



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 27 MAY 2021

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

GOVERNOR'S INSTRUMENTS

APPOINTMENTS

Department of the Premier and Cabinet
Adelaide, 27 May 2021

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Construction Industry Long Service Leave Board, pursuant to the provisions of the Construction Industry Long Service Leave Act 1987:

Member: from 27 May 2021 until 30 June 2022
Stephen Charles Knight

Deputy Member: from 27 May 2021 until 30 June 2022
Melissa Fay Adler (Deputy to Knight)

By command,

STEVEN SPENCE MARSHALL
Premier

T&F21/041CS

Department of the Premier and Cabinet
Adelaide, 27 May 2021

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Health Performance Council, pursuant to the provisions of the Health Care Act 2008:

Member: from 1 June 2021 until 31 May 2025
Martin Christopher Hensher
Judith Searle
Diane Elizabeth Watson-Landry
Daniel Clarence Tyson
Kaye Amanda Martin
Mohammad Al-Khafaji
Tanya Leanne Lehmann

By command,

STEVEN SPENCE MARSHALL
Premier

HEAC-2020-00077

Department of the Premier and Cabinet
Adelaide, 27 May 2021

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Museum Board, pursuant to the provisions of the South Australian Museum Act 1976:

Member: from 27 May 2021 until 26 May 2024
Christopher John Wilson

By command,

STEVEN SPENCE MARSHALL
Premier

DPC21/037CS

Department of the Premier and Cabinet
Adelaide, 27 May 2021

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

Member: from 28 June 2021 until 27 June 2024
Christopher John Ward

By command,

STEVEN SPENCE MARSHALL
Premier

T&F21/044CS

Department of the Premier and Cabinet
Adelaide, 27 May 2021

His Excellency the Governor in Executive Council has been pleased to appoint Professor Brenda Wilson as Governor's Deputy of South Australia for the period from 1.30pm on Friday, 28 May 2021 until 3.30pm on Sunday, 30 May 2021.

By command,

STEVEN SPENCE MARSHALL
Premier

undefined

Department of the Premier and Cabinet
Adelaide, 27 May 2021

His Excellency the Governor in Executive Council has been pleased to appoint Christina Rose Flourentzou to the office of Master of the Supreme Court of South Australia on an auxiliary basis, for a period commencing on 1 June 2021 and expiring on 30 June 2021, it being a condition of appointment that the powers and jurisdictions of the office should only be exercised during the time or times the actual duties are being undertaken, but at no other time throughout the period of appointment - pursuant to the Judicial Administration (Auxiliary Appointments and Powers) Act 1988.

By command,

STEVEN SPENCE MARSHALL
Premier

AGO0074-21CS

Department of the Premier and Cabinet
Adelaide, 27 May 2021

His Excellency the Governor in Executive Council has been pleased to appoint Kim Pamela Birch to the position Chief Executive Officer of the Compulsory Third Party Insurance Regulator on a full-time basis for a term of five years commencing on 1 July 2021 and expiring on 30 June 2026 - pursuant to section 8(2) of the Compulsory Third Party Insurance Regulation Act 2016.

By command,

STEVEN SPENCE MARSHALL
Premier

T&F21/042CS

Department of the Premier and Cabinet
Adelaide, 27 May 2021

His Excellency the Governor in Executive Council has been pleased to appoint Michelle Lee-Anne Shepherd as a part-time Commissioner of the Australian Energy Market Commission for a term of three years commencing on 11 June 2021 and expiring on 10 June 2024, subject to the provisions of the Australian Energy Market Commission Establishment Act 2004 (South Australia) - pursuant to the provisions of the Australian Energy Market Commission Establishment Act 2004 (South Australia).

By command,

STEVEN SPENCE MARSHALL
Premier

MEMCAB2021/0019

EMERGENCY MANAGEMENT ACT 2004

SECTION 23

Approval of the Governor of Extension of a Major Emergency Declaration

Recital

The State Co-ordinator declared a Major Emergency on 22 March 2020 under section 23(1) of the *Emergency Management Act 2004* (**the Act**) in respect of the outbreak of the human disease named COVID-19 within South Australia (**the Declaration**).

With the advice and consent of the Executive Council and pursuant to section 23(2) of the Act, on the days and for the periods set out below, I approved an extension of the Declaration.

- On 2 April 2020 for a period of 28 days to commence on 4 April 2020.
- On 30 April 2020 for a period of 28 days to commence on 2 May 2020.
- On 28 May 2020 for a period of 28 days to commence on 30 May 2020.
- On 27 June 2020 for a period of 28 days to commence on 27 June 2020.
- On 23 July 2020 for a period of 28 days to commence on 25 July 2020.
- On 20 August 2020 for a period of 28 days to commence on 22 August 2020.
- On 17 September 2020 for a period of 28 days to commence on 19 September 2020.
- On 15 October 2020 for a period of 28 days to commence on 17 October 2020.
- On 12 November 2020 for a period of 28 days to commence on 14 November 2020.
- On 10 December 2020 for a period of 28 days to commence on 12 December 2020.
- On 6 January 2021 for a period of 28 days to commence on 9 January 2021.
- On 4 February 2021 for a period of 28 days to commence on 6 February 2021.
- On 4 March 2021 for a period of 28 days to commence on 6 March 2021.
- On 1 April 2021 for a period of 28 days to commence on 3 April 2021.
- On 29 April 2021 for a period of 28 days to commence on 1 May 2021.

PURSUANT to section 23(2) of the Act and with the advice and consent of the Executive Council, I NOW approve a further extension of the Declaration for a period of 28 days commencing on 29 May 2021.

Given under my hand and the Public Seal of South Australia at Adelaide.

Dated: 27 May 2021

HIEU VAN LE
Governor

PROCLAMATIONS

South Australia

Coroners (Inquests and Privilege) Amendment Act (Commencement) Proclamation 2021

1—Short title

This proclamation may be cited as the *Coroners (Inquests and Privilege) Amendment Act (Commencement) Proclamation 2021*.

2—Commencement of Act

The *Coroners (Inquests and Privilege) Amendment Act 2021* (No 10 of 2021) comes into operation on 7 June 2021.

Made by the Governor

with the advice and consent of the Executive Council
on 27 May 2021

South Australia

Planning (Revocation of Open Space Preservation) Proclamation 2021

under section 62 of the *Planning Act 1982*

1—Short title

This proclamation may be cited as the *Planning (Revocation of Open Space Preservation) Proclamation 2021*.

2—Commencement

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

3—Revocation of prohibition

- (1) The prohibition imposed in relation to the prescribed land by a proclamation that has force and effect under section 62 of the *Planning Act 1982* (as continued under Schedule 8 clause 37 of the *Planning, Development and Infrastructure Act 2016*) is revoked.

- (2) In subclause (1)—

prescribed land means the land in Certificate of Title Register Book Volume 5937 Folio 888 (being Allotment 500 in Deposited Plan 65796).

Made by the Governor

with the advice and consent of the Executive Council
on 27 May 2021

REGULATIONS

South Australia

Terrorism (Police Powers) Regulations 2021under the *Terrorism (Police Powers) Act 2005***Contents**

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Confirmation of special powers authorisation
- 5 Confirmation of special area declaration

Schedule 1—Repeal of *Terrorism (Police Powers) Regulations 2006***1—Short title**

These regulations may be cited as the *Terrorism (Police Powers) Regulations 2021*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *Terrorism (Police Powers) Act 2005*.

4—Confirmation of special powers authorisation

- (1) Subject to this regulation, an application by a relevant authority to a relevant judicial officer seeking confirmation that the authority has or had proper grounds for issuing a special powers authorisation must be made by written application followed by personal appearance before the judicial officer and, if required by the judicial officer, the giving of evidence on oath.
- (2) The application must—
 - (a) set out the name and rank in the police force of the authority; and
 - (b) set out details of the following:
 - (i) in the case of a preventative authorisation—the grounds on which the authority believes—
 - (A) that a terrorist act is imminent, whether in or outside this State; and
 - (B) that the exercise of powers under the Act will substantially assist in the prevention of the terrorist act;

- (ii) in the case of an investigative authorisation—the grounds on which the authority believes—
 - (A) that a terrorist act is being or has been committed, whether in or outside this State; and
 - (B) that the exercise of powers under the Act will substantially assist in the investigation of the terrorist act;
 - (iii) in the case of a preventative or investigative authorisation issued under section 3(6) of the Act—the grounds on which the authority was satisfied that it was necessary to issue the authorisation without confirmation because of the urgency of the circumstances; and
 - (c) be accompanied by—
 - (i) a copy of the special powers authorisation if already issued under section 3(6) of the Act or a copy of the proposed special powers authorisation; and
 - (ii) an affidavit made by the authority verifying the grounds set out in the application.
- (3) If the process set out in the preceding subregulations would result in undue delay, the application may be made—
- (a) by electronic means; or
 - (b) if electronic means are not readily available—by telephone.
- (4) If the application is made by electronic means—
- (a) the information and documents required under subregulation (2) must be provided electronically; and
 - (b) the authority must be available to speak to the judicial officer by telephone; and
 - (c) the judicial officer is entitled to assume, without further inquiry, that a person who identifies themselves as the relevant authority during a telephone conversation with the officer is the relevant authority; and
 - (d) the authority must provide further information in relation to the application as required by the judicial officer and, if required by the judicial officer, provide electronically an affidavit verifying the information; and
 - (e) the judicial officer must inform the authority of their decision on the application electronically or by telephone.
- (5) If the application is made by telephone—
- (a) the information required under subregulation (2) must be provided in the telephone conversation; and
 - (b) the judicial officer is entitled to assume, without further inquiry, that a person who identifies themselves during the telephone conversation as the relevant authority is the relevant authority; and
 - (c) the authority must inform the judicial officer of the terms of the special powers authorisation or proposed special powers authorisation (as the case requires); and
 - (d) the authority must undertake to forward to the judicial officer the documents that would have accompanied the application had it been a written application; and

- (e) the authority must provide further information in relation to the application as required by the judicial officer and, if required by the judicial officer, must undertake to forward to the judicial officer an affidavit verifying the information; and
- (f) the judicial officer must inform the authority of their decision on the application by telephone; and
- (g) the authority must forward documents to the judicial officer in accordance with an undertaking, as soon as practicable after the telephone conversation ends.

5—Confirmation of special area declaration

- (1) An application by the Commissioner of Police to a relevant judicial officer seeking confirmation that the issuing of a special area declaration is appropriate in the circumstances—
 - (a) must be made in writing; and
 - (b) must be accompanied by a copy of the proposed special area declaration; and
 - (c) must set out details of the grounds on which the Commissioner of Police is satisfied that the declaration is required because of the nature of the site or area and the risk of occurrence of a terrorist act; and
 - (d) must be accompanied by an affidavit made by the Commissioner of Police verifying—
 - (i) that the site or area specified in the proposed special area declaration is—
 - (A) the site of an airport, train station, bus station, tram station or ship or ferry terminal; or
 - (B) the site of a special event; or
 - (C) a public area where persons gather in large numbers; and
 - (ii) the grounds set out in the application.
- (2) The Commissioner of Police must provide further information in relation to the application as required by the judicial officer and verify the information as required by the judicial officer.

