



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 25 JULY 2019

CONTENTS

Aboriginal Lands Trust Act 2013—Notice.....	2780	Planning, Development and Infrastructure Act 2016—	
Appointments, Resignations, Etc.....	2780	Notice	2823
Aquaculture Act 2001—Notice	2781	Proclamation.....	2826
Corporations and District Councils—Notices.....	2854	REGULATIONS	
Development Act 1993—Notices	2781	Land Acquisition Act 1969—(No. 192 of 2019)	2827
Development Regulations 2008—Notice	2788	Victims of Crime Act 2001—(No. 193 of 2019)	2843
Housing Improvement Act 2016—Notice	2820	Residential Tenancies Act 1995—Notice.....	2824
Land Acquisition Act 1969—Notice	2820	RULES OF COURT	
Mental Health Act 2009—Notices.....	2820	Magistrates Court Rules 1992—Corrigendum	
Mining Act 1971—Notice	2821	(Amendment 74)	2853
Motor Vehicles Act 1959—Notice	2822	Trustee Act 1936—Administration of Estates	2863
National Electricity Law—Notice	2862	Water Mains and Sewers—Mains Laid, Replaced Etc.	2824
Natural Resources Management Act 2004—Notice	2822		
Petroleum and Geothermal Energy Act 2000—Notice.....	2823		

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

Department of the Premier and Cabinet
Adelaide, 25 July 2019

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Teachers Registration Board of South Australia, pursuant to the provisions of the Teachers Registration and Standards Act 2004:

Member: from 25 July 2019 until 30 March 2020
Belinda Jane Radcliffe

Deputy Member: from 25 July 2019 until 30 March 2020
Melissa Jane White (Deputy to Radcliffe)

By command,

STEVEN SPENCE MARSHALL
Premier

ME19/037

Department of the Premier and Cabinet
Adelaide, 25 July 2019

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Pharmacy Regulation Authority SA, pursuant to the provisions of the Health Practitioner Regulation National Law (South Australia) Act 2010:

Member: from 29 July 2019 until 28 July 2022
Naomi Gaye Burgess
Ian Philip Todd
Grant William Kardachi
Robyn Jayne Johns
Judith Ellen Smith

Deputy Member: from 29 July 2019 until 28 July 2022
Angela Sharee FitzHenry (Deputy to Burgess)
Veronika Seda (Deputy to Kardachi)
Timothy Dean Gross (Deputy to Todd)
Samuel James Wilson Laing (Deputy to Johns)

By command,

STEVEN SPENCE MARSHALL
Premier

HEAC-2019-00043

Department of the Premier and Cabinet
Adelaide, 25 July 2019

His Excellency the Governor in Executive Council has been pleased to appoint Belinda Joy Lorek as the Acting Guardian for Children and Young People for a term commencing on 5 August 2019 and expiring on 31 August 2019 inclusive - pursuant to the Children and Young People (Oversight and Advocacy Bodies) Act 2016 and section 36 of the Acts Interpretation Act 1915.

By command,

STEVEN SPENCE MARSHALL
Premier

ME19/039

Department of the Premier and Cabinet
Adelaide, 25 July 2019

His Excellency the Governor in Executive Council has been pleased to appoint David Gordon Swift as a part-time Commissioner of the Essential Services Commission of South Australia for a period commencing on 1 August 2019 and expiring on 31 July 2024 - pursuant to Sections 12 and 13 of the Essential Services Commission Act 2002.

By command,

STEVEN SPENCE MARSHALL
Premier

T&F19/074CS

Department of the Premier and Cabinet
Adelaide, 25 July 2019

His Excellency the Governor in Executive Council has revoked the appointment of Ross Copeland and Malcolm Davis as Visiting Inspectors for the purposes of the Correctional Services Act 1982, effective from 25 July 2019 - pursuant to Section 20 of the Correctional Services Act 1982 and Section 36 of the Acts Interpretation Act 1915.

By command,

STEVEN SPENCE MARSHALL
Premier

19COR005CS

ABORIGINAL LANDS TRUST ACT 2013

Scheme to Call for Expressions of Interest for Appointment to the Aboriginal Lands Trust

Pursuant to Section 10(2) of the *Aboriginal Lands Trust Act 2013* (the Act), a vacancy exists within the Aboriginal Lands Trust (ALT) requiring the call for expressions of interest for appointment to the ALT.

I, the Honourable Steven Marshall MP, Premier, hereby give notice that I intend to establish a selection panel for the purposes of recommending a person for appointment to the ALT in accordance with Section 11 of the Act and publish a Public Notice calling for applications by Aboriginal people interested in being appointed to the ALT.

The Public Notice will be published in the Advertiser, regional newspapers, websites of both the Department of Premier and Cabinet and the ALT, the principal office of the ALT, and provided to a wide range of relevant government and community agencies.

The Public Notice will allow two weeks for responses to be received for forwarding to the Selection Panel.

The Selection Panel will have one week to deliberate and make their recommendations to me.

The successful applicant will be appointed to the ALT by the Governor, on my nomination, upon recommendation of the Selection Panel.

Dated: 23 July 2019

HON STEVEN MARSHALL MP
Premier

AQUACULTURE ACT 2001

Grant of Aquaculture Lease

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

LA00428

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

Dated: 25 July 2019

EMILY KAESE
Leasing & Licensing Officer

DEVELOPMENT ACT 1993

DEVON PARK RESIDENTIAL DEVELOPMENT PLAN AMENDMENT

Prepared by the Minister for Public Consultation

Notice is hereby given that the Minister for Planning, pursuant to sections 24 and 26 of the *Development Act 1993*, has prepared the Devon Park Residential Development Plan Amendment (DPA) to amend the following Development Plan:

- Port Adelaide Enfield Council

The DPA proposes to rezone the Entech Electronics site at Belford Avenue, Devon Park from a Light Industry to a Residential Zone to facilitate low to medium housing development.

The DPA will be on public consultation from **Thursday 25 July 2019 to Thursday 19 September 2019**.

For more information and to view the DPA online visit the amendment webpage on the SA Planning Portal:

- www.saplanningportal.sa.gov.au/en/consultation

Copies of the DPA also are available during normal office hours at the Department of Planning, Transport and Infrastructure, Level 5, 50 Flinders Street, Adelaide and the following locations:

- **City of Port Adelaide Enfield Council Office**
163 St Vincent Street, Port Adelaide
Monday to Friday, 8:30am to 5:00pm
(Phone: (08) 8405 6600)
- **Department of Planning, Transport and Infrastructure**
Level 5, 50 Flinders Street, Adelaide
Monday to Friday, 9:00am to 5:00pm
(Phone: (08) 7109 7007)

Written submissions regarding the DPA should be submitted no later than **5.00 pm on Thursday 19 September 2019**:

- on the SA Planning Portal: www.saplanningportal.sa.gov.au/en/consultation
- by post: GPO Box 1815, Adelaide SA 5001

Submissions should be marked *Devon Park Residential DPA* and sent to *Chair, State Planning Commission, c/- Department of Planning, Transport and Infrastructure*.

Your submission should clearly indicate whether you wish to be heard at the public meeting.

Copies of **all public submissions** will be available for **inspection** by interested persons at the Department of Planning, Transport and Infrastructure, Level 5, 50 Flinders Street, Adelaide, from Friday 20 September 2019 until Thursday 10 October 2019 conclusion of the public meeting, and will also be available for **viewing** online in the Devon Park Residential DPA webpage at:

- www.saplanningportal.sa.gov.au/en/consultation

The public meeting will be held on **Thursday 10 October 2019 at 7.30pm** at the **Fitzroy Community Club (at the Sam Johnson Oval), Swan Court, Renown Park**, at which time interested persons may appear to be heard in relation to the DPA and the submissions. The public meeting may not be held if no submissions are received or if no-one requests to be heard. Please check the Devon Park Residential DPA webpage at www.saplanningportal.sa.gov.au/en/consultation or the State Planning Commission's website at saplanningcommission@sa.gov.au before the scheduled date of the meeting to find out whether it is being held.

If you would like more information about the DPA, please contact the Department on phone number (08) 7109 7007.

Dated: 25 July 2019

A GILL
Executive Officer
State Planning Commission

DEVELOPMENT ACT 1993

SECTION 25(17)

*City of Charles Sturt—Grange Road Findon (Privately Funded) Development Plan Amendment**Preamble*

1. The Grange Road Findon (Privately Funded) Development Plan Amendment (the Amendment) by the City of Charles Sturt has been finalised in accordance with the provisions of the *Development Act 1993*.
2. The Minister for Planning has decided to approve the Amendment.

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

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

Dated: 16 July 2019

STEPHAN KNOLL
Minister for Planning

DEVELOPMENT ACT 1993

SECTION 28(1)

*Declaration of Interim Operation of City of Adelaide Minor Amendments—Development Plan Amendment**Notice*

PURSUANT to Section 28 (1) of the *Development Act 1993*, I, Hon Stephan Knoll MP, Minister for Planning, am of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the City of Adelaide Minor Amendments Development Plan Amendment (the Amendment) that the Amendment should come into operation without delay.

I declare that the Amendment will come into operation on an interim basis on the day in which this notice is published in the Gazette.

Dated: 3 July 2019

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

DEVELOPMENT ACT 1993

SECTION 48

*Decision by the Minister for Planning as the Delegate of the Governor**Preamble*

1. On 3 May 2017 notice of the Governor's decision to grant a development authorisation under section 48 of the Development Act 1993, in respect of a proposal by Iron Road Ltd to establish and operate a deep water port facility adjacent to Cape Hardy, south of Port Neill on the Eyre Peninsula, an accommodation village in the Wudinna area, and infrastructure corridors (for the carriage of electricity, water and rail freight) between mining activities being undertaken south of Wudinna on the central Eyre Peninsula and the deep water port facility, together with any associated activities and works, was published in the *South Australian Government Gazette* at p 1146.
2. Simultaneously, the Governor delegated his power to grant a variation to development authorisation for the Cape Hardy deep water port facility and associated infrastructure, referred to herein as the Central Eyre Iron Project (CEIP), to the Minister for Planning pursuant to section 48 (8) of the Development Act 1993.
3. By letter dated 9 April 2019 Iron Road Ltd, being the beneficiary of the development authorisation, sought a variation to the authorisation for a two year extension of time to the dates by which 'substantial commencement' and 'substantial completion' of construction must occur.
4. I am satisfied that the Environmental Impact Statement and Assessment Report prepared in relation to the proposed Major Development are appropriate and have had regard, when considering the proposed major development, to all relevant matters under section 48 (5).
5. For ease of reference the conditions attached to the Central Eyre Iron Project development authorisation are republished in full hereunder.

Decision

PURSUANT to section 48 (7) (b) (ii) of the Development Act 1993 and having due regard to the matters set out in section 48 (5) and all other relevant matters; and exercising the power of the Governor delegated by notice in the *South Australian Government Gazette* dated 3 May 2017 pursuant to section 48 (8), I:

- (a) vary the Iron Road Ltd Central Eyre Iron Project development authorisation dated 3 May 2017, subject to the conditions set out below
- (b) specify under section 48 (7) (b) (i) all matters which are the subject of conditions herein as matters in respect of which the conditions of this authorisation may be varied or revoked, or new conditions attached, and
- (c) specify for the purposes of section 48 (11) (b) the date of 3 May 2021 as the date by which the conditioned Construction Environment Management Plan (CEMP) and Ongoing Environmental Management Plan (OEMP) work must be completed, along with the completion of the land forming for the jetty and tug harbour as well as completion of the jetty deck, and the date of 3 May 2024 as the date by which work must be commenced on site, failing which I may cancel this authorisation under section 48 (11).

CONDITIONS OF DEVELOPMENT AUTHORISATION

General

1. Except where minor amendments may be required by other legislation or by conditions imposed herein (for the avoidance of doubt in the event of any consistency between the plans and documents and the conditions of approval, the conditions shall prevail), and subject to paragraph 2 of these conditions, the proposed major development shall be undertaken in accordance with the plans and documents identified in the table below.

Plan Description	Date	Author
CEIP Environmental Impact Statement 2015 (Main Report Volumes 1 and 2 and Appendices)	5 November 2015	Iron Road Limited
CEIP EIS Response Document (Supplementary EIS)	October 2016	Iron Road Limited

2. In the event of any inconsistency between the documents referred to in condition 1, the most recent document shall prevail to the extent of the inconsistency subject to any amendments required by the conditions of this approval.
3. For the purposes of section 48 (11) (b) of the Development Act 1993, the proponent shall commence the development by completing the conditioned Construction Environment Management Plan (CEMP) and Ongoing Environmental Management Plan (OEMP), and by substantial work on the Port facility, comprising the completion of the land forming for the jetty and tug harbour as well as completion of the jetty deck, of the development no later than 3 May 2021, failing which the authorisation may be cancelled.
4. The proponent shall have materially completed the development no later than 3 May 2024, failing which an extension may be sought from the Minister or the authorisation may be cancelled.
5. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this authorisation, the proposed Major Development for the Central Eyre Iron Project (CEIP) must be carried out in accordance with the plans and details submitted as part of the Major Development Application, and where provided, in accordance with the conditions imposed by this authorisation and the details and plans submitted in accordance with those conditions.

Prior to the Commencement of Construction Works

6. Construction of building works requiring Building Rules Consent shall not commence until a copy of the Building Rules consent is provided to the Minister for Planning. Compliance with the Building Rules in relation to all aspects of the proposed Major Development relating to building works. [SEE NOTES 1 and 2 in the ADVISORY NOTES TO PROPONENT BELOW].
7. Final design details (including site plans, floor plans, elevations, cross-sections, perspectives, details of cut and fill, finishes and colours, any on-site landscaping and car parking configuration) shall be prepared to the reasonable satisfaction of the Minister for Planning for the following items:
 - (a) railway line
 - (b) the jetty structure and associated loading facilities
 - (c) permanent warehouse facility
 - (d) permanent fuel and chemical storage tanks
 - (e) long-term employee village at Wudinna and construction camp at Cape Hardy, and
 - (f) all administrative and other buildings.
8. A Social Management Plan shall be prepared at the proponent's cost in consultation with relevant Councils and Government agencies and a copy of the final Plan provided to the Minister for Planning prior to the commencement of constructions works. The Social Management Plan shall outline proposed measures in relation to (at a minimum) the following matters:
 - (a) monitoring or rentals rates, rental availability and housing stress in Wudinna and Port Neil/Tumby Bay
 - (b) opportunities for local industry participation and employment
 - (c) opportunities for indigenous employment and involvement
 - (d) incorporation of all strategies, initiatives and commitments described in Chapter 22 of the Environmental Impact Statement
 - (e) means by which ongoing feedback to and from the community is to be maintained and enhanced, and
 - (f) a process for reviewing and updating the Social Management Plan on a regular basis.
9. The Social Management Plan shall remain in operation throughout all stages of the project, including construction and operation.
10. A suitably qualified independent expert shall undertake an improvement review of the Social Management Plan annually and make their findings publicly available.
11. Detailed engineering designs for the jetty, associated structures and all other structures sought to be constructed on or over land owned by the Crown shall be prepared and independently certified by a registered engineer, to the satisfaction of the Department for Planning, Transport and Infrastructure (DPTI). A certificate as to the structural soundness of each proposed structure shall be submitted to DPTI prior to the commencement of construction of the relevant structure.
12. A Southern Right Whale Management and Monitoring Plan, prepared in consultation with the Spencer Gulf Ecosystem and Development Initiative (SGEDI) and having regard to any requirements specified by the Commonwealth Department of Environment and Energy. The plan should outline appropriate methodology to monitor both whale habitat use and behaviour using appropriate survey techniques during construction, operation and decommissioning of the Port (refer to Advisory Note 5 below).
13. A Construction Environment Management Plan (CEMP), shall be prepared in consultation with the Environment Protection Authority, the Country Fire Service, Department of Environment, Water and Natural Resources (as required) and relevant Councils, and in accordance with the Environment Protection Authority guideline 'Construction environmental management plans' 2016 (see http://www.epa.sa.gov.au/business_and_industry/environmental_planning/position-statements-and-guidelines).
14. Preliminary site investigation (PSI), in accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999 shall be undertaken for the sites of the short term workers accommodation at Cape Hardy and long term employee village at Wudinna to identify potential sources of contamination within these sites. The PSI is to be completed prior to the Construction Environment Management Plan and the PSI results used to inform the preparation of a Construction Environment Management Plan.
15. The Construction Environment Management Plan shall cover the pre-construction and construction phases of the proposed Major Development and incorporate measures to manage and monitor (at a minimum) the following matters:
 - (a) traffic management, (including for construction materials), road maintenance and rail crossing management strategies
 - (b) in respect of the rail corridor, a plan which identifies the proposed impact on school bus routes including a demonstration of consultation with the appropriate schools and relevant Councils
 - (c) air quality, dust and sediment control
 - (d) surface and groundwater management

- (e) stormwater management strategy
 - (f) the assessment and remediation of known or suspected site contamination—in accordance with the Nation Environment Protection Measure
 - (g) waste management (for all waste streams) and overall site clean-up (including litter)
 - (h) use and storage of chemicals, oil, construction-related hazardous substances and other materials that have the potential to contaminate stormwater, groundwater or the marine environment (including emergency responses)
 - (i) vibration management and noise emissions (including ongoing noise monitoring to ascertain the effectiveness of noise control measures) and periods and hours of construction and operation which demonstrates compliance with the requirements of the Environment Protection (Noise) Policy 2007
 - (j) Aboriginal heritage requirements in accordance with the Aboriginal Heritage Act 1988
 - (k) vegetation clearance (including Significant Environmental Benefit offset and a Native Vegetation Management Plan developed in consultation with the Native Vegetation Council)
 - (l) introduced plants and animals (including weeds and pests) management and control strategies
 - (m) impacts on the marine environment (especially noise and turbidity)
 - (n) climate change impacts
 - (o) visual impacts (including lighting)
 - (p) effect on existing infrastructure
 - (q) emergency management, including fire
 - (r) impacts on marine mammals, in particular the Southern Right Whale, to the satisfaction of the Commonwealth Minister for the Environment and Energy, (refer to Notes to the Proponent), and
 - (s) community complaints regarding the above matters by way of a community complaints register (refer to Notes to Proponent).
16. The Construction Environment Management Plan shall be actively monitored to ensure compliance with predicted impacts and shall be formally reviewed annually by the Proponent and a copy of that review provided to the Minister for Planning until the construction phase is complete.
17. The final design and layout of the long-term employee village, including the provision for all required infrastructure, shall be developed in consultation with the Wudinna District Council and shall in the selection of the design/colour/materials/landscaping and open space provision in the long-term employee village at Wudinna address the following:
- (a) incorporate landscaping at all road frontages and amongst the various structures within the village to soften the overall visual impact
 - (b) develop the village as a logical extension to the Wudinna Township utilising consistent colours, materials, landscaping and street layout within a compact urban form, and
 - (c) undertake the establishment of the village in accordance with the objectives and principles of development control for temporary/transient populations (e.g. tourist accommodation) as outlined in the Wudinna District Council Development Plan.
18. A Plan for the infrastructure corridors, shall be prepared and provided to the Minister for Planning which:
- (a) identifies the final surveyed alignment for the infrastructure corridor(s), and
 - (b) ensures legal access is provided to all land parcels (as required under the Real Property Act 1886).
19. Prior to the commencement of construction works for the road and rail components of the development the proponent shall:
- (a) undertake a review of all proposed rail crossings to determine the appropriate treatment in accordance with the requirements of the South Australian Government Railway Crossing Policy 2015 for each crossing along the proposed rail infrastructure corridor (whether existing or newly created by this development), and designs for the proposed treatment of rail crossing identified in the review as requiring treatment shall be prepared in consultation with and to the reasonable satisfaction of the Minister for Transport and Infrastructure
 - (b) prepare Interface Agreements for execution with [Iron Road Limited or their agents and the Minister for Transport and Infrastructure]
 - (c) fund the upgrade of any road or rail upgrade works, including but not limited to railway crossings, that are required as a direct consequence of this proposed major development, and
 - (d) provide to the Minister for Planning a copy of each Infrastructure Agreement, including Deeds of Agreement, entered into under the Highways Act 1926 for the provision of road and rail upgrades.

During Construction Works and Prior to Operation of the Development

20. All works shall be undertaken at the proponent's cost in accordance with the approved plans, drawings, specifications and other documentation provided in accordance with conditions 1-19 listed above.
21. All landscaping shown on the approved plans in respect of each component shall be substantially established prior to the operation of that component of the development and shall be maintained in good health and condition at all times.
22. Vegetation screening and landscaping of the long-term employee village and the Cape Hardy port facilities, where appropriate, shall be planted and established prior to operation commencing at each of those sites respectively and, when established, must be maintained in good health and condition at all times.
23. The entire length of the infrastructure corridor (rail) shall be fenced (refer to Notes to the Proponent).
24. All external lighting, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no unreasonable nuisance or loss of amenity is caused to any person beyond the boundary of the site.
25. Council, utility or state agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc.) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications as applicable. All costs associated with these works shall be met by the proponent.

26. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed, constructed in accordance with the relevant Australian Standards and appropriately line marked, and shall be constructed, drained and paved with bitumen, concrete or paving bricks (or other such material as agreed to by the Minister for Planning), in accordance with sound engineering practice.
27. All loading and unloading, parking and manoeuvring areas shall be designed and constructed to ensure that all vehicles can safely traffic the site and enter and exit the subject land in a forward direction.
28. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practice to ensure that stormwater does not adversely affect any adjoining property or public road.
29. All liquids or chemical substances that have the ability to cause environmental harm if discharged into the environment shall be stored within a bunded compound that has a capacity of at least 120% of the volume of the largest container, in accordance with the Environment Protection Authority 'Bunding and Spill Management Guidelines' (2007).
30. The proponent shall provide satisfactory oil spill and firefighting facilities and ensure that contingencies are in place prior to operation of the port, having regard to the South Australian Marine Spill Contingency Action Plan and the Pollution of Waters by Oil and Noxious Substances Act 1987.
31. In consultation with and to the satisfaction of the Environment Protection Authority, the Country Fire Service, Aboriginal Affairs and Reconciliation (within Department of Premier and Cabinet) and relevant Councils an Operational Environmental Management Plan (OEMP) shall be prepared by the proponent. The Operational Environmental Management Plan must incorporate measures to manage and monitor (at a minimum) the following matters:
 - (a) vibration and operational noise management (such as from machinery noise), to ensure compliance with the Environmental Protection (Noise) Policy 2007
 - (b) air quality management, dust and sediment control
 - (c) site contamination
 - (d) surface, stormwater and groundwater management including ongoing validation of model predictions and Water Sensitive Urban Design (where appropriate)
 - (e) waste management (for all waste streams) and overall site clean-up (including litter)
 - (f) fire and emergency management
 - (g) Aboriginal heritage requirements in accordance with the Aboriginal Heritage Act 1988
 - (h) chemical, oil, hazardous substances and fuel use and storage (including management/emergency response plans)
 - (i) safe shipping activities and navigation
 - (j) impacts on the terrestrial, coastal and marine environment, including sand accretion and deposition, coastal hazards, pest plants and animal species, impacts on sea grass and marine flora
 - (k) climate change impacts
 - (l) southern Right Whale and other marine mammal management and monitoring including monitoring of whale strike (refer to Notes to Proponent)
 - (m) visual impacts (including lighting)
 - (n) revegetation and landscaping (including environmental rehabilitation)
 - (o) traffic management/road maintenance and rail operations, including access (by way of traffic management/road maintenance and rail operations strategies)
 - (p) in respect of the rail corridor, a plan which identifies the proposed impact on school bus routes including a demonstration of consultation with the appropriate schools and relevant Councils
 - (q) public safety
 - (r) impacts on adjacent land users, and
 - (s) community complaints regarding the above matters by way of a community complaints register (refer to Notes to Proponent).
32. The Operation Environment Management Plan shall be actively monitored by the relevant authorities (as listed in condition 31 above) to ensure compliance with predicted impacts and be reviewed at regular intervals, and updated as necessary, in particular when a significant change in project scope and/or performance is detected.
33. Each of the relevant councils shall be given seven days' notice by the proponent prior to the commencement of works within their council area, and be provided with the name and contact details for the person responsible for coordinating site works within their council area that are covered by this approval.
34. Unless otherwise permitted, all over-dimensional vehicles operating between Cape Hardy and the mine site at Warramboos shall utilise the haul road contained with the infrastructure corridor, not public roads.

During Operation of the Development

35. Operations on the sites shall be undertaken in accordance with all plans and details submitted as part of the Major Development Application, and where provided (and endorsed by the Minister for Planning where required) in accordance with conditions 20-34 as listed above.
36. The development and the sites shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
37. The proponent will be responsible for the maintenance and repair of the fence along the infrastructure corridor, unless otherwise agreed in Individual Management Plans as negotiated with individual landowners.
38. A rehabilitation or decommissioning plan shall be developed to the satisfaction of the Minister for Planning, in consultation with the relevant councils, stakeholders and Government Agencies. The plan should be prepared at, or before, the 20 year anniversary of operation or at any time should operations cease, and include information related to:
 - (a) identifying assets to be rehabilitated, remediated, decommissioned and/or removed, along with those that are proposed to be retained and the proposed tenure and management arrangements
 - (b) confirming responsibility for costs associated with rehabilitating, remediating, decommissioning and/or removing and retaining assets

- (c) handover arrangements for useable assets
 - (d) responsibility for future management and maintenance of useable assets, and
 - (e) measures, if required, to remove fuel and chemical storage and wastewater treatment facilities in accordance with relevant legislation and standards.
39. Unless otherwise specifically provided for in these conditions or otherwise agreed in writing, all costs necessary for compliance with these conditions shall be met by the proponent.

Advisory Notes

1. Pursuant to Development Regulation 64, the proponent is advised that the Wudinna District Council or the District Council of Tumby Bay or private certifier conducting a Building Rules assessment must:
 - (a) provide to the Minister for Planning a certification in the form set out in Schedule 12A of the Development Regulations 2008 in relation to the building works in question; and
 - (b) to the extent that may be relevant and appropriate—
 - (i) issue a Schedule of Essential Safety Provisions under Division 4 of Part 12
 - (ii) assign a classification of the building under these regulations, and
 - (iii) ensure that the appropriate levy has been paid under the Construction Industry Training Fund 1993.

Regulation 64 of the Development Regulations 2008 provides further information about the type and quantity of all Building Rules certification documentation for Major Developments required for referral to the Minister for Planning.

2. Construction of each component of the development may commence only after a Building Rules assessment and certification has been undertaken in relation to that component and issued by the relevant Council or private certifier, in accordance with the provisions of the Development Act 1993, and the Minister for Planning has received a copy of the relevant certification documentation, as outlined in Regulation 64 of the Development Regulations 2008 (See condition 6 of this approval).
3. The proponent's Construction Environment Management Plan and Operational Environment Management Plan should be prepared taking into consideration, and with explicit reference to:
 - (a) Relevant Environment Protection Act 1993 policies and guidance documents, including, but not limited to: the Environment Protection (Air Quality) Policy 2016, the Environment Protection (Noise) Policy 2007, the Environment Protection (Water Quality) Policy 2015, the Environment Protection Authority Code of Practice for Materials Handling on Wharves 2007, Environment Protection Authority Bunding and Spill Management Guidelines 2012, Environment Protection Authority Handbooks for Pollution Avoidance and the Environment Protection Authority Stormwater Pollution Prevention Codes of Practice, in addition to other legislative requirements and Guidelines/Australian Standards requiring compliance.
 - (b) Address the impacts on the Southern Right Whale through the implementation of a Southern Right Whale Management and Monitoring Plan, prepared in consultation with the Australian Government Department of the Environment and Energy.
 - (c) Inclusion of a Fire and Emergency Management Strategy that outlines the proposed fire and emergency management procedures, prepared in consultation with the Country Fire Service.
4. The following activities in relation to the components of the development hereby approved and/or requiring future approval will require licences under the Environment Protection Act 1993:
 - (a) bulk Shipping Facility: the conduct of facilities for bulk handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals to and from any wharf or wharf side facility (including sea-port grain terminals), being facilities handling or capable of handling these materials into or from vessels at a rate exceeding 100 tonnes per day (triggers 7(1) of Schedule 1, Environment Protection Act 1993)
 - (b) petroleum Production, Storage or Processing Works or Facilities: The conduct of works or facilities at which petroleum products are stored in tanks with a total storage capacity exceeding 2,000 cubic metres (triggers 1(5)(a) Petroleum Storage of Schedule 1, Environment Protection Act 1993)
 - (c) concrete batching exceeding .5 cubic metres per production cycle. (triggers 2(5) of Schedule 1, Environment Protection Act 1993)
 - (d) railway construction activity (triggers 7(2) of Schedule 1, Environment Protection Act 1993)
 - (e) fuel burning (if power generation triggers 5MW) (triggers 8(2)(a) of Schedule 1, Environment Protection Act 1993), and
 - (f) chemical storage and warehousing facilities (triggers 1(1) of Schedule 1, Environment Protection Act 1993).
5. The Commonwealth Department of Environment and Energy has advised that it will require the Southern Right Whale Management and Monitoring Plan to include the following:
 - (a) a description of all threats to the Southern Right Whale arising from port construction, operation and decommissioning activities (including appropriate mapping)
 - (b) a plan to monitor whale habitat use and behaviour, using appropriate survey techniques for mapping potential threats to whales arising from Port construction and operation activities
 - (c) mitigation measures to manage the impact of Port construction and operation (including shipping), especially underwater noise caused by the Port and vessels and the risk of vessel strike
 - (d) consideration and management of cumulative impacts arising from Port construction and operation activities
 - (e) management of noise impacts such that underwater noise does not exceed 183 dB re 1µPa_{2.s}. The Plan should identify all sources of underwater noise that would be produced and measures to minimise these, and
 - (f) during construction, marine piling and blasting activities should minimise the risk of physical impacts, including temporary threshold shift to whales (i.e. reversible hearing loss). These must include:

Pre-start up visual observations

- visual observations for whales undertaken to the extent of the marine piling/blasting observation zone (i.e. up to 1 500 metres) by a suitably trained crew member for at least 30 minutes before the commencement of marine piling/blasting.

Operating procedures

- visual observation of the observation zone (as defined in the Environmental Impact Statement)

- exclusion zones must be implemented so as to ensure that whales are not exposed to Sound Exposure Levels (SEL) of greater than or equal to 183 dB re 1 μ Pa_{2.s} and be no less than a 1 250 metre horizontal radius for whales, unless a lesser exclusion zone has been determined from noise monitoring of piling or blasting and has a SEL equal to or below 183 dB re 1 μ Pa_{2.s}
 - if whales are sighted within the relevant exclusion zone, action to cease all piling/blasting within the relevant exclusion zone should be taken within two minutes of the sighting or as soon as possible if it is unsafe to cease piling/blasting within two minutes. If piling/blasting does not cease within two minutes the person undertaking the action must report the incident to the Commonwealth Minister for the Environment and Energy in writing within one business day
 - piling/blasting activities must not re-commence until any whales that were observed in the exclusion zone are observed to move outside the exclusion zone or 30 minutes have passed since the last sighting
 - soft start procedures: piling activities must be initiated at the soft start level and then build up to full operating impact force. The soft start procedures should only commence if no whales have been sighted in the exclusion zone during pre-start-up visual observations
 - no marine piling operations should occur between the hours of sunset and sunrise during the peak southern migration of mother and calf whale pods (defined as April to November in any year)
 - marine piling commenced prior to sunset or prior to a period of low visibility (i.e. inability to see for a distance of 500 metres or more due to fog, rain, sea spray or smoke) can continue between the hours of sunset and sunrise, unless marine pile driving is suspended for more than 15 minutes
 - post blast inspection procedures for any injured whales, including management of injured whales
 - reporting within one business day to the Federal Minister for the Environment and Energy when injury, or mortality of a whale occurs,
 - contingency measures should blasting result in injury to, or mortality of fauna
 - measures that prohibit night time blasting during the peak migration of Southern Right Whale, and
 - monitoring shall be undertaken by a suitably qualified Marine Fauna Observer who is trained in the identification of key marine species/fauna behaviour and communication procedures.
6. To complement the Plan, an Oil Spill Contingency Plan shall also be prepared and implemented that addresses strategies to address any potential impacts on whales.
 7. All works and activities must be undertaken in accordance with the General Environmental Duty as defined in Part 4, section 25 (1) of the Environment Protection Act 1993 (which requires that a person must not undertake any activity which pollutes, or may pollute the environment, without taking all reasonable and practical measures to prevent or minimise harm to the environment), relevant Environment Protection Policies made under Part 5 of the Environment Protection Act 1993, the Australian New Zealand Environment Conservation Council (ANZECC) Best Practice Guidelines for Waste Reception Facilities at Ports, Marinas and Boat Harbours in Australia and New Zealand and other relevant publications and guidelines.
 8. Well construction permits will be required for all wells installed as part of the project pursuant to the Natural Resources Management Act 2004.
 9. Pursuant to the Harbors and Navigation Act 1993, the proponent will need to enter into a licence agreement with the Minister for Transport and Infrastructure over adjacent and subjacent land on terms acceptable to the Minister prior to the commencement of construction. Such agreement will require completion of the works to the satisfaction of the Minister, at which time the responsibility and control of the area will be transferred so as to minimise the Minister's ongoing responsibilities. Under the Harbors and Navigation Act 1993, the proponent would also need to apply to the Minister for Transport and Infrastructure to have the harbor defined (and gazetted) as a 'Port', including a Port Operating Agreement being negotiated between the port operator and the Minister. It is likely that the proponent will be subject to the Maritime Services (Access) Act 2000 allowing for third party access.
 10. Prior to the use of the facility for shipping purposes, the Port will be required to be defined under the Harbors and Navigation Act 1993 as a harbor and port, and that the proponent (or port operator) will be required to enter into a port operating agreement with the Minister for Transport and Infrastructure. The port may be a compulsory pilotage area. Pilotage of loaded Cape sized vessels drafts greater than 16m on outward journey will be compulsory.
 11. The proponent is advised that appropriate navigational aids will be required to be erected in appropriate locations, or existing navigation marks may need to be re-located, in consultation with the Department of Planning, Transport and Infrastructure, prior to commencement of operations at the new terminal (as required under the Marine and Harbours Act 1993).
 12. The proponent is advised that in order to ensure safe navigation and efficient traffic management between ships calling at the port of Cape Hardy and the new bulk terminal, an approved Vessel Tracking System (VTS) will be required to be put in place by the proponent prior to commencement of operations at the new terminal (as a requirement for quarantine procedures by the Department of Primary Industries and Regions South Australian).
 13. In accordance with the National Heavy Vehicle Law (South Australia) Act 2013, the proponent will need to apply to the National Heavy Vehicle regulator for the use of Restricted Access Vehicles on public roads, where access for such vehicles is currently not available. This might include such things as construction equipment and vehicles carrying large indivisible construction materials. This might also include access for vehicles such as Road Trains or Performance Based Standards (PBS) vehicles to transport commodities to and from the Port as part of regular operations.
 14. An important initial step, as outlined in the Heavy Vehicle Access Framework, is to have an assessment of the route undertaken by an Authorised Route Assessor, at the proponent's cost. This process will identify any upgrades required to make the route safe and suitable for the type of vehicle access requested. As part of the approval/s, the proponent will be required to prepare a list of final transport infrastructure improvement needs upon completion of a full route assessment. If this is necessary, the list should identify the scope, timing and estimated cost of the required improvements.
 15. The proponent is reminded of its obligation under the Aboriginal Heritage Act 1988 whereby any "clearance" work, which may require permission to disturb, damage or destroy Aboriginal Sites, must be undertaken with the full authorisation of the Minister for Aboriginal Affairs and Reconciliation, according to section 23 of the Aboriginal Heritage Act 1988.
 16. The proponent, and all agents, employees and contractors, such as construction crews, is reminded of the need to be conversant with the provisions of the Aboriginal Heritage Act 1988, particularly the requirement to immediately contact the Department of Aboriginal Affairs and Reconciliation in the event that archaeological items (especially skeletal material) are uncovered during earthmoving.

17. The proponent is reminded of its obligations under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, not to undertake any activity that could have a significant effect on any matter of National Environmental Significance without the approval of the Federal Minister for Environment and Energy.
18. As foreign vessels are allowed into port the proponent will need to consult with Department of Planning, Transport and Infrastructure (Marine Operations) to address any requirements of the Australian Quarantine Inspection Service (AQIS) and Australian Customs Service.
19. The wastewater treatment system shall be designed by the proponent to ensure that the general obligations of the Environment Protection (Water Quality) Policy 2016 are met, and to ensure that effluent does not overflow or escape from drains, pipes, sumps, tanks, storage/treatment basins into any watercourse, or into stormwater drains which do not drain into the effluent collection, treatment and disposal system, except where the effluent complies with criteria in the above Policy.
20. Approval for upgrading the electricity network capacity will be undertaken separately by ElectraNet. This is expected to include liaison with land holders to gain access to land for construction, operation and maintenance of the Yadrnie to Rail corridor.
21. The proponent is advised that it will be required to establish a Community Complaints Register under the Mining Act 1971 and this should include appropriate contacts for the proponent and a record of complaints which can be retained and audited.
22. The rail line will be subject to the Railways (Operations and Access) Act 1997.
23. The following information will be required to be submitted for assessment and approval by the Minister for Transport and Infrastructure, prior to the commencement of construction works for each relevant component:
24. Should the proponent wish to vary the Major Development or any of the components of the Major Development, an application to the Minister for Planning must be submitted, provided that the development application variation remains within the ambit of the Environmental Impact Statement and Assessment Report referred to in this development authorisation. If an application variation involves substantial changes to the proposal, pursuant to section 47 of the Development Act 1993, the proponent may be required to prepare an amended Environmental Impact Statement for public inspection and purchase. An amended Assessment Report may also be required to assess any new issues not covered by the original Assessment Report and a decision made by the Governor pursuant to section 48 of the Development Act 1993.
25. The Minister has a specific power to require testing, monitoring and auditing under section 48C of the Development Act 1993.

Dated: 20 July 2019

STEPHAN KNOLL
Minister for Planning

DEVELOPMENT REGULATIONS 2008

COMPLYING DEVELOPMENT—REGULATION 8A AND SCHEDULE 4

Areas to be Revoked and Determined by the Minister for the Purposes of Schedule 4— Complying Development, Clause 2B—New Dwellings

Preamble

For the purposes of Section 35 of the Development Act 1993, the development of new dwellings that are located within areas determined by the Minister and that meet the requirements of Clause 2B of Schedule 4 of the Development Regulations 2008, will be complying development.

The Minister has decided to alter the existing determined area within the City of Salisbury under which Clause 2B of Schedule 4 applies. To give effect to this adjustment, the Minister has decided to revoke the existing determined areas for the City of Salisbury and apply a new determined area.

NOTICE

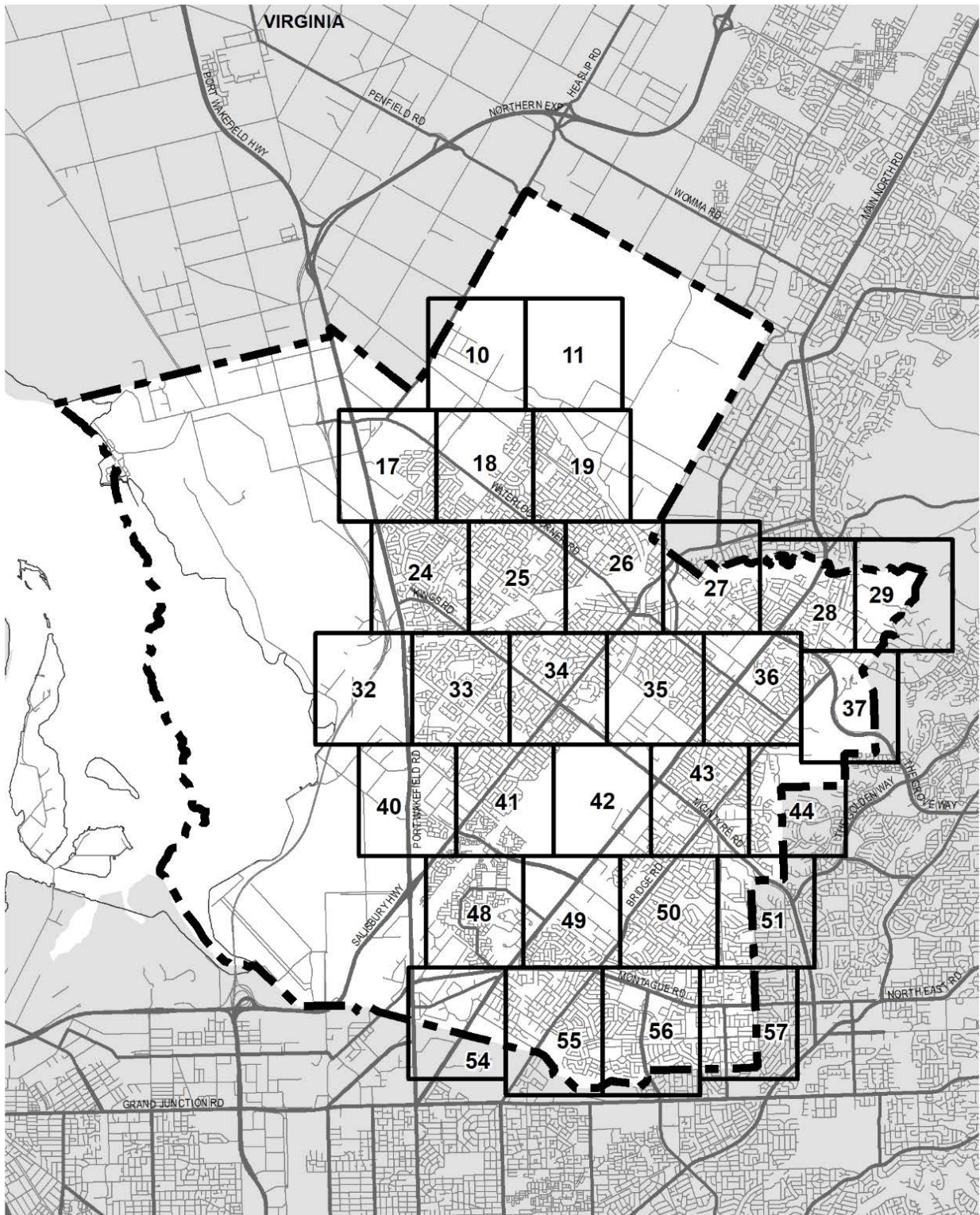
PURSUANT to Schedule 4, Part 2B (1) of the Development Regulations 2008, I, Stephan Knoll, being the Minister administering the Development Act 1993, have revoked all existing determined areas applying to the City of Salisbury as previously published in the *Government Gazette*.

Further, I have determined that Clause 2B of Schedule 4 will, in the City of Salisbury, apply in relation to the shaded areas shown on the Residential Code Maps attached to this Notice marked '**Attachment A**' and fix the day on which this Notice is published in the *Government Gazette* as the day on which the determined area will apply.

