



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 18 DECEMBER 2025

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## GOVERNOR'S INSTRUMENTS

### APPOINTMENTS, RESIGNATIONS AND GENERAL MATTERS

Department of the Premier and Cabinet  
Adelaide, 18 December 2025

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Fire and Emergency Services Commission Board, pursuant to the provisions of the Fire and Emergency Services Act 2005:

Deputy Member: from 2 January 2026 until 17 July 2028  
Mark Stratton (Deputy to Wandel)

By command,

NATALIE FLEUR COOK, MP  
For Premier

25MES0008CS

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Department of the Premier and Cabinet  
Adelaide, 18 December 2025

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

Director: from 19 December 2025 until 18 December 2027  
Sunita Gloster

By command,

NATALIE FLEUR COOK, MP  
For Premier

25TMACAB044

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Department of the Premier and Cabinet  
Adelaide, 18 December 2025

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Country Arts Trust, pursuant to the provisions of the South Australian Country Arts Trust Act 1992:

Member: from 18 December 2025 until 17 December 2028  
Lee-Ann Tjunypa Buckskin  
Michael Waite

By command,

NATALIE FLEUR COOK, MP  
For Premier

25ART0028CS

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Department of the Premier and Cabinet  
Adelaide, 18 December 2025

Her Excellency the Governor in Executive Council has been pleased to appoint the Honourable Zoe Lee Bettison MP as Acting Minister for Primary Industries and Regional Development and Acting Minister for Forest Industries from 22 December 2025 until 4 January 2026 inclusive, during the absence of the Honourable Clare Michele Scriven MLC.

By command,

NATALIE FLEUR COOK, MP  
For Premier

DPC25/063CS

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Department of the Premier and Cabinet  
Adelaide, 18 December 2025

Her Excellency the Governor in Executive Council has been pleased to appoint the Honourable Clare Michele Scriven MLC as Acting Minister for Tourism and Acting Minister for Multicultural Affairs from 5 January 2026 until 8 January 2026 inclusive, during the absence of the Honourable Zoe Lee Bettison MP.

By command,

NATALIE FLEUR COOK, MP  
For Premier

DPC25/063CS

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Department of the Premier and Cabinet  
Adelaide, 18 December 2025

Her Excellency the Governor in Executive Council has been pleased to appoint Leah Michelle McLay as the Deputy Electoral Commissioner for a term commencing on 14 January 2026 and expiring one year after polling day of the general election second occurring after the appointment is made - pursuant to the Electoral Act 1985.

By command,

NATALIE FLEUR COOK, MP  
For Premier

AGO0227-25CS

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## PROCLAMATIONS

South Australia

## **Fisheries Management (Cuttlefish—Northern Spencer Gulf) Amendment Act (Commencement) Proclamation 2025**

### **1—Short title**

This proclamation may be cited as the *Fisheries Management (Cuttlefish—Northern Spencer Gulf) Amendment Act (Commencement) Proclamation 2025*.

### **2—Commencement of Act**

The *Fisheries Management (Cuttlefish—Northern Spencer Gulf) Amendment Act 2025* (No 74 of 2025) comes into operation on 22 December 2025.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 18 December 2025

South Australia

## **National Energy Retail Law (Retailer of Last Resort) Amendment Act (Commencement) Proclamation 2025**

### **1—Short title**

This proclamation may be cited as the *National Energy Retail Law (Retailer of Last Resort) Amendment Act (Commencement) Proclamation 2025*.

### **2—Commencement of Act**

The *National Energy Retail Law (Retailer of Last Resort) Amendment Act 2025* (No 61 of 2025) comes into operation on 18 December 2025.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 18 December 2025

South Australia

## **Spicer Cottages Trust (Miscellaneous) Amendment Act (Commencement) Proclamation 2025**

### **1—Short title**

This proclamation may be cited as the *Spicer Cottages Trust (Miscellaneous) Amendment Act (Commencement) Proclamation 2025*.

### **2—Commencement of Act**

The *Spicer Cottages Trust (Miscellaneous) Amendment Act 2025* (No 56 of 2025) comes into operation on 1 January 2026.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 18 December 2025

South Australia

## **Statutes Amendment (Local Government Elections Review) Act (Commencement) Proclamation 2025**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (Local Government Elections Review) Act (Commencement) Proclamation 2025*.

### **2—Commencement of Act**

- (1) Subject to subclause (2), the *Statutes Amendment (Local Government Elections Review) Act 2025* (No 63 of 2025) comes into operation on 1 January 2026.
- (2) Part 4 of the Act comes into operation immediately after section 190 of the *Statutes Amendment (Local Government Review) Act 2021* comes into operation.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 18 December 2025

South Australia

## **Statutes Amendment (Local Government Review) Act (Commencement) Proclamation 2025**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (Local Government Review) Act (Commencement) Proclamation 2025*.

### **2—Commencement of suspended provisions**

The following provisions of the *Statutes Amendment (Local Government Review) Act 2021* (No 26 of 2021) come into operation on 1 January 2026:

- (a) section 190;
- (b) section 196(1), (2), (8), (9), (12) and (14) to (16) (inclusive).

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 18 December 2025

South Australia

## **Administrative Arrangements (Administration of North Adelaide Public Golf Course Act) Proclamation 2025**

under section 5 of the *Administrative Arrangements Act 1994*

### **1—Short title**

This proclamation may be cited as the *Administrative Arrangements (Administration of North Adelaide Public Golf Course Act) Proclamation 2025*.

### **2—Commencement**

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

### **3—Administration of Act committed to Premier**

The administration of the *North Adelaide Public Golf Course Act 2025* is committed to the Premier.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 18 December 2025

South Australia

# North Adelaide Public Golf Course (Designated Minister) Proclamation 2025

under the *North Adelaide Public Golf Course Act 2025*

## 1—Short title

This proclamation may be cited as the *North Adelaide Public Golf Course (Designated Minister) Proclamation 2025*.

## 2—Commencement

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

## 3—Designation of Minister

Pursuant to the definition of *designated Minister* in section 3(1) of the *North Adelaide Public Golf Course Act 2025*, the Minister for Recreation, Sport and Racing is designated as the Minister in whom the project site will vest under section 8 of that Act.

## Made by the Governor

with the advice and consent of the Executive Council  
on 18 December 2025

## REGULATIONS

South Australia

# City of Adelaide (Elections and Polls) (Local Government Elections Review) Amendment Regulations 2025

under the *City of Adelaide Act 1998*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *City of Adelaide (Elections and Polls) Regulations 2025*

- 3 Amendment of regulation 3—Interpretation
  - 4 Repeal of regulation 4
  - 5 Substitution of regulation 6
    - 6 Transitional provision for gifts received
  - 6 Repeal of Schedule 1
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *City of Adelaide (Elections and Polls) (Local Government Elections Review) Amendment Regulations 2025*.

### 2—Commencement

These regulations come into operation on the day on which section 44 of the *Statutes Amendment (Local Government Elections Review) Act 2025* comes into operation.

## Part 2—Amendment of *City of Adelaide (Elections and Polls) Regulations 2025*

### 3—Amendment of regulation 3—Interpretation

Regulation 3(2)—delete subregulation (2)

### 4—Repeal of regulation 4

Regulation 4—delete the regulation

## 5—Substitution of regulation 6

Regulation 6—delete the regulation and substitute:

### 6—Transitional provision for gifts received

- (1) Subject to this regulation, the application of old Schedule 1 Part 8 in relation to gifts received by candidates before the commencement day is not affected by the amendments effected by the *Statutes Amendment (Local Government Elections Review) Act 2025*.
- (2) Despite subregulation (1)—
  - (a) if a candidate includes details relating to all gifts received by the candidate required to be included in a return under clause 24 of old Schedule 1 Part 8 in the first return relating to gifts furnished by the candidate under new Schedule 1 Part 8, the candidate will be taken to have complied with the requirements of old Schedule 1 Part 8 in relation to those gifts; and
  - (b) a failure to submit a return under old Schedule 1 Part 8 (including in accordance with paragraph (a)) will be taken to be a failure to comply with new Schedule 1 Part 8.
- (3) For the purposes of the periodic elections to determine the membership of councils to be held in 2026, the *special disclosure period* and *disclosure period* under clauses 24 and 24A (respectively) of new Schedule 1 Part 8 in relation to a candidate who is not a new candidate will be taken to commence on the commencement day.
- (4) For the purposes of subregulation (3), a candidate is a *new candidate*, in relation to an election, if the person had not been a candidate in the last general election of a council and had not been a candidate at a supplementary election held after the last general election of a council.
- (5) In this regulation—

*commencement day* means the day on which section 44 of the *Statutes Amendment (Local Government Elections Review) Act 2025* comes into operation;

*new Schedule 1 Part 8* means Schedule 1 Part 8 of the Act (as in force on and after the commencement day);

*old Schedule 1 Part 8* means Schedule 1 Part 8 of the Act (as in force immediately before the commencement day).

## 6—Repeal of Schedule 1

Schedule 1—delete the Schedule

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments 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 18 December 2025

No 143 of 2025

South Australia

# Local Government (Elections) (Local Government Elections Review) Amendment Regulations 2025

under the *Local Government (Elections) Act 1999*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Local Government (Elections) Regulations 2025*

- 3 Substitution of regulation 16
    - 16 Transitional provision for gifts received
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Local Government (Elections) (Local Government Elections Review) Amendment Regulations 2025*.

### 2—Commencement

These regulations come into operation on the day on which section 21 of the *Statutes Amendment (Local Government Elections Review) Act 2025* comes into operation.

## Part 2—Amendment of *Local Government (Elections) Regulations 2025*

### 3—Substitution of regulation 16

Regulation 16—delete the regulation and substitute:

#### 16—Transitional provision for gifts received

- (1) Subject to this regulation, the application of old Part 14 in relation to gifts received by candidates before the commencement day is not affected by the amendments effected by the *Statutes Amendment (Local Government Elections Review) Act 2025*.
- (2) Despite subregulation (1)—
  - (a) if a candidate includes details relating to all gifts received by the candidate required to be included in a return under section 81 of old Part 14 in the first return relating to gifts furnished by the candidate under new Part 14, the candidate will be taken to have complied with the requirements of old Part 14 in relation to those gifts; and

- (b) a failure to submit a return under old Part 14 (including in accordance with paragraph (a)) will be taken to be a failure to comply with new Part 14.
- (3) For the purposes of the periodic elections to determine the membership of councils to be held in 2026, the *special disclosure period* and *disclosure period* under sections 81 and 81A (respectively) of new Part 14 in relation to a candidate who is not a new candidate will be taken to commence on the commencement day.
- (4) For the purposes of subregulation (3), a candidate is a *new candidate*, in relation to an election, if the person had not been a candidate in the last general election of a council and had not been a candidate at a supplementary election held after the last general election of a council.
- (5) In this regulation—
- commencement day* means the day on which section 21 of the *Statutes Amendment (Local Government Elections Review) Act 2025* comes into operation;
- new Part 14* means Part 14 of the Act (as in force on and after the commencement day);
- old Part 14* means Part 14 of the Act (as in force immediately before the commencement day).

**Editorial note—**

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

**Made by the Governor**

after consultation with the Local Government Association and with the advice and consent of the Executive Council  
on 18 December 2025

No 144 of 2025

South Australia

# Local Government (General) (Local Government Elections Review) Amendment Regulations 2025

under the *Local Government Act 1999*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

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

- 3 Insertion of regulation 5A  
5A Suspension of member for failure to submit certain returns
  - 4 Repeal of regulation 25A
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Local Government (General) (Local Government Elections Review) Amendment Regulations 2025*.

### 2—Commencement

These regulations come into operation on the day on which section 28 of the *Statutes Amendment (Local Government Elections Review) Act 2025* comes into operation.

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

### 3—Insertion of regulation 5A

After regulation 5 insert:

#### 5A—Suspension of member for failure to submit certain returns

For the purposes of section 55B(5) of the Act, the prescribed period is 12 months.

### 4—Repeal of regulation 25A

Regulation 25A—delete the regulation

**Editorial note—**

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

**Made by the Governor**

after consultation with the Local Government Association and with the advice and consent of the Executive Council  
on 18 December 2025

No 145 of 2025

South Australia

# National Energy Retail (Retailer of Last Resort) Amendment Regulations 2025

under the *National Energy Retail Law* and section 12 of the *National Energy Retail Law (South Australia) Act 2011*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *National Energy Retail Regulations*

- 3 Amendment of Schedule 1—Civil penalty provisions
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *National Energy Retail (Retailer of Last Resort) Amendment Regulations 2025*.

### 2—Commencement

These regulations come into operation on the day on which section 8 of the *National Energy Retail Law (Retailer of Last Resort) Amendment Act 2025* comes into operation.

## Part 2—Amendment of *National Energy Retail Regulations*

### 3—Amendment of Schedule 1—Civil penalty provisions

- (1) Schedule 1, Part 1—after "Section 143(2)(a)" insert:

Section 148A(5)(b)

- (2) Schedule 1, Part 2—after "Section 63" insert:

Section 148A(4)(a)

### Made by the Governor

on the unanimous recommendation of the Ministers of the participating jurisdictions and with the advice and consent of the Executive Council  
on 18 December 2025

No 146 of 2025

South Australia

# **Fisheries Management (General) (Cuttlefish) Amendment Regulations 2025**

under the *Fisheries Management Act 2007*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement

### **Part 2—Amendment of *Fisheries Management (General) Regulations 2017***

- 3 Repeal of regulation 23F
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Fisheries Management (General) (Cuttlefish) Amendment Regulations 2025*.

### **2—Commencement**

These regulations come into operation on the day on which the *Fisheries Management (Cuttlefish—Northern Spencer Gulf) Amendment Act 2025* comes into operation.

## **Part 2—Amendment of *Fisheries Management (General) Regulations 2017***

### **3—Repeal of regulation 23F**

Regulation 23F—delete the regulation

#### **Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments 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 18 December 2025

No 147 of 2025

South Australia

# Fisheries Management (Demerit Points) (Cuttlefish) Amendment Regulations 2025

under the *Fisheries Management Act 2007*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Fisheries Management (Demerit Points) Regulations 2017*

- 3 Amendment of Schedule 1—Demerit point offences and demerit points
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Fisheries Management (Demerit Points) (Cuttlefish) Amendment Regulations 2025*.

### 2—Commencement

These regulations come into operation on the day on which the *Fisheries Management (Cuttlefish—Northern Spencer Gulf) Amendment Act 2025* comes into operation.

## Part 2—Amendment of *Fisheries Management (Demerit Points) Regulations 2017*

### 3—Amendment of Schedule 1—Demerit point offences and demerit points

- (1) Schedule 1, Part 1, clause 1, table—after the item relating to section 75(2) insert:

75A(1)	<i>Taking cuttlefish in certain waters of Spencer Gulf without permit—</i>	
	(a) if the offence is expiated	20
	(b) in any other case—	
	(i) first offence	60
	(ii) second offence	80
	(iii) third or subsequent offence	100

- (2) Schedule 1, Part 2, clause 8, table, 2 items relating to regulation 23F of the *Fisheries Management (General) Regulations 2017*—delete each item

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments 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 18 December 2025

No 148 of 2025

South Australia

# **Animal Welfare (Electrical Devices) Amendment Regulations 2025**

under the *Animal Welfare Act 1985*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement

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

- 3 Amendment of regulation 8—Use of certain other electrical devices
  - 4 Insertion of regulation 8A
    - 8A Virtual fencing systems
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Animal Welfare (Electrical Devices) Amendment Regulations 2025*.

### **2—Commencement**

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

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

### **3—Amendment of regulation 8—Use of certain other electrical devices**

Regulation 8(1)(a)—delete paragraph (a) and substitute:

- (a) use an electrical device that is capable of producing an electrical stimulus to an animal—
  - (i) unless it is for the purpose of carrying out research into the use of such a device as part of a research program approved by an animal ethics committee; or
  - (ii) otherwise than in accordance with regulation 8A; or

#### 4—Insertion of regulation 8A

After regulation 8 insert:

##### 8A—Virtual fencing systems

- (1) A person may only use a device that is capable of producing an electrical stimulus to a designated animal if—
  - (a) the electrical stimulus is delivered in connection with a virtual fencing system approved by the Minister that—
    - (i) is appropriate to the type or kind of designated animal intended to be contained by the system; and
    - (ii) is capable of recording and retaining information and providing information to users of the system (such as, for example, alerts if the system is malfunctioning or if the system detects possible harm to an animal) (*system communications*) in accordance with any conditions of the approval; and
    - (iii) is designed and operates—
      - (A) to contain an animal in a designated area; and
      - (B) to allow an animal—
        - to move into a designated area; and
        - once the animal is within the designated area—to move freely in any direction within the designated area,without receiving an electrical stimulus; and
      - (C) before any electrical stimulus is applied to an animal—
        - to give the animal an audio warning or a warning by means of a vibration applied to the animal (or both); and
        - to allow sufficient time to enable the animal to move away from the virtual boundary; and
    - (iv) does not allow a person to—
      - (A) manually apply an electrical stimulus to an animal; or
      - (B) deliver an electrical stimulus to an animal that does not comply with requirements determined by the Minister by notice in the Gazette (whether for virtual fencing systems generally or for a particular type, or class, of virtual fencing system); and
    - (v) allows a person to permanently or temporarily deactivate a device to prevent harm to an animal; and

- (b) the person—
- (i) has completed a course of training provided by the holder of the approval or is under the direct supervision of a person who has completed a course of training provided by the holder of the approval; and
  - (ii) is using the device for the purpose for which it was designed and is operating it in accordance with the training provided by the holder of the approval; and
  - (iii) is not using the device for herding designated animals by means of applying the electrical stimulus unless—
    - (A) the movement of virtual boundaries occurs gradually and allows sufficient time to enable the animals to react; and
    - (B) the animals are not required to move at a pace faster than their normal walking pace; and
    - (C) no single animal is intentionally separated from the herd by means of applying the electrical stimulus; and
  - (iv) is not using the device on a designated animal of or under—
    - (A) 6 months of age; or
    - (B) the age specified by the holder of the approval, whichever is greater; and
  - (v) is only using the device on a designated animal that—
    - (A) has undergone system training for—
      - a period of 3 days; or
      - the period specified by the holder of the approval,whichever is greater; and
    - (B) has, within the period of the system training, learnt to respond appropriately to the electrical stimuli produced by the device; and
  - (vi) is not using the device on an animal that is fitted with another relevant device; and
  - (vii) checks the device at regular intervals to ensure the device—
    - (A) is maintained in good working order; and
    - (B) fits the animal properly; and
    - (C) is not causing harm to the animal; and

- (viii) has arrangements in place to monitor system communications and to ensure that a device that is not operating in accordance with the requirements of this regulation or that is causing harm to an animal can be removed from the animal or otherwise rectified as soon as reasonably practicable.
- (2) The Minister may, on application by a manufacturer or supplier of virtual fencing systems and payment of the prescribed fee, by written notice to the manufacturer or supplier (as the case may be), approve a virtual fencing system that is commercially available (or that will, if approved, be commercially available) for the purposes of subregulation (1).
- (3) An application for approval under subregulation (2) must—
  - (a) be made in a manner and form determined by the Minister; and
  - (b) be accompanied by such information or documents as may be required by the Minister.
- (4) An approval under subregulation (2)—
  - (a) remains in force for such period (not exceeding 3 years) as is specified in the notice and may, on application made in a manner and form determined by the Minister and payment of the prescribed fee, be renewed; and
  - (b) is subject to the following conditions:
    - (i) a condition requiring the holder of the approval to notify the Minister of any significant change, or planned significant change, to the operation of the virtual fencing system that differs from the approval criteria;
    - (ii) a condition requiring the holder of the approval to, on the request of the Minister, provide a report or supply specified records to the Minister;
    - (iii) a condition requiring the holder of the approval to provide training to a user of the system (including training in relation to how to identify and manage any animal welfare risks associated with the system) and to keep records of such training in accordance with any directions of the Minister; and
  - (c) may be subject to such other conditions as the Minister thinks fit and specifies in the notice; and
  - (d) may, with the approval of the Minister, be transferred; and
  - (e) may be varied, suspended or revoked by the Minister at any time by subsequent written notice to the holder of the approval (because the holder of the approval has committed an offence or for any other reason the Minister thinks fit).

- (5) If an approval of a virtual fencing system is varied, suspended or revoked under subregulation (4)(e), the holder of the approval must notify each person using the virtual fencing system of the variation, suspension or revocation as soon as reasonably practicable.
- (6) If a holder of an approval contravenes any conditions of the approval, the holder of the approval is guilty of an offence.  
Maximum penalty: \$5 000.  
Expiation fee: \$315.
- (7) If a person, other than the holder of the approval, sells, leases or supplies a virtual fencing system approved by the Minister under this regulation to another (the *recipient*), the person must—
- (a) provide the following information to the holder of the approval of the virtual fencing system:
    - (i) the full name, address and telephone number of the recipient;
    - (ii) the address of the recipient's property where the system is intended to be used;
    - (iii) the date of the sale, lease or supply of the system; and
  - (b) inform the recipient of the training requirements for the system; and
  - (c) provide the recipient with the name and contact details of the holder of the approval.
- (8) A person who—
- (a) sells, leases or supplies a virtual fencing system that is not approved by the Minister; or
  - (b) sells, leases or supplies a virtual fencing system in contravention of subregulation (7),
- is guilty of an offence.  
Maximum penalty: \$5 000.  
Expiation fee: \$315.
- (9) A person who interferes or tampers with any device or other part of an approved virtual fencing system in a way that may result in—
- (a) the device or system recording false or misleading information; or
  - (b) harm to an animal,
- is guilty of an offence.  
Maximum penalty: \$5 000.  
Expiation fee: \$315.
- (10) In this regulation—  
*approval*—see subregulation (2);

***designated animal*** means—

- (a) cattle; or
- (b) any other animal of a kind determined by the Minister by notice in the Gazette for the purposes of this definition;

***relevant device*** means—

- (a) a device that is capable of producing an electrical stimulus; or
- (b) any other form of electrical device or collar,

but does not include a device of a kind declared by the Minister, by notice in the Gazette, to not constitute a relevant device for the purposes of this regulation.

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments 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 18 December 2025

No 149 of 2025

South Australia

# **Education and Early Childhood Services (Registration and Standards) (Amendment of Education and Care Services National Law Text) Regulations 2025**

under the *Education and Early Childhood Services (Registration and Standards) Act 2011*

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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Education and Early Childhood Services (Registration and Standards) (Amendment of Education and Care Services National Law Text) Regulations 2025*.

## 2—Commencement

- (1) Subject to this regulation, these regulations will be taken to have come into operation on the day on which Part 2 of the *Early Childhood Legislation Amendment (Child Safety) Act 2025* of Victoria came into operation.
- (2) Regulation 7 comes into operation on the day on which these regulations are made.
- (3) Part 2 Division 2 comes into operation on 2 January 2026.
- (4) Part 2 Division 3 comes into operation on the day on which Part 4 of the *Early Childhood Legislation Amendment (Child Safety) Act 2025* of Victoria comes into operation.

## 3—Interpretation

In these regulations—

*Act* means the *Education and Early Childhood Services (Registration and Standards) Act 2011*.

## 4—Amendment of Education and Care Services National Law text

- (1) Pursuant to section 11 of the Act, the Education and Care Services National Law text is amended as set out in Part 2 of these regulations.
- (2) In these regulations, a provision referring to the amendment of a specified provision amends the provision of the Education and Care Services National Law text so specified.

## Part 2—Amendment of Education and Care Services National Law text

### Division 1—Amendments relating to offences, recruitment agencies and powers of Regulatory Authority

#### 5—Amendment of section 5—Definitions

- (1) Section 5(1)—after the definition of *compliance notice* insert:

*education and care related work* means work in or as part of an education and care service involving the provision of education and care;
- (2) Section 5(1)—after the definition of *receiving approved provider* insert:

*recruitment agency* means a person that carries on (whether or not with a view to profit and whether or not in conjunction with any other business) the business of procuring education and care related work for individuals seeking such work, whether or not the business includes procuring any other kind of work for those individuals or any other individuals;

#### 6—Amendment of section 188A—False or misleading information about prohibition notice

Section 188A, heading—delete "False or misleading information" and substitute:

Offence to give false or misleading information to approved provider

**7—Insertion of section 188B**

After section 188A insert:

**188B—Offence to make false or misleading statement to recruitment agency about prohibition notice**

- (1) A specified person who is subject to a prohibition notice that is in force under this Law as applying in any participating jurisdiction must not make a statement to a recruitment agency about the content or existence of the prohibition notice that is false or misleading in any material particular because of—
  - (a) the inclusion in the statement of a false or misleading matter; or
  - (b) the omission from the statement of a material matter.

Penalty: \$20 400.

- (2) In this section—

*specified person* means an individual who has entered into an agreement with a recruitment agency for the agency to procure for that individual education and care related work.

**8—Amendment of section 206—Power of authorised officers to obtain information documents and evidence**

Section 206, heading—delete "information documents and evidence" and substitute:

information, documents and evidence from approved providers, nominated supervisors, staff members and volunteers

**9—Insertion of section 206A**

After section 206 insert:

**206A—Power of authorised officers to obtain information, documents and evidence from recruitment agencies**

- (1) An authorised officer, by written notice, may require a recruitment agency to provide to the authorised officer, by writing signed by a competent officer of that agency and within the time and in the manner specified in the notice, any relevant information specified in the notice for the purposes of monitoring compliance with this Law.
- (2) The time specified in the notice must not be less than 14 days from the date the notice is issued.

**10—Amendment of section 215—Power of Regulatory Authority to obtain information, documents and evidence by notice**

Section 215(6)—delete subsection (6) and substitute:

- (6) In this section, *specified person* means—
  - (a) a person who is or has been an approved provider, a nominated supervisor or a staff member of, or a volunteer at, an approved education and care service; or

- (b) a person who is or has been a family day care educator; or
- (c) a recruitment agency.

## **11—Amendment of section 272—Disclosure of information to approved providers**

Section 272(1)—delete subsection (1) and substitute:

- (1) The National Authority or the Regulatory Authority may disclose the following information to an approved provider if the National Authority or Regulatory Authority considers on reasonable grounds that the information may assist the provider to comply with this Law:
  - (a) whether an individual who is employed, appointed or engaged by the approved provider has given an enforceable undertaking under section 179A that is in force, including information about the following:
    - (i) the provisions of this Law that the individual has contravened or is alleged to have contravened;
    - (ii) the actions that the individual must take or refrain from taking to comply with the enforceable undertaking;
    - (iii) whether the individual is complying with the enforceable undertaking;
  - (b) whether an individual who is employed, appointed or engaged by the approved provider is subject to a prohibition notice that is in force under this Law as applying in any participating jurisdiction;
  - (c) whether a family day care educator employed, appointed or engaged by the approved provider has been suspended from providing education and care to children under section 178.

## **12—Insertion of section 272A**

After section 272 insert:

### **272A—Disclosure of information to recruitment agencies**

- (1) The National Authority or the Regulatory Authority may disclose the following information to a recruitment agency for the purposes of promoting the objectives of the National Quality Framework:
  - (a) whether a specified person has given an enforceable undertaking under section 179A that is in force, including information about the following:
    - (i) the provisions of this Law that the specified person has contravened or is alleged to have contravened;
    - (ii) the actions that the specified person must take or refrain from taking to comply with the enforceable undertaking;
    - (iii) whether the specified person is complying with the enforceable undertaking;

- (b) whether a specified person is subject to a prohibition notice that is in force under this Law as applying in any participating jurisdiction;
  - (c) whether a specified person has been suspended from providing education and care to children as part of a family day care service under section 178.
- (2) A disclosure of information under this section is subject to Division 1 and any protocol agreed for the purposes of this section by—
  - (a) the National Authority, all participating jurisdictions and the Commonwealth; and
  - (b) subject to any protocol referred to in paragraph (a), the National Authority and the Regulatory Authority, or the National Authority, the Regulatory Authority and any Regulatory Authority of another participating jurisdiction.
- (3) In this section—

*specified person* means an individual who has entered into an agreement with a recruitment agency for the agency to procure for that individual education and care related work.

### **13—Amendment of section 284—When proceedings may be brought**

- (1) Section 284, heading—delete "brought" and substitute:

commenced
- (2) Section 284—after "section 181(6)" insert:

and subsection (3)
- (3) Section 284—after "commenced" insert:

by a person referred to in section 283(1)
- (4) Section 284—delete "of the date of the alleged offence" and substitute:

after the date on which the person becomes aware of the alleged offence
- (5) Section 284—after its present contents as amended by this regulation (now to be designated as subsection (1)) insert:
  - (2) Subsection (1) applies whether the date on which the person referred to in section 283(1) becomes aware of the alleged offence is before, on or after the commencement of section 11 of the *Early Childhood Legislation Amendment (Child Safety) Act 2025* of Victoria.
  - (3) If the Regulatory Authority becomes aware of an alleged offence but is required to suspend taking action under this Law in relation to the alleged offence because of a concurrent investigation or proceeding in relation to the same conduct under another Act, proceedings for the offence against this Law must be commenced within 2 years after any investigation or proceeding (as the case requires) in relation to the conduct under the other Act have been finalised.

**14—Insertion of section 324A**

After section 324 insert:

**324A—Regulations dealing with transitional matters—*Early Childhood Legislation Amendment (Child Safety) Act 2025 of Victoria***

- (1) The Ministerial Council may make regulations containing provisions of a transitional nature, including matters of an application or savings nature, arising as a result of the enactment of the *Early Childhood Legislation Amendment (Child Safety) Act 2025* of Victoria, including any repeals and amendments made by, or as a result of, the enactment of that Act.
- (2) Regulations made under this section may—
  - (a) have a retrospective effect to the day on which the *Early Childhood Legislation Amendment (Child Safety) Act 2025* of Victoria receives the Royal Assent; and
  - (b) be of limited or general application; and
  - (c) differ according to time, place or circumstances; and
  - (d) leave any matter or thing to be decided by a specified person or class of person.
- (3) Regulations under this section have effect despite anything to the contrary in any Act (other than this Law) or in any subordinate instrument.
- (4) This section is **repealed** on the second anniversary of its commencement.

**Division 2—Amendments relating to penalties and infringement offences****15—Amendment of section 19—Conditions on provider approval**

Section 19(4), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$34 200, in the case of an individual.
- (b) \$172 200, in any other case.

**16—Amendment of section 36—Notice to parents of suspension or cancellation**

Section 36(3), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$10 200, in the case of an individual.
- (b) \$51 600, in any other case.

**17—Amendment of section 51—Conditions on service approval**

Section 51(8), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$34 200, in the case of an individual.
- (b) \$172 200, in any other case.

**18—Amendment of section 68—Confirmation of transfer**

Section 68(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$13 500, in the case of an individual.
- (b) \$68 700, in any other case.

**19—Amendment of section 69—Notice to parents**

Section 69(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$10 200, in the case of an individual.
- (b) \$51 600, in any other case.

**20—Amendment of section 84—Notice to parents of suspension or cancellation**

Section 84(3), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$10 200, in the case of an individual.
- (b) \$51 600, in any other case.

**21—Amendment of section 103—Offence to provide an education and care service without service approval**

Section 103(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$68 700, in the case of an individual.
- (b) \$344 700, in any other case.

**22—Amendment of section 103A—Offence relating to places where education and care is provided as part of a family day care service**

Section 103A, penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$68 700, in the case of an individual.
- (b) \$344 700, in any other case.

**23—Amendment of section 104—Offence to advertise education and care service without service approval**

Section 104(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$20 400, in the case of an individual.
- (b) \$103 200, in any other case.

**24—Amendment of section 161—Offence to operate education and care service without nominated supervisor**

Section 161, penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$17 100, in the case of an individual.
- (b) \$86 100, in any other case.

**25—Amendment of section 161A—Offence for nominated supervisor not to meet prescribed minimum requirements**

Section 161A, penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$17 100, in the case of an individual.
- (b) \$86 100, in any other case.

**26—Amendment of section 162—Offence to operate education and care service unless responsible person is present**

Section 162(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$17 100, in the case of an individual.
- (b) \$86 100, in any other case.

**27—Amendment of section 163—Offence relating to appointment or engagement of family day care co-ordinators**

Section 163(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$17 100, in the case of an individual.
- (b) \$86 100, in any other case.

**28—Amendment of section 164—Offence relating to assistance to family day care educators**

Section 164(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$17 100, in the case of an individual.
- (b) \$86 100, in any other case.

**29—Amendment of section 164A—Offence relating to the education and care of children by family day care service**

(1) Section 164A(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$34 200, in the case of an individual.
- (b) \$172 200, in any other case.

- (2) Section 164A(2), penalty provision—delete "\$2 200" and substitute:  
\$6 600

**30—Amendment of section 165—Offence to inadequately supervise children**

- (1) Section 165(1), penalty provision—delete the penalty provision and substitute:  
Penalty:  
(a) \$34 200, in the case of an individual.  
(b) \$172 200, in any other case.
- (2) Section 165(2), penalty provision—delete "\$11 400" and substitute:  
\$34 200
- (3) Section 165(3), penalty provision—delete "\$11 400" and substitute:  
\$34 200

**31—Amendment of section 166—Offence to use inappropriate discipline**

- (1) Section 166(1), penalty provision—delete the penalty provision and substitute:  
Penalty:  
(a) \$34 200, in the case of an individual.  
(b) \$172 200, in any other case.
- (2) Section 166(2), penalty provision—delete "\$11 400" and substitute:  
\$34 200
- (3) Section 166(3), penalty provision—delete "\$11 400" and substitute:  
\$34 200
- (4) Section 166(4), penalty provision—delete "\$11 400" and substitute:  
\$34 200

**32—Amendment of section 167—Offence relating to protection of children from harm and hazards**

- (1) Section 167(1), penalty provision—delete the penalty provision and substitute:  
Penalty:  
(a) \$34 200, in the case of an individual.  
(b) \$172 200, in any other case.
- (2) Section 167(2), penalty provision—delete "\$11 400" and substitute:  
\$34 200
- (3) Section 167(3), penalty provision—delete "\$11 400" and substitute:  
\$34 200

**33—Amendment of section 168—Offence relating to required programs**

- (1) Section 168(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$13 500, in the case of an individual.
- (b) \$68 700, in any other case.

- (2) Section 168(2), penalty provision—delete "\$4 500" and substitute:

\$13 500

**34—Amendment of section 169—Offence relating to staffing arrangements**

- (1) Section 169(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$34 200, in the case of an individual.
- (b) \$172 200, in any other case.

- (2) Section 169(2), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$34 200, in the case of an individual.
- (b) \$172 200, in any other case.

- (3) Section 169(3), penalty provision—delete "\$11 400" and substitute:

\$34 200

- (4) Section 169(4), penalty provision—delete "\$11 400" and substitute:

\$34 200

- (5) Section 169(5), penalty provision—delete "\$11 400" and substitute:

\$34 200

**35—Amendment of section 170—Offence relating to unauthorised persons on education and care service premises**

- (1) Section 170(2), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$3 300, in the case of an individual.
- (b) \$17 100, in any other case.

- (2) Section 170(3), penalty provision—delete "\$1 100" and substitute:

\$3 300

- (3) Section 170(4), penalty provision—delete "\$1 100" and substitute:

\$3 300

**36—Amendment of section 171—Offence relating to direction to exclude inappropriate persons from education and care service premises**

Section 171(2), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$34 200, in the case of an individual.
- (b) \$172 200, in any other case.

**37—Amendment of section 172—Offence to fail to display prescribed information**

(1) Section 172(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$10 200, in the case of an individual.
- (b) \$51 600, in any other case.

(2) Section 172(2), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$10 200, in the case of an individual.
- (b) \$51 600, in any other case.

**38—Amendment of section 173—Offence to fail to notify certain circumstances to Regulatory Authority**

(1) Section 173(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$13 500, in the case of an individual.
- (b) \$68 700, in any other case.

(2) Section 173(2), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$13 500, in the case of an individual.
- (b) \$68 700, in any other case.

**39—Amendment of section 174—Offence to fail to notify certain information to Regulatory Authority**

(1) Section 174(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$13 500, in the case of an individual.
- (b) \$68 700, in any other case.

(2) Section 174(2), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$13 500, in the case of an individual.
- (b) \$68 700, in any other case.

