27, 4.28, 4.29.1, 4.29.2 and 4.29.4 of this by-law do not apply to:
- 8.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 8.2.2 electoral matters authorised by a candidate and which relate to an election under the Local Government Act 1999 or the Local Government (Elections) Act 1999 that occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- 8.2.3 matters which relate to, and occur during the course of and for the purpose of a referendum.

### 9. Application

Any of paragraphs 4.19, 4.21, 4.23.2, 4.25, 4.32, 4.34, 5.5.2, 5.5.3 and 5.6 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246 (3) (e) of the Local Government Act 1999.

### 10. Revocation

Council's By-law No. 3—Local Government Land, published in the *Gazette* on 21 August 2008, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Tea Tree Gully on 11 August 2015, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. MOYLE, Chief Executive Officer

## CITY OF TEA TREE GULLY

### BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999 AND THE DOG AND CAT MANAGEMENT ACT 1995

#### *By-law No. 4 of 2015—Dogs*

FOR the management and control of dogs within the Council's area.

#### PART 1—PRELIMINARY

##### 1. Short Title

This by-law may be cited as the Dogs By-law 2015.

##### 2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249 (5) of the Local Government Act 1999.

##### 3. Definitions

In this by-law:

- 3.1 *approved kennel establishment* means a building, structure or area approved by the relevant authority, pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis;
- 3.2 *assistant dog* means a guide dog, hearing dog or disability dog as those terms are defined in the Dog and Cat Management Act 1995;
- 3.3 *children's playground* means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 5 metres of such devices if there is no enclosed area);
- 3.4 *control*, in relation to a dog, includes the person having ownership, possession or charge of, or authority over, the dog;
- 3.5 *dog* has the same meaning as in the Dog and Cat Management Act 1995;
- 3.6 *dog management officer* means a person appointed pursuant to Section 27 of the Dog and Cat Management Act 1995;
- 3.7 *effective control* means a person exercising effective control of a dog either:
  - 3.7.1 by means of a physical restraint;
  - 3.7.2 by command, the dog being in close proximity to the person, and the person being able to see the dog at all times;
- 3.8 *keep* includes the provision of food or shelter;
- 3.9 *local government land* has the same meaning as in the Local Government Act 1999;
- 3.10 *small property* means a property involving any self-contained dwelling where the property or part thereof (i.e. flat, home unit, etc.) contains a secured unobstructed yard area of less than 100 square metres;
- 3.11 *wetland area* includes any park, reserve, scrub, trail or other land adjacent to a wetland.

#### PART 2—DOG MANAGEMENT AND CONTROL

##### 4. Dog Free Areas

A person must not on any local government land to which this paragraph applies allow a dog in that person's control to be in, or remain in that place unless the dog is an assistant dog.

##### 5. Dog on Leash Areas

A person must not allow a dog under that person's control to be or remain:

- 5.1 on local government land or public place to which the Council has resolved that this subparagraph applies;
- 5.2 on any park or reserve during times when organised sport is being played;
- 5.3 within 5 metres of children's playground equipment;
- 5.4 in any wetland area;

unless the dog is secured by a strong leash not exceeding 2 metres in length which is either tethered securely to a fixed object capable of securing the dog or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

##### 6. Dog Exercise Areas

- 6.1 A person may enter upon any part of local government land identified by the Council as a dog exercise area in accordance with paragraph 9 for the purpose of exercising a dog under his or her control.
- 6.2 Where a person enters upon such part of local government land for that purpose, he or she must ensure that the dog under his or her control remain under effective control while on that land.

##### 7. Limit on Dog Numbers

- 7.1 The limit on the number of dogs kept:
  - 7.1.1 in a small property shall be one dog;
  - 7.1.2 in premises other than a small property, the limit shall be two dogs.
- 7.2 A person must not, without permission, keep any dog on any premises where the number of dogs on the premises exceeds the limit unless:
  - 7.2.1 the premises is an approved kennel establishment; or
  - 7.2.2 the Council has exempted the premises from compliance with this subparagraph.