Schedule 1—Repeal of *Terrorism (Police Powers) Regulations 2006*

The *Terrorism (Police Powers) Regulations 2006* are revoked.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 May 2021

No 57 of 2021

South Australia

Criminal Assets Confiscation Regulations 2021

under the *Criminal Assets Confiscation Act 2005*

Contents

1	Short title
2	Commencement
3	Interpretation
4	Prescribed enforcement agencies
5	Declaration of institutions as financial institutions
6	Protected property
7	Declaration of recognised Australian forfeiture orders
8	Declaration of recognised Australian pecuniary penalty orders
9	Declaration of recognised Australian restraining orders
10	Declaration of foreign offences
11	Certificate of Magistrates Court
12	Prescribed form of notice of freezing order
13	Prescribed form of extension of freezing order
14	Prescribed form of cessation of freezing order
15	Prescribed form of examination notice
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19	Prescribed forms may contain additional information
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Schedule 1—Revocation of *Criminal Assets Confiscation Regulations 2006*

1—Short title

These regulations may be cited as the *Criminal Assets Confiscation Regulations 2021*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *Criminal Assets Confiscation Act 2005*;

South Australia Police means South Australia Police under the *Police Act 1998*.

4—Prescribed enforcement agencies

For the purposes of the definition of *enforcement agency* in section 3(1) of the Act, South Australia Police is prescribed for the purposes of the Act.

5—Declaration of institutions as financial institutions

For the purposes of the definition of *financial institution* in section 3(1) of the Act, an institution that carries on a business involving—

- (a) the acceptance of money on deposit or by way of investment; or
- (b) the acceptance of money for the purpose of securing it in a safety deposit box or other safe custody facility,

is declared to be a financial institution.

6—Protected property

- (1) For the purposes of the definition of *protected property* in section 3(1) of the Act, the following is declared to be protected property:

- (a) moveable contents of premises;
- (b) personal effects;
- (c) animals and plants.

- (2) In this regulation—

motor vehicle has the same meaning as in the *Road Traffic Act 1961*;

moveable contents of premises means contents of premises (not being a fixture), other than the following:

- (a) artwork;
- (b) furniture that is 100 years old or older;
- (c) hydroponic equipment within the meaning of the *Hydroponics Industry Control Act 2009*;
- (d) jewellery (not including wedding rings);
- (e) cash (including foreign currency);
- (f) gold, silver, platinum and copper;
- (g) motor vehicles (not including wheelchairs);
- (h) boats;
- (i) trailers;
- (j) caravans;
- (k) firearms;
- (l) stock-in-trade or items used for business purposes;
- (m) packaged liquor that has not been opened;

packaged liquor has the same meaning as in the *Liquor Licensing Act 1997*;

personal effect means an item normally worn or carried on the person but does not include jewellery (other than wedding rings);

premises includes any structure, building, vessel or place (whether built on or not), and any part of any such structure, building, vessel or place.

7—Declaration of recognised Australian forfeiture orders

For the purposes of the definition of *recognised Australian forfeiture order* in section 3(1) of the Act, the following orders are declared to be within that definition:

- (a) an assets forfeiture order under the *Criminal Assets Recovery Act 1990* of New South Wales;
- (b) a forfeiture order under the *Confiscation of Proceeds of Crime Act 1989* of New South Wales;
- (c) a forfeiture order or civil forfeiture order under the *Confiscation Act 1997* of Victoria;
- (d) a forfeiture order or special forfeiture order under the *Criminal Proceeds Confiscation Act 2002* of Queensland;
- (e) an old forfeiture order or old special forfeiture order within the meaning of the *Criminal Proceeds Confiscation Act 2002* of Queensland;
- (f) an order under the *Criminal Property Confiscation Act 2000* of Western Australia of a nature similar to a forfeiture order under the Act;
- (g) a forfeiture order under the *Crimes (Confiscation of Profits) Act 1993* of Tasmania;
- (h) a forfeiture order under the *Criminal Property Forfeiture Act 2002* of the Northern Territory;
- (i) a forfeiture order under the *Crimes (Forfeiture of Proceeds) Act 1988* of the Northern Territory (as in force immediately before the repeal of that Act);
- (j) a forfeiture order under the *Confiscation of Criminal Assets Act 2003* of the Australian Capital Territory;
- (k) a forfeiture order under the *Proceeds of Crime Act 1991* of the Australian Capital Territory (as in force immediately before the repeal of that Act);
- (l) a forfeiture order under the *Proceeds of Crime Act 2002* of the Commonwealth;
- (m) a forfeiture order under the *Proceeds of Crime Act 1987* of the Commonwealth.

8—Declaration of recognised Australian pecuniary penalty orders

For the purposes of the definition of *recognised Australian pecuniary penalty order* in section 3(1) of the Act, the following orders are declared to be within that definition:

- (a) a proceeds assessment order under the *Criminal Assets Recovery Act 1990* of New South Wales;
- (b) a drug proceeds order or pecuniary penalty order under the *Confiscation of Proceeds of Crime Act 1989* of New South Wales;
- (c) a pecuniary penalty order under the *Confiscation Act 1997* of Victoria;
- (d) a pecuniary penalty order under the *Criminal Proceeds Confiscation Act 2002* of Queensland;
- (e) an old pecuniary penalty order within the meaning of the *Criminal Proceeds Confiscation Act 2002* of Queensland;
- (f) a criminal benefits order under the *Criminal Property Confiscation Act 2000* of Western Australia or other order under that Act of a nature similar to a pecuniary penalty order under the Act;

- (g) a pecuniary penalty order under the *Crimes (Confiscation of Profits) Act 1993* of Tasmania;
- (h) a criminal benefits declaration under the *Criminal Property Forfeiture Act 2002* of the Northern Territory;
- (i) a pecuniary penalty order under the *Crimes (Forfeiture of Proceeds) Act 1988* of the Northern Territory (as in force immediately before the repeal of that Act);
- (j) a penalty order under the *Confiscation of Criminal Assets Act 2003* of the Australian Capital Territory;
- (k) a pecuniary penalty order under the *Proceeds of Crime Act 1991* of the Australian Capital Territory (as in force immediately before the repeal of that Act);
- (l) a pecuniary penalty order under the *Proceeds of Crime Act 2002* of the Commonwealth;
- (m) a pecuniary penalty order under the *Proceeds of Crime Act 1987* of the Commonwealth.

9—Declaration of recognised Australian restraining orders

For the purposes of the definition of *recognised Australian restraining order* in section 3(1) of the Act, the following orders are declared to be within that definition:

- (a) a restraining order under the *Criminal Assets Recovery Act 1990* of New South Wales;
- (b) a restraining order under the *Confiscation of Proceeds of Crime Act 1989* of New South Wales;
- (c) a restraining order under the *Confiscation Act 1997* of Victoria;
- (d) a civil forfeiture restraining order under the *Confiscation Act 1997* of Victoria;
- (e) a restraining order under the *Criminal Proceeds Confiscation Act 2002* of Queensland;
- (f) an old restraining order within the meaning of the *Criminal Proceeds Confiscation Act 2002* of Queensland;
- (g) a freezing order under the *Criminal Property Confiscation Act 2000* of Western Australia;
- (h) a restraining order under the *Crimes (Confiscation of Profits) Act 1993* of Tasmania;
- (i) a restraining order under the *Criminal Property Forfeiture Act 2002* of the Northern Territory;
- (j) a restraining order under the *Crimes (Forfeiture of Proceeds) Act 1988* of the Northern Territory (as in force immediately before the repeal of that Act);
- (k) a restraining order under the *Confiscation of Criminal Assets Act 2003* of the Australian Capital Territory;
- (l) a restraining order under the *Proceeds of Crime Act 1991* of the Australian Capital Territory (as in force immediately before the repeal of that Act);
- (m) a restraining order under the *Proceeds of Crime Act 2002* of the Commonwealth;
- (n) a restraining order under the *Proceeds of Crime Act 1987* of the Commonwealth.

10—Declaration of foreign offences

- (1) For the purposes of paragraph (d) of the definition of *serious offence* in section 3(1) of the Act, a foreign offence triable by the United States Military Commission is declared to be within that definition.
- (2) In this regulation—

United States Military Commission means the United States Military Commission constituted under Title 10 USC Sec 948d of the *Military Commissions Act 2006* of the United States of America.

11—Certificate of Magistrates Court

- (1) For the purposes of section 14(2)(a) of the Act, the certificate issued by the Principal Registrar of the Magistrates Court must contain the following particulars in relation to the order:
 - (a) the matter number in the Magistrates Court;
 - (b) the date on which the order was made;
 - (c) the name and address of the parties to the proceedings in which the order was made;
 - (d) the amount to be paid pursuant to the order.
- (2) For the purposes of section 14(2)(b) of the Act, a certificate under that section may be registered by lodging the certificate in the District Court.

12—Prescribed form of notice of freezing order

For the purposes of section 19(2)(b) of the Act, a notice containing the following information is prescribed:

- (a) the date on which and time at which the order was made;
- (b) particulars of the account to which the order applies;
- (c) the terms of the order;
- (d) a statement specifying that the order takes effect on the date and at the time that the notice is given to the financial institution;
- (e) an explanation of the operation of section 21(1) of the Act.

13—Prescribed form of extension of freezing order

For the purposes of section 21(5) of the Act, a notice to which a copy of the original freezing order has been annexed and that contains the following information is prescribed:

- (a) the date on which and time at which the order extending the duration of the original freezing order was made;
- (b) an explanation of the operation of section 21(6) of the Act.

14—Prescribed form of cessation of freezing order

For the purposes of section 21(6) of the Act, a notice containing the following information is prescribed:

- (a) particulars of the order to which the notice relates;
- (b) a statement specifying the date on which and time at which the order ceased to apply.

15—Prescribed form of examination notice

For the purposes of section 134(1)(a) of the Act, a notice containing the following information is prescribed:

- (a) the name of the person to whom the notice is addressed;
- (b) the court that made the examination order relating to the person and the date of that order;
- (c) a statement requiring the named person to attend an examination at a specified time and place;
- (d) a statement indicating that failure to attend the examination at the specified time and place is an offence under the *Criminal Assets Confiscation Act 2005*;
- (e) the name and telephone number of a contact person nominated by the DPP to handle any queries relating to the notice;
- (f) the identity of the person to whose affairs the examination relates;
- (g) if the notice requires the person to produce documents at the examination—a description of the documents.

16—Prescribed form of duplicate warrant

For the purposes of section 173(4)(g) of the Act, the duplicate warrant must comply with the following requirements:

- (a) the duplicate warrant must specify that it is a duplicate warrant;
- (b) the duplicate warrant must specify—
 - (i) the date and time at which the applicant applied for the warrant by telephone, and the time and date at which that telephone call was terminated; and
 - (ii) the date and time at which the duplicate warrant and the supporting affidavit were forwarded to the Magistrate who issued the warrant.

17—Prescribed form of notice

For the purposes of section 174(5)(a) of the Act, the prescribed form of notice is any notice in writing containing the information specified in section 174(5)(a)(i) to (v) of the Act.

18—Prescribed manner of giving notices etc

For the purposes of section 216 of the Act, the following additional manners of giving or serving a notice, order or other document are prescribed:

- (a) in the case of a notice, order or other document to be given to or served on a corporation—
 - (i) by leaving it for the corporation at the registered address of the corporation; or
 - (ii) by posting it to the corporation at the registered address of the corporation;
- (b) in any case—
 - (i) by a means indicated by the person as being an available means of service (such as by fax or by delivering it, addressed to the person, to the facilities of a document exchange); or

- (ii) by any other means in accordance with Chapter 5 Part 2 of the *Uniform Civil Rules 2020* made under the *Supreme Court Act 1935*, the *District Court Act 1991* and the *Magistrates Court Act 1991* and as in force from time to time.