**40—Amendment of section 174A—Family day care educator to notify certain information to approved provider**

Section 174A, penalty provision—delete "\$2 200" and substitute:

\$6 600

**41—Amendment of section 175—Offence relating to requirement to keep enrolment and other documents**

(1) Section 175(1), penalty provision—delete the penalty provision and substitute:

Penalty:

(a) \$13 500, in the case of an individual.

(b) \$68 700, in any other case.

(2) Section 175(3), penalty provision—delete "\$4 500" and substitute:

\$13 500

**42—Amendment of section 176—Compliance directions**

Section 176(3), penalty provision—delete the penalty provision and substitute:

Penalty:

(a) \$6 600, in the case of an individual.

(b) \$34 200, in any other case.

**43—Amendment of section 177—Compliance notices**

Section 177(3), penalty provision—delete the penalty provision and substitute:

Penalty:

(a) \$20 400, in the case of an individual.

(b) \$103 200, in any other case.

**44—Amendment of section 178—Notice to suspend education and care by a family day care educator**

Section 178(7), penalty provision—delete the penalty provision and substitute:

Penalty:

(a) \$20 400, in the case of an individual.

(b) \$103 200, in any other case.

**45—Amendment of section 179—Emergency action notices**

Section 179(3), penalty provision—delete the penalty provision and substitute:

Penalty:

(a) \$20 400, in the case of an individual.

(b) \$103 200, in any other case.

**46—Amendment of section 187—Person must not contravene prohibition notice**

- (1) Section 187(1), penalty provision—delete "\$22 900" and substitute:  
\$68 700
- (2) Section 187(2), penalty provision—delete "\$22 900" and substitute:  
\$68 700

**47—Amendment of section 188—Offence to engage person to whom prohibition notice applies**

- (1) Section 188(1), penalty provision—delete the penalty provision and substitute:  
Penalty:
  - (a) \$68 700, in the case of an individual.
  - (b) \$344 700, in any other case.
- (2) Section 188(2), penalty provision—delete the penalty provision and substitute:  
Penalty:
  - (a) \$68 700, in the case of an individual.
  - (b) \$344 700, in any other case.
- (3) Section 188(3), penalty provision—delete the penalty provision and substitute:  
Penalty:
  - (a) \$68 700, in the case of an individual.
  - (b) \$344 700, in any other case.

**48—Amendment of section 188A—False or misleading information about prohibition notice**

Section 188A, penalty provision—delete "\$6 800" and substitute:  
\$20 400

**49—Amendment of section 196—Identity card**

- (1) Section 196(3), penalty provision—delete "\$1 100" and substitute:  
\$3 300
- (2) Section 196(5), penalty provision—delete "\$1 100" and substitute:  
\$3 300

**50—Amendment of section 207—Offence to obstruct authorised officer**

Section 207, penalty provision—delete the penalty provision and substitute:  
Penalty:

- (a) \$27 300, in the case of an individual.
- (b) \$137 700, in any other case.

**51—Amendment of section 208—Offence to fail to assist authorised officer**

Section 208, penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$27 300, in the case of an individual.
- (b) \$137 700, in any other case.

**52—Amendment of section 209—Offence to destroy or damage notices or documents**

Section 209, penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$27 300, in the case of an individual.
- (b) \$137 700, in any other case.

**53—Amendment of section 210—Offence to impersonate authorised officer**

Section 210, penalty provision—delete "\$9 100" and substitute:

\$27 300

**54—Amendment of section 217—Offence to fail to comply with notice or requirement**

Section 217, penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$27 300, in the case of an individual.
- (b) \$137 700, in any other case.

**55—Amendment of section 218—Offence to hinder or obstruct Regulatory Authority**

Section 218, penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$27 300, in the case of an individual.
- (b) \$137 700, in any other case.

**56—Amendment of section 269—Register of family day care educators, co-ordinators and assistants**

- (1) Section 269(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$13 500, in the case of an individual.
- (b) \$68 700, in any other case.

- (2) Section 269(2), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$6 600, in the case of an individual.
- (b) \$34 200, in any other case.

- (3) Section 269(3), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$13 500, in the case of an individual.
- (b) \$68 700, in any other case.

- (4) Section 269(4), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$13 500, in the case of an individual.
- (b) \$68 700, in any other case.

### **57—Amendment of section 273—Duty of confidentiality**

Section 273(1), penalty provision—delete "\$5 700" and substitute:

\$17 100

### **58—Amendment of section 291—Infringement offences**

Section 291(1)(a)—delete paragraph (a) and substitute:

- (a) section 36(3), 68(1), 69(1), 84(3), 161, 161A, 162(1), 163(1), 170(2), (3) or (4), 172, 173, 174(1) or (2), 175(1) or (3), 176(3), 177(3), 178(7), 179(3), 217 or 269; or

### **59—Amendment of section 295—False or misleading information or documents**

Section 295(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$20 400, in the case of an individual.
- (b) \$103 200, in any other case.

### **60—Amendment of section 297—Protection from reprisal**

Section 297(1), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$34 200, in the case of an individual.
- (b) \$172 200, in any other case.

### **61—Amendment of section 301—National regulations**

Section 301(4)(g)—delete "\$2 200" and substitute:

\$6 600

### **62—Amendment of section 322—Information retention and sharing**

Section 322(3), penalty provision—delete the penalty provision and substitute:

Penalty:

- (a) \$13 500, in the case of an individual.
- (b) \$68 700, in any other case.

## Division 3—Other amendments

### 63—Insertion of section 2A

After section 2 insert:

#### **2A—Paramount consideration—safety, rights, and best interests of children**

- (1) The safety, rights and best interests of children is the paramount consideration in the operation of an education and care service and the delivery of education and care services to children (the *paramount consideration*).
- (2) The following persons must have regard to and apply the paramount consideration when making any decision or taking any action in relation to the operation of an education and care service or the delivery of education and care services to children:
  - (a) an approved provider of an education and care service;
  - (b) a person with management or control of an education and care service;
  - (c) a person in day-to-day charge of an education and care service;
  - (d) a nominated supervisor of an education and care service;
  - (e) a staff member of an education and care service;
  - (f) a volunteer at an education and care service.
- (3) For the purposes of this section—
  - (a) in the case of an approved provider that is a body corporate, the constitution or rules of the body corporate is taken to include a provision requiring the body corporate to have regard to and apply the paramount consideration; and
  - (b) in the case of an approved provider that is an eligible association, the constitution or rules of the eligible association is taken to include a provision requiring the eligible association to have regard to and apply the paramount consideration; and
  - (c) in the case of an approved provider that is a partnership, the partnership agreement is taken to include a provision requiring the partnership to have regard to and apply the paramount consideration.

- (4) Subsections (2)(a) and (b) and (3)(a) are declared to be Corporations legislation displacement provisions for the purposes of section 5G of the *Corporations Act 2001* of the Commonwealth in relation to the provisions of that Act.

**Note—**

Section 5G of the *Corporations Act 2001* of the Commonwealth provides that if a State law declares a provision of a State law to be a Corporations legislation displacement provision for the purposes of that section, any provision of the Corporations legislation with which the State provision would otherwise be inconsistent does not operate to the extent necessary to avoid the inconsistency.

#### **64—Amendment of section 3—Objectives and guiding principles**

Section 3(3)(a)—delete paragraph (a) and substitute:

- (a) the paramount consideration set out in section 2A(1);

#### **65—Amendment of section 5—Definitions**

- (1) Section 5(1)—after the definition of *eligible association* insert:

*excursion* means an outing organised by an education and care service to and from a destination outside of the education and care service premises, but does not include an outing organised by an education and care service provided at a school if—

- (a) the children taking part in the excursion leave the education and care service premises in the company of an educator; and  
(b) the children do not leave the school;

- (2) Section 5(1)—after the definition of *former education and care services law* insert:

*former provider* means a person who held a provider approval that is surrendered, suspended or cancelled under this Law;

- (3) Section 5(1)—after the definition of *National Authority* insert:

*National Early Childhood Worker Register* means the register established under section 269B;

- (4) Section 5(1), definition of *prohibition notice*—delete "or 182(3)" and substitute:  
, (3) or (4)

- (5) Section 5(1)—after the definition of *Regulatory Authority* insert:

*related provider* has the meaning given by section 5B;

*related provider determination* means a determination made under section 5C(1)(a) or (b);

- (6) Section 5(1)—after the definition of *staff member* insert:

*systemic risk*, in relation to an applicant for a provider approval, an approved provider, a related provider of an applicant for a provider approval or a related provider of an approved provider, has the meaning given by section 5D;

**66—Insertion of sections 5B, 5C and 5D**

After section 5A insert:

**5B—Who is a *related provider*?**

In this Law, a *related provider* means a person who is—

- (a) a related provider within the meaning of section 4A(3) of the *A New Tax System (Family Assistance) (Administration) Act 1999* of the Commonwealth; or
- (b) an approved provider who is determined to be related to another approved provider or an applicant for a provider approval under a related provider determination; or
- (c) a former provider who is determined to be related to an approved provider or an applicant for a provider approval under a related provider determination.

**5C—Related provider determination**

- (1) The Regulatory Authority may determine that—
  - (a) one or more approved providers or former providers are related to an applicant for a provider approval; or
  - (b) one or more approved providers or former providers are related to each other.
- (2) The Regulatory Authority must not make a related provider determination under this section unless it is satisfied that the prescribed circumstances apply.
- (3) A related provider determination must—
  - (a) set out the reasons for the determination; and
  - (b) be given in accordance with the national regulations to—
    - (i) in the case of a determination under subsection (1)(a), the applicant for the provider approval and each approved provider or former provider who is determined to be related to the applicant; or
    - (ii) in the case of a determination under subsection (1)(b), each approved provider or former provider who is determined to be related to each other.
- (4) The Regulatory Authority may revoke a related provider determination if it is satisfied that the circumstances prescribed for the purposes of subsection (2) no longer apply.

**5D—What is a *systemic risk*?**

- (1) In this Law, a *systemic risk* arises in relation to—
  - (a) an applicant for a provider approval if the provider approval is granted and there is—

- (i) a risk to the safety, health or wellbeing of a child or children to be educated and cared for by an education and care service proposed to be operated by the applicant; or
    - (ii) a risk of the applicant contravening this Law or the national regulations; or
  - (b) an approved provider if there is—
    - (i) a risk to the safety, health or wellbeing of a child or children being educated and cared for by an education and care service operated by the approved provider; or
    - (ii) a risk of the approved provider contravening this Law or the national regulations; or
  - (c) a related provider of an applicant for a provider approval or a related provider of an approved provider if there is—
    - (i) a risk to the safety, health or wellbeing of a child or children being educated and cared for by an education and care service operated by the related provider; or
    - (ii) a risk of the related provider contravening this Law or the national regulations.
- (2) In determining whether there is a systemic risk, the Regulatory Authority may have regard to the following:
  - (a) the nature of the risk;
  - (b) whether the risk is connected to, or is a result of, the governance, ownership or operation of an approved provider or one or more related providers of the approved provider;
  - (c) whether the risk is shared between an approved provider and any related provider of the approved provider;
  - (d) how the risk affects an approved provider and any related provider of the approved provider;
  - (e) any other matter the Regulatory Authority considers relevant.

**67—Amendment of section 13—Matters to be taken into account in assessing whether fit and proper person**

- (1) Section 13—after subsection (2) insert:
  - (2A) Without limiting subsections (1) and (2), the Regulatory Authority may have regard to the matters set out in subsections (1) and (2) in respect of any related provider of the applicant if the Regulatory Authority is satisfied that there may be a systemic risk in relation to the applicant or the related provider of the applicant.
- (2) Section 13(3)—delete "or (2)" and substitute:
  - , (2) or (2A)

**68—Amendment of section 23—Amendment of provider approval by Regulatory Authority**

Section 23—after subsection (2) insert:

- (2A) Without limiting subsections (1) and (2), the Regulatory Authority may amend an approved provider's provider approval, vary a condition on an approved provider's provider approval or impose a new condition on an approved provider's provider approval if the Regulatory Authority is satisfied that—
- (a) there is a systemic risk in relation to the approved provider or a related provider of the approved provider; and
  - (b) the amendment of the provider approval, the variation of the condition on the provider approval or the imposition of the new condition on the provider approval is reasonably necessary to address the systemic risk.

**69—Amendment of section 25—Grounds for suspension of provider approval**

Section 25—after its present contents (now to be designated as subsection (1)) insert:

- (2) Without limiting subsection (1), the Regulatory Authority may suspend an approved provider's provider approval if one or more grounds set out in subsection (1) apply to a related provider of the approved provider and the Regulatory Authority is satisfied that—
- (a) there is a systemic risk in relation to the approved provider or a related provider of the approved provider; and
  - (b) the suspension is reasonably necessary to address the systemic risk.

**70—Amendment of section 27—Decision to suspend after show cause process**

Section 27(a)—delete "section 25(a)" and substitute:

section 25(1)(a)

**71—Amendment of section 31—Grounds for cancellation of provider approval**

Section 31—after its present contents (now to be designated as subsection (1)) insert:

- (2) Without limiting subsection (1), the Regulatory Authority may cancel an approved provider's provider approval if one or more grounds set out in subsection (1) apply to a related provider of the approved provider and the Regulatory Authority is satisfied that—
- (a) there is a systemic risk in relation to the approved provider or the related provider of the approved provider; and
  - (b) the cancellation is reasonably necessary to address the systemic risk.

**72—Amendment of section 45—Regulatory Authority may seek further information**

(1) Section 45—after subsection (1) insert:

(1A) The Regulatory Authority may ask a related provider of an applicant for a service approval to provide any further information that is reasonably required for the purpose of assessing the application.

(2) Section 45(2)—after "applicant" insert:

or a related provider of the applicant

**73—Amendment of section 47—Determination of application**

Section 47—after subsection (2) insert:

(2A) In addition, the Regulatory Authority may have regard to the history of compliance of a related provider of the applicant with this Law or this Law as applying in any participating jurisdiction, including in relation to any education and care service operated by the related provider of the applicant, if the Regulatory Authority is satisfied that there is a systemic risk in relation to the applicant or the related provider of the applicant.

**74—Amendment of section 49—Grounds for refusal**

Section 49—after subsection (1) insert:

(1A) The Regulatory Authority may refuse to grant a service approval on a ground set out in section 47(2A).

**75—Amendment of section 55—Amendment of service approval by Regulatory Authority**

Section 55—after subsection (2) insert:

(2A) Without limiting subsections (1) and (2), the Regulatory Authority may amend an approved provider's service approval, vary a condition on an approved provider's service approval or impose a new condition on an approved provider's service approval if the Regulatory Authority is satisfied that—

- (a) there is a systemic risk in relation to the approved provider or a related provider of the approved provider; and
- (b) the amendment of the service approval, the variation of the condition on the service approval or the imposition of the new condition on the service approval is reasonably necessary to address the systemic risk.

**76—Amendment of section 70—Grounds for suspension of service approval**

Section 70—after its present contents (now to be designated as subsection (1)) insert:

(2) Without limiting subsection (1), the Regulatory Authority may suspend an approved provider's service approval if one or more grounds set out in subsection (1) apply to a related provider of the approved provider and the Regulatory Authority is satisfied that—

- (a) there is a systemic risk in relation to the approved provider or the related provider of the approved provider; and
- (b) the suspension is reasonably necessary to address the systemic risk.

**77—Amendment of section 72—Decision in relation to suspension**

Section 72(a)—delete "section 70(a)" and substitute:

section 70(1)(a)

**78—Amendment of section 77—Grounds for cancellation of service approval**

Section 77—after its present contents (now to be designated as subsection (1)) insert:

- (2) Without limiting subsection (1), the Regulatory Authority may cancel an approved provider's service approval if one or more grounds set out in subsection (1) apply to a related provider of the approved provider and the Regulatory Authority is satisfied that—
  - (a) there is a systemic risk in relation to the approved provider or the related provider of the approved provider; and
  - (b) the cancellation is reasonably necessary to address the systemic risk.

**79—Amendment of section 90—Matters to be considered**

Section 90—after paragraph (a) insert:

- (ab) the history of compliance of a related provider of the applicant with this Law or this Law as applying in any participating jurisdiction, including in relation to any education and care service operated by the related provider of the applicant; and

**80—Substitution of section 162A**

Section 162A—delete the section and substitute:

**162A—Child protection training**

An approved provider of an education and care service must ensure that each of the following persons completes prescribed child protection training within the prescribed period:

- (a) a nominated supervisor of the service;
- (b) a person in day-to-day charge of the service;
- (c) a staff member of the service;
- (d) a volunteer at the service.

Penalty:

- (a) \$6 600, in the case of an individual.
- (b) \$34 200, in any other case.

**162B—Child safety training**

An approved provider of an education and care service must ensure that each of the following persons completes prescribed child safety training within the prescribed period:

- (a) a person with management and control of the service;
- (b) a nominated supervisor of the service;

- (c) a person in day-to-day charge of the service;
- (d) a staff member of the service;
- (e) a volunteer at the service.

Penalty:

- (a) \$6 600, in the case of an individual.
- (b) \$34 200, in any other case.

## **81—Insertion of section 166A**

After section 166 insert:

### **166A—Offences relating to inappropriate conduct**

- (1) An approved provider of an education and care service must ensure that no child is subjected to conduct that a reasonable person would consider to be inappropriate in an education and care service while that child is being educated and cared for by the service.

Penalty:

- (a) \$34 200, in the case of an individual.
- (b) \$172 000, in any other case.

- (2) A nominated supervisor of an education and care service must ensure that no child is subjected to conduct that a reasonable person would consider to be inappropriate in an education and care service while that child is being educated and cared for by the service.

Penalty: \$34 200.

- (3) An approved provider of an education and care service must not subject a child being educated or cared for by the service to conduct that a reasonable person would consider to be inappropriate in an education and care service.

Penalty: \$34 200.

- (4) A nominated supervisor of an education and care service must not subject a child being educated or cared for by the service to conduct that a reasonable person would consider to be inappropriate in an education and care service.

Penalty: \$34 200.

- (5) A staff member of an education and care service must not subject a child being educated or cared for by the service to conduct that a reasonable person would consider to be inappropriate in an education and care service.

Penalty: \$34 200.

- (6) A volunteer at an education and care service must not subject a child being educated or cared for by the service to conduct that a reasonable person would consider to be inappropriate in an education and care service.

Penalty: \$34 200.

- (7) For the purposes of subsections (1) to (6), whether or not a reasonable person would consider the conduct to be inappropriate in an education and care service depends on the circumstances.
- (8) For the purposes of subsection (7)—
- (a) the circumstances may include any of the following:
    - (i) whether the conduct is generally accepted practice in the provision of education and care;
    - (ii) whether the conduct is likely to cause or result in harm (including emotional, psychological or physical harm) or injury to a child or children enrolled at the service;
    - (iii) the child's age and stage of development;
    - (iv) whether the conduct is sexual, aggressive or violent; and
  - (b) it is immaterial whether—
    - (i) the child has consented to being subjected to the conduct; or
    - (ii) the person subjecting the child to the conduct believes the child has consented to being subjected to the conduct; or
    - (iii) the person subjecting the child to the conduct is related to the child.
- (9) For the purposes of this section, filming, recording, taking or otherwise capturing an image of a child is subjecting a child to conduct.
- (10) For the purposes of this section, the conduct may be constituted by conduct—
- (a) engaged in on a single occasion; or
  - (b) engaged in on a number of occasions over a period of time; or
  - (c) that is part of an ongoing pattern.
- (11) In this section—
- conduct** means—
- (a) an act; or
  - (b) an omission to perform an act.

## **82—Amendment of section 173—Offence to fail to notify certain circumstances to Regulatory Authority**

- (1) Section 173—after subsection (1) insert:
- (1A) An approved provider that is a body corporate must notify the Regulatory Authority if 50 per cent or more of the approved provider's ownership or voting rights is acquired.  
Penalty: \$68 700.
- (2) Section 173(3)—after "subsection (1)" insert:
- , (1A)

(3) Section 173—after subsection (4) insert:

- (4A) A notice under subsection (1A) must be provided to the Regulatory Authority that granted the approved provider's provider approval within 7 days after the date on which 50 per cent or more of the approved provider's ownership or voting rights is acquired.

## 83—Insertion of Part 6A

After Part 6 insert:

### Part 6A—Devices in education and care services

#### Division 1—Interpretation

##### 175A—Definitions

In this Part—

*capture*, in relation to an image of a child, includes to film, record or take an image of the child;

*personal device* means a device that is—

- (a) owned or controlled by a person; and
- (b) capable of—
  - (i) capturing an image; or
  - (ii) storing or transmitting an image,

but does not include a service-supplied device, a service-authorised device or a class of device that is prescribed not to be a personal device;

**Examples—**

A phone, tablet computer, camera or smartwatch is a personal device that is capable of capturing an image. A USB drive, memory card or hard drive is a personal device that is capable of storing or transmitting an image.

*service-authorised device* means a device authorised under section 175C(1);

*service-supplied device* means a device supplied under section 175B(1).

#### Division 2—Service-supplied devices and service-authorised devices

##### 175B—Approved provider may supply device for use in education and care service

- (1) An approved provider of an education and care service may supply a device that is to be used by a person employed, engaged or appointed at the service exclusively for the purposes of providing education and care to children as part of that service.

- (2) In supplying a device under subsection (1), an approved provider must ensure that the device is configured to operate in accordance with any policies or procedures of the education and care service that relate to child safety or the security of devices.

**175C—Approved provider may authorise device for use in family day care services**

- (1) An approved provider of a family day care service may authorise a device that is to be used by a person employed, engaged or appointed at the service exclusively for the purposes of providing education and care to children as part of that service.
- (2) In authorising a device under subsection (1), an approved provider must ensure that the device is configured to operate in accordance with any policies or procedures of the family day care service that relate to child safety or the security of devices.

**175D—Requirement to use service-supplied device in education and care service (other than family day care service)**

- (1) An approved provider of an education and care service (other than a family day care service) must take every reasonable precaution to ensure that, while each person specified in subsection (2) is providing education and care to children as part of the service, the person does not use a device to capture, store or transmit an image of a child being educated or cared for by the service unless the person uses a service-supplied device to do so.

Penalty:

- (a) \$6 600, in the case of an individual.
  - (b) \$34 200, in any other case.
- (2) The following persons are specified:
    - (a) a nominated supervisor;
    - (b) a staff member;
    - (c) a volunteer.
  - (3) A nominated supervisor of an education and care service (other than a family day care service) must take every reasonable precaution to ensure that, while each person specified in subsection (4) is providing education and care to children as part of the service, the person does not use a device to capture, store or transmit an image of a child being educated or cared for by the service unless the person uses a service-supplied device to do so.  
Penalty: \$6 600.
  - (4) The following persons are specified:
    - (a) a staff member;
    - (b) a volunteer.

**175E—Requirement to use service-authorised device or service-supplied device in family day care service**

- (1) An approved provider of a family day care service must take every reasonable precaution to ensure that, while each person specified in subsection (2) is providing education and care to children as part of the service, the person does not use a device to capture, store or transmit an image of a child being educated or cared for by the service unless the person uses a service-authorised device or a service-supplied device to do so.

Penalty:

- (a) \$6 600, in the case of an individual.
  - (b) \$34 200, in any other case.
- (2) The following persons are specified:
  - (a) a nominated supervisor;
  - (b) a staff member;
  - (c) a volunteer.
- (3) A nominated supervisor of a family day care service must take every reasonable precaution to ensure that, while each person specified in subsection (4) is providing education and care to children as part of the service, the person does not use a device to capture, store or transmit an image of a child being educated or cared for by the service unless the person uses a service-authorised device or a service-supplied device to do so.

Penalty: \$6 600.
- (4) The following persons are specified:
  - (a) a staff member;
  - (b) a volunteer.

**175F—Offences relating to capturing, storing or transmitting images of children**

- (1) An approved provider of an education and care service (other than a family day care service) must not capture, store or transmit an image of a child while the child is being educated or cared for by that service unless the approved provider captures, stores or transmits the image of the child on a service-supplied device for the purposes of, or in connection with, the provision of education and care services.

Penalty: \$6 600.

- (2) An approved provider of a family day care service must not capture, store or transmit an image of a child while the child is being educated or cared for by that service unless the approved provider captures, stores or transmits the image of the child on a service-supplied device or service-authorised device for the purposes of, or in connection with, the provision of education and care services.

Penalty: \$6 600.

- (3) A nominated supervisor of an education and care service (other than a family day care service) must not capture, store or transmit an image of a child while the child is being educated or cared for by that service unless the nominated supervisor captures, stores or transmits the image of the child on a service-supplied device for the purposes of, or in connection with, the provision of education and care services.

Penalty: \$6 600.
- (4) A nominated supervisor of a family day care service must not capture, store or transmit an image of a child while the child is being educated or cared for by that service unless the nominated supervisor captures, stores or transmits the image of the child on a service-supplied device or service-authorized device for the purposes of, or in connection with, the provision of education and care services.

Penalty: \$6 600.
- (5) A staff member of an education and care service (other than a family day care service) must not capture, store or transmit an image of a child while the child is being educated or cared for by that service unless the staff member captures, stores or transmits the image of the child on a service-supplied device for the purposes of, or in connection with, the provision of education and care services.

Penalty: \$6 600.
- (6) A staff member of a family day care service must not capture, store or transmit an image of a child while the child is being educated or cared for by that service unless the staff member captures, stores or transmits the image of the child on a service-supplied device or service-authorized device for the purposes of, or in connection with, the provision of education and care services.

Penalty: \$6 600.
- (7) A volunteer at an education and care service (other than a family day care service) must not capture, store or transmit an image of a child while the child is being educated or cared for by that service unless the volunteer captures, stores or transmits the image of the child on a service-supplied device for the purposes of, or in connection with, the provision of education and care services.

Penalty: \$6 600.
- (8) A volunteer at a family day care service must not capture, store or transmit an image of a child while the child is being educated or cared for by that service unless the volunteer captures, stores or transmits the image of the child on a service-supplied device or service-authorized device for the purposes of, or in connection with, the provision of education and care services.

Penalty: \$6 600.

- (9) This section does not apply in relation to an image of a child that is captured, stored or transmitted at an education and care service premises by an optical surveillance device within the meaning of the *Surveillance Devices Act 2004* of the Commonwealth that is installed at the service premises and authorised by the approved provider for security purposes.

### **Division 3—Personal devices**

#### **175G—Meaning of *working directly with children***

- (1) For the purposes of this Division, a person is *working directly with children* at a given time if the person is—
- (a) physically present with a child or children at that time; and
  - (b) employed, engaged or appointed to provide education and care to the child or children at that time.
- (2) For the purposes of this Division, a person is not working directly with children at a given time if the person is taking a short break from providing education or care to children in accordance with the person's employment, engagement or appointment.

#### **175H—Offences relating to possession or control of personal devices—approved providers and nominated supervisors**

- (1) An approved provider of an education and care service (other than a family day care service) must take every reasonable precaution to ensure that, while each person specified in subsection (2) is working directly with children as part of the service, the person does not have a personal device in the person's possession or under the person's control.

Penalty:

- (a) \$6 600, in the case of an individual.
  - (b) \$34 200, in any other case.
- (2) The following persons are specified:
- (a) a nominated supervisor;
  - (b) a staff member;
  - (c) a volunteer.
- (3) Subsection (1) does not apply to an approved provider if—
- (a) the nominated supervisor, staff member or volunteer has the personal device in the person's possession or under the person's control—
    - (i) in accordance with an authorisation given by the approved provider under section 175J; or
    - (ii) during an excursion with children being educated or cared for by the service, and the possession or control of the personal device is necessary for the purposes of safety or the provision of education and care to the children; or

- (iii) while the children are being transported by the service or on transportation arranged by the service, and the possession or control of the personal device is necessary for the purposes of safety or the provision of education and care to the children; or
  - (b) it is not practicable for an authorisation to be given under section 175J and a reasonable person would consider the possession or control of the personal device is necessary for the purposes of—
    - (i) providing support or assistance with the disability or health needs of the nominated supervisor, staff member or volunteer; or
    - (ii) the nominated supervisor, staff member or volunteer communicating with a family member; or
    - (iii) safety or the provision of education and care to the children if a service-supplied device ceases working; or
    - (iv) use in an emergency; or
    - (v) work health and safety; or
  - (c) any prescribed circumstances apply in relation to the possession or control of the personal device.
- (4) A nominated supervisor of an education and care service (other than a family day care service) must take every reasonable precaution to ensure that, while each person specified in subsection (5) is working directly with children as part of the service, the person does not have a personal device in the person's possession or under the person's control.  
Penalty: \$6 600.
- (5) The following persons are specified:
  - (a) a staff member;
  - (b) a volunteer.
- (6) Subsection (4) does not apply to a nominated supervisor if—
  - (a) the staff member or volunteer has the personal device in the person's possession or under the person's control—
    - (i) in accordance with an authorisation given by the approved provider under section 175J; or
    - (ii) during an excursion with children being educated or cared for by the service, and the possession or control of the personal device is necessary for the purposes of safety or the provision of education and care to the children; or
    - (iii) while the children are being transported by the service or on transportation arranged by the service, and the possession or control of the personal device is necessary for the purposes of safety or the provision of education and care to the children; or

- (b) it is not practicable for an authorisation to be given under section 175J and a reasonable person would consider the possession or control of the personal device is necessary for the purposes of—
  - (i) providing support or assistance with the disability or health needs of the staff member or volunteer; or
  - (ii) the staff member or volunteer communicating with a family member; or
  - (iii) safety or the provision of education and care to the children if a service-supplied device ceases working; or
  - (iv) use in an emergency; or
  - (v) work health and safety; or
- (c) any prescribed circumstances apply in relation to the possession or control of the personal device.

**175I—Offences relating to possession or control of personal devices—  
persons working directly with children**

- (1) A nominated supervisor of an education and care service (other than a family day care service) must not have a personal device in the nominated supervisor's possession or under the nominated supervisor's control while the nominated supervisor is working directly with children as part of the service.  
Penalty: \$6 600.
- (2) Subsection (1) does not apply to a nominated supervisor if—
  - (a) the nominated supervisor has the personal device in the nominated supervisor's possession or under the nominated supervisor's control—
    - (i) in accordance with an authorisation given by the approved provider under section 175J; or
    - (ii) during an excursion with children being educated or cared for by the service, and the possession or control of the personal device is necessary for the purposes of safety or the provision of education and care to the children; or
    - (iii) while the children are being transported by the service or on transportation arranged by the service, and the possession or control of the personal device is necessary for the purposes of safety or the provision of education and care to the children; or
  - (b) it is not practicable for an authorisation to be given under section 175J and a reasonable person would consider the possession or control of the personal device is necessary for the purposes of—
    - (i) providing support or assistance with the nominated supervisor's disability or health needs; or

- (ii) the nominated supervisor communicating with a family member; or
    - (iii) safety or the provision of education and care to the children if a service-supplied device ceases working; or
    - (iv) use in an emergency; or
    - (v) work health and safety; or
  - (c) any prescribed circumstances apply in relation to the nominated supervisor's possession or control of the personal device.
- (3) A staff member of an education and care service (other than a family day care service) must not have a personal device in the staff member's possession or under the staff member's control while the staff member is working directly with children as part of the service.
- Penalty: \$6 600.
- (4) Subsection (3) does not apply to a staff member if—
- (a) the staff member has the personal device in the staff member's possession or under the staff member's control—
    - (i) in accordance with an authorisation given by the approved provider under section 175J; or
    - (ii) during an excursion with children being educated or cared for by the service, and the possession or control of the personal device is necessary for the purposes of safety or the provision of education and care to the children; or
    - (iii) while the children are being transported by the service or on transportation arranged by the service, and the possession or control of the personal device is necessary for the purposes of safety or the provision of education and care to the children; or
  - (b) it is not practicable for an authorisation to be given under section 175J and a reasonable person would consider the possession or control of the personal device is necessary for the purposes of—
    - (i) providing support or assistance with the staff member's disability or health needs; or
    - (ii) the staff member communicating with a family member; or
    - (iii) safety or the provision of education and care to the children if a service-supplied device ceases working; or
    - (iv) use in an emergency; or
    - (v) work health and safety; or
  - (c) any prescribed circumstances apply in relation to the staff member's possession or control of the personal device.

- (5) A volunteer at an education and care service (other than a family day care service) must not have a personal device in the volunteer's possession or under the volunteer's control while the volunteer is working directly with children as part of the service.
- Penalty: \$6 600.
- (6) Subsection (5) does not apply to a volunteer if—
- (a) the volunteer has the personal device in the person's possession or under the person's control—
    - (i) in accordance with an authorisation given by the approved provider under section 175J; or
    - (ii) during an excursion with children being educated or cared for by the service, and the possession or control of the personal device is necessary for the purposes of safety or the provision of education and care to the children; or
    - (iii) while the children are being transported by the service or on transportation arranged by the service, and the possession or control of the personal device is necessary for the purposes of safety or the provision of education and care to the children; or
  - (b) it is not practicable for an authorisation to be given under section 175J and a reasonable person would consider the possession or control of the personal device is necessary for the purposes of—
    - (i) providing support or assistance with the volunteer's disability or health needs; or
    - (ii) the volunteer communicating with a family member; or
    - (iii) safety or the provision of education and care to the children if a service-supplied device ceases working; or
    - (iv) use in an emergency; or
    - (v) work health and safety; or
  - (c) any prescribed circumstances apply in relation to the volunteer's possession or control of the personal device.

**175J—Authorisation to have possession or control of personal device while working directly with children**

- (1) An approved provider of an education and care service (other than a family day care service) may authorise a person to have a personal device in the person's possession or under the person's control while the person is working directly with children as part of the service if the approved provider is reasonably satisfied that the possession or control is necessary for the purposes of—
- (a) providing support or assistance with the person's disability or health needs; or
  - (b) communication with a family member of the person; or

- (c) safety or the provision of education and care to the children if a service-supplied device ceases working; or
  - (d) use in an emergency; or
  - (e) work health and safety.
- (2) An approved provider who authorises a personal device under subsection (1) must—
- (a) record the authorisation in writing; and
  - (b) include the prescribed information in that written record.
- (3) An approved provider must keep a written record required to be made under subsection (2) for the prescribed period.
- (4) A period prescribed for the purposes of subsection (3) must be at least 3 years.

#### **84—Amendment of section 176—Compliance directions**

- (1) Section 176—after subsection (2) insert:
- (2A) Without limiting subsection (2), the Regulatory Authority may give an approved provider of the education and care service a written direction (a ***compliance direction***) requiring the approved provider to take the steps specified in the direction if the Regulatory Authority is satisfied that—
- (a) there is a systemic risk in relation to the approved provider or a related provider of the approved provider; and
  - (b) the direction is reasonably necessary to address the systemic risk.
- (2) Section 176(3)—after "subsection (2)" insert:
- or (2A)

#### **85—Amendment of section 177—Compliance notices**

- (1) Section 177—after subsection (2) insert:
- (2A) Without limiting subsection (2), the Regulatory Authority may give an approved provider of the education and care service a notice (a ***compliance notice***) requiring the approved provider to take the steps specified in the notice if the Regulatory Authority is satisfied that—
- (a) there is a systemic risk in relation to the approved provider or a related provider of the approved provider; and
  - (b) the notice is reasonably necessary to address the systemic risk.
- (2) Section 177(3)—after "subsection (2)" insert:
- or (2A)

**86—Insertion of sections 178A, 178B, 178C, 178D and 178E**

After section 178 insert:

**178A—Direction to suspend education and care by staff member (other than a family day care educator) or volunteer**

- (1) The Regulatory Authority may give a notice to an approved provider of an education and care service that directs the provider to suspend the provision of education and care by a staff member of the service (other than a family day care educator), or by a volunteer at the service, for a period of time determined by the Regulatory Authority (a *suspension direction*) if the Regulatory Authority is reasonably satisfied that—
  - (a) because of the conduct of, or the inadequacy of education and care provided by, the staff member or volunteer—
    - (i) the approved provider is not complying with any provision of this Law; or
    - (ii) a nominated supervisor of the service is not complying with any provision of this Law; or
    - (iii) there is a risk to the safety, health or wellbeing of children being educated or cared for by the service; or
  - (b) the staff member or volunteer has contravened or is alleged to have contravened section 166(3) or 166A(5) or (6).
- (2) Before giving the approved provider a suspension direction, the Regulatory Authority may give the provider a notice (*show cause notice*) stating—
  - (a) that the Regulatory Authority intends to give the provider a suspension direction; and
  - (b) the reasons for the proposed suspension direction; and
  - (c) that the provider may, within 14 days after the show cause notice is given (the *show cause period*), make submissions to the Regulatory Authority in respect of the proposed suspension direction.
- (3) After the Regulatory Authority gives the approved provider a show cause notice, the Regulatory Authority—
  - (a) must consider any submissions from the approved provider received within the show cause period; and
  - (b) may consider any other submissions and any other matters the Regulatory Authority considers relevant; and
  - (c) may decide—
    - (i) to give the approved provider a suspension direction; or
    - (ii) not to give the provider a suspension direction.
- (4) If, after the show cause period, the Regulatory Authority decides not to give the approved provider a suspension direction, the Regulatory Authority must give the provider written notice of the Regulatory Authority's decision.