Dated 10 July 2019

MICHAEL BURDETT
Acting Executive Director
Planning & Land Use Services
Department of Planning, Transport and Infrastructure
As Delegate of Stephan Knoll, Minister for Planning

ATTACHMENT A



- Development Plan boundary
- Main road
- Minor road



© DPTI, 2019
PLN ID: 5580

SALISBURY COUNCIL
Index to Residential Code - Map Sal/2



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- ▭ Cadastre
- ▬ Development Plan boundary






© DPTI, 2019
PLN ID: 5579

Residential Code Map Sal/10

SALISBURY COUNCIL



-  Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
-  Cadastre
-  Development Plan boundary



© DPTI, 2019
PLN ID: 5579

Residential Code Map Sal/11

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary





- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary






© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/18

SALISBURY COUNCIL



-  Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
-  Cadastre
-  Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/19
 SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/24

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/25

SALISBURY COUNCIL



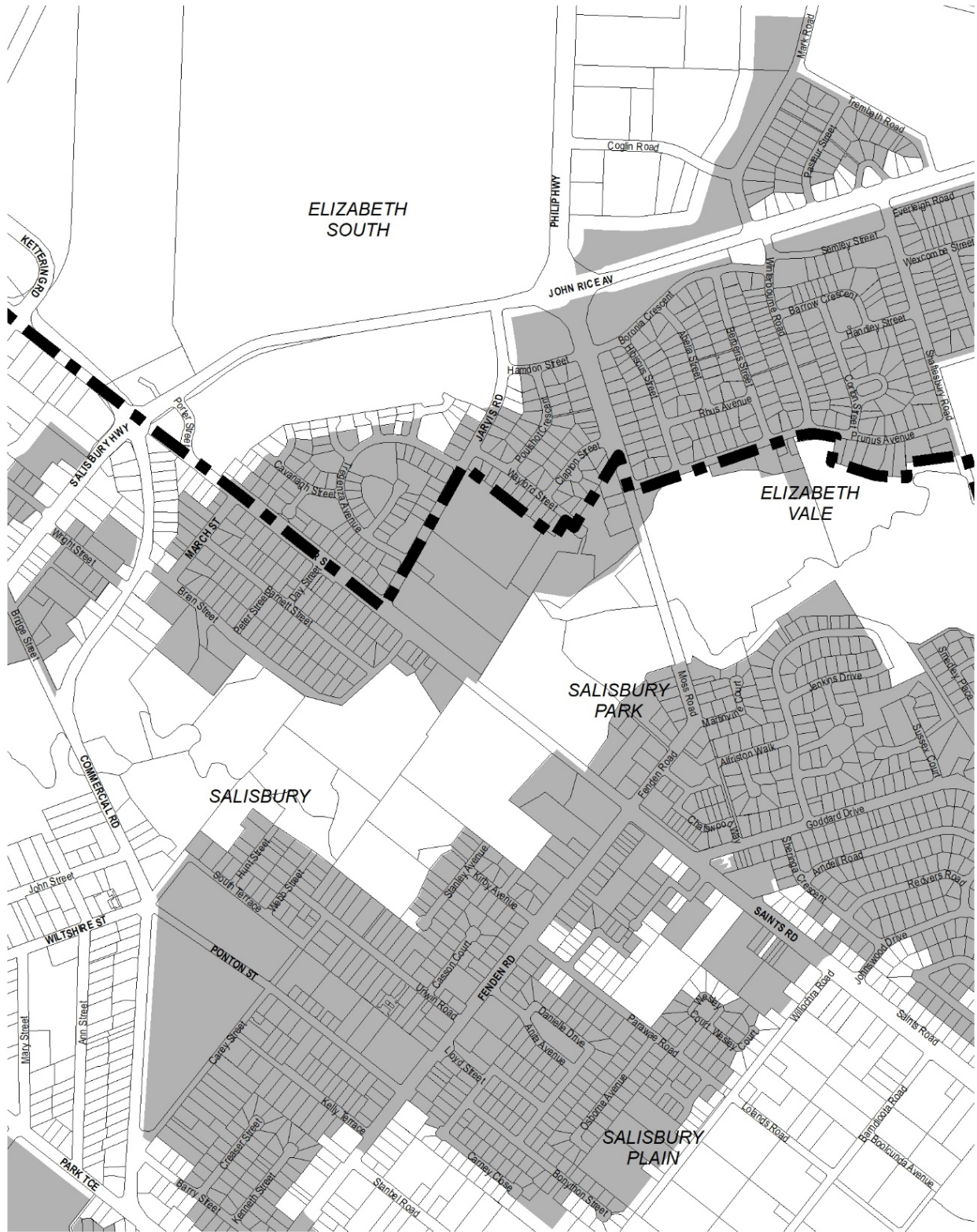
- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



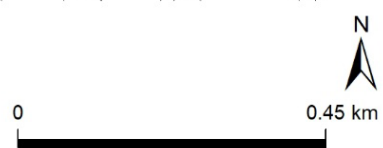
© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/26

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/27

SALISBURY COUNCIL



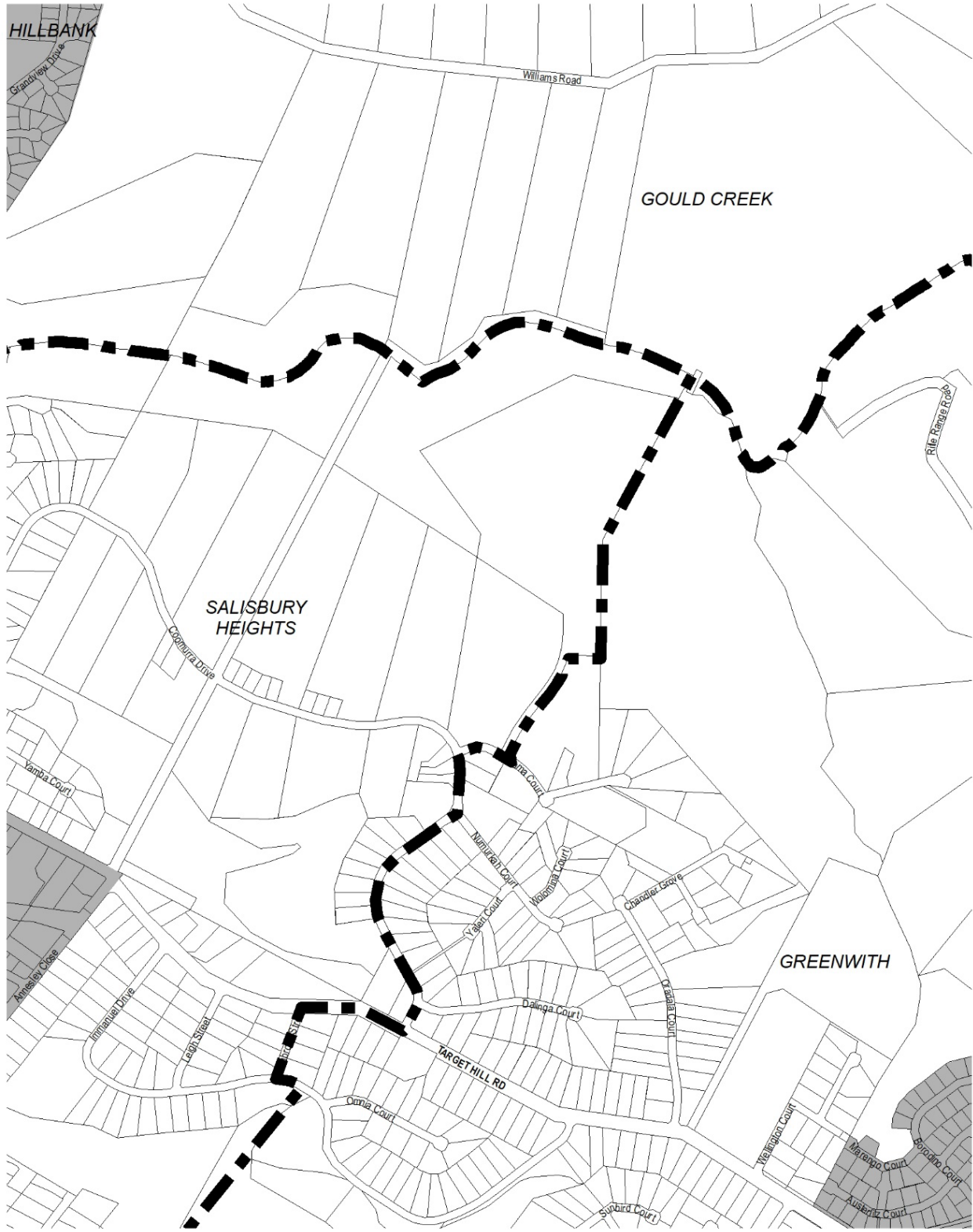
- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary






© DPTI, 2019
 PLN ID: 5579

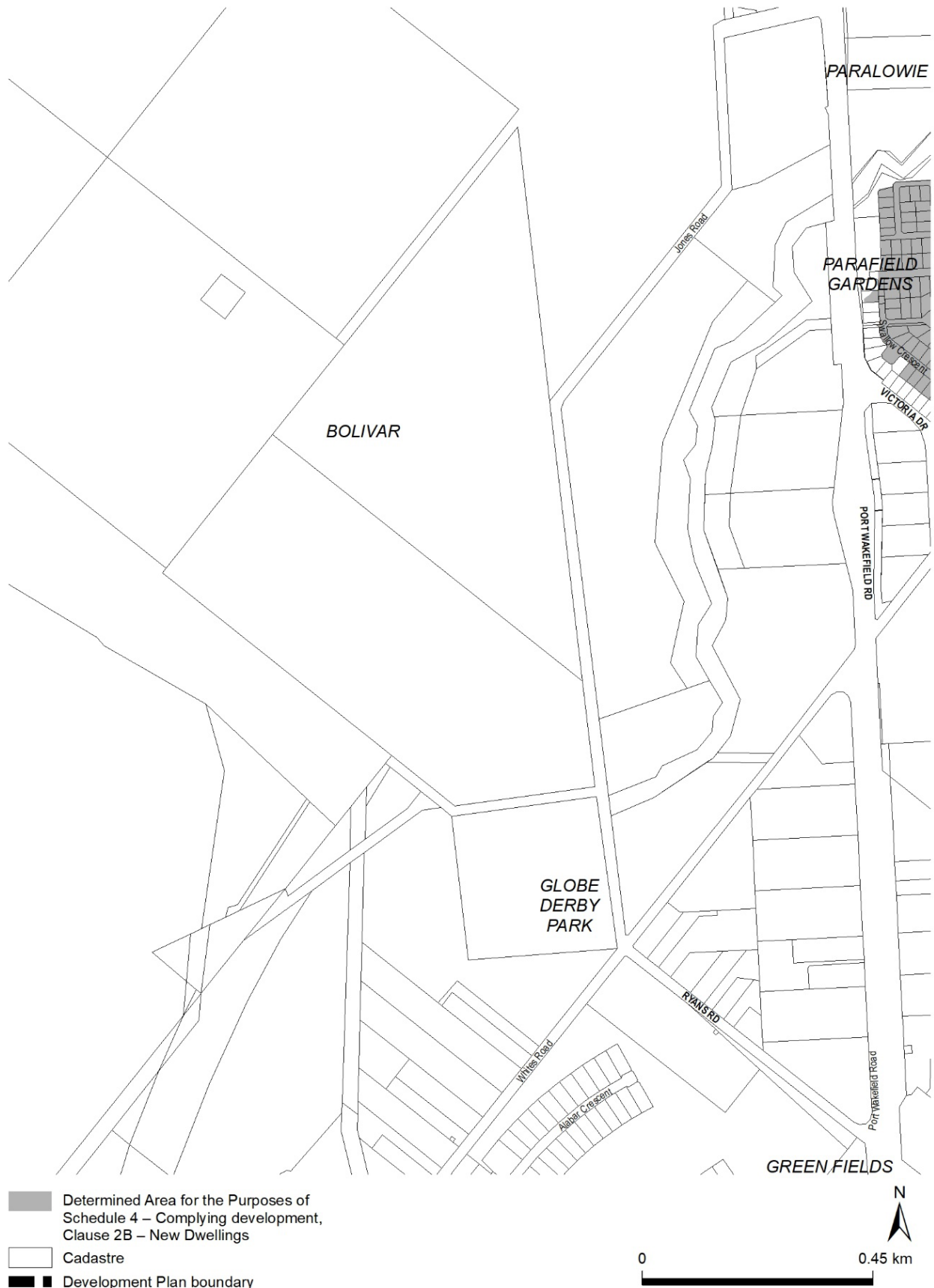
Residential Code Map Sal/28

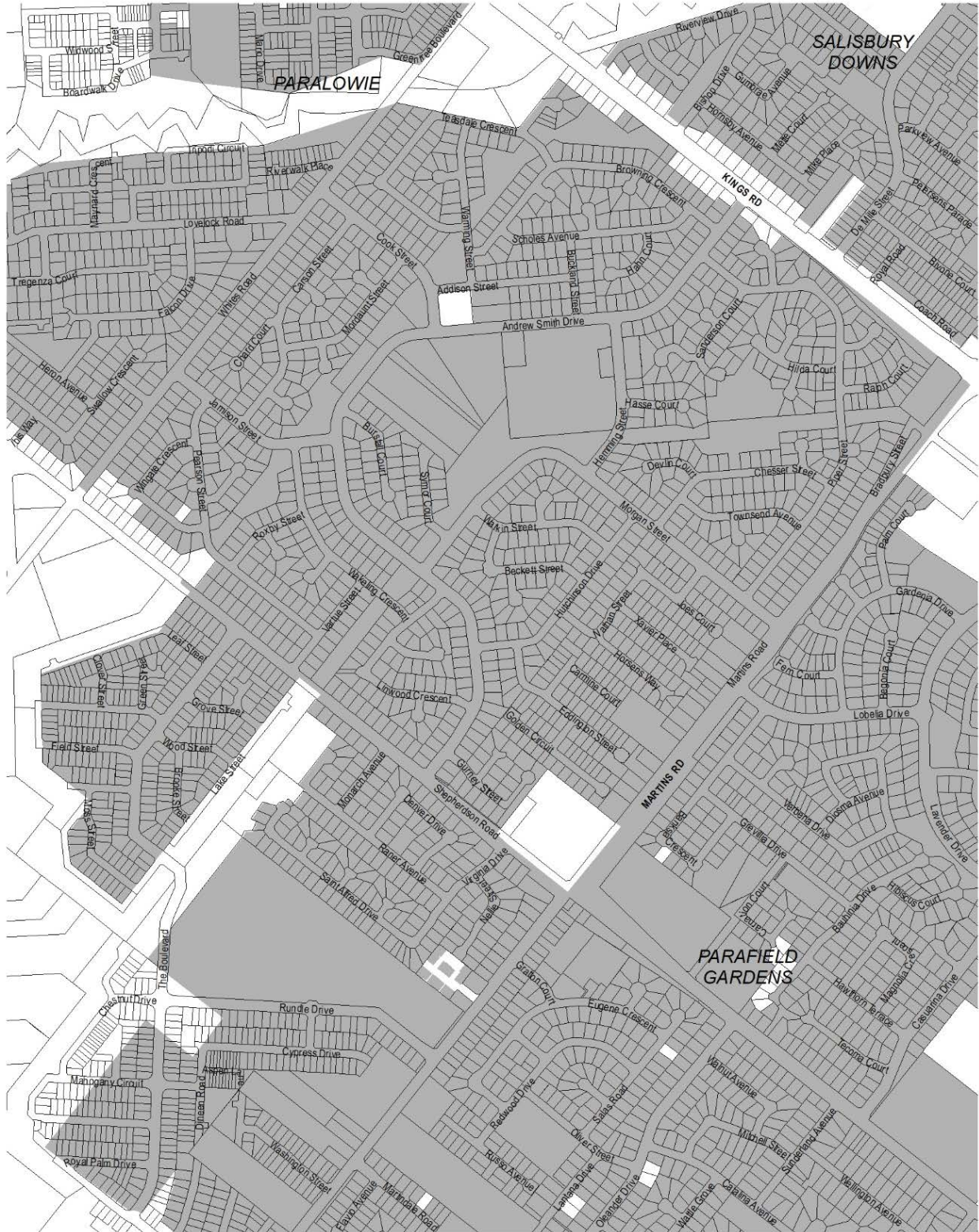
SALISBURY COUNCIL



-  Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
-  Cadastre
-  Development Plan boundary







- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019

PLN ID: 5579

Residential Code Map Sal/33

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/34

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/35

SALISBURY COUNCIL



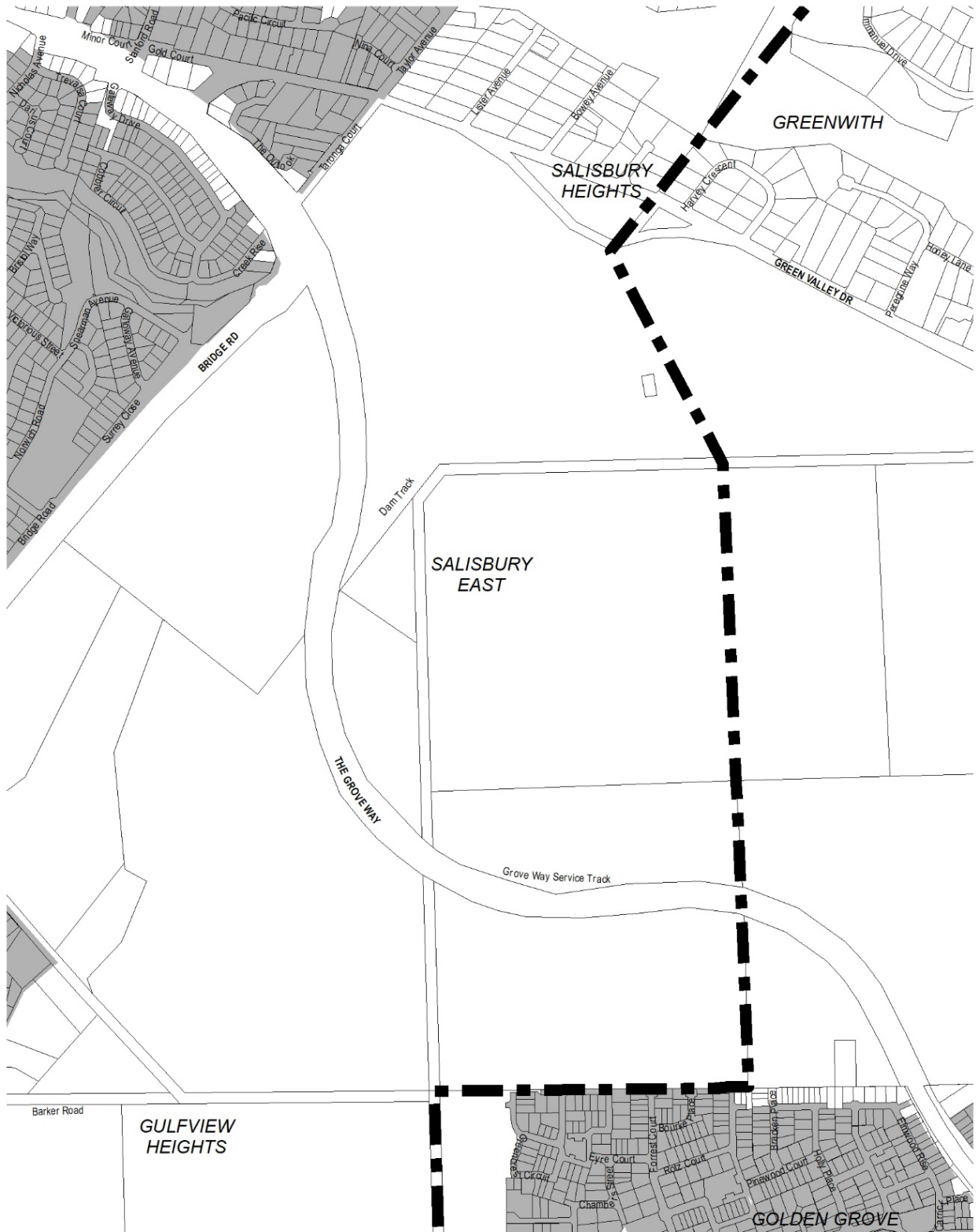
- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/36

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastra
- Development Plan boundary



© DPTI, 2019

PLN ID: 5579

Residential Code Map Sal/37

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/40

SALISBURY COUNCIL



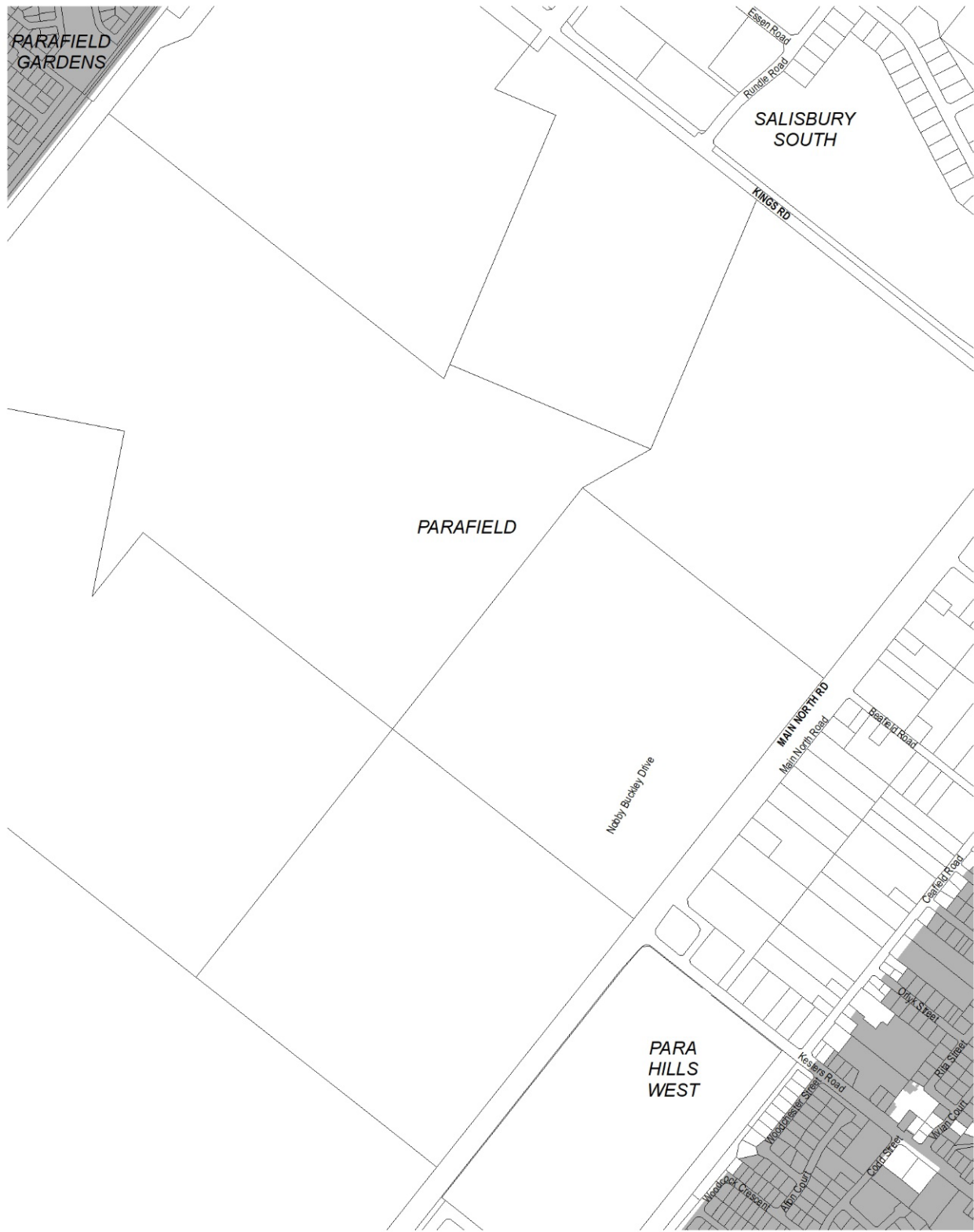
- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary






© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/41

SALISBURY COUNCIL



-  Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
-  Cadastre
-  Development Plan boundary



© DPTI, 2019
PLN ID: 5579

Residential Code Map Sal/42

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastrate
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/43