#### PART 3—MISCELLANEOUS

##### 8. Application

8.1 Any of paragraphs 4, 5.1 and 6.1 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246 of the Local Government Act 1999 and as are denoted by signs erected by the Council and information provided to the public in a manner determined by the Council's Chief Executive Officer.

8.2 The limits prescribed in paragraph 7 of this by-law do not include any dog that is under three months of age.

##### 9. Revocation

Council's By-law No. 4—Dogs, published in the *Gazette* on 18 September 2008, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Tea Tree Gully held on 11 August 2015, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. MOYLE, Chief Executive Officer

## CITY OF TEA TREE GULLY

## BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*By-law No. 5 of 2015—Moveable Signs*

TO set standards for moveable signs on roads, to provide conditions for and the placement of such signs, to protect public safety and to protect or enhance the amenity of the area of the Council.

## PART 1—PRELIMINARY

1. *Short Title*

This by-law may be cited as the Moveable Signs By-law 2015.

2. *Commencement*

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249 (5) of the Local Government Act 1999.

3. *Definitions*

In this by-law:

- 3.1 *banner* means a moveable sign constituted of a strip of cloth, plastic or other material hung or attached to a pole, fence or other structure;
- 3.2 *footpath* means:
  - 3.2.1 a footway, lane or other place made or constructed for the use of pedestrians; or
  - 3.2.2 that part of road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;
- 3.3 *moveable sign* has the same meaning as the Local Government Act 1999;
- 3.4 *road* has the same meaning as in the Local Government Act 1999;
- 3.5 *road related area* has the same meaning as in the Road Traffic Act 1961.

## PART 2—PROVISIONS APPLICABLE TO MOVEABLE SIGNS

4. *Design and Construction*

A moveable sign displayed on a road must:

- 4.1 be constructed so as not to present a hazard to any member of the public;
- 4.2 be constructed so as to be stable when in position and to be able to keep its position in adverse weather conditions;
- 4.3 not be unsightly or offensive in appearance;
- 4.4 not contain flashing or moving parts;
- 4.5 be not more than one metre high, 60 cm in width or 60 cm in depth;
- 4.6 in the case of an 'A' frame or sandwich board sign:
  - 4.6.1 be hinged or joined at the top;
  - 4.6.2 be of such construction that its sides can be and are securely fixed or locked in position when erected;
- 4.7 in the case of an inverted 'T' sign, contain no struts or members than run between the display area of the sign and the base of the sign.

5. *Placement*

A moveable sign displayed on a road must:

- 5.1 not be placed anywhere except on the footpath;
- 5.2 not be placed on a sealed footpath, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 metres wide;
- 5.3 be placed at least 40 cm from the kerb (or if there is no kerb, from the edge of the roadway);
- 5.4 not be placed on a landscaped area, other than on landscaping that comprises only lawn;
- 5.5 not be placed on a designated parking area or within 1 metre of an entrance to any premises; and

- 5.6 not be fixed, tied or chained to, leaned against or placed closer than 2 metres to any other structure, object or plant (including another moveable sign);
- 5.7 not be placed in a position that puts the safety of any person at risk;
- 5.8 not be placed on a median strip, roundabout, traffic island or on a carriageway;
- 5.9 not be within 10 metres of an intersection of a road.

6. *Restrictions*

A moveable sign displayed on a road must:

- 6.1 only contain material which advertises a business being conducted on commercial premises adjacent to the sign, or the goods and services available from that business;
- 6.2 be limited to one per business premises;
- 6.3 not be displayed unless the business to which it relates is open to the public;
- 6.4 be securely fixed in position such that it cannot be blown over or swept away;
- 6.5 not be displayed during the hours of darkness unless it is clearly visible.

7. *Appearance*

A moveable sign displayed on a road must:

- 7.1 be painted or otherwise detailed in a competent and professional manner;
- 7.2 be legible and simply worded to convey a precise message;
- 7.3 be of such design and contain such colours that are compatible with the architectural design of the premises adjacent to the sign and are compatible with the townscape and overall amenity of the locality in which the sign is situated;
- 7.4 contain a combination of colours and typographical styles that blend in with and reinforce the heritage qualities of the locality and the buildings in which the sign is situated;
- 7.5 not have any balloons, flags, streamers or other things attached to it.