- (5) The Regulatory Authority may immediately give the approved provider a suspension direction without giving the provider a show cause notice if the Regulatory Authority is reasonably satisfied that—
- (a) there is an immediate risk to the safety, health or wellbeing of a child or children being educated or cared for by the service; and
  - (b) the suspension direction is necessary to protect the safety, health or wellbeing of the child or children.
- (6) An approved provider to whom a suspension direction is given must not contravene that direction.

Penalty:

- (a) \$20 400, in the case of an individual.
- (b) \$103 200, in any other case.

### **178B—Direction to suspend education and care by nominated supervisor**

- (1) The Regulatory Authority may give a notice to an approved provider of an education and care service that directs the provider to suspend the provision of education and care by a nominated supervisor of the service for a period of time determined by the Regulatory Authority (a *suspension direction*) if the Regulatory Authority is reasonably satisfied that—
- (a) because of the conduct of, or the inadequacy of education and care provided by, the nominated supervisor—
    - (i) the nominated supervisor is not complying with any provision of this Law; or
    - (ii) the approved provider is not complying with any provision of this Law; or
    - (iii) there is a risk to the safety, health or wellbeing of children being educated or cared for by the service; or
  - (b) the nominated supervisor has contravened or is alleged to have contravened section 166(2) or 166A(2) or (4).
- (2) Before giving the approved provider a suspension direction, the Regulatory Authority may give the provider a notice (*show cause notice*) stating—
- (a) that the Regulatory Authority intends to give the provider a suspension direction; and
  - (b) the reasons for the proposed suspension direction; and
  - (c) that the provider may, within 14 days after the show cause notice is given (the *show cause period*), make submissions to the Regulatory Authority in respect of the proposed suspension direction.
- (3) After the Regulatory Authority gives the approved provider a show cause notice, the Regulatory Authority—
- (a) must consider any submissions from the approved provider received within the show cause period; and

- (b) may consider any other submissions and any other matters the Regulatory Authority considers relevant; and
- (c) may decide—
  - (i) to give the approved provider a suspension direction; or
  - (ii) not to give the provider a suspension direction.
- (4) If, after the show cause period, the Regulatory Authority decides not to give the approved provider a suspension direction, the Regulatory Authority must give the provider written notice of the Regulatory Authority's decision.
- (5) The Regulatory Authority may immediately give the approved provider a suspension direction without giving the provider a show cause notice if the Regulatory Authority is reasonably satisfied that—
  - (a) there is an immediate risk to the safety, health or wellbeing of a child or children being educated or cared for by the service; and
  - (b) the suspension direction is necessary to protect the safety, health or wellbeing of the child or children.
- (6) An approved provider to whom a suspension direction is given must not contravene that direction.

Penalty:

- (a) \$20 400, in the case of an individual.
- (b) \$103 200, in any other case.

**178C—Direction requiring supervision of staff member (other than a family day care co-ordinator) or volunteer**

- (1) The Regulatory Authority may give a notice to an approved provider of an education and care service that directs the provider to ensure that a staff member of the service (other than a family day care co-ordinator), or a volunteer at the service, is directly supervised while providing education and care to children as part of the service (a *supervision direction*) if the Regulatory Authority is reasonably satisfied that—
  - (a) because of the conduct of the staff member or volunteer—
    - (i) the approved provider is not complying with any provision of this Law; or
    - (ii) a nominated supervisor of the service is not complying with any provision of this Law; or
  - (b) the staff member or volunteer has contravened or is alleged to have contravened section 166(3) or 166A(5) or (6).
- (2) A supervision direction must specify—
  - (a) that the staff member of, or volunteer at, the service is to be directly supervised—
    - (i) by a suitably qualified and experienced person specified in subsection (3); and

- (ii) for a period of time determined by the Regulatory Authority; and
  - (b) details of any conditions applying to the supervision of the staff member or volunteer.
- (3) The following persons are specified:
  - (a) a person in day-to-day charge of the service;
  - (b) a nominated supervisor of the service;
  - (c) a staff member of the service.
- (4) Before giving the approved provider a supervision direction, the Regulatory Authority may give the provider a notice (*show cause notice*) stating—
  - (a) that the Regulatory Authority intends to give the approved provider a supervision direction; and
  - (b) the reasons for the proposed supervision direction; and
  - (c) that the approved provider may, within 14 days after the show cause notice is given (the *show cause period*), make submissions to the Regulatory Authority in respect of the proposed supervision direction.
- (5) After the Regulatory Authority gives the approved provider a show cause notice, the Regulatory Authority—
  - (a) must consider any submissions from the approved provider received within the show cause period; and
  - (b) may consider any other submissions and any other matters the Regulatory Authority considers relevant; and
  - (c) may decide—
    - (i) to give the approved provider a supervision direction; or
    - (ii) not to give the provider a supervision direction.
- (6) If, after the show cause period, the Regulatory Authority decides not to give the approved provider a supervision direction, the Regulatory Authority must give the provider written notice of the Regulatory Authority's decision.
- (7) The Regulatory Authority may immediately give the approved provider a supervision direction without giving the provider a show cause notice if the Regulatory Authority is reasonably satisfied that—
  - (a) there is an immediate risk to the safety, health or wellbeing of a child or children being educated or cared for by the service; and
  - (b) the supervision direction is necessary to protect the safety, health or wellbeing of the child or children.
- (8) An approved provider to whom a supervision direction is given must not contravene that direction.

Penalty:

- (a) \$20 400, in the case of an individual.
- (b) \$103 200, in any other case.

**178D—Direction requiring nominated supervisor to complete training**

- (1) The Regulatory Authority may give a notice to a nominated supervisor of an education and care service that directs the nominated supervisor to complete training determined by the Regulatory Authority within the period determined by the Regulatory Authority (a *training direction*) if the Regulatory Authority is reasonably satisfied that—
  - (a) because of the conduct of the nominated supervisor—
    - (i) the nominated supervisor is not complying with any provision of this Law; or
    - (ii) the approved provider of the service is not complying with any provision of this Law; or
  - (b) the nominated supervisor has contravened or is alleged to have contravened section 166(2) or 166A(2) or (4).
- (2) A training direction must specify details of any conditions applying to the nominated supervisor's training.
- (3) Before giving the nominated supervisor a training direction, the Regulatory Authority may give the nominated supervisor a notice (*show cause notice*) stating—
  - (a) that the Regulatory Authority intends to give the nominated supervisor a training direction; and
  - (b) the reasons for the proposed training direction; and
  - (c) that the nominated supervisor may, within 14 days after the show cause notice is given (the *show cause period*), make submissions to the Regulatory Authority in respect of the proposed training direction.
- (4) After the Regulatory Authority gives the nominated supervisor a show cause notice, the Regulatory Authority—
  - (a) must consider any submissions from the nominated supervisor received within the show cause period; and
  - (b) may consider any other submissions and any other matters the Regulatory Authority considers relevant; and
  - (c) may decide—
    - (i) to give the nominated supervisor a training direction; or
    - (ii) not to give the nominated supervisor a training direction.
- (5) If the Regulatory Authority decides to give the nominated supervisor a training direction, the Regulatory Authority must give the approved provider of the service written notice of the Regulatory Authority's decision.

- (6) If, after the show cause period, the Regulatory Authority decides not to give the nominated supervisor a training direction, the Regulatory Authority must give the nominated supervisor written notice of the Regulatory Authority's decision.
- (7) A nominated supervisor to whom a training direction is given must not contravene that direction.  
Penalty: \$20 400.

**178E—Direction requiring staff member or volunteer to complete training**

- (1) The Regulatory Authority may give a notice to a staff member of, or a volunteer at, an education and care service that directs the staff member or volunteer to complete training determined by the Regulatory Authority within the period determined by the Regulatory Authority (a **training direction**) if the Regulatory Authority is reasonably satisfied that—
  - (a) because of the conduct of the staff member or volunteer—
    - (i) the approved provider of the service is not complying with any provision of this Law; or
    - (ii) the nominated supervisor of the service is not complying with any provision of this Law; or
  - (b) the staff member or volunteer has contravened or is alleged to have contravened section 166(3) or 166A(5) or (6).
- (2) A training direction must specify details of any conditions applying to the training of the staff member or volunteer.
- (3) Before giving the staff member or volunteer a training direction, the Regulatory Authority may give the staff member or volunteer a notice (**show cause notice**) stating—
  - (a) that the Regulatory Authority intends to give the staff member or volunteer a training direction; and
  - (b) the reasons for the proposed training direction; and
  - (c) that the staff member or volunteer may, within 14 days after the show cause notice is given (the **show cause period**), make submissions to the Regulatory Authority in respect of the proposed training direction.
- (4) After the Regulatory Authority gives the staff member or volunteer a show cause notice, the Regulatory Authority—
  - (a) must consider any submissions from the staff member or volunteer received within the show cause period; and
  - (b) may consider any other submissions and any other matters the Regulatory Authority considers relevant; and
  - (c) may decide—
    - (i) to give the staff member or volunteer a training direction; or

- (ii) not to give the staff member or volunteer a training direction.
- (5) If the Regulatory Authority decides to give the staff member or volunteer a training direction, the Regulatory Authority must give the approved provider of the service written notice of the Regulatory Authority's decision.
- (6) If, after the show cause period, the Regulatory Authority decides not to give the staff member or volunteer a training direction, the Regulatory Authority must give the staff member or volunteer written notice of the Regulatory Authority's decision.
- (7) A staff member or volunteer to whom a training direction is given must not contravene that direction.  
Penalty: \$20 400.

### **87—Amendment of section 179A—Enforceable undertakings**

Section 179A—after subsection (2) insert:

- (2A) Without limiting subsection (2), if subsection (1)(a) applies in relation to a related provider of an approved provider, the Regulatory Authority may accept a written undertaking from the approved provider, under which the approved provider undertakes to take certain actions, or refrain from taking certain actions, to comply with this Law if the Regulatory Authority is satisfied that there is a systemic risk in relation to the approved provider or the related provider.

### **88—Amendment of section 179B—Certain actions prohibited while undertaking is in force**

Section 179B(1)—after "179A(2)" insert:

or (2A)

### **89—Amendment of section 180—Certain actions prohibited if undertaking is complied with**

Section 180—after subsection (1) insert:

- (1A) If an approved provider complies with the requirements of an undertaking under section 179A(2A), no further proceeding may be commenced for any offence constituted by the contravention or alleged contravention in respect of which the undertaking was given.

### **90—Amendment of section 181—Failure to comply with enforceable undertakings**

(1) Section 181—after subsection (3) insert:

- (3A) If the relevant tribunal or court determines that an approved provider has failed to comply with a term of an undertaking under section 179A(2A), a proceeding may be commenced for any offence constituted by the contravention or alleged contravention in respect of which the undertaking was given.

- (2) Section 181(6)—after "subsection (3)" insert:  
or (3A)

### **91—Amendment of section 182—Grounds for giving prohibition notice**

Section 182—after subsection (3) insert:

- (4) Without limiting subsection (1), the Regulatory Authority may give a prohibition notice to an approved provider if a related provider of the approved provider is subject to a prohibition notice that is in force under this Law as applying in any participating jurisdiction and the Regulatory Authority is satisfied that—
- (a) there is a systemic risk in relation to the approved provider or the related provider; and
  - (b) the prohibition notice is reasonably necessary to address the systemic risk.

### **92—Amendment of section 185—Content of prohibition notice**

- (1) Section 185(1)—after "section 182(1)" insert:  
or (4)
- (2) Section 185(3)—delete "or (3)" and substitute:  
, (3) or (4)

### **93—Amendment of section 187—Person must not contravene prohibition notice**

Section 187(1)—after "section 182(1)" insert:  
or (4)

### **94—Amendment of section 190—Reviewable decision—internal review**

Section 190—after paragraph (h) insert:

- ; or
- (i) to direct an approved provider of a family day care service to suspend the provision of education and care by a family day care educator under section 178; or
  - (j) to direct an approved provider of an education and care service to suspend the provision of education and care by a staff member (other than a family day care educator) or a volunteer under section 178A; or
  - (k) to direct an approved provider of an education and care service to suspend the provision of education and care by a nominated supervisor under section 178B; or
  - (l) to direct an approved provider of an education and care service under section 178C to ensure that a staff member (other than a family day care co-ordinator) or a volunteer is directly supervised while providing education and care; or
  - (m) to direct a nominated supervisor of an education and care service to complete training under section 178D; or

- (n) to direct a staff member of, or a volunteer at, an education and care service to complete training under section 178E.

### **95—Amendment of section 192—Reviewable decision—external review**

Section 192(b)(vi)—delete subparagraph (vi)

### **96—Insertion of section 197A**

After section 197 insert:

#### **197A—Powers of entry to family day care service premises— monitoring compliance with prescribed requirement relating to the safety, health and wellbeing of children**

- (1) An authorised officer may exercise the powers under this section if the authorised officer reasonably believes it is necessary to do so to assess or monitor compliance of an approved provider of a family day care service with any prescribed requirement in relation to the safety, health and wellbeing of children.
- (2) Subject to subsections (5) and (7), an authorised officer, with the consent of the occupier of family day care service premises, may enter the family day care service premises and do any of the following:
  - (a) inspect any part of the premises;
  - (b) inspect any plant, equipment, vehicle or other thing at the premises;
  - (c) photograph or film, or make audio recordings or make sketches of, any part of the premises or anything at the premises;
  - (d) inspect and make copies of, or take extracts from, any document kept at the premises;
  - (e) take any document or any other thing at the premises;
  - (f) ask a person at the premises—
    - (i) to answer a question to the best of that person's knowledge, information and belief; or
    - (ii) to take reasonable steps to provide information or produce a document.
- (3) An authorised officer who enters family day care service premises under this section—
  - (a) must enter the premises during ordinary business hours; and
  - (b) may enter the premises with such assistants as may reasonably be required.
- (4) Before entering the family day care service premises under this section, the authorised officer must inform the occupier of the premises of—
  - (a) the purpose of the entry; and
  - (b) the powers that may be exercised.

- (5) A power under subsection (2)(a) to (e) is limited to a document or thing that is used or likely to be used in the provision of the family day care service.
- (6) If the authorised officer takes any document or thing under subsection (2), the authorised officer must—
  - (a) give notice of the taking of the document or thing to the person apparently in charge of it or to the occupier of the premises; and
  - (b) return the document or thing to that person or the premises within 7 days after taking it.
- (7) An authorised officer must not enter any family day care service premises that is a family day care residence under this section unless—
  - (a) the authorised officer reasonably believes that an approved family day care service is operating at the residence at the time of entry; and
  - (b) at the time of entry, the register of family day care educators records that the approved family day care service operates at the residence.
- (8) In this section—

***family day care service premises***, in relation to a family day care service, means any of the following:

  - (a) an approved family day care venue;
  - (b) an area in a family day care residence whether or not that area is used to provide education and care to children as part of the service;
  - (c) an area outside but near a family day care residence whether or not that area is used to provide education and care to children as part of the service.

**Example—**

A shed or garage at the same premises on which a family day care residence is located.

**97—Amendment of section 199—Powers of entry for investigating approved education and care service**

- (1) Section 199(2)—delete "premises at" and substitute:

premises and the education and care service premises of any related provider of the approved provider of the approved education and care service at
- (2) Section 199—after subsection (4) insert:
  - (5) An authorised officer must not enter the education and care service premises of a related provider of the approved provider under this section unless the authorised officer is satisfied that—
    - (a) there is a systemic risk in relation to the approved provider; and
    - (b) the entry is reasonably necessary to address the systemic risk.

**98—Insertion of section 199A**

After section 199 insert:

**199A—Powers of entry to family day care service premises—  
investigation of offences**

- (1) An authorised officer may exercise the powers under this section to investigate a family day care service if the authorised officer reasonably suspects an offence may have been or may be being committed against this Law.
- (2) Subject to subsections (5) and (7), an authorised officer, with the consent of the occupier of family day care service premises, may enter the family day care service premises and do any of the following:
  - (a) search any part of the premises;
  - (b) inspect, measure, test, photograph or film, or make audio recordings of, anything that may afford evidence of an offence against this Law at any part of the premises;
  - (c) take for analysis, measurement or testing a thing, or a sample of or from a thing, at the premises that may afford evidence of an offence against this Law;
  - (d) copy, or take an extract from, a document at the premises that may afford evidence of an offence against this Law;
  - (e) take into or onto the premises any person, equipment and materials the authorised officer reasonably requires for exercising a power under this section;
  - (f) require the occupier of the premises or a person at the premises to give the authorised officer information the authorised officer reasonably requires for exercising a power under this section.
- (3) An authorised officer who enters family day care service premises under this section—
  - (a) must enter the premises during ordinary business hours; and
  - (b) may enter the premises with such assistants as may reasonably be required.
- (4) Before entering the family day care service premises under this section, the authorised officer must advise the occupier of the premises of—
  - (a) the purpose of the entry; and
  - (b) the powers that may be exercised.
- (5) A power under subsection (2)(b) to (d) is limited to a document or thing that is used or likely to be used in the provision of the family day care service.
- (6) If the authorised officer takes any document or thing under subsection (2), the authorised officer must—
  - (a) give notice of the taking of the document or thing to the person apparently in charge of it or to an occupier of the premises; and
  - (b) return the document or thing to that person or the premises within 7 days after taking it.

- (7) An authorised officer must not enter any family day care service premises that is a family day care residence under this section unless—
- (a) the authorised officer reasonably believes that an approved family day care service is operating at the residence at the time of entry; and
  - (b) at the time of entry, the register of family day care educators records that the approved family day care service operates at the residence.

- (8) An occupier of family day care service premises must not unreasonably refuse to give consent to an authorised officer under this section.

Penalty:

- (a) \$27 300, in the case of an individual.
- (b) \$137 700, in any other case.

- (9) In this section—

*family day care service premises*, in relation to a family day care service, means any of the following:

- (a) an approved family day care venue;
- (b) an area in a family day care residence whether or not that area is used to provide education and care to children as part of the service;
- (c) an area outside but near a family day care residence whether or not that area is used to provide education and care to children as part of the service.

**Example—**

A shed or garage at the same premises on which a family day care residence is located.

## **99—Amendment of section 200—Powers of entry to business premises**

- (1) Section 200(1)—delete subsection (1) and substitute:

- (1) An authorised officer may exercise powers under this section if the authorised officer reasonably suspects that documents or other evidence relevant to the possible commission of an offence against this Law by an approved provider of an education and care service are present at—
- (a) the principal office of the approved provider; or
  - (b) any other business office of the approved provider; or
  - (c) the principal office of a related provider of the approved provider; or
  - (d) any other business office of a related provider of the approved provider.

- (2) Section 200—after subsection (3) insert:
- (4) An authorised officer must not enter the principal office of a related provider of the approved provider or any other business office of a related provider of the approved provider under this section unless the authorised officer is satisfied that—
- (a) there is a systemic risk in relation to the approved provider; and
- (b) the entry is reasonably necessary to address the systemic risk.

### **100—Insertion of section 206B**

After section 206A insert:

#### **206B—Power of authorised officers to obtain information, documents and evidence from former provider for purposes of related provider determinations**

- (1) For the purposes of a related provider determination, an authorised officer, by written notice, may require a former provider to provide to the authorised officer any relevant information specified in the notice.
- (2) A former provider who is required to provide information under subsection (1) must provide that information—
- (a) in writing signed by that former provider or, if the former provider is not an individual, by a competent officer of that former provider; and
- (b) within the time specified in the notice; and
- (c) in the manner specified in the notice.
- (3) The time specified in the notice must not be less than 14 days from the date the notice is issued.

### **101—Amendment of section 211—Protection against self incrimination**

Section 211(2)(c)—delete "or 216" and substitute:

, 216, 216A or 216B

### **102—Insertion of sections 216A, 216B and 216C**

After section 216 insert:

#### **216A—Power of Regulatory Authority to obtain information, documents and evidence from approved provider for the purposes of a related provider determination**

- (1) For the purposes of making a related provider determination in relation to an approved provider, the Regulatory Authority, by written notice, may require the approved provider—
- (a) to provide to the Regulatory Authority, in writing signed by that provider or, if the provider is not an individual, by a competent officer of that provider, within the time and in the manner specified in the notice, any relevant information that is specified in the notice; or

- (b) to produce to the Regulatory Authority, or to a person specified in the notice acting on the Regulatory Authority's behalf, in accordance with the notice, any relevant document referred to in the notice; or
  - (c) to appear before the Regulatory Authority, or a person specified in the notice acting on the Regulatory Authority's behalf, at a time and place specified in the notice, to give any evidence or to produce any relevant document specified in the notice.
- (2) The notice must—
  - (a) warn the approved provider that failure or refusal to comply with the notice may constitute an offence; and
  - (b) warn the provider about the effect of sections 217, 218 and 219.
- (3) The Regulatory Authority or the person specified in the notice acting on the Regulatory Authority's behalf may require the evidence referred to in subsection (1)(c) to be given on oath or affirmation and for that purpose may administer an oath or affirmation.
- (4) The approved provider may give evidence under subsection (1)(c) by telephone or video conference or other electronic means unless the Regulatory Authority, on reasonable grounds, requires the provider to give that evidence in person.

**216B—Power of Regulatory Authority to obtain information, documents and evidence from specified person at education and care service for the purposes of a related provider determination**

- (1) For the purposes of making a related provider determination in relation to an approved provider or former provider, the Regulatory Authority, by written notice, may require a specified person at an education and care service—
  - (a) to provide the Regulatory Authority, or a person acting on the Regulatory Authority's behalf, with any specified information that is relevant to the related provider determination; or
  - (b) to produce to the Regulatory Authority, or to a person acting on the Regulatory Authority's behalf, any specified document that is relevant to the related provider determination.
- (2) The Regulatory Authority must—
  - (a) warn the person that failure or refusal to comply with the requirement may constitute an offence; and
  - (b) warn the person about the effect of sections 217, 218 and 219.
- (3) The Regulatory Authority must not require a specified person to remain at the education and care service for more than a reasonable time for the purposes of providing information or producing documents under subsection (1).

(4) In this section—

*specified person* means a person who is or has been—

- (a) a nominated supervisor of an education and care service; or
- (b) a staff member of an education and care service; or
- (c) a volunteer at an education and care service.

#### **216C—Approved provider that is a related provider must disclose certain information to Regulatory Authority**

At the request of the Regulatory Authority, an approved provider who is a related provider must disclose to the Regulatory Authority within 14 days after the Regulatory Authority's request—

- (a) details of any arrangement entered into by the provider relating to the provider's governance or the operation of an education and care service by the provider; and
- (b) the prescribed information relating to the approved provider's ownership or operation.

Penalty:

- (a) \$27 300, in the case of an individual.
- (b) \$137 700, in any other case.

#### **103—Amendment of section 217—Offence to fail to comply with notice or requirement**

Section 217—delete "or 216" and substitute:

, 216, 216A or 216B

#### **104—Amendment of section 218—Offence to hinder or obstruct Regulatory Authority**

Section 218—delete "or 216" and substitute:

, 216, 216A or 216B

#### **105—Amendment of section 219—Self incrimination not an excuse**

(1) Section 219(1)—delete "or 216" and substitute:

, 216, 216A or 216B

(2) Section 219(4), definition of *disclosed information*, (a)—delete "or 216" and substitute:

, 216, 216A or 216B

(3) Section 219(4), definition of *disclosed information*, (b)—delete "or 216" and substitute:

, 216, 216A or 216B

#### **106—Amendment of section 225—Functions of National Authority**

Section 225(1)—after paragraph (g) insert:

- (ga) to establish, maintain and publish the National Early Childhood Worker Register;

**107—Amendment of section 261—Powers of Regulatory Authority**

Section 261(2)(b)—delete "family day care educators and nominated supervisors" and substitute:

nominated supervisors, staff members and volunteers

**108—Amendment of section 266—Register of approved providers**

Section 266(2)—after paragraph (a) insert:

(ab) the name of each related provider of each approved provider; and

**109—Insertion of Part 13 Division 4A**

Part 13—after Division 4 insert:

**Division 4A—National Early Childhood Worker Register****269A—Who is an *education and care service worker*?**

In this Division, each of the following is an *education and care service worker*:

- (a) a nominated supervisor of an education and care service;
- (b) a staff member of an education and care service;
- (c) a volunteer at an education and care service.

**269B—National Early Childhood Worker Register**

- (1) The National Authority must establish and maintain the National Early Childhood Worker Register.
- (2) The National Authority may include the following information in the National Early Childhood Worker Register about each education and care service worker:
  - (a) the person's full name and any alias name or former name;
  - (b) the person's address and telephone number;
  - (c) the person's date of birth;
  - (d) in relation to each education and care service where the education and care service worker is or has been employed, engaged or appointed—
    - (i) the role in which the person is or has been employed, engaged or appointed in or as part of the service; and
    - (ii) the name of the service; and
    - (iii) the date that the person was employed, engaged or appointed in or as part of the service; and
    - (iv) the date the person ceased to be employed, engaged or appointed in or as part of the service (if applicable); and
  - (e) any other prescribed information.

**269C—National Authority may access and use information on other registers**

- (1) The National Authority may use any information on the register of approved providers kept under section 266 for the purposes of the National Authority establishing and maintaining the National Early Childhood Worker Register under this Law.
- (2) The National Authority may access and use any information on the register of approved education and care services kept under section 267 or the register of family day care educators, co-ordinators and assistants kept under section 269 for the purposes of the National Authority establishing and maintaining the National Early Childhood Worker Register under this Law.

**269D—Access to National Early Childhood Worker Register**

- (1) The National Authority is authorised to access the National Early Childhood Worker Register for the purposes of the National Authority—
  - (a) maintaining the register under this Law; or
  - (b) performing any other function of the National Authority under this Law.
- (2) The Regulatory Authority is authorised to access the National Early Childhood Worker Register for the purposes of the Regulatory Authority performing its functions under this Law.
- (3) An approved provider of an education and care service is authorised to access the National Early Childhood Worker Register to the extent that the register relates to the service for purposes related to providing information to the National Authority in accordance with section 269E.

**269E—Approved provider must give information to the National Authority for the National Early Childhood Worker Register**

- (1) An approved provider of an education and care service must take reasonable steps to ensure that the information set out in section 269B(2) is provided to the National Authority—
  - (a) within the prescribed time after an education and care service worker is employed, engaged or appointed at the service; and
  - (b) in the manner and form approved by the Authority.

**Penalty:**

- (a) \$6 600, in the case of an individual.
- (b) \$34 200, in any other case.

- (2) An approved provider of an education and care service must take reasonable steps to ensure that the National Authority is notified about any changes to information on the National Early Childhood Worker Register about an education and care service worker employed, engaged or appointed at the service—
- (a) within the prescribed time after the approved provider becomes aware of the change; and
  - (b) in the manner and form approved by the Authority.

Penalty:

- (a) \$6 600, in the case of an individual.
  - (b) \$34 200, in any other case.
- (3) An approved provider of an education and care service does not contravene subsection (1) or (2) during the period beginning on the day on which Part 4 of the *Early Childhood Legislation Amendment (Child Safety) Act 2025* of Victoria commences and ending on the day that is one month after that commencement.

**269F—Collection by National Authority of information for the purposes of maintaining the National Early Childhood Worker Register**

The National Authority may collect information from an approved provider of an education and care service or a recruitment agency for the purposes of maintaining the National Early Childhood Worker Register.

**269G—Collection, use and disclosure by National Authority of information on the National Early Childhood Worker Register**

- (1) The National Authority may collect and use information on the National Early Childhood Worker Register for the purposes of the National Authority performing any of its functions under this Law.
- (2) The National Authority may disclose information on the National Early Childhood Worker Register for a purpose listed in subsection (3) to—
  - (a) a relevant Commonwealth Government Department; or
  - (b) any State or Territory Government Department; or
  - (c) any Commonwealth, State or Territory public authority; or
  - (d) any State or Territory local authority; or
  - (e) the Regulatory Authority.
- (3) The purposes for disclosure of information under this section are—
  - (a) the disclosure is for the purposes of enabling or assisting the National Authority to perform any of its functions under this Law; or
  - (b) the disclosure is reasonably necessary to promote the objectives of the national education and care services quality framework; or

- (c) the disclosure is for the purposes of enabling or assisting the other entity to perform any of its functions under this Law or any other Act; or
  - (d) the disclosure is for the purposes of research or the development of National, State or Territory policy with respect to education and care services; or
  - (e) the disclosure is for a purpose relating to the funding of education and care services; or
  - (f) the disclosure is for a purpose relating to the payment of benefits or allowances to persons using education and care services, provided the disclosure of information is not otherwise prohibited by law.
- (4) A disclosure of information under this section is subject to Division 1 and any protocol agreed for the purposes of this section by—
- (a) the National Authority, all participating jurisdictions and the Commonwealth; and
  - (b) subject to any protocol referred to in paragraph (a), the National Authority and the Regulatory Authority, or the National Authority, the Regulatory Authority and any Regulatory Authority of another participating jurisdiction.
- (5) Information disclosed under this section for the purpose of research or the development of National, State or Territory policy with respect to education and care services must not include information that could identify or lead to the identification of an individual other than—
- (a) an approved provider or a nominated supervisor; or
  - (b) a family day care educator who has been suspended from providing education and care to children as part of a family day care service; or
  - (c) a person to whom a prohibition notice applies; or
  - (d) a person who is being prosecuted for an offence against this Law.

**269H—Collection, use and disclosure by Regulatory Authority of information on the National Early Childhood Worker Register**

- (1) The Regulatory Authority may collect and use information on the National Early Childhood Worker Register for the purposes of the Regulatory Authority performing any of its functions under this Law.
- (2) The Regulatory Authority may disclose information on the National Early Childhood Worker Register for a purpose listed in subsection (3) to—
  - (a) a relevant Commonwealth Government Department; or
  - (b) any State or Territory Government Department; or
  - (c) any Commonwealth, State or Territory public authority; or
  - (d) any State or Territory local authority; or
  - (e) another Regulatory Authority.

- (3) The purposes for disclosure of information under this section are—
- (a) the disclosure is for the purposes of enabling or assisting the other Regulatory Authority to perform any of its functions under this Law or any other Act; or
  - (b) the disclosure is reasonably necessary to promote the objectives of the national education and care services quality framework; or
  - (c) the disclosure is for the purposes of enabling or assisting the other entity to perform or exercise any of its functions under this Law or any other Act; or
  - (d) the disclosure is for the purposes of research or the development of National, State or Territory policy with respect to education and care services; or
  - (e) the disclosure is for a purpose relating to the funding of education and care services; or
  - (f) the disclosure is for a purpose relating to the payment of benefits or allowances to persons using education and care services, provided the disclosure of information is not otherwise prohibited by law.
- (4) A disclosure of information under this section is subject to Division 1 and any protocol agreed for the purposes of this section by—
- (a) the National Authority, all participating jurisdictions and the Commonwealth; and
  - (b) subject to any protocol referred to in paragraph (a), the National Authority and the Regulatory Authority, or the National Authority, the Regulatory Authority and any Regulatory Authority of another participating jurisdiction.
- (5) Information disclosed under this section for the purpose of research or the development of National, State or Territory policy with respect to education and care services must not include information that could identify or lead to the identification of an individual other than—
- (a) an approved provider or a nominated supervisor; or
  - (b) a family day care educator who has been suspended from providing education and care to children as part of a family day care service; or
  - (c) a person to whom a prohibition notice applies; or
  - (d) a person who is being prosecuted for an offence against this Law.

### **110—Amendment of section 270—Publication of information**

Section 270(1)—after paragraph (d) insert:

- (da) any prescribed information in relation to a related provider determination made in respect of an approved provider;

**111—Amendment of section 271—Disclosure of information to other authorities**

(1) Section 271—after subsection (3) insert:

(3A) The National Authority and the Regulatory Authority may disclose to each other information about a related provider of an approved provider or a related provider determination if the disclosure is reasonably necessary for the purposes of monitoring compliance with this Law.

(2) Section 271(8)(a)—after "provider" insert:

(including any related provider of an approved provider)

**Editorial note—**

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

**Made by the Governor**

being satisfied that the amendments made by these regulations correspond, or substantially correspond, to amendments made by the Parliament of Victoria to the *Education and Care Services National Law* set out in the Schedule to the *Education and Care Services National Law Act 2010* of Victoria and that such amendments should be made to the *Education and Care Services National Law (South Australia)* and with the advice and consent of the Executive Council on 18 December 2025

No 150 of 2025

## STATE GOVERNMENT INSTRUMENTS

### AGRICULTURAL AND VETERINARY PRODUCTS (CONTROL OF USE) REGULATIONS 2017

#### REGULATION 7(2)

#### *Approval of Quality Assurance Schemes*

I, Nicholas Mark Secomb, Chief Inspector under the *Plant Health Act 2009*, for and on behalf of the Minister for Primary Industries and Regional Development, hereby approve, pursuant to Regulation 7(2) of the *Agricultural and Veterinary Products (Control of Use) Regulations 2017* the quality assurance schemes listed in Column A for the specified crop listed opposite in Column B. Pursuant to Regulation 7(3) a person is an accredited participant of an approved quality assurance scheme only if he or she satisfies the corresponding requirements for that scheme specified in Column C.

Column A	Column B	Column C
The schemes established by Freshcare; Food Safety & Quality Standard Edition 4.2 published by Freshcare Ltd, NSW, Australia.	Endive	A current certification of Freshcare for the supply of a crop of a kind for which the scheme is approved, issued by Freshcare Ltd.
A scheme established by the Harmonised Australian Retailer Produce Scheme Standard Version 2.0	Endive	A current certification meeting the requirements of the Harmonised Australian Retailer Produce Scheme for the supply of a crop of a kind for which the scheme is approved.

Dated: 15 December 2025

NICHOLAS MARK SECOMB  
Chief Inspector (*Plant Health 2009*)

Under Authority of the Minister for Primary Industries and Regional Development

### CONSTRUCTION INDUSTRY TRAINING FUND ACT 1993

#### *Notice of Publication of the Training Plan*

The Construction Industry Training Board, under Part 6, Section 32 of the *Construction Industry Training Fund Act 1993*, hereby publishes the Training Plan for the period 1 January 2026 to 31 December 2028, as approved by the Hon. Blair Boyer MP, Minister for Education, Training and Skills on 15 December 2025. The Training Plan commences on 1 January 2026.

Dated: 16 December 2025

JOHN CHAPMAN OAM  
Presiding Member  
Construction Industry Training Board

## CONSTRUCTION INDUSTRY TRAINING BOARD (CITB) TRAINING PLAN 2026-2028



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# ABOUT CITB

## HISTORY

The Construction Industry Training Board (CITB) was created at the request of the South Australian building and construction industry. It is established by an Act of Parliament (The Construction Industry Training Fund Act 1993).

*An Act to establish a fund to be used to improve the quality of training in the building and construction industry; to establish the Construction Industry Training Board to administer the fund and coordinate appropriate training; to provide for the imposition and collection of a levy for the purpose of the fund, and other purposes.*

CITB is defined as a body corporate and therefore not an agency of the Crown, nor are its employees members of the Public Service.

### The Construction Industry Training Fund Act 1993

The objects of the Construction Industry Training Fund Act 1993 (the Act) include to:

- Promote industry supported access to training opportunities for people entering the building and construction industry; and
- Support high quality training that improves the skills level of the building and construction workforce, and responds to changing industry practices; and
- Encourage innovative training options that flexibly meet the needs of the building and construction workforce and industry; and
- Ensure the Fund is appropriately administered and an appropriate focus on awareness of, and compliance with, levy payment obligations is maintained; and
- Improve access to training for groups underrepresented in the building and construction industry, including women, Aboriginal and Torres Strait Islanders and adult workers; and
- Promote the use of evidence and data to inform decisions around funding, research and education; and
- Provide relevant and timely advice to the Minister on skills shortages and the building and construction workforce supply requirements of the State.