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastrate
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/44

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/48

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary





- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/50

SALISBURY COUNCIL



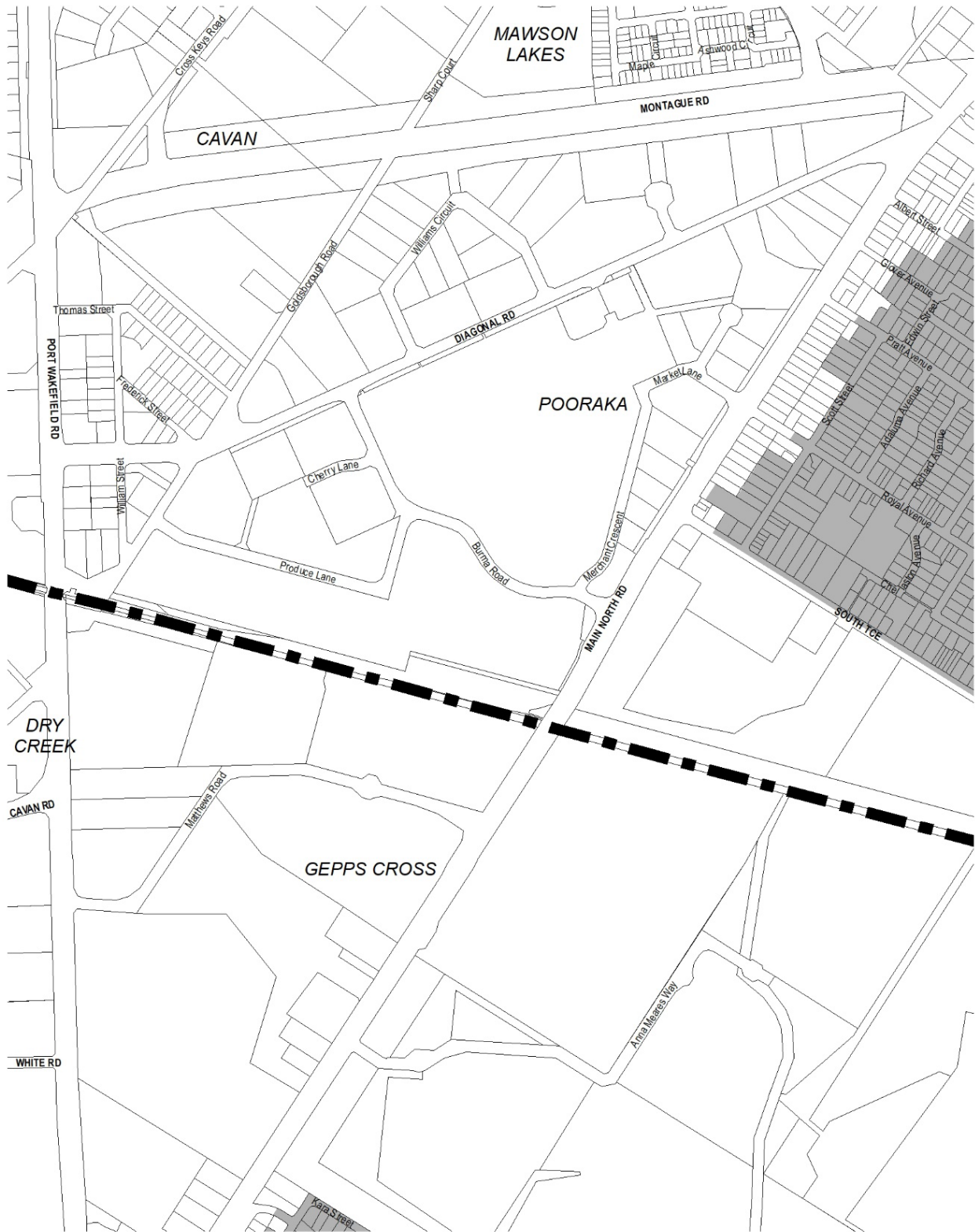
- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/51

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/54

SALISBURY COUNCIL



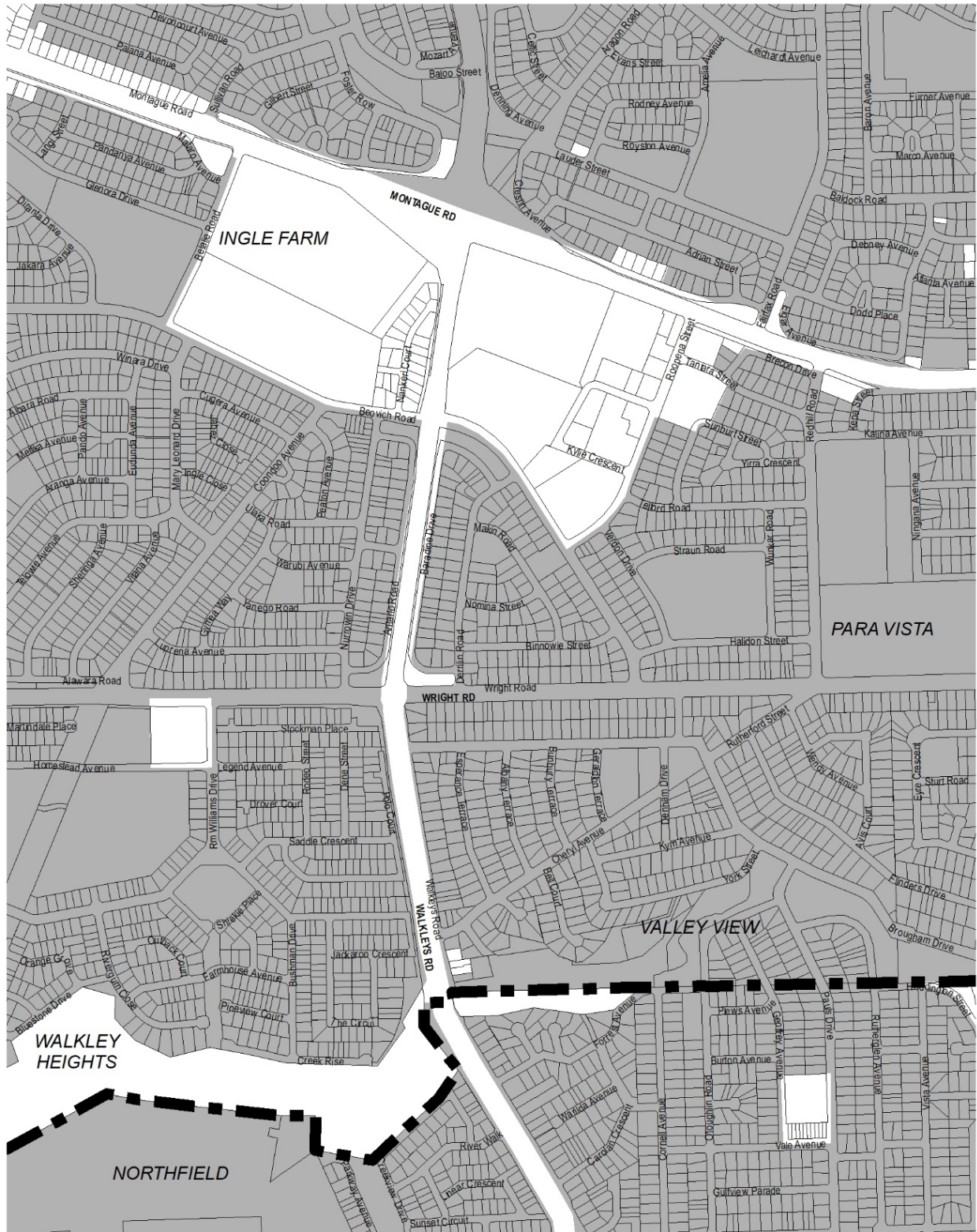
- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastrate
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/55

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sal/56

SALISBURY COUNCIL



- Determined Area for the Purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings
- Cadastre
- Development Plan boundary



© DPTI, 2019
 PLN ID: 5579

Residential Code Map Sa/57

SALISBURY COUNCIL

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

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

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
106 Playford Road, SUNLANDS SA 5322	Allotment 6 Filed Plan 160848 Hundred of Waikerie	CT5294/360
10 Eringa Court, Craigmore SA 5114	Allotment 210 Deposited Plan 10378 Hundred of Munno Para	CT5098/267
40 Ninth Street, PORT PIRIE WEST SA 5540	Allotment 230 Deposited Plan 622 Hundred of Pirie	CT4268/554, CT5455/394

Dated: 25 July 2019

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

LAND ACQUISITION ACT 1969

SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 50 Flinders Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 51 in Deposited Plan No 43546 comprised in Certificate of Title Volume 5310 Folio 644, and being the whole of the land identified as Allotment 12 in Deposited Plan 121172 lodged in the Lands Titles Office.

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

2. Compensation

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

3. Inquiries

Inquiries should be directed to:

Ric Lohmeyer
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2554

Dated: 23 July 2019

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

MOHAMMED ELGAZZAR
Manager
Property Portfolio & Strategy
Department of Planning, Transport and Infrastructure

DPTI 2018/11301/01

MENTAL HEALTH ACT 2009

Authorised Medical Practitioner

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

Albert Matti

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

Dated: 25 July 2019

DR J. BRAYLEY
Chief Psychiatrist

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 person as an Authorised Mental Health Professional commencing from date of Gazettal:

David Walsh

This determination will expire on 31 August 2019.

Dated: 25 July 2019

DR J BRAYLEY
Chief Psychiatrist

MENTAL HEALTH ACT 2009

Authorised Mental Health Professionals

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

John de Pree
Gary Dugan
Victoria Johns
Brenton Westell

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

Dated: 25 July 2019

DR J BRAYLEY
Chief Psychiatrist

MINING ACT 1971

SECTION 15(5)

Geoscientific Investigations

Pursuant to Section 15(5) of the *Mining Act 1971* (the Act), I advise that the Mineral Resources Division of the Department for Energy and Mining, will be undertaking geoscientific investigations commencing on the 1st July 2019 and concluding on the 30th June 2020.

The area of interest is approximately 80,000 km² and is located predominantly over the Olary, Chowilla, Renmark, Pinnaroo, and Naracoorte map sheets.

Pursuant to Section 15(7) of the Act, the Minister may refuse to receive or consider an application for a mining tenement in respect of the land described in the notice until the completion date of 30th June 2020.

Please note that the completion date may be extended and/or the area may be altered by further notice in the gazette. A copy of the plan can be obtained by phoning Mineral Tenements on 08 8429 3103.

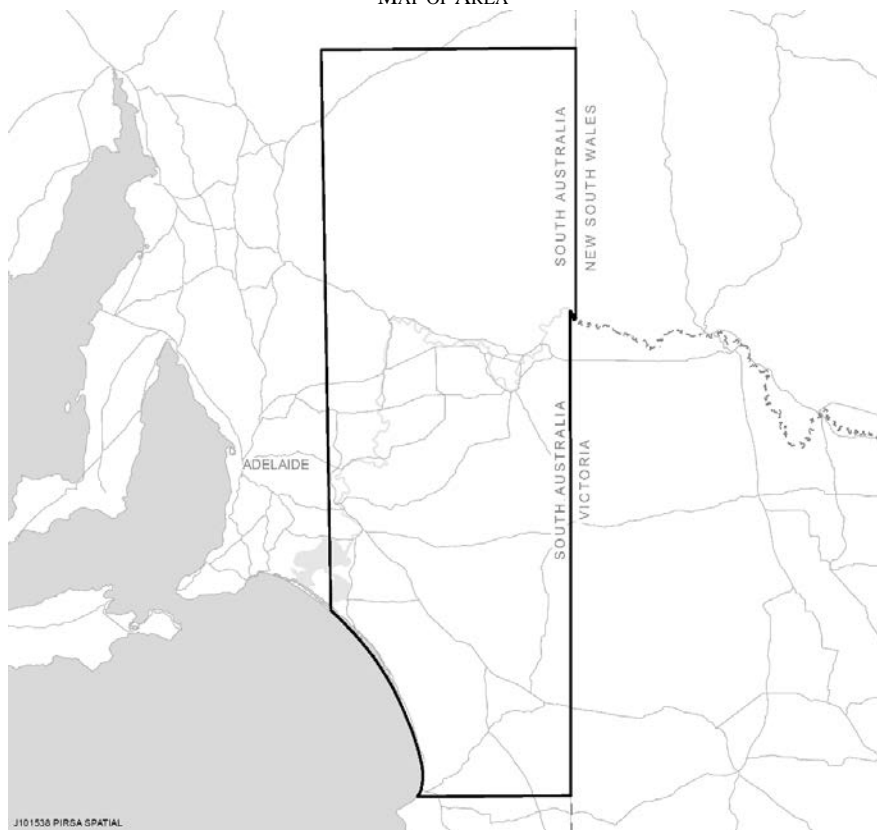
Description of Area

MURRAY BASIN AREA, bounded as follows:

Commencing at a point being the intersection of latitude 32°25'S and longitude 139°13'E, then east to the border of the state of South Australia, then beginning southerly along said border to latitude 36°52'S, then west to a line parallel to and 800 metres inland from highwater mark, then beginning northeasterly along said parallel line to longitude 139°13'E, and north to the point of commencement. All the within latitudes and longitudes are geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of Commonwealth Gazette number 84 dated October 6, 1966 (AGD66).

AREA: 74,721 square kilometres approximately.

MAP OF AREA



Dated: 25 July 2019

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

South Australia

Motor Vehicles (Conditional Registration—Withdrawal of Recognition of Motor Vehicle Clubs) Notice 2019 - Fiat 500 Club of South Australia

under the *Motor Vehicles Act 1959*

Preamble

1. By notice made by the Registrar the motor vehicle clubs specified in Schedule 1 were recognised for the purposes of section 16 of the *Motor Vehicles Regulations 2010*.
2. The Registrar has decided to withdraw that recognition.

1—Short title

This notice may be cited as the *Motor Vehicles (Conditional Registration—Withdrawal of Recognition of Motor Vehicle Clubs) Notice 2019 – Fiat 500 Club of South Australia*.

2—Commencement

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

3—Withdrawal of recognition of motor vehicles clubs

The recognition of the motor vehicle clubs specified in Schedule 1 for the purposes of section 16 of the *Motor Vehicles Regulations 2010* is withdrawn.

Schedule 1-Motor vehicle clubs recognition withdrawn

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

Fiat 500 Club of South Australia

Made by the Deputy Registrar of Motor Vehicles

Dated: 10 July 2019

NATURAL RESOURCES MANAGEMENT ACT 2004

Declaration of Penalty in Relation to the Unauthorised or Unlawful Taking of Water from the River Murray Prescribed Watercourse

I, DAVID SPEIRS, Minister for Environment and Water, to whom administration of the *Natural Resources Management Act 2004* (the Act) is committed, hereby declare that pursuant to Section 115 of the Act, the following penalties are payable in relation to the unauthorised or unlawful taking or use of water during the consumption period that corresponds to the accounting period defined in column 1 of Schedule 1:

1. Where a person who is the holder of a water allocation takes water from the River Murray Prescribed Watercourse in excess of the amount available under the allocation, the penalty declared pursuant to Section 115 (1) (a) is:
 - a) the corresponding rate in column 2 of Schedule 1 to this notice for all water taken in excess of the amount available under the allocation endorsed on the relevant instrument under the terms of the water licence to which the allocation is attributable, up to and including a quantity equal to 10 percent of the amount available under the allocation;
 - b) the corresponding rate in column 3 of Schedule 1 to this notice for all water taken in excess of the quantity of water referred to in paragraph (a) up to and including a quantity equal to 25 percent; and
 - c) the corresponding rate in column 4 of Schedule 1 to this notice for all water taken in excess of the quantity of water referred to in paragraph (b).

2. Where water is taken from the River Murray Prescribed Watercourse by a person who is not the holder of a water management authorisation or who is not authorised under Section 128 of the Act to take the water, the penalty declared under Section 115 (1) (cb) is the corresponding rate in column 5 of Schedule 1 to this notice per kilolitre of water determined or assessed to have been taken in accordance with Section 106 of the Act.
3. Where a person takes water from the River Murray Prescribed Watercourse in excess of the amount authorised for use by a notice under Section 132 of the Act the penalty declared pursuant to Section 115 (1) (d) is:
 - a) the corresponding rate in Column 2 of Schedule 1 to this notice for all water taken in excess of the amount authorised for use by a notice under Section 132 of the Act, up to and including a quantity equal to 10 percent of the amount authorised by the notice;
 - b) the corresponding rate in Column 3 of Schedule 1 to this notice for all water taken in excess of the quantity referred to in paragraph (a) up to and including a quantity equal to 25 percent of the amount authorised for use by a notice under Section 132 of the Act; and
 - c) the corresponding rate in Column 4 of Schedule 1 of this notice for all water taken in excess of the quantity of water referred to in paragraph (b).
4. Where water is taken from the River Murray Prescribed Watercourse subject to a notice under Section 132 of the Act by a person who is not authorised to use the water the penalty declared under Section 115 (1) (d) is the corresponding rate in Column 5 of Schedule 1 to this notice per kilolitre of water determined or assessed to have been taken in accordance with Section 106 of the Act.
5. Where a person may be subject to more than one penalty under Section 115, the penalty that is the greater shall be imposed.

SCHEDULE 1

Penalties for overuse from the River Murray Prescribed Watercourse 1 July 2019 to 30 September 2019 inclusive:

Column 1	Column 2	Column 3	Column 4	Column 5
Accounting Period	Penalty for overuse for first 10 per cent	Penalty for overuse above 10 per cent and up to and including 25 per cent	Penalty for overuse above 25 per cent	Penalty for unlawful taking or use of water
1 July 2019 to 30 September 2019	\$ 0.80/kL	\$ 2.40/kL	\$ 4.40/kL	\$ 6.40/kL

Unit of measure kL is the abbreviation of kilolitre.

For the purposes of this notice:

‘the River Murray Prescribed Watercourse’ means the watercourses and lakes declared to be the River Murray Proclaimed Watercourse by proclamation under Section 25 of the Water Resources Act 1976 (see *Gazette* 10 August 1978, p. 467)

‘accounting period’ is part of a financial year, in respect of which a levy (including a penalty charge for water taken in excess of allocation) is payable.

‘consumption period’ means a period of approximately the same length as the accounting period that commences or terminates during the accounting period and in respect of which the quantity of water is measured by meter readings.

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

Dated: 12 July 2019

DAVID SPEIRS MP
Minister for Environment and Water

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Suspension of Petroleum Exploration Licence PEL 512

Pursuant to section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the abovementioned Petroleum Exploration Licence has been suspended for the period from 1 August 2019 until 31 January 2020 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of PEL 512 is now determined to be 30 April 2022.

Dated: 17 July 2019

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

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 80(1)

*Publication of Ministerial Building Standards**Preamble*

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

NOTICE

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

1. Ministerial Building Standard MBS 007 – Modifications to the Building Code of Australia 2019 edition, dated July 2019.

This Standard will be published on the SA Planning portal at www.sapanningportal.sa.gov.au.

This notice will come into force on the date of this notice.

Dated: 20 July 2019

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

RESIDENTIAL TENANCIES ACT 1995

Exemption

PURSUANT to section 118 of the Residential Tenancies Act 1995 ('the Act'), I, Vickie Chapman, Attorney-General for the State of South Australia, do hereby grant the following exemption from the provisions of the Act.

This exemption applies only to residential premises where a Tier 1 (or equivalent) community housing provider, registered in accordance with part 3 of the Community Housing Providers National Law set out in Schedule 1 to the Community Housing Providers (National Law)(South Australia) Act 2013, manages the residential premises as landlord on behalf of the South Australian Housing Trust, due to the transfer of the management of that residential premises from the South Australian Housing Trust to the community housing provider, as part of a large scale tenancy and property management transfer project approved by Cabinet:

1. Section 73 of the Act shall not apply, provided a community housing provider managing a residential premises to which this exemption applies, provides a statement setting out the following details to the tenant, within 30 days of the tenant requesting that statement and at no charge to the tenant:
 - a. The meter reading at the commencement of the billing period;
 - b. The meter reading at the end of the billing period;
 - c. The rate charged by SA Water for supply during the period for which any claim for water supply is made;
 - d. The rates charged by SA Water for water use during the period for which any claim for water use is made;
 - e. Calculations in support of the claim.