19—Prescribed forms may contain additional information

If a provision of these regulations prescribes the form of any notice, order or other document required or authorised by the Act to be given to or served on a person, the notice, order or other document may contain information in addition to the information required to be included by these regulations.

20—Prescribed rate

- (1) For the purposes of section 228 of the Act, the prescribed rate is a simple interest rate equal to 0.2 per cent less than the average of the cash rates applied by the Reserve Bank of Australia over the relevant period (expressed as an annual rate and applied with respect to the relevant period).
- (2) In this regulation—

relevant period, in relation to seized or forfeited money, means the period commencing on the date of the seizure or forfeiture and ending when the money is paid back to the person, or the person compensated in respect of the money, under the Act.

Schedule 1—Revocation of *Criminal Assets Confiscation Regulations 2006*

The *Criminal Assets Confiscation Regulations 2006* are revoked.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 May 2021

No 58 of 2021

South Australia

Surveillance Devices (Corresponding Laws) Variation Regulations 2021

under the *Surveillance Devices Act 2016*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Surveillance Devices Regulations 2017*

- 4 Variation of regulation 10—Corresponding laws
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Surveillance Devices (Corresponding Laws) Variation Regulations 2021*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Surveillance Devices Regulations 2017*

4—Variation of regulation 10—Corresponding laws

- (1) Regulation 10(a)—delete paragraph (a) and substitute:
 - (a) *Crimes (Surveillance Devices) Act 2010* (Australian Capital Territory);
- (2) Regulation 10(d)—after "*Surveillance Devices Act*" insert:
 - 2007

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 27 May 2021

No 59 of 2021

STATE GOVERNMENT INSTRUMENTS

AGED AND INFIRM PERSONS' PROPERTY ACT 1940

South Australia

Aged and Infirm Persons' Property Act (Fees) Notice 2021

under the *Aged and Infirm Persons' Property Act 1940*

1—Short title

This notice may be cited as the *Aged and Infirm Persons' Property Act (Fees) Notice 2021*.

Note—

This is a fee notice made in accordance with the *Legislation (Fees) Act 2019*.

2—Commencement

This notice has effect on 1 July 2021.

3—Interpretation

In this notice, unless the contrary intention appears—

Act means the *Aged and Infirm Persons' Property Act 1940*.

4—Fees

The fees set out in Schedule 1 are prescribed for the purposes of the Act and are payable to the Public Trustee.

Schedule 1—Fees

1	The fee payable by a manager for the services rendered by the Public Trustee in respect of the estate for the purposes of section 20(1) of the Act	\$244.00 per hour
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Made by the Attorney-General

On 20 April 2021

FIRE AND EMERGENCY SERVICES ACT 2005

Constitution of a CFS Brigade

NOTICE is hereby given pursuant to Division 5, Section 68(1)(a) of the *Fire and Emergency Services Act 2005* that Mark Jones QFSM Chief Officer, SA Country Fire Service approves the change of name of the Iron Knob CFS Brigade to constitute the Middleback CFS Brigade, effective 3 May 2021.

Dated: 5 May 2021

MARK JONES QFSM
Chief Officer SA Country Fire Service

HEALTH CARE ACT 2008

SECTION 15

Notice by the Minister

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

- Pursuant to sub-sections 15(1), 15(3)(a) and 15(3)(c) of the *Health Care Act 2008* ("the Act"), by notice made on 2 June 2008 and published in the *South Australian Government Gazette* on 5 June 2008, established and assigned the names of a number of Health Advisory Councils (HAC), designated the corresponding entity or entities to be the entity or entities in relation to which the HACs are established, and declared whether the HAC would be an incorporated or unincorporated body pursuant to sub-section 15(3)(c).
- Pursuant to sub-sections 15(3)(a) and 15(4)(a) of the Act, by notice made on 23 June 2019 and published in the *South Australian Government Gazette* on 27 June 2019, varied the notice by replacing the entities designated to be entities in relation to which the HACs are established.

Take notice that I, Stephen Wade, Minister for Health and Wellbeing do hereby vary the notice made on 2 June 2008 and published in the *South Australian Government Gazette* on 5 June 2008 as follows:

1. Pursuant to sub-section 15(3)(c) and 15(4)(a) of the Act, declare that the previously unincorporated HACs listed in Column A in the Schedule will now be incorporated bodies, and will be assigned the name in Column B of the Schedule.
2. Pursuant to section 15(3)(b) and 15(3)(d) of the Act, provide that each incorporated HAC will have the powers and functions set out in the constitution determined by me for each HAC in accordance with section 17 of the Act.

SCHEDULE

Column A	Column B
Far North Health Advisory Council	Far North Health Advisory Council Incorporated
Port Lincoln Health Advisory Council	Port Lincoln Health Advisory Council Incorporated
Hawker District Memorial Health Advisory Council	Hawker District Memorial Health Advisory Council Incorporated
Port Augusta, Roxby Downs, Woomera Health Advisory Council	Port Augusta, Roxby Downs, Woomera Health Advisory Council Incorporated
Quorn Health Services Health Advisory Council	Quorn Health Services Health Advisory Council Incorporated
The Whyalla Hospital and Health Services Health Advisory Council	The Whyalla Hospital and Health Services Health Advisory Council Incorporated
Port Pirie Health Service Advisory Council	Port Pirie Health Service Advisory Council Incorporated
Southern Flinders Health Advisory Council	Southern Flinders Health Advisory Council Incorporated

Dated: 18 May 2021

STEPHEN WADE MLC
Minister for Health and Wellbeing

HEALTH CARE ACT 2008

SECTION 17

Notice by the Minister

Take notice that I, Stephen Wade, Minister for Health and Wellbeing, pursuant to section 17(7) of the *Health Care Act 2008*, hereby make the following variation to the Constitution of each incorporated Health Advisory Council (HAC) as listed in the Schedule:

1. Remove the reference to “s78(1)(d)(ii) of the *Health Care Act 2008*” in Schedule 1 in the Constitution of each of the incorporated HACs and replace with “s78 of the *Health Care Act 2008*”.

SCHEDULE

Balaklava Riverton Health Advisory Council Inc.
 Barossa and Districts Health Advisory Council Inc.
 Berri Barmera District Health Advisory Council Inc.
 Bordertown and District Health Advisory Council Inc.
 Ceduna District Health Services Health Advisory Council Inc.
 Coorong Health Service Health Advisory Council Inc.
 Eastern Eyre Health Advisory Council Inc.
 Eudunda, Kapunda Health Advisory Council Inc.
 Gawler District Health Advisory Council Inc.
 Hills Area Health Advisory Council Inc.
 Kangaroo Island Health Advisory Council Inc.
 Kingston/Robe Health Advisory Council Inc.
 Lower Eyre Health Advisory Council Inc.
 Lower North Health Advisory Council Inc.
 Loxton and Districts Health Advisory Council Inc.
 Mallee Health Service Health Advisory Council Inc.
 Mannum District Hospital Health Advisory Council Inc.
 Mid North Health Advisory Council Inc.
 Mid-West Health Advisory Council Inc.
 Millicent and Districts Health Advisory Council Inc.
 Mount Gambier and Districts Health Advisory Council Inc.
 Naracoorte Area Health Advisory Council Inc.
 Northern Yorke Peninsula Health Advisory Council Inc.
 Penola and Districts Health Advisory Council Inc.
 Port Broughton District Hospital and Health Services Health Advisory Council Inc.
 Renmark Paringa District Health Advisory Council Inc.
 Southern Fleurieu Health Advisory Council Inc.
 The Murray Bridge Soldiers' Memorial Hospital Health Advisory Council Inc.
 Waikerie and Districts Health Advisory Council Inc.
 Yorke Peninsula Health Advisory Council Inc.

Dated: 18 May 2021

STEPHEN WADE MLC
Minister for Health and Wellbeing

HOUSING IMPROVEMENT ACT 2016

Rent Control

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

Address of Premises	Allotment Section	Certificate of Title Volume/Folio	Maximum Rental per week payable
1-2 23 Flinders Street, Edwardstown SA 5039 (AKA—23B Flinders Street, Edwardstown)	Allotment 30 Deposited Plan 3395 Hundred of Adelaide	CT5685/642	\$232.50

Dated: 27 May 2021

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

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
67 Rosewater Terrace, Ottoway SA 5013	Allotment 99 Filed Plan 126579 Hundred of Port Adelaide	CT2083/154, CT5701/711
34 Osmond Terrace, Norwood SA 5067	Allotment 70 Filed Plan 59444 Hundred of Adelaide	CT6151/355, CT6151/450
8A Mead Crescent, Melrose Park SA 5039 250 Strathalbyn Road, Mylor SA 5153 (Dwelling attached to LHS of shop), (PKA 46 Strathalbyn Road)	Allotment 19 Deposited Plan 7678 Hundred of Adelaide Allotment 46 Town Plan 105502 Hundred of Noarlunga	CT5592/374 CT5139/76, CT6124/566
5 Pearce Street, O'Sullivan Beach SA 5166	Allotment 12 Deposited Plan 9088 Hundred of Noarlunga	CT5858/96

Dated: 27 May 2021

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

LAND ACQUISITION ACT 1969

South Australia

Land Acquisition (Declared Acquisition Project) (Horrocks Highway Overtaking Lane Project) Notice 2021

under section 24 of the *Land Acquisition Act 1969*

1—Short title

This notice may be cited as the *Land Acquisition (Declared Acquisition Project) (Horrocks Highway Overtaking Lane Project) Notice 2021*.

2—Commencement

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

3—Interpretation

In this notice—

Act means the *Land Acquisition Act 1969*.

4—Declared acquisition projects

Pursuant to section 24(15) of the Act, the acquisition project specified in Schedule 1 is declared to be included in the definition of *declared acquisition project*.

Schedule 1—Declared acquisition project

Part 1—Horrocks Highway Overtaking Lane Project

The following properties are required for the construction of an overtaking lane over portion of the land described below

- (1) Portion of Section 314 in Hundred of Light contained in Certificate of Title Volume 5573 Folio 81
- (2) Portion of Sections 304 and 313 in Hundred of Light contained in Certificate of Title Volume 5479 Folio 294
- (3) Portion of Section 45 in Hundred of Light contained in Certificate of Title Volume 5504 Folio 77
- (4) Portion of Section 312 in Hundred of Light contained in Certificate of Title Volume 5525 Folio 111
- (5) Portion of Allotment 1 in Deposited Plan 79467 contained in Certificate of Title Volume 6032 Folio 929
- (6) Portion of Allotment 102 in Deposited Plan 62820 contained in Certificate of Title Volume 5911 Folio 97
- (7) Portion of Allotment 200 in Deposited Plan 79236 contained in Certificate of Title Volume 6046 Folio 574
- (8) Portion of Allotments comprising Pieces 104, 105 and 106 in Deposited Plan 92945 contained in Certificate of Title Volume 6140 Folio 778

Made by the Minister for Infrastructure and Transport

On 4 April 2021

LANDSCAPE SOUTH AUSTRALIA ACT 2019

List of Declared Animals

Pursuant to section 185(1) of the *Landscape South Australia Act 2019* (the Act), I, David Speirs MP, Minister for Environment and Water, vary the List of Declared Animals by declaring the provisions of the Act apply to specified animals in specified declared areas as follows:

The List of Declared Animals is amended by the replacement of CLASS 7 with the following (by amending “Dingo” to “Wild Dog (including Dingo)” in the Common Name column and inclusion of section 186(2)):

Taxonomic Name	Common Name	Provision of Act Which are to Apply	Category	Declared Area
CLASS 7		186(1)(2)(3), 187(1), 188, 189, 191(1), 192(1)	2	Inside of the SA Dog Fence
MAMMALIA				
CARNIVORA				
Canidae				
<i>Canis familiaris</i>	Wild Dog (including Dingoes and their hybrids)			

The List of Declared Animals is amended by the addition of CLASS 26 as follows:

Taxonomic Name	Common Name	Provision of Act Which are to Apply	Category	Declared Area
CLASS 26		192(3)	2	Within 35 kilometres of the outside of the SA Dog Fence, including the eastern shared border with New South Wales, and only on SA land
MAMMALIA				
CARNIVORA				
Canidae				
<i>Canis familiaris</i>	Wild Dog (including Dingoes and their hybrids)			

Dated: 25 May 2021

DAVID SPEIRS MP
Minister for Environment and Water

LANDSCAPE SOUTH AUSTRALIA ACT 2019

Notice of Authorisation to Take Water from the Central Adelaide Prescribed Wells Area
Ref. 392552

PURSUANT to Section 105 of the *Landscape South Australia Act 2019* (the Act), I, Ben Bruce, delegate of the Minister for Environment and Water to whom the Act is committed, hereby authorise the taking of water from the Central Adelaide Prescribed Wells Area, prescribed under the *Natural Resources Management (Central Adelaide—Prescribed Wells Area) Regulations 2007*, from the prescribed wells in Schedule A, for the purpose set out in Schedule B and subject to the conditions specified in Schedule C.