The CITB manages and administers the Construction Industry Training Fund (CITF), which is financed through a mandatory levy on building and construction projects in South Australia.

These funds support initiatives under the CITF Act, such as:

- **Investing in training and workforce development:** Subsidising training programs to upskill workers and meet industry needs.
- **Promoting innovation:** Encouraging modern and effective training methods to keep pace with technological advancements.
- **Increasing workforce participation:** Supporting initiatives to attract underrepresented groups, such as women and Aboriginal and Torres Strait Islander people, into construction careers.
- **Engaging with industry stakeholders:** Collaborating with training providers, employers and associations to ensure the industry's needs are met.

The levy is applied at 0.25% of the estimated project value.

The CITF Levy plays a pivotal role in ensuring the strength and sustainability of the building and construction industry by investing in South Australia's current and future workforce.

- **For projects with a date of Development Approval (DA) or commencement of construction before 1 January 2025,** the levy is calculated on the estimated project value of building or construction works greater than \$40,000 (inclusive of GST).
- **For projects with a date of Development Approval (DA) or commencement of construction after 1 January 2025,** the levy is calculated on the estimated project value of building or construction works greater than \$100,000 (exclusive of GST).



## MESSAGE FROM THE PRESIDING MEMBER

As the Presiding Member of the CITB, I am pleased to present our new Three-year Training Plan. This Plan is the culmination of extensive research, strategic planning and industry consultation and is designed to address the evolving needs of South Australia's construction industry.

Our new training plan framework and funding models are underpinned by a robust body of research. Independent research conducted by strategic analytics firm Finity highlighted the limitations of our previous short-term planning approach driven by the legislative requirement for an annual training plan. This approach struggled to keep pace with long-term project pipelines and the significant reforms underway across education and training systems. In response, we have shifted to a more strategic Three-year Training Plan, providing the certainty and stability needed for industry, government and training providers to plan with confidence.

This new approach allows for smarter, long-term investment in skills development and ensures the training system is better aligned with industry demand and emerging workforce needs.

Key initiatives within this plan include:

- Promoting the construction industry as a career of choice.
- Reducing barriers to entry.
- Delivering on national skills priorities.
- Improving apprenticeship safety, attracting and diversifying the workforce.
- Supporting the delivery of major projects.

These initiatives are designed to build a stronger, more inclusive industry, ensuring that South Australia's construction workforce is capable, future-focused and ready to deliver on the state's ambitions.

South Australia is on the brink of an unprecedented construction boom, with numerous significant projects set to take place over the next five years. These include the Women's and Children's Hospital, the North-South Corridor, the Northern Water Project and thousands of new residential homes. It is crucial that the Construction Industry Training Fund (CITF) is used strategically to support the industry during this critical time for our state.

By investing in skills development and workforce capability, we can ensure that South Australia is well-positioned to meet the demands of these projects and build a sustainable, resilient future for our construction industry.

This new model marks a decisive step forward, ensuring that workforce development in South Australia is strategic, evidence-based and fit for the future.

Thank you for your continued support and collaboration as we work together to build a brighter future for South Australia's construction industry.

**John Chapman OAM**  
*Presiding Member*



## MESSAGE FROM THE CEO

As Chief Executive Officer of the Construction Industry Training Board (CITB), I am proud to present our inaugural Three-year Training Plan for 2026–2028 - a strategic and evidence-based roadmap designed to build a skilled, resilient and future-ready construction workforce for South Australia.

This plan marks a significant turning point for CITB and the industry. For decades, the way we have funded training in the building and construction sector has remained largely unchanged. Through extensive consultation with employers, regional stakeholders and industry leaders, it became clear that the time for change had come. The feedback was consistent: we needed a more responsive, transparent and outcomes-focused approach to workforce development.

### **Evidence-Based Planning for Workforce Development**

Every initiative and funding allocation in this plan is grounded in data. We have drawn on historical participation trends, program performance metrics, and workforce demand forecasts to ensure that our investment is targeted and impactful. This includes robust revenue forecasting based on industry data from ABS, ACIF, MBA, HIA and tender databases, and a new compliance framework to improve levy collection and accountability.

The plan introduces a dual-pillar model - Education Pathways and Training Pathways - reflecting a lifecycle-based strategy that supports individuals from attraction through to employment and upskilling.

### **Key Initiatives Backed by Data and Designed for Inclusion**

Over the next three years, CITB will invest almost \$116 million in workforce development. Highlights include:

#### **Education Pathways:**

- Expansion of doorways2construction across Years 6–12.
- Support for Technical Colleges and pre-employment programs, including Career Driven.
- Industry Immersion programs and Diversity Grants.

#### **Training Pathways:**

- The launch of a new apprenticeship funding model in 2026, introducing a streamlined and equitable approach where all apprenticeships and qualifications are funded at the same level. This change replaces the previous system of varied funding amounts, ensuring greater fairness, transparency and consistency for employers and apprentices across the industry.

- Continued support for existing apprentices under grandfathered arrangements.
- Short course subsidies and regional allowances.
- Dedicated support for diversity groups, including women, adults and First Nations people.

### **Driving Cultural Change in Construction**

This Training Plan is not only about skills, it is about shaping the future culture of the building and construction industry. CITB recognises the need to challenge outdated perceptions and foster a more inclusive, respectful and welcoming environment. Through targeted initiatives for women, First Nations people and adult entrants, we aim to broaden participation and shift the narrative around who belongs in construction.

Our investment in mythbusting campaigns, parent engagement events and inclusive training pathways is designed to improve public perception, attract new talent and ensure that every South Australian, regardless of background, can see a future in our industry.

### **Why This Matters**

This Plan is a strategic investment in South Australia's future. It supports major infrastructure projects, addresses critical skill shortages and ensures equitable access to training across metropolitan and regional communities. Most importantly, it reflects CITB's commitment to evidence-based decision-making and measurable outcomes.

We are proud to partner with industry, government and education to deliver this plan. Together, we will build a stronger, more inclusive construction workforce for South Australia.

This plan would not have been possible without the contributions of our stakeholders. I want to extend my sincere thanks to everyone who participated in the consultation process, particularly the members of our four Sector Committees. Your insights, experience and commitment have been instrumental in shaping a plan that reflects the real needs and aspirations of our industry.

**Holly Willcox**  
Chief Executive Officer

# STRATEGIC DIRECTION 2026-2028

The Construction Industry Training Board (CITB) supports a skilled, diverse and future-ready construction workforce that builds South Australia. Over the next three years, CITB is sharpening its focus to deliver greater impact for South Australia's construction industry. The Strategic Plan 2026–2028 sets clear priorities aligned with our new Training Plan, strengthening how we measure outcomes, support our people and embed quality across everything we do. This approach reflects a focused, accountable and forward-looking CITB - committed to building a stronger, more capable workforce for the future.

CITB will:

- Execute the Three-year Training Plan with discipline and transparency to fill and skill South Australia's construction workforce.

- Implement a robust Levy Compliance Framework to support effective stewardship of the CITF Levy.
- Build capability, role clarity and a consistent performance rhythm for our people.
- Deliver core technology transformation in phased increments.

Our work is enabled by:

- **Change management:** Integrating change leadership, communications, and reinforcement into every initiative.
- **Data and information management:** Establishing golden metrics and embedding data-driven decision-making and reporting.

Business-as-usual priorities include stakeholder engagement, risk and financial management, quality and a robust communication framework.

## Vision

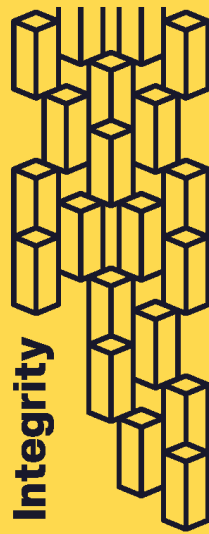
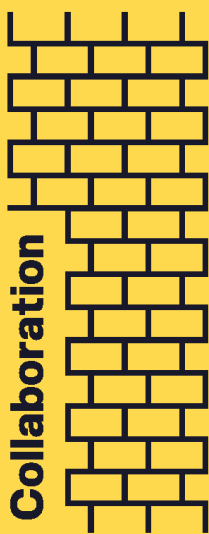
CITB supports a skilled, diverse and future-ready construction workforce that builds South Australia.

## Mission

Advance South Australia's building and construction industries by funding quality training and initiatives that attract and develop a highly-skilled workforce.

## Our Values

CITB have collectively defined the following values to guide CITB's long term development.





## OUR FUNCTIONS

As set out in the Construction Industry Training Fund Act 1993 the Construction Industry Training Board was established to administer the Fund and to co-ordinate appropriate training. Each program area detailed later in this Plan is linked to the 3A Objects and Division 1 Functions of the Act.

The Functions of the Board are to:

- Act as a principal adviser to the State and Federal Ministers on any matter relating to training in the building and construction industry and in particular to provide advice in relation to:
  - (i) skill requirements for the building and construction industry and the training arrangements to meet those requirements; and
  - (ii) pre-employment and training programs; and
  - (iii) any other matter referred to the Board for advice by either of those Ministers.
- Administer the Construction Industry Training Fund.
- Oversee revenue collection for the Fund (including by ensuring compliance with the levy scheme).
- Prepare the Training Plan in accordance with the Act.
- To generally co-ordinate training and personnel development within the building and construction industry.
- Promote increased productivity, career opportunities, personal satisfaction and occupational health and safety within the building and construction industry through training.
- Review and evaluate employment related training program to ensure that they meet the training and skill requirements of the building and construction industry, and to support appropriate training programs in the building and construction industry.
- Ensure a more equitable distribution of effort amongst employers in relation to employment related training in the building and construction industry.
- Initiate, carry out, support or promote research into the training and personnel needs of the building and construction industry, and to develop and implement policies, plans and programs to meet those needs.
- Liaise with educational, professional and training bodies (in either the public or private sectors) in relation to training and personnel development within the building and construction industry.
- Promote, undertake or support programs designed to facilitate the international exchange of information relevant to training or personnel development within the building and construction industry.
- Perform any functions that are necessary or convenient for or incidental to the performance of functions referred to above.

## INDUSTRY CONSULTATION

The CITB's targeted engagement with industry associations, government departments, employer and employee groups and CITB Endorsed Training Providers (ETP) informs the prioritisation of our initiatives, subsidies, incentives and scholarships.

**Industry feedback gathered over the past year has been reviewed by the CITB Board committees and used to inform decision making regarding new initiatives to support the Three-year Training Plan. These include:**

- Increasing the funding to support additional adult apprentices.
- Continuing the Career Driven program for doorways2construction® students to assist school students obtaining their driver's licence and boost employment opportunities.
- Development of employer resources to enhance the work placement experience for students.

**CITB will continue industry collaboration and consultation with government across different levels and areas of focus including:**

- doorways2construction® and Technical College consultation with the Department for Education, Catholic Education, independent schools and Endorsed Training Providers.
- Ongoing engagement with Skills SA, SA Skills Commission, Traineeship and Apprenticeship Services and Department of State Development Services.
- Consumer and Business Services, Office of the Industry Advocate, SafeWork SA and Department for Infrastructure and Transport.
- Apprentice Connect Australia Providers.

**CITB is represented and maintains the following membership and representation:**

- Australian Forum of Construction Industry Training Funds (AFCITF).
- Member of SA Skills Commission's Construction and Mining Industry Skills Council (ISC).
- TAFE SA Plumbing Industry Reference Group (PIRG).
- SA Aboriginal Building and Civil Construction Academy Steering Group.
- National Industry Training Advisory Board (ITAB).
- World Skills Australia, South Australia Steering Committee.
- Upper Spencer Gulf Workforce and Skills Advisory Group.
- Buildskills Advisory Body.
- Born to Build Working Group.
- Apprentice Employment Network SA (AEN SA) Associate Member.
- Building Women Project Control Group.



## THE BOARD



Presiding Member  
John Chapman OAM



Commissioner  
Cameron Baker



Mardi  
Conduit



Kelly Dawson-  
Fitzpatrick



Will  
Frogley



Stuart  
Gordon



Gary  
Henderson



Erin  
Hennessy



Stephen  
Knight



Cassie  
Manser



Rebecca  
Pickering

## THE EXECUTIVE TEAM



**Holly Willcox**  
Chief Executive  
Officer



**Amanda Grocock**  
Director  
Corporate Services

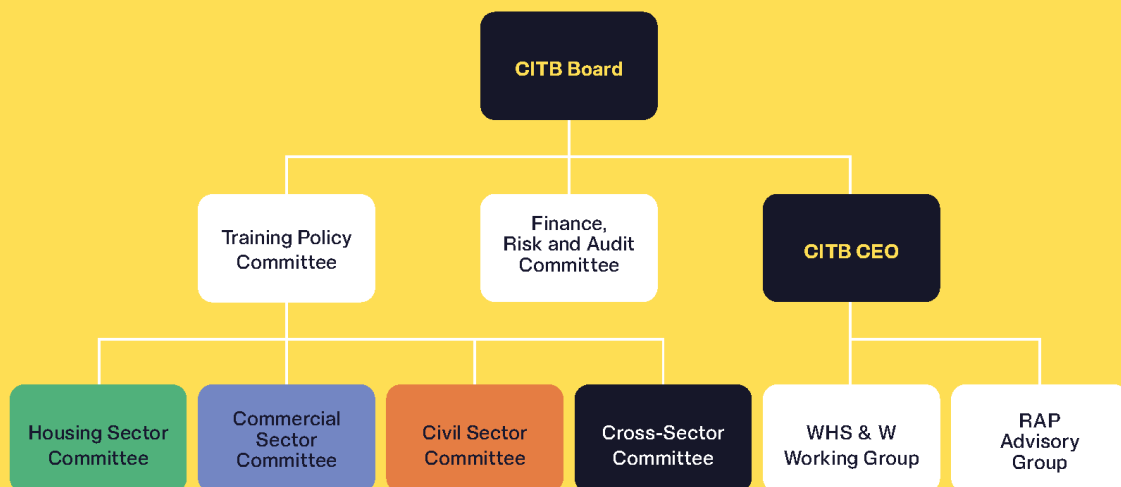


**Toni Hartley**  
Director  
Workforce Skills & Training



**Belinda Shipway**  
Director  
Levy & Finance

## BOARD AND COMMITTEE STRUCTURE



# TRAINING PLAN 2026-2028

## Levy Revenue

Funding to invest in the training and skills development of our workforce is provided by collecting a levy on building and construction projects performed in South Australia valued at \$100,000 or more.

The implementation of the Levy Compliance Framework will guide and strengthen compliance, education and industry engagement, ensuring sufficient funds for education and training pathways funding.

Levy revenue for the T2D Main Works Infrastructure project was received in 2025. This substantial levy will contribute to meeting the education pathways and training funding needs associated with South Australia's infrastructure project pipeline.

The forecasted levy revenue for 2026-2028 is based on a robust methodology, drawing on multiple industry sources and historical data.

### Levy Revenue by Sector and Year

Sector	2026	2027	2028
Residential	\$17,084,000	\$18,093,000	\$18,779,000
Commercial	\$12,587,000	\$12,166,000	\$12,150,000
Civil	\$11,273,000	\$10,929,000	\$10,434,000
<b>Total</b>	<b>\$40,944,000</b>	<b>\$41,188,000</b>	<b>\$41,363,000</b>

### Housing Sector

The housing sector continues to grow with new dwelling commencements expected to increase steadily over the next few years to meet ambitious housing targets set by the government.

### Commercial Sector

Demand for commercial building remains strong, driven largely by government investment in sectors such as health and education and social, cultural and recreational infrastructure projects.

### Civil Sector

Demand for civil construction remains strong, particularly due to utility works supporting land subdivisions for the housing sector, as well as continued investment in transport infrastructure.

# THREE-YEAR TRAINING PLAN BUDGET

Industry Funding Pathway	2026	2027	2028	Total	% of spend
Education Pathways	\$2,340,010	\$2,947,405	\$3,363,017	\$8,650,432	8%
Training Pathways	\$32,619,500	\$36,990,900	\$35,045,700	\$104,656,100	92%
<b>Total</b>	<b>\$34,959,510</b>	<b>\$39,938,305</b>	<b>\$38,408,717</b>	<b>\$113,306,532</b>	<b>100%</b>

The details of each initiative in the Training Plan are outlined in the pages following.



# THE INAUGURAL THREE-YEAR TRAINING PLAN

## Summary of Background Data and Research

Historically, CITB has delivered an annual Training Plan and funding model to strategically direct levy funds into skills and workforce development, ensuring South Australia's construction industry has the capability, resilience and future-ready workforce it needs.

While this approach has provided valuable support to industry, it no longer reflects the scale or complexity of the challenges facing South Australia's construction sector. Workforce development needs are increasingly shaped by factors that extend well beyond a single year, from the rapid uptake of new technologies, to evolving job roles, changing market conditions and the demand for a more diverse and resilient workforce.

Independent research undertaken by Finity, as well as feedback from the CITF Act Review team, confirmed that the previous model was outdated and unsustainable. Both the research and the Act Review highlighted that short-term planning restricts the industry's ability to build workforce capability at the necessary pace. Decisions made on a 12-month cycle often struggle to keep up with long-term project pipelines, the timeframes required for skill development and the significant reforms underway across education and training systems.

In response to the changes to the CITF Act 1993, CITB has shifted to a more strategic Three-year Training Plan. This new approach will provide the certainty and stability needed for industry, government and training providers to plan with confidence. It will allow for smarter, long-term investment in skills development and ensure the training system is better aligned with industry demand and emerging workforce needs.

Crucially, the three-year Plan is designed to actively support change, from digital innovation and sustainability requirements through to the creation of new pathways into construction careers. It recognises that building the future workforce is not simply about filling immediate gaps but about preparing for the roles of tomorrow and making industry more inclusive, adaptable and ready for the future.

CITB's commitment is clear: to use robust data, research and industry insights to guide decisions and deliver value across every sector of construction. This new model marks a decisive step forward, ensuring workforce development in South Australia is strategic, evidence-based and fit for the future.



## MINISTERIAL PRIORITIES

The South Australian Government has set a clear vision for the state: to build a smart, sustainable and inclusive economy supported by a skilled workforce that delivers benefits for all South Australians now and into the future. CITB is a key partner in achieving this vision for the building and construction sector. By working collaboratively and flexibly with industry, government and training providers, CITB will help to attract and train a highly skilled workforce that can meet the state's immediate and long-term needs.

To align with ministerial priorities, CITB's focus over the next three years will be to:

- **Promote the construction industry** – positioning construction as a career of choice for school leavers, job seekers, career changers and the broader South Australian community.
- **Reduce barriers to entry** – supporting new entrants through targeted initiatives and tailored support for both employers and employees.
- **Deliver on national skills priorities** – aligning funding and programs with both national and local skills agendas to ensure South Australia is positioned to meet current and emerging demands.
- **Improve apprenticeship safety** – enhancing both physical and psychosocial safety for apprentices and workers to improve wellbeing, encourage diversity and ensure all new entrants are supported to succeed.
- **Attract and diversify the workforce** – building a stronger, more inclusive industry by improving workplace culture, supporting mental health, increasing diversity and strengthening pathways from schools to apprenticeships. A key focus will be on attracting women, First Nations people, mature-age workers and others who will bring new strengths to the sector.
- **Support delivery of major projects** – attracting and developing the workforce needed to deliver projects critical to South Australia's future, including the Women's and Children's Hospital, the North-South Corridor, the Northern Water Project and thousands of new residential homes.

Through these priorities, CITB will help ensure South Australia's construction workforce is capable, future-focused and ready to deliver on the state's ambitions.

# INDUSTRY CONSULTATION INSIGHTS

During the development of the Three-year Training Plan, CITB conducted targeted consultation with industry stakeholders to gather feedback on proposed funding reforms and strategic priorities. The insights below reflect the collective views of employers, employees, training providers and other industry stakeholders on how CITB's funding model can best support workforce development, diversity and apprenticeship pathways across South Australia.

## Strategic direction of the funding model

- **Broad support for Grandfathering:** Stakeholders overwhelmingly endorsed the proposal to continue the current funding model for all training contracts commenced before 1 January 2026. This approach was seen as fair, simple and essential for maintaining certainty for both employers and apprentices.
- **Calls for ongoing review:** While the new model was broadly supported, stakeholders emphasised the importance of annual reviews to ensure the funding remains aligned with industry needs and evolving workforce challenges.

## Education and pathways

- **School engagement:** Feedback emphasised the need for CITB to act as a conduit between schools, parents and students, especially in public and low-socioeconomic schools when awareness and access to apprenticeships may be limited.
- **Early career identification:** Stakeholders advocated for programs that help students identify career pathways earlier.
- **Pathways for non-students:** Many stakeholders highlighted the importance of creating clear entry points into the construction industry for individuals who are not currently enrolled in school or technical college. This includes addressing barriers to work experience and exploring flexible models that support career-changers, early-school leavers and others outside traditional education pathways.

## Diversity and inclusion

- **Evidence-based funding:** Stakeholders recommended piloting diversity initiatives and adjusting funding based on measurable outcomes. If no impact is observed, funding should be redirected to more effective strategies as part the annual review process.
- **Employer incentives:** Suggestions included linking funding eligibility to employer participation in diversity, culture and leadership training to improve psychosocial safety for employees from diverse groups.
- **Targeted support:** Stakeholders expressed strong support for additional apprentice funding for individuals from diverse backgrounds, as well as for partnerships with community organisation to improve employment outcomes.

## Workforce development challenges

- **Trainer quality and capacity:** A recurring theme was the need to improve the quality of trainers and increase the number of qualified trainers, especially in high-demand trades.
- **Regional access:** Limited access to training in regional areas was flagged as a major barrier to entry, with stakeholders emphasising the need to increase access to training in these areas.
- **Retention and flexibility:** Stakeholders emphasised the need to examine timing of incentive payments to improve retention among apprentices.

# TRAINING PLAN FUNDING FRAMEWORK OVERVIEW

CITB has redesigned its funding model to provide a clear, structured approach to supporting South Australians at every stage of their construction career. The model is built around two complementary streams: Education and Training.

## EDUCATION | PRE-EMPLOYMENT

This stream focuses on building awareness and skills for those preparing to enter the construction industry. It includes:

- **doorways2construction** – for high school students exploring careers in construction.
- **pathways2construction** – for technical college students building practical skills and work-readiness.
- **tradeup2construction** – for anyone with aspirations to begin their career in the construction industry.

## TRAINING | POST-EMPLOYMENT

This stream supports those already in the industry and the employers and training organisations who engage with them. It includes:

- Apprenticeship/Traineeship support.
- Support for direct employers, Group Training Organisations (GTOs), and host employers.
- Assistance through apprenticeship training and short course subsidies, and targeted incentives.

To deliver these initiatives, CITB's grant management is now organised into three categories:

- Subsidies – reducing the cost of essential training and advanced skill development to ensure the workforce is safe, skilled and job-ready.
- Incentives – driving attraction and completion of apprenticeships, with additional support for diversity and critical skills requirements.
- Scholarships – supporting students, teachers, trainers and people entering the industry with resources such as equipment and training vouchers and professional development.

This model ensures CITB funding is strategically targeted to build the pipeline of future workers while strengthening support for apprentices, employers and the wider construction industry.

# EDUCATION PATHWAYS

CITF Act 1993 s11 (d) (e) (i)

SCHOOL STUDENTS | NEW INITIATIVES | WORKFORCE ATTRACTION

**Investment in 2026-2028: \$8,650,432**

The Education Pathways initiative marks a significant expansion of CITB's commitment to building a skilled, diverse and future-ready construction workforce. Over the next three years, we will continue to strengthen existing programs, expand into new areas and develop innovative solutions to support learners from Year 6 through to pre-employment stages.





## DOORWAYS2CONSTRUCTION

CITB's Education Pathways strategy begins with a strong foundation in secondary schools, where early exposure, hands-on learning and inclusive career education can shape a student's future. Over the next three years, we will continue to grow our flagship programs, expand into new areas and develop initiatives that support students, educators and families alike.

### Careers Under Construction

Careers Under Construction is a strategic collaboration between CITB and Makers Empire aimed at inspiring and engaging Years 6–9 students with careers in the building and construction industry. It integrates 3D design technology and design thinking into classrooms through curriculum-aligned, hands-on learning experiences, and strengthens school-industry connections by involving industry mentors in project delivery. A key feature of the program is the Showcase Event, where students present their completed projects to peers, educators and industry representatives.

The Makers Empire program will continue in 2026, with implementation planned across 20 schools. Delivery will be expanded to two additional schools each year, supported by a strong focus on regional growth. Plans for regional expansion include a Showcase Event in Mount Gambier.

Funding is based on school registration, with participating schools required to commit to the program, including teacher participation in professional development. Each school is provided with an initial 3D printer to support hands-on learning.

### Exploring Construction

Exploring Construction supports Year 10 programs designed to provide early exposure to careers in the building and construction industry through practical, curriculum-based learning. It aims to:

- Strengthen school-industry connections.
- Build teacher capability.
- Encourage student transitions into doorways2construction Flexible Industry Programs (FIPs) in Year 11.

*Forecast student growth:*

<b>2026</b>	770 students across 20 schools
<b>2027</b>	830 students across 22 schools
<b>2028</b>	890 students across 24 schools

CITB's investment supports:

- **Students:** White Card training, Hi-Viz shirts and PPE to prepare for work experience.
- **Teachers:** Professional development for Design and Technology educators to build industry knowledge and delivery capability.

## Industry Immersion

The Industry Immersion Program offers hands-on, interactive experiences for students, ranging from introductory tasters to multi-trade exploration and trade-specific pathways, delivered in collaboration with schools and training providers. It is designed to:

- Support informed decision-making about future pathways in construction.
- Achieve the VETRO Readiness requirement for students to enroll in a Flexible Industry Program (FIP).
- Strengthen school-to-industry connections.
- Expand access for regional students and students from diversity cohorts.
- Increase student participation in doorways2construction FIPs to help build the pipeline of skilled workers for the building and construction industry.

Diversity initiatives within the program are being scaled, including continued support for the Department for Education's Aboriginal Career Education (ACE) program and the introduction of additional diversity-focused initiatives to broaden participation and foster an inclusive workforce.

The funding model includes:

- **Core delivery support:** Funding is provided per student, per hour, with a daily cap to ensure consistent support for high-quality, hands-on learning experiences.
- **Regional and remote support:** There is scope within the funding model to support program delivery in regional and remote locations, ensuring equitable access across South Australia.
- **Diversity initiatives:** A separate budget allocation is dedicated to supporting diversity-focused programs.

## Years 11 and 12 – doorways2construction Flexible Industry Programs (FIPs) and Advanced Skills Programs (ASP)

CITB continues to support students participating in doorways2construction Flexible Industry Programs (FIPs) and Advanced Skills Programs (ASPs), both of which provide clearly articulated pathways into careers in the building and construction industry.

- **doorways2construction FIPs** are VET qualifications endorsed by industry and tailored for school-enrolled students. They provide structured, hands-on training aligned with real-world construction careers, forming a key part of the student's pathway into the workforce.
- **Advanced Skills Programs** are stackable VET skill clusters to enable students to continue building industry-relevant skills in Year 12 while completing their SACE, ensuring continuity in their training journey.

CITB's investment in these programs does not intend to duplicate State Government funding; however, aims to ensure that:

- Students are equipped with essential safety gear required for work readiness.

- Short course training to support students' skill development and work readiness for courses such as Life Skills Tool Box and KESAB Cleansite.
- Remove financial barriers that may prevent students from completing Advanced Skills Programs, that are not currently funded through DfE or Skills SA.

As part of CITB's Education Pathways strategy, the Life Skills Toolbox program, facilitated by MATES in Construction, plays a vital role in preparing students and apprentices for successful careers in the building and construction industry. Delivered directly to learners, this program promotes mental health literacy, resilience and peer support, while also raising awareness of career opportunities in construction. By embedding wellbeing into the learning journey, Life Skills Toolbox complements technical training with essential life skills that help young people navigate the challenges of early career development. Importantly, this initiative directly supports the Ministerial Priority of improving apprenticeship safety by enhancing both physical and psychosocial wellbeing for new entrants. Through this program, CITB ensures that students and apprentices are not only job-ready but also equipped to thrive in a demanding and dynamic industry.



### SA Housing Trust (SAHT) Partnership

The SA Housing Trust Partnership Program is a long-standing collaborative initiative between CITB and the SA Housing Trust, established in 2001. It provides students in doorways2construction Flexible Industry Programs with access to real-world learning environments by refurbishing vacant Trust properties.

Key features include:

- Vacant properties made available annually in northern Adelaide, southern Adelaide and Whyalla.
- CITB funding for an onsite Design and Technology teacher to support students' practical learning.
- Student engagement in hands-on construction activities aligned with their VET training, giving them valuable experience in real residential settings.

### Career Driven

Career Driven is a CITB initiative that supports students in Years 11 and 12 participating in doorways2construction programs, as well as those in Department for Education Job Skills Programs. It provides access to professional driving lessons to help students improve their work-readiness and transition into apprenticeships.

This initiative continues to strengthen school-industry connections and enhance student readiness for employment in the building and construction industry. The program is well-established, operating successfully across both metropolitan and regional locations. CITB remains committed to supporting existing partner schools, with funding allocations determined by student enrolments and the number of onsite teaching days. Looking ahead, expansion is planned for two new regional partnerships, contingent upon the availability of vacant housing stock and Registered Training Organisations (RTOs) continued delivery of training.

CITB's investment includes:

- Subsidies for onsite Design and Technology teachers, scaled to student numbers and time spent on site.
- Provision for expansion into two new regional programs, pending housing and training availability.
- Inclusion of standard doorways2construction supports for participating students.

The initiative addresses a key barrier to employment in the construction industry (lack of a driver's license) by supporting mobility and independence, especially in roles that require travel between job sites.

- CITB funds up to **\$600 per student**.



## NEW INITIATIVES

### Year 6 Expansion

Introducing doorways2construction to Year 6 students lays the foundation for informed career thinking before high school pathways begin.

As part of this expansion, CITB is collaborating with the Department for Education to support a problem-based learning program piloted in 2025.

This initiative introduces younger students to construction concepts through engaging, real-world challenges, laying the foundation for future participation in VET pathways.

In addition to this, the Careers Under Construction initiative will be expanded into Year 6 with the Building Communities program where students will focus on sustainable construction.

### Work Experience Platform

The Work Experience Platform is a web-based tool currently under development, designed to streamline and strengthen the connection between schools/technical colleges and the building and construction industry. The platform will:

- Enable students to gain firsthand insight into construction roles and environments.
- Provide a centralised, easy-to-use interface where employers can register their willingness to host students and schools can easily identify and connect with those employers.
- Support the extensive work experience requirements of technical college students.
- Address the challenges schools face in sourcing placements.

The platform will streamline access to work experience opportunities and strengthen school-to-industry connections.

The platform is currently under development, with its launch scheduled for 2026. CITB is actively collaborating with stakeholders to ensure the platform is tailored to meet the needs of schools, technical colleges, students and industry partners. The development process encompasses both the technical build and the creation of comprehensive supporting resources for students and employers.







### Department for Education - Job Skills programs

The Job Skills Programs are a Department for Education initiative within the Career Education and Pathways Strategy. These programs include Stackable VET, particularly Skills Clusters and short courses that build employability skills and prepare young people for work.

A key feature of these programs is the inclusion of nominated employer partner/s who provide real employment opportunities for participating students. This ensures that the training is directly aligned with workforce needs and that students are supported in transitioning from school into meaningful employment pathways.

In 2026, there will be three programs, each supporting 30 students. CITB will provide additional support to provide:

 PPE packs for participating students	 White Card training
 Life Skills Toolbox training	 Access to Career Driven

### Trainer Professional Development

The Trainer Professional Development initiative is designed to build the capability of trainers delivering VET to secondary school and technical college students.

It focuses on equipping trainers with the tools, strategies and insights needed to effectively engage school-aged learners and address the unique challenges of delivering VET in a school-based setting.

Full implementation is scheduled from 2027, with annual delivery planned for both metropolitan and regional sessions.

### Guided Site Tours

The Guided Site Tours initiative is designed to provide secondary school students with real-world exposure to active construction environments. These tours aim to:

- Strengthen school-to-industry connections.
- Inspire student interest in construction careers.
- Help students to gain a greater understanding of the construction industry.

Tours will be coordinated and delivered by dedicated personnel, with structured learning outcomes to ensure a meaningful and engaging experience.

Pilot delivery is planned for Semester 2 2026, with full implementation from 2027.

CITB's investment will support:

- Development of a structured site tour program.
- Creation of dedicated resources and personnel to coordinate and deliver the tours.

### Mythbusting and Parent Engagement Initiatives

The Mythbusting and Parent Engagement Initiatives are designed to support workforce attraction by challenging outdated perceptions of the building and construction industry and engaging parents as key influencers in student career decisions.

- **Mythbusting content:** CITB will develop inclusive, engaging media such as videos, reels and digital campaigns to challenge stereotypes and showcase the diversity, innovation and career potential within the industry.
- **Parent engagement:** CITB will deliver sessions hosted by Endorsed Training Providers to inform and empower parents to support their children's exploration of construction careers. These sessions will be supported by tailored resources and held annually in both metropolitan and regional locations.

In 2026, CITB will focus on developing the overarching strategy, conducting audience testing and initiating the storyboarding of content. Parent resources will also be scoped and developed during this period. Engagement activities and marketing campaigns, along with parent-focused events, are scheduled to commence from 2027.

### WorldSkills – VETIS Regional Competition

The WorldSkills VET in Schools (VETIS) Regional Competition provides secondary and technical college students with the opportunity to demonstrate their skills across a range of trades including construction, while competing with peers from across the region. CITB continues to support WorldSkills, enabling students to showcase their abilities, engage with industry and raise the profile of careers in construction.

## PATHWAYS2CONSTRUCTION

Technical Colleges are a new model of senior secondary schooling in South Australia designed to provide students with direct pathways into skilled trades and technical careers. These colleges combine academic learning with vocational education and training (VET), offering students the opportunity to complete their SACE while gaining industry-recognised qualifications and work experience.

As part of CITB's Education Pathways strategy, a suite of tailored initiatives will support the Technical Colleges Building and Construction Pathways and Multi-Trade Pathways program including:

- Tonsley Technical College.
- The Heights Technical College.
- Limestone Coast Technical College.
- Port Augusta Technical College.

CITB is preparing to support the rollout of South Australia's new Technical Colleges from 2026 onwards. Initial funding will focus on providing students with access to Career Driven and training subsidies for Life Skills Toolbox and KESAB Cleansite, whilst allowing for future inclusion of additional subsidies to support student transitions into school-based apprenticeships.

From 2026, CITB will fund 50% of the delivery costs for Multi-Trades programs at Port Augusta and Mount Gambier Technical Colleges, particularly where programs are not eligible for federal funding. This initiative is designed to strengthen regional access to construction training and ensure students in these areas can pursue diverse trade pathways. By reducing financial barriers and enhancing program viability, CITB is helping Technical Colleges deliver high-quality, industry-endorsed training that aligns with workforce needs and supports early career development.

## TRADEUP2CONSTRUCTION

As part of its workforce attraction strategy, CITB will support pre-employment initiatives that provide vital entry points for individuals not currently employed in the building and construction industry or enrolled in a school program. These initiatives, currently in the early development phase with a staged rollout planned from 2026, are designed to build South Australia's future workforce, increase diversity and open new pathways for people from all backgrounds to explore and prepare for rewarding careers in construction – addressing critical skill shortages across the industry. The model draws on proven approaches such as Industry Immersion and is being refined through consultation with stakeholders. Pilot programs will be trialed in 2026, particularly targeting underrepresented groups. Additionally, the Diversity Grants model will be developed during 2026, with the first round of grants released for delivery in 2027.

The key features of Pre-Employment initiatives include:

- Programs co-designed with industry and community partners to ensure alignment with current workforce needs and local opportunities.
- A flexible grant funding model enabling applicants to propose and deliver innovative, inclusive programs that address workforce gaps and support diversity.