Dated: 16 July 2019

VICKIE CHAPMAN MP
Attorney-General

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation

WATER MAINS LAID

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

ADELAIDE WATER DISTRICT

ADELAIDE HILLS COUNCIL
Yacka Road, Aldgate. p29

CAMPBELLTOWN CITY COUNCIL
Way Street, Magill. p13

LIGHT REGIONAL COUNCIL

Easements in lot 1003 in LTRO DP 59348 (proposed roads Stuart Street and Franklin Court in Land Division number 313/D014/17), Main North Road, Hewett. p50 and 51

CITY OF MITCHAM

Easements in allotment piece 1722 in LTRO DP 120306 (proposed road William Rufus Place in Land Division number 080/D054/04), Blackwood Park Boulevard, Craighburn Farm. p55 and 56

CITY OF PLAYFORD

Easements in lot 7102 in LTRO DP 119999 (proposed roads Dowie Way and Morris Street in Land Division number 292/G097/15), Peachey Road, Munno Para. p88 and 89

OUTSIDE ADELAIDE WATER DISTRICT

DISTRICT COUNCIL OF MOUNT BARKER
Byron Street, Mount Barker. p52 and 53
Charlton Place, Mount Barker. p52 and 53

TOWNSHIP OF AUBURN WATER DISTRICT

CLARE AND GILBERT VALLEYS DISTRICT COUNCIL
Arthur Street, Auburn. p23

BAROSSA COUNTRY LANDS WATER DISTRICT

DISTRICT COUNCIL OF MALLALA

Easements in lot 1009 in LTRO DP 121060 (proposed roads Lavender Drive, Walter Avenue and Apple Tree Lane in Land Division number 312/D018/13), Sharpe Road, Two Wells. p24 and 25

GOOLWA WATER DISTRICT

ALEXANDRINA COUNCIL
Mark West Lane, Goolwa. p22
Lindsay Parade, Goolwa. p22
Currency Creek Road, Goolwa North. p31

MOUNT GAMBIER WATER DISTRICT

CITY OF MOUNT GAMBIER

Easements in lot 601 in LTRO Community Plan 27733 (proposed roads Augusta Court and Kooyonga Court in Land Division number 381/C001/16), Bishop Road, Worrolong. p38

MYPONGA WATER DISTRICT

DISTRICT COUNCIL OF YANKALILLA
Michael Street, Yankalilla. p7

PORT AUGUSTA WATER DISTRICT

CITY OF PORT AUGUSTA
Tamblyn Street, Port Augusta West. p6
Easement in section 99, hundred of Copley, Tamblyn Street, Port Augusta West. p6

PORT VICTOR WATER DISTRICT

CITY OF VICTOR HARBOR
Greenfield Street, Hindmarsh Valley. p90-93

SEWERS LAID

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

ADELAIDE DRAINAGE AREA

CAMPBELLTOWN CITY COUNCIL
Samuel Street, Trammere. FB 1289 p58

CITY OF CHARLES STURT
Trembath Street, Bowden. FB 1289 p56
Jessup Street, Kidman Park. FB 1291 p4

LIGHT REGIONAL COUNCIL

Across Murray Road, Hewett. FB 1288 p25-27
Easements in lot 1003 in LTRO DP 59348 (proposed roads Stuart Street and Franklin Court in Land Division Number 313/D014/17), Main North Road, Hewett. FB 1288 p25-27

CITY OF MARION

Oliphant Avenue, Marion. FB 1291 p6
Everest Avenue, Morphettville. FB 1291 p9

CITY OF MITCHAM

Easements in lot 6000 in LTRO DP 113177, Coromandel Parade, Craighburn Farm. FB 1288 p28-30
Easements in allotment piece 1722 in LTRO DP 120206 (proposed road William Rufus Place in Land Division Number 0580/D054/04), Blackwood Park Boulevard, Craighburn Farm. FB 1288 p28-30
Easements in lot 54 in LTRO FP 149239 and in lot 67 in LTRO FP 149252, Coromandel Parade, Coromandel Valley. FB 1291 p7
Sherbourne Road, Blackwood. FB 1291 p8

CITY OF NORWOOD PAYNEHAM AND ST PETERS

Green Street, St Morris. FB 1289 p59

CITY OF ONKAPARINGA

Atkinson Crescent, Aldinga Beach. FB 1289 p57
Olive Street, Old Reynella. FB 1291 p3

CITY OF PLAYFORD

Dowie Way, Munno Para. FB 1288 p31-33
Easements in lot 7102 in LTRO DP 119999 (proposed roads Dowie Way and Morris Street in Land Division Number 292/G097/15), Peachey Road, Munno Para. FB 1288 p31-33

CITY OF PORT ADELAIDE ENFIELD

Across Clifton Street, Blair Athol. FB 1291 p10
McKay Avenue, Northfield. FB 1291 p11

CITY OF SALISBURY

Margaret Avenue, Salisbury. FB 1291 p2

CITY OF WEST TORRENS

East Parkway, Fulham. FB 1289 p55
Fewings Avenue, Brooklyn Park. FB 1291 p5

MOUNT GAMBIER COUNTRY DRAINAGE AREA**CITY OF MOUNT GAMBIER**

Easements in lot 510 in LTRO DP 93358, Kennedy Avenue, Worrolong. FB 1254 p34-36
Easements in lot 601 in Community Plan 27733 (proposed roads Augusta Court and Kooyonga Court in Land Division Number 381/C001/16), Bishop Road, Worrolong. FB 1254 p34-36

STIRLING COUNTRY DRAINAGE AREA**ADELAIDE HILLS COUNCIL**

Easements in lot 50 in LTRO DP 26392, Golding Lane and lot 31 in LTRO DP 120953, Gould Road, Stirling. FB 1291 p1

OUTSIDE VICTOR HARBOR COUNTRY DRAINAGE AREA**CITY OF VICTOR HARBOR**

Easements in lot 502 in LTRO DP 119981 (proposed road currently shown as Road 'A' in Land Division Number 453/D0007/14), Greenfield Street, Hindmarsh Valley. FB 1288 p34-41
Greenfield Street, Hindmarsh Valley. FB 1288 p34-41

Dated: 25 July 2019

ROCH CHEROUX
Chief Executive Officer
South Australian Water Corporation

South Australia

Fair Work (Assignment of Judge) Proclamation 2019

under sections 19 and 20 of the *Fair Work Act 1994* and section 16(2a) of the *Acts Interpretation Act 1915*

Preamble

- 1 The Industrial Relations Court was dissolved on 1 July 2017 and its proceedings transferred to the South Australian Employment Tribunal (SAET). In *Kronen v Commercial Motor Industries Pty Ltd (trading as CMI Toyota)* [2018] FCAFC 136, the Federal Court determined that SAET does not have jurisdiction to hear and determine proceedings commenced in the Court under Commonwealth legislation (*Commonwealth proceedings*) before 1 July 2017.
- 2 Section 16(2a) of the *Acts Interpretation Act 1915* provides that a court or tribunal continues in existence for the purpose of continuing or enforcing any legal proceeding or remedy, despite the fact that the court or tribunal would, but for that section, cease to exist by reason of a repeal or amendment of an Act. It also provides for the making of new appointments to the court or tribunal.
- 3 On 8 November 2018, the Governor assigned a Judge of the District Court of South Australia to be Senior Judge of the Industrial Relations Court of South Australia in order for Commonwealth proceedings to be heard and determined by the Industrial Relations Court.
- 4 This proclamation assigns —
 - (a) the Judge referred to in clause 3(1) to be a Judge of the Industrial Relations Court under section 19 of the *Fair Work Act 1994* as in force before its repeal by Part 4 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016*; and
 - (b) classifies that Judge as a member of the Court's principal judiciary under section 20 of the *Fair Work Act 1994* as in force before its repeal by Part 4 of the *Statutes Amendment (South Australian Employment Tribunal) Act 2016*.

1—Short title

This proclamation may be cited as the *Fair Work (Assignment of Judge) Proclamation 2019*.

2—Commencement

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

3—Assignment and classification of Judge

- (1) Peter Dennis Hannon, a Judge of the District Court of South Australia, is assigned to be a Judge of the Industrial Relations Court of South Australia.
- (2) The Judge referred to in subclause (1) is classified as a member of the Court's principal judiciary.

Made by the Governor

after consultation by the Attorney-General with the Senior Judge of the Industrial Relations Court of South Australia and the Chief Judge of the District Court of South Australia and with the advice and consent of the Executive Council
on 25 July 2019

South Australia

Land Acquisition Regulations 2019

under the *Land Acquisition Act 1969*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Forms
- 5 Execution of documents by Authority
- 6 Notice of intention to acquire land
- 7 Explanation of acquisition scheme may be required
- 8 Terms and conditions of tenancy at will (section 24(5))
- 9 Offence of making false statement

Schedule 1—Forms

Schedule 2—Revocation of *Land Acquisition Regulations 2004*

1—Short title

These regulations may be cited as the *Land Acquisition Regulations 2019*.

2—Commencement

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

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Land Acquisition Act 1969*.

4—Forms

- (1) The forms set out in Schedule 1 must—
 - (a) be used for the purposes specified in Schedule 1; and
 - (b) be completed in accordance with the instructions contained in the forms.
- (2) The name of a person signing a form set out in Schedule 1 must be written legibly under or alongside the signature of that person.
- (3) Where the space provided in a form is insufficient to contain all the required information—
 - (a) the information must be set out in an annexure to the form; and
 - (b) the annexure must have an identifying mark such as a letter or numeral; and
 - (c) the space in the form must contain the statement "See Annexure" together with the distinguishing mark for the annexure, or words to similar effect.
- (4) A person preparing a notice or offer under these regulations may annex to the notice or offer a map or plan of any land referred to in the notice or offer.
- (5) A map or plan annexed to a notice or offer in accordance with subregulation (4) has the effect of being part of the notice or offer.

5—Execution of documents by Authority

Despite the method of execution prescribed by the forms contained in Schedule 1, it is to be taken to be a sufficient compliance with these regulations if a notice or offer, in any of those forms, is executed by an Authority under its common seal or in any other manner permitted by law.

6—Notice of intention to acquire land

For the purposes of section 10(2)(b)(ii)(B) of the Act, the following supporting materials must be exhibited:

- (a) in the case of service by publication in a newspaper or relevant special-interest publication in accordance with the *Native Title (South Australia) Act 1994*—a copy of an extract from the publication containing the notice and identifying the name of the publication and the date of publication;
- (b) in the case of service by giving a copy of the notice personally or by post or by some other agreed method in accordance with the *Native Title (South Australia) Act 1994*—a copy of the notice so served.

7—Explanation of acquisition scheme may be required

For the purposes of section 11(2)(b)(iii)(B) and 12(2)(b)(iii)(B) of the Act, an Aboriginal group must authorise the representative Aboriginal body to act on its behalf as follows:

- (a) the authorisation must be in writing;
- (b) the authorisation must—
 - (i) name the persons comprising the Aboriginal group claiming native title or otherwise define the Aboriginal group sufficiently clearly so that it can be ascertained whether any particular person is a member of the group; and
 - (ii) state that the Aboriginal group does not have, and is not part of another Aboriginal group that has, a registered representative; and
 - (iii) define the land to which the claim relates with sufficient particularity to enable the boundaries of the area covered by the claim and any areas within those boundaries that are not covered by the claim to be readily identified; and
 - (iv) state the nature of the rights conferred by the native title claimed and the nature of activities that may be carried out pursuant to those rights; and
 - (v) state the factual basis on which it is asserted that the Aboriginal group holds the native title claimed;
- (c) the authorisation must expressly authorise the representative Aboriginal body to act under section 11 and 12 of the Act on behalf of the group in relation to a specified notice of intention to acquire land to which the native title claim relates;
- (d) the authorisation must be signed by a member of the group authorised to sign on behalf of the group following either—
 - (i) a process of decision making recognised by the traditional laws or customs of the Aboriginal group; or
 - (ii) a process of decision making agreed to and adopted by the Aboriginal group in relation to the decision or in relation to decisions of that kind.

8—Terms and conditions of tenancy at will (section 24(5))

The terms and conditions on which a person is taken to be in possession of land acquired under the Act as a tenant at will under section 24(5) are—

- (a) that the tenant, or, where there are more than 1, the tenants jointly and severally, are to be taken to have covenanted as follows:
 - (i) on the days and in the manner agreed between the Authority and the tenant, but in default of agreement, then weekly and at the place specified by the Authority for the purpose, to pay rent at a rate that represents a fair economic rate, having regard to the use that, during the currency of the tenancy, will probably be made of the land;
 - (ii) to keep all fixtures and structures in or on the land in as good a state of repair as those fixtures and structures were at the commencement of the tenancy, reasonable wear and tear and damage by fire, tempest and earthquake only excepted;
 - (iii) not to make any alteration or addition to the improvements, fixtures or structures in or on the land;
 - (iv) not to make a use of the land that is, in any material respect, a departure from the use being lawfully made of the land at the commencement of the tenancy;
 - (v) without affecting the generality of subparagraph (iv), not to do, or to permit or suffer to be done, on the land, anything that may be or become a nuisance or annoyance to the Authority or to the occupiers of any neighbouring property;
 - (vi) not to assign, underlet, or charge or part with the possession of the land or any part of the land;
 - (vii) to permit all duly authorised agents, servants and employees of the Authority at all reasonable times to enter and inspect the land and to make reasonable surveys and other calculations with respect to any undertaking to be carried out by the Authority;
 - (viii) on the Authority's giving to the tenant or tenants reasonable notice (which must not be less than 1 month) of determination of the tenancy, and at the expiration of the period of notice, peaceably to surrender the land to the Authority;
 - (ix) to insure and keep insured, to their full insurable value, in the joint names of the Authority and the tenant or tenants, all improvements, fixtures or structures in or on the land against loss or damage by fire, tempest and earthquake; and
- (b) that the Authority is to be taken to have covenanted with the tenant, or where there are more than 1, with the tenants jointly and severally as follows:
 - (i) to permit the tenant or tenants peaceably to hold and use the land until the tenancy is lawfully determined;
 - (ii) to pay all rates, taxes and other charges and outgoings adjusted, if necessary, in accordance with the date of the commencement of the tenancy; and
- (c) that the Authority may, from time to time, waive, in whole or in part, all or any of the obligations imposed by paragraph (a), on such conditions as it thinks fit; and

- (d) that the obligation imposed by paragraph (b)(i) is binding only so long as the tenant or tenants observe and perform the obligations that are, subject to paragraph (c), imposed by paragraph (a); and
- (e) that the provisions of paragraph (a)(i) apply subject to the operation of section 24(4) of the Act and to any order made under that section.

9—Offence of making false statement

A person who, in a notice in writing served on an Authority pursuant to section 12 of the Act, knowingly makes a statement that is false in a material particular, is guilty of an offence.

Maximum penalty: \$100.

Schedule 1—Forms

(regulation 4)

Form 1—Notice of intention to acquire land

Land Acquisition Act 1969

(section 10)

[This form is to be used for an acquisition other than one to which Part 4 Division 1 of the Act applies.]

TO:

of ¹

1—Notice of intention to acquire land

This notice is to inform you that *[insert name of the Authority]*

of

intends to acquire the following interests in the following land:

for the following purpose:

(If—

- the Authority is the Crown or an instrumentality of the Crown; and
- the Authority proposes to acquire native title; and
- the Authority does not propose to acquire the land for the purpose of conferring rights or interests on someone other than the Crown or an instrumentality of the Crown,

the notice must state that the purpose of the acquisition is to confer rights or interests in relation to the land on the Crown or an instrumentality of the Crown.)

The Authority seeks to negotiate the compensation payable for the acquisition.

This notice is given under section 10 of the *Land Acquisition Act 1969*. It does not bind the Authority to acquire the land.

2—Right to obtain explanation of reasons for acquisition (section 11)

Within 30 days a person who has an interest in the land (including in the case of native title land, the registered representative of a native title claimant or holder or, in certain cases, the representative Aboriginal body for the area) may require the Authority, by written notice—

- to give an explanation of the reasons for acquisition of the land; and
- to provide reasonable details of any statutory scheme in accordance with which the land is to be acquired.

3—Right to object (section 12)

Within 30 days or, if an explanation of the reasons for the acquisition was requested, within 30 days after the explanation is provided, a person who has an interest in the land (including in the case of native title land, the registered representative of a native title claimant or holder or, in certain cases, the representative Aboriginal body for the area) may request the Authority, by written notice—

- not to proceed with the acquisition of the land; or
- to alter the boundaries of the land to be acquired; or
- not to acquire a particular part of the land or to acquire further land.

The request may be made—

- on the ground that acquisition of the land or a particular part of the land is not necessary for the purposes of carrying out the undertaking to which the acquisition relates; or
- on the ground that the acquisition of the land or carrying out the purposes for which the acquisition is proposed would—
 - seriously impair an area of scenic beauty; or
 - destroy, damage or interfere with an Aboriginal site within the meaning of the *Aboriginal Heritage Act 1988*; or
 - destroy or impair a site of architectural, historic or scientific interest; or
 - prejudice the conservation of flora or fauna that should be conserved in the public interest; or
 - prejudice some other public interest; or
- on some other ground stated in the request.

4—Right of review (section 12A)

A person who makes a request under section 12 which is refused by the Authority may apply to the South Australian Civil and Administrative Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* for a review of the decision.

An application for review must be made within 7 days (or such longer period as the Tribunal may allow under the *South Australian Civil and Administrative Tribunal Act 2013*) of the person being served with the notice of the Authority's decision to refuse the request.

A review by the Tribunal must be completed within 14 days of the application for review being made by the person.

The merits or otherwise of the undertaking to which the proposed acquisition relates cannot be called into question in a review.

A decision of the Tribunal on review is not subject to appeal under section 71 of the *South Australian Civil and Administrative Tribunal Act 2013*.

5—Additional right of native title parties to object to prescribed private acquisition (section 12B)

Within 2 months or, if an explanation of the reasons for the acquisition is required, within 2 months after the explanation is provided, native title parties may, by written notice to the Minister, object to a prescribed private acquisition² so far as it affects their registered native title rights.

Note—

- The Minister must consult any native title parties who object about ways of minimising the impact of the acquisition project on registered native title rights and, if relevant, access to the land.
- The Attorney-General must, at the request of a native title party who has made an objection under this section, appoint an independent person or body to hear the objection.
- Before making such an appointment, the Attorney-General must consult the Minister and the native title party.
- If the independent person or body hearing an objection under this section makes a determination upholding the objection, or that contains conditions about the acquisition that relate to registered native title rights, the determination must be complied with unless—
 - the Minister responsible for indigenous affairs is consulted; and
 - the consultation is taken into account; and
 - it is in the interests of the State not to comply with the recommendation.

6—Right to compensation (Part 4 Division 2)

The Authority seeks to negotiate in good faith with you about the compensation payable for the acquisition of the land.

Note—

- The Authority is required to negotiate with the persons who have or had, or claim to have or to have had, an interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition.
- If the land is native title land, any party may request the Environment, Resources and Development Court to mediate between the parties to assist in obtaining their agreement on the matters at issue between them.
- The Authority may offer, and must consider any request made by a party who is the holder of native title to the negotiations for, non-monetary compensation (eg a transfer of land, the provision of goods or services, or the carrying out of work for the reinstatement or improvement of land remaining in the claimant's ownership after acquisition).
- The land is acquired by notice of acquisition. Notice of acquisition may be given at any time after 3 months, and before 18 months or a longer period fixed under section 15(4a) of the *Land Acquisition Act 1969*, from the giving of this notice.
- At that time the Authority is required to make an offer to the person or persons whom it believes to be entitled to compensation for the acquisition, stating the amount of compensation the Authority is prepared to pay. The claimant may dispute the offer.
- Part 4 Division 2 of the *Land Acquisition Act 1969* governs compensation. In particular, section 25 sets out the principles for determining compensation.

7—Prospective purchasers of land etc to be informed about this notice (section 13)

You must not enter into a transaction in respect of the land without first disclosing the fact that this notice of intention to acquire the land has been served on you. Any contract or agreement in relation to the land entered into without that disclosure would be voidable at the option of the person to whom disclosure should have been made.

[Clause 7 is only to be included if the land has not been brought under the Real Property Act 1886 and the land is not native title land.]

8—Inquiries

Inquiries should be directed to:

Date:

Signed:

Notes—

1 *The notice must be given to each person whose interest in the land is subject to acquisition, or such of those persons as, after diligent inquiry, become known to the Authority. If the Authority proposes to acquire native title in land, the notice must also be given to—*

- *if there is a native title declaration for the land—the registered representative of the native title holders and the relevant representative Aboriginal body;*
- *if there is no native title declaration for the land—to all persons who hold, or may hold, native title in the land (see Part 5 of the Native Title (South Australia) Act 1994.)*

2 *A prescribed private acquisition means—*

- *an acquisition by the Crown or an instrumentality of the Crown of native title in land for the purpose of conferring rights or interests in relation to the land on a person other than the Crown or an instrumentality of the Crown so that an infrastructure facility may be provided; or*
- *an acquisition by the Crown or an instrumentality of the Crown of native title in land wholly within a town or city for the purpose of conferring rights or interests on a person other than the Crown or an instrumentality of the Crown; or*
- *an acquisition by the Crown or an instrumentality of the Crown of native title in land situated on the seaward side of the mean high-water mark of the sea for the purpose of conferring rights or interests on a person other than the Crown or an instrumentality of the Crown; or*
- *an acquisition of native title in land that is neither made by the Crown or an instrumentality of the Crown nor made for the purpose of conferring rights or interests on the Crown or an instrumentality of the Crown.*

Form 2—Notice of intention to acquire native title in land for purpose of conferring rights or interests on third party

Land Acquisition Act 1969

(section 10(2) and Part 4 Division 1)

[This form is to be used for a proposed acquisition of native title if the acquisition is to be made by the Crown or an instrumentality of the Crown for the purpose of conferring rights or interests on a person other than the Crown or an instrumentality of the Crown and the proposed acquisition is not a prescribed private acquisition.]

TO:

of ¹

1—Notice of intention to acquire land

This notice is to inform you that [*insert name of the Authority*]
of

intends to acquire the following interests in the following land:

for the following purpose:

The Authority intends to confer the following rights or interests on a person other than the Crown or a Crown instrumentality:

The Authority seeks to negotiate an agreement about the acquisition of the land and the compensation payable for the acquisition.

Aboriginal groups who are not registered under the law of the State or the Commonwealth as holders of or claimants to native title in the land but want to participate in the negotiations must take the necessary steps under that law to become native title parties in relation to the relevant land within 3 months after service of this notice. In order to be appropriate native title parties with whom the Authority must negotiate under section 19 of the *Land Acquisition Act 1969*, the parties must be registered as holders of or claimants to native title in the land on the date falling 4 months after service of this notice.

This notice is given under section 10 of the *Land Acquisition Act 1969*. It does not bind the Authority to acquire the land.

2—Right to obtain explanation of reasons for acquisition (section 11)

Within 30 days a person who has an interest in the land (including the registered representative of a native title claimant or holder or, in certain cases, the representative Aboriginal body for the area) may require the Authority, by written notice—

- to give an explanation of the reasons for acquisition of the land; and
- to provide reasonable details of any statutory scheme in accordance with which the land is to be acquired.

3—Right to object (section 12)

Within 30 days or, if an explanation of the reasons for the acquisition was requested, within 30 days after the explanation is provided, a person who has an interest in the land (including the registered representative of a native title claimant or holder or, in certain cases, the representative Aboriginal body for the area) may request the Authority, by written notice—

- not to proceed with the acquisition of the land; or
- to alter the boundaries of the land to be acquired; or
- not to acquire a particular part of the land or to acquire further land.

The request may be made—

- on the ground that acquisition of the land or a particular part of the land is not necessary for the purposes of carrying out the undertaking to which the acquisition relates; or
- on the ground that the acquisition of the land or carrying out the purposes for which the acquisition is proposed would—
 - seriously impair an area of scenic beauty; or
 - destroy, damage or interfere with an Aboriginal site within the meaning of the *Aboriginal Heritage Act 1988*; or

- destroy or impair a site of architectural, historic or scientific interest; or
 - prejudice the conservation of flora or fauna that should be conserved in the public interest; or
 - prejudice some other public interest; or
- on some other ground stated in the request.

4—Right of review (section 12A)

A person who makes a request under section 12 which is refused by the Authority may apply to the South Australian Civil and Administrative Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* for a review of the decision.

An application for review must be made within 7 days (or such longer period as the Tribunal may allow under the *South Australian Civil and Administrative Tribunal Act 2013*) of the person being served with notice of the Authority's decision to refuse the request.

A review by the Tribunal must be completed within 14 days of the application for review being made by the person.

The merits or otherwise of the undertaking to which the proposed acquisition relates cannot be called into question in a review.