SCHEDULE A

Wells

Well unit numbers 6628-25882 and 6628-26193 located within Allotment 128 of Filed Plan 15596, within the Hundred of Adelaide.

SCHEDULE B

Purpose

For irrigating land used for recreation within the boundary of the City of Unley, in association with the Ridge Park Managed Aquifer Recharge and Recovery Scheme (the Scheme).

SCHEDULE C

Conditions

1. Water may only be taken from 1 July 2021 until 30 June 2024.
2. A maximum volume of 40,000 kilolitres of underground water per water use year may be taken from the prescribed wells specified in Schedule A, during the period referred to in Condition 1 of this authorisation.
3. The water user must not take water except through a meter(s) supplied, installed and maintained in accordance with the South Australian Licensed Water Use Meter Specification as may be amended from time to time.
4. The water user must measure and record annual meter readings not more than 14 days after cessation of the water use year, to determine the quantity of water taken.
5. The water user must measure and record, at least once during each calendar month, at the same time during each calendar month:
 - extraction volumes; and
 - water level data.
6. The Risk Monitoring and Management Plan (the Plan) for the Scheme must be revised, to the satisfaction of the Minister's representative, by no later than 30 June 2023. The revised Plan is required to outline how the Scheme will transition to 'no net groundwater extraction' from the Central Adelaide Prescribed Wells Area beyond 30 June 2024.
7. The Scheme must be operated in accordance with the Plan.
8. The water user must comply with all measuring, monitoring and recording requirements as specified in the Plan, including the requirement to provide a report annually, not more than 30 days after cessation of the water use year. The report will be provided in the form specified by the Minister's representative, and include:
 - (a) all data in accordance with Condition 4 and 5 of this authorisation; and
 - (b) all monitoring data collected in accordance with the annual report monitoring deliverables contained in the Plan.The report is to be emailed to dew.mar@sa.gov.au and dewaterlicensing@sa.gov.au.
9. If any device used to measure and collect data relevant to this authorisation, fails to accurately measure or record, or there is any reason to suspect that the device may be defective, then the water user must notify the Minister's representative immediately, replace or repair the device as soon as practical and provide suitable alternative data to supplement missing data.
10. The authorised water user must comply with the provisions applying to meters set out in Regulation 12 of the *Landscape South Australia (Water Management) Regulations 2020*. It is an offence to contravene or fail to comply with those provisions.

For the purposes of this authorisation:

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

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

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

This authorisation will commence on 1 July 2021 and will remain in effect until 30 June 2024 unless earlier varied or revoked.

Dated: 19 May 2021

BEN BRUCE
Executive Director, Water and River Murray
Department for Environment and Water
Delegate of the Minister for Environment and Water

LIVESTOCK ACT 1997

SECTION 33

Prohibition of Entry into South Australia of Unprocessed Abalone (Haliotis spp.)

Pursuant to Section 87 of the *Livestock Act 1997*, I, Mary Ruth Carr, Chief Inspector of Stock, delegate of the Minister for Primary Industries and Regional Development, revoke the notice made by the Minister for Agriculture, Food and Fisheries pursuant to section 33 of the *Livestock Act 1997* on 6 May 2021, published in the *Gazette* on 7 May 2021 at pp. 1360-1361.

Pursuant to Section 33 of the *Livestock Act 1997*, and for the purposes of controlling or eradicating disease or contamination, I prohibit the entry into, and subsequent movement within, *South Australia* (including *South Australian waters*) of *unprocessed abalone*, except to the extent, and subject to the conditions, set out in Parts A to E below. Except as expressly provided, the exceptions in Parts A to E are independent of one another.

Part A. unprocessed abalone supplied by a designated aquaculture supplier

The entry into, and movement within, *South Australia* of *unprocessed abalone* originating from another State or Territory of the Commonwealth is permitted if:

- a. the *unprocessed abalone* were cultivated by a *designated aquaculture supplier* of that State or Territory (or, if the *unprocessed abalone* is fresh *abalone* product, it was derived exclusively from *abalone* so cultivated), the *designated aquaculture supplier* has been *accredited* by a *competent authority* of that State or Territory within the previous 12 months and the *accreditation* has not been revoked or withdrawn, and the *unprocessed abalone* are accompanied:
 - i. if they are to be processed in *South Australia*, to the *fish processor* to which they are transported for *processing*; or
 - ii. otherwise, to the *point of sale* where they are to be sold by retail in *South Australia* by a copy of the *designated aquaculture supplier's* current certificate of *accreditation*; and
- b. in the case of *unprocessed abalone* originating from a State or Territory that has reported the occurrence of *AVG*, and which is not declared free of *AVG* in accordance with the standards set by the World Animal Health Organisation (OIE), the *unprocessed abalone* are accompanied:
 - i. if they are to be processed in *South Australia*, to the *fish processor* to which they are transported for *processing*; or
 - ii. otherwise, to the *point of sale* where they are to be sold by retail in *South Australia* by a completed *Abalone Health Statement* in respect of the *unprocessed abalone*; and
- c. the *unprocessed abalone* are transported from the *designated aquaculture supplier* which cultivated them (or, if the *unprocessed abalone* is fresh *abalone* product, from the *designated aquaculture supplier* which cultivated the *abalone* from which the fresh *abalone* product was derived):
 - i. directly into *South Australia*; or
 - ii. directly to a *certified biosecure area* of a *fish processor* in the State or Territory where the *abalone* were cultivated and, from there, directly into *South Australia*, and if they enter *South Australia* from a *certified biosecure area*, the *unprocessed abalone* are accompanied;
 - iii. if they are to be processed in *South Australia*, to the *fish processor* to which they are transported for *processing*; or
 - iv. otherwise, to the *point of sale* where they are to be sold by retail in *South Australia* by a copy of the current certificate as to the biosecure status of the *certified biosecure area*; and
- d. upon entering *South Australia*, the *unprocessed abalone* are transported directly to a *fish processor* or *point of sale* in *South Australia*; and
- e. the *unprocessed abalone* are moved into *South Australia* and transported to the *fish processor* or *point of sale* in sealed containers that are either new or have been *decontaminated* before receiving the *unprocessed abalone*; and
- f. so long as they remain *unprocessed*, *unprocessed abalone* that leave the place where they were received upon entering *South Australia* are transported (including to the *point of sale* where they are to be sold by retail) in sealed containers which (unless the *unprocessed abalone* remain in the same sealed containers in which they entered *South Australia*) have been *decontaminated* before receiving the *unprocessed abalone*; and
- g. all water, tanks, containers and other equipment that have come into contact with *unprocessed abalone* are *decontaminated* before disposal or removal from the *fish processor's* premises or the *point of sale*, as applicable; and
- h. the requirements set out in Part D are complied with.

Part B. wild-caught unprocessed abalone entering by road or air from a jurisdiction not affected by AVG

The entry into, and subsequent movement within, *South Australia* of *unprocessed abalone* comprising wild-caught live *abalone* originating from a State or Territory of the Commonwealth other than a State or Territory referred to in Part C, or fresh *abalone* product derived from wild-caught *abalone* originating from such a State or Territory, is permitted if:

- a. the *unprocessed abalone* are transported from the place where, as wild-caught *abalone*, they were landed:
 - i. directly into *South Australia* by road or air; or
 - ii. directly to a *certified biosecure area* of a *fish processor* in the State or Territory where the *abalone* were landed and from there, directly into *South Australia* by road or air, and if they enter *South Australia* from a *certified biosecure area*, the *unprocessed abalone* are accompanied;
 - iii. if they are to be processed in *South Australia*, to the *fish processor* to which they are transported for *processing*; or
 - iv. otherwise, to the *point of sale* where they are to be sold by retail in *South Australia* by a copy of the current certificate as to the biosecure status of the *certified biosecure area*; and
- b. upon entering *South Australia* (or if arriving by air, upon being landed in *South Australia*), the *unprocessed abalone* are transported directly to a *fish processor* or *point of sale* in *South Australia*; and
- c. the *unprocessed abalone* are moved into *South Australia* and transported to the *fish processor* or *point of sale* in sealed containers that are either new or have been *decontaminated* before receiving the *abalone*; and
- d. so long as they remain *unprocessed*, *unprocessed abalone* that leave the place where they were received upon entering *South Australia* are transported (including to the *point of sale* where they are to be sold by retail) in sealed containers which (unless the *unprocessed abalone* remain in the same sealed containers in which they entered *South Australia*) have been *decontaminated* before receiving the *unprocessed abalone*; and
- e. all water, tanks, containers and other equipment that have come into contact with *unprocessed abalone* are *decontaminated* before disposal or removal from the *fish processor's* premises or the *point of sale*, as applicable; and
- f. the requirements set out in Part D are complied with.

Part C. wild-caught unprocessed abalone entering by road or air from an AVG-affected jurisdiction

The entry into, and subsequent movement within, *South Australia* of *unprocessed abalone* comprising wild-caught *abalone* originating from a State or Territory of the Commonwealth that has reported the occurrence of AVG, and which is not declared free of AVG in accordance with the standards set by the World Animal Health Organisation (OIE), or fresh *abalone* product derived from wild-caught *abalone* originating from such a State or Territory, is permitted if:

- a. the *unprocessed abalone* enter *South Australia* by road or air; and
- b. upon entering *South Australia* (or if arriving by air, upon being landed in *South Australia*), the *unprocessed abalone* are transported directly to a *fish processor* for processing; and
- c. the *unprocessed abalone* are moved into *South Australia* and transported to the *fish processor* in sealed containers that are either new or have been *decontaminated* before receiving the *unprocessed abalone*; and
- d. from the time of entering *South Australia* until being processed, the *unprocessed abalone* are not at any time kept in water; and
- e. the *unprocessed abalone* are processed by the *fish processor* on the *fish processor's* premises; and
- f. all water, tanks, containers and other equipment that have come into contact with *unprocessed abalone* are *decontaminated* before disposal or removal from the *fish processor's* premises; and
- g. the requirements set out in Part D are complied with.