# TRAINING PATHWAYS

*CITF Act 1993 s11 (d) (e) (f) (i)*

## APPRENTICES | EMPLOYERS | GTOS | CONSTRUCTION WORKERS

<b>Investment in 2026-2028:</b>	<b>\$72,411,000</b> to support over 8,000 apprentices and trainees
	<b>\$32,245,100</b> to support over 22,000 building and construction workers

The Training Pathways model is designed to strengthen South Australia's construction workforce by supporting employers and construction workers through targeted, practical and inclusive initiatives. These initiatives are built on a foundation of real-world needs, industry collaboration and a commitment to long-term workforce sustainability.

A key driver of workforce demand over the coming years will be the Torrens to Darlington (T2D) infrastructure project. The project is expected to generate significant training and employment opportunities, with an estimated requirement for over 700 apprentices between 2025 and 2029, and approximately 8,900 training places for over 10,000 construction workers, delivered through short courses.





## APPRENTICE SUPPORT

CITB's Training Pathways model supports South Australia's construction workforce by investing in practical, inclusive initiatives that respond to real-world needs. For apprentices this means enhanced work readiness.

### Short Course Subsidy

**\$3,000**

short course  
training subsidy

To support the Ministerial Priority of ensuring safety for apprentices, CITB will extend access to short course funding for eligible apprentices. This initiative enables apprentices to undertake subsidised training in critical safety areas, such as Elevated Work Platform (EWP) tickets and High Risk Work licenses, that often fall outside the scope of their formal training plans. By removing financial barriers to these essential safety credentials, CITB is helping apprentices build safer work practices and meet industry expectations for job readiness and compliance.

### Work Equipment Voucher

**\$500** work  
equipment  
voucher

The Work Equipment Voucher (WEV) Scholarship provides a \$500 voucher to eligible apprentices to support the purchase of essential tools and equipment required for their trade. This initiative aims to reduce financial barriers to training readiness and ensure apprentices are equipped to participate in both on- and off-the-job training.

### WorldSkills National Competition 2027 (Adelaide)

The WorldSkills National Competition is a major national event that showcases the skills and capabilities of apprentices and trainees across Australia. In 2027, the competition will be hosted in Adelaide, providing a unique opportunity to highlight South Australia's training excellence and workforce talent. CITB's involvement will support event delivery, promote skills excellence and enhance visibility for South Australian competitors and training providers.

## APPRENTICESHIP TRAINING SUPPORT

To better support employers in the construction industry and ensure the sustainability of apprenticeship pathways, CITB is introducing a new funding model for apprenticeships. This model simplifies and strengthens employer support by providing consistent, predictable funding aligned with apprentice progression. It replaces the previous milestone based approach with a more transparent structure that supports employers from commencement through to completion. The model includes a base Training Subsidy for all eligible apprentices and trainees, with additional targeted supports available under specific criteria.

### Grandfathered Support

To support a smooth transition to the 2026-2028 funding model, CITB will honour Apprenticeship Training Support arrangement with any employer approved prior to 1 January 2026. This approach minimises disruption and preserves workforce stability while reforms are phased in.

As of 31 December 2025, approximately 7,000 apprenticeships are expected to be supported under the previous Apprenticeship Training Support model, up to 31 December 2028. The investment in this grandfathering arrangement is projected to be \$16.4 million in 2026, \$11.2 million in 2027 and \$6.1 million in 2028, with the model to be fully phased out by 2029.

### 2026-2028 Apprenticeship Training Subsidy

The 2026-2028 Apprenticeship Training Subsidy provides employers with **\$7,000** to support with offsetting the costs associated with the supervision, training and onboarding of new apprentices in the first two years of an apprentice or trainee's training contract.

This subsidy will be paid to employers (direct or host) of eligible apprentices undertaking CITB-supported qualifications in six-monthly instalments of \$1,750.

The Apprenticeship Training Subsidy is a core component of the 2026-2028 funding model and CITB anticipates approximately 2,200, 2,300 and 2,350 new apprentice commencements in 2026, 2027 and 2028 respectively.

### Attraction and Retention Incentives

This suite of targeted incentives offers employers **up to \$20,000** on top of the Apprenticeship Training Subsidy to attract and retain apprentices from diverse backgrounds and age groups, whilst also rewarding successful completions. These incentives are structured to address key workforce challenges and promote long-term engagement in the construction industry.

- **School Based Apprenticeship Incentive:** \$4,000 per eligible apprentice, paid at commencement of the training contract and completion of SACE. The value of the second payment exceeds the first, to reflect the importance of employers supporting school-based apprentices to complete their SACE and transition into full-time (or part-time) apprenticeships.
- **Adult Apprentice Incentive:** \$12,000 per eligible apprentice, paid in six-monthly instalments of \$3,000 over the first two years of the training contract. To qualify, the apprentice must be 21 years of age or older at the commencement of their apprenticeship.
- **Diversity Incentive:** \$3,000 per eligible apprentice, paid at the completion of the first year. To qualify, the apprentice must be female or a First Nations apprentice.
- **Completion Incentive:** \$1,000 per apprentice, paid upon successful completion of the training contract.

### Critical Construction Incentive

This incentive supports employers who take on apprentices in critical construction occupations that are not currently recognised on the Australian Apprenticeships Priority List and therefore do not attract commonwealth incentives. The initiative provides \$2,400 in the first two years of the training contract and aims to address workforce shortages in key trades essential to South Australia's construction sector.

Eligible qualifications include:

- Certificate III in Civil Construction
- Certificate III in Civil Construction Plant Operations
- Certificate III in Concreting
- Certificate III in Demolition
- Certificate III in Scaffolding
- Certificate III in Steelfixing

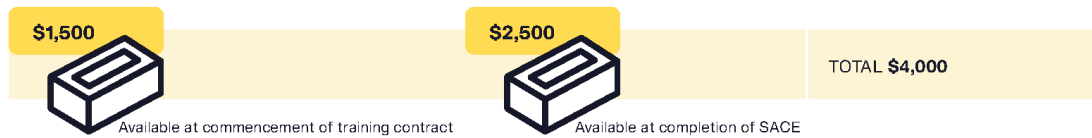
## 2026-2028 APPRENTICESHIP TRAINING SUBSIDIES



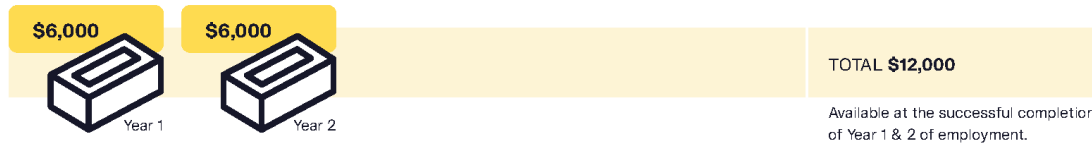
### ATTRACTION & RETENTION INCENTIVES

**UP TO \$20,000**

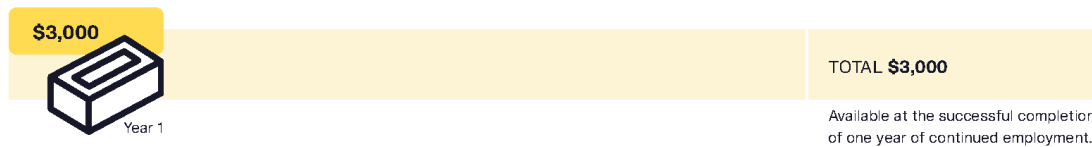
#### School Based Apprenticeship Incentive



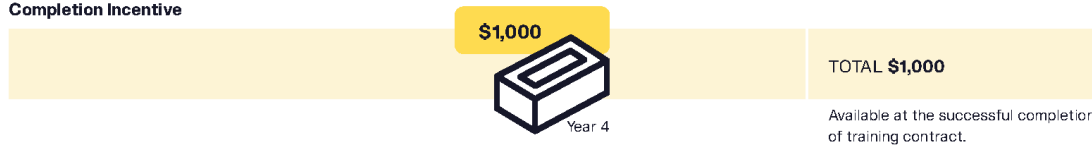
#### Adult Apprentice Incentive



#### Diversity Incentive

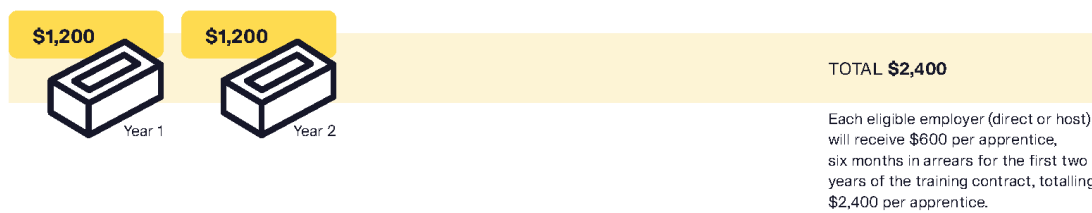


#### Completion Incentive



### CRITICAL CONSTRUCTION INCENTIVE

**TOTAL \$2,400**





## GTO APPRENTICESHIP SUPPORT

The reformed funding structure for Group Training Organisations (GTOs) is designed to promote transparency, equity and alignment with measurable workforce outcomes.

Under the 2026-2028 model, 100% of all Apprenticeship Training Subsidies must be passed on to host employers, ensuring consistent support across all employer types.

In recognition of the services and administrative support provided by GTOs, CITB's GTO Apprenticeship Support will provide an administrative incentive in line with any Apprentice Training Support Subsidy an apprentice may qualify for, equivalent to 10% of the subsidy or incentive.

## SHORT COURSE TRAINING SUPPORT

### Short Course Subsidies

Subsidised short course training remains integral to the 2026-2028 Training Plan period, as it allows eligible construction workers to access up to \$3,000 worth of relevant skills-based training at a reduced cost.

Subsidised short courses are designed to address workforce needs, support career progression and help employers and workers respond to evolving industry requirements, regulatory changes and emerging technologies.

For the 2026-2028 Training Plan period, the CITB will reclassify supported short course training to better align with industry needs and maximise workforce impact. This change reflects a strategic shift informed by extensive research, data analysis and sector consultation. Each approved short course will be assigned a category; Essential, Important or Supplementary, with a corresponding subsidy rate applied.

# \$3,000

Training Subsidy per worker

#### Essential Courses

**Up to 100% subsidy**

for training critical to safety, compliance and core construction skills.

#### Important Courses

**Up to 75% subsidy**

for training that supports productivity and operational capability.

#### Supplementary Courses

**Up to 50% subsidy**

for broader professional development.

100% of this subsidy **MUST** be passed on to the student by CITB's Endorsed Training Providers (ETPs), ensuring transparency and that funding directly benefits the workforce. A fixed administration incentive will then be provided to the ETPs to support operational expenses.

### Workplace Diversity Initiatives

Workplace Diversity Initiatives are strengthening capability across the construction industry to foster a more inclusive and culturally competent workforce.

These initiatives are designed to improve retention, workplace culture and leadership capabilities, and are closely aligned with the CITB Diversity and Inclusion Strategy to embed inclusive practices sector-wide.

Building on consultation with industry partners and aligned with CITB's broader workforce goals, these initiatives complement existing programs by advancing cultural safety, inclusive leadership and support for diverse employees.

Workplace Diversity Grants will be available on an application basis and assessed against clear criteria, including alignment with CITB's diversity objectives and potential for measurable impact. Funding supports targeted initiatives such as customised training on unconscious bias and cultural safety, as well as collaborative pilot programs with industry partners.

### tradie2trainer Scholarship

The tradie2trainer Scholarship supports experienced tradespeople and construction workers to transition into qualified Trainer roles, addressing the growing demand for skilled trainers in South Australia's building and construction industry.

While metropolitan delivery of the tradie2trainer Scholarship is well-established, regional expansion is currently under development, with new programs planned for the Eyre Peninsula and Southeast regions. This expansion responds to local workforce needs and supports broader access to training across South Australia.

### Regional Training Incentive

The Regional Training Incentive supports Endorsed Training Providers (ETPs) who deliver short course training in regional and remote areas across South Australia. It ensures equitable access to industry-relevant training by offsetting travel and accommodation costs, helping overcome geographic barriers and promoting workforce development in non-metropolitan communities.

## RESEARCH

*CITF Act 1993 s11 (a) (d) (e) (h) (i)*

**Investment in 2026-2028: \$745,000**

Over the next three years, CITB will continue to strengthen its research capacity to enhance operational effectiveness and industry impact with evidence-based analysis to delve into workforce dynamics and industry trends.

CITB is committed to harnessing the full potential of our expansive database and supporting close collaboration with stakeholders and government entities to promote industry outcomes. We will ensure effective consultation strategies are in place to gather insights that guide the development and delivery of our programs.

This includes:

- Collaborating with SA Government agencies, industry stakeholders and educational institutions to ensure alignment between industry needs and training programs can enhance the pipeline of skilled workers entering the industry.
- Informing stakeholders of industry trends and research outcomes through regular communication.
- Informing regions of workforce demand and supply of occupations in the construction industry.
- Establishing a sustainable financial strategy to ensure continued long-term support to the industry.
- Utilising comprehensive data analysis to evaluate strategies to promote diversity and inclusion within the industry that can help address workforce shortages and create a more representative workforce.





## RESEARCH PROJECTS INCLUDE:

### Advancing Strategies for Attracting and Retaining Youth in Construction Careers

CITB will continue to work with UniSA to expand the "Attraction and Retention of the Youth to the Building Industry" project with a focus on female apprentices, older apprentices and employer perspectives. Additionally, the project will field test the use of national data sets for determining pathways, critical turning points and the job-design factors that relate to employment within and beyond the construction industry. These data sets include:

- Experiences of older youth apprentices, ages 21 to 30 who have completed 12 months, targeting job design factors related to attraction and employment retention.
- Employer perspectives of desired skills or "what they are looking for" in youth, views and practices related to hiring women, views and practices related to hiring older apprentices age 21+, and current practices for supporting apprentices.
- Career trajectories of youth within and beyond the construction industry to identify the pathways and factors that employers can leverage to increase retention strategies.

### Initiative Perception Surveys

CITB has partnered with McGregor Tan Pty Ltd for more than a decade to deliver industry research and analysis. Over the next three years, this partnership will continue, with McGregor Tan conducting surveys to assess industry perceptions of CITB supported initiatives, subsidies, incentives and scholarships. These surveys will measure awareness, satisfaction and perceived benefits, with the follow-up tradie2trainer Scholarship survey marking the first time CITB will directly engage with participants to understand their career pathways after training. The insights gained will provide CITB Endorsed Training Providers with evidence-based data to enhance learning quality and outcomes while supporting CITB's ongoing development of targeted, industry-specific strategies and initiatives.

### Program Evaluation Framework

Alongside the introduction of new training programs and initiatives, CITB will develop a comprehensive evaluation framework to ensure consistent and robust assessment across all initiatives. This framework will define clear objectives, measurement criteria and evaluation cycles, enabling CITB to more effectively assess program performance and demonstrate our contribution to the construction industry.

### Industry Dashboard Updates

The current CITB Industry Dashboard provides users with detailed insights into major projects and labour demand and supply, with results tailored by region, occupation or project. Over the next three years, CITB will enhance the Dashboard to better reflect industry priorities, including diversity, and incorporate CITB initiative data. These improvements will transform the Dashboard into a more powerful tool for stakeholders, supporting informed decision-making through accessible, evidence-based insights.

# INDUSTRY PROMOTION AND COMMUNICATION

CITF Act 1993 s11 (e) (h) (i) & s34 (4) (c) (e)

**Investment in 2026-2028: \$6,611,003**

Over the 2026–2028 Training Plan period, CITB will strengthen its investment in industry promotion and communication to ensure awareness, engagement and participation across all initiatives. Its approach focuses on four key pillars:

## 1. TradeUp Campaign

CITB will continue to deliver and expand the TradeUp campaign, which promotes all activities funded by CITB that support pre-employment and industry entry. This includes showcasing pathways into construction careers, highlighting training opportunities and engaging with schools, job seekers and career influencers to attract new entrants to the sector.

## 2. Building Futures Campaign

To support individuals once they enter the industry, CITB will invest in the Building Futures campaign. This initiative promotes programs and funding available for apprentices, trainees, construction workers and business representatives. By highlighting career progression opportunities and skills development, Building Futures reinforces CITB's commitment to building a capable and sustainable workforce.

## 3. Regional Investment: Built in the Regions

Recognising the importance of regional participation, CITB will continue the Built in the Regions campaign, launched in 2025. This campaign focuses on engaging regional communities, promoting CITB initiatives and ensuring equitable access to training and support across South Australia. Our investment will include targeted outreach, regional events and partnerships to strengthen local workforce development.

## 4. Levy Education

Educating the industry about the CITF Levy remains critical to sustaining CITB's funding base. Without clear understanding of when and how the levy applies, income growth cannot be achieved and industry funding may be impacted. Over the next three years, CITB will maintain a strong focus on levy education through direct communication, digital resources and industry engagement activities to ensure compliance and transparency.

Through these campaigns and initiatives, CITB aims to build awareness, foster participation and create a stronger connection between industry stakeholders and the programs that drive workforce capability.



## FINANCE, BUSINESS SERVICES AND SYSTEMS

*CITF Act 1993 s11 (b) (ba) (c) & s16*

The Finance and Corporate Services teams play a critical role in supporting the organisation's strategic and operational objectives and ensuring the Construction Industry Training Fund is managed efficiently and transparently to maximise its benefit to the industry.

Key functions include:

- Financial accounting, budgeting and reporting in line with Australian Accounting Standards, with annual external audits ensuring compliance and accountability.
- Levy collection and compliance, supporting the integrity of the Fund's revenue base.
- Contract management to ensure value-for-money outcomes and alignment with procurement frameworks.
- Governance and risk management, underpinned by policies, procedures and internal controls.
- Investment management to safeguard and grow the Fund's assets to ensure sufficient funds are available for industry funding if there is a downturn in the construction industry and a decline in levy revenue.

The team also leads the development and enhancement of business systems aimed at improving efficiency, security, automation and reporting to support data-driven decision making and service delivery. In 2026-2027 this will include implementing a modern IT solution for Grants Management, Customer Relationship Management and Levy Management.

To support the 2026-2028 Training Plan, the CITB is implementing a Levy Compliance Framework, incorporating a Levy Education Plan to strengthen levy compliance and improve the communication and education of CITF Act levy requirements.

### **Technology Services**

To support the 2026-2028 Training Plan and as a cornerstone of CITB's transformation strategy, technology services are being reimagined to deliver a seamless, automated experience for stakeholders. The introduction of a modern Grant Management platform will reduce manual processes, enhance security and provide intuitive tools for industry engagement. This modernisation will ensure faster, smarter workflows and position CITB to respond proactively to the evolving needs of South Australia's construction sector.

## DANGEROUS SUBSTANCES ACT 1979

*Authorised Officers*

I, Glenn Stephen Farrell, Executive Director, SafeWork SA, in my capacity as the Competent Authority, hereby appoint the following person as an Authorised Officer for the purposes of the *Dangerous Substances Act 1979* pursuant to Section 7(1) of the *Dangerous Substances Act 1979*:

Michael Leigh WATERS

Dated: 16 December 2025

GLENN FARRELL  
Executive Director  
SafeWork SA  
Competent Authority

## DANGEROUS SUBSTANCES ACT 1979

*Authorised Officers*

I, Glenn Stephen Farrell, Executive Director, SafeWork SA, in my capacity as the Competent Authority, hereby revoke the following person as an Authorised Officer for the purposes of the *Dangerous Substances Act 1979* pursuant to Section 7(1) of the *Dangerous Substances Act 1979*:

Michael Leigh WALTERS

Dated: 15 December 2025

GLENN FARRELL  
Executive Director  
SafeWork SA  
Competent Authority

## DISABILITY INCLUSION ACT 2018

*Authorised Program Officer*

I, Nichola Hunt, exercising the delegated authority of the Senior Authorising Officer, hereby revoke the authorisation for the following person to be an Authorised Program Officer with respect to Orana Australia Limited for the purposes of the *Disability Inclusion Act 2018* in accordance with Section 23L(4) of that Act:

- Leanne Hallgath

Dated: 18 December 2025

NICHOLA HUNT  
Senior Authorising Officer  
Department of Human Services

## ELECTORAL ACT 1985

*Part 6—Registration of Political Parties*

Notice is hereby given, pursuant to Section 42 of the *Electoral Act 1985*, that I have this day registered the following political party:

Name of Party	Australian Citizens Party (SA) Division
Abbreviation of Party Name	Citizens Party

Dated: 18 December 2025

MICK SHERRY  
Electoral Commissioner

## FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

*Surveying in the Gulf St Vincent Prawn Fishery*

Take notice that pursuant to Regulation 10 of the Fisheries Management (Prawn Fisheries) Regulations 2017, the notice dated 23 October 2025 published on page 4292 of the *South Australian Government Gazette* on 30 October 2025, prohibiting fishing activities in the Gulf St Vincent Prawn Fishery as outlined in Schedule 1, is Hereby varied such that it will not apply to the holders of a Gulf St Vincent Prawn Fishery licence issued pursuant to the Fisheries Management (Prawn Fisheries) Regulations 2017 listed in Schedule 2 or their registered master insofar as they may use prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of undertaking a prawn survey during the period specified in Schedule 3, subject to the conditions contained in Schedule 4 unless this notice is varied or revoked.

## SCHEDULE 1

The waters of Gulf Saint Vincent contained within the enclosed rectangular area bordered by a line between the following coordinate points (GDA2020):

The line commencing at point 34° 29' 35"S, 138° 5' 29"E to point 34° 54' 29"S, 138° 29' 3"E then to point 35° 0' 2"S, 138° 20' 29"E to point 34° 35' 18"S, 137° 56' 54"E and then returning to the point of commencement (34° 29' 35"S, 138° 5' 29"E).

## SCHEDULE 2

Licence Number	Licence Holder/Master	Boat Name
V03	Josephine K Fisheries Pty Ltd	<i>Josephine K</i>
V06	Todreel Pty Ltd	<i>Anna Pearl</i>
V10	Ledo Pty Ltd	<i>Miss Jenny</i>

## SCHEDULE 3

Commencing at sunset on 16 December 2025 to sunrise on 18 December 2025.

## SCHEDULE 4

1. For the purposes of this notice the trawl survey areas cannot include any waters of a habitat protection zone or a sanctuary zone of a marine park established under the *Marine Parks Act 2007* or depths less than 10 metres.
2. The licence holders listed in Schedule 2 or their registered master must comply with all regulations and conditions that apply to fishing activities undertaken pursuant to their Gulf St Vincent Prawn Fishery licence, in addition to the conditions imposed by this notice.
3. While engaged in fishing activities or unloading the survey catch, the licence holders listed in Schedule 2 or their registered master must have a copy of this notice on board the boat or near his person. This notice must be produced to a Fisheries Officer if requested.
4. While engaged in fishing activities, the licence holders listed in Schedule 2 or their registered master must have an observer from the South Australian Research Development Institute (SARDI) aboard the vessel.
5. No fishing activity may be undertaken between the prescribed times of sunrise and sunset for Adelaide (as published in the *South Australian Government Gazette*).
6. The licence holders listed in Schedule 2 or their register master must not contravene or fail to comply with the *Fisheries Management Act 2007*, or any other regulations made under that Act except where specifically exempted by this notice.
7. This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the *Marine Parks Act 2007*. The notice holder and his agents must comply with any relevant regulations, permits, requirements and directions from the Department for Environment and Water when undertaking activities within a marine park.
8. A report (including the raw survey data) is to be provided by SARDI to the Saint Vincent Gulf Prawn Boat Owner's Association detailing the outcomes of the survey as soon as practicable on the survey completion.

Dated: 15 December 2025

JADE FREDERICKS  
Prawn Fishery Manager

Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

*Temporary Prohibition on Fishing Activities in the Gulf St Vincent Prawn Fishery*

Take notice that pursuant to Regulation 10 of the Fisheries Management (Prawn Fisheries) Regulations 2017, the activities of the class specified in Schedule 1 are prohibited in the waters of the Gulf St Vincent Prawn Fishery, except for the licence holders listed in Schedule 2, for the purpose of undertaking a prawn survey, during the period specified in Schedule 3, subject to conditions contained in Schedule 4, unless this notice is varied or revoked.

## SCHEDULE 1

The act of taking or an act preparatory to or involved in the taking of King Prawns (*Melicertus latisulcatus*) pursuant to a Gulf St Vincent Prawn Fishery Licence.

## SCHEDULE 2

Licence Number	Licence Holder	Boat Name
V03	Josephine K Fisheries Pty Ltd	<i>Josephine K</i>
V06	Todreel Pty Ltd	<i>Anna Pearl</i>
V10	Ledo Pty Ltd	<i>Miss Jenny</i>

## SCHEDULE 3

From sunset on 16 December 2025 to sunrise on 18 December 2025.

## SCHEDULE 4

1. For the purposes of this notice the trawl survey areas cannot include any waters of a habitat protection zone or a sanctuary zone of a marine park established under the *Marine Parks Act 2007* or depths less than 10 metres.
2. The licence holders listed in Schedule 2 or their registered master must comply with all regulations and conditions that apply to fishing activities undertaken pursuant to their Gulf St Vincent Prawn Fishery licence, in addition to the conditions imposed by this notice.
3. While engaged in fishing activities or unloading the survey catch, the licence holders listed in Schedule 2 or their registered master must have a copy of this notice on board the boat or near his person. This notice must be produced to a Fisheries Officer if requested.
4. While engaged in fishing activities, the licence holders listed in Schedule 2 or their registered master must have an observer from the South Australian Research Development Institute (SARDI) aboard the vessel.
5. No fishing activity may be undertaken between the prescribed times of sunrise and sunset for Adelaide (as published in the *South Australian Government Gazette*).
6. The licence holders listed in Schedule 2 or their register master must not contravene or fail to comply with the *Fisheries Management Act 2007*, or any other regulations made under that Act except where specifically exempted by this notice.
7. This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the *Marine Parks Act 2007*. The notice holder and his agents must comply with any relevant regulations, permits, requirements and directions from the Department for Environment and Water when undertaking activities within a marine park.
8. A report (including the raw survey data) is to be provided by SARDI to the Saint Vincent Gulf Prawn Boat Owner's Association detailing the outcomes of the survey as soon as practicable on the survey completion.

Dated: 15 December 2025

JADE FREDERICKS  
Prawn Fishery Manager

Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT ACT 2007

## SECTION 79

*Temporary Prohibition of Fishing Activity  
Catch and Release for Australian Bass in Specified Reservoirs*

Pursuant to Section 79 of the *Fisheries Management Act 2007*, I Matt Read, A/Executive Director Fisheries and Aquaculture, delegate of the Minister for Primary Industries and Regional Development, hereby declare that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1, in the areas specified in Schedule 2 during the period specified in Schedule 3.

## SCHEDULE 1

The take of Australia Bass from the waters in Schedule 2, other than for the purposes of removing a fishing hook to immediately release the fish where:

- The weight of the fish is at all times supported;
- The gills or fins of the fish are not handled at any stage; and
- The fish is released immediately after removal of a fishing hook.

## SCHEDULE 2

Waters of Beetaloo Reservoir, Bundaleer Reservoir, Happy Valley Reservoir, Myponga Reservoir, South Para Reservoir and Warren Reservoir.

## SCHEDULE 3

From 10 December 2025, until 10 December 2026.

Dated: 10 December 2025

MATT READ  
A/Executive Director  
Fisheries and Aquaculture  
Delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT ACT 2007

## SECTION 79

*Variation—Temporary Restrictions on Recreational Bag and Boat Limits in Waters of Gulf St Vincent and Spencer Gulf*

Take notice that pursuant to Section 79 of the *Fisheries Management Act 2007*, I, Hon Clare Scriven MLC, Minister for Primary Industries and Regional Development, vary the declaration titled *Temporary Restrictions on Recreational Bag and Boat Limits in Waters of Gulf St Vincent and Spencer Gulf* dated 31 October 2025 and published in the *South Australian Government Gazette* on 31 October 2025 on page 4338 (being the second notice on that page), effective 19 December 2025, to delete the following fish species rows from the table in Schedule 1:

Species	Bag Limit	Boat Limit
Waters of the Spencer Gulf Fishing Zone—remove the following rows		
Blue Swimmer Crab	10*	30*
Southern Garfish	15	45
Waters of the Gulf St Vincent and Kangaroo Island Fishing Zone or the Port Adelaide River estuary—remove the following rows		
Albacore	1	3
Australian herring	20	60
Mulloway	1	3
Southern Bluefin Tuna	1	3
Salmon (large/small)	10/5	30/15
Yellowtail Kingfish	1	2

Dated: 16 December 2025

HON CLARE SCRIVEN MLC  
Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT ACT 2007

## SECTION 79

*Variation—Temporary Restrictions on Recreational Charter Boat Limits in Waters of Gulf St Vincent and Spencer Gulf*

Take notice that pursuant to Section 79 of the *Fisheries Management Act 2007*, I, Hon Clare Scriven MLC, Minister for Primary Industries and Regional Development, vary the declaration titled *Temporary Restrictions on Recreational Charter Boat Limits in Waters of Gulf St Vincent and Spencer Gulf* dated 31 October 2025 and published in the *South Australian Government Gazette* on 31 October 2025 on page 4341 (being the first notice on that page), effective 19 December 2025, to delete the following fish species rows from the table in Schedule 1:

Species	Daily Limit (trip <3 days)	Trip Limit (trip >3 days)
Waters of the Spencer Gulf Fishing Zone—remove the following rows		
Blue Swimmer Crab	10*	30*
Southern Garfish	15	45
Waters of the Gulf St Vincent and Kangaroo Island Fishing Zone or the Port Adelaide River estuary—remove the following rows		

Species	Daily Limit (trip <3 days)	Trip Limit (trip >3 days)
Albacore	1	2
Australian herring	20	60
Barracouta	3	8
Mulloway	Trip limit applies	1
Southern Bluefin Tuna	Trip limit applies	1
Salmon (large/small)	5/3	15/8
Yellowtail Kingfish	Trip limit applies	1

Dated: 16 December 2025

HON CLARE SCRIVEN MLC  
Minister for Primary Industries and Regional Development

## HEALTH CARE ACT 2008

## CLAUSE 5A OF SCHEDULE 3

*Notice of Appointment of Members of a Governing Board of an Incorporated Hospital*

Chris Picton, Minister for Health and Wellbeing, has been pleased to appoint the persons named in Column 1 of the Schedule to the respective position in Column 2 of the Schedule as a member of the governing board of the respective incorporated hospital in Column 3 of the Schedule for the respective term in Column 4 of the Schedule.

## SCHEDULE

Column 1	Column 2	Column 3	Column 4
Person	Position	Incorporated Hospital	Term
Steven Seth Sumner	Member	Barossa Hills Fleurieu Local Health Network Incorporated	Commencing 12 January 2026 and expiring 30 June 2028

Dated: 13 December 2025

CHRIS PICTON MP  
Minister for Health and Wellbeing

## HOUSING IMPROVEMENT ACT 2016

*Rent Control Revocations*

In the exercise of the powers conferred by the *Housing Improvement Act 2016*, the Delegate of the Minister for Housing and Urban Development hereby revokes the maximum rental amount per week that shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each premises described in the following table.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
54 Lewis Road, Carrickalinga SA 5204	Allotment 543 Deposited Plan 6399 Hundred of Myponga	CT5628/8
307 Marion Road, North Plympton SA 5037 (Flat at rear)	Allotment 100 Filed Plan 10728 Hundred of Adelaide	CT6132/605
7 Newland Street, Mount Barker SA 5251	Allotment 153 Filed Plan 9188 Hundred of Macclesfield	CT5779/10
10 Grace Street, Goodwood SA 5034	Allotment 8 Filed Plan 1340 Hundred of Adelaide	CT5514/178
23 Kneebone Street, Goodwood SA 5034	Allotment 556 Filed Plan 10805 Hundred of Adelaide	CT5219/264

Dated: 18 December 2025

CRAIG THOMPSON  
Housing Regulator and Registrar  
Housing Safety Authority  
Delegate of the Minister for Housing and Urban Development

## JUSTICES OF THE PEACE ACT 2005

## SECTION 4

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

I, Brett Humphrey, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to Section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below. It being a condition of appointment that the Justices of the Peace must take the oaths required of a justice under the *Oaths Act 1936* and return the oaths of office form to Justice of the Peace Services within three months after the date of appointment:

For a period of ten years for a term commencing on 22 December 2025 and expiring on 21 December 2035:

Cheng ZHANG  
Derry Edwin John WARR  
Ziyu WANG  
Michael Allen VEALE  
Lisa Louise SLADE  
Natalie Joanne ROESLER  
Sandeep Kaur RANDHAWA

Cheryle Gaye PEDLER  
Edward James Scott DUNSTAN  
Kim Ngan BURLEY  
Robert Ronald BUCK  
Janet Anne BRENNAN  
Kathrine Jayne BIDDELL  
Hayley Louise ALLEN

Dated: 11 December 2025

BRETT HUMPHREY  
Commissioner for Consumer Affairs  
Delegate of the Attorney-General

#### LANDSCAPE SOUTH AUSTRALIA ACT 2019

##### *Declaration of Penalty in Relation to the Unauthorised or Unlawful Taking of Water*

Notice is hereby given pursuant to Section 88 of the *Landscape South Australia Act 2019* (the Act), I, Dan Jordan, delegate of the Minister for Climate, Environment and Water to whom the Act is committed, hereby declare that the following penalties are payable in relation to the unauthorised or unlawful taking of water during the consumption period that corresponds to the accounting period 1 July 2025 to 30 June 2026 inclusive:

1. Where a person who is the holder of a water allocation (other than a water allocation pursuant to an authorisation under Section 105 of the Act) takes water from a prescribed water resource listed in Column 1 of the table in Schedule 1 to this notice, which is in excess of the amount available under the allocation, the penalty declared pursuant to Section 88(1)(a) is the corresponding rate in Column 2 of the table in Schedule 1 per kilolitre of water taken in excess of the amount available under the allocation, as determined or assessed to have been taken in accordance with Section 79 of the Act.
2. Where a person who is the holder of a water allocation pursuant to an authorisation under Section 105 of the Act takes water from a prescribed water resource listed in Column 1 of the table in Schedule 2 to this notice, which is in excess of the amount available under the allocation, the penalty declared pursuant to Section 88(1)(a) is the corresponding rate in Column 2 of the table in Schedule 2 per kilolitre of water taken in excess of the amount available under the allocation, as determined or assessed to have been taken in accordance with Section 79 of the Act.
3. Where a person takes water from a prescribed water resource in Column 1 of the table in Schedule 1 to this notice and is not authorised under Section 105 or as part of a water allocation to take that water, and so acts in contravention of the Act, the penalty declared under Section 88(1)(e) is the corresponding rate in Column 3 of the table in Schedule 1 per kilolitre of water taken, as determined or assessed to have been taken in accordance with Section 79 of the Act.
4. Where a person takes water from a prescribed water resource described in Column 1 of the table in Schedule 1 to this notice in contravention of a notice under Section 109 of the Act, the penalty declared under Section 88(1)(f) is the corresponding rate in Column 3 of the table in Schedule 1 per kilolitre of water taken in excess of the amount authorised for take, as determined or assessed to have been taken in accordance with Section 79 of the Act.
5. Where a person may be subject to more than one penalty under Section 88 in respect of the same conduct, the penalty that is the greater shall be imposed.

In this notice:

‘the Northern Adelaide Plains Prescribed Wells Area’ means the area declared to be the Northern Adelaide Plains Proclaimed Region by proclamation under Section 41 of the *Water Resources Act 1976* (see Government Gazette 13 May 1976 page 2459), and as further declared by regulation under Section 125 of the *Natural Resources Management Act 2004* (see Government Gazette 22 July 2004, p.2600);

‘the Central Adelaide Prescribed Wells Area’ means the area which includes the wells declared by regulation under Section 125 of the *Natural Resources Management Act 2004* (*Natural Resources Management (Central Adelaide—Prescribed Wells Area) Regulations 2007*) (see Government Gazette 7 June 2007, pp.2573-2574);

‘the Dry Creek Prescribed Wells Area’ means the area declared to be the Dry Creek Proclaimed Wells Area by proclamation under Section 33(2) of the *Water Resources Act 1990* (see Government Gazette 11 July 1996 p. 76, and as further varied by Government Gazette 28 November 1996, p.1747);

‘the Angas-Bremer Prescribed Wells Area’ means the area declared to be the Angas-Bremer Proclaimed Region by proclamation under Section 41 of the *Water Resources Act 1976* (see Government Gazette 23 October 1980 p.1192);

‘the Peake, Roby and Sherlock Prescribed Wells Area’ means the area declared by regulation under Section 125 of the *Natural Resources Management Act 2004* (*Natural Resources Management (Peake, Roby and Sherlock Prescribed Wells Area) Regulations 2005*) (see Government Gazette 27 October 2005 p.3836);

‘the Mame Saunders Prescribed Water Resources Area’ means the area declared by regulation under Section 125 of the *Natural Resources Management Act 2004* (see Government Gazette 20 March 2003, p.1111);

‘the Clare Valley Prescribed Water Resources Area’ means the area declared by regulation to be the Clare Valley Prescribed Wells Area and Watercourses under Section 8 of the *Water Resources Act 1997* (see Government Gazette 25 July 1996 p.171) and the area declared by regulation to be the Clare Valley Prescribed Surface Water Area under Section 8 of the *Water Resources Act 1997* (see Government Gazette 28 October 1999 p.2127);

‘the Mallee Prescribed Wells Area’ means the area declared to be the Mallee Prescribed Wells Area by proclamation under Section 41 of the *Water Resources Act 1976* (See Government Gazette 28 July 1983, page 205 and varied on 9 January 1986, page 19) and as further declared by regulation under Section 125 of the *Natural Resources Management Act 2004* (see Government Gazette 27 October 2005, p.3833);

‘the Southern Basins Prescribed Wells Area’ means the area declared to be the Southern Basins Proclaimed Region by proclamation under Section 41 of the *Water Resources Act 1976* (see Government Gazette 12 March 1987 p.596);

‘the Musgrave Prescribed Wells Area’ means the area declared to be the Musgrave Proclaimed Region by proclamation under Section 41 of the *Water Resources Act 1976* (see Government Gazette 12 March 1987 p.596);

‘the Far North Prescribed Wells Area’ means the area declared to be the Far North Prescribed Wells Area by regulation under Section 8 of the *Water Resources Act 1997* (see Government Gazette 27 March 2003 p.1250);

‘the Barossa Prescribed Water Resources Area’ means the area declared by regulation under Section 8 of the *Water Resources Act 1997* (see Government Gazette 19 May 2005, p. 1295);

‘the McLaren Vale Prescribed Wells Area’ means the area gazetted on 7 January 1999 page 13, under the provisions of the *Water Resources Act 1997*;

‘the Western Mount Lofty Ranges Prescribed Water Resources Area’ means that area which includes:

the watercourses declared by regulation under Section 125 of the *Natural Resources Management Act 2004 (Natural Resources Management (Western Mount Lofty Ranges—Prescribed Watercourses) Regulations 2005)* (see Government Gazette 20 October 2005, pp.3791-3792); and

the wells declared by regulation under Section 125 of the *Natural Resources Management Act 2004 (Natural Resources Management (Western Mount Lofty Ranges—Prescribed Wells Area) Regulations 2005)* (see Government Gazette 20 October 2005, pp.3793-3794); and

the surface water area declared by regulation under Section 125 of the *Natural Resources Management Act 2004 (Natural Resources Management (Western Mount Lofty Ranges—Surface Water Prescribed Area) Regulation 2005)* (see Government Gazette 20 October 2005, pp.3795-3796);

‘the Eastern Mount Lofty Ranges Prescribed Resources Area’ means that area which includes:

the watercourses and surface water area declared by regulation under Section 125 of the *Natural Resources Management Act 2004 (Natural Resources Management (Eastern Mount Lofty Ranges—Prescribed Watercourses and Surface Water Prescribed Area) Regulations 2005)* (see Government Gazette 8 September 2005, pp.3292-3293); and

the wells declared by regulation under Section 125 of the *Natural Resources Management Act 2004 (Natural Resources Management (Eastern Mount Lofty Ranges—Prescribed Wells Area) Regulations 2005)* (see Government Gazette 8 September 2005, pp.3294-3295).

‘the Morambro Creek Prescribed Watercourse and Prescribed Surface Water Area’ means that area which includes:

the watercourse declared by regulation under Section 8 of the *Water Resources Act 1997 (Water Resources (Morambro Creek) Regulations 2001)* (see Government Gazette 12 April 2001, p.1605); and

the surface water prescribed area declared by regulation under Section 8 of the *Water Resources Act 1997 (Water Resources (Surface Water Prescribed Area—Morambro Catchment) Regulations 2001)*.

‘the Lower Limestone Coast Prescribed Wells Area’ means the area declared by regulation under Section 8 of *Water Resource Act 1997* (see Government Gazette 2 December 2004, p.4462-4464);

‘the Padthaway Prescribed Wells Area’ means the area declared by proclamation under Section 25 of the *Water Resources Act 1976* (see Government Gazette 13 May 1976, p.2459);

‘the Tatiara Prescribed Wells Area’ means the area declared to be the Tatiara Prescribed Area by proclamation under Section 41 of the *Water Resources Act 1976* (See Government Gazette 12 July 1984, p.134) and further revoked and varied (see Government Gazette 30 January 1986, p.206);

‘the Tintinara-Coonalpyn Prescribed Wells Area’ means the area prescribed under Section 8 of the *Water Resource Act 1997 (Water Resources (Tintinara Coonalpyn Prescribed Wells Area) Regulations 2000)* (see Government Gazette 2 November 2000, p.2933).

#### SCHEDULE 1

Penalties for unauthorised or unlawful take from a prescribed water resource 2025-2026:

Column 1	Column 2	Column 3
Angas Bremer Prescribed Wells Area	\$0.69/kL	\$0.92/kL
Barossa Prescribed Water Resources Area	\$2.25/kL	\$3.00/kL
Clare Valley Prescribed Water Resources Area	\$0.69/kL	\$0.92/kL
Dry Creek Prescribed Wells Area	\$0.69/kL	\$0.92/kL
Eastern Mt Lofty Ranges Prescribed Water Resources Area	\$1.20/kL	\$1.60/kL
Far North Prescribed Wells Area	\$0.69/kL	\$0.92/kL
Lower Limestone Coast Prescribed Wells Area	\$1.20/kL	\$1.60/kL
Mallee Prescribed Wells Area	\$0.75/kL	\$1.00/kL
Marne Saunders Prescribed Water Resources Area	\$0.69/kL	\$0.92/kL
McLaren Vale Prescribed Wells Area	\$3.75/kL	\$5.00/kL
Morambro Creek Prescribed Watercourse and Prescribed Surface Water Area	\$0.69/kL	\$0.92/kL
Musgrave Prescribed Wells Area	\$0.69/kL	\$0.92/kL
Northern Adelaide Plains Prescribed Wells Area	\$2.40/kL	\$3.20/kL
Padthaway Prescribed Wells Area	\$0.69/kL	\$0.92/kL
Peake, Roby and Sherlock Prescribed Wells Area	\$0.69/kL	\$0.92/kL
Southern Basins Prescribed Wells Area	\$0.69/kL	\$0.92/kL
Tatiara Prescribed Wells Area	\$0.69/kL	\$0.92/kL
Tintinara Coonalpyn Prescribed Wells Area	\$0.69/kL	\$0.92/kL
Western Mt Lofty Ranges Prescribed Water Resources Area	\$0.90/kL	\$1.20/kL

Unit of measure kL is the abbreviation of kilolitre

#### SCHEDULE 2

Penalties for unauthorised take from a prescribed water resource, taken in association with an authorisation pursuant to Section 105 of the Act:

Column 1	Column 2
Central Adelaide Prescribed Wells Area	\$0.69/kL
Western Mount Lofty Ranges Prescribed Water Resources Area	\$0.90/kL

Unit of measure kL is the abbreviation of kilolitre

Dated: 9 December 2025

DAN JORDAN  
A/Executive Director, Water and River Murray  
Department for Environment and Water  
Delegate of the Minister for Climate, Environment and Water

## MENTAL HEALTH ACT 2009

*Authorised Mental Health Professional*

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

Jodie Hathaway—The determination will expire three years after the commencement date.

Gordon Murray—The determination will expire one year after the commencement date.

The Chief Psychiatrist make vary or revoke these determinations at any time.

Dated: 18 December 2025

DR JOHN BRAYLEY  
Chief Psychiatrist

## NATIONAL ELECTRICITY (SOUTH AUSTRALIA) ACT 1996

## SECTION 90EH

*Notice of Making of National Electricity Amendment (Retailer of Last Resort) Rule 2025*

I, Tom Koutsantonis, Minister for Energy and Mining for the Crown in right of the State of South Australia, as the Minister administering the *National Electricity (South Australia) Act 1996* of South Australia, hereby make the *National Electricity Amendment (Retailer of Last Resort) Rule 2025* under Section 90EH of the National Electricity Law on the unanimous recommendation of the Ministers of the participating jurisdictions sitting as the Ministerial Council on Energy for the purposes of that section.

This Rule has been signed by me for the purposes of identification as the *National Electricity Amendment (Retailer of Last Resort) Rule 2025* and commences operation on the date on which Clause 4 of Schedule 1 to the *National Energy Laws Amendment (Retailer of Last Resort) Act 2025* commences.

Dated: 17 December 2025

HON. TOM KOUTSANTONIS MP  
Minister for Energy and Mining

## PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

## SECTION 42

*Practice Directions**Preamble*

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

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

A practice direction must be notified in the Gazette and published on the SA Planning Portal.

A practice direction may be varied or revoked by the State Planning Commission from time to time by a further instrument notified in the Gazette and published on the SA Planning Portal.

## NOTICE

Pursuant to Section 42(4)(b) of the *Planning, Development and Infrastructure Act 2016*, I, Andy Humphries, Director Development, as delegate of the State Planning Commission:

- (a) give notice of a variation to State Planning Commission Practice Direction 12—Conditions; and
- (b) fix the day on which the varied State Planning Commission Practice Direction 12—Conditions is published on the SA Planning Portal as the day on which it will come into operation.

Dated: 15 December 2025

ANDY HUMPHRIES  
Director Development, Planning and Building  
Department for Housing and Urban Development  
Delegate of the State Planning Commission

## PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

## SECTION 76

*Amendment to the Planning and Design Code**Preamble*

It is necessary to amend the Planning and Design Code (the Code) in operation at 4 December 2025 (Version 2025.21) in order to make changes of form relating to the Code's spatial layers and their relationship with land parcels. Note: There are no changes to the application of zone, subzone or overlay boundaries and their relationship with affected parcels or the intent of policy application as a result of this amendment.

1. Pursuant to Section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make changes of form (without altering the effect of underlying policy), correct errors and make operational amendments as follows:
  - (a) Undertake minor alterations to the geometry of the spatial layers and data in the Code to maintain the current relationship between the parcel boundaries and Code data as a result of the following:
    - (i) New plans of division deposited in the Land Titles Office between 26 November 2025 and 9 December 2025 affecting the following spatial and data layers in the Code:
      - A. Zones and subzones

- B. Technical and Numeric Variations
- Building Heights (Levels)
  - Building Heights (Metres)
  - Interface Height
  - Minimum Frontage
  - Minimum Site Area
  - Minimum Primary Street Setback
  - Minimum Side Boundary Setback
  - Future Local Road Widening Setback
- C. Overlays
- Affordable Housing
  - Coastal Areas
  - Defence Aviation Area
  - Design
  - Future Local Road Widening
  - Future Road Widening
  - Hazards (Bushfire—High Risk)
  - Hazards (Bushfire—Medium Risk)
  - Hazards (Bushfire—General Risk)
  - Hazards (Bushfire—Urban Interface)
  - Hazards (Bushfire—Regional)
  - Hazards (Bushfire—Outback)
  - Heritage Adjacency
  - Historic Area
  - Local Heritage Place
  - Noise and Air Emissions
  - Significant Retirement Facility Supported Accommodation Sites
  - State Heritage Place
  - Stormwater Management
  - Urban Transport Routes
  - Urban Tree Canopy
- (b) In Part 13 of the Code—Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the ‘Table of Planning and Design Code Amendments’ to reflect the amendments to the Code as described in this Notice.
2. Pursuant to Section 76(5)(a) of the Act, I further specify that the amendments to the Code as described in this Notice will take effect upon the date those amendments are published on the SA planning portal.

Dated: 15 December 2025

GREG VAN GAANS  
Director, Geospatial, Data Science and Analytics,  
Department for Housing and Urban Development  
Delegate of the Minister for Planning

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 80

*Alterations to the Building Rules—Ministerial Building Standards*

*Preamble*

1. The *Planning, Development and Infrastructure Act 2016* (the Act) defines the Building Rules as meaning (amongst other things) the *Building Code*, being the Building Code of Australia published by the Australian Building Codes Board from time to time, and *Ministerial building standards* published by the Minister under the Act.
2. Under Section 80(1) of the Act, the Minister may, after consultation with the State Planning Commission (the Commission), publish *Ministerial building standards* that:
  - (a) relate to any aspect of building work (including the regulation, control, restriction or prohibition of building work);
  - (b) relate to any aspect of the design, construction, quality, safety, health, amenity, sustainability, adaptive re-use or maintenance of buildings; or
  - (c) modify the Building Code as it applies under the Act (including pursuant to Section 79(1)(b)).
3. Under Section 80(4) of the Act, the Minister may, after consultation with the Commission, vary or revoke a *Ministerial building standard*.
4. Pursuant to Section 80 of the Act, notice of publishing, varying, or revoking a *Ministerial building standard* must be placed in the Government Gazette before they can take effect.

NOTICE

Pursuant to Section 80(1) of the Act, I give notice, having consulted with the Commission, that the following Ministerial building standard that modifies the Building Code (including further modifications to modifications that are made under Section 79(1)(a) of the Act) has been varied and is to commence from the date of this notice:

*Ministerial Building Standard MBS 007—Modifications to the Building Code of Australia (Amendment 5)* dated December 2025 as published on the PlanSA portal.

Dated: 18 December 2025

JODIE EVANS  
Director, Building  
Department for Housing and Urban Development  
delegate of the Minister for Planning

MINISTERIAL BUILDING STANDARD MBS 007  
*Modifications to the Building Code of Australia—December 2025*  
*Published by the Minister for Planning*

## 1. SCOPE AND APPLICATION

- 1.1** This Standard is published as a Ministerial Building Standard that forms part of the *Building Rules* under the *Planning, Development and Infrastructure Act 2016* (PDI Act).
- 1.2** The *Building Code*, adopted as part of the *Building Rules* by the PDI Act, is modified in its application to *building work* in South Australia in accordance with the provisions of this Standard.
- 1.3** The *Building Code* (NCC 2022) commenced in the *Building Rules* on 1 May 2023, with the sections relating to livable housing and improved energy efficiency and condensation management deferred in South Australia until 1 October 2024.
- 1.4** Under the PDI Act, South Australia adopts amendments to the NCC when they are adopted by the Australian Building Codes Board (ABCB). NCC 2022 Amendment 1 was issued by the ABCB with effect from 1 May 2025. Amendment 2 was issued by the ABCB effect from 29 July 2025. References to NCC 2022 in the *Building Code* and this Standard shall mean NCC 2022 as amended.
- 1.5** The modifications within this Standard apply to the *Building Code* from the date of gazette and must be read as if they are consolidated into the *Building Code*.
- 1.6** Ministerial Building Standard MBS 013 specifies energy efficiency and livable housing design deemed-to-satisfy provisions for additions and/or alterations to existing Class 1 dwellings to support compliance with the requirements of the NCC 2022 modern homes provisions from 1 May 2026.

## 2. MODIFICATIONS TO NCC 2022

### 2.1 Volume One – Class 2 to 9 buildings

In South Australia, the *Building Code* (NCC 2022 Volume One) will be taken to be modified as set out below:

2.1.1 Modify SA B1P4 Buildings in flood areas to read as follows:

This clause has deliberately been left blank.

**B1P4** does not apply in South Australia.

2.1.2 Modify SA B1D6 Construction of buildings in flood hazard areas to read as follows:

This clause has deliberately been left blank.

**B1D6** does not apply in South Australia.

- 2.1.3 Delete SA subclause E1D2(7) in **SA E1D2 Fire hydrants**.
- 2.1.4 Modify SA subclause E4D2(b)(iii)(C) in **SA E4D2 Emergency lighting requirements** to read as follows:

An emergency lighting system is not *required* in a Group C farm building or at ground floor level in *cell type silos* or *storage sheds*; and

- 2.1.5 Delete SA subclause E4D8(2)(b) in **SA E4D8 Design and operation of exit signs**.
- 2.1.6 Modify the Notes after the 'Introduction to this Part' in **Part F8 Condensation management** to read as follows:

**Notes: South Australia Part F8 Condensation management**

From 1 May 2023 to 30 September 2024, **Part F6 of NCC 2019** (Amendment 1), including variations for South Australia, may apply instead of Part F8 of NCC 2022.

**Part F8 of NCC 2022** applies in South Australia from 1 October 2024.

A Class 2 building that is the subject of a *development application lodged* prior to 1 October 2024 may comply with **Part F6 of NCC 2019** (Amendment 1), including variations for South Australia, instead of Part F8 of NCC 2022.

- 2.1.7 Modify clause **G501 Objective** to read as follows:

The Objective of this Part is to—

- (a) safeguard occupants from injury from the effects of a bushfire; and
- (b) protect buildings from the effects of a bushfire.

**Application:**

**G501(a)** and **(b)** apply in a *designated bushfire prone area* to—

- (a) a Class 2 or 3 building; or
- (b) a Class 10a building or deck associated with a Class 2 or 3 building.

**Notes:**

The provisions relating to Class 9 buildings, and Class 10a buildings associated with, adjacent to or connected to a Class 9 building, do not apply in South Australia.

2.1.8 Modify clause G5F1 Construction in bushfire prone areas to read as follows:

A building constructed in a *designated bushfire prone area* is to provide a resistance to bushfires in order to reduce the danger to life and minimise the risk of the loss of the building.

**Application:**

**G5F1** applies in a *designated bushfire prone area* to—

- (a) a Class 2 or 3 building; or
- (b) a Class 10a building or deck associated with a Class 2 or 3 building.

**Notes:**

The provisions relating to Class 9 buildings, and Class 10a buildings associated with, adjacent to or connected to a Class 9 building, do not apply in South Australia.

2.1.9 Modify clause **G5P1 Bushfire Resistance** to read as follows:

A building that is constructed in a *designated bushfire prone area* must be designed and constructed to —

- (a) reduce the risk of ignition from a *design bushfire* with an annual exceedance probability not more than 1:100 years; and
- (b) take account of the assessed duration and intensity of the fire actions of the *design bushfire*; and
- (c) be designed to prevent internal ignition of the building and its contents; and
- (d) maintain the structural integrity of the building for the duration of the *design bushfire*.

**Application:**

G5P1 applies in a *designated bushfire prone area* to—

- (a) a Class 2 or 3 building; or
- (b) a Class 10a building or deck associated with a Class 2 or 3 building.

**Notes:**

The provisions relating to Class 9 buildings, and Class 10a buildings associated with, adjacent to or connected to a Class 9 building, do not apply in South Australia.

- 2.1.10 Modify clause G5P2 Additional bushfire requirements for certain Class 9 buildings to read as follows:

This clause has deliberately been left blank.  
**G5P2** does not apply in South Australia.

- 2.1.11 Modify the Notes after the 'Limitations' clause in **G5V1 Buildings in bushfire prone areas** to read as follows:

**Notes:**  
This clause has deliberately been left blank.  
**G5V1 'Notes'** does not apply in South Australia.

- 2.1.12 Modify clause SA G5D1 Deemed to Satisfy Provisions to read as follows:

- (1) Where a *Deemed-to-Satisfy Solution* is proposed, *Performance Requirement G5P1* and subject to G5D2, are satisfied by complying with G5D3 to SA G5D5.

- 2.1.13 Modify clause **SA G5D2 Application of Part** to read as follows:

The Deemed-to-Satisfy Provisions of this Part apply in a *designated bushfire prone area* to

- (a) a Class 2 or 3 building; and  
(b) a Class 10a building or deck associated with a Class 2 or 3 building.

- 2.1.14 Modify clause G5D4 Protection – certain Class 9 buildings to read as follows:

This clause has deliberately been left blank.  
**G5D4** does not apply in South Australia.

- 2.1.15 Modify Specification 43 Bushfire protection for certain Class 9 buildings to read as follows:

This Specification has deliberately been left blank.  
**Specification 43** does not apply in South Australia.

- 2.1.16 Modify the Notes after the 'Introduction to this Part' in **Part G7 Livable housing design** to read as follows:

**Notes: South Australia Part G7 Livable housing design**

**Part G7** of **NCC 2022** takes effect in South Australia on 1 October 2024.

**Part G7** does not apply to a Class 2 building that is the subject of a *development application lodged* prior to 1 October 2024.

- 2.1.17 Modify clause **G7D2** in **Part G7 Livable housing design** to read as follows:

- (1) Each sole-occupancy unit in a Class 2 building must comply with the *ABCB Standard for Livable Housing Design*, except for Part 1.
- (2) **Clause 4.1** of the *ABCB Standard for Livable Housing Design* is varied in South Australia as follows:

There must be at least one compliant *sanitary compartment* located on either:

  - (a) the ground or entry level; or
  - (b) the lowest level containing a *habitable* room within a sole-occupancy unit in a Class 2 building.

- 2.1.18 Modify the Notes after the 'Introduction to this Part' in **Part J1 Energy efficiency performance requirements** to read as follows:

**Notes: South Australia Part J1 Energy efficiency performance requirements**

From 1 May 2023 to 30 September 2024, **Section J** of **NCC 2019** (Amendment 1), including variations for South Australia, may apply instead of Section J of NCC 2022.

**Part J1** of **NCC 2022** applies in South Australia from 1 October 2024.

A Class 2 building that is the subject of a *development application lodged* prior to 1 October 2024 may comply with **Section J** of **NCC 2019** (Amendment 1), including variations for South Australia, instead of Part J1 of NCC 2022.

- 2.1.19 Modify the Notes after the 'Introduction to this Part' in **Part J2 Energy efficiency** to read as follows:

**Notes: South Australia Part J2 Energy efficiency**

From 1 May 2023 to 30 September 2024, **Section J** of **NCC 2019** (Amendment 1), including variations for South Australia, may apply instead of Section J of NCC 2022.

**Part J2** of **NCC 2022** applies in South Australia from 1 October 2024.

A Class 2 building that is the subject of a *development application lodged* prior to 1 October 2024 may comply with **Section J of NCC 2019** (Amendment 1), including variations for South Australia, instead of Part J2 of NCC 2022.

- 2.1.20 Modify the Notes after the 'Introduction to this Part' in Part J3 Elemental provisions for a sole-occupancy unit of a Class 2 building or a Class 4 part of a building to read as follows:

**Notes: South Australia Part J3 Elemental provisions for a sole-occupancy unit of a Class 2 building or a Class 4 part of a building**

From 1 May 2023 to 30 September 2024, **Section J of NCC 2019** (Amendment 1), including variations for South Australia, may apply instead of Section J of NCC 2022.

**Part J3 of NCC 2022** applies in South Australia from 1 October 2024.

A Class 2 building that is the subject of a *development application lodged* prior to 1 October 2024 may comply with **Section J of NCC 2019** (Amendment 1), including variations for South Australia, instead of Part J3 of NCC 2022.

- 2.1.21 Modify the Notes after the 'Introduction to this Part' in **Part J4 Building fabric** to read as follows:

**Notes: South Australia Part J4 Building fabric**

From 1 May 2023 to 30 September 2024, **Section J of NCC 2019** (Amendment 1), including variations for South Australia, may apply instead of Section J of NCC 2022.

**Part J4 of NCC 2022** applies in South Australia from 1 October 2024.

A Class 2 building that is the subject of a *development application lodged* prior to 1 October 2024 may comply with **Section J of NCC 2019** (Amendment 1), including variations for South Australia, instead of Part J4 of NCC 2022.

- 2.1.22 Modify the Notes after the 'Introduction to this Part' in **Part J5 Building sealing** to read as follows:

**Notes: South Australia Part J5 Building sealing**

From 1 May 2023 to 30 September 2024, **Section J of NCC 2019** (Amendment 1), including variations for South Australia, may apply instead of Section J of NCC 2022.

**Part J5 of NCC 2022** applies in South Australia from 1 October 2024.

A Class 2 building that is the subject of a *development application lodged* prior to 1 October 2024 may comply with **Section J of NCC 2019** (Amendment 1), including variations for South Australia, instead of Part J5 of NCC 2022.

- 2.1.23 Modify the Notes after the 'Introduction to this Part' in **Part J6 Air-conditioning and ventilation** to read as follows:

**Notes: South Australia Part J6 Air-conditioning and ventilation**

From 1 May 2023 to 30 September 2024, **Section J of NCC 2019** (Amendment 1), including variations for South Australia, may apply instead of Section J of NCC 2022.

**Part J6 of NCC 2022** applies in South Australia from 1 October 2024.

A Class 2 building that is the subject of a *development application lodged* prior to 1 October 2024 may comply with **Section J of NCC 2019** (Amendment 1), including variations for South Australia, instead of Part J6 of NCC 2022.

- 2.1.24 Modify the Notes after the 'Introduction to this Part' in **Part J7 Artificial lighting** to read as follows:

**Notes: South Australia Part J7 Artificial lighting**

From 1 May 2023 to 30 September 2024, **Section J of NCC 2019** (Amendment 1), including variations for South Australia, may apply instead of Section J of NCC 2022.

**Part J7 of NCC 2022** applies in South Australia from 1 October 2024.

A Class 2 building that is the subject of a *development application lodged* prior to 1 October 2024 may comply with **Section J of NCC 2019** (Amendment 1), including variations for South Australia, instead of Part J7 of NCC 2022.

- 2.1.25 Modify the Notes after the 'Introduction to this Part' in **Part J8 Heated water supply and swimming pool and spa pool plant** to read as follows:

**Notes: South Australia Part J8 Heated water supply and swimming pool and spa pool plant**

From 1 May 2023 to 30 September 2024, **Section J of NCC 2019** (Amendment 1), including variations for South Australia, may apply instead of Section J of NCC 2022.

**Part J8 of NCC 2022** applies in South Australia from 1 October 2024.

A Class 2 building that is the subject of a *development application lodged* prior to 1 October 2024 may comply with **Section J of NCC 2019** (Amendment 1), including variations for South Australia, instead of Part J8 of NCC 2022.

- 2.1.26 Modify the Notes after the 'Introduction to this Part' in **Part J9 Energy monitoring and on-site distributed energy resources** to read as follows:

**Notes: South Australia Part J9 Energy monitoring and on-site distributed energy resources**

**Part J9** of **NCC 2022** applies in South Australia from 1 October 2023.

## 2.2 Volume Two – Class 1 and 10 buildings

In South Australia, the *Building Code* (NCC 2022 Volume Two) will be taken to be modified as set out below:

- 2.2.1 Modify SA H1P2 Buildings in flood areas to read as follows:

This clause has deliberately been left blank.

**H1P2** does not apply in South Australia.

- 2.2.2 Modify **H1D10 Flood hazard areas** to read as follows:

This clause has deliberately been left blank.

**H1D10** does not apply in South Australia.

- 2.2.3 Modify the Notes under **H4D9 Condensation management** to read as follows:

**Notes: South Australia H4D9 Condensation management**

From 1 May 2023 to 30 September 2024, **P2.4.7**, **V2.4.7** and **Part 3.8.7** of **NCC 2019** (Amendment 1), including variations for South Australia, may apply instead of H4P7, H4V5 and H4D9 of NCC 2022.

**H4P7**, **H4V5** and **H4D9** of **NCC 2022** apply in South Australia from 1 October 2024.

**Concessions:**

- (1) A Class 1 building that is the subject of a *development application lodged* prior to 1 October 2024 may comply with **P2.4.7**, **V2.4.7** and **Part 3.8.7** of **NCC 2019** (Amendment 1).
- (2) An *alteration* and/or *addition* to an existing Class 1 building the subject of a *development application lodged* prior to 1 May 2026 may comply with **P2.4.7**, **V2.4.7** and **Part 3.8.7** of **NCC 2019** (Amendment 1), including variations for South Australia.

- 2.2.4 Modify the Notes after the 'Introduction to this Part' in **Part H6 Energy efficiency** to read as follows:

**Notes: South Australia Part H6 Energy efficiency**

From 1 May 2023 to 30 September 2024, **Part 2.6** and **Part 3.12** of **NCC 2019** (Amendment 1), including variations for South Australia, may apply instead of Part H6 of NCC 2022.

**Part H6** of **NCC 2022** applies in South Australia from 1 October 2024.

**Concessions:**

- (1) A Class 1 building that is the subject of a *development application lodged* prior to 1 October 2024 may comply with **P2.6.1, P2.6.2, A2.2(3), A2.4(3)** (as applicable) and **Part 3.12** of **NCC 2019** (Amendment 1).
- (2) An *alteration* and/or *addition* to an existing Class 1 building the subject of a *development application lodged* prior to 1 May 2026 may comply with **P2.6.1, P2.6.2, A2.2(3), A2.4(3)** (as applicable) and **Part 3.12** of **NCC 2019** (Amendment 1).
- (3) A Class 1 building that is the subject of an application for *building consent* lodged prior to 1 January 2027, on a *small* or *irregular allotment* for which an application for land division was lodged prior to 1 May 2026, may comply with:
  - (a) **P2.6.1, P2.6.2, A2.2(3), A2.4(3)** (as applicable), **Part 3.12.0(a)** of **NCC 2019** (Amendment 1) and **H6P2 – Energy usage of NCC 2022**; or
  - (b) achieve an energy rating, including the separate heating and cooling load limits, using *house energy rating software*, of greater than or equal to 6 stars and comply with **H6P2 – Energy usage of NCC 2022**.
- (4) A Class 1 building to be constructed on an existing *small* or *irregular allotment* as of 1 May 2026 may comply with:
  - (a) **P2.6.1, A2.2(3), A2.4(3)** (as applicable), **Part 3.12.0(a)** of **NCC 2019** (Amendment 1) and **H6P2 – Energy usage of NCC 2022**; or
  - (b) achieve an energy rating, including separate heating and cooling load limits, using *house energy rating software*, of greater than or equal to 6 stars and comply with **H6P2 – Energy usage of NCC 2022**.
- (5) A Class 1 building to be used as *workers' accommodation* or *tourist accommodation* may comply with **P2.6.1, P2.6.2, A2.2(3), A2.4(3)** (as applicable) and **Part 3.12** of **NCC 2019** (Amendment 1).
- (6) A Class 1 building that is the subject of an application for *building consent* lodged prior to 1 May 2026 within the Master Planned Neighbourhood Zone in the Mount Barker District Council may comply with:
  - (a) **P2.6.1, A2.2(3), A2.4(3)** (as applicable), **Part 3.12.0(a)** of **NCC 2019** (Amendment 1) and **H6P2 – Energy usage of NCC 2022**; or

- (b) Achieve an energy rating, including the separate heating and cooling load limits, using *house energy rating software*, of greater than or equal to 6 stars and comply with **H6P2 – Energy usage of NCC 2022**.
- (7) A Class 1 building that is *manufactured off site* and with a *floor area* equal to or less than 70 sqm may comply with the **P2.6.1 3.12.0.1(a)(i)** of **NCC 2019** (Amendment 1) and **H6P2 – Energy usage of NCC 2022**.
- Note: SA3.12.0.1(a)(iv) and (v), SA3.12.0.1(b) and (c) and SA Table 3.12.0.1 cannot be used.*
- (8) A Class 1 building that is *manufactured off site* and located in *Climate Zone 4*, a local government area listed in **Table A**, or an area not located within a local government area, may comply with the **P2.6.1, 3.12.0.1(a)(i)** of **NCC 2019** (Amendment 1) and **H6P2 – Energy usage of NCC 2022**.
- Note: SA3.12.0.1(a)(iv) and (v), SA3.12.0.1(b) and (c) and SA Table 3.12.0.1 cannot be used.*

**Table A**

Ceduna Council	Kangaroo Island Council	Peterborough Council
Cleve Council	Karoonda East Murray Council	Southern Mallee Council
Coorong District Council	Kimba Council	Streaky Bay Council
Elliston Council	Lower Eyre Peninsula Council	Tatiara Council
Flinders Ranges Council	Mid Murray Council	Tumby Bay Council
Franklin Harbour Council	Mount Remarkable Council	Wudinna District Council
Goyder Council	Orroroo Carrieton Council	

- 2.2.5 Modify the Notes after the 'Introduction to this Part' in **Part H8 Livable housing design** to insert the following:

**Notes: South Australia Part H8 Livable housing design**

**Part H8** of **NCC 2022** takes effect in South Australia on 1 October 2024.

**Concessions:**

- (1) Subject to **(2)**, **Part H8** does not apply to a Class 1a building if:
- The Class 1a building was the subject of a *development application lodged* before 1 October 2024, or
  - The Class 1a building was the subject of an application for *building consent* lodged prior to 1 January 2027 on a *small or irregular allotment* for which an application for land division was lodged prior to 1 May 2026, or
  - The *allotment* on which the Class 1a building is to be constructed was a *small or irregular allotment* existing as of 1 May 2026, or

- (d) The Class 1a building is *manufactured off site* and the *floor area* is equal to or less than 70 sqm, or
  - (e) The Class 1a building is used as *workers' accommodation* or *tourist accommodation*,
  - (f) The building work comprises an *alteration* and/or *addition* to a Class 1a building for which a *development application* is *lodged* prior to 1 May 2026.
- (2) Class 1a buildings subject to **(1)(b)**, **(c)**, **(d)** and **(e)** must still comply with Part 6- Reinforcement of bathroom and sanitary compartment walls of the ABCB Standard for Livable Housing Design.

2.2.6 Modify clause H8D2 in Part H8 Livable housing design to insert (5), (6) and (7) as follows:

- (5) **Clause 2.2 Threshold** of the *ABCB Standard for Livable Housing Design* is varied in South Australia as follows:

The threshold of an entrance door that is subject to **Clause 2.1** must—

- (a) be level; or
- (b) have a sill height not more than 5 mm if the lip is rounded or bevelled; or
- (c) have a ramped threshold that—
  - (i) does not extend internally beyond the depth of the door jamb; and
  - (ii) has a gradient not steeper than 1:8; and
  - (iii) is at least as wide as the minimum clear opening width of the entrance door; and
  - (iv) does not intrude into the minimum dimensions of a landing area that is required by **Clause 2.3**; or
- (d) where the requirements of **(a)**, **(b)** or **(c)** cannot meet the weatherproofing requirements of the NCC, for external entrance doors containing a raised door or sill—
  - (i) have no lip or upstand greater than 15 mm within the sill profile; and
  - (ii) have no more than 5 mm height difference between the edge of the top surface of the sill and the adjoining finished surface.

- (6) **Clause 4.1** of the *ABCB Standard for Livable Housing Design* is varied in South Australia as follows:

There must be at least one compliant *sanitary compartment* located on either:

- (a) the ground or entry level; or
- (b) the lowest level containing a *habitable* room within a Class 1a building.

- (7) **Clause 5.2** of the *ABCB Standard for Livable Housing Design* is varied in South Australia as follows:

- (a) At least one shower must have a hobless and step-free entry.
- (b) An *enclosed shower area* that is hobless and step-free must have:
  - (i) a water bar with a maximum height of 5 mm installed above and sealed to the waterstop at the shower area entry; or
  - (ii) a linear drain at the shower area entry.
- (c) An *unenclosed shower area* that is hobless and step-free must comply with AS 3740 or Part 10.2 of the **ABCB Housing Provisions**.

**Note:**

*Enclosed shower areas* and *unenclosed shower areas* that are hobless and step-free must be waterproofed in accordance with AS 3740 or **Part 10.2** of the **ABCB Housing Provisions**.

Figures of hobless and step-free showers that incorporate a shower screen door have been provided in Appendix A and are for informative purposes only.

- 2.2.7 Modify SA Part H9 Water efficiency to read as follows:

This clause has deliberately been left blank.