8. *Banners*

A banner must:

- 8.1 only be displayed on a road, footpath or road related area;
- 8.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
- 8.3 not be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, or other improvement to a road owned by the Council;
- 8.4 not be displayed more than one month before and two days after the event it advertises;
- 8.5 not be displayed for a continuous period of more than one month and two days in any twelve month period;
- 8.6 not exceed 3m<sup>2</sup> in size.

## PART 3—ENFORCEMENT

9. *Removal of Unauthorised Moveable Signs*

## 9.1 If:

- 9.1.1 a moveable sign has been placed on any road or footpath in contravention of this by-law or of Section 226 of the Local Government Act 1999, an authorised person may order the owner of the sign to remove the moveable sign from the road or footpath;
- 9.1.2 the authorised person cannot find the owner, or the owner fails to comply immediately with the order, the authorised person may remove and dispose of the sign;

9.1.3 a moveable sign is removed under subparagraph 9.1.2 of this by-law and is not claimed within 30 days of such removal the authorised person may sell, destroy or otherwise dispose of the moveable sign as the authorised person thinks fit.

9.2 Any person who displays an unauthorised moveable sign or who is the owner of an unauthorised moveable sign which has been removed under subparagraph 9.1 of this by-law must pay the Council any reasonable costs incurred in removing, storing or attempting to dispose of the moveable sign before being entitled to recover the moveable sign.

#### 10. Removal of Authorised Moveable Signs

A moveable sign must be removed or relocated by the person who placed the moveable sign on a road or footpath or the owner of the sign, at the request of an authorised person if:

- 10.1 in the opinion of the authorised person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or
- 10.2 so required by the authorised person for the purpose of special events, parades, road or footpath works or any other circumstances which, in the opinion of the authorised person, requires relocation or removal of the moveable sign.

#### PART 4—MISCELLANEOUS

#### 11. Specified Exemptions

11.1 This by-law does not apply to a moveable sign which:

- 11.1.1 is a moveable sign that is placed on a public road pursuant to an authorisation under the Local Government Act 1999 or another Act;
  - 11.1.2 directs people to the open inspection of any land or building that is available for purchase or lease;
  - 11.1.3 directs people to a garage sale that is being held on residential premises;
  - 11.1.4 directs people to a charitable function;
  - 11.1.5 is related to a State or Commonwealth election and is displayed during the period commencing on the issue of writ or writs for the election and ending at the close of polls on polling day;
  - 11.1.6 is related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is displayed during the period commencing four weeks immediately before the date that has been set for polling day and ending at the close of voting on polling day;
  - 11.1.7 is related to a referendum and is displayed during the course and for the purpose of that referendum;
  - 11.1.8 is displayed with permission of the Council and in accordance with any conditions attached to that permission; or
  - 11.1.9 is a sign of a class prescribed in regulations.
- 11.2 Clauses 6.2 and 6.3 of this by-law do not apply to a flat sign containing only the banner or headlines of a newspaper or magazine.
- 11.3 Clauses 4, 6.2, 6.3 and 7 of this by-law do not apply to a directional sign to an event run by a charitable body.

#### 12. Revocation

Council's By-law No. 5—Moveable Signs, published in the *Gazette* on 21 August 2008, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Tea Tree Gully on 11 August 2015, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. MOYLE, Chief Executive Officer

#### CITY OF TEA TREE GULLY

#### BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

#### *By-law No. 6 of 2015—Waste Management*

TO regulate and control the removal of domestic, recyclable and green organic waste from premises, for the prevention and suppression of nuisances, and for regulating the management of property of the Council.

#### PART 1—PRELIMINARY

##### 1. Short Title

This by-law may be cited as the Waste Management By-law 2015.