Part D. requirements

The requirements that apply for the purposes of Part A. paragraph h., Part B. paragraph f. and Part C. paragraph g. are that:

- a. water that has come into contact with *unprocessed abalone* is disposed of (after it has been *decontaminated*) to the *public sewer*; and
- b. all unused *unprocessed abalone* are transported directly to a *waste depot* in sealed containers where they are disposed of in landfill; and
- c. no *unprocessed abalone* enter an area that is subject to an *aquaculture lease* or *aquaculture licence*; and
- d. no *unprocessed abalone* enter *South Australian waters*; and
- e. the *unprocessed abalone* are accompanied:
 - i. if they are to be *processed* in *South Australia*, to the *fish processor* to which they are transported for *processing*; or
 - ii. otherwise, to the *point of sale* where they are to be sold by retail in *South Australia*

by a copy of a consignment note, or similar document, relating to the carriage of the *unprocessed abalone* into *South Australia*, which, among other things, identifies the consignor of the *unprocessed abalone* in the State or Territory where the *unprocessed abalone* originated, the location where the carrier took delivery of the *unprocessed abalone*, and the destination in *South Australia* where the *unprocessed abalone* are to be delivered (including the identity of the person to whom the *unprocessed abalone* are to be delivered).

Part E. with Chief Inspector's approval

The entry into, and subsequent movement within, *South Australia* of *unprocessed abalone* is permitted if the Chief Inspector of Stock has (in his or her discretion) approved in writing the entry of the *unprocessed abalone* into *South Australia* and its subsequent movement within *South Australia* and all conditions (if any) attached to the approval are satisfied.

Definitions

In this Notice:

abalone means *abalone* (*Haliotis* spp.) of all species;

Abalone Health Statement means the *Abalone Health Statement for Entry of Abalone for Purposes Other Than Aquaculture from a State or Territory Not Declared Free of Abalone Viral Ganglioneuritis*, available at www.pir.sa.gov.au or from the Chief Inspector of Stock, 33 Flemington Street, Glenside SA 5065, or GPO Box 1671, Adelaide SA 5001 or by telephone (08) 8207 7900, or any other document determined by the Chief Inspector of Stock to be an "Abalone Health Statement" for the purposes of this Notice and made available at www.pir.sa.gov.au;

abalone product means carcasses or parts of carcasses of *abalone* or any products consisting of parts of or derived from *abalone*;

accredited, in relation to a *designated aquaculture supplier* of a State or Territory, means that a *competent authority* of that State or Territory has certified in writing in respect of the *designated aquaculture supplier* that:

- a. it implements biosecurity measures to prevent AVG, monitor mortality rates, and report mortality and disease to the *competent authority*, and
- b. AVG has not been detected at its aquaculture facilities in the past 12 months,

and **accreditation** has a corresponding meaning;

aquaculture lease means an *aquaculture lease* granted under the *Aquaculture Act 2001* (as described on the public register kept under that Act);

aquaculture licence means an *aquaculture licence* granted under the *Aquaculture Act 2001* (as described on the public register kept under that Act);

AVG means *abalone viral ganglioneuritis*;

certified biosecure area means an area where measures are applied to mitigate the risks of introduction and spread of disease that has been annually inspected and certified as being biosecure by a *competent authority* of the State or Territory where the area is located;

competent authority, of a State or Territory of the Commonwealth, means a veterinary authority or government authority having the responsibility in that State or Territory for ensuring the implementation of animal health measures or veterinary health certification;

decontaminated means inactivation of the virus that causes AVG by a disinfection process using granular 650g/kg available chlorine as calcium hypochlorite or sodium hypochlorite to prepare a 200ppm effective chlorine solution (Australian Pesticides and Veterinary Medicines Authority (APVMA) PER86206) or another process approved by APVMA and the Chief Inspector of Stock and notified at www.pir.sa.gov.au or otherwise approved in writing by the Chief Inspector of Stock, 33 Flemington Street, Glenside SA 5065, or GPO Box 1671, Adelaide SA 5001;

designated aquaculture supplier, of a State or Territory of the Commonwealth, means any person who holds a current authority to engage in aquaculture issued under the law of that State or Territory;

fish processor means a *fish processor* registered under the *Fisheries Management Act 2007* or corresponding legislation of another State or Territory of the Commonwealth;

fresh abalone product means *abalone product* that is not *processed abalone product*;

point of sale means a place at which *unprocessed abalone* is processed and/or sold, whether by wholesale or retail, on a commercial basis;

processed abalone product means *abalone product* that has been treated in a manner that is generally recognized as being effective to inactivate the virus commonly known as “*abalone herpesvirus*” and is preserved in a can or other sealed packaging for human consumption;

processing means any process in which *unprocessed abalone* are converted to *processed abalone product*, and **processed** and **unprocessed** have corresponding meanings;

public sewer means a sewer operated by a council or any other authority established under the *Local Government Act 1999*, a water supply authority (within the meaning of the *Water Industry Act 2012*), a State owned corporation (*South Australian Water Corporation Act 1994* or a subsidiary of such a corporation) or any other public or local authority;

South Australia means the State of *South Australia*;

South Australian waters means waters that are within the limits of *South Australia*;

unprocessed abalone means live *abalone* or *fresh abalone product*;

waste depot means a place at which waste may be treated or stored in accordance with an approval under the *Local Government Act 1999* or a place approved as a *waste depot* or waste facility under any other Act.

This Notice will remain in force (as it may be varied from time to time by subsequent Notice) until revoked by subsequent Notice.

Dated: 25 May 2021

MARY RUTH CARR
Chief Inspector of Stock

Delegate of the Minister for Primary Industries and Regional Development

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Statement of Environmental Objectives

PURSUANT to section 104(1) of the *Petroleum and Geothermal Energy Act 2000* (the Act) I, Nick Panagopoulos, A/Executive Director Energy Resources Division, Department for Energy and Mining do hereby publish the following document as having been approved as a statement of environmental objectives under the Act.

Documents:

- Beach Energy Ltd, Otway Basin Geophysical Operations—Statement of Environmental Objectives, April 2021

This document is available for public inspection on the Environmental Register section of the following webpage—

<https://www.petroleum.sa.gov.au/regulation/environmental-register> or at the Public Office determined pursuant to section 107(1) of the Act to be at:

Energy Resources Division
Customer Services
Level 4
11 Waymouth Street
Adelaide SA 5000

Dated: 26 May 2021

NICK PANAGOPOULOS
A/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 42

Practice Directions

Preamble

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

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

A practice direction must be notified in the *Gazette* and published on the SA Planning Portal.

A practice direction may be varied or revoked by the State Planning Commission from time to time by a further instrument notified in the *Gazette* and published on the SA Planning Portal.

NOTICE

Pursuant to Section 42(4)(b) of the *Planning, Development and Infrastructure Act 2016*, I, Anita Allen, Director Planning and Development, as delegate of the State Planning Commission:

- vary State Planning Commission Practice Direction 2 (Preparation and Amendment of Designated Instruments);
- vary State Planning Commission Practice Direction 15 (Building Envelope Plans); and
- fix the day on which Practice Direction 2 and Practice Direction 15 are published on the SA Planning Portal as the day on which the varied practice directions will come into operation.

Dated: 21 May 2021

ANITA ALLEN
Director, Planning and Development
Delegate of the State Planning Commission

THE DISTRICT COURT OF SOUTH AUSTRALIA

PORT AUGUSTA CIRCUIT COURT

Sheriff's Office, Adelaide, 1 June 2021

In pursuance of a precept from the District Court to me directed, I do hereby give notice that the said Court will sit as a Court of Oyer and Terminer and General Gaol Delivery at the Courthouse at Port Augusta on the day and time undermentioned and all parties bound to prosecute and give evidence and all jurors summoned and all others having business at the said Court are required to attend the sittings thereof and the order of such business will be unless a Judge otherwise orders as follows:

Tuesday, 1 June 2021 at 10am on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio informations* or of persons on bail and committed for trial who have signified their intentions to plead guilty and the passing of sentences for all matters listed for disposition by the District Court.

Juries will be summoned for 31 May 2021 and persons will be tried on this and subsequent days of the sittings.

Prisoners in H.M. Gaol and on bail for sentence and for trial at the sittings of the Port Augusta Courthouse, commencing 1 June 2021.

Bickley, Randall John Ross	Assault with intent to commit rape	On bail
Bilney, Graham Patrick Adrian	Rape	On bail
B, B J	Maintaining an unlawful sexual relationship with a child	On bail
Byrne, Francis James	Unlawfully choking, suffocating or strangling another; Aggravated assault	On bail
Calverley, Luke Wayne	Aggravated assault causing harm; Choke, suffocate or strangle a person (2); Aggravated assault (2); Aggravated causing harm with intent (5)	On bail
C-W, C	Aggravated indecent assault (2); Unlawful sexual intercourse with a person under 14 years	On bail
Dudley, Jamahl Lynton Lyle	Resisting a Police Officer and thereby causing harm	In gaol
Dunn, Angela Rose Francis, Jeida Adrian	Aggravated robbery	In gaol
Evans, Nathan Hong Vo	Aggravated possess prescribed firearm without licence; Possess an unregistered firearm; Contravene a provision of the code of practice	On bail
Fenwick, Nathan Andrew	Communicating with the intention of making a child amenable to sexual activity	On bail
Fischer, Michael John	Trafficking in a commercial quantity of a controlled drug; Cultivating a commercial quantity of controlled plants for sale	On bail
Fisk, James Bailey	Indecent assault; Rape	On bail
Fleming, John Andrew	Cultivate a commercial quantity of controlled plants for sale	On bail
Gatti, Jack Aaron Sarunic, Tahlia	Trafficking in a controlled drug	On bail
Gibbs, Malcolm Roger Ross	Aggravated serious criminal trespass in a place of residence (2); Dishonestly take property without consent (2)	In goal
Grosser, Brenton James	Trafficking in a large commercial quantity of a controlled drug	On bail
Habermann, Zackery Alexander	Arson; Damaging property	On bail
Haggerty, Rebecca Jane	Trafficking in a controlled drug	On bail
Hatches, Franklin Treacle	Aggravated assault; Aggravated causing harm with the intent to cause harm	On bail
Hodgson, Kym	Indecent assault; Unlawful sexual intercourse with a person 12 to 17 years	On bail
Hunt, Trevor Aaron	Communicating with the intention of making a child amenable to sexual activity (4)	In goal
Insch, Joel Scobie	Application for enforcement of a breached bond	On bail
Kemp, Jye Nathan	Aggravated serious criminal trespass in a place of residence; Aggravated assault (4); Aggravated indecent assault	In gaol
Kennewell, David Ivan Ronald	Aggravated possessing child exploitation material (3); possessing child exploitation material	On bail
Kilpatrick, Tallen Douglas	Aggravated causing harm with intent to cause harm (3); Theft; Assault	On bail
Kilpatrick, Dillon Brian		On bail
Sims, Mark Wayne		On bail
Kirkland, Damian Paul	Maintaining an unlawful sexual relationship with child	On bail
Lambadgee, Christine Allison	Aggravated causing serious harm with intent to cause serious harm	In gaol
Lennon, Matthew Scott	Aggravated assault (2); Aggravated causing harm with intent to cause harm	In goal
Lynch, Connor Scott	Rape	On bail
Maher, Arley Lee	Trafficking in a controlled drug	On bail
Martin, Mervin John	Use a carriage service to access child abuse material; Use carriage service to access child pornography	On bail
Mclennan, Shaun Llewellyn	Rape	On bail
Medlam, Chantelle lee	Aggravated assault; Aggravated recklessly causing serious harm; Aggravated threatening life; threatening a person involved in a criminal investigation; Assisting an offender	On bail
Hanslow, Joshua Clinton		On bail
Miller, James Ronald	Aggravated possessing child exploitation material; Possessing child exploitation material	On bail
Molling, David James	Unlawfully choking, suffocating or strangling another	On bail
O'Neil, Richard	Maintaining an unlawful sexual relationship with a child	On bail
O, J F	Maintaining an unlawful sexual relationship with a child; Gross indecency; Aggravated inciting or procuring a child to commit an indecent act; Aggravated procuring a child for sexual activity (2)	On bail
Pedler, Dylan Pedler, Nathan James	Aggravated serious criminal trespass in a place of residence; Aggravated assault	On bail
Pool, Rodney John	Cultivating controlled plants for sale; Trafficking in a large commercial quantity of controlled drug; Aggravated possessing a firearm without a licence; possess an unregistered firearm; Contravene a provision of the code of practice	On bail
Reid, Tyson James Stuart	Aggravated causing harm with intent to cause harm	On bail
Roberts, Benjamin	Arson	On bail
R, M A	Maintaining an unlawful sexual relationship with a child	In gaol