**SA Part H9** does not apply in South Australia.

- 2.2.8 Modify S42C4 (1) Additional Deemed-to-Satisfy Provisions when using house energy rating software as follows:

- (1) To comply with **H6P1**, in addition to **S42C2**, a building must comply with **Section 13** of the **ABCB Housing Provisions** clauses—
  - (a) **13.2.2**, for building *fabric* thermal insulation; and
  - (b) **13.2.3(7)** and **13.2.5(5)**, for thermal breaks; and
  - (c) **13.2.3(5)**, for compensating for a loss of ceiling insulation, other than where the *house energy rating software* has compensated for a loss of ceiling insulation; and
  - (d) **13.2.6(4)**, **13.2.6(5)(a)(i)** and **13.2.6(6)** for slab edge insulation; and
  - (e) **Part 13.4**, for building sealing.

## 2.3 Housing Provisions

In South Australia, the *Building Code* (NCC 2022 Housing Provisions) will be taken to be modified as set out below:

2.3.1 Modify clause **SA 9.2.8(a) Open carports** to read as follows:

A Class 10a carport or verandah is exempt from complying with **9.2.4(1)** if—

- (a) it has—
  - (i) two or more sides open and not less than one third of its perimeter open and, for the purpose of this clause, a side is considered to be open if the roof covering adjacent to that side is not less than 500mm from another building or allotment boundary; or
  - (ii) any part of the *external wall* of the Class 1 building located less than 2m from the allotment boundary or less than 4m from another Class 1 building on the same allotment is *fire-resisting* to the underside of a *non-combustible* roof covering or to the underside of a *non-combustible* ceiling lining (see **SA Figure 9.2.8a**, **SA Figure 9.2.8b** and **SA Figure 9.2.8c**); and

2.3.2 Modify clause **SA 10.2.1 Wet areas** to read as follows:

Building elements in *wet areas* within a building must—

- (a) be *waterproof* or *water resistant* in accordance with **10.2.2** to **10.2.6**, except that—
  - (i) in any room containing a washing machine, the wall area from finished floor level to a minimum of 75mm above and 75mm each side of the washing machine tap outlets must be *water resistant*; and
  - (ii) where a *vessel* is inset into a bench top in a kitchen, bar area, kitchenette or domestic food and beverage preparation area—
    - (A) wall junctions and joints within 150mm above the *vessel* must be *water resistant* for the extent of the *vessel*; and
    - (B) the perimeter edges of the *vessel* must be *water resistant* for the extent of the *vessel* (see **SA Figures 10.2.1a**, **10.2.1b** and **10.2.1c**); and
    - (C) penetrations in horizontal surfaces for tap and spout outlets in kitchens, bar areas, kitchenettes or domestic food and beverage preparation areas, must be *waterproof*; and
- (b) have the wet area construction practices in accordance with
  - (i) clauses 10.2.7 to 10.2.32, or
  - (ii) AS 3740, and
- (c) have *floor wastes* provided in accordance with **SA 10.2.33**; and
- (d) where *floor wastes* are provided for drainage of floors in bathrooms and laundries, the floors, floor/wall junction and penetration must be *waterproof*.

2.3.3 Modify clause SA 10.2.33 Provision of floor wastes to read as follows:

- (1) The floor of a *wet area* containing a *vessel* must be graded to a *floor waste* to permit drainage of water.
- (2) A floor need not be graded to a *floor waste* as *required* by **(1)** if—
  - (a) all *vessels* are provided with in-built overflow protection or have a permanent open trapped connection to the plumbing and drainage system (such as a WC pan); or
  - (b) the *floor waste* is provided solely for the connection of plumbing fixtures and all *vessels* in the *wet area* are provided with in-built overflow protection or have permanent open trapped connection to the plumbing and drainage system (such as a WC pan).
  - (c) flexible hose assemblies used for the connection of fixtures contained in the *wet area* must be fitted with flood stop safety valves approved under WMTS-479.
- (3) A floor of a *wet area* that is graded without ponding to a *floor waste* within the shower area will satisfy **(1)**.
- (4) The fall of the floor surface graded to a *floor waste* in accordance with **(1)** or **(3)** must be in accordance with **10.2.12**.

## 2.4 Schedule 1 – Definitions

2.4.1 Modify the definition of *Certificate of Accreditation* as follows:

A certificate issued for accreditation of a building product, building method, design, component, equipment or system under section 237 of the *Planning, Development and Infrastructure Act 2016*.

## 2.5 Schedule 2 – Referenced Documents

2.5.1 Delete table row for AS 1428 Part 1 2001 in **SA Table 1: Schedule of referenced documents** and insert table row for AS 1428 Part 1 2021 as follows:

No.	Date	Title	Volume One	Volume Two	Housing Provisions	Volume Three
AS 1428 Part 1	2021	Design for access and mobility – General requirements for access – New building work	N/A	SA H10D4	N/A	N/A

2.5.2 Delete table row for Department of Health and Ageing – *Guidance on the use of rainwater tanks* 2004 in **SA Table 1: Schedule of referenced documents**.

### 3. INTERPRETATION

**Addition** means an extension or increase in floor area, number of storeys, or height of an existing dwelling.

**Allotment** has the same meaning as defined in the PDI Act except for:

- a development lot and common property created by division under the *Community Titles Act 1996*
- a lot, development lot and common property created by strata division under the *Community Titles Act 1996*
- a unit and common property created by division under the *Strata Titles Act 1988*.

**Alteration** means any change to an existing dwelling involving building work within the curtilage of the existing walls floor and roof or the relocation of a building on land that is required by the *Regulations* to comply with the *Building Rules*. An alteration can include:

- rearrangement of any space by constructing walls or partitions or by changing ceiling height
- addition or elimination of any door or window in a wall providing lateral load resistance
- change in roofing material
- work or actions that reduce the load-bearing capacity of a primary building element
- installation of additional equipment or fixtures, work or actions that impose additional loads on a primary building element.
- relocation of an existing dwelling that is re-erected, moved from one allotment to another or relocated on the same allotment.

**Building Code** has the same meaning as defined in the PDI Act.

**Building consent** has the same meaning as defined in the PDI Act.

**Building work** has the same meaning as defined in the PDI Act.

**Climate Zone** has the same meaning as defined in the *Building Code*.

**Deemed-to-Satisfy Provisions** has the same meaning as defined in the *Building Code*.

**Deemed-to-Satisfy Solution** has the same meaning as defined in the *Building Code*.

**Designated bushfire prone area** has the same meaning as defined in the *Building Code*.

**Design bushfire** has the same meaning as defined in the *Building Code*.

**Development application** means an application for *building consent* or *planning consent*.

**Enclosed shower area** has the same meaning as defined in the *Building Code*.

**External wall** has the same meaning as defined in the *Building Code*.

**Fabric** has the same meaning as defined in the *Building Code*.

**Fire-resisting** has the same meaning as defined in the *Building Code*.

**Floor area** has the same meaning as defined in the *Building Code*.

**Floor waste** has the same meaning as defined in the *Building Code*.

**Habitable room** has the same meaning as defined in the *Building Code*.

**House energy rating software** has the same meaning as defined in the *Building Code*.

**Irregular allotment** means an *allotment* or *principal part of an allotment* with an area less than 300sqm and which is unable to contain a minimum 9m x 15m rectangle beyond the *primary street setback*.

**Lodged** means an application has been lodged electronically via the SA planning portal, lodged with the relevant authority at the principal office of the relevant authority, or lodged with an accredited professional in such manner as the accredited professional may require as per regulations 29(1) and 29(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*.

**Manufactured off site** means a transportable building or a tiny house without wheels

**Non-combustible** has the same meaning as defined in the *Building Code*.

**Performance requirement** has the same meaning as defined in the *Building Code*.

**Performance Solution** has the same meaning as defined in the *Building Code*.

**Planning and Design Code** has the same meaning as defined in the PDI Act.

**Planning consent** has the same meaning as defined in the PDI Act.

**Primary street frontage** has the same meaning as the *Planning and Design Code* and means the frontage to the common driveway in the case of a community lot, and the frontage to the street of the *principal part of an allotment* in the case of a battle-axe, hammerhead or similar allotment without direct street frontage.

**Primary street setback** means the primary street building setback which applies to the allotment as outlined in the *Planning and Design Code*.

**Principal part of an allotment** has the same meaning as within the definition of *Battle-axe allotment* in the *Planning and Design Code*.

**Sanitary compartment** has the same meaning as defined in the *Building Code*.

**Small allotment** means an *allotment* with the *primary street frontage* less than or equal to 10m.

**Tourist accommodation** has the same meaning as Part 7 - Land Use Definitions of the *Planning and Design Code*.

**Unenclosed shower area** has the same meaning as defined in the *Building Code*.

**Vessel** has the same meaning as defined in the *Building Code*.

**Waterproof** has the same meaning as defined in the *Building Code*.

**Water resistant** has the same meaning as defined in the *Building Code*.

**Wet area** has the same meaning as defined in the *Building Code*.

**Workers' accommodation** has the same meaning as Part 7- Land Use Definitions of the *Planning and Design Code*.

#### 4. EXPLANATORY INFORMATION (INFORMATIVE ONLY)

The majority of the modifications within this Standard relate to the transitional concessions provided for the implementation of the Building Code (NCC 2022) livable housing design and upgraded energy efficiency and condensation provisions in South Australia.

Changes in Amendment 5:

- Restrict *Certificates of Accreditation* to those issued under section 237 of the PDI Act.
- Allow livable housing design concession for Class 2 similar to that provided for Class 1a.
- Remove SA rainwater tank provisions that no longer apply.
- Clarify SA farm building requirements by removing incorrect references to *farm sheds*.
- Confirm floor waste requirements in relation to flexible hose assemblies.
- Update edition of AS 1428.1 in SA referenced documents to align with its adoption in NCC 2022 Amendment 2.
- Clarify interpretation of primary street frontage, primary street setback and irregular allotment for the purposes of this Standard.

Notes provide additional mandatory instructions pursuant to clause A1G4(3)(g) of the Building Code (NCC 2022). The amended Notes contained in this Standard may be relied upon for determining the applicable provisions in South Australia.

Copies of NCC 2022 can be downloaded or is available online from the Australian Building Codes Board's website at [ncc.abcb.gov.au](http://ncc.abcb.gov.au).

**APPENDIX A (INFORMATIVE ONLY)**

Figures A1, A2 and A3 illustrate hobless and step-free showers that incorporate a water bar and a shower screen door with a proprietary door seal.

Figures A4, A5 and A6 illustrate hobless and step-free showers that incorporate a linear grated drain and a shower screen door without a proprietary door seal.

Figures A1 to A6 are for informative purposes only.

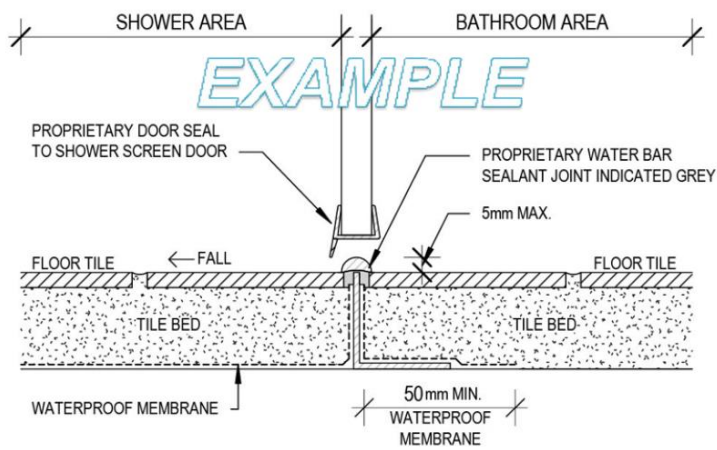


Figure A1

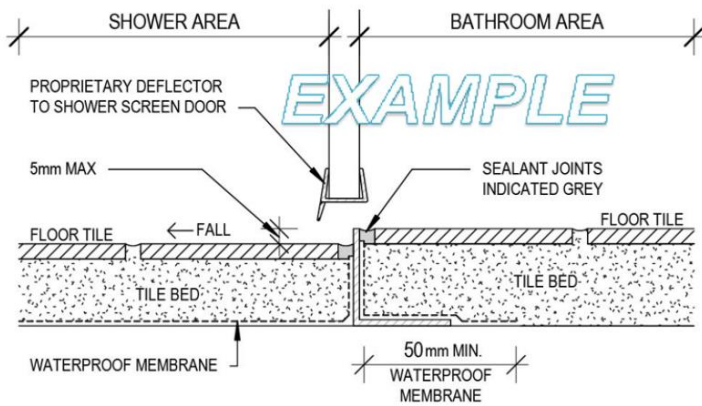


Figure A2

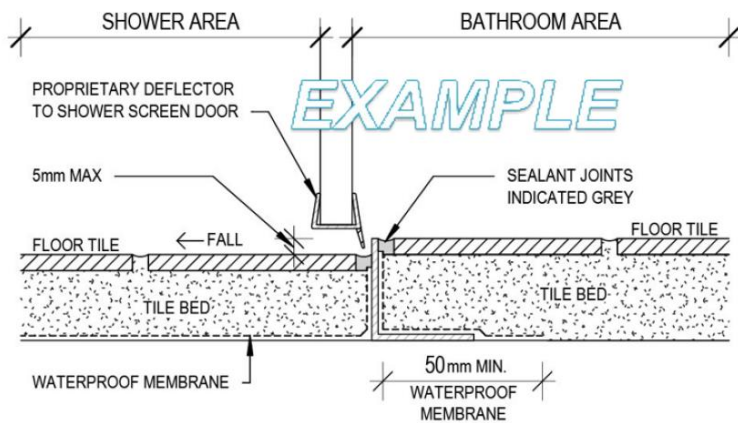


Figure A3

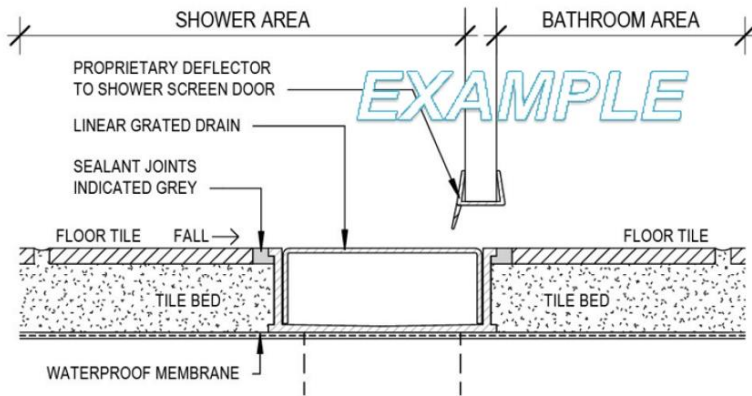


Figure A4

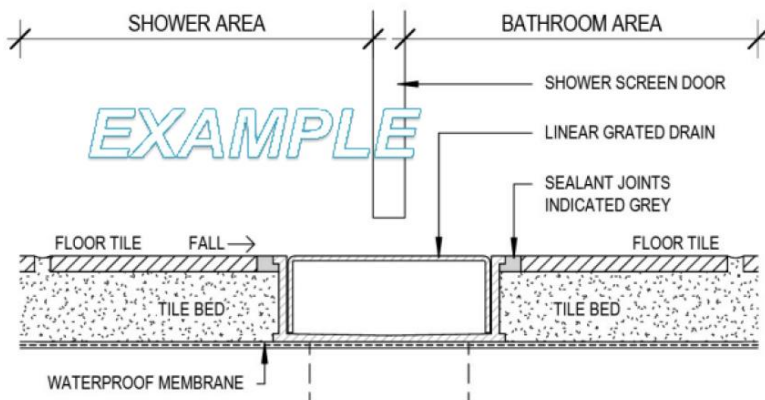


Figure A5

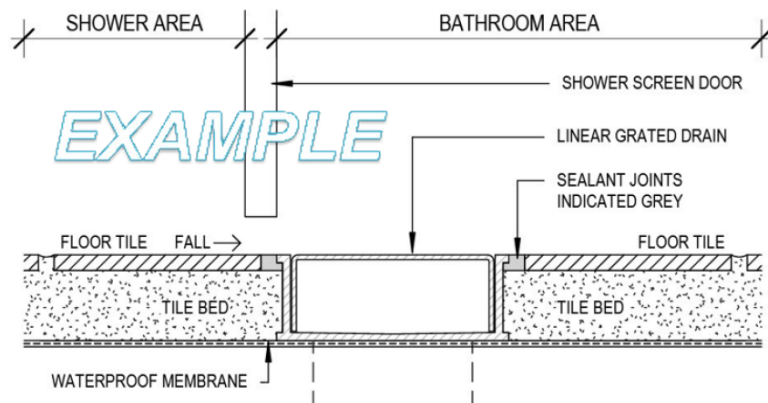


Figure A6

Source: Queensland Development Code Mandatory Part 4.5 – Livable dwellings and grading to floor wastes

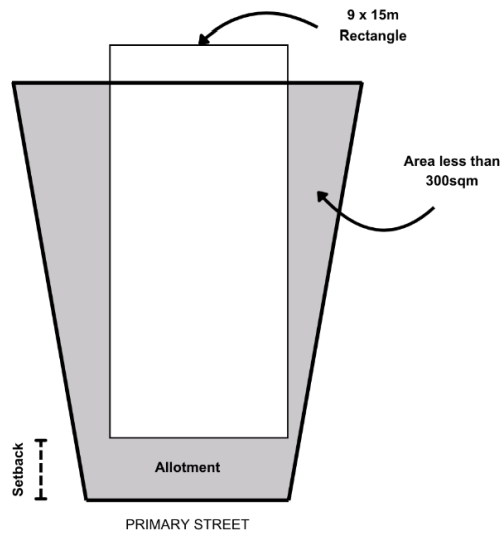
Reproduced with permission: Queensland Government – Department of Housing, Local Government, Planning and Public Works.

**APPENDIX B (INFORMATIVE ONLY)**

Figure B1 illustrates the *irregular allotment* definition.

Figures B2 illustrates the *small allotment* definition.

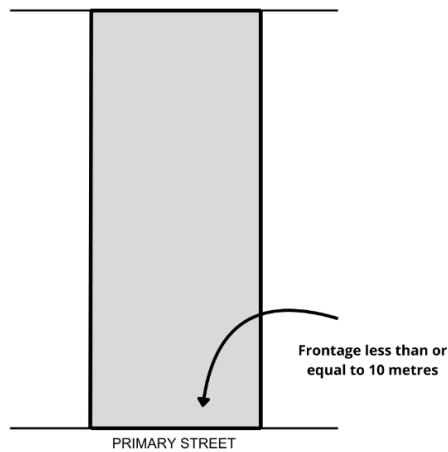
Figures B3 to B5 provide examples for the application of *primary street frontage*.



**IRREGULAR ALLOTMENT**

**Irregular allotment** means an *allotment* or *principal part of an allotment* with an area less than 300sqm and which is unable to contain a minimum 9m x 15m rectangle beyond the *primary street setback*.

Figure B1



**SMALL ALLOTMENT**

**Small allotment** means an *allotment* with the primary street frontage less than or equal to 10 metres..

Figure B2

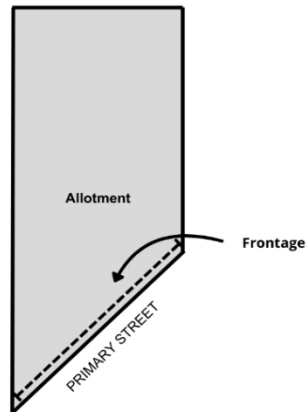


Figure B3

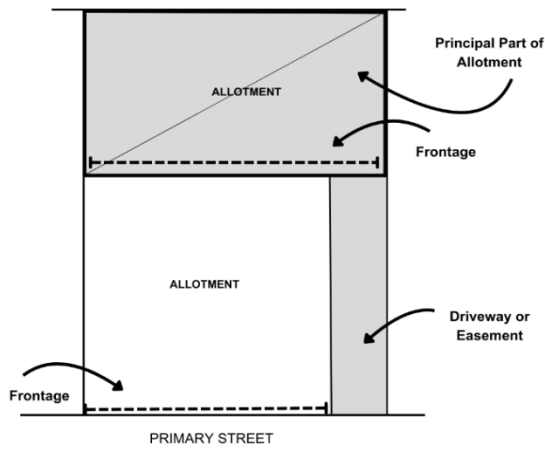


Figure B4

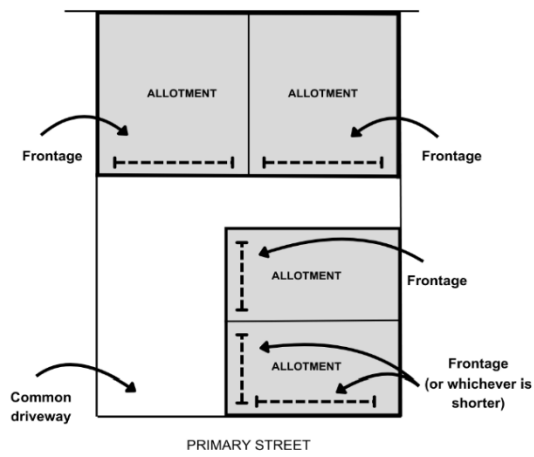


Figure B5

## PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

South Australia

**Planning, Development and Infrastructure (Fees)  
Notice 2025 (No. 3)**under the *Planning, Development and Infrastructure Act 2016***1—Short title**This notice may be cited as the *Planning, Development and Infrastructure (Fees) Notice 2025 (No. 3)*.

Note—

This is a fee notice made in accordance with the *Legislation (Fees) Act 2019*.**2—Commencement**

This notice has effect on the date of publication in the Gazette.

**3—Interpretation**

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

*Act* means the *Planning, Development and Infrastructure Act 2016*;*allotment* does not include an allotment for road or open space requirements;*development cost* does not include any fit-out costs;*regulations* means the following:

- (a) the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*;
- (b) the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*;
- (c) the *Planning, Development and Infrastructure (General) Regulations 2017*.

(2) Words and expressions used in the regulations and in this fee notice have the same respective meanings in this notice as they have in the regulations.

(3) Subclause (2) does not apply to the extent that the context or subject matter otherwise indicates or requires.

**4—Fees payable**

(1) The fees set out in Schedule 1 are prescribed for the purposes of the Act and the regulations and are payable as specified in that Schedule.

(2) A fee set out in Schedule 1 item 8 is payable to the body specified in relation to the fee.

(3) Subject to subclauses (4) and (5), if an application, matter or circumstance falls within more than 1 item under Schedule 1, then the fee under each such item applies and those fees in total will be payable.

(4) If planning consent is sought for development comprising more than 1 element—

- (a) a fee is not payable under Schedule 1 item 6 for each element of the development; and

- (b) the fee payable under Schedule 1 item 6 is the highest fee applying to a single element of the development; and
  - (c) if the relevant fee is based on the total development cost, the fee payable will be based on the total cost of all elements of the development.
- (5) If an application for planning consent must be referred to the same body under more than 1 item of Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017*, then only 1 prescribed fee under Schedule 1 item 8 is payable with respect to the referral of the application to that body.
- (6) A reference in subclause (5) to a prescribed fee extends to a prescribed fee that, although payable, was waived (in whole or in part) by a relevant authority.
- (7) Subject to subclause (8) if a lodgement fee has been paid in respect of an application for planning consent or building consent for a development, no lodgement fee is payable for any other consents related to that application or for the issue of the final development approval in respect of that development.
- (8) If a lodgement fee has been paid in respect of an application under the repealed Act, a lodgement fee under this notice is payable in respect of the first application for consent related to the application under the repealed Act that is lodged electronically via the SA planning portal.

## **5—Assessment requirements—water and sewerage**

- (1) A prescribed fee under Schedule 1 item 27 is payable to the South Australian Water Corporation or any other water industry entity identified for the purposes of Section 102(1)(c)(iii) and (1)(d)(vii) of the Act.
- (2) The prescribed fee is payable by the person who makes the application to divide the land.

## **6—Applications relating to certain electricity infrastructure—issue of certificate by Technical Regulator**

The prescribed fee under Schedule 1 item 32 is payable to the Technical Regulator for the issue of a certificate required by the *Planning, Development and Infrastructure (General) Regulations 2017* to accompany an application in respect of a proposed development for the purposes of the provision of electricity generating plant with a generating capacity of more than 5 MW that is to be connected to the State's power system.

## **Schedule 1—Fees**

### **Part 1—Fees regarding applications to the Accreditation Authority**

The following fees are payable for the purposes of the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*:

- |   |   |          |
|---|---|----------|
| 1 | Application to the accreditation authority for accreditation under the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> , other than where item 2 applies. | \$647.00 |
| 2 | Application to the accreditation authority for accreditation under the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> where—                             |          |

(a)	the person is a member of a professional association or body recognised by the Chief Executive for the purposes of Regulation 16(2)(a) of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> and the person is applying as a member of that association or body for a corresponding level of accreditation under Regulation 16(2)(a)(ii) of those regulations; or	\$312.00
(b)	the person is reapplying for an accreditation previously held under the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> within the preceding 12 months; or	
(c)	the person is applying for building level 4 accreditation under the building supervisor pathway; or	
(d)	the person has lodged a notification under Section 40 of the <i>Mutual Recognition Act 1992</i> for recognition of the person's interstate registration, to carry out that occupation in South Australia	
3	Application to the accreditation authority under Regulation 19 of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i>	\$208.00
4	Late application fee under Regulation 19(3) of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i>	\$69.00
4a	Application to the accreditation authority for enrolment into the accredited professionals scheme core competency assessment course	\$566.50

## Part 2—Fees relating to development assessment

The following fees are payable in relation to development assessment under the Act (including in connection with the *Planning, Development and Infrastructure (General) Regulations 2017*):

5	Application for outline consent, planning consent or building consent (the <b>base amount</b> )—	
(a)	a lodgement fee	
(i)	if the total development cost is no more than \$10,000	\$95.50
(ii)	if the total development cost is greater than \$10,000 and no more than \$50,000	\$153.00
(iii)	if the total development cost is greater than \$50,000 and no more than \$100,000	\$172.00
(iv)	if the total development cost is greater than \$100,000 and no more than \$300,000	\$181.00
(v)	if the total development cost is greater than \$300,000 and no more than \$500,000	\$191.00
(vi)	if the total development cost is greater than \$500,000 and no more than \$700,000	\$439.00
(vii)	if the total development cost is greater than \$700,000 and no more than \$1,000,000	\$765.00

	(viii) if the total development cost is greater than \$1,000,000 and no more than \$5,000,000	\$1,721.00
	(ix) if the total development cost is greater than \$5,000,000 and no more than \$10,000,000	\$2,294.00
	(x) if the total development cost is greater than \$10,000,000; and	\$3,154.00
	(b) if the application is lodged at the principal office of the relevant authority—a processing fee	\$92.50
5a	Application for outline consent under Section 120 of the Act	\$6,372.00
6	Application for planning consent—	
	(a) if the proposed development is to be assessed as deemed to satisfy development under Section 106 of the Act—	
	(i) if the total development cost is no more than \$10,000	\$146.00
	(ii) in any other case	\$242.00
	(b) if the proposed development is to be assessed on its merits under Section 107 of the Act	\$289.00 or 0.125% of the total development cost up to a maximum of \$200,000, whichever is the greater
	(c) if the proposed development is restricted development under Section 108(1)(a) of the Act	
	(i) if the proposed development is the division of land	\$567.00
	(ii) in any other case	0.25% of the total development cost up to a maximum of \$300,000
	(d) if the applicant applies for a review of the decision under Section 110(15) of the Act	\$591.00
	(e) if an application for the proposed development is to be determined under Section 115 of the Act—	\$2,024.00 plus 0.25% of the total development cost up to a maximum of \$500,000
7	Application for planning consent that must be notified—	
	(a) if Section 107(3)(a) applies	\$289.00
	(b) if Section 110(2)(a) applies	\$289.00
7a	Application for outline consent that must be notified	\$289.00

8	Application for outline consent or planning consent that must be referred to 1 or more prescribed bodies under Schedule 9 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> —	
	(a) for referral to the Commissioner of Highways—	
	(i) if the proposed development involves a change in the use of land	\$461.00
	(ii) if the proposed development involves the division of land	\$461.00
	(b) for referral to the Environment Protection Authority	
	(i) non-licensable	\$857.00
	(ii) licensable	\$1,928.00
	(iii) site contamination	\$1,587.00
	(c) for referral to the Minister responsible for the administration of the <i>Heritage Places Act 1993</i>	\$461.00
	(d) for referral to the Minister responsible for the administration of the <i>River Murray Act 2003</i>	\$461.00
	(e) for referral to the Relevant authority under the <i>Landscape South Australia Act 2019</i>	\$461.00
	(f) for referral to the Chief Executive of the Department of the Minister responsible for the administration of the <i>Landscape South Australia Act 2019</i>	\$461.00
	(g) for referral to the Coast Protection Board	\$461.00
	(h) for referral to the Minister responsible for the administration of the <i>Historic Shipwrecks Act 1981</i>	\$461.00
	(i) for referral to the Commonwealth Minister responsible for the administration of the <i>Underwater Cultural Heritage Act 2018</i> of the Commonwealth	\$461.00
	(j) for referral to the Native Vegetation Council	\$739.00
	(k) for referral to the Government Architect or Associate Government Architect	\$563.00
	(l) for referral to Minister responsible for the administration of the <i>South Australian Housing Trust Act 1995</i>	\$278.00 plus \$173.00 per stage
	(m) for referral to the Minister responsible for the administration of the <i>Aquaculture Act 2001</i>	\$478.00
	(n) for referral to the South Australian Country Fire Service	\$461.00
	(o) for referral to Chief Executive of the Department of the Minister responsible for the administration of the <i>Petroleum and Geothermal Energy Act 2000</i>	\$378.00
	(p) for referral to the Minister responsible for the administration of the Mining Acts	\$378.00
	(q) for referral to the Technical Regulator	\$193.00

- |       |  |   |
|-------|--|---|
| (r)   | for referral to the Airport-operator company for the relevant airport within the meaning of the <i>Airports Act 1996</i> of the Commonwealth or, if there is no airport-operator company, Secretary of the Department of the Minister responsible for the administration of the <i>Airports Act 1996</i> of the Commonwealth | \$461.00  |
| 9     | Application for building consent (a <b><i>building assessment fee</i></b> )—   |   |
| (a)   | for a Class 1 building under the Building Code   | \$521.00 or 0.25%<br>of the total<br>development cost,<br>whichever is<br>the greater                                       |
| (b)   | for a Class 10 building under the Building Code  | \$149.00 or 0.25%<br>of the total<br>development cost,<br>whichever is<br>the greater                                       |
| (c)   | for any other class of building under the Building Code—   |   |
| (i)   | if the total development cost is no more than \$20,000   | \$775.00  |
| (ii)  | if the total development cost is greater than \$20,000 and no more than \$200,000  | \$775.00 plus 0.4% of<br>the amount<br>determined by<br>subtracting \$20,000<br>from the total<br>development cost          |
| (iii) | if the total development cost is greater than \$200,000 and no more than \$1,000,000   | \$1,606.00 plus<br>0.25% of the amount<br>determined by<br>subtracting \$200,000<br>from the total<br>development cost      |
| (iv)  | if the total development cost is greater than \$1,000,000  | \$3,921.00 plus 0.15%<br>of the amount<br>determined by<br>subtracting<br>\$1,000,000<br>from the total<br>development cost |
| 10    | Application for building consent (a <b><i>compliance fee</i></b> )—  |   |
| (a)   | for a Class 1 building under the Building Code   | \$278.00  |
| (b)   | for a swimming pool or swimming pool safety features   | \$278.00  |
| (c)   | for a Class 1 building under the Building Code if the building comprises multiple dwellings  | \$278.00 for<br>each dwelling   |
| (d)   | for a Class 10 building under the Building Code—   |   |
| (i)   | if the total development cost is no more than \$10,000   | no fee  |

	(ii) if the total development cost is greater than \$10,000	\$92.50
	(e) for any other class of building under the Building Code	Once per building— \$278.00 or 0.075% of the total development cost up to a maximum of \$2,893.00, whichever is the greater
11	Application for building consent for the demolition of a building	\$168.00
11a	Where Regulation 39 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> applies	20% of the fees payable under items 6 to 11
12	Application for the concurrence of the Commission under Section 118(2)(a) of the Act	\$399.00
13	Referral of application to the Commission for an opinion under Section 118(4) of the Act	\$399.00
14	Application for a development authorisation under Section 102(1)(c) or (d) of the Act—	
	(a) if the number of allotments resulting from the division is equal to or less than the existing number of allotments, or creates no more than 4 additional allotments and does not involve the creation of a public road	\$203.00
	(b) if the division creates more than 4 additional allotments	\$203.00 plus \$18.50 for each additional allotment created
	(c) if the division involves the creation of a public road (regardless of the number of additional allotments created)	\$203.00 plus \$18.50 for each additional allotment created
15	Application for final development approval in respect of HomeBuilder development (fee payable to the council for the area in which the proposed development is to be undertaken)	\$136.00
16	Advice of the Commission under Regulation 76 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> (payable by the applicant at the time of lodgement of the application)	\$232.00
17	A Certificate of Approval Fee for the purposes of Section 138 of the Act	\$1,190.00
18	Application under Section 130 or 131 of the Act (fee payable to the Commission)	\$205.00 plus 0.25% of the total development cost up to a maximum of \$300,000

19	Amount for public advertisement or notice under Sections 130(12)(a) or 131(13)(a) of the Act (amount payable to the Commission)	An amount determined by the Commission as being appropriate to cover its reasonable costs in giving public advertisement or notice of the application under Sections 130(12)(a) or 131(13)(a) of the Act
20	Application for a variation of a development authorisation previously given that is minor in nature	\$146.00
21	Application to assessment panel for review of a prescribed matter under Section 202(1)(b)(i)(A) of the Act	\$591.00

### Part 3—Fees relating to building activity and use

The following fees are payable in relation to building activity and use (including in connection with the *Planning, Development and Infrastructure (General) Regulations 2017*):

22	Issue of a certificate relating to essential safety provisions under Regulation 94 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i>	\$278.00
23	Application for assignment of a classification to a building or a change in the classification of a building under Section 151 of the Act	\$196.00
24	Application for a certificate of occupancy under Section 152 of the Act	\$57.50

### Part 4—Funds and off-set schemes

The following fees are payable in relation to funds and off-set schemes:

25	Rates of contribution under Section 198(1)(d), (2)(c) or (8) of the Act—	
	(a) where the land to be divided is within Greater Adelaide	\$8,977.00 for each new allotment or strata lot delineated by the relevant plan that does not exceed 1 hectare in area
	(b) where the land to be divided is within any other part of South Australia	\$3,604.00 for each new allotment or strata lot delineated by the relevant plan that does not exceed 1 hectare in area
26	Rates of contribution for the purposes of Section 199(1) of the Act—	

- |   |  |
|---|--|
| (a) where the prescribed building is within Greater Adelaide                  | \$8,977 for each apartment or allotment delineated by the relevant plan    |
| (b) where the prescribed building is within any other part of South Australia | \$3,604.00 for each apartment or allotment delineated by the relevant plan |

### Part 5—Other fees

The following fees are also payable:

- |     |  |   |
|-----|--|---|
| 27  | An assessment, or the update of an assessment, under Regulation 79 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> — |   |
| (a) | in relation to an original assessment  | \$465.00  |
| (b) | in relation to an updating of the original or a subsequent assessment (including where the update is required because of an amended plan of division)  | \$134.00  |
| 28  | Application for design review under Section 121 of the Act   | \$113.00 plus the reasonable costs of the design panel to provide advice on the application |
| 29  | Amount for the purposes of Section 127(6) of the Act   | \$516.00 for each replacement tree that is not planted                                      |
| 29A | Amount for the purposes of the Urban Tree Canopy Offset Scheme established under Section 197 of the Act—   |   |
| (a) | in relation to a small tree  | \$516.00  |
| (b) | in relation to a medium tree   | \$1,031.00  |
| (c) | in relation to a large tree  | \$1,547.00  |
| 29B | Amount for the purposes of Schedule 4, Clause 18(1a)(a)(ii) of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i>          | \$516.00 for each replacement tree that is not planted                                      |
| 30  | Application for the extension of a development authorisation under Section 126(3) of the Act—  |   |
| (a) | if the development authorisation relates to development assessed as restricted development under Section 108(1)(a) of the Act                          | \$146.00  |

	(b) if the development authorisation relates to development determined under Section 115 of the Act (including development determined under Section 48 of the <i>Development Act 1993</i> by virtue of Regulation 11A of the <i>Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017</i> )	\$10,000 for the first request, with the fee to be double the previously applicable fee for each subsequent request thereafter
	(c) in any other case	\$123.00
30a	Application for the extension of a development authorisation under Regulation 104B of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> where the development authorisation relates to development assessed under Section 130 of the Act	\$146.00
30b	Application for the extension of a development authorisation under Regulation 108 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> :	
	(a) if the development authorisation relates to development assessed under Section 131(2)(b) of the Act, and the development is undertaken in partnership or joint venture with a person or body that is not a State agency	\$10,000 for the first request, with the fee to be double the previously applicable fee for each subsequent request thereafter
	(b) if the development authorisation relates to development assessed under Section 131(2)(c) of the Act	\$10,000 for the first request, with the fee to be double the previously applicable fee for each subsequent request thereafter
	(c) in any other case	\$146.00
31	Request for initiation of infrastructure scheme under Section 163(3)(b) of the Act	\$4,247.00
32	Certificate from Technical Regulator	\$465.00
33	Application to register an agreement under Section 192 or 193 of the Act	\$92.50
34	Fee for the purposes of Section 192(7) or 193(7) of the Act	\$17.20
35	Fee for approval under Section 197(5) of the Act	\$431.00
36	Application for the approval of the Minister under Section 235 of the Act	\$184.00
37	Application for approval of building envelope plan under Regulation 19A(1) of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i>	\$203.00 plus \$18.50 for each allotment delineated under the building envelope plan

38	Fee for consideration and publication of building envelope plan under Regulation 19A(3) and (4) of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> (payable by applicant at the time of making application for approval of building envelope plan)	\$232.00
39	Fee for registration as a Local Design Review Administrator under the Minister's Design Review scheme established under Section 121 of the Act	\$625.00
40	Fee for registration an Independent Design Review Administrator under the Minister's Design Review scheme established under Section 121 of the Act	\$363.00
41	Fee for consideration of an amendment to the Planning and Design Code in relation to—	\$6,243.00
	(a) a proposal to initiate under Section 73(2)(b) of the Act; or	
	(b) lodgement of a complying change under Section 75 of the Act	
42	Fee for the administration and management of a proposed amendment to the Planning and Design Code, where approval of the Minister to initiate the amendment has been granted under Section 73(2)(b) of the Act:	
	(a) if the proposed amendment is determined to be simple in nature	\$4,768.00
	(b) if the proposed amendment is determined to be moderately complex in nature	\$23,157.00
	(c) if the proposed amendment is determined to be complex in nature	\$32,352.00
43	Fee for the publication of consultation of a proposed amendment of the Planning and Design Code under Section 73(2)(b) or Section 75 of the Act	\$9,876.00
44	Fee for the consideration by the Minister of a proposed amendment to the Planning and Design Code	
	(a) under Section 73(2)(b) of the Act:	
	(i) where the proposed amendment is determined to be simple in nature	\$4,767.00
	(ii) where the proposed amendment is determined to be moderately complex in nature	\$23,156.00
	(iii) where the proposed amendment is determined to be complex in nature	\$32,352.00
	(b) under Section 75 of the Act	\$4,767.00
45	Fee for administration of implementing a code amendment adopted by the Minister under Section 73(2)(b) or Section 75 of the Act	\$11,124.00
46	Fee for accredited professionals acting in a private capacity to use the SA Planning Portal to assess development applications	\$53.00 per consent decision made in the preceding quarter

**Signed by the Minister for Planning**

On 4 November 2025

PREVENTIVE HEALTH SA ACT 2024

Designation of Administrative Unit

Pursuant to Section 6(1) of the Preventive Health SA Act 2024 (the Act), I, Chris Picton, Minister for Health and Wellbeing, hereby designate the administrative unit Preventive Health SA as the Office for Preventive Health SA, for the purposes of the Act.