##### 2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249 (5) of the Local Government Act 1999.

##### 3. Definitions

In this by-law:

- 3.1 *green organics* means any clean organic matter consisting of lawn clippings, plants, vegetables, leaves, prunings, horse manure or other materials as specified by the Council;
- 3.2 *green organics container* means a container for the reception of green organics;
- 3.3 *hard rubbish* means any internal and external household items such as refrigerators, television sets and mattresses able to be lifted and carried by two persons but excludes any household waste;
- 3.4 *household waste* means any kind of domestic and kitchen waste generated from residences, but excludes liquids, metals (other than food containers), building materials, stones, bricks, soil, lead, acid batteries and any dangerous or toxic waste;
- 3.5 *household waste container* means a container for the reception of household waste;
- 3.6 *recyclables* means newspapers, magazines, paper, cardboard, plastic containers of a type specified by the Council, tins, cans, glass, milk and juice containers, solid plastic material and other materials as specified by the Council;
- 3.7 *recyclables container* means a container for the reception of recyclables.

#### PART 2—WASTE COLLECTION

##### 4. Provide Containers

Every occupier of domestic premises must keep on his or her premises a household waste container, a recyclables container and a green organics container as approved by the Council.

##### 5. Management of Waste Collection Service

An occupier of premises must:

###### 5.1 Household Waste

- 5.1.1 ensure that the household waste container kept on his or her premises is approved by the Council; and
- 5.1.2 ensure that the household waste container contains only household waste;

###### 5.2 Recyclables

- 5.2.1 ensure that the recyclables container kept on his or her premises is approved by the Council; and
- 5.2.2 ensure that the recyclables container contains only recyclables;

###### 5.3 Green Organics

- 5.3.1 ensure that the green organics container be a container that is approved by the Council; and
- 5.3.2 ensure that the green organics container contains only green organics;

#### 5.4 *Keep Container Clean*

cause each container to be kept in a clean and sanitary condition, maintained in good order and repair, and kept waterproof at all times;

#### 5.5 *Sealing of Container*

cause the lid of each container to continuously and securely cover the container body except when waste is being deposited in or removed from the container;

#### 5.6 *Damage*

ensure that each container is maintained so that it is not damaged or worn to the extent that:

- 5.6.1 it is not robust;
- 5.6.2 the container body is not watertight;
- 5.6.3 it is unable to be moved on its wheels efficiently;
- 5.6.4 the lid does not seal on the container when closed;
- 5.6.5 its efficiency or use is otherwise impaired;

#### 5.7 *Collection Services*

5.7.1 facilitate the collection and removal of household waste, recyclables or green organics from the premises on the day of or the night before (and not before these times) the scheduled collection day; and

5.7.2 ensure that, prior to the time appointed by the Council for the collection of a particular kind of household waste, recyclables or green organics from the premises, the container containing that kind of waste is placed out for collection in a position:

- 5.7.2.1 on the street in front of and on the same side as the premises, abutting the edge of (but not on) the carriageway and positioned so that the side of the container on which the hinges of the lid are situated faces the premises; or
- 5.7.2.2 in a position as approved or directed by the Council or its contractor; and
- 5.7.2.3 not under the overhanging branches of street trees; and

5.7.3 remove the container from that position on the same day after the collection has taken place.

#### 6. *Interference With Garbage/Hard Rubbish*

A person must not remove, disturb or interfere with any recyclables or hard rubbish (including bottles, newspapers, cans, containers or packaging) that has been placed:

- 6.1 for disposal in or near a container; or
- 6.2 on a public street or road for collection by the Council, its agents or contractors, except with the permission of the Council or with the authority of the owner.

#### PART 3—MISCELLANEOUS

#### 7. *Revocation*

Council's By-law No. 6—Waste Management, published in the *Gazette* on 21 August 2008, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Tea Tree Gully on 11 August 2015, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. MOYLE, Chief Executive Officer

#### CITY OF TEA TREE GULLY

##### *Change of Road Name*

NOTICE is hereby given that the Council of the City of Tea Tree Gully at its meeting held on 28 July 2015, resolved pursuant to Section 219 of the Local Government Act 1999, the following:

That Council approves to change the name of the section of Majestic Grove to Mulberry Drive as detailed in Attachment 2 of report entitled 'Majestic Grove Renaming—Community Consultation Outcomes Report' and dated 28 July 2015.

A map which delineates the public road which is subject to the change of road name, together with the report and Council's resolution is available for inspection at the City of Tea Tree Gully Civic Centre or on Council's website;

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

J. MOYLE, Chief Executive Officer

#### DISTRICT COUNCIL OF KIMBA

##### *Temporary Road Closure*

NOTICE is hereby given that at a Council meeting held on 18 August 2015, Council resolved the following:

That the District Council of Kimba exercise the power subject to Section 33 of the Road Traffic Act 1961 and Clause F of the instrument of general approval of the Minister dated 22 August 2013 to make an order that parts of the following roads be closed between 10 a.m. and 3 p.m. on 12 September 2015 for pedal prix activities to take place:

- Schaefer Avenue—southern lane closed between Cross Street and South Terrace;
- South Terrace—portion of eastern lane closure from Schaefer Avenue to Park Terrace;
- Park Terrace—portion of western lane closure from South Terrace to Cross Street; and
- Cross Street—portion of southern lane closure from Park Terrace to Schaefer Avenue.

D. A. CEARNS, Chief Executive Officer

#### DISTRICT COUNCIL OF MOUNT REMARKABLE

##### ROADS (OPENING AND CLOSING) ACT 1991

##### *Road Closure—Augusta Highway, Mambray Creek*

NOTICE is hereby given, pursuant to Section 10 of the Roads (Opening and Closing) Act 1991, that the Council proposes to make a Road Process Order to close, sell and transfer to the adjoining owner the public road adjoining the Coe Road railway crossing adjoining Allotment 318 in DP76189, shown as 'A' on Preliminary Plan No. 15/0017.

A copy of the plan and a statement of persons affected are available for public inspection at the office of the District Council of Mount Remarkable, Stuart Street, Melrose and the office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

Any application for easement or objections must be made in writing within 28 days of this notice, to the Council, P.O. Box 94, Melrose, S.A. 5483 and the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001, setting out full details. Where a submission is made, Council will give notification of a meeting to deal with the matter.

Dated 20 August 2015.

W. HART, Chief Executive Officer

#### WUDINNA DISTRICT COUNCIL

##### *Adoption of Assessment*

NOTICE is hereby given that the Wudinna District Council in accordance with Section 167 of the Local Government Act 1999, as amended, at a meeting held on 18 August 2015, adopted for rating purposes for the year ending 30 June 2016, the Valuer-General's valuation of capital value in relation to the area of the Council.

##### *Declaration of Rates*

Notice is hereby given that the Wudinna District Council at a meeting held on 18 August 2015, pursuant to Section 156 of the Local Government Act 1999, declared differential general rates on rateable land within its area, which rates vary by reference to land use and locality as follows:

- (a) in respect of land within the Township of Minnipa the boundaries of which were defined by notice in the *Government Gazette* of 24 August 1989, a rate of 0.443 cents in the dollar on land which is designated by Regulation 10 of the Local Government (General) Regulations 1999, as residential and a rate of 0.443 cents

in the dollar on land which is designated by Regulation 10 of the Local Government (General) Regulations 1999, as all categories other than residential.

- (b) in respect of land within the Township of Wudinna the boundaries of which were defined by notice in the *Government Gazette* of 22 October 1981, a rate of 0.443 cents in the dollar in respect of land which is designated by Regulation 10 of the Local Government (General) Regulation 1999, as residential and a rate of 0.443 cents in the dollar on land which is designated by Regulation 10 of the Local Government (General) Regulations 1999, as all categories other than residential.

Notice is hereby given that the Wudinna District Council at a meeting held on 18 August 2015, pursuant to Sections 156 of the Local Government Act 1999, declared differential general rates on rateable land within its area, which rates vary by reference to locality as follows:

- (1) The whole of the Town of Kyancutta, Hundred of Wannamanna, County of Le Hunte, the boundaries of which were proclaimed in the *Government Gazette* of 31 May 1917, at page 886 a differential rate of 0.443 cents in the dollar.
- (2) The whole of the Town of Warrambo, Hundred of Warrambo, County of Le Hunte, the boundaries of which were proclaimed in the *Government Gazette* of 1 July 1917, at page 109 a differential general rate of 0.443 cents in the dollar.
- (3) The whole of the Town of Yaninee, Hundred of Yaninee, County of Le Hunte, the boundaries of which were proclaimed in the *Government Gazette* of 21 March 1916, at page 568 a differential general rate of 0.443 cents in the dollar.
- (4) The whole of the Town of Pygery, Hundred of Pygery, County of Le Hunte, the boundaries of which were proclaimed in the *Government Gazette* of 4 May 1922, at page 1161 and amended by proclamation published in the *Government Gazette* of 5 December 1974, at pages 779 and 780 a differential general rate of 0.443 cents in the dollar.
- (5) In respect of all land within the area of the Council not otherwise included as above, a differential general rate of 0.608 cents in the dollar.

#### *Minimum Rate*

Notice is hereby given that pursuant to powers vested in it under Section 158 of the Local Government Act 1999, the Council at the aforesaid meeting fixed \$401 as a minimum amount that shall be payable by way of rates on rateable land within the area of Council in respect of the year ending 30 June 2016.

#### *Annual Service Charge*

Notice is hereby given that pursuant to Section 155 of the Local Government Act 1999, and in accordance with the CWMS Property Units Code as provided at Regulation 9A of the Act, Council hereby imposes an annual service charge in respect to rateable and non-rateable land where a septic effluent disposal connection is provided within the Township of Wudinna. The annual service charge of \$300 per unit in respect of land serviced by the scheme, and further fixes an annual service charge of \$265 in respect of each vacant allotment to which the scheme is available for the year ending 30 June 2016.

#### *Separate Rate*

Notice is hereby given that in accordance with Section 154 (2) (b) of the Local Government Act 1999, and the prescribed authority of the Minister for Local Government, the Wudinna District Council at a meeting held on 18 August 2015 imposed a separate rate of \$168 based on a proportional basis of expenditure incurred in maintaining the area. The cottage home units within portion Section 175, Hundred of Pygery—Wudinna Homes for the Aged identified as being assessments:

9270269019;	9270272015;	9270275013;	9270278011;
9270278310;	927027001*;	9270273018;	9270276016;
9270278118;	9270278417;	9270271012;	9270274010;
9270277019;	9270278214;	927027861*	

#### *Natural Resources Management (NRM) Levy*

Notice is hereby given that pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999, the Council declared a separate rate being a fixed Natural Resources Management Levy of \$65 upon all rateable property in the Council area. The fixed Natural Resources Management Levy was declared in order to reimburse the Council the amount of \$46 602 which Council is required to contribute towards the costs of operating the Eyre Peninsula Natural Resources Management Board for the 2015-2016 year.

A. F. MCGUIRE, Chief Executive Officer

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

*Bithell, John Thomas*, late of King George Avenue, North Brighton, of no occupation, who died on 10 May 2015.

*Cameron, Eleen Patricia*, late of 7 Salisbury Highway, Salisbury, of no occupation, who died on 31 May 2015.

*Deeproose, Kathleen*, late of 50 Gulfview Road, Christies Beach, of no occupation, who died on 28 May 2015.

*Gertig, Rhonda Joan*, late of 11 Mawson Road, Salisbury, of no occupation, who died on 17 April 2015.

*Godley, Thelma Cabero*, late of 14 Head Street, Whyalla Stuart, home duties, who died on 22 November 2014.

*Hollis, Margaret Elsie*, late of 7 Victoria Street, Goodwood, of no occupation, who died on 1 June 2015.

*Mitchell, Kathleen Iris*, late of 59-67 Joyce Street, Murray Bridge, of no occupation, who died on 27 May 2015.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Office of Public Trustee, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 18 September 2015, otherwise they will be excluded from the distribution of the said estates; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated 20 August 2015.

D. A. CONTALA, Public Trustee

# ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 4 p.m. on Wednesday.

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**Remember**—the onus is on you to inform us of any corrections necessary to your notice.

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