Smith, Anthony Graham	Aggravated indecent assault (5); Maintaining an unlawful sexual relationship with a child	In gaol
Spencer, Joshua Paul	Assault (2); Intentionally causing harm to a prescribed emergency worker	On bail
Tabone, Phillip Graham	Maintaining an unlawful sexual relationship with a child	On bail
Thomas, Mathew John	Due care—Aggravated offence; Aggravated causing death by dangerous driving (2); leaving accident scene after causing death by careless driving (2)	On bail
Warburton-Munyard, Corey	Trafficking in a large commercial quantity of a controlled drug	On bail
Warner, Craig Anthony	Maintaining an unlawful sexual relationship with a child (6); Indecent assault; Aggravated producing child exploitation material; possessing child exploitation material (2); aggravated possessing child exploitation material (2); Aggravated making a record of a child engaged in a private act	On bail
Webb, Frederick Charles	Aggravated possess child exploitation material; Possess child exploitation material	In gaol
Wilton, Tianah Emma Kimberley	Aggravated Recklessly causing serious harm	On bail

Prisoners on bail must surrender at 10 a.m. of the day appointed for their respective trials. If they do not appear when called upon their recognizances and those of their bail will be estreated and a bench warrant will be issued forthwith.

By order of the Court,

S. FERGUSON
Sheriff

PROFESSIONAL STANDARDS ACT 2004

ADDENDUM

The Australian Institute of Building Surveyors Ltd Professional Standards Scheme

Pursuant to section 14 of the *Professional Standards Act 2004*, I authorise the publication in the Gazette of The Australian Institute of Building Surveyors Professional Standards Scheme.

Pursuant to section 15(1)(a) of the *Professional Standards Act 2004*, I specify 1 July 2021 as the date of commencement of The Australian Institute of Building Surveyors Professional Standards Scheme.

Dated: 13 May 2021

VICKIE CHAPMAN
Attorney-General

PROFESSIONAL STANDARDS ACT 1994 (NSW)

The Australian Institute of Building Surveyors Professional Standards Scheme

Preamble

- A. The Australian Institute of Building Surveyors Limited (AIBS) is an occupational association.
- B. The AIBS has made an application to the Professional Standards Council, appointed under the *Professional Standards Act 1994 (NSW)* (the Act), for approval of a scheme under the Act. This document constitutes the scheme (the Scheme)
- C. The Scheme is prepared by the AIBS for the purposes of improving the quality of expertise within the profession and limiting Occupational Liability to the extent to which such liability may be limited under the Act.
- D. The Scheme is to apply to all Practising Members of the AIBS.
- E. The AIBS has furnished the Councils with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- F. The Scheme is intended to commence on 1 July 2021 and remain in force for five (5) years from its commencement subject to s32 of the Act.
- G. The Scheme is intended to apply in New South Wales, Victoria, South Australia, Western Australia, Queensland, Tasmania, Australian Capital Territory, and The Northern Territory and to be prescribed for the purposes of applicable Commonwealth legislation to limit liability for misleading and deceptive conduct in accordance with that legislation.

THE AUSTRALIAN INSTITUTE OF BUILDING SURVEYORS PROFESSIONAL STANDARDS SCHEME

1. Occupational association

- 1.1 The Scheme is a scheme under the Act prepared by the AIBS whose business address is: Level 5, 828 Pacific Highway, Gordon, NSW, 2072.

2. Persons to Whom the Scheme Applies

- 2.1 The Scheme applies to:
 - 2.1.1 all Practising Members (including a Body Corporate Member) as defined in the AIBS Membership Policy.
 - 2.1.2 all persons to whom clause 2.1.1 applied at the time of any act or omission giving rise to a cause of action.
- 2.2 Upon application by a person referred to in clause 2.1, AIBS may exempt the person from the Scheme from the date on which the exemption is granted or a later date specified in the exemption. This clause does not apply to a person to whom the Scheme applies by operation of section 18, 19 or 20 of the Act.

3. Limitation of liability

- 3.1 The Scheme only affects the liability for damages arising from a single cause of action to the extent to which the liability results in damages exceeding the limits specified in the table in clause 3.4 below.

- 3.2 If a person to whom the Scheme applies and against whom a proceeding relating to Occupational Liability is brought is able to satisfy the court that:
- 3.2.1 the person has the benefit of an insurance policy insuring such person against that Occupational Liability, and
- 3.2.2 the amount payable in respect of that Occupational Liability is not less than the monetary ceiling specified in clause 3.4 below, the person is not liable in damages in relation to that cause of action above the monetary ceiling.
- 3.3 For the purposes of the Scheme, an insurance policy must be a policy of a kind which complies with the AIBS Insurance Standards.
- 3.4 The monetary ceiling is as set out in the following table:

Building Levels	Category	Liability limit
Level 1	Unlimited (all buildings)	\$2 million
Level 2	Limited (less than 2000M2 and 3 storeys or less)	\$1 million

- 3.5 The Scheme limits the Occupational Liability in respect of a cause of action founded on an act or omission occurring during the period when the Scheme was in force of any person to whom the Scheme applied at the time the act or omission occurred.
- 3.6 Notwithstanding anything to the contrary contained in this Scheme if, in particular circumstances giving rise to occupational liability, the liability of any person who is subject to this Scheme is capped both by this Scheme and also by any other Scheme under professional standards legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and, if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

4. Conferral of discretionary authority

The Scheme confers on AIBS a discretionary authority to specify, on application by a person to whom the Scheme applies, in relation to that person, a higher monetary ceiling (maximum amount of liability) not exceeding \$10 million, in all cases or in any specified case or class of case.

5. Commencement

The Scheme is intended to commence on the following day:

- (a) in New South Wales, the Northern Territory, Queensland, Tasmania, Victoria and Western Australia on 1 July 2021;
- (b) in South Australia and the Australian Capital Territory:
- (i) on the date provided for in the Minister's notice, if a date is provided; or
- (ii) on the first day two months after the day on which notice was given, in any other case.

6. Duration

- 6.1 The Scheme will be in force for a period of 5 years from the date of commencement unless it is revoked or otherwise ends, or it is extended, in accordance with the Act.
- 6.2 The Scheme will cease to operate in any jurisdiction other than New South Wales if it is revoked or otherwise ends in accordance with the corresponding law (as defined in the Act) of that jurisdiction.

7. Definitions

"Accredited Members" means a person who has been issued a certificate of accreditation under the National Accreditation Scheme.

"Act" means the *Professional Standards Act 1994* (NSW).

"AIBS" means The Australian Institute of Building Surveyors Limited.

"AIBS Insurance Standards" means the insurance standards approved by AIBS from time to time.

"AIBS Membership Policy" means the membership policy effective as at 1 January 2021 (Doc Ref: P006, Version 003/01-Jan-21).

"Body Corporate Member" means a body corporate or other entity which is accredited by AIBS as an Accredited Member.

"Level 1" means building surveying functions for all other classes of buildings (as defined by the Building Code of Australia).

"Level 2" means building surveying functions for Class 1 and Class 10 buildings not exceeding a rise in storeys of 3 (as defined by the Building Code of Australia) unless legislated otherwise.

"National Accreditation Scheme" means the scheme administered by AIBS under which AIBS accredits building surveying professionals to practice.

"Occupational Liability" has the same meaning as in the Act.

"Practising Member" means a Practising Member (including a Body Corporate Member) as defined in the AIBS Membership Policy.

PROFESSIONAL STANDARDS ACT 2004

ADDENDUM

The Australian Property Institute Valuers Limited Professional Standards Scheme

PURSUANT to section 14 of the *Professional Standards Act 2004*, I authorise the publication in the Gazette of The Australian Property Institute Valuers Limited Professional Standards Scheme.

Pursuant to section 15(1)(a) of the *Professional Standards Act 2004*, I specify 1 September 2021 as the date of commencement of The Australian Property Institute Valuers Limited Professional Standards Scheme.

Dated: 13 May 2021

VICKIE CHAPMAN
Attorney-General

PROFESSIONAL STANDARDS ACT 2003 (VIC)

*The Australian Property Institute Valuers Limited Professional Standards Scheme**Preamble*

- A. The Australian Property Institute Valuers Limited (APIV) is an occupational association.
- B. The APIV has made an application to the Professional Standards Council (PSC), established by the *Professional Standards Act 2003* (Vic) (the Act), for approval of a scheme under the Act.
- C. The Scheme is prepared by the APIV for the purposes of limiting Occupational Liability to the extent to which such liability may be limited under the Act.
- D. The APIV has furnished the PSC with a detailed list of the risk management strategies, currently in place and intended to be implemented, in respect of its Members and the means by which those strategies are intended to be implemented.
- E. The APIV has furnished the PSC with APIV Insurance Standards with which Participating Members must comply for purposes of this Scheme.
- F. The Scheme is intended to remain in force for five (5) years from its commencement unless, prior to that time, it is revoked, its operation ceases, or it is extended pursuant to Section 34 of the Act.
- G. The Scheme is intended to operate in Victoria. This Scheme is also intended to operate in the Australian Capital Territory, New South Wales, the Northern Territory of Australia, Queensland, South Australia, Tasmania and Western Australia by way of mutual recognition under the Professional Standards Legislation.
- H. Section 12GNA(2) of *Australian Securities and Investments Commission Act 2001* (Cth); section 137(2) of *Competition and Consumer Act 2010* (Cth); and section 1044B(2) of *Corporations Act 2001* (Cth) provide for limited liability where a professional standards scheme is prescribed in the relevant regulation. The Scheme does not apply to limit any liability under a Commonwealth law unless it has been prescribed by the Commonwealth.

THE AUSTRALIAN PROPERTY INSTITUTE VALUERS LIMITED PROFESSIONAL STANDARDS SCHEME**1. Occupational association**

- 1.1. The Scheme is a scheme under the Act prepared by the APIV whose registered address is:
Level 3, 60-62 York Street
Sydney NSW 2000
- 1.2. The Scheme is intended to operate in Victoria, the Australian Capital Territory, New South Wales, the Northern Territory, Queensland, South Australia, Tasmania and Western Australia.
- 1.3. The Scheme is intended to limit Occupational Liability by insurance arrangements pursuant to Section 23 of the Act. The relevant insurance arrangements are the APIV Insurance Standards.

2. Persons to Whom the Scheme Appliesⁱ

- 2.1. The Scheme applies to:
 - 2.1.1 all Members who are natural persons and who hold the API certification of Certified Practising Valuer, Certified Practising Valuer (Plant & Machinery) or Residential Property Valuer; and
 - 2.1.2 all Corporate Members.
- 2.2. This Scheme also applies to all persons who were Participating Members at the time of any act or omission giving rise to Occupational Liability.ⁱⁱ
- 2.3. The APIV may, on application by a person referred to in clause 2.1, exempt that person from the Scheme from the date on which the exemption is granted or a later date specified in the exemption. This clause does not apply to a person to whom the Scheme applies by operation of Sections 20, 21 or 22 of the Act.
- 2.4. All Participating Members are required to hold or have the benefit of a Professional Indemnity Insurance Policy against Occupational Liability that complies with the APIV Insurance Standards and the insurance requirements set out in Clause 3.2, unless exempted by the APIV.

3. Limitation of Liability

- 3.1. This Scheme only affects the liability for Damages arising from a single cause of action to the extent to which the liability results in Damages exceeding \$1,000,000.
- 3.2. If a person, who or which was, at the time of the act or omission giving rise to Occupational Liability, a Participating Member and against whom a proceeding relating to Occupational Liability is brought, is able to satisfy the court that:
 - 3.2.1 the person has the benefit of an insurance policy insuring such person against the Occupational Liability to which the cause of action relates, and
 - 3.2.2 under which the amount payable in respect of that Occupational Liability is not less than the Monetary Ceiling relating to the class of person and the kind of Occupational Services to which the cause of action relates, that person is not liable in Damages in relation to that cause of action above the Monetary Ceiling specified in this Scheme.
- 3.3. For the purposes of the Scheme, an insurance policy must be a policy of a kind which complies with the APIV Insurance Standards.

- 3.4. The Monetary Ceiling (maximum amount of liability) for the purpose of limitation of liability under this Scheme is to be determined according to the following table:

Category	Assessed Value ("AV")	Monetary Ceiling
Category 1 Services	\$0 to \$3,500,000	\$1,000,000 (fixed)
	\$3,500,001 to \$7,500,000	AV x 33%
Real Property	\$7,500,001 to \$100,000,000	\$2,000,000 + (AV x 7.5%)
Valuation Services	\$100,000,001 or greater	\$10,000,000 (fixed)
Category	Category Description	Monetary Ceiling
Category 2 Services	Low Risk Valuation Services	\$1,000,000 (fixed)
Category 3 Services	Plant Valuations & Machinery	\$1,000,000 (fixed)
Category 4 Services	Other Occupational Services	\$1,000,000 (fixed)

- 3.5. For the avoidance of doubt, the applicable limitation of liability in respect of a Claim is the Monetary Ceiling as in force at the time at which the act or omission giving rise to the cause of action concerned occurred.
- 3.6. Where a person, who at the time of the acts or omissions referred to in clauses 3.6.1 and 3.6.2 was a Participating Member, incurs an Occupational Liability as a result of:
- 3.6.1 an act or omission by that person in the performance of Category 1 Services; and
- 3.6.2 an act or omission by that person in the performance of:
- Category 2 Services;
 - Category 3 Services;
 - Category 4 Services; or
 - any combination of Category 2 Services, Category 3 Services and/or Category 4 Services; such person's Occupational Liability under this Scheme for Damages in excess of the amount specified in clause 3.1 will be determined in accordance with those provisions of the Scheme relating to Category 1 Services only, as set out in the table at clause 3.3.
- 3.7. Clause 3.2 only affects liability for Damages arising from a single cause of action to the extent to which the liability in Damages exceeds such amount as is specified in Clause 3.1.
- 3.8. This Scheme limits the Occupational Liability in respect of a cause of action founded on an act or omission occurring during the period when the Scheme was in force of any person to whom the Scheme applied at the time the act or omission occurred.
- 3.9. Where a person who at the time of the acts or omissions referred to in this clause was a Participating Member, in respect of a single cause of action, incurs an Occupational Liability as a result of:
- 3.9.1 an act or omission in the performance of a Category 1 Service; and
- 3.9.2 an act or omission in the performance of one or more other Category 1 Service; the Monetary Ceiling shall be calculated by reference to the highest Assessed Value.
- 3.10. Where, in respect of a Government Valuation, a person who was a Participating Member:
- 3.10.1 expressly extends reliance in respect of such Government Valuation to a Non-Government Entity; and
- 3.10.2 incurs a liability to such Non-Government Entity as a result of an act or omission by that Participating Member in the performance of the Government Valuation; the relevant Occupational Service, for the purpose of calculating the applicable Monetary Ceiling in respect of such liability to the Non-Government Entity in accordance with clause 3.4 (only), will be deemed to be a Category 1 Service.

4. Conferral of discretionary authority

- 4.1. Pursuant to section 26 of the Act, this Scheme confers on the APIV a discretionary authority to specify, on application by a Participating Member, a higher monetary ceiling (maximum amount of liability) not exceeding \$20 million, in relation to the Participating Member either in all cases or in any specified case or class of case.

5. Definitions

- 5.1. Relevant definitions for the purposes of the Scheme are as follows:

"Act" means the *Professional Standards Act 2003* (Vic).

"API" means the Australian Property Institute Ltd ACN 608 309 128.

"APIV" means the Australian Property Institute Valuers Limited ACN 143 638 975.

“APIV Insurance Standards” means the insurance standards approved by the APIV and presented to, and considered by, the Professional Standards Councils in connection with the Councils’ approval of the Scheme (subject to any amendment to such Insurance Standards as are subsequently approved by the APIV and presented to the Councils and approved or endorsed by the Councils in writing).

“Assessed Value” means an express statement of professional opinion by a person who is or was a Participating Member as to the value of any right, interest or benefit related to the ownership, occupation or use of real property or plant, machinery or equipment. Where a valuation states a range of values, rather than a single value, the Assessed Value shall be deemed to be the mid-point value in such range.

“Category 1 Services” means the Valuation of Real Property in Australia excluding any Low Risk Valuation Services.

“Category 2 Services” means the provision of Low Risk Valuation Services in Australia.

“Category 3 Services” means the provision of Plant & Machinery Valuation Services in Australia.

“Category 4 Services” means the provision of Other Occupational Services in Australia.

“Corporate Member” means a corporation which has been admitted as a Member pursuant to the eligibility criteria prescribed by the APIV Constitution.

“Damages” has the meaning given in Section 4 of the Act.

“Expert Determination” means any Valuation of Real Property undertaken for the purpose of making a determination acting as an expert pursuant to an agreement or deed where all relevant parties have agreed to indemnify, release or hold the valuer harmless in respect of any liability in connection with the valuation. An Expert Determination can be binding or non-binding.

“Expert Evidence Valuation” means any Valuation of Real Property undertaken for the purpose of providing expert evidence in relation to a proceeding before a court or tribunal where the expert’s primary duty is to the court or tribunal (excluding a Valuation of Real Property undertaken for Resumption purposes).

“Financial Reporting Valuation” means any Valuation of Real Property undertaken for the purpose of the preparation and issue of financial reports by any entity in the general course of the entity’s operations. It excludes special purpose financial reports prepared in respect of a specific transaction including any sale, merger, takeover or fundraising.

“Government Valuation” means any valuation prepared on instructions from any:

- (a) Government in Australia (including Federal, State or Territory and Local government);
- (b) Government department; or
- (c) Government agency; or
- (d) Government statutory or non-statutory body or authority.

“Insurance Valuation” means any assessment of the cost of replacement of destructible improvements to real property undertaken for the purpose of advising on the insurable value of such property in connection with the entry into, or proposed entry into, a contract of insurance.

“Low Risk Valuation Services” means any:

- (a) Valuation of Real Property undertaken in the capacity as an arbitrator;
- (b) Valuation of Real Property undertaken for the purpose of asset means testing;
- (c) Expert Determination;
- (d) Expert Evidence Valuation;
- (e) Financial Reporting Valuation;
- (f) Government Valuation;
- (g) Insurance Valuation;
- (h) assessment of any unit entitlement in respect of any subdivision, strata title, company title (or similar) property;
- (i) Valuation of Real Property undertaken for the purpose of determining a rate, tax, duty or levy that applies in respect of the property including but not limited to any council rates, Good & Services Tax or stamp duty; or
- (j) Valuation of Real Property undertaken for Resumption purposes.

“Member” means a member of the APIV.

“Monetary Ceiling” means the applicable monetary ceiling specified in clause 3.3 of the Scheme.

“Non-Government Entity” means a person or entity which is not a government entity of the type identified in the definition of Government Valuation at clause 5.1 (including, for the avoidance of doubt, any joint venture or partnership between one or more Government Entity(s) with one or more Non-Government Entity(s)).

“Occupation” means the occupational vocation carried out by Participating Members by application of the qualifications, training, skills, practices, disciplines, specialisations, standards, guidelines and experience of Certified Practising Valuers, Certified Practising Valuers (Plant & Machinery) and/or Residential Property Valuers.

“Occupational Liability” has the meaning given in Section 4 of the Act.

“Occupational Services” means any Category 1 Services, the Category 2 Services, the Category 3 Services and the Category 4 Services provided by a Participating Member in the performance of the Occupation.

“Other Occupational Services” means any Occupational Services provided by a Participating Member in the performance of the Occupation other than any:

- (a) Category 1 Services;
- (b) Category 2 Services;
- (c) Category 3 Services.

“Participating Member” means a Member to whom the Scheme applies pursuant to clause 2.1 and who has not been granted an exemption pursuant to clause 2.3.

“Plant & Machinery Valuation Services” means any valuation of any right, interest or benefit related to the ownership, possession or use of plant, machinery or equipment expressed as an Assessed Value.

“Professional Indemnity Insurance Policy” means a policy of insurance that provides cover for the Participating Member in compliance with the APIV Insurance Standards.

“Professional Standards Legislation” means:

- (a) the Act;
- (b) *Professional Standards Act 1994* (NSW);
- (c) *Professional Standards Act 2004* (Qld);
- (d) *Professional Standards Act 2004* (SA);
- (e) *Professional Standards Act 2005* (Tas);
- (f) *Professional Standards Act 1997* (WA);
- (g) *Professional Standards Act 2004* (NT); and
- (h) *Civil Law (Wrongs) Act 2002* (ACT).

“Real Property Valuation Services” means the Valuation of Real Property but excluding any Low Risk Valuation Services.

“Resumption” means compulsory acquisition of land (including compulsory acquisition or appropriation of Crown land) under the provision of any Act of the Commonwealth or of a State or Territory authorising compulsory acquisition or appropriation of land.

“Scheme” means The Australian Property Institute Valuers Limited Professional Standards Scheme set out in this document.

“Valuation of Real Property” means any valuation of any right, interest or benefit related to the ownership, occupation or use of real property including land and all things that are a natural part of the land as well as any improvements to the land (but excluding plant, machinery and equipment) expressed as an Assessed Value.

6. Duration and commencement

- 6.1 The Scheme is intended to commence on the following day:
 - 6.1.1 in Victoria, New South Wales, the Northern Territory, Queensland, Tasmania and Western Australia on 1 September 2021;
 - 6.1.2 in the Australian Capital Territory and South Australia:
 - (a) on the date provided in the relevant Minister’s notice in relation to the amendments, if a date is provided; or
 - (b) on the first day two months after the day on which notice was given, in any other case.
- 6.2 This Scheme will be in force in Victoria for five (5) years from the date of commencement in that jurisdiction, unless:
 - 6.2.1 it is revoked or ceases in accordance with the Act; or
 - 6.2.2 it is extended in accordance with the Act.
- 6.3 For any other jurisdiction, the Scheme will be in force for:
 - 6.3.1 five (5) years from the date of commencement in that jurisdiction; or
 - 6.3.2 five (5) years from the date of commencement in Victoria; whichever period ends first
- 6.4 The Scheme will cease to operate in a jurisdiction referred to in clause 6.3 if it is revoked or ceases in accordance with the Professional Standards Legislation of that jurisdiction.

7. Other schemes

- 7.1 Notwithstanding anything to the contrary contained in this Scheme, if in particular circumstances giving rise to Occupational Liability, the liability of any person who is subject to this Scheme should be capped by both this Scheme and also by any other scheme under Professional Standards Legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

ⁱ Sections 20 and 21 of the Act provide that if the scheme applies to a body corporate, the scheme also applies to each officer of the body corporate and if the scheme applies to a person, the scheme also applies to each partner of the person, and if the scheme applies to a person the scheme also applies to each employee of the person, provided that if such officer of the corporation or partner of the person or employee of the person is entitled to be a member of the same occupational association, such officer, partner or employee is a member of the occupational association. Section 22 provides that the scheme may also apply to other persons as specified in that section.

ⁱⁱ For the purposes of the operation of the Scheme in Victoria, “Occupational Liability” has the same meaning as it has in the Act and excludes any liability which may not from time to time be limited pursuant to the Act. Similarly, for the purposes of the operation of the Scheme in other jurisdictions in which it applies, “Occupational Liability” has the same meaning as it has in the corresponding legislation of those jurisdictions and excludes any liability which may not from time to time be limited pursuant to that legislation.

Occupational liability is defined in s4(1) of the Act to mean ‘civil liability arising (in tort, contract or otherwise) directly or vicariously from anything done or omitted to be done by a member of an occupational association acting in the performance of his or her occupation’. However, s5(1) of the Act provides that the Act does not apply to liability for damages arising from the death of or personal injury to a person, a breach of trust or fraud or dishonesty. [Note: All jurisdictions other than NSW and WA exclude a lawyer acting in a personal injury matter.] Section 5(2) of the Act also provides that the Act does not apply to liability which may be the subject of proceedings under Section 110 of the *Transfer of Land Act* (Vic).

REAL PROPERTY ACT 1886

Caveat to be Lodged

Whereas the Applicant named at the foot hereof has for itself made application to have the land set forth and described before its name at the foot hereof brought under the operation of the *Real Property Act 1886*:

Notice is hereby given that unless caveat be lodged with the Registrar-General by some person having estate or interest in the said land on or before the expiration of the period herein below for each case specified, the said land will be brought under the operation of the said Act as by law directed. Diagrams delineating this land may be inspected at the Land Titles Registration Office, Adelaide and in the offices of the several corporations or district councils in which the lands are situated.

SCHEDULE

No. of Application	Description of Property	Names	Residence	Date up to and inclusive of which caveat may be lodged
32055	Portion of Allotments 1 and 2 in F255532 Hundred Adelaide in the named Adelaide.	Aemon Climo Bourke Emily Sarah Bourke	22-24 Stephens Street, Adelaide SA 5000	27 July 2021

Dated: 27 May 2021

B. PIKE
Chief Executive Officer, Land Services SA
Acting under delegation of the Registrar-General,
pursuant to Sec. 17 of the Real Property Act 1886

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

NOTICE OF CONFIRMATION OF ROAD PROCESS ORDER*Road Closure—Un-made Public Road, Salisbury Heights*

By Road Process Order made on 8 December 2020, the City of Salisbury ordered that:

1. Portion of Un-made Public Road, Salisbury Heights, situated adjoining Allotment 76 in Deposited Plan 14216, Allotment 84 in Deposited Plan 13258, Allotment 206 in Deposited Plan 116255 and Allotment 500 in Deposited Plan 119201, Hundred of Yatala, more particularly delineated and lettered 'A' and 'B' in Preliminary Plan 20/0022 be closed.
2. Issue Certificates of Title to the City of Salisbury for the whole of the land subject to closure in accordance with the Applications for Document of Title dated 8 December 2020.
3. The following easements are to be granted over portion of the land subject to closure:
 - Grant to the South Australian Water Corporation an easement for water supply purposes over the land marked 'B' in Deposited Plan 125992.
 - Grant to the South Australian Water Corporation an easement for sewerage purposes over the land marked 'C' in Deposited Plan 125992.

On 18 May 2021 that order was confirmed by the Attorney-General conditionally upon the deposit by the Registrar-General of Deposited Plan 125992 being the authority for the new boundaries.

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

Dated: 27 May 2021

M. P. BURDETT
Surveyor-General

DPTI: 2020/11235/01

VALUATION OF LAND ACT 1971

Notice of General Valuation

Pursuant to the *Valuation of Land Act 1971*, notice is hereby given that I have made a general valuation of all land within the following areas:

City of Adelaide
Adelaide Hills Council
Adelaide Plains Council
Alexandrina Council
The Barossa Council
Barunga West Council
The Berri Barmera Council
City of Burnside
Campbelltown City Council
District Council of Ceduna
City of Charles Sturt
Clare & Gilbert Valleys Council

District Council of Cleve
District Council of Coober Pedy
Coorong District Council
Copper Coast Council
District Council of Elliston
The Flinders Ranges Council
District Council of Franklin Harbour
Town of Gawler
Regional Council of Goyder
District Council of Grant
City of Holdfast Bay
Kangaroo Island Council
District Council of Karoonda East Murray
District Council of Kimba
Kingston District Council
Light Regional Council
District Council of Lower Eyre Peninsula
District Council of Loxton Waikerie
City of Marion
Mid Murray Council
City of Mitcham
Mount Barker District Council
City of Mount Gambier
District Council of Mount Remarkable
The Rural City of Murray Bridge
Naracoorte Lucindale Council
Northern Areas Council
City of Norwood Payneham & St Peters
City of Onkaparinga
District Council of Orroroo Carrieton
District Council of Peterborough
City of Playford
City of Port Adelaide Enfield
Port Augusta City Council
City of Port Lincoln
Port Pirie Regional Council
City of Prospect
Renmark Paringa Council
District Council of Robe
Roxby Downs Council
City of Salisbury
Southern Mallee District Council
District Council of Streaky Bay
Tatiara District Council
City of Tea Tree Gully
District Council of Tumby Bay
City of Unley
City of Victor Harbor
Wakefield Regional Council
Town of Walkerville
Wattle Range Council
City of West Torrens
City of Whyalla
Wudinna District Council
District Council of Yankalilla
Yorke Peninsula Council
Un-incorporated areas of the state

The values are assigned as at 1 January 2021 and will come into force at midnight on 30 June 2021.

Dated: 27 May 2021

K. BARTOLO
Valuer-General

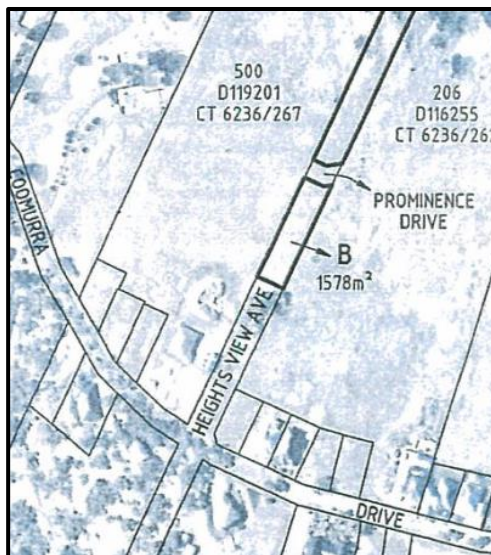
LOCAL GOVERNMENT INSTRUMENTS

CITY OF SALISBURY

Renaming of Roads in Salisbury Heights

Notice is hereby given, pursuant to Section 219 of the *Local Government Act 1999*, that Council at its meeting on 27 April 2020 resolved to rename the following portions of road in the suburb of Salisbury Heights as depicted in the image below:

- Heights View Avenue
- Prominence Drive



The new road names will take effect from 24 June 2021.

J. HARRY
Chief Executive Officer

PUBLIC NOTICES

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

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

ALLAN Joyous late of 27-31 Captain Robertson Avenue Golden Grove of no occupation who died 4 March 2021
AMES Jennifer Mary late of 16-24 Penneys Hill Road Hackham of no occupation who died 26 October 2020
BATTYE Mabel Jean late of Cnr Fort Street and Sylvan Way Grange of no occupation who died 17 August 2020
BOULTON Richard Alan late of 3 O'Loughlin Terrace Ceduna of no occupation who died 29 January 2020
BROADBENT Kerry Campbell late of 20 Kalisz Court Noarlunga Downs of no occupation who died 20 June 2020
CAPPER Betty Dawn late of 9-15 Lonsdale Street Woodville North of no occupation who died 6 November 2020
DONNELLY Alexander late of 70 Beovich Road Ingle Farm of no occupation who died 5 July 2020
ECKHOLD-SIMPSON Judith Lynette late of 7-31 Shackleton Avenue Ingle Farm of no occupation who died 10 December 2020
ELLARD Donald McGregor late of 266 Commercial Street West Mount Gambier of no occupation who died 13 September 2020
FREEMAN Brigid late of 150 Bay Road Encounter Bay Retired Registered Nurse who died 28 December 2020
GEORGE Dorothy Elaine late of 43 Marlborough Street Malvern of no occupation who died 12 February 2021
KITTO Lawrence Raymond late of 39 Campus Drive Aberfoyle Park Retired Occupational Therapy Aide who died 5 January 2021
McDONALD Ranald John late of 4 Railway Terrace Mount Barker Electrical Fitter who died 19 May 2018
WHELAN Brian John late of 16-24 Penneys Hill Road Hackham Retired Plumber who died 17 February 2021

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 25 June 2021 otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated: 27 May 2021

N. S. RANTANEN
Public Trustee

NATIONAL ELECTRICITY LAW

Final Determination and Final Rule

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 (Minor changes 2) Rule 2021 No. 4* (Ref. ERC0328) and related final determination. All provisions commence on **27 May 2021**.

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

Australian Energy Market Commission
Level 15, 60 Castlereagh St
Sydney NSW 2000
Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 27 May 2021

NATIONAL ENERGY RETAIL LAW

Final Determination and Final Rule

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

Under ss 259 and 261, the making of the *National Energy Retail Amendment (Minor changes 2) Rule 2021 No. 3* (Ref. RRC0041) and related final determination. Schedule 1 commences operation on **27 May 2021**. Schedule 2 commences operation on **1 August 2021**.

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

Australian Energy Market Commission
Level 15, 60 Castlereagh St
Sydney NSW 2000
Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 27 May 2021

NATIONAL GAS LAW

Final Determination and Final Rule

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

Under ss 311 and 313, the making of the *National Gas Amendment (Minor changes 2) Rule 2021 No. 1* (Ref. GRC0061) and related final determination. All provisions commence on **27 May 2021**.

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

Australian Energy Market Commission
Level 15, 60 Castlereagh St
Sydney NSW 2000
Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 27 May 2021

NOTICE SUBMISSION

The South Australian Government Gazette is compiled and published each Thursday.

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

All submissions are formatted per the gazette style and proofs are supplied as soon as possible. Alterations must be returned before 4 p.m. Wednesday.

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 in the following format:

- Title—name of the governing Act/Regulation
- Subtitle—brief description of the notice
- A structured body of text
- Date of authorisation
- Name, position, and government department/organisation of the person authorising the notice

Please provide the following information in your email:

- Date of intended publication
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All instruments appearing in this gazette are to be considered official, and obeyed as such