This notice has effect on 18 December 2025.

Dated: 13 December 2025

CHRIS PICTON MP  
Minister for Health and Wellbeing

SUMMARY OFFENCES ACT 1953

DECLARED PUBLIC PRECINCTS

Notice of Ministerial Declaration

I, Kyam Joseph Maher, Attorney-General in the State of South Australia, being the Minister responsible for the administration of Part 14B—Declared Public Precincts of the Summary Offences Act 1953, do hereby declare pursuant to the provisions of Section 66N of the said Act that the area, comprised of more than one public place, within the following boundaries:

- Northern boundary of North Terrace to western boundary of Montefiore Road;
- Western boundary of Montefiore Road to the southern bank of the River Torrens;
- Southern bank of the River Torrens to eastern boundary of King William Road (adjacent to the King William Road Bridge);
- Eastern boundary of King William Road to the northern boundary of North Terrace;
- Northern boundary of North Terrace to the eastern boundary of Pulteney Street;
- Eastern boundary of Pulteney Street to the southern boundary of Grenfell Street;
- Southern boundary of Grenfell Street and Currie Street to the western boundary of West Terrace;
- Western boundary of West Terrace to northern boundary of North Terrace;

will be a declared public precinct for a period of 8 hours from 10:00pm on Wednesday, 31 December 2025 to 6:00am Thursday, 1 January 2026.

This Declaration period combined with the current Declaration made on 9 July 2025 combines a total of 20 hours in one 24 hour period. I am satisfied that special circumstances exist in this particular case to allow the extra hours.

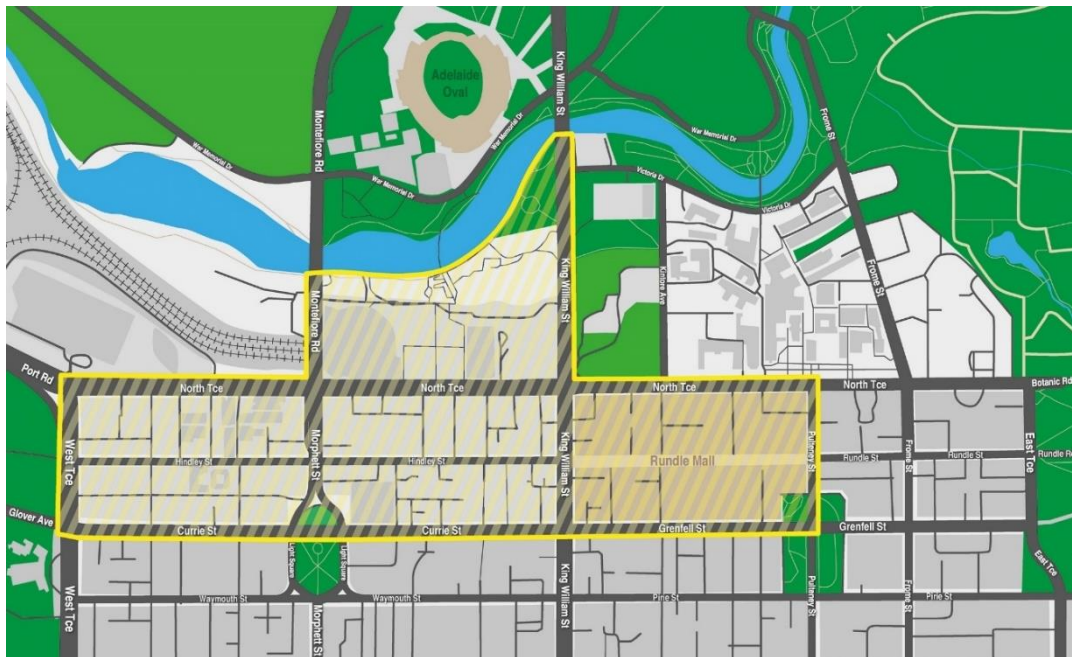
References to boundaries identified by streets, roads or terraces for the purpose of this declaration will be taken to mean and include the area up to applicable building or fence lines, or the imagined projection thereof, on the relevant boundary.

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

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

Dated: 17 December 2025

KYAM JOSEPH MAHER  
Attorney-General



## SUMMARY OFFENCES ACT 1953

## DECLARED PUBLIC TRANSPORT HUB

*Declaration by Delegate of the Commissioner of Police*

I, Scott Fitzgerald, being the Acting Assistant Commissioner, Operations Support Service, and acting as a delegate of the Commissioner of Police, hereby declare under Section 66ZG of the *Summary Offences Act 1953* ("the Act") as a declared public transport hub the Adelaide Railway Station, North Terrace, Adelaide.

This declaration commences effect at 12:00 noon on 18 December 2025.

I am satisfied that the declaration is necessary for the purposes of deterring or detecting the commission of offences involving the possession or use of a knife or other weapons in the public transport hub, and that the exercise of search powers under Section 66ZB of the Act is likely to be effective in deterring or detecting the commission of offences involving the possession or use of a knife or other weapons in the public transport hub and, further, will not unduly affect lawful activity in the transport hub.

This declaration will remain in effect until being revoked at such time that the Commissioner of Police (or delegate) is satisfied the grounds for this declaration are no longer met.

Dated: 18 December 2025

SCOTT FITZGERALD  
Acting Assistant Commissioner of Police



## UNCLAIMED MONEY ACT 2021

## SECTION 9

*Exemption*

I, Tom Koutsantonis, Treasurer for the State of South Australia, hereby, pursuant to Section 9 of the *Unclaimed Money Act 2021* (**the Act**), exempt the following persons from the requirement of Section 4 of the Act:

- An agent under the *Land Agents Act 1994*; and
- A conveyancer registered under the *Conveyancers Act 1994*.

This instrument of exemption has effect from the day on which it is published in the *Government Gazette*.

Dated: 4 December 2025

TOM KOUTSANTONIS  
Treasurer

## LOCAL GOVERNMENT INSTRUMENTS

### CITY OF CHARLES STURT

#### *Private Road Name*

Notice is hereby given that the Council of the City of Charles Sturt at its meeting held on 8 December 2025 resolved that pursuant to Section 219(1) of the *Local Government Act 1999*, that two private roads on crown land, be named Sports Lane and West Beach Lane, West Beach.

A plan which delineates the section of private roads, which is subject to the private road names, together with a copy of the Council's resolution is available for inspection at the Council's Civic Centre, 72 Woodville Road, Woodville SA 5011, during the hours of 9.00am and 5.00pm on weekdays.

Dated: 11 December 2025

PAUL SUTTON  
Chief Executive Officer

### CITY OF PORT LINCOLN

#### *Adoption of Revised 'Naming of Roads' Policy*

In accordance with Section 219(7) of the *Local Government Act 1999*, notice is hereby given that at the Ordinary meeting of Council held on Monday, 8 December 2025, Council endorsed a Naming of Roads Policy 14.63.13.

The policy is available for viewing on Council's website [www.portlincoln.sa.gov.au](http://www.portlincoln.sa.gov.au) or in person at the Council Office.

Dated: 18 December 2025

E. BROWN  
Chief Executive Officer

### CITY OF WEST TORRENS

#### *Naming of Private Road*

Notice is hereby given that at its meeting held on 9 December 2025, the City of West Torrens approved the assignment of the name "Golf Drive" to the unnamed private road in West Beach Parks located off Military Road, which provides access to Westward Ho Golf Club and The Pat Golf Club, effective from 9 December 2025, pursuant to Section 219(1) of the *Local Government Act 1999*.



Dated: 18 December 2025

ANGELO CATINARI  
Chief Executive Officer

## DISTRICT COUNCIL OF KIMBA

*Change of Meeting Date*

Notice is hereby given that the District Council of Kimba resolved at its meeting held on 10 December 2025, to change the scheduled February 2026 Council Meeting from Wednesday, 11 February 2026 commencing at 2 pm to Tuesday, 10 February 2026 commencing at 2.30 pm.

Dated: 16 December 2025

DEB LARWOOD  
Chief Executive Officer

## LOWER EYRE COUNCIL

South Australia

**Liquor Licensing (Dry Areas) Notice 2025**

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

**1—Short title**

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2025*.

**2—Commencement**

This notice comes into operation on 31 December 2025.

**3—Interpretation**

(1) In this notice—

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

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

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

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

**Schedule—Coffin Bay Area 1****1—Extent of prohibition**

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

**2—Period of prohibition**

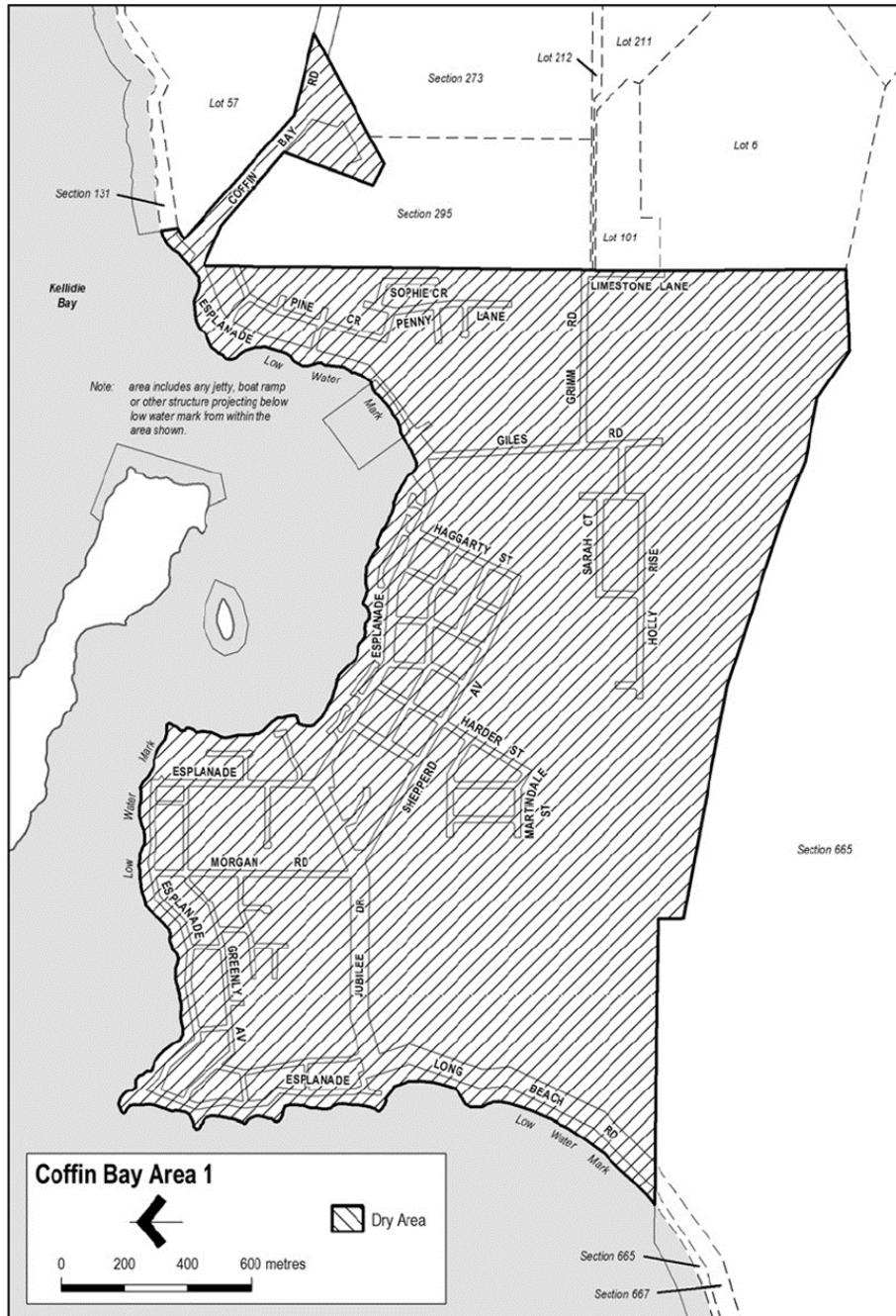
From 9pm on 31 December 2025 to 8am on 1 January 2026.

**3—Description of area**

The public area in and adjacent to the town of Coffin Bay bounded as follows:

Commencing at the point at which the prolongation in a straight line of the northern boundary of Section 665 Hd of Lake Wangary intersects the low water mark of Coffin Bay, then generally northerly, easterly, southerly, south-easterly and north-easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the western boundary of Section 131 Hd of Lake Wangary, then southerly along that prolongation and boundary of Section 131 to the northern boundary of Lot 57 DP 54186, then generally south-westerly and south-easterly along the northern and south-western boundaries of Lot 57 to the point at which the south-western boundary is intersected by the prolongation in a straight line of the north-western boundary of Section 273 Hd of Lake Wangary, then south-westerly along that prolongation and boundary of Section 273 to the point at which it meets the eastern boundary of Section 295 Hd of Lake Wangary, then south-westerly, north-westerly, north-easterly and north-westerly

along the north-eastern and northern boundaries of Section 295 to the western boundary of the Section, then southerly along the western boundaries of Section 295, Lots 212 and 211 of DP 71703, Lot 101 of DP 56785 and Lot 6 DP 25759 to the northern boundary of Section 665 Hd of Lake Wangary, then generally westerly, north-westerly, northerly and westerly along the northern boundary of that Section to the point at which it meets the eastern boundary of Section 667 Hd of Lake Wangary, then westerly along the northern boundary of Section 667, the northern boundary of Section 665 Hd of Lake Wangary and the prolongation in a straight line of the northern boundary of Section 665 to the point of commencement. The area includes the whole of any jetty, boat ramp or other structure that projects below the low water mark from within the area described above (as well as any area beneath such a structure).



Made by the Lower Eyre Council

Dated: 26 November 2025

**Delfina Lanzilli**  
Chief Executive Officer

## LOWER EYRE COUNCIL

South Australia

**Liquor Licensing (Dry Areas) Notice 2025**Under Section 131(1a) of the *Liquor Licensing Act 1997*.**1—Short title**This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2025*.**2—Commencement**

This notice comes into operation on 31 December 2025.

**3—Interpretation**

(1) In this notice—

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

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

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

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

**Schedule—Cummins Area 1****1—Extent of prohibition**

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

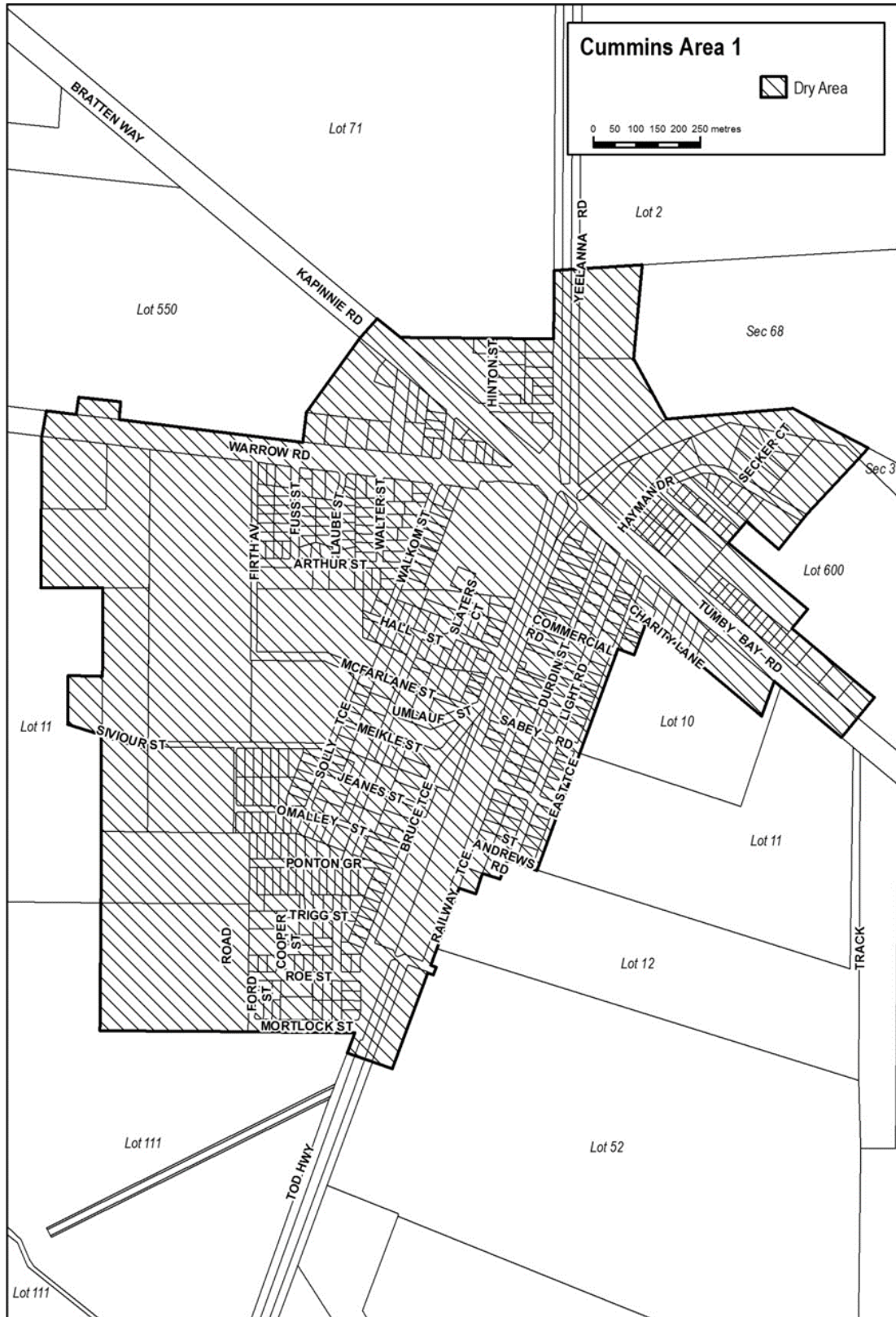
**2—Period of prohibition**

From 9pm on 31 December 2025 to 8am on 1 January 2026.

**3—Description of area**

The public area in Cummins bounded as follows:

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



Made by the Lower Eyre Council

Dated: 26 November 2025

**Delfina Lanzilli**  
Chief Executive Officer

## DISTRICT COUNCIL OF STREAKY BAY

South Australia

## Liquor Licensing (Dry Areas) Notice 2025

Under Section 131(1a) of the *Liquor Licensing Act 1997*.

### 1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2025*.

### 2—Commencement

This notice comes into operation on 31 December 2025.

### 3—Interpretation

(1) In this notice—

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

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

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

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

## **Schedule 1—Streaky Bay Area 1**

### **1—Extent of prohibition**

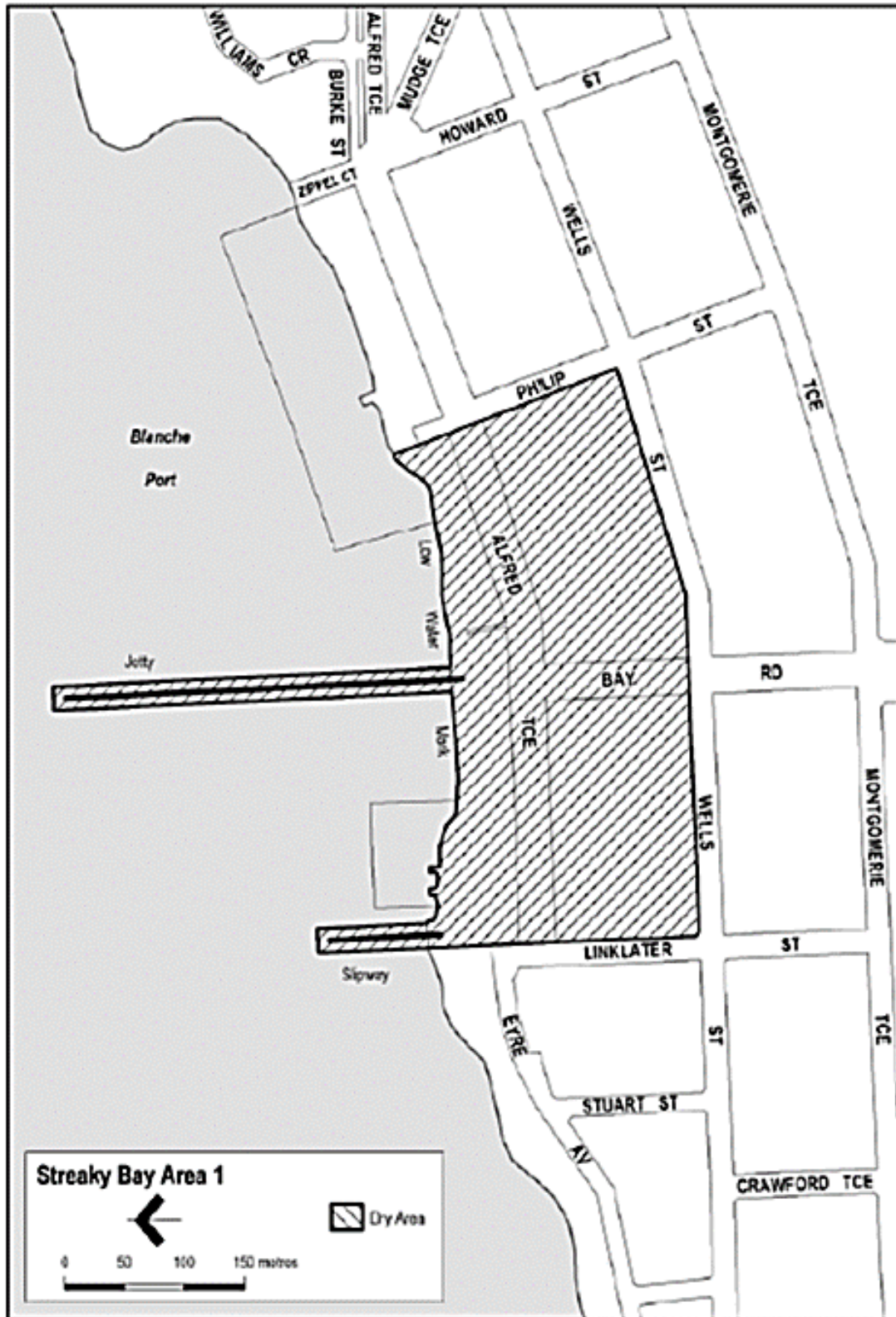
The consumption of liquor is prohibited and the possession of liquor is prohibited.

### **2—Period of prohibition**

From 6:00pm on Wednesday, 31 December 2025 to 8:00am on Thursday, 1 January 2026.

### **3—Description of area**

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



## Schedule 2—Streaky Bay Area 2

### 1—Extent of prohibition

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

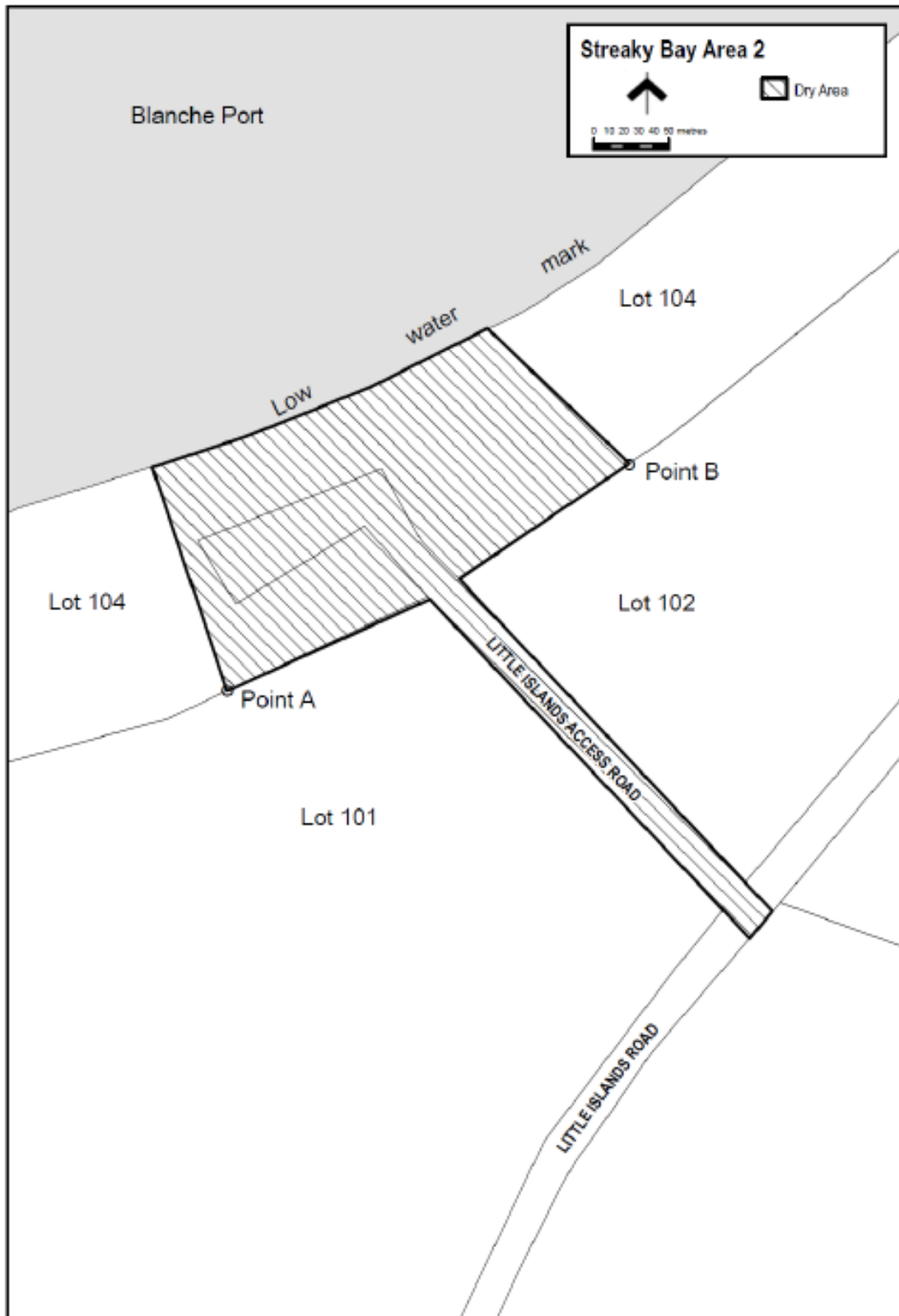
### 2—Period of prohibition

From 6:00pm on Wednesday, 31 December 2025 to 8:00am on Thursday, 1 January 2026.

### 3—Description of area

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

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



Dated: 18 December 2025

**Damian Carter**  
Chief Executive Officer

## WATTLE RANGE COUNCIL

## LOCAL GOVERNMENT ACT 1999

*Adoption of Community Land Management Plans*

Notice is hereby given pursuant to Section 197(3) of the *Local Government Act 1999* that the Wattle Range Council, at its Ordinary Meeting held 9 December 2025, resolved to adopt the following updated Community Land Management Plans:

- Active Recreation Reserves—Council Owned Land (CLMP No. 1)
- Active Recreation Reserves—Crown Land (CLMP No. 2)
- Passive Recreation Reserves—Council Owned Land (CLMP No. 3)
- Passive Recreation Reserves—Crown Land (CLMP No. 4)
- Community Facilities—Council Owned Land (CLMP No. 5)
- Community Facilities—Crown Land (CLMP No. 6)
- Corporate Resources—Council Owned Land (CLMP No. 9)

Copies of the updated Community Land Management Plans can be viewed by visiting Council's website, [www.wattlerange.sa.gov.au](http://www.wattlerange.sa.gov.au).

Dated: 18 December 2025

BEN GOWER  
Chief Executive Officer

## YORKE PENINSULA COUNCIL

*Declaration of Separate Rate*

Notice is hereby given that at a meeting of the Yorke Peninsula Council held on 10 December 2025, the Council resolved to declare, pursuant to Section 154 of the *Local Government Act 1999*, a separate rate on the land identified in the table below for a period of 10 years, with the annual liability as indicated in the table and based on a proportional measure or other proportional basis related to the relevant land or to the estimated benefit to the occupiers of the land, and for the purpose of the development and construction of a seawall at Rogues Point.

The separate rate has been declared with effect from 1 January 2026 in the 2025/2026 financial year for a period of 10 years concluding in the financial year ending 30 June 2036.

Assessment Number	Property Description	Certificate of Title	Total Liability	Separate Rate liability 25/26 FY & 35/36 FY	Separate Rate liability 26/27 FY to 34/35 FY
33654	Lot 21, Davey Road, Rogues Point	5899/420	\$93,056.72	\$4,652.84	\$9,305.67
33662	Lot 22, Davey Road, Rogues Point	5899/421	\$80,911.00	\$4,045.55	\$8,091.10
33670	Lot 23, Davey Road, Rogues Point	5901/685	\$79,581.62	\$3,979.08	\$7,958.16
33688	Lot 24, Davey Road, Rogues Point	5899/422	\$84,476.16	\$4,223.81	\$8,447.62
33696	Lot 25, Davey Road, Rogues Point	5904/420	\$137,168.01	\$6,858.40	\$13,716.80
33704	Lot 26, Davey Road, Rogues Point	5901/754	\$129,070.88	\$6,453.54	\$12,907.09

Dated: 18 December 2025

ANDREW CAMERON  
Chief Executive Officer

## PUBLIC NOTICES

### NATIONAL ELECTRICITY LAW

#### *Notice of Final Rule and Final Determination Notice of Draft Determination Extension*

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

Under ss 102, 102A and 103, the making of the *National Electricity Amendment (Real-time data for consumers) Rule 2025 No. 12* (Ref. ERC0399) and related final determination. Provisions commence as follows: **Schedule 1 of this Rule commences operation on 26 November 2026, Schedule 2 of this Rule commences operation on 30 November 2028 and Schedule 3 of this Rule commences operation on 18 December 2025.**

Under s 107, the time for making the draft determination on the *Enhancing access for registered participant representatives* (Ref. ERC0415) proposal has been extended to **5 February 2026.**

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 15, 60 Castlereagh St  
Sydney NSW 2000  
19 December 2024  
Telephone: (02) 8296 7800  
[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 18 December 2025

### NATIONAL ENERGY RETAIL LAW

#### *Notice of Final Rule and Final Determination Notice of Final Determination*

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

Under ss 259, 260 and 261, the making of the *National Energy Retail Amendment (Real-time data for consumers) Rule 2025 No. 6* (Ref. RRC0057) and related final determination. Provisions commence on **30 November 2028.**

Under s 259, the making of the final determination on the *Updating the regulatory framework for gas connections* proposal (Ref. RRC0069) on **11 December 2025.**

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 15, 60 Castlereagh St  
Sydney NSW 2000  
Telephone: (02) 8296 7800  
[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 18 December 2025

### NATIONAL GAS LAW

#### *Notice of Consolidation Notice of Draft Determination Extension Notice of Final Determination Extension*

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

Under s 300(1)(a), the rule change requests for GRC0082, GRC0083, GRC0084 and GRC0088 have been consolidated. The consolidated request is named *Gas Networks in Transition* (Ref. GRC0082).

Under s 317, the time for making the draft determination on *Gas Networks in Transition* (Ref. GRC0082) proposal has been extended to **27 August 2026.**

Under s 317, the time for the making of the final determination on *Gas Networks in Transition* (Ref. GRC0082) proposal has been extended to **17 December 2026.**

Under s 317, the time for making the draft determination on the *Enhancing access for registered participant representatives* (Ref. GRC0087) proposal has been extended to **5 February 2026.**

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 15, 60 Castlereagh St  
Sydney NSW 2000  
Telephone: (02) 8296 7800  
[www.aemc.gov.au](http://www.aemc.gov.au)

Dated: 18 December 2025

# NOTICE SUBMISSION

The South Australian Government Gazette is published each Thursday afternoon.

Notices must be emailed by 4 p.m. Tuesday, the week of publication.

Submissions are formatted per the gazette style and a proof will be supplied prior to publication, along with a quote if applicable. Please allow one day for processing notices.

Alterations to the proof must be returned by 4 p.m. Wednesday.

## **Gazette notices must be submitted as Word files, in the following format:**

- Title—the governing legislation
- Subtitle—a summary of the notice content
- Body—structured text, which can include numbered lists, tables, and images
- Date—day, month, and year of authorisation
- Signature block—name, role, and department/organisation authorising the notice

## **Please provide the following information in your email:**

- Date of intended publication
- Contact details of the person responsible for the notice content
- Name and organisation to be charged for the publication—Local Council and Public notices only
- Purchase order, if required—Local Council and Public notices only

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PHONE: (08) 7133 3552

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

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