A decision of the Tribunal on review is not subject to appeal under section 71 of the *South Australian Civil and Administrative Tribunal Act 2013*.

5—Right to negotiate about acquisition (Part 4 Division 1)

The Authority seeks to negotiate in good faith with the native title parties in an attempt to reach agreement about the acquisition of the native title in the land.

Note—

- If, 4 months after this notice is given no persons are registered under the law of the State or the Commonwealth as the holders of, or claimants to, native title in the land, negotiation is not required and the Authority may acquire the land.
- If any of the negotiating parties requests the Environment, Resources and Development Court (ERD Court) to do so, the Court must mediate among the parties to assist in obtaining their agreement.
- If agreement is not reached between the Authority and the native title parties within 6 months after this notice is given, any party may apply to the ERD Court for a resolution of the matter.
- The ERD Court may determine whether the Authority may acquire the land and, if so, the conditions on which the acquisition is to proceed (but a final determination of compensation cannot be made at this stage).
- Section 21 of the *Land Acquisition Act 1969* sets out criteria that the ERD Court must take into account.
- The Minister may, within 2 months, overrule a determination of the ERD Court if the Minister considers it to be in the interests of the State or in the national interest.

6—Right to compensation (Part 4 Division 2)

The Authority seeks to negotiate in good faith with the native title parties about the compensation payable for the acquisition of the land.

Note—

- The Authority is required to negotiate with the persons who have or had, or claim to have or to have had, an interest in the land that is divested or diminished by the acquisition or the enjoyment of which is adversely affected by the acquisition.
- Any party may request the Environment, Resources and Development Court to mediate between the parties to assist in obtaining their agreement on the matters at issue between them.
- The Authority may offer, and must consider any request made by a party who is the holder of native title to the negotiations for, non-monetary compensation (eg a transfer of land, the provision of goods or services, or the carrying out of work for the reinstatement or improvement of land remaining in the claimant's ownership after acquisition).
- The land is acquired by notice of acquisition. Notice of acquisition may be given at any time after 3 months, and before 18 months or a longer period fixed under section 15(4a) of the *Land Acquisition Act 1969*, from the giving of this notice.
- At that time the Authority is required to make an offer to the person or persons whom it believes to be entitled to compensation for the acquisition, stating the amount of compensation the Authority is prepared to pay. The claimant may dispute the offer.
- Part 4 Division 2 of the *Land Acquisition Act 1969* governs compensation. In particular, section 25 sets out the principles for determining compensation.

7—Inquiries

Inquiries should be directed to:

Date:

Signed:

Note—

1 *The notice must be given to—*

- *if there is a native title declaration for the land—the registered representative of the native title holders and the relevant representative Aboriginal body;*
- *if there is no native title declaration for the land—to all persons who hold, or may hold, native title in the land (see Part 5 of the Native Title (South Australia) Act 1994).*

In addition, the Authority must—

- *give a copy of the notice of intention to acquire the land to the Registrar of the Environment, Resources and Development Court and the Commonwealth Registrar; and*
- *as soon as practicable after completing all requirements for service of the notice, give the Registrar of the Environment, Resources and Development Court, the Commonwealth Registrar, the relevant representative Aboriginal body and any other prescribed persons a statutory declaration—*
 - *specifying the steps that have been taken to effect service, the date of each step, and when the requirements for service were completed; and*
 - *exhibiting any supporting materials required under the regulations.*

NOTE: The periods referred to in this notice run from the date when the requirements for service of the notice are completed. Information about when the requirements for service were completed, as disclosed in the Authority's statutory declaration, can be obtained by contacting the Registrar of the Environment, Resources and Development Court, the Commonwealth Registrar or the relevant representative Aboriginal body.

Form 3—Notice of amendment of notice of intention to acquire land

Land Acquisition Act 1969

(section 10(4))

TO:

of

1—Notice of intention to acquire land

On

[insert name of the Authority]

of

gave notice of intention to acquire the following interests in the following land:

2—Notice of amendment

This notice is to inform you that the Authority has changed the boundaries of the land it proposes to acquire as follows:

This notice is given under section 10(4) of the *Land Acquisition Act 1969*.

3—Inquiries

Inquiries should be directed to:

Date:

Signed:

Form 4—Notice of determination not to proceed with acquisition of land

Land Acquisition Act 1969

(section 15)

TO:

of

1—Notice of intention to acquire land

On

[insert name of the Authority]

of

gave notice of intention to acquire the following interests in the following land:

2—Notice of decision not to proceed with acquisition

This notice is to inform you that the Authority has decided not to proceed with the acquisition of the land.

This notice is given under section 15(3) of the *Land Acquisition Act 1969*.

3—Right to compensation (section 15(5) to (7))

Within 6 months you may, by written notice to the Authority, claim compensation for—

- disturbance to the use or enjoyment of the land resulting from the proposed acquisition; and
- costs and expenses reasonably incurred in consequence of the proposed acquisition.

If you do claim compensation and 3 months after making the claim there is no agreement on whether you are entitled to compensation, or the amount of the compensation, either you or the Authority may refer the matter to the Land and Valuation Court for determination.

4—Inquiries

Inquiries should be directed to:

Date:

Signed:

Form 5—Notice of acquisition

Land Acquisition Act 1969

(section 16)

1—Notice of acquisition

[insert name of the Authority]

of

acquires the following interests in the following land:

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

2—Compensation

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

3—Inquiries

Inquiries should be directed to:

Date:

Signed:

Form 6—Offer of compensation

Land Acquisition Act 1969

(section 23A)

TO:

of

1—Notice of acquisition

[insert name of the Authority]

of

has, by notice published in the Gazette on *[insert date]* at *[insert Gazette reference]*,
acquired the following interests in the following land:

2—Offer of compensation

The Authority makes an offer of compensation in respect of the acquisition of your interest in the land as follows:

[The offer must (where appropriate) differentiate between, and quantify, the component of compensation representing the value of the acquired land and the component referable to disturbance or other compensable matters.]

The amount of compensation will be paid, within 7 days, into the Land and Valuation Court.

(If Part 4 Division 1 of the Act applies and the Authority has already paid an amount into the Environment, Resources and Development Court, the amount (if any) paid into the Land and Valuation Court will be the amount by which the amount of the offer exceeds that amount already paid into the Environment, Resources and Development Court.)

3—Reference of matters into Court

The Authority or a claimant for compensation may refer a question arising in the course of negotiations into the Land and Valuation Court (see section 23C of the *Land Acquisition Act 1969*).

The principles for determining compensation are set out in section 25 of the *Land Acquisition Act 1969*.

4—Inquiries

Inquiries should be directed to:

Date:

Signed:

Form 7—Notice of intention to enter land

Land Acquisition Act 1969

(section 27)

TO:

of ¹

1—Notice of intention to enter land

This notice is to inform you that *[insert name of the Authority]*

of

intends to enter the following land:

on the following days or over the following period:

to carry out the following work:

2—Authority for notice (section 27)

This notice is given under section 27 of the *Land Acquisition Act 1969* which allows the Authority, or any person authorised in writing by the Authority, to—

- enter and remain on land with any assistants, vehicles, machinery or equipment; and
- affix or establish any trigonometrical stations, survey pegs, marks or poles and from time to time alter, remove, reinstate or remove them; and
- dig or bore into the land,

for the purposes of that Act or an Act allowing the Authority to compulsorily acquire land.

It is an offence to—

- wilfully and without authorisation from the Authority, interfere with any trigonometrical stations, survey pegs, marks or poles; or
- wilfully obstruct any person acting in accordance with section 27.

3—Right to compensation (section 29)

Within 3 months from the day on which the Authority, or a person authorised by the Authority, was last in occupation of the land you may, by written notice to the Authority, claim compensation.

If you do claim compensation and 3 months after making the claim there is no agreement on the amount of compensation, either you or the Authority may refer the matter to the Land and Valuation Court for determination.

4—Inquiries

Inquiries should be directed to:

Date:

Signed:

Note—

- ¹ *The notice must be given to the owner (including a person who holds native title in land) and occupier of the land at least 7 days before entry.*

Form 8—Notice of intention to enter into temporary occupation of land

Land Acquisition Act 1969

(section 28)

TO:

of ¹

1—Notice of intention to enter into temporary occupation of land

This notice is to inform you that [*insert name of the Authority*]

of

intends to enter into temporary occupation of the following land:

on

2—Authority for notice (section 28)

This notice is given under section 28 of the *Land Acquisition Act 1969* which allows the Authority to temporarily occupy and use land that—

- is within 500 metres of the boundaries of land acquired under the Act; and
- is not a garden, orchard or plantation attached or belonging to a house, or a park, planted walk, avenue or ground ornamentally planted; and
- is not within 500 metres of a place genuinely used as a place of residence,

for purposes authorised by an Act and to—

- take stone, gravel, earth or other material; or
- deposit any material on the land; or
- make cuttings or excavations on the land; or
- make and use roads on the land; or
- manufacture on the land materials required for those purposes; or
- erect workshops, sheds and buildings of a temporary character on the land.

However, the Authority is not authorised to take stone, gravel, earth or other material from land for the purpose of extracting, producing or refining minerals from it or processing it by non-mechanical means.

3—Right to apply to Court for Authority to acquire interest (section 28(3) and (4))

You may apply to the Land and Valuation Court for an order that the Authority acquire your interest in the land.

4—Right to compensation (section 29)

Within 3 months from the day on which the Authority, or a person authorised by the Authority, was last in occupation of the land you may, by written notice to the Authority, claim compensation.

If you do claim compensation and 3 months after making the claim there is no agreement on the amount of compensation, either you or the Authority may refer the matter to the Land and Valuation Court for determination.

5—Inquiries

Inquiries should be directed to:

Date:

Signed:

Note—

- 1 *The notice must be given to the owner (including a person who holds native title in land) and occupier of the land at least 7 days before entry.*

Form 9—Notice to deliver documents for inspection

Land Acquisition Act 1969

(section 30)

TO:

of

1—Notice to deliver documents for inspection

The following documents:

must be delivered to—

of

on or before

for the inspection of *[insert name of the Authority]*

of

2—Authority for notice

This notice is given under section 30 of the *Land Acquisition Act 1969* which allows the Authority to require a person to deliver up for the inspection of the Authority, any specified document in the person's possession or power evidencing the interest of any person in land required for purposes authorised by an Act or any other specified record, account, or document in the person's possession or power relating to any such land.

Failure to comply with this notice is an offence.

3—Inquiries

Inquiries should be directed to:

Date:

Signed:

Schedule 2—Revocation of *Land Acquisition Regulations 2004*

The *Land Acquisition Regulations 2004* are revoked.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 25 July 2019

No 192 of 2019

South Australia

Victims of Crime (Statutory Compensation) Regulations 2019

under the *Victims of Crime Act 2001*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Requirements for applications for statutory compensation (section 18 of Act)
- 5 Legal costs—prescribed amounts
- 6 Legal practitioner not negligent if relies on certain reports

Schedule 1—Requirements for applications for statutory compensation

Part 1—Information to be included in application

- 1 Claimant information
- 2 Offender information
- 3 Information about action taken to ascertain defendant's assets
- 4 Information about statutory compensation being claimed
- 5 Formulated claim

Part 2—Documents required to accompany application

- 6 Identification
- 7 Relationship
- 8 Hospital reports and reports from general medical practitioner or dentist
- 9 Photographs
- 10 Statement of loss of earnings etc
- 11 Documents relating to amounts received by claimant from other sources

Schedule 2—Legal costs and disbursements

- 1 Preliminary
- 2 Solicitor
- 3 Counsel
- 3A Appeal
- 4 Disbursements

Schedule 3—Revocation of *Victims of Crime (Statutory Compensation) Regulations 2004*

1—Short title

These regulations may be cited as the *Victims of Crime (Statutory Compensation) Regulations 2019*.

2—Commencement

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

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Victims of Crime Act 2001*;

allied health practitioner means a health practitioner other than a dentist or medical practitioner;

dentist means a person registered under the *Health Practitioner Regulation National Law*—

- (a) to practise in the dental profession as a dentist (other than as a student); and
- (b) in the dentists division of that profession;

hospital report, in relation to a victim, includes a report on the victim written by a member of the hospital's medical personnel, the whole of the victim's record from the hospital or the written summary given to the victim on the victim's discharge from the hospital;

limited claim—a claim for statutory compensation is a *limited claim* if it is limited to a claim for compensation for 1 or both of the following:

- (a) grief suffered in consequence of the commission of a homicide (see section 17(2) of the Act);
- (b) funeral expenses (see section 17(4) of the Act),

and *limited application* has a corresponding meaning;

medical practitioner means a person registered under the *Health Practitioner Regulation National Law* to practise in the medical profession (other than as a student);

period for negotiation—see section 18(5) of the Act;

related claim—a claim for statutory compensation is a *related claim* if—

- (a) in proceedings under the Act, the same legal practitioner represents more than 1 victim of an offence claiming compensation in respect of injury arising from the offence; or
- (b) in proceedings under the Act, the same legal practitioner represents more than 1 victim of a series of offences claiming compensation in respect of injury arising from the series of offences;

series of offences means—

- (a) offences committed consecutively by 1 offender, or offences committed simultaneously or consecutively by offenders acting in concert; or
- (b) offences committed in circumstances in which those offences constitute a single incident,

(see section 23 of the Act);

specialist health practitioner has the same meaning as in the *Health Practitioner Regulation National Law*.

4—Requirements for applications for statutory compensation (section 18 of Act)

- (1) For the purposes of section 18(4)(a)(i) of the Act, the information required to be included in an application for statutory compensation is set out in Schedule 1 Part 1.
- (2) For the purposes of section 18(4)(a)(iii) of the Act, a list of the documents required to accompany an application for statutory compensation is set out in Schedule 1 Part 2.

Note—

See also section 18(4)(a)(ii) of the Act which requires an application for statutory compensation to be accompanied by any medical reports relevant to the injury in the possession of, or accessible to, the claimant.

- (3) If a claimant seeks to be exempted under section 18(4)(c)(ii) of the Act from serving a copy of an application on the offender, the claimant must include in the application (in addition to the other required information) full details of the attempts made by the claimant to locate the offender.

Note—

Section 18(4)(b) of the Act requires the information contained in an application to be verified by statutory declaration.

5—Legal costs—prescribed amounts

For the purposes of section 25(1) of the Act, the prescribed amounts are as set out in Schedule 2.

6—Legal practitioner not negligent if relies on certain reports

For the avoidance of doubt, a legal practitioner who relies on a report obtained under these regulations in the course of, or in connection with, giving advice about a claim for compensation in respect of the claimant will be taken not to have acted negligently in so doing.

Schedule 1—Requirements for applications for statutory compensation**Part 1—Information to be included in application****1—Claimant information**

A claimant must include in an application for statutory compensation the following information:

- (a) the name, address and date of birth of the claimant;
- (b) the name, address and date of birth of the victim of the offence (if not the claimant);
- (c) the date, time and place of the offence;
- (d) the nature of the offence and the details surrounding the occurrence of the offence;
- (e) when and where the offence was reported to the police or, if not reported, the reason for not reporting the offence;
- (f) details of the nature and extent of the injury;
- (g) if the claimant seeks to rely on a relationship to a victim to claim compensation—the nature of the relationship with the victim;
- (h) if the victim of the offence is dead—
 - (i) the relationship of the claimant to the victim; and
 - (ii) the date of death; and
 - (iii) the date of the funeral.

Note—

Failure to report an offence to the police within a reasonable time after its commission may result in a claimant being refused statutory compensation unless the claimant can establish good reason for the failure—see section 20(7) of the Act.

2—Offender information

A claimant must include in an application for statutory compensation the following information about the offender:

- (a) the name and address of the offender (if known);
- (b) the outcome of the prosecution of any offence (if known), including, if the offender was convicted of an offence—
 - (i) details of the conviction recorded; and
 - (ii) details of the court in which the conviction was recorded; and
 - (iii) the date of the conviction; and
 - (iv) details of any appeal lodged against the conviction by the offender;
- (c) whether the claimant gave evidence for the prosecution at the trial of the offender and, if not, the reasons why the claimant did not give evidence;

Note—

Failure of or refusal by the victim to give evidence in the prosecution of an offender may result in a claimant being refused statutory compensation unless the claimant can establish good reason for the failure or refusal—see section 20(7) of the Act.

- (d) if the claimant seeks an exemption from the requirement to serve the application on the offender on the ground that the whereabouts of the offender are unknown and cannot be readily ascertained (see section 18(4)(c) of the Act)—details of attempts by the claimant to locate the offender.

3—Information about action taken to ascertain defendant's assets

A claimant must include in an application for statutory compensation (other than a limited application) details, and results, of any searches carried out by the claimant in order to ascertain any assets of the defendant.

4—Information about statutory compensation being claimed

- (1) A claimant must include in an application for statutory compensation that is limited to compensation for funeral expenses an itemised list of funeral expenses.

Note—

Section 17(4) of the Act sets out who is eligible to claim statutory compensation for funeral expenses.

- (2) A claimant must include in an application for statutory compensation the following information about the compensation being claimed:
 - (a) particulars of any special damages being claimed, including—
 - (i) an itemised list of expenses in relation to any treatment and the name of the person or institution to whom the expense was paid or is payable;
 - (ii) as to each item, details of any refund or entitlement to refund of treatment costs from Medicare, an insurer or any other source;
 - (iii) an itemised list of funeral expenses;

- (b) particulars of any loss of earnings as follows:
- (i) if past loss of earnings is being claimed, details of the period off work or any period of reduced work and the amount that would have been earned had the claimant worked during that period (showing how this is calculated);
 - (ii) if an ongoing loss of earnings or a loss of earning capacity is being claimed, details of—
 - (A) the occupation or business of the claimant at the time of the injury and during the 12 months prior to the injury; and
 - (B) the gross income received from the occupation or business during the 12 month period ending on 30 June last prior to the injury; and
 - (C) any disability (including mental disability) from which the claimant is suffering or has suffered in consequence of the injury and which is preventing or has prevented (wholly or in part) the claimant from carrying on the claimant's occupation or business; and
 - (D) the periods since the injury during which the claimant has been unable (wholly or in part) to perform the claimant's usual occupation or business, together with the periods during which the incapacity has been total and the periods during which it has been partial; and
 - (E) where there has been partial incapacity, the nature and extent of the partial incapacity; and
 - (F) the periods since the injury during which the claimant has been employed or otherwise engaged in an occupation or business and, in respect of each such occupation or business—
 - the nature of the occupation or business; and
 - the address at which it was conducted or performed; and
 - the name of the employer; and
 - the gross income received by the claimant.

5—Formulated claim

- (1) A claimant must include in an application for statutory compensation (other than a limited application) a formulated claim showing the amount of compensation for which the claimant proposes the claim be settled.
- (2) The formulated claim must set out separately—
 - (a) the number of points claimed for non-financial loss (see section 20(3)(a)(ii) of the Act); and
 - (b) the amount claimed for—
 - (i) any closed period of past loss of earnings; and
 - (ii) any loss of earning capacity; and
 - (iii) special damages.

- (3) The formulated claim must include a statement of all amounts received, or likely to be received, by or on behalf of the claimant from the offender, an insurer or any other source, and details of any steps taken to obtain payment or compensation from the offender or any other person, body corporate or government department or agency in respect of the injury.

Part 2—Documents required to accompany application

6—Identification

An application for statutory compensation must be accompanied by copies of 2 photographic identification documents certified by a legal practitioner or justice to be true copies of the original documents as seen by the legal practitioner or justice (as the case requires).

7—Relationship

If the claimant seeks to rely on a relationship to a victim to claim compensation, the claimant must provide copies of documentation confirming the nature of the relationship with the victim.

8—Hospital reports and reports from general medical practitioner or dentist

The claimant's application for statutory compensation (other than a limited application) must be accompanied by at least 1 of the following reports:

- (a) if the victim was treated for the injury in a hospital—the hospital report (up to 20 pages) relating to the victim;
- (b) a report from a general medical practitioner or dentist summarising—
 - (i) the history taken from the victim; and
 - (ii) the nature and extent of the injury; and
 - (iii) the history of the treatment of the injury; and
 - (iv) whether there is a need for any future treatment and, if so, the nature of the future treatment; and
 - (v) the prognosis; and
 - (vi) the nature and extent of any permanent disability resulting from the injury.

Note—

See also Schedule 2 clause 4.

9—Photographs

- (1) If an application for statutory compensation includes a claim for a permanent disability in the nature of scarring, deformity or disfigurement resulting from an injury caused by an offence, the application must be accompanied by—
 - (a) any relevant photographs, which must be dated, of the victim taken before the victim was injured; and
 - (b) photographs of the injury taken at or about the time of the making of the application.
- (2) A photograph taken for the purposes of subclause (1)(b) must, on the reverse of the photograph, be signed and dated by a legal practitioner or justice certifying that—
 - (a) he or she has seen, and is satisfied as to the identity of, the victim; and
 - (b) the photograph is a true photograph of the victim.

10—Statement of loss of earnings etc

- (1) If an application for statutory compensation includes a claim for past loss of earnings—
 - (a) by the claimant as an employee, the application must be accompanied by—
 - (i) a letter from the employer or employer's insurer; or
 - (ii) some other written evidence,
confirming the period during which the claimant lost earnings and the amount lost during the period;
 - (b) by the claimant as a self-employed person, the application must be accompanied by written evidence confirming the period during which the claimant lost earnings and the amount lost during the period.
- (2) If an application for statutory compensation includes a claim for loss of earnings as a result of the claimant being unable, as a consequence of the injury, to enter into, or carry out, a contract with a particular person, the application must be accompanied by—
 - (a) a letter from the person confirming the availability of work for the claimant during the relevant period and the value of that work; or
 - (b) some other written evidence supporting the claim.
- (3) If an application for statutory compensation includes a claim for loss of earning capacity by the claimant, the application must be accompanied by a copy of the claimant's income tax return—
 - (a) for each of the 5 financial years immediately preceding the commission of the offence resulting in the injury; and
 - (b) for the financial year during which the offence resulting in the injury was committed; and
 - (c) for each of the financial years occurring since the financial year referred to in paragraph (b).

Note—

Copies of tax returns may be obtained from the Australian Taxation Office.

11—Documents relating to amounts received by claimant from other sources

An application for statutory compensation must be accompanied by copies of any documents relating to any amounts received, or likely to be received, by or on behalf of the claimant from the offender, an insurer or any other source, and details of any steps taken to obtain payment or compensation from the offender or any other person, body corporate or government department or agency in respect of the injury.

Schedule 2—Legal costs and disbursements

1—Preliminary

In this Schedule—

disability has the same meaning as in the *District Court Civil Rules 2006* as in force at the commencement of this clause.

2—Solicitor

- (1) The prescribed amounts in relation to costs of a solicitor for a claim for compensation are as follows:
 - (a) for all work involved in a limited claim where the identity of the offender is known and compensation is agreed—\$700 (indexed);
 - (b) for all work involved in a claim that is not a limited claim or a related claim—\$1 400 (indexed);
 - (c) for all work involved in a claim that is a related claim—
 - (i) for the first claim—\$1 400 (indexed); and
 - (ii) for each of the other related claims—\$1 100 (indexed).
- (2) The prescribed amount in relation to costs of a solicitor for all work involved in an application to the court for approval of settlement of a claim made by a person under a disability is \$350 (indexed).

3—Counsel

The prescribed amounts in relation to costs of counsel for a claim for compensation are as follows:

- (a) for all work preparatory to an application to the court for compensation (including advice on evidence and any other legal advice on the application, conferences and proofing witnesses) and for the first 5 hours of the hearing of the application—\$1 000 (indexed);
- (b) for each hour or part of an hour after the first 5 hours of the hearing of the application—\$200 (indexed);
- (c) for an opinion as to the settlement of a claim for compensation made by a person under a disability—\$700 (indexed);
- (d) for an opinion as to the settlement of a related claim for compensation made by a person under a disability—\$500 (indexed).

3A—Appeal

The prescribed amount in relation to costs for an appeal is \$700 (indexed).

4—Disbursements

- (1) Subject to this clause, if—
 - (a) an application for statutory compensation is made to the court, a legal practitioner may recover all disbursements reasonably incurred under the Act as certified by the court;
 - (b) an application for statutory compensation is settled without any such application being made, a legal practitioner may recover all disbursements reasonably incurred as certified by the Crown Solicitor.
- (2) A legal practitioner may recover the reasonable cost of obtaining the following reports relating to a claim for statutory compensation:
 - (a) a hospital report (up to 20 pages);
 - (b) the report of a general medical practitioner or dentist.

- (3) A legal practitioner may not recover the cost of obtaining a report relating to a claim for statutory compensation—
- (a) in the case of a hospital report that is longer than 20 pages, unless—
 - (i) the Crown Solicitor has given prior agreement; or
 - (ii) the court is satisfied that the whole of the victim's record from the hospital is, in the circumstances, necessary for the determination of the matter;
 - (b) in the case of a report from a specialist health practitioner or other expert, unless—
 - (i) the Crown Solicitor has given prior agreement; or
 - (ii) the court is satisfied that the report from a specialist health practitioner or other expert is necessary to provide the court with the evidence required for the determination of the matter;
 - (c) in the case of a report from an allied health practitioner, unless—
 - (i) the Crown Solicitor has given prior agreement that the report is necessary, having regard to—
 - (A) the nature of the claimant's injury; and
 - (B) the qualifications and field of practice of the allied health practitioner; and
 - (C) whether the claimant was referred to the allied health practitioner for treatment by a medical practitioner; and
 - (D) whether a report from a general medical practitioner or dentist could provide the evidence necessary for the determination of the matter; and
 - (E) the estimated cost of the report from the allied health practitioner; and
 - (F) whether obtaining the report from the allied health practitioner would likely avoid the need to obtain a more costly report from a medical practitioner or dentist; and
 - (G) whether the claimant has obtained, or proposes to obtain, a report from a medical practitioner or dentist; and
 - (H) any other matter that, in the circumstances, may compromise (or give the appearance of compromising) the independence of the allied health practitioner or undermine the reliability of the report; or
 - (ii) the court is satisfied that the report of a medical practitioner or dentist would not provide the court with the evidence necessary for the determination of the matter;
 - (d) in the case of any other report, unless—
 - (i) application for statutory compensation was made to the Crown Solicitor in accordance with section 18 of the Act but no acceptable settlement offer was made within the period for negotiation; or
 - (ii) the Crown Solicitor has given prior agreement that the additional report is necessary, having regard to—
 - (A) the nature of the claimant's injury; and

- (B) whether the person proposed to provide the report has treated the claimant for the injury; and
- (C) whether a report from a general medical practitioner or dentist would provide the evidence necessary for the determination of the matter.

Schedule 3—Revocation of *Victims of Crime (Statutory Compensation) Regulations 2004*

The *Victims of Crime (Statutory Compensation) Regulations 2004* are revoked.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council

on 25 July 2019

No 193 of 2019

RULES OF COURT

CORRIGENDUM

MAGISTRATES COURT OF SOUTH AUSTRALIA

Amendment 74 to the Magistrates Court Rules 1992

The *Magistrates Court Rules 1992 (Amendment 74)* published in Government Gazette No. 29 on 20 June 2019 on page 2219 contained an error. Clause 2 states:

‘The *Magistrates Court Rules 1992* (‘the Rules’) as amended by these amendments apply to and govern all actions commenced in the criminal division of the Court on and after the date on which the *Statutes (Amendment) Screening Act 2018* commences.’

The specified Act should read *Statutes Amendment (Screening) Act 2019* (No 9).

Dated: 25 July 2019

MARY-LOUISE HRIBAL
Chief Magistrate

BRIONY KENNEWELL
Magistrate

JAYANTHI MCGRATH
Magistrate

MARK STEVEN SEMMENS
Magistrate

CITY OF CHARLES STURT

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that at its meeting held on **8 July 2019**, the Council for the financial year ending 30 June 2020:

1. Adopted the most recent valuations of the Valuer-General available to the Council of the Capital Value of land within the Council's area, totalling \$33,177,528,660 (of which \$31,667,907,490 is for rating purposes).
2. Declared differential general rates as follows:
 - (a) **0.254811520** cents in the dollar on rateable land of Category 1;
 - (b) **0.8071194550** cents in the dollar on rateable land of Categories 2, 3 and 4;
 - (c) **1.1038159350** cents in the dollar on rateable land of Categories 5 and 6;
 - (d) **0.2257939080** cents in the dollar on rateable land of Category 7;
 - (e) **0.861351782** cents in the dollar on rateable land of Category 8;
 - (f) **0.4156516090** cents in the dollar on rateable land of Category 9.
3. Declared a minimum amount payable by way of general rates of **\$1095**.
4. Declared a separate rate of **0.009290** cents in the dollar on all rateable land in the Council area in respect of the Adelaide and Mount Lofty Ranges NRM Levy.

Dated: 8 July 2019

P SUTTON
Chief Executive Officer

CITY OF ONKAPARINGA

Adoption of Valuations and Declaration of Rates for 2019-20

Notice is given that at its meeting held on 16 July 2019 the Council, for the financial year ending 30 June 2020:

Adoption of Valuation

adopted for rating purposes the Valuer-General's valuation of capital value being \$31,028,565,540 effective from 1 July 2019.

Declaration of General Rates

- 1) declared differential general rates according to land use, as follows:
 - (i) 0.296670 cents in the dollar on rateable land of category (a) (Residential) use
 - (ii) 0.444796 cents in the dollar on rateable land of categories (b),(c),(d), (Commercial - Shop , Office and Other) and (e) and (f) (Industrial - Light and Other) uses
 - (iii) 0.316332 cents in the dollar on rateable land of category (g) (Primary Production) use
 - (iv) 0.418109 cents in the dollar on rateable land of category (h) (Vacant Land) use and
 - (v) 0.371344 cents in the dollar on rateable land of category (i) (Other) use; and
- 2) imposed a fixed charge of \$515.

Declaration of Separate Rates – Natural Resources Management Levies

declared separate rates as follows:

- 1) 0.009807 cents in the dollar on all rateable land in the council's area in the region of the Adelaide and Mt Lofty Ranges Natural Resources Management Board and
- 2) 0.021650 cents in the dollar on all rateable land in the council's area in the region of the SA Murray-Darling Basin Natural Resources Management Board.

Service Charges

- 1) imposed a community wastewater management annual service charge of:
 - \$985 per unit on each occupied allotment; and
 - \$985 per unit on each vacant allotment; and
- 2) the increase in the CWMS service charge required to achieve full cost recovery pricing for 2019-20 be partially offset with a \$193 service charge rebate per unit pursuant to Section 166(1)(m)(ii) of the Act.
- 3) imposed an annual service charge to recover the costs incurred by council for the disposal and treatment of major trade waste. This service charge is to be calculated on either a per kilolitre basis or an annual amount (as negotiated with the customer). The service charge will be inclusive of:
 - the cost of service provision (based on the nature and the level of usage of the service), return on assets, allowance for unquantifiable risk, plus other regulatory requirements.

Dated: 16 July 2019

MARK DOWD
Chief Executive Officer

CITY OF PORT LINCOLN

Adoption of Valuations and Declaration of Rates 2019-2020

Notice is hereby given that at its meeting on 15 July 2019, the City of Port Lincoln Council resolved for the year ending 30 June 2020 as follows:

- to adopt (effective from 1 July 2019) the valuations made by the Valuer-General of Site Values of all land within the area of the Council valued at \$1,142,616,500 that are to apply for rating purposes;
- to declare:
 - (i) a General Rate of 0.7668 cents in the dollar; and

- (ii) a Fixed Charge of \$445.00 in respect of all rateable land;
- to declare a Waste Annual Service Charge of \$263.70 based on the nature of the service;
 - to declare a Recycling Annual Service Charge of \$53.40 based on the nature of the service (excludes vacant land and marina berths);
 - to declare a separate rate based on a fixed charge, which will be determined by the land use as follows:
 - \$77.45 fixed charge for Residential, Other and Vacant Land;
 - \$116.15 fixed charge for Commercial and Industrial Land;
 - \$154.90 fixed charge for Primary Producers;

on all rateable land within the Council area and the area of the Eyre Peninsula Natural Resources Management Board in order to reimburse the Council the amount contributed to the Eyre Peninsula Natural Resources Management Board.

Dated: 15 July 2019

S. RUFUS
Chief Executive Officer

CITY OF VICTOR HARBOR

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at the Special Meeting on 8 July 2019 the City of Victor Harbor resolved for the financial year ending 30 June 2020:

Adoption of Valuation

To adopt the most recent capital valuations provided by the Valuer General for land within the Council area, totaling \$4,317,416,440 for rating purposes for the year ending 30 June 2020.

Declaration of Differential General Rates

To declare differential general rates as follows:

- 0.4349 cents in the dollar on rateable land of Category (a) (Residential) and Category (i) (Other)
- 0.5654 cents in the dollar on rateable land of Category (b) (Commercial-Shop), Category (c) (Commercial-Office) and Category (d) (Commercial-Other)
- 0.5001 cents in the dollar of rateable land of Category (e) (Industry – Light) and Category (f) (Industry-Other)
- 0.3914 cents in the dollar of rateable land of Category (g) (Primary Production)
- 0.6524 cents in the dollar of rateable land of Category (h) (Vacant Land)

Fixed Charge

To impose a fixed charge of \$390 on each separate piece of rateable land within the area of the Council.

Separate Rate – NRM Levy

To declare the following separate rates:

- 0.009665 cents in the dollar on all rateable land in the area of the Council and the Adelaide and Mount Lofty Ranges Natural Resource Management Board.
- 0.02490 cents in the dollar on all rateable land in the area of the council and the SA Murray Darling Basin Natural Resource Management Board.

Dated: 8 July 2019

VICTORIA MACKIRDY
Chief Executive Officer

CITY OF WEST TORRENS

ROADS (OPENING & CLOSING) ACT 1991

Road Closure – Weaver Ave, Richmond

Notice is hereby given pursuant to Section 10 of the said Act, that Council proposes to close and sell by public auction or tender portion of Weaver Avenue, Richmond being that portion of Allotment 92 Deposited Plan 2633 more particularly delineated and lettered "A" on Preliminary Plan 17/0063.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of City of West Torrens, 165 Sir Donald Bradman Drive, Hilton, the Hamra Centre Library, 1 Brooker Terrace, Hilton, Council's website and the office of the Surveyor-General at 101 Grenfell Street Adelaide during normal office hours.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons. The application for easement or objection must be made in writing to City of West Torrens at 165 Sir Donald Bradman Drive, Hilton SA 5033 or via email csu@wtcc.sa.gov.au WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General at GPO Box 1354, Adelaide SA 5001. All written submissions will be duly presented to Council in the form of a report. The report, including submissions, may be made publicly available on the Council's website detailing the person's name, suburb and feedback.

Dated: 25 July 2019

TERRY BUSS PSM
Chief Executive Officer

CITY OF WHYALLA

Adoption of Valuations and Declaration of Rates 2019-2020

NOTICE is given that the City of Whyalla at a meeting of Council held on 8 July 2019, resolved for the financial year ending 30 June 2020 as follows:

Adoption of Valuations

Pursuant to Section 167(2)(a) of the Local Government Act 1999, the Council adopted the most recent valuations of site value made by the Valuer-General for rating purposes for the year ending 30 June 2020. The total valuations for the area aggregate \$733,053,900 of which \$671,800,400 is the valuation of rateable land.

Declaration of Rates

That having taken into account the general principles of rating contained in Section 150 of the Local Government Act 1999 and the requirements of Section 153(2) of the Local Government Act 1999, and pursuant to Sections 153(1)(b) and 156(1)(c) of the Local Government Act 1999:

1. the differential General Rates shall vary according to the locality of the land in various zones defined in the Development Plan, established pursuant to the Development Act 1993, and according to the use of the land, pursuant to Regulation 14(1) of the Local Government (General) Regulations 2013, the rate applies as follows:
 - (a) Locality and use of differentiating factors:
 - (i) In respect of all rateable land situated in the Commercial, District Centre, Local Centre, Town Centre, Open Space, Recreation and Caravan and Tourist Park Zones and so recorded in the assessment records of the Council, a differential general rate of 3.3137 cents in the dollar on the assessed site value of the land, excluding any land categorised as Residential and for which the general differential rate is declared in paragraph (b) hereunder;
 - (ii) In respect of all rateable land situated in the Industry, Light Industry and Deferred Industry Zones, and so recorded in the assessment records of the Council, a differential general rate of 3.3137 cents in the dollar on the assessed site value of the land, excluding any land categorised as Residential and for which the general differential rate is declared in paragraph (b) hereunder;
 - (iii) In respect of all rateable land situated in the Residential, Residential Character and Community Zones and so recorded in the assessment records of the Council, a differential general rate of 1.3005 cents in the dollar on the assessed site value of the land, excluding any land categorised as Commercial-shop, Commercial-office, Commercial-other, Industry-light, Industry-other and Primary Production, and for which the general differential rate is declared in paragraph (b) hereunder;
 - (iv) In respect of all rateable land situated in the Rural Living Zone and so recorded in the assessment records of the Council, a differential general rate of 0.4049 cents in the dollar on the assessed site value of the land, excluding any land categorised as Commercial-shop, Commercial-office, Commercial-other, Industry-light and Industry-other and for which the general differential rate is declared in paragraph (b) hereunder;
 - (v) In respect of all rateable land situated in the Special Industry (Hydrocarbons) Zone and so recorded in the assessment records of the Council, a differential general rate of 21.8741 cents in the dollar on the assessed site value of the land, excluding any land categorised as Residential and Commercial-other and for which the general differential rate is declared in paragraph (b) hereunder;
 - (vi) In respect of all rateable land situated in the Coastal Settlement and Settlement Zones and so recorded in the assessment records of the Council, a differential general rate of 0.2317 cents in the dollar on the assessed site value of the land, excluding any land categorised as Commercial-shop, Commercial-office, Commercial-other, Industry-light and Industry-other and for which the general differential rate is declared in paragraph (b) hereunder;
 - (vii) In respect of all rateable land situated in the Regional Centre Zone and so recorded in the assessment records of the Council, a differential general rate of 4.0586 cents in the dollar on the assessed site value of the land, excluding any land categorised as Residential and for which the general differential rate is declared in paragraph (b) hereunder;
 - (viii) In respect of all rateable land situated in the Remote Area Zone and so recorded in the assessment records of the Council, a differential general rate of 0.0131 cents in the dollar on the assessed site value of the land, excluding any land categorised as Residential, Commercial-shop, Commercial-office, Commercial-other, Industry-light and Industry-other and for which the general differential rate is declared in paragraph (b) hereunder;
 - (b) Land use as a differentiating factor in respect of all land not otherwise falling within paragraph (a) above, as follows:
 - (i) Residential – a differential general rate of 1.3005 cents in the dollar on the assessed site value of such land;
 - (ii) Commercial-shop – a differential general rate of 3.3137 cents in the dollar on the assessed site value of such land;
 - (iii) Commercial-office – a differential general rate of 3.3137 cents in the dollar on the assessed site value of such land;
 - (iv) Commercial-other – a differential general rate of 3.3137 cents in the dollar on the assessed site value of such land;
 - (v) Industry-light – a differential general rate of 3.3137 cents in the dollar on the assessed site value of such land;
 - (vi) Industry-other – a differential general rate of 3.3137 cents in the dollar on the assessed site value of such land;
 - (vii) Primary Production – a differential general rate of 0.0131 cents in the dollar on the assessed site value of such land;
 - (viii) Vacant Land – a differential general rate of 3.3137 cents in the dollar on the assessed site value of such land;
 - (ix) Other (any other land use not referred to in a previous category) – a differential general rate of 3.3137 cents in the dollar on the assessed site value of such land.

Fixed Charge

Pursuant to Section 151(1)(c)(ii) of the Local Government Act 1999, the Council imposes a fixed charge amount of \$572.00 payable by way of General Rates on rateable land within the area of the Council for the year ending 30 June 2020.

General Rate Cap

Pursuant to Section 153(3) of the Local Government Act 1999, the Council determines that for the year ending 30 June 2020 it will not fix a maximum increase in the General Rate to be charged on rateable land that constitutes the principal place of residence of a principal ratepayer because the Council provides relief in the nature of a rate cap for all properties pursuant to Section 166(1)(l) of the Act.

Declaration of Separate Rates – Natural Resource Management Levy

Pursuant to Section 95 of the Natural Resources Management Act 2004, Section 154 of the Local Government Act 1999 and Regulation 4B of the Natural Resources Management (Financial Provisions) Regulations 2005, a separate rate based on a fixed charge and differentiated according to land use be declared on all rateable land within its area and within the area of Natural Resources Eyre Peninsula for the purpose of the Natural Resources Management Levy.

Residential	\$77.97
Commercial	\$116.96
Industrial	\$116.96
Primary Producer	\$155.95
Other/Vacant	\$77.97

Note: The Natural Resource Management (NRM) Levy is collected on behalf of the Eyre Peninsula NRM Board. The levy funds various NRM projects undertaken by the Regional NRM Board.

Declaration of Service Charges

Pursuant to Section 155(2) of the Local Government Act 1999, the Council imposes for the year ending 30 June 2020 an annual service charge of \$350.00 on rateable land within its area for the provision of the service of collection, treatment and disposal of hard waste where such a service is provided.

Dated: 8 July 2019

C. COWLEY
Chief Executive Officer

TOWN OF WALKERVILLE

Adoption of Valuation and Declaration of Rates 2019/20

NOTICE is hereby given that the Council of the Corporation of the Town of Walkerville, at its meeting held on Monday 15 July 2019 and in relation to the 2019/20 financial year, the Council, in exercise of the powers contained in the *Local Government Act 1999*:

1. Adopted the most recent valuations of the Valuer-General available to the Council of the capital value of land in its area totalling \$3,590,044,920
2. Declared differential general rates as follows:
 - 2.1 Residential: a rate of 0.0022738 in the dollar on the capital value of such rateable land;
 - 2.2 Commercial—Shop: a rate of 0.0037517 in the dollar on the capital value of such rateable land;
 - 2.3 Commercial—Office: a rate of 0.0037517 in the dollar on the capital value of such rateable land;
 - 2.4 Commercial—Other: a rate of 0.0037517 in the dollar on the capital value of such rateable land;
 - 2.5 Industry—light: a rate of 0.0037517 in the dollar on the capital value of such rateable land;
 - 2.6 Industry—other: a rate of 0.0037517 in the dollar on the capital value of such rateable land;
 - 2.7 Primary production: a rate of 0.0037517 in the dollar on the capital value of such rateable land;
 - 2.8 Vacant land: a rate of 0.0037517 in the dollar on the capital value of such rateable land;
 - 2.9 Other: a rate of 0.0037517 in the dollar on the capital value of such rateable land.
1. Declared a minimum amount payable by way of general rates of \$1,193.
2. Declared a separate rate of 0.000095 in the dollar on all rateable land in the Council area in respect of the Adelaide and Mount Lofty Ranges Natural Resources Management Board Levy.

Payment of rates

Rates can be paid in one payment by the 11 September 2019 or in four equal, or approximately equal, parts which, pursuant to Section 181 (2) of the *Local Government Act 1999*, will fall due on the following dates:

- 1st payment: 11 September 2019
- 2nd payment: 11 December 2019
- 3rd payment: 11 March 2020
- 4th payment: 11 June 2020

A copy of the *2019/20 Annual business plan* can be viewed at Council's offices; 66 Walkerville Terrace, Gilberton, SA 5081 during business hours, or from www.walkerville.sa.gov.au

Dated: 15 July 2019

K MAGRO
Chief Executive Officer

BARUNGA WEST COUNCIL

Adoption of Valuations and Declarations of Rates 2019/20

NOTICE is hereby given that the Barunga West Council at a meeting held on Tuesday 11 June 2019, resolved for the year ending 30 June 2020 as follows:-

Adoption of Valuations

That pursuant to Section 167(2) of the Local Government Act 1999, to adopt for rating purposes the Capital Valuations of the Valuer General, dated June 3, 2019, that are to apply for the area of rating purposes for the 2019/20 financial year, being Capital Valuations totalling \$1,312,974,020, comprising \$1,287,112,808 for rateable land and \$25,861,212 for non-rateable land.

Declaration of Differential General Rates

To declare general rates based upon the capital value:

- On rateable land with a category of Residential, Commercial—Shop and Commercial—Office, a rate of 0.3468 cents in the dollar;
- On rateable land with a category of Commercial—Other, Industrial—Light and Industrial—Other a rate of 0.3815 cents in the dollar;
- On rateable land with a category of Primary Production a rate of 0.2428 cents in the dollar;
- On rateable land with a category of Vacant a rate of 0.4162 cents in the dollar;

Maximum Increase in General Rates

That pursuant to the provisions of Section 153(3) of the Local Government Act 1999, rebates shall be granted to the extent of a 20% maximum increase in rates from the previous years general rates raised (2018/19), except where the increase is the result of changes in rebates or concessions, or change in land use, or new building work or development activity, or changes to adjoining properties or Single Farm Enterprise arrangements.

Declaration of Fixed Charge

Pursuant to Sections 151 and 152 (1)(c) of the Local Government Act, a fixed charge of \$350 be imposed on each separate piece of rateable land within the Council area.

Adoption of Community Wastewater Management Scheme Annual Service Charges

That pursuant to Section 155 of the Local Government Act 1999, Council adopted a service charge on each assessment of rateable and non-rateable land within the Council area to which land Council makes available a Community Wastewater Management System:

- In respect of each effluent unit applying to occupied allotments a charge of \$450 per unit;
- In respect of each vacant allotment, a charge of \$220 per unit.

Declaration of Separate Rates – Natural Resources Management Levy Valuations

That pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999, the Council declares, in respect of the year ending 30 June 2020 a separate rate of 0.01720 cents in the dollar on all rateable land in the Council's area, to raise an amount of \$216,984 payable to the Northern and Yorke Natural Resources Management Board.

Payment of Rates

That all rates imposed in respect of the year ending June 30 2020 will fall due in four equal or approximately equal instalments and will fall due as follows:

- Wednesday September 4th 2019;
- Wednesday December 4th 2019;
- Wednesday March 4th 2020; and
- Wednesday June 3rd 2020.

Dated: 11 June 2019

ANDREW COLE
Chief Executive Officer

CLARE & GILBERT VALLEYS COUNCIL*Revocation of Land from Classification as Community Land*

Pursuant to Section 193 and 194 of the Local Government Act 1999, notice is hereby given that at its meeting of 15th July 2019 council resolved to revoke the following land from classified as Community Land:

- Unmade Road that bisects Section 274, HD Clare Boconnoc Park contained within the Certificate of Title Volume 5472 Folio 494.

Dated: 15 July 2019

DR HELEN MACDONALD
Chief Executive Officer

DISTRICT COUNCIL OF KIMBA*Adoption of Valuation and Declaration of Rates 2019-2020*

Notice is hereby given that the District Council of Kimba at its meetings held on 12 June 2019, 10 July 2019 and 19 July 2019 for the financial year ending 30 June 2020:

1. Adopted site valuations to apply in its area for rating purposes supplied by the Valuer-General, being the most recent valuations available to the Council totalling \$214,638,280.
2. Declared differential general rates varying according to the locality of the land as follows:
 - (a) 0.5518 cents in the dollar in respect of rateable land in the Rural Zone;
 - (b) 18.17 cents in the dollar in respect of rateable land in the Commercial (Bulk Handling) Zone; and
 - (c) 3.665 cents in the dollar in respect of rateable land in all other Zones,as defined in the Council's Development Plan.
3. Declared that the minimum amount payable by way of general rates in respect of all rateable land within the Council's area is \$300.00.
4. Imposed that the annual service charge on all land to which the Council provides or makes available its Community Wastewater Management System is \$250.00.
5. Imposed an annual service charge of \$185.00, based on the nature of the service and varying according to land use category, on all land to which the Council provides its Waste Management Service with land use categories (a) Residential, (b) Commercial – Shop (c) Commercial – Office.
6. Declared a separate rate based on a fixed charge of \$77.97 per assessment for residential, other and vacant land, \$116.96 per assessment for commercial and industrial properties and \$155.95 per assessment for primary production properties in respect of all rateable land in the area of the Eyre Peninsula Natural Resource Management Board.

Dated: 19 July 2019

DEB LARWOOD
Chief Executive Officer

MID MURRAY COUNCIL*Adoption of Valuation & Declaration of Rates*

Notice is hereby given that on 9 July 2019 the Mid Murray Council, pursuant to the provisions of the Local Government Act 1999 and for the year ending 30 June 2020 made the following resolutions:

To adopt the most recent valuations of capital value made by the Valuer General for rating purposes totalling the area aggregate \$2,391,617,980 of which \$2,331,561,520 is the valuation of rateable land.

To declare differential general rates on the capital value of all rateable land within the area, varying according to the locality and use of the land, as follows:-

- (1) in respect of all rateable land within the Township of Mannum a rate of 0.6926 cents in the dollar; and

- (2) in respect of rateable land within the Townships of Barton, Blanchetown, Cadell, Cambrai, Dutton, Keyneton, Morgan, Palmer, Nildottie, Sedan, Swan Reach, Truro and Tungkillo and with land use categories (a), (b), (c), (d), (e), (f), (h) and (i) a differential rate of 0.6726 cents in the dollar; and
- (3) in respect of rateable land within the Townships of Blanchetown, Cadell, Cambrai, Dutton, Keyneton, Morgan, Palmer, Nildottie, Sedan and Tungkillo with land use category (g) a differential rate of 0.6726 cents in the dollar; and
- (4) in respect of rateable land within the Townships of Barton, Swan Reach and Truro with land use category (g) a differential rate of 0.5086 cents in the dollar; and
- (5) in respect of rateable land outside of the Townships of Barton, Blanchetown, Cadell, Cambrai, Dutton, Keyneton, Mannum, Morgan, Palmer, Nildottie, Sedan, Swan Reach, Truro and Tungkillo with the land use category (a) a differential rate of 0.5321 cents in the dollar; and
- (6) in respect of rateable land in Marina Berths with a land use code of 6680 Marina or 6681 Berth/Hardstand a differential rate of 0.5381 cents in the dollar; and
- (7) in respect of all other rateable land a differential rate of 0.5086 cents in the dollar.

To fix a minimum amount of \$707.00 payable by way of general rates on rateable land within the Council area.

To declare for SA Murray-Darling Basin Natural Resources Management Board, being \$551,128 a separate rate of 0.02396 cents in the dollar, based on all rateable land in the Council's area.

To declare annual service charges in respect of all land to which the Council provides or makes available the prescribed service of a Community Wastewater Management System in the following areas:

Big Bend area	\$430.00 per unit
Bowhill area	\$430.00 per unit
Greenways Landing area	\$700.00 per unit
Kroehn's Landing area	\$800.00 per unit
Seven Mile Shacks area	\$750.00 per unit
Scrubby Flat area	\$750.00 per unit
Swan Reach area	\$540.00 per unit
Walker Flat area	\$380.00 per unit
North Punyelroo area	\$270.00 per unit
Caloote Landing area	\$330.00 per unit
Bolto Reserve area	\$540.00 per unit
Old Teal Flat area	\$640.00 per unit
The Rocks area	\$800.00 per unit
Caurnamont area	\$270.00 per unit
Five Mile Shacks and Kia Marina areas	\$640.00 per unit
Pellaring Flat area	\$380.00 per unit
Blanchetown area	\$430.00 per unit
Brenda Park/Morphett Flat areas	\$380.00 per unit
Marks Landing area	\$270.00 per unit
Scotts Creek area	\$430.00 per unit
Teal Flat area	\$480.00 per unit
Pelican Point area	\$380.00 per unit
South Punyelroo area	\$330.00 per unit
North West Bend/Beaumonts areas	\$330.00 per unit
Idyll Acres area	\$590.00 per unit
Rob Loxton Road area	\$380.00 per unit
Julanker/Youngusband Holdings areas	\$590.00 per unit
Truro area	\$580.00 per unit
Truro area – private pumping chamber	\$560.00 per unit
Truro area – Aerobic Wastewater Treatment	\$290.00 per unit

To declare an annual service charge in respect of all land to which the Council provides the prescribed service of television transmission known as the Bowhill Multi Access Television Transmission Service of \$137.00.

To declare an annual service charge in respect of each property to which the Council provides the prescribed service of the treatment or provision of water known as the Bowhill Reticulated Water Supply System:-

Consumption of up to 120 kilolitres of water	\$241.00
All water consumed in excess of 120 kilolitres	75 cents per kilolitre

To declare an annual service charge for all residential properties in the Townships of Barton, Blanchetown, Cadell, Cambrai, Dutton, Greenways, Keyneton, Mannum, Morgan, Palmer, Nildottie, Purnong, Sedan, Swan Reach, Truro, Tungkillo and other identified properties known as the kerbside collection of recyclables service of \$83.00.

Dated: 9 July 2019

BF SCALES
Chief Executive Officer

DISTRICT COUNCIL OF STREAKY BAY

PUBLIC NOTICE

Adoption of the Annual Business Plan Budget, Adoption of Declaration of Rates 2019-2020

NOTICE is hereby given that at its Ordinary Council Meeting held on 4 July, 2019 the District Council of Streaky Bay resolved the following:

Adoption of the Annual Business Plan 2019-2020

That Council, pursuant to the provisions of s123 (6) of the *Local Government Act 1999* and Regulation 5A of the Local Government (Financial Management) Regulations 2011 adopt the Annual Business Plan 2019-2020, for the financial year ending 30 June 2020.

Adoption of the Annual Budget 2019-2020

That Council, pursuant to Section 123 (7) of the *Local Government Act 1999* and Regulation 7 of the Local Government (Financial Management) Regulations 2011, adopt the Annual Budget for the financial year ending 30 June 2020, as presented in the Annual Business Plan 2019-2020 which includes:

- (a) a budgeted income statement, balance sheet and statement of cash flows, presented in a manner consistent with the Model Financial Statements; and
- (b) a statement whether projected operating income is sufficient to meet projected operating expenses for the relevant financial year; and
- (c) a summary of operating and capital investment activities presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances; and estimates with respect to the Council's operating surplus ratio, asset sustainability ratio and net financial liabilities ratio presented in a manner consistent with the note in the Model Financial Statements

Adoption of Valuations

That Council, pursuant to s167 (2)(a) of the *Local Government Act 1999*, for the financial year ending 30 June 2020, and its role under Section 6, 7 and 8 of the Local Government Act 1999, adopt for rating purposes, the most recent valuations of the Valuer-General available to the Council of the Site Value of land within the Council's area, totalling \$334,020,340 for rateable land, and hereby specifies 4 July 2019 as the day from which such valuations shall become and be the valuations of Council, subject to such alterations as may appear necessary.

Attribution of Land Uses

- (a) the numbers indicated against the various categories of land use prescribed by the Local Government (General) Regulations 2013 Reg. 14 (1), be used to designate land uses in the Assessment Book;
- (b) the use indicated by those numbers in respect of each separate assessment of land described in the Assessment Book on this date be attributed to each such assessment respectively; and
- (c) reference in this resolution to land being of a certain category use means the use indicated by that category number in the Regulations.

Residential Rate Cap

That Council, pursuant to s153 (3) of the *Local Government Act 1999*, for the financial year ending 30 June 2020, has determined not to fix a maximum increase in the general rate charged on rateable land that constitutes the principal place of residence of a principal ratepayer.

Declaration of Rates

That Council, having taken into consideration the general principles of rating contained in Section 150 of the *Local Government Act 1999* and having observed the requirements of Section 153 of the *Local Government Act 1999*, pursuant to Sections 151 (1) (c), 152 (1) (c), 153 (1) (b) and 156 (1) (c) of the *Local Government Act 1999*, the Council, for the financial year ending 30 June 2020:

Declares differential rates on the basis of locality and land use as follows:

- a. In the Residential zone (1)-
 - (0.7418) cents in the dollar of the Site Value of rateable land of categories 1, 8 and 9 use;
 - (1.478) cents in the dollar of the Site Value of rateable land of categories 2, 3, 4, 5 and 6 use;
 - (0.5491) cents in the dollar of the Site Value of rateable land of category 7 use;
- b. In the Town Centre zone (2)
 - (0.7418) cents in the dollar of the Site Value of rateable land of category 1 use;
 - (1.478) cents in the dollar of the Site Value of rateable land of categories 2, 3, 4, 5, 6, 8 and 9 use;
- c. In the Industry zones (3)-
 - (0.7418) cents in the dollar of the Site Value of rateable land of category 1 use;
 - (1.0700) cents in the dollar of the Site Value of rateable land of categories 2, 3, 4, 5, 6, and 9 use;
 - (0.5491) cents in the dollar of the Site Value of rateable land of category 7 use;
- d. In the Light Industry (Aquaculture) zone (4)-
 - (0.5491) cents in the dollar of the Site Value of rateable land of category 7 use;
- e. In the Primary Production zone (18)-
 - (0.6742) cents in the dollar of the Site Value of rateable land of categories 1, 2, 3, 6 and 9 use;
 - (28.6000) cents in the dollar of the Site Value of rateable land of category 4 use;
 - (0.5491) cents in the dollar of the Site Value of rateable land of categories 5, 7 and 8 use;
- f. In the Commercial (Bulk Handling) zone (13)-
 - (28.600) cents in the dollar of the Site Value of rateable land of all category uses;
- g. In the Rural Deferred Urban zone (8)-
 - (0.5491) cents in the dollar of the Site Value of rateable land of categories 1, 2, 3, 4, 5, 6, & 7 use;
 - (0.6742) cents in the dollar of the Site Value of rateable land of categories 8 & 9 use;
- h. In the Robinson Groundwater Basin Protection zone (14)-
 - (0.5491) cents in the dollar of the Site Value of rateable land of category 7 use;
- i. In the Country Township and Settlement zones (10 & 11)-
 - (0.6742) cents in the dollar of the Site Value of rateable land of all categories;
- j. In the Coastal zone, (9)-
 - (0.6742) cents in the dollar of the Site Value of rateable land of categories 1, 2, 3, 5, 6, 8 and 9 use;
 - (1.478) cents in the dollar of the Site Value of rateable land of category 4 use;
 - (0.5491) cents in the dollar of the Site Value of rateable land of category 7 use;

- k. In the Rural Living, Rural Landscape Protection, & Recreation zones (6, 7, & 15)-
- (0.6742) cents in the dollar of the Site Value of rateable land of categories 1, 2, 3, 4, 5, 6, 8 and 9 use;
 - (0.5491) cents in the dollar of the Site Value of rateable land of category 7 use;

Where each of the above zones is a defined zone within the Development Plan under the Development Act 1993.

Fixed Charge

The Council has imposed a fixed charge of \$600.00. The fixed charge is levied against the whole of an allotment (*including land under a separate lease or licence*) and only one fixed charge is levied against two or more pieces of adjoining land (*whether intercepted by a road or not*) if they are owned by the same owner and occupied by the same occupier. The reasons for imposing a fixed charge are:

The Council considers it appropriate that all rateable properties make a contribution to the cost of administering the Council's activities.

Annual Service Charge

Pursuant to Section 155 of the *Local Government Act 1999* and in accordance with Regulation 12(4)(b) of the *Local Government (General) Regulations 2013*, the Council imposes annual service charges as set out below:

\$477.00 on all applicable land;

To which it provides or makes available the Community Wastewater Management Systems, being services for the collection and disposal of waste.

\$200.00 on all applicable land;

To all properties within the Waste Management Collection service area that have an occupiable dwelling, outbuilding or other class of structure and those en-route that are outside of collection areas that receive a Waste Management Collection service.

Eyre Peninsula Natural Resource Management Levy (NRM Levies)

Pursuant to Section 95 of the *Natural Resources Management Act 2004* and Section 154 of the Act, the Council declares variable separate rates, in respect of all rateable land in the area of the Eyre Peninsula Natural Resource Management Board and within the area of the Council in order to recoup the amount of \$158,781 being Council's contribution to the Board for the period ending 30 June 2020. The rates are as below:

Residential	\$77.97
Commercial	\$116.96
Industrial	\$116.96
Primary Producers	\$155.95
Other & Vacant Land	\$77.97

Schedule of Fees and Charges

That Council, pursuant to Section 188 of the *Local Government Act 1999* adopt the fees and charges for the financial year ending 30 June 2020.

Dated: 4 July 2019

KARINA EWER
Chief Executive Officer

DISTRICT COUNCIL OF TUMBY BAY

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that the District Council of Tumby Bay at its Special Council Meeting held on 16th July 2019, resolved for the financial year ending 30 June 2020 the following:

1. Adopted for rating purposes the most recent valuations of the Valuer-General of the site value of land within the Council's area, totalling \$867,273,800.
2. Declared differential general rate as follows:
 - a) 0.48025 cents in the dollar on rateable land within all the Townships in the Council's area excluding any such land with a land use Commercial-Shop, Commercial-Other, Industry-Light and Industry-Other;
 - b) 0.3957 cents in the dollar on rateable land with a land use of Commercial-Shop, Commercial-Office, Commercial-Other, Industry-Light and Industry-Other;
 - c) 7.628 cents in the dollar on rateable land within the Commercial (Bulk Handling) zone under the Council's Development Plan consolidated at 6 March 2018;
 - d) 0.2578 cents in the dollar on all other rateable land within the Council's area not included in subparagraphs (a), (b) or (c) above.
3. Declared a fixed charge of \$681 on all rateable land.
4. Declared a differential separate rate as follows:
 - (a) For the purpose of making available and maintaining the Port Neill Soldiers Memorial Hall:
 - 0.016624 cents in the dollar on rateable land within the Port Neill Township.
 - 0.005975 cents in the dollar on rateable land outside the Port Neill Township and within the Hundred of Dixon.
5. Declared a separate rate for the Eyre Peninsula Natural Resource Management Board Levy, based on a fixed charge of
 - \$77.97 on rateable land with a land use of Residential, Other and Vacant Land;
 - \$116.96 on rateable land with a land use of Commercial-Shop, Commercial-Office, Commercial-Other, Industry-Light and Industry-Other;
 - \$155.95 on rateable land with a land use of Primary Production.
6. Declared an annual service charge:
 - (a) within the townships of Tumby Bay, Port Neill, Lipson and Ungarra for the collection, treatment or disposal of waste in the amount of:
 - (i) \$224 for each occupied allotment;

(ii) \$224 for each additional 140 litre bin requested per property; and

(b) for the provision of the Common Wastewater Management Scheme of \$530 per property unit.

Dated: 16 July 2019

T J SMITH
Chief Executive Officer

WUDINNA DISTRICT COUNCIL

Adoption of Assessment

NOTICE is hereby given that the Wudinna District Council at a meeting held on 16 July 2019 resolved for the 2019-2020 financial year as follows:

Adoption of Valuation

Adopted for rating purposes the capital valuations made by the Valuer-General totalling \$337,594,800 for rateable and non-rateable land in the Council area.

Declaration of Rates

Declared differential general rates on rateable land within its area by reference to locality as follows:

- a) The whole of the township of Wudinna, a rate of **0.498** cents in the dollar.
- b) The whole of the township of Minnipa, a rate of **0.498** cents in the dollar.
- c) The whole of the township of Kyancutta, a rate of **0.498** cents in the dollar.
- d) The whole of the township of Warrambo, a rate of **0.498** cents in the dollar.
- e) The whole of the township of Yaninee, a rate of **0.498** cents in the dollar.
- f) The whole of the town of Pygery, a rate of **0.498** cents in the dollar.
- g) In respect of all land within the area of the Council not otherwise included as above, a differential general rate of **0.5702** cents in the dollar.

Minimum Rate

Declared a minimum amount payable by way of rates of \$460.00 in respect to all rateable land within the area of Council.

Annual Service Charges

- a) Imposed an annual service charge where a septic effluent disposal connection is provided within the Township of Wudinna of \$325 per unit for all occupied properties and \$290 for all unoccupied properties.
- b) Imposed an annual service charge to properties that have an occupiable dwelling, outbuilding or other class of structure to which the Council provides or makes available the prescribed service of the collection, treatment and disposal of waste via Council's waste collection service of \$220 per mobile garbage bin.

Separate Rate

Declared a separate rate of \$176 based on a proportional basis of expenditure incurred in maintaining the area of the cottage home units within portion Section 175, Hd of Pygery – Wudinna Homes for the Aged identified as being assessments:

927026901	927027001	927027101	927027201	927027301
927027401	927027501	927027601	927027701	927027801
927027811	927027821	927027831	927027841	927027861

Natural Resource Management (NRM) Levy

Declared differential separate rates varying on the basis of land use on all rateable land in the area of the Council in order to reimburse the Council for amounts contributed to the Eyre Peninsula Natural Resource Management Board.

- a) A land use of Primary Production, a Separate Rate of \$155.95 per assessment;
- b) A land use of:
 - i. Commercial
 - ii. Industrial

A separate rate of \$116.96 per assessment;

- c) A land use of:
 - i. Residential
 - ii. Vacant Land
 - iii. Other

A separate rate of \$77.97 per assessment.

Dated: 16 July 2019

ALAN F MCGUIRE
Chief Executive Officer

NATIONAL ELECTRICITY LAW

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

Under ss 102 and 103, the making of the *National Electricity Amendment (Monitoring and reporting on frequency control framework) Rule 2019 No. 6* (Ref. ERC0273) and related final determination. All provisions commence on **1 January 2020**.

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

Australian Energy Market Commission

Level 6, 201 Elizabeth Street
Sydney NSW 2000

Telephone: (02) 8296 7800

www.aemc.gov.au

Dated: 25 July 2019

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

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

BATELKA Lubomir late of 50 Gulfview Road Christies Beach Retired Motor Mechanic who died 14 January 2018

GUNTON Kevin Alexander late of 52 Woodcroft Drive Morphett Vale Retired Sawmill Operator who died 28 March 2018

POND Frederick David late of 13 Griffiths Drive Moana Bus Driver who died 3 February 2018

TODT Karl Heinz late of 44 Boord Street Semaphore South Retired Fitter and Turner who died 20 September 2015

TODT Sigrid late of 44 Boord Street Semaphore South Home Duties who died 20 September 2015

Notice is hereby given pursuant to the Trustee Act 1936, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975 that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the office of Public Trustee at GPO Box 1338, Adelaide, 5001, full particulars and proof of such claims, on or before the 23 August 2019 otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated: 25 July 2019

N S RANTANEN
Acting Public Trustee

NOTICE SUBMISSION

Notices for publication must be submitted before 4 p.m. Tuesday, the week of intended gazettal.

Proofs of formatted content are supplied for all notice submissions. Alterations must be returned before 4 p.m. Wednesday.

The *SA Government Gazette* is compiled and published each Thursday. Requests to withdraw submitted notices must be received before 10 a.m. on the day of publication.

Gazette notices should be emailed as Word files—and signed PDF files if applicable—in the following format:

- Title (name of the governing legislation/department/organisation)
- Subtitle (description of notice)
- A structured body of text
- Date of authorisation
- Name, position, and department/organisation of the authorising person

Please provide the following information in your email:

- Date of intended gazettal
- Details that may impact on publication of the notice
- Email address and phone number of the person authorising the submission
- Name of the person and organisation to be charged for the notice, if applicable
- Request for a quote, if required
- Purchase order, if required

EMAIL: governmentgazettesa@sa.gov.au

PHONE: (08) 8207 1025

WEBSITE: www.governmentgazette.sa.gov.au