



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 25 NOVEMBER 2021

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## GOVERNOR'S INSTRUMENTS

### ACTS

Department of the Premier and Cabinet  
Adelaide, 25 November 2021

Her Excellency the Governor directs it to be notified for general information that she has in the name and on behalf of Her Majesty The Queen, this day assented to the undermentioned Acts passed by the Legislative Council and House of Assembly in Parliament assembled, viz.:

No. 43 of 2021—Emergency Management (Electricity Supply Emergencies) Amendment Act 2021  
An Act to amend the Emergency Management Act 2004

No. 44 of 2021—Firearms (Miscellaneous) Amendment Act 2021  
An Act to amend the Firearms Act 2015

No. 45 of 2021—Unclaimed Money Act 2021  
An Act to make provision for the publication of information about, and the repayment of, unclaimed money, to provide for the payment of unclaimed money into the Consolidated Account, to make related amendments to various Acts, to repeal the Unclaimed Moneys Act 1891 and for other purposes

No. 46 of 2021—Sentencing (Hate Crimes) Amendment Act 2021  
An Act to amend the Sentencing Act 2017

No. 47 of 2021—Statutes Amendment (Spit Hood Prohibition) Act 2021  
An Act to amend the Correctional Services Act 1982, the Mental Health Act 2009, the Sheriff's Act 1978, the Summary Offences Act 1953 and the Youth Justice Administration Act 2016

By command,

STEVEN SPENCE MARSHALL  
Premier

### APPOINTMENTS

Department of the Premier and Cabinet  
Adelaide, 25 November 2021

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Legal Services Commission, pursuant to the provisions of the Legal Services Commission Act 1977:

Member: from 1 January 2022 until 19 January 2023  
Peter Damian Slattery

Chairperson: from 1 January 2022 until 19 January 2023  
Peter Damian Slattery

By command,

STEVEN SPENCE MARSHALL  
Premier

AGO0158-21CS

Department of the Premier and Cabinet  
Adelaide, 25 November 2021

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Public Health Council, pursuant to the provisions of the South Australian Public Health Act 2011:

Member: from 25 November 2021 until 24 December 2024  
Helen Donovan  
Courtney Cie Ryder  
Nicole Clinch  
Helen Siobhan Marshall

By command,

STEVEN SPENCE MARSHALL  
Premier

HEAC-2021-00054

Department of the Premier and Cabinet  
Adelaide, 25 November 2021

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Film Corporation, pursuant to the provisions of the South Australian Film Corporation Act 1972:

Member: from 2 December 2021 until 1 December 2024  
Julie Anne Cooper  
Austin Robert Meerten Taylor

Presiding Member: from 2 December 2021 until 1 December 2024  
Julie Anne Cooper

By command,

STEVEN SPENCE MARSHALL  
Premier

21IS/016CS

Department of the Premier and Cabinet  
Adelaide, 25 November 2021

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Art Gallery Board, pursuant to the provisions of the Art Gallery Act 1939:

Member: from 2 December 2021 until 1 December 2024  
Andrew Paul Nunn  
Kenneth Wayne Watkins

By command,

STEVEN SPENCE MARSHALL  
Premier

DPC21/088CS

Department of the Premier and Cabinet  
Adelaide, 25 November 2021

Her Excellency the Governor in Executive Council has been pleased to appoint Sandra McDonald SC to the office of Puisne Judge of the Supreme Court of South Australia effective from 29 November 2021 - pursuant to section 9 of the Supreme Court Act 1935.

By command,

STEVEN SPENCE MARSHALL  
Premier

AGO0175-21CS

Department of the Premier and Cabinet  
Adelaide, 25 November 2021

Her Excellency the Governor in Executive Council has been pleased to appoint Jarrod Kane Warren SC, being Senior Counsel in the State of South Australia appointed by the Chief Justice of the Supreme Court of South Australia, as Her Majesty's Counsel in the State of South Australia, without loss or gain of precedence granted previously upon his appointment as Senior Counsel - pursuant to section 92 of the Legal Practitioners Act 1981.

By command,

STEVEN SPENCE MARSHALL  
Premier

AGO0186-21CS

Department of the Premier and Cabinet  
Adelaide, 25 November 2021

Her Excellency the Governor in Executive Council has been pleased to appoint the people listed below to the position of Community Visitor for a term of three years commencing on 25 November 2021 and expiring on 24 November 2024 - pursuant to the provisions of the Mental Health Act 2009.

Michelle Audrey Diener  
Eric William Ford  
Helen Jones  
Briony Therese Lia  
Kathryn Joy McPhee  
Helen Margaret Mitchard  
Eimear Caitlin Muir-Cochrane  
Daniel Nogueira de Souza Sobral  
Brigitte Mary Squire

By command,

STEVEN SPENCE MARSHALL  
Premier

HEAC-2021-00051

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## RESOLUTIONS

Legislative Council Office  
Adelaide, 17 November 2021

Forwarded to the Honourable the Premier the following Resolution, passed by the Legislative Council on 17 November 2021.

That the Nuyts Archipelago Marine Park Management Plan Amendment 2020, declared to be authorised under the Marine Parks Act 2007 on 17 September 2020 and laid on the Table of this Council on 22 December 2020, be disallowed.

CHRIS SCHWARZ  
Clerk of Legislative Council

Legislative Council Office  
Adelaide, 17 November 2021

Forwarded to the Honourable the Premier the following Resolution, passed by the Legislative Council on 17 November 2021.

That the Upper Gulf St Vincent Marine Park Management Plan Amendment 2020, declared to be authorised under the Marine Parks Act 2007 on 17 September 2020 and laid on the Table of this Council on 22 September 2020, be disallowed.

CHRIS SCHWARZ  
Clerk of Legislative Council

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Legislative Council Office  
Adelaide, 17 November 2021

Forwarded to the Honourable the Premier the following Resolution, passed by the Legislative Council on 17 November 2021.

That the Neptune Islands Group (Ron and Valerie Taylor) Marine Park Management Plan Amendment 2020, declared to be authorised under the Marine Parks Act 2007 on 17 September 2020 and laid on the Table of this Council on 22 September 2020, be disallowed.

CHRIS SCHWARZ  
Clerk of Legislative Council

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Legislative Council Office  
Adelaide, 17 November 2021

Forwarded to the Honourable the Premier the following Resolution, passed by the Legislative Council on 17 November 2021.

That the Western Kangaroo Island Marine Park Management Plan Amendment 2020, declared to be authorised under the Marine Parks Act 2007 on 17 September 2020 and laid on the Table of this Council on 22 September 2020, be disallowed.

CHRIS SCHWARZ  
Clerk of Legislative Council

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Legislative Council Office  
Adelaide, 17 November 2021

Forwarded to the Honourable the Premier the following Resolution, passed by the Legislative Council on 17 November 2021.

That By-law No. 6 of the Town of Gawler concerning Cats, made under the Local Government Act 1999 and the Dog and Cat Management Act 1995 on 24 August 2021 and laid on the Table of this Council on 12 October 2021, be disallowed.

CHRIS SCHWARZ  
Clerk of Legislative Council

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Legislative Council Office  
Adelaide, 17 November 2021

Forwarded to the Honourable the Premier the following Resolution, passed by the Legislative Council on 17 November 2021.

That By-law No. 6 of 2020 of the City of Campbelltown concerning Cats, made under the Local Government Act 1999 and the Dog and Cat Management Act 1995 on 24 December 2020 and laid on the Table of this Council on 2 February 2021, be disallowed.

CHRIS SCHWARZ  
Clerk of Legislative Council

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## PROCLAMATIONS

South Australia

**Health Practitioner Regulation National Law (South Australia) (Telepharmacy) Amendment Act (Commencement) Proclamation 2021**

**1—Short title**

This proclamation may be cited as the *Health Practitioner Regulation National Law (South Australia) (Telepharmacy) Amendment Act (Commencement) Proclamation 2021*.

**2—Commencement of Act**

The *Health Practitioner Regulation National Law (South Australia) (Telepharmacy) Amendment Act 2021* (No 41 of 2021) comes into operation on 1 December 2021.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

## **Oaths (Miscellaneous) Amendment Act (Commencement) Proclamation 2021**

### **1—Short title**

This proclamation may be cited as the *Oaths (Miscellaneous) Amendment Act (Commencement) Proclamation 2021*.

### **2—Commencement of Act**

The *Oaths (Miscellaneous) Amendment Act 2021* (No 31 of 2021) comes into operation on 1 December 2021.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

# **National Parks and Wildlife (Cleland Conservation Park) Proclamation 2021**

under section 29(3) of the *National Parks and Wildlife Act 1972*

---

## **Preamble**

- 1 Cleland Conservation Park is constituted as a conservation park under the *National Parks and Wildlife Act 1972*.
  - 2 It is intended that, by this proclamation, the conservation park be abolished.
  - 3 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

## **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Cleland Conservation Park) Proclamation 2021*.

## **2—Commencement**

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

## **3—Abolition of Cleland Conservation Park**

Cleland Conservation Park is abolished.

## **Made by the Governor**

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the Executive Council  
on 25 November 2021



South Australia

## **National Parks and Wildlife (Cleland National Park) Proclamation 2021**

under section 28(1) of the *National Parks and Wildlife Act 1972*

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Cleland National Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Constitution of Cleland National Park**

The following Crown land is constituted as a national park and assigned the name *Cleland National Park*:

Sections 608, 637, 641, 642, 729, 741, 920, 989, 990 and 6034, Hundred of Adelaide, County of Adelaide;

Allotment 40 in Deposited Plan 6616, Hundred of Adelaide, County of Adelaide;

Allotment 10 in Deposited Plan 50942, Hundred of Adelaide, County of Adelaide;

Allotment 51 in Deposited Plan 56031, Hundred of Adelaide, County of Adelaide;

Allotment 57 in Deposited Plan 56056, Hundred of Adelaide, County of Adelaide;

Sections 535, 568 and 579, Hundred of Onkaparinga, County of Adelaide;

Allotment 23, and Pieces 24, 25 and 26 forming an Allotment, in Filed Plan 38942 (formerly delineated as Section 424, Hundred of Onkaparinga and Section 500, Hundred of Adelaide), County of Adelaide.

### **Made by the Governor**

being of the opinion that the Crown land described in clause 3 is of national significance by reason of the wildlife and natural features of the land and with the advice and consent of the Executive Council on 25 November 2021

South Australia

## **National Parks and Wildlife (Deep Creek Conservation Park) Proclamation 2021**

under section 29(3) of the *National Parks and Wildlife Act 1972*

---

### **Preamble**

- 1 Deep Creek Conservation Park is constituted as a conservation park under the *National Parks and Wildlife Act 1972*.
  - 2 It is intended that, by this proclamation, the conservation park be abolished.
  - 3 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Deep Creek Conservation Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Abolition of Deep Creek Conservation Park**

Deep Creek Conservation Park is abolished.

### **Made by the Governor**

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

## **National Parks and Wildlife (Deep Creek National Park) Proclamation 2021**

under section 28(1) of the *National Parks and Wildlife Act 1972*

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Deep Creek National Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Constitution of Deep Creek National Park**

The following Crown land is constituted as a national park and assigned the name *Deep Creek National Park*:

Sections 32, 33, 34, 48, 49, 50, 51, 52, 62, 63, 64, 65, 66, 76, 78, 79, 80, 110, 129, 130, 209, 210, 211, 212, 216, 217, 223, 336, 337, 365, 374, 376, 379, 384, 394, 397, 408, 410, 411, 416, 417 and 1382, Hundred of Waitpinga, County of Hindmarsh;

Allotment 1 in Deposited Plan 31586, Hundred of Waitpinga, County of Hindmarsh;

Allotment 100 in Deposited Plan 58990, Hundred of Waitpinga, County of Hindmarsh;

Road marked A, in Road Plan 8996, Hundred of Waitpinga, County of Hindmarsh;

Road marked B, in Road Plan 8996, Hundred of Waitpinga, County of Hindmarsh;

Road marked C, in Road Plan 8996, Hundred of Waitpinga, County of Hindmarsh;

Road marked D, in Road Plan 8996, Hundred of Waitpinga, County of Hindmarsh;

Road marked E, in Road Plan 8996, Hundred of Waitpinga, County of Hindmarsh;

Road marked F, in Road Plan 8996, Hundred of Waitpinga, County of Hindmarsh.

### **Made by the Governor**

being of the opinion that the Crown land described in clause 3 is of national significance by reason of the wildlife and natural features of the land and with the advice and consent of the Executive Council on 25 November 2021

South Australia

## **National Parks and Wildlife (Ediacara Conservation Park) Proclamation 2021**

under section 30(2) of the *National Parks and Wildlife Act 1972*

---

### **Preamble**

- 1 Ediacara Conservation Park is constituted as a conservation park under the *National Parks and Wildlife Act 1972*.
  - 2 It is intended that, by this proclamation, the conservation park be abolished.
  - 3 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Ediacara Conservation Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Abolition of Ediacara Conservation Park**

Ediacara Conservation Park is abolished.

### **Made by the Governor**

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

## **National Parks and Wildlife (Eurilla Conservation Park) Proclamation 2021**

under section 30(2) of the *National Parks and Wildlife Act 1972*

---

### **Preamble**

- 1 Eurilla Conservation Park is constituted as a conservation park under the *National Parks and Wildlife Act 1972*.
  - 2 It is intended that, by this proclamation, the conservation park be abolished.
  - 3 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Eurilla Conservation Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Abolition of Eurilla Conservation Park**

Eurilla Conservation Park is abolished.

### **Made by the Governor**

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

## **National Parks and Wildlife (Ikara-Flinders Ranges National Park) Proclamation 2021**

under section 27(3) of the *National Parks and Wildlife Act 1972*

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Ikara-Flinders Ranges National Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Alteration of boundaries of Ikara-Flinders Ranges National Park**

The boundaries of Ikara-Flinders Ranges National Park are altered by adding to the Park the following Crown land:

Allotment 101 in Deposited Plan 55290, Out of Hundreds (Parachilna), County of Taunton.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

# National Parks and Wildlife (Lake Frome National Park—Mining Rights) Proclamation 2021

under section 43 of the *National Parks and Wildlife Act 1972*

---

## Preamble

- 1 The Crown land described in Schedule 1 is, by another proclamation made on this day, constituted as a national park under section 28(1) of the *National Parks and Wildlife Act 1972* and assigned the name *Lake Frome National Park*.
- 2 It is intended that, by this proclamation, certain existing and future rights of entry, prospecting, exploration or mining be preserved in relation to the land described in Schedule 1.

---

## 1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Lake Frome National Park—Mining Rights) Proclamation 2021*.

## 2—Commencement

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

## 3—Interpretation

In this proclamation—

*Environment Minister* means the Minister for the time being administering the *National Parks and Wildlife Act 1972*;

*Mining Minister* means the Minister for the time being administering the *Mining Act 1971* or the Minister for the time being administering the *Petroleum and Geothermal Energy Act 2000*, as the case requires.

## 4—Existing rights to continue

Subject to clause 6, existing rights of entry, prospecting, exploration or mining under the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* may continue to be exercised in respect of the land described in Schedule 1.

## 5—New rights may be acquired

Rights of entry, prospecting, exploration or mining may, with the approval of the Mining Minister and the Environment Minister, be acquired pursuant to the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* in respect of the land described in Schedule 1 and may, subject to clause 6, be exercised in respect of that land.

## 6—Conditions for exercise of rights

A person in whom rights of entry, prospecting, exploration or mining are vested pursuant to the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* (whether those rights were acquired before or after the making of this proclamation) must not exercise those rights in respect of the land described in Schedule 1 unless the person complies with the following conditions:

- (a) if work to be carried out in relation to the land in the exercise of those rights is a regulated activity within the meaning of the *Petroleum and Geothermal Energy Act 2000*, the person must ensure that—
  - (i) the work is not carried out until a statement of environmental objectives in relation to the activity that has been approved under that Act has also been approved by the Environment Minister; and
  - (ii) the work is carried out in accordance with the statement as so approved;
- (b) if work to be carried out in relation to the land in the exercise of rights under the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* has not previously been authorised (whether by inclusion in an approved statement of environmental objectives referred to in paragraph (a) or otherwise), the person must give at least 3 months notice of the proposed work to the Mining Minister and the Environment Minister and supply each Minister with such information relating to the proposed work as the Minister may require;
- (c) if directions are agreed between the Mining Minister and the Environment Minister and given to the person in writing in relation to—
  - (i) carrying out work in relation to the land in a manner that minimises damage to the land (including the land's vegetation and wildlife) and the environment generally; or
  - (ii) preserving objects, structures or sites of historical, scientific or cultural interest; or
  - (iii) rehabilitating the land (including the land's vegetation and wildlife) on completion of the work; or
  - (iv) (where the work is being carried out in the exercise of rights acquired after the making of this proclamation) prohibiting or restricting access to any specified area of the land that the Ministers believe would suffer significant detriment as a result of carrying out the work,(being directions that do not reduce or otherwise detract from any requirement in respect of any of those matters contained in an approved statement of environmental objectives referred to in paragraph (a)), the person must comply with those directions in carrying out the work;
- (d) if a plan of management is in operation under section 38 of the *National Parks and Wildlife Act 1972* in respect of the land, the person must have regard to the provisions of the plan of management;
- (e) in addition to complying with the other requirements of this proclamation, the person—
  - (i) must take such steps as are reasonably necessary to ensure that objects, structures and sites of historical, scientific or cultural interest and the land's vegetation and wildlife are not unduly affected by any work; and
  - (ii) must maintain all work areas in a clean and tidy condition; and



- (iii) must, on the completion of any work, obliterate or remove all installations and structures (other than installations and structures designated by the Mining Minister and the Environment Minister as suitable for retention) used exclusively for the purposes of that work;
- (f) if no direction has been given by the Mining Minister and the Environment Minister under paragraph (c)(iii), the person must (in addition to complying with any approved statement of environmental objectives referred to in paragraph (a)) rehabilitate the land (including its vegetation and wildlife) on completion of any work to the satisfaction of the Environment Minister.

## **7—Governor may give approvals, directions**

If—

- (a) the Mining Minister and the Environment Minister cannot agree as to whether—
  - (i) approval should be granted or refused under clause 5; or
  - (ii) a direction should be given under clause 6(c); or
- (b) the Environment Minister does not approve a statement of environmental objectives under clause 6(a),

the Governor may, with the advice and consent of the Executive Council—

- (c) grant or refuse the necessary approval under clause 5; or
- (d) give a direction in writing under clause 6(c); or
- (e) grant or refuse the necessary approval under clause 6(a).

## **Schedule 1—Description of land**

Allotment 2007 (Lake Frome) in Deposited Plan 33309, Out of Hundreds (Copley, Curamona and Frome).

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

## **National Parks and Wildlife (Lake Frome National Park) Proclamation 2021**

under section 28(1) of the *National Parks and Wildlife Act 1972*

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Lake Frome National Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Constitution of Lake Frome National Park**

The following Crown land is constituted as a national park and assigned the name *Lake Frome National Park*:

Allotment 2007 (Lake Frome) in Deposited Plan 33309, Out of Hundreds (Copley, Curamona and Frome).

### **Made by the Governor**

being of the opinion that the Crown land described in clause 3 is of national significance by reason of the wildlife and natural features of the land and with the advice and consent of the Executive Council on 25 November 2021

South Australia

# **National Parks and Wildlife (Lake Frome Regional Reserve) Proclamation 2021**

under section 34A(2) of the *National Parks and Wildlife Act 1972*

---

## **Preamble**

- 1 Lake Frome Regional Reserve is constituted as a regional reserve under the *National Parks and Wildlife Act 1972*.
  - 2 It is intended that, by this proclamation, the regional reserve be abolished.
  - 3 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

## **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Lake Frome Regional Reserve) Proclamation 2021*.

## **2—Commencement**

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

## **3—Abolition of Lake Frome Regional Reserve**

Lake Frome Regional Reserve is abolished.

## **Made by the Governor**

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

# National Parks and Wildlife (Mount Remarkable National Park) Proclamation 2021

under section 27(3) of the *National Parks and Wildlife Act 1972*

---

## Preamble

- 1 The following land forms part of Mount Remarkable National Park:
    - Sections 321, 322, 323, 325, 326, 327, 329 and 347, Hundred of Napperby, County of Victoria;
    - Allotments 1 and 3 in Deposited Plan 22619, Hundred of Telowie, County of Frome;
    - Allotment 15 in Deposited Plan 27599, Hundred of Telowie, County of Frome;
    - Allotment 4 in Deposited Plan 30142, Hundred of Napperby, County of Victoria;
    - Allotment 21 in Deposited Plan 35859, Hundred of Napperby, County of Victoria.
  - 2 It is intended that, by this proclamation, the land be excluded from the Park.
  - 3 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

## 1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Mount Remarkable National Park) Proclamation 2021*.

## 2—Commencement

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

## 3—Alteration of boundaries of Mount Remarkable National Park

The boundaries of Mount Remarkable National Park are altered by excluding from the Park the land defined in clause 1 of the preamble to this proclamation.

## Made by the Governor

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

## **National Parks and Wildlife (Munga-Thirri—Simpson Desert Conservation Park) Proclamation 2021**

under section 29(3) of the *National Parks and Wildlife Act 1972*

---

### **Preamble**

- 1 Munga-Thirri—Simpson Desert Conservation Park is constituted as a conservation park under the *National Parks and Wildlife Act 1972*.
  - 2 It is intended that, by this proclamation, the conservation park be abolished.
  - 3 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Munga-Thirri—Simpson Desert Conservation Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Abolition of Munga-Thirri—Simpson Desert Conservation Park**

Munga-Thirri—Simpson Desert Conservation Park is abolished.

### **Made by the Governor**

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

# National Parks and Wildlife (Munga-Thirri—Simpson Desert National Park—Mining Rights) Proclamation 2021

under section 43 of the *National Parks and Wildlife Act 1972*

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## Preamble

- 1 The Crown land described in Schedule 1, together with other land, is, by another proclamation made on this day, constituted as a national park under section 28(1) of the *National Parks and Wildlife Act 1972* and assigned the name *Munga-Thirri—Simpson Desert National Park*.
- 2 It is intended that, by this proclamation, certain existing and future rights of entry, prospecting, exploration or mining be preserved in relation to the land described in Schedule 1.

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## 1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Munga-Thirri—Simpson Desert National Park—Mining Rights) Proclamation 2021*.

## 2—Commencement

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

## 3—Interpretation

In this proclamation—

**Environment Minister** means the Minister for the time being administering the *National Parks and Wildlife Act 1972*;

**Mining Minister** means the Minister for the time being administering the *Mining Act 1971* or the Minister for the time being administering the *Petroleum and Geothermal Energy Act 2000*, as the case requires.

## 4—Existing rights to continue

Subject to clause 6, existing rights of entry, prospecting, exploration or mining under the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* may continue to be exercised in respect of the land described in Schedule 1.

## 5—New rights may be acquired

Rights of entry, prospecting, exploration or mining may, with the approval of the Mining Minister and the Environment Minister, be acquired pursuant to the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* in respect of the land described in Schedule 1 and may, subject to clause 6, be exercised in respect of that land.

## 6—Conditions for exercise of rights

A person in whom rights of entry, prospecting, exploration or mining are vested pursuant to the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* (whether those rights were acquired before or after the making of this proclamation) must not exercise those rights in respect of the land described in Schedule 1 unless the person complies with the following conditions:

- (a) if work to be carried out in relation to the land in the exercise of those rights is a regulated activity within the meaning of the *Petroleum and Geothermal Energy Act 2000*, the person must ensure that—
  - (i) the work is not carried out until a statement of environmental objectives in relation to the activity that has been approved under that Act has also been approved by the Environment Minister; and
  - (ii) the work is carried out in accordance with the statement as so approved;
- (b) if work to be carried out in relation to the land in the exercise of rights under the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* has not previously been authorised (whether by inclusion in an approved statement of environmental objectives referred to in paragraph (a) or otherwise), the person must give at least 3 months notice of the proposed work to the Mining Minister and the Environment Minister and supply each Minister with such information relating to the proposed work as the Minister may require;
- (c) if directions are agreed between the Mining Minister and the Environment Minister and given to the person in writing in relation to—
  - (i) carrying out work in relation to the land in a manner that minimises damage to the land (including the land's vegetation and wildlife) and the environment generally; or
  - (ii) preserving objects, structures or sites of historical, scientific or cultural interest; or
  - (iii) rehabilitating the land (including the land's vegetation and wildlife) on completion of the work; or
  - (iv) (where the work is being carried out in the exercise of rights acquired after the making of this proclamation) prohibiting or restricting access to any specified area of the land that the Ministers believe would suffer significant detriment as a result of carrying out the work,  
  
(being directions that do not reduce or otherwise detract from any requirement in respect of any of those matters contained in an approved statement of environmental objectives referred to in paragraph (a)), the person must comply with those directions in carrying out the work;
- (d) if a plan of management is in operation under section 38 of the *National Parks and Wildlife Act 1972* in respect of the land, the person must have regard to the provisions of the plan of management;
- (e) in addition to complying with the other requirements of this proclamation, the person—
  - (i) must take such steps as are reasonably necessary to ensure that objects, structures and sites of historical, scientific or cultural interest and the land's vegetation and wildlife are not unduly affected by any work; and

- (ii) must maintain all work areas in a clean and tidy condition; and
  - (iii) must, on the completion of any work, obliterate or remove all installations and structures (other than installations and structures designated by the Mining Minister and the Environment Minister as suitable for retention) used exclusively for the purposes of that work;
- (f) if no direction has been given by the Mining Minister and the Environment Minister under paragraph (c)(iii), the person must (in addition to complying with any approved statement of environmental objectives referred to in paragraph (a)) rehabilitate the land (including its vegetation and wildlife) on completion of any work to the satisfaction of the Environment Minister.

## **7—Governor may give approvals, directions**

If—

- (a) the Mining Minister and the Environment Minister cannot agree as to whether—
  - (i) approval should be granted or refused under clause 5; or
  - (ii) a direction should be given under clause 6(c); or
- (b) the Environment Minister does not approve a statement of environmental objectives under clause 6(a),

the Governor may, with the advice and consent of the Executive Council—

- (c) grant or refuse the necessary approval under clause 5; or
- (d) give a direction in writing under clause 6(c); or
- (e) grant or refuse the necessary approval under clause 6(a).

## **Schedule 1—Description of land**

Block 563 Out of Hundreds (Dalhousie and Poolowanna);  
Block 564 Out of Hundreds (Dalhousie and Poolowanna);  
Block 565 Out of Hundreds (Dalhousie and Poolowanna);  
Block 566 Out of Hundreds (Poolowanna);  
Block 567 Out of Hundreds (Poolowanna);  
Block 572 Out of Hundreds (Poolowanna);  
Block 568 Out of Hundreds (Noolyeana and Poolowanna);  
Block 573 Out of Hundreds (Noolyeana and Poolowanna);  
Block 577 Out of Hundreds (Gason, Noolyeana, Pandie Pandie and Poolowanna);  
Block 569 Out of Hundreds (Noolyeana);  
Block 570 Out of Hundreds (Noolyeana);  
Block 575 Out of Hundreds (Pandie Pandie and Poolowanna);  
Block 576 Out of Hundreds (Pandie Pandie and Poolowanna);  
Block 578 Out of Hundreds (Gason and Noolyeana);  
Block 582 Out of Hundreds (Gason and Pandie Pandie);  
Block 580 Out of Hundreds (Pandie Pandie);



Block 581 Out of Hundreds (Pandie Pandie);

Block 589 Out of Hundreds (Pandie Pandie);

Block 591 Out of Hundreds (Pandie Pandie),

all in the area named Simpson Desert.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

# National Parks and Wildlife (Munga-Thirri—Simpson Desert National Park) Proclamation 2021

under section 28(1) of the *National Parks and Wildlife Act 1972*

## 1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Munga-Thirri—Simpson Desert National Park) Proclamation 2021*.

## 2—Commencement

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

## 3—Constitution of Munga-Thirri—Simpson Desert National Park

The following Crown land is constituted as a national park and assigned the name *Munga-Thirri—Simpson Desert National Park*:

- Block 563 Out of Hundreds (Dalhousie and Poolowanna);
  - Block 564 Out of Hundreds (Dalhousie and Poolowanna);
  - Block 565 Out of Hundreds (Dalhousie and Poolowanna);
  - Block 566 Out of Hundreds (Poolowanna);
  - Block 567 Out of Hundreds (Poolowanna);
  - Block 572 Out of Hundreds (Poolowanna);
  - Block 568 Out of Hundreds (Noolyeana and Poolowanna);
  - Block 573 Out of Hundreds (Noolyeana and Poolowanna);
  - Block 577 Out of Hundreds (Gason, Noolyeana, Pandie Pandie and Poolowanna);
  - Block 569 Out of Hundreds (Noolyeana);
  - Block 570 Out of Hundreds (Noolyeana);
  - Block 575 Out of Hundreds (Pandie Pandie and Poolowanna);
  - Block 576 Out of Hundreds (Pandie Pandie and Poolowanna);
  - Block 578 Out of Hundreds (Gason and Noolyeana);
  - Block 582 Out of Hundreds (Gason and Pandie Pandie);
  - Block 580 Out of Hundreds (Pandie Pandie);
  - Block 581 Out of Hundreds (Pandie Pandie);
  - Block 589 Out of Hundreds (Pandie Pandie);
  - Block 591 Out of Hundreds (Pandie Pandie);
  - Section 48, North Out of Hundreds (Pandie Pandie and Poolowanna),
- all in the area named Simpson Desert.

**Made by the Governor**

being of the opinion that the Crown land described in clause 3 is of national significance by reason of the wildlife and natural features of the land and with the advice and consent of the Executive Council on 25 November 2021

South Australia

## **National Parks and Wildlife (Munga-Thirri—Simpson Desert Regional Reserve) Proclamation 2021**

under section 34A(2) of the *National Parks and Wildlife Act 1972*

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### **Preamble**

- 1 Munga-Thirri—Simpson Desert Regional Reserve is constituted as a regional reserve under the *National Parks and Wildlife Act 1972*.
  - 2 It is intended that, by this proclamation, the regional reserve be abolished.
  - 3 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Munga-Thirri—Simpson Desert Regional Reserve) Proclamation 2021*.

### **2—Commencement**

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

### **3—Abolition of Munga-Thirri—Simpson Desert Regional Reserve**

Munga-Thirri—Simpson Desert Regional Reserve is abolished.

### **Made by the Governor**

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

## **National Parks and Wildlife (Nilpena Ediacara National Park) Proclamation 2021**

under section 28(2) of the *National Parks and Wildlife Act 1972*

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Nilpena Ediacara National Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Alteration of boundaries of Nilpena Ediacara National Park**

The boundaries of Nilpena Ediacara National Park are altered by adding to the Park the following Crown land:

Allotment 50 in Deposited Plan 123141, Out of Hundreds (Copley).

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

## **National Parks and Wildlife (Spaniards Gully Conservation Park) Proclamation 2021**

under section 30(2) of the *National Parks and Wildlife Act 1972*

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### **Preamble**

- 1 Spaniards Gully Conservation Park is constituted as a conservation park under the *National Parks and Wildlife Act 1972*.
  - 2 It is intended that, by this proclamation, the conservation park be abolished.
  - 3 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Spaniards Gully Conservation Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Abolition of Spaniards Gully Conservation Park**

Spaniards Gully Conservation Park is abolished.

### **Made by the Governor**

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

## **National Parks and Wildlife (Telowie Gorge Conservation Park) Proclamation 2021**

under section 29(3) of the *National Parks and Wildlife Act 1972*

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### **Preamble**

- 1 Telowie Gorge Conservation Park is constituted as a conservation park under the *National Parks and Wildlife Act 1972*.
  - 2 It is intended that, by this proclamation, the conservation park be abolished.
  - 3 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Telowie Gorge Conservation Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Abolition of Telowie Gorge Conservation Park**

Telowie Gorge Conservation Park is abolished.

### **Made by the Governor**

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

# National Parks and Wildlife (Wapma Thura—Southern Flinders Ranges National Park—Mining Rights) Proclamation 2021

under section 43 of the *National Parks and Wildlife Act 1972*

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## Preamble

- 1 The Crown land described in Schedule 1, together with other land, is, by another proclamation made on this day, constituted as a national park under section 28(1) of the *National Parks and Wildlife Act 1972* and assigned the name *Wapma Thura—Southern Flinders Ranges National Park*.
- 2 It is intended that, by this proclamation, certain existing and future rights of entry, prospecting, exploration or mining be preserved in relation to the land described in Schedule 1.

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## 1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Wapma Thura—Southern Flinders Ranges National Park—Mining Rights) Proclamation 2021*.

## 2—Commencement

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

## 3—Interpretation

In this proclamation—

**Environment Minister** means the Minister for the time being administering the *National Parks and Wildlife Act 1972*;

**Mining Minister** means the Minister for the time being administering the *Mining Act 1971* or the Minister for the time being administering the *Petroleum and Geothermal Energy Act 2000*, as the case requires.

## 4—Existing rights to continue

Subject to clause 6, existing rights of entry, prospecting, exploration or mining under the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* may continue to be exercised in respect of the land described in Schedule 1.

## 5—New rights may be acquired

Rights of entry, prospecting, exploration or mining may, with the approval of the Mining Minister and the Environment Minister, be acquired pursuant to the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* in respect of the land described in Schedule 1 and may, subject to clause 6, be exercised in respect of that land.



## 6—Conditions for exercise of rights

A person in whom rights of entry, prospecting, exploration or mining are vested pursuant to the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* (whether those rights were acquired before or after the making of this proclamation) must not exercise those rights in respect of the land described in Schedule 1 unless the person complies with the following conditions:

- (a) if work to be carried out in relation to the land in the exercise of those rights is a regulated activity within the meaning of the *Petroleum and Geothermal Energy Act 2000*, the person must ensure that—
  - (i) the work is not carried out until a statement of environmental objectives in relation to the activity that has been approved under that Act has also been approved by the Environment Minister; and
  - (ii) the work is carried out in accordance with the statement as so approved;
- (b) if work to be carried out in relation to the land in the exercise of rights under the *Mining Act 1971* or the *Petroleum and Geothermal Energy Act 2000* has not previously been authorised (whether by inclusion in an approved statement of environmental objectives referred to in paragraph (a) or otherwise), the person must give at least 3 months notice of the proposed work to the Mining Minister and the Environment Minister and supply each Minister with such information relating to the proposed work as the Minister may require;
- (c) if directions are agreed between the Mining Minister and the Environment Minister and given to the person in writing in relation to—
  - (i) carrying out work in relation to the land in a manner that minimises damage to the land (including the land's vegetation and wildlife) and the environment generally; or
  - (ii) preserving objects, structures or sites of historical, scientific or cultural interest; or
  - (iii) rehabilitating the land (including the land's vegetation and wildlife) on completion of the work; or
  - (iv) (where the work is being carried out in the exercise of rights acquired after the making of this proclamation) prohibiting or restricting access to any specified area of the land that the Ministers believe would suffer significant detriment as a result of carrying out the work,  
  
(being directions that do not reduce or otherwise detract from any requirement in respect of any of those matters contained in an approved statement of environmental objectives referred to in paragraph (a)), the person must comply with those directions in carrying out the work;
- (d) if a plan of management is in operation under section 38 of the *National Parks and Wildlife Act 1972* in respect of the land, the person must have regard to the provisions of the plan of management;
- (e) in addition to complying with the other requirements of this proclamation, the person—
  - (i) must take such steps as are reasonably necessary to ensure that objects, structures and sites of historical, scientific or cultural interest and the land's vegetation and wildlife are not unduly affected by any work; and

- (ii) must maintain all work areas in a clean and tidy condition; and
  - (iii) must, on the completion of any work, obliterate or remove all installations and structures (other than installations and structures designated by the Mining Minister and the Environment Minister as suitable for retention) used exclusively for the purposes of that work;
- (f) if no direction has been given by the Mining Minister and the Environment Minister under paragraph (c)(iii), the person must (in addition to complying with any approved statement of environmental objectives referred to in paragraph (a)) rehabilitate the land (including its vegetation and wildlife) on completion of any work to the satisfaction of the Environment Minister.

## **7—Governor may give approvals, directions**

If—

- (a) the Mining Minister and the Environment Minister cannot agree as to whether—
  - (i) approval should be granted or refused under clause 5; or
  - (ii) a direction should be given under clause 6(c); or
- (b) the Environment Minister does not approve a statement of environmental objectives under clause 6(a),

the Governor may, with the advice and consent of the Executive Council—

- (c) grant or refuse the necessary approval under clause 5; or
- (d) give a direction in writing under clause 6(c); or
- (e) grant or refuse the necessary approval under clause 6(a).

## **Schedule 1—Description of land**

Sections 321, 322, 323, 325, 326, 327, 328, 329 and 347, Hundred of Napperby, County of Victoria;

Allotment 4 in Deposited Plan 30142, Hundred of Napperby, County of Victoria;

Allotment 21 in Deposited Plan 35859, Hundred of Napperby, County of Victoria;

Section 515, Hundred of Telowie, County of Frome;

Allotments 1 and 3 in Deposited Plan 22619, Hundred of Telowie, County of Frome;

Allotment 15 in Deposited Plan 27599, Hundred of Telowie, County of Frome;

Sections 4, 10 and 19, Hundred of Darling, County of Frome;

Allotment 105 in Deposited Plan 116702, Hundred of Darling, County of Frome;

Allotment 8 in Deposited Plan 117159, Hundred of Darling, County of Frome;

Allotment 10 in Deposited Plan 117159, Hundred of Howe, County of Victoria.

## **Made by the Governor**

with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

# **National Parks and Wildlife (Wapma Thura—Southern Flinders Ranges National Park) Proclamation 2021**

under section 28(1) of the *National Parks and Wildlife Act 1972*

## **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Wapma Thura—Southern Flinders Ranges National Park) Proclamation 2021*.

## **2—Commencement**

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

## **3—Constitution of Wapma Thura—Southern Flinders Ranges National Park**

The following Crown land is constituted as a national park and assigned the name *Wapma Thura—Southern Flinders Ranges National Park*:

Sections 321, 322, 323, 325, 326, 327, 328, 329 and 347, Hundred of Napperby, County of Victoria;

Allotment 4 in Deposited Plan 30142, Hundred of Napperby, County of Victoria;

Allotment 21 in Deposited Plan 35859, Hundred of Napperby, County of Victoria;

Sections 439, 491 and 515, Hundred of Telowie, County of Frome;

Allotments 1 and 3 in Deposited Plan 22619, Hundred of Telowie, County of Frome;

Allotment 15 in Deposited Plan 27599, Hundred of Telowie, County of Frome;

Sections 4, 10 and 19, Hundred of Darling, County of Frome;

Allotment 105 in Deposited Plan 116702, Hundred of Darling, County of Frome;

Allotment 8 in Deposited Plan 117159, Hundred of Darling, County of Frome;

Allotment 10 in Deposited Plan 117159, Hundred of Howe, County of Victoria.

## **Made by the Governor**

being of the opinion that the Crown land described in clause 3 is of national significance by reason of the wildlife and natural features of the land and with the advice and consent of the Executive Council on 25 November 2021

South Australia

## **National Parks and Wildlife (Wirrabara Range Conservation Park) Proclamation 2021**

under section 30(2) of the *National Parks and Wildlife Act 1972*

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### **Preamble**

- 1 Wirrabara Range Conservation Park is constituted as a conservation park under the *National Parks and Wildlife Act 1972*.
  - 2 It is intended that, by this proclamation, the conservation park be abolished.
  - 3 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

### **1—Short title**

This proclamation may be cited as the *National Parks and Wildlife (Wirrabara Range Conservation Park) Proclamation 2021*.

### **2—Commencement**

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

### **3—Abolition of Wirrabara Range Conservation Park**

Wirrabara Range Conservation Park is abolished.

### **Made by the Governor**

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the Executive Council  
on 25 November 2021

South Australia

# National Parks and Wildlife (Witjira National Park—Mining Rights) Variation Proclamation 2021

under section 43 of the *National Parks and Wildlife Act 1972*

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## Preamble

- 1 By proclamation made under sections 28 and 43 of the *National Parks and Wildlife Act 1972* on 21 November 1985, the following Crown lands were constituted as the *Witjira National Park* (*Gazette 21.11.1985 p1544*):
    - Section 1495, Out of Hundreds (Dalhousie).
  - 2 The proclamation provided that rights of entry, prospecting, exploration or mining under the *Mining Act 1971* or the *Petroleum Act 1940* (now repealed) could in certain circumstances be acquired or exercised in relation to the lands constituted as the Park.
  - 3 It is now intended that the proclamation be varied so that rights of entry, prospecting, exploration or mining under a mining Act (within the meaning of the *National Parks and Wildlife Act 1972*) are no longer able to be acquired or exercised in relation to a portion of the lands constituted as the Park.
  - 4 A resolution requesting the making of this proclamation has been passed by both the House of Assembly and the Legislative Council.
- 

## Part 1—Preliminary

### 1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Witjira National Park—Mining Rights) Variation Proclamation 2021*.

### 2—Commencement

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

### 3—Variation provisions

In this proclamation, a provision under a heading referring to the variation of a specified proclamation varies the proclamation so specified.

**Part 2—Variation of proclamation under *National Parks and Wildlife Act 1972* constituting, and preserving mining rights in, Witjira National Park (*Gazette 21.11.1985 p1544*)**

**4—Insertion of clause 5**

After clause 4 insert:

5. Despite clauses 2, 3 and 4, rights of entry, prospecting, exploration or mining under a mining Act (within the meaning of the *National Parks and Wildlife Act 1972*) may not be acquired or exercised after the commencement of this clause in respect of that portion of the lands constituting Witjira National Park described in Schedule 1.

**5—Insertion of Schedule 1**

After clause 5 insert:

**Schedule 1—Portion of Witjira National Park excluded from acquisition or exercise of mining rights**

The area enclosed by a line joining the following points of Latitude and Longitude (GDA2020) consecutively:

26.470786S 135.425108E, 26.463086S 135.424808E, 26.455686S 135.425708E,  
26.448086S 135.428108E, 26.441386S 135.431408E, 26.434886S 135.431108E,  
26.427886S 135.427608E, 26.422186S 135.425908E, 26.416286S 135.425108E,  
26.393086S 135.425508E, 26.387386S 135.426308E, 26.382786S 135.427208E,  
26.377186S 135.429308E, 26.371886S 135.432108E, 26.351586S 135.447508E,  
26.347186S 135.451808E, 26.331485S 135.472708E, 26.327485S 135.479108E,  
26.324885S 135.485008E, 26.322985S 135.491208E, 26.322085S 135.495708E,  
26.318385S 135.501108E, 26.314985S 135.508208E, 26.312685S 135.514408E,  
26.311085S 135.522408E, 26.310685S 135.528908E, 26.311485S 135.562308E,  
26.313485S 135.571908E, 26.315685S 135.577908E, 26.318685S 135.583608E,  
26.322185S 135.588908E, 26.326385S 135.593508E, 26.331085S 135.597508E,  
26.338785S 135.602208E, 26.347285S 135.605108E, 26.353185S 135.606008E,  
26.359085S 135.606008E, 26.363385S 135.605408E, 26.368585S 135.624608E,  
26.370785S 135.630608E, 26.373685S 135.636308E, 26.377285S 135.641608E,  
26.383685S 135.648308E, 26.391185S 135.653508E, 26.396685S 135.656108E,  
26.402385S 135.657808E, 26.408185S 135.658708E, 26.414085S 135.658708E,  
26.419985S 135.657908E, 26.428485S 135.655108E, 26.433785S 135.652208E,  
26.438685S 135.648608E,

26.443186S 135.644308E, 26.447086S 135.639408E, 26.450386S 135.634008E,  
26.454086S 135.625008E, 26.455586S 135.618708E, 26.456386S 135.612208E,  
26.456486S 135.605608E, 26.455685S 135.599108E, 26.453485S 135.589908E,  
26.457185S 135.588408E, 26.461885S 135.585908E, 26.467385S 135.581908E,  
26.476185S 135.574008E, 26.480385S 135.569308E, 26.491785S 135.569708E,  
26.510585S 135.575608E, 26.520085S 135.577408E, 26.528985S 135.577108E,  
26.534785S 135.575808E, 26.543285S 135.572308E, 26.550385S 135.568408E,  
26.557685S 135.563308E, 26.562085S 135.559008E, 26.566085S 135.554108E,  
26.572485S 135.544308E, 26.576685S 135.535608E, 26.578685S 135.529408E,  
26.580085S 135.519708E, 26.580185S 135.500708E, 26.579285S 135.492908E,  
26.577185S 135.485408E, 26.574285S 135.478808E, 26.571085S 135.473308E,  
26.566185S 135.467308E, 26.560685S 135.462408E, 26.555885S 135.459008E,  
26.559885S 135.449308E, 26.561085S 135.440908E, 26.561085S 135.432908E,  
26.559785S 135.425808E, 26.556785S 135.417608E, 26.552886S 135.410908E,  
26.546886S 135.404208E, 26.539386S 135.398608E, 26.531286S 135.394708E,  
26.523086S 135.392708E, 26.514886S 135.392208E, 26.507086S 135.393108E,  
26.499986S 135.395208E, 26.492686S 135.398908E, 26.485786S 135.404108E,  
26.480086S 135.410508E, 26.474386S 135.418808E, then directly to the point of  
commencement. The spatial descriptions are based on the Geocentric Datum of  
Australia (GDA2020).

### **Made by the Governor**

pursuant to a resolution of both Houses of Parliament and with the advice and consent of the  
Executive Council  
on 25 November 2021

South Australia

# **Youth Court (Designation and Classification of Magistrate) (Ancillary Judiciary) Proclamation 2021**

under section 9 of the *Youth Court Act 1993*

## **1—Short title**

This proclamation may be cited as the *Youth Court (Designation and Classification of Magistrate) (Ancillary Judiciary) Proclamation 2021*.

## **2—Commencement**

This proclamation comes into operation on 3 July 2022.

## **3—Designation and classification of magistrate**

The magistrate named in Schedule 1 is—

- (a) designated as a magistrate of the Youth Court of South Australia; and
- (b) classified as a member of the Court's ancillary judiciary.

## **Schedule 1—Magistrate of the Court**

Todd Matthew Grant

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 25 November 2021



South Australia

## **Youth Court (Designation and Classification of Magistrate) (Principal Judiciary) Proclamation 2021**

under section 9 of the *Youth Court Act 1993*

### **1—Short title**

This proclamation may be cited as the *Youth Court (Designation and Classification of Magistrate) (Principal Judiciary) Proclamation 2021*.

### **2—Commencement**

This proclamation comes into operation on 3 January 2022.

### **3—Designation and classification of magistrate**

The magistrate named in Schedule 1 is—

- (a) designated as a magistrate of the Youth Court of South Australia; and
- (b) classified as a member of the Court's principal judiciary; and
- (c) declared to be a member of the Court's principal judiciary for a term of 6 months.

## **Schedule 1—Magistrate of the Court**

Todd Matthew Grant

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 25 November 2021

## REGULATIONS

South Australia

**Oaths Regulations 2021**under the *Oaths Act 1936***Contents****Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Interpretation

**Part 2—Statutory declarations**

- 4 Requirements for the taking of statutory declarations (section 25)
- 5 Classes of persons before whom statutory declarations may be made

**Part 3—Affidavits**

- 6 Requirements for the taking of affidavits (section 27A)
- 7 Classes of person authorised to take affidavits

**Part 1—Preliminary****1—Short title**

These regulations may be cited as the *Oaths Regulations 2021*.

**2—Commencement**

These regulations come into operation on the day on which the *Oaths (Miscellaneous) Amendment Act 2021* comes into operation.

**3—Interpretation**

In these regulations—  
*Act* means the *Oaths Act 1936*.

**Part 2—Statutory declarations****4—Requirements for the taking of statutory declarations (section 25)**

- (1) For the purposes of section 25(1)(a) of the Act, the following requirements are prescribed:
  - (a) the requirement that the statutory declaration state the following:
    - (i) the name of the person making the declaration (the *declarant*);
    - (ii) that the declaration is made under the *Oaths Act 1936*;
    - (iii) the date on which the declaration is made;
    - (iv) the name of the person witnessing the declaration (the *authorised witness*) and the basis on which the authorised witness is authorised to do so pursuant to section 25(2) of the Act;

- (b) the requirement that, before the contents of the declaration, the statutory declaration include the statement:

*I, [insert name of declarant] do solemnly and sincerely declare.*

- (2) A statutory declaration is not invalid merely because there has been a failure to comply with the requirement in subregulation (1)(a)(iv) to state the basis on which the authorised witness is authorised to witness the statutory declaration pursuant to section 25(2) of the Act.

### **5—Classes of persons before whom statutory declarations may be made**

For the purposes of Schedule 1 clause 1(f) of the Act, the following are prescribed as classes of persons before whom a statutory declaration may be made for the purposes of section 25(2) of the Act:

- (a) an agent of the Australian Postal Corporation in charge of an office supplying postal services to the public;
- (b) an Australian Consular Officer or an Australian Diplomatic Officer within the meaning of the *Consular Fees Act 1955* of the Commonwealth;
- (c) a bailiff;
- (d) a bank officer who has 5 or more years of continuous service;
- (e) a building society officer who has 5 or more years of continuous service;
- (f) a chief executive officer of a Commonwealth court;
- (g) a clerk of a court;
- (h) a credit union officer who has 5 or more years of continuous service;
- (i) an employee of the Australian Trade and Investment Commission who is—
  - (i) in a country or place outside Australia; and
  - (ii) authorised under paragraph 3(d) of the *Consular Fees Act 1955* of the Commonwealth; and
  - (iii) exercising their function in that place;
- (j) an employee of the Commonwealth who is—
  - (i) in a country or place outside Australia; and
  - (ii) authorised under paragraph 3(c) of the *Consular Fees Act 1955* of the Commonwealth; and
  - (iii) exercising their function in that place;
- (k) a fellow of the National Tax and Accountants' Association;
- (l) a registered health practitioner;
- (m) a finance company officer who has 5 or more years of continuous service;
- (n) a marriage celebrant registered under Part IV Division 1 Subdivision C of the *Marriage Act 1961* of the Commonwealth;
- (o) a member of the Governance Institute of Australia;
- (p) a member of Engineers Australia, other than at the student grade;
- (q) a member of the Association of Taxation and Management Accountants;
- (r) a member of the Australasian Institute of Mining and Metallurgy;

- (s) a member of the Australian Defence Force who is—
  - (i) an officer; or
  - (ii) a non-commissioned officer within the meaning of the *Defense Force Discipline Act 1982* of the Commonwealth who has 5 or more years of continuous service; or
  - (iii) a warrant officer within the meaning of the *Defense Force Discipline Act 1982* of the Commonwealth;
- (t) a member of the Institute of Chartered Accountants in Australia, CPA Australia (Certified Public Accountants) or the Institute of Public Accountants;
- (u) a Member of—
  - (i) the Parliament of the Commonwealth; or
  - (ii) the Parliament of a State; or
  - (iii) a Territory legislature; or
  - (iv) a local government authority of a State or Territory;
- (v) a minister of religion registered under Part IV Division 1 Subdivision A of the *Marriage Act 1961* of the Commonwealth;
- (w) a patent attorney or a trade marks attorneys;
- (x) a permanent employee of the Australian Postal Corporation who has 5 or more years of continuous service who is employed in an office supplying postal services to the public;
- (y) a permanent employee of—
  - (i) the Commonwealth or a Commonwealth authority; or
  - (ii) a State or Territory or a State or Territory authority; or
  - (iii) a local government authority,with 5 or more years of continuous service who is not specified in another item in this list;
- (z) a Senior Executive Service employee of—
  - (i) the Commonwealth or a Commonwealth authority; or
  - (ii) a State or Territory or a State or Territory authority;
- (za) a sheriff;
- (zb) a sheriff's officer;
- (zc) a teacher employed on a full-time basis at a school or tertiary education institution;
- (zd) a veterinary surgeon.

## Part 3—Affidavits

### 6—Requirements for the taking of affidavits (section 27A)

For the purposes of section 27A(1)(a)(I) of the Act, an affidavit must comply with the following requirements:

- (a) that the affidavit state the name of the person making the affidavit (the *deponent*);
- (b) that the affidavit state the place at, and date on, which the affidavit is made;
- (c) that the affidavit state the name of the person authorised to witness the affidavit pursuant to section 27A(3) of the Act (the *authorised person*);
- (d) that the affidavit state that the contents of the affidavit are sworn or affirmed (as the case may be);
- (e) if the affidavit includes an annexure or exhibit, the identification of the annexure or exhibit is clear and corresponds to the reference given to the annexure or exhibit in the affidavit;
- (f) that the affidavit contains a clause that provides for the signature of the authorised person and the date on which the affidavit was sworn or affirmed before the authorised person.

### 7—Classes of person authorised to take affidavits

Pursuant to Schedule 1 clause 2(e) of the Act, any person empowered, authorised or permitted by or under any Act or rules of a court or tribunal to take affidavits is prescribed as a class of persons authorised to take an affidavit for the purposes of section 27A(3) of the Act.

**Note—**

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

### Made by the Governor

with the advice and consent of the Executive Council  
on 25 November 2021

No 175 of 2021

South Australia

# Health Practitioner Regulation National Law (South Australia) (Telepharmacy) Variation Regulations 2021

under the *Health Practitioner Regulation National Law (South Australia) Act 2010*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### Part 2—Variation of *Health Practitioner Regulation National Law (South Australia) Regulations 2010*

- 4 Insertion of regulation 6A
    - 6A Supervision of pharmacies by pharmacists
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Health Practitioner Regulation National Law (South Australia) (Telepharmacy) Variation Regulations 2021*.

### 2—Commencement

These regulations come into operation on 1 December 2021.

### 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 *Health Practitioner Regulation National Law (South Australia) Regulations 2010*

### 4—Insertion of regulation 6A

After regulation 6 insert:

#### 6A—Supervision of pharmacies by pharmacists

For the purposes of section 43(1b)(a) of the Act, an area in this State that is classified under the *Modified Monash Model (MMM) 2019* of the Commonwealth (as in force from time to time) as category MM 5, MM 6 or MM 7 is a prescribed area.

#### Note—

Information about the *Modified Monash Model (MMM) 2019* is available at <https://www.health.gov.au>.

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 25 November 2021

No 176 of 2021

## STATE GOVERNMENT INSTRUMENTS

### FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

#### *Variation to Prohibited Fishing Activities in the West Coast Prawn Fishery*

TAKE notice that pursuant to regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 5 October 2021 on page 3721 of the South Australian Government Gazette of 7 October 2021, prohibiting fishing activities in the West Coast Prawn Fishery is HEREBY varied such that it will not be unlawful for a person fishing pursuant to a West Coast Prawn Fishery licence to use prawn trawl nets in the areas specified in Schedule 1, during the period specified in Schedule 2, and under the conditions specified in Schedule 3.

#### SCHEDULE 1

The waters of the West Coast Prawn Fishery excluding Ceduna, and Venus Bay as defined in the West Coast Prawn Fishery Harvest Strategy.

#### SCHEDULE 2

Commencing at sunset on 27 November 2021 and ending at sunrise on 11 December 2021.

#### SCHEDULE 3

1. Each licence holder must ensure that a representative sample of catch (a 'bucket count') is taken at least 3 times per night during the fishing activity.
2. Each 'bucket count' sample must be accurately weighed to 7kg where possible and the total number of prawns contained in the bucket must be recorded on the daily catch and effort return.
3. Fishing must cease if one of the following limits is reached:
  - a. The average catch per vessel, per night (for all 3 vessels) drops below 300 kg for two consecutive nights
  - b. The average 'bucket count' for all vessels exceeds 240 prawns per 7kg bucket on any single fishing night in the Coffin Bay area.
  - c. The average 'bucket count' for all vessels exceeds 270 prawns per 7kg bucket on any single fishing night in the Corvisart Bay area.
4. Fishing must cease if one of the following limits is reached:
  - a. All grounds have been closed due to the criteria being met in 3.
  - b. A total of 14 nights of fishing are completed.
  - c. A total of 75 nights of fishing are completed in the season.
5. Each licence holder or registered master of a fishing license undertaking fishing activities must provide a daily report by telephone or SMS message, via nominated representative, to the Department of Primary Industries and Regions Prawn Fishery Manager, providing the following information from the previous night's fishing:
  - a. Average prawn catch; and
  - b. The average prawn 'bucket count' for all vessels operating in the fishery.
6. No fishing activity may be undertaken after the expiration of 30 minutes from the prescribed time of sunrise and no fishing activity may be undertaken before the prescribed time of sunset for Adelaide (as published in the South Australian Government Gazette pursuant to the requirements of the *Proof of Sunrise and Sunset Act 1923*) during the period specified in Schedule 2.

Dated: 18 November 2021

YOLANDE MARKEY  
A/Prawn Fisheries Manager  
Delegate of the Minister for Primary Industries and Regional Development

### 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
8 Short Road, Elizabeth SA 5112	Allotment 58 Deposited Plan 6049 Hundred of Munno Para	CT 5646/396	\$150.00
32 Grundel Street, Whyalla Norrie SA 5608	Allotment 3151 Hundred of Randell	CT5420/696	\$75.00
39 Monmouth Street, Moonta Bay SA 5558	Allotment 500 Deposited Plan 78715 Hundred of Wallaroo	CT 6021/55	\$140.00
1-104 Ellen Street, Port Pirie SA 5540	Allotment 562 Filed Plan 184644 Hundred of Pirie	CT6167/110	\$125.00
55 Wright Street, Peterborough SA 5422	Allotment 441 Deposited Plan 3873 Hundred of Yongala	CT5072/860	\$80.00

Dated: 25 November 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
208-210 Main North Road, Clare SA 5453	Allotment 3 Filed Plan 22514 Hundred of Clare	CT5457/703
6 Harriett Street, Clare SA 5453	Allotment 118 Deposited Plan 212766 Hundred of Clare	CT5889/164
25 Mill Street, Gladstone SA 5473	Allotment 92 & 93 Deposited Plan 357 Hundred of Yangya	CT5960/724
11 Bondowie Street, Gladstone SA 5473	Allotment 107 Deposited Plan 401 Hundred Yangya	CT5215/525
85 Childers Street, North Adelaide SA 5006	Allotment 12 Filed Plan 19074 Hundred of Yatala	CT5183/255
102 Gibson Street, Bowden SA 5007	Allotment 27 & 28 Filed Plan 125487 Hundred of Yatala	CT5232/474
46 Park Terrace, Gladstone SA 5473	Allotment 23 Deposited Plan 793 Hundred of Booyoolie	CT5400/473
Lot 7 West Terrace, Caltowie SA 5490	Allotment 7 Deposited Plan 920 Hundred of Caltowie	CT5100/723
10 Ward Street, Gladstone SA 5473	Section 413 Hundred Plan 240300 Hundred of Booyoolie	CT5374/860, CT5816/581, CT6251/846
230 Blockers Road, Myponga SA 5202	Allotment 50 Plan No 119457 Hundred of Myponga	CT6213/391
33 Mill Street, Gladstone SA 5473	Allotment 89 Deposited Plan 357 Hundred of Yangya	CT2977/152, CT5670/729

Dated: 25 November 2021

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

## JUSTICES OF THE PEACE ACT 2005

## SECTION 4

*Appointment of Justices of the Peace for South Australia – Notice by the Commissioner for Consumer Affairs*

I, Dini Soulio, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below.

For a period of ten years for a term commencing on 2 December 2021 and expiring on 1 December 2031:

Robert James HOWARD  
Michael Ferdinand HAEUSLER  
David Thomas PEARCE

Dated: 18 November 2021

DINI SOULIO  
Commissioner for Consumer Affairs  
Delegate of the Attorney-General

## JUSTICES OF THE PEACE ACT 2005

## SECTION 4

*Appointment of Justices of the Peace for South Australia – Notice by the Commissioner for Consumer Affairs*

I, Dini Soulio, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below. It being a condition of appointment that the Justices of the Peace must take the oaths required of a justice under the Oaths Act 1936 and return the oaths of office form to Justice of the Peace Services within three months after the date of appointment.

For a period of ten years for a term commencing on 6 December 2021 and expiring on 5 December 2031:

Stephanie Jay Sandra SMOUT  
Kayla Ann SHEPHARD  
Alicia Kim MORAW  
Joelie Claire MONCRIEFF  
Sachin MALIK  
Manpreet KAUR  
Peter Charles GRISCTI  
Philip John GRACE  
Anthony James FINLAY  
Alec Hugh DAWSON

Dated: 17 November 2021

DINI SOULIO  
Commissioner for Consumer Affairs  
Delegate of the Attorney-General

## LAND ACQUISITION ACT 1969

## SECTION 16

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

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

Comprising an unencumbered estate in fee simple in that piece of land being portion of Pieces 100 and 101 in Deposited Plan No 53985 comprised in Certificate of Title Volume 5780 Folio 710, and being the whole of the land identified as Allotment 801 in D127263 lodged in the Lands Titles Office

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

**2. Compensation**

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

**2A. Payment of professional costs relating to acquisition (section 26B)**

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of \$10 000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

**3. Inquiries**

Inquiries should be directed to: Chris Southam  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 8343 2574

Dated: 23 November 2021

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

ROCCO CARUSO  
Manager, Property Acquisition (Authorised Officer)  
Department for Infrastructure and Transport

DIT 2021/01159/01

## LAND ACQUISITION ACT 1969

## SECTION 16

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

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

Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 374 in Filed Plan No 205720 comprised in Certificate of Title Volume 5679 Folio 914, and being the whole of the land identified as Allotment 31 in D127677 lodged in the Lands Titles Office

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

**2. Compensation**

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

**2A. Payment of professional costs relating to acquisition (section 26B)**

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of \$10 000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

**3. Inquiries**

Inquiries should be directed to: Daniel Tuk  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 7109 7133

Dated: 23 November 2021

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

ROCCO CARUSO  
Manager, Property Acquisition (Authorised Officer)  
Department for Infrastructure and Transport

DIT 2021/02622/01

## LAND ACQUISITION ACT 1969

## SECTION 16

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

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

Comprising an unencumbered estate in fee simple in that piece of land being portion of Common Property Strata Plan 3 comprised in Certificate of Title Volume 5041 Folio 380, and being the whole of the land identified as 202 in D 127411 lodged in the Lands Titles Office

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

**2. Compensation**

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

**2A. Payment of professional costs relating to acquisition (section 26B)**

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of \$10 000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

**3. Inquiries**

Inquiries should be directed to: Petruła Pettas  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 8343 2619

Dated: 23 November 2021

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

ROCCO CARUSO  
Manager, Property Acquisition (Authorised Officer)  
Department for Infrastructure and Transport

DIT 2021/09805/01

## MENTAL HEALTH ACT 2009

## SECTION 94(1)

*Authorised Mental Health Professional*

NOTICE is hereby given in accordance with Section 94(1) of the *Mental Health Act 2009*, that the Chief Psychiatrist has determined the following person as an Authorised Mental Health Professional:

Natasha Jansen

A person's determination as an Authorised Mental Health Professional expires three years after the commencement date.

Dated: 25 November 2021

DR J BRAYLEY  
Chief Psychiatrist

## MENTAL HEALTH ACT 2009

## SECTION 94(2)

*Revocation of Determination – Authorised Mental Health Professional*

Take notice that I, Dr John Brayley, Chief Psychiatrist, pursuant to section 94(2) of the *Mental Health Act 2009*, do hereby:

Revoke the determination of 23 September 2021 that Anne Irwin is an Authorised Mental Health Professional.

The revocation of this declaration takes effect on the date this notice is published in the *Government Gazette*.

Dated: 25 November 2021

DR J. BRAYLEY  
Chief Psychiatrist

## MINING ACT 1971

## SECTION 56H

*Application for a Mining Lease*

Notice is hereby given in accordance with Section 56H of the *Mining Act 1971*, that an application for a Mining Lease over the undermentioned mineral claim has been received:

Applicant: Gary Radford and Sons Pty Ltd  
Claim Number: 4482  
Location: CT 5421/910 and CT 5463/378, Coles area, approximately 37km south-southwest of Naracoorte  
Area: 54.10 hectares approximately  
Purpose: Extractive Minerals - Sandstone, Clay and Sand  
Reference: 2018/001687

To arrange an inspection of the proposal at the Department for Energy and Mining, please call the Department on 08 8463 3103.

Written submissions in relation to this application are invited to be received at the Department for Energy and Mining, Mining Regulation, Attn: Business Support Officer, GPO Box 320 ADELAIDE SA 5001 or [dem.miningregrehab@sa.gov.au](mailto:dem.miningregrehab@sa.gov.au) by no later than **9 December 2021**.

The delegate of the Minister for Energy and Mining is required to have regard to these submissions in determining whether to grant or refuse the application and, if granted, the terms and conditions on which it should be granted.

When you make a written submission, that submission becomes a public record. Your submission will be provided to the applicant and may be made available for public inspection.

Dated: 25 November 2021

JUNESSE MARTIN  
Mining Registrar as delegate for the Minister for Energy and Mining  
Department for Energy and Mining

#### OATHS ACT 1936

#### SECTION 33(1)(A)

#### *Code of Practice in relation to Statutory Declarations – December 2021*

This Code of Practice is published by the Attorney-General under section 33 of the *Oaths Act 1936* (SA).

This Code of Practice was published in the Government Gazette on 25 November 2021 and **commences on 1 December 2021**

NOTE: This Code of Practice is intended as an interim Code of Practice to preserve the status quo with respect to requirements for making statutory declarations after expiry of the *COVID-19 Emergency Response (Section 16) Regulations 2020* (ceased) until long term changes can be introduced - after consulting and allowing a compliance period, as intended by the *Oaths (Miscellaneous) Amendment Act 2021*.

#### **Introduction - about statutory declarations**

A **statutory declaration** is a legally binding written statement of fact made for official or legal purposes.

The person who makes a statutory declaration (the **declarant**) must sign the document before an authorised **witness** in accordance with the requirements of the particular Act that governs the making of the statutory declaration. Except where a more specific legislative provision applies to govern the making of a statutory declaration for a particular purpose, statutory declarations for use in a South Australian jurisdiction are to be made in accordance with section 25 of the *Oaths Act 1936*.

If a statutory declaration is being made pursuant to the Commonwealth *Statutory Declarations Act 1959* (Cth) or another legislative provision, the declarant should make the declaration in the form required under the relevant legislation.

A South Australian statutory declaration form can be downloaded from the website [www.agd.sa.gov.au](http://www.agd.sa.gov.au) in the Justice of the Peace Services Section.

The classes of persons authorised to witness statutory declarations for use in a South Australian jurisdiction are set out in Clause 1 of Schedule 1 of the *Oaths Act 1936* (SA) and the *Oaths Regulations 2021* [list attached].

A witness does not need to be concerned with the accuracy or truthfulness of the statutory declaration as they are simply witnessing the declaration of the declarant.

A statutory declaration may be hand written or typed; either way is valid.

Section 32 of the *Oaths Act 1936* provides that a statutory declaration is not invalid merely because of an inadvertent and minor non-compliance with a requirement imposed under the Act (including the *Oaths Regulations 2021* and this Code of Practice) that does not materially affect the nature of the statutory declaration.

#### **Code of practice in relation to statutory declarations for use in a South Australian jurisdiction**

A statutory declaration under the *Oaths Act 1936* (SA) is required to be made in accordance with the following procedures and requirements:

1. The declarant named on the statutory declaration must sign the declaration.
2. At the time of the witness signing the statutory declaration, the statutory declaration must be fully completed. All blank spaces in the statutory declaration must be crossed out with a 'Z' to prevent any information being added to the statutory declaration after it has been witnessed. Both the witness and the declarant must initial and date the start and the end of the 'Z'.
3. Any alterations to the statutory declaration must be initialled and dated by both the declarant and the witness.
4. If it is a multi-page declaration, each page of the declaration must be numbered and signed by the declarant.
5. Any annexures to be attached to the statutory declaration must be referred to in the statutory declaration and clearly marked in a manner that corresponds with the references to that document in the statutory declaration.

Example: annexures are often marked 'Annexure A', 'Annexure B' etc. and must be referred to accordingly in the statutory declaration.

If the annexure is not referred to in the statutory declaration, the declarant must make an alteration to the wording in the statutory declaration to refer to the annexure.

6. If a statutory declaration refers to annexures, the annexures must be attached to the statutory declaration document. If they are not attached, the witness must not witness the statutory declaration.
7. The witness must observe the declarant signing the statutory declaration.
8. After the above steps, the witness must ask the declarant the following:

“Did you prepare and write the declaration yourself?”. If the answer is “no” ask the declarant “have you read the declaration and do you understand the contents?”

“Do you understand that making a false statutory declaration is an offence that carries serious penalties including possible imprisonment?” The witness must hear the deponent say: “I understand”, or “I do”.

“Is that your name at the start of the statutory declaration?”

“Is that your normal signature”?

“Do you make this solemn declaration by virtue of the Oaths Act 1936 and do you solemnly and sincerely declare that which is contained in this declaration, conscientiously believing the same to be true? If so, please say ‘I solemnly and sincerely declare’”.

If there are any attachments to the declaration, the witness must ask the declarant: “do you solemnly and sincerely declare that this/these attachment/s is/are the attachment/s referred to in the statutory declaration? If so please say “I solemnly and sincerely declare”.

9. The witness must complete the witnessing/attestation clause by writing the place and date, witness’s signature and writing, typing and/or stamping the witness’s name and the capacity in which the witness has authority to witness the statutory declaration.

A Justice of the Peace is required to evidence their capacity/authority by writing their JP ID number and ‘A justice of the peace for South Australia’.

A police officer is required to evidence their capacity/authority by writing their rank and identification number and ‘South Australia Police’.

10. The witness must also then sign and date all annexures and write or stamp the following wording on the first page of the annexures (if they have not already been marked by the declarant):

This is the annexure marked [e.g. Annexure “A”] referred to in the statutory declaration of [name of declarant].

Declared before me at [suburb] in the State of South Australia.

This [full date e.g. dd/mm/yyyy]

[Witness signature]

[Witness full name and capacity in which the witness is authorised to witness statutory declarations]

Example: Jane Smith, Veterinary Surgeon

#### List of authorised statutory declaration witnesses under *Oaths Act 1936 (SA)*

- a Commissioner for taking affidavits in the Supreme Court
- a person who is registered as a conveyancer under the *Conveyancers Act 1994*
- a justice of the peace
- a police officer, other than a police officer who is a probationary constable
- persons admitted and enrolled as a notary public of the Supreme Court
- an agent of the Australian Postal Corporation in charge of an office supplying postal services to the public
- an Australian Consular Officer or an Australian Diplomatic Officer within the meaning of the *Consular Fees Act 1955* of the Commonwealth
- a bailiff
- a bank officer who has 5 or more continuous years of service
- a building society officer who has 5 or more years of continuous service
- a chief executive officer of a Commonwealth court
- a clerk of a court
- a credit union officer who has 5 or more years of continuous service
- an employee of the Australian Trade and Investment Commission who is—
  - (i) in a country or place outside Australia; and
  - (ii) authorised under paragraph 3(d) of the *Consular Fees Act 1955* of the Commonwealth; and
  - (iii) exercising their function in that place
- an employee of the Commonwealth who is—
  - (i) in a country or place outside Australia; and
  - (ii) authorised under paragraph 3(c) of the *Consular Fees Act 1955* of the Commonwealth; and
  - (iii) exercising their function in that place
- a fellow of the National Tax and Accountants' Association
- a registered health practitioner
- a finance company officer who has 5 or more years of continuous service
- a marriage celebrant registered under Part IV Division 1 Subdivision C of the *Marriage Act 1961* of the Commonwealth
- a member of the Governance Institute of Australia
- a member of Engineers Australia, other than at the student grade
- a member of the Association of Taxation and Management Accountants
- a member of the Australasian Institute of Mining and Metallurgy
- a member of the Australian Defence Force who is—
  - (i) an officer; or
  - (ii) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* of the Commonwealth who has 5 or more years of continuous service; or
  - (iii) a warrant officer within the meaning of the *Defence Force Discipline Act 1982* of the Commonwealth
- a member of the Institute of Chartered Accountants in Australia, CPA Australia (Certified Public Accountants) or the Institute of Public Accountants
- a Member of—
  - (i) the Parliament of the Commonwealth; or
  - (ii) the Parliament of a State; or
  - (iii) a Territory legislature; or
  - (iv) a local government authority of a State or Territory
- a minister of religion registered under Part IV Division 1 Subdivision A of the *Marriage Act 1961* of the Commonwealth
- a patent attorney or a trade marks attorneys
- a permanent employee of the Australian Postal Corporation who has 5 or more years of continuous service who are employed in an office supplying postal services to the public

- a permanent employee of—
  - (i) the Commonwealth or a Commonwealth authority; or
  - (ii) a State or Territory or a State or Territory authority; or
  - (iii) a local government authority,
 with 5 or more years of continuous service who are not specified in another item in this list
- a Senior Executive Service employee of—
  - (i) the Commonwealth or a Commonwealth authority; or
  - (ii) a State or Territory or a State or Territory authority
- a sheriff
- a sheriff's officer
- a teacher employed on a full-time basis at a school or tertiary education institution
- a veterinary surgeon

Dated: 17 November 2021

HON VICKIE CHAPMAN MP  
Attorney-General

#### OATHS ACT 1936

##### SECTION 33(1)(B)

##### *Code of Practice in relation to Affidavits – December 2021*

This Code of Practice is published by the Attorney-General under section 33 of the *Oaths Act 1936* (SA).

This Code of Practice was published in the Government Gazette on 25 November 2021 and **commences on 1 December 2021**.

NOTE: This Code of Practice is intended as an interim Code of Practice to preserve the status quo with respect to requirements for making affidavits after expiry of the *COVID-19 Emergency Response (Section 16) Regulations 2020* (ceased) until long term changes can be consulted on and gazetted, as intended by the *Oaths (Miscellaneous) Amendment Act 2021*. Further decision will be made following this consultation on whether to continue the provisions of this Code authorising affidavits to be witnessed remotely by audio visual link.

#### **Introduction – about affidavits**

An **affidavit** is a written statement of fact, sworn on oath or affirmed, which may be used as evidence in court.

The person who makes the affidavit is called the **deponent**. The deponent makes the affidavit by taking an oath or affirmation in the presence of **an authorised witness** that:

- they are the person named in the affidavit
- the contents of the affidavit are true
- the signature or mark on the document is theirs.

An affidavit is usually set out in the format required by the court in which it is to be lodged.

The '**jurat**' (also described as the signing clause, witnessing clause or attesting clause) of an affidavit is a certificate on an affidavit showing when, by whom and before whom the affidavit was sworn or affirmed.

The onus is on the person who requires the affidavit to ensure it is in the correct format and all instructions and rules are adhered to.

Before witnessing an affidavit, an authorised affidavit witness should ascertain the jurisdiction in which the affidavit is to be used and ensure that they administer the relevant oath or affirmation in accordance with the applicable requirements for that jurisdiction.

The classes of persons authorised to witness affidavits in South Australia are set out in Clause 2 of Schedule 1 of the *Oaths Act 1936* (SA) and the *Oaths Regulations 2021* [list attached].

#### **Introduction - difference between an Oath and an Affirmation**

An **oath** is an attestation to the truth of a statement, which is administered or taken as follows:

- a) the person taking the oath shall hold a copy of the Bible (being a book that contains the New Testament, the Old Testament or both) in the person's hand and, after the oath has been tendered to the person, shall say "I swear";
- b) in any other manner and form which the person taking the oath declares to be binding on the person's conscience; or
- c) in any other manner or form authorised or permitted by law.

An **affirmation** is an alternative to an oath. It is also a verbal attestation to the truth of a statement, but it is made without swearing to a God or faith or otherwise as described above. Instead of the person 'swearing' a statement, an affirmation is to be administered to a person by asking them 'Do you solemnly and truly affirm' followed by the words of the appropriate oath (omitting any words of imprecation or calling to witness) after which the person must say 'I do solemnly and truly affirm'. An affirmation has the same legal force and the same legal effect as an oath. People are free to choose to swear or affirm an affidavit and they do not need to give a reason for this.

These requirements for oaths and affirmations for South Australia are set out in section 6 of the *Evidence Act 1929* (SA).

#### **Code of practice in relation to affidavits for use in a South Australian jurisdiction**

##### *General*

1. The deponent must swear or affirm the affidavit in the presence of a person authorised to take affidavits pursuant to the *Oaths Act 1936* (**authorised witness**).
2. An affidavit must be sworn or affirmed in accordance with section 6 of the *Evidence Act 1929* (SA).

*Taking of affidavits by audio visual link (temporary provision)*

3. If an affidavit is taken in circumstances where the authorised witness and the deponent meet remotely via audio visual link (AVL), a requirement that something be done in the presence of or before an authorised person will be taken to be satisfied if the following requirements are complied with:
- a) the requirement that the remote meeting between an authorised witness and a deponent of an affidavit by AVL be conducted so that the authorised witness and the deponent are visible to each other and can hear each other while the deponent swears or affirms the contents of the affidavit and signs the affidavit;
  - b) the requirement that the authorised person—
    - i. observe the deponent signing the affidavit in real time; and
    - ii. attest or otherwise confirm that—
      - A. the affidavit was sworn or affirmed by the deponent; and
      - B. the deponent's signature on the affidavit was witnessed, by signing the affidavit or a copy of the affidavit;
    - iii. be reasonably satisfied the affidavit the authorised person signs is the same affidavit, or a copy of the affidavit, sworn or affirmed and signed by the deponent;
    - iv. endorse the affidavit, or the copy of the affidavit, with a statement—
      - A. specifying the method used to witness the swearing or affirming and signing of the affidavit by the deponent; and
      - B. that the requirements under the *Oaths Act 1937* for taking affidavits by AVL were complied with in relation to the taking of the affidavit.
4. For the purposes of clause 3 of this Code, and without limiting the ways an authorised person may confirm the witnessing of the signing of an affidavit, the authorised person may, if the deponent sends a copy of the signed affidavit electronically to the authorised person, countersign the affidavit as soon as practicable after witnessing the signing of the affidavit.

**List of authorised affidavit witnesses under *Oaths Act 1936* (SA)**

- a) a Commissioner for taking affidavits in the Supreme Court;
- b) a justice of the peace;
- c) a police officer, other than a police officer who is a probationary constable;
- d) persons admitted and enrolled as a notary public of the Supreme Court;
- e) any person empowered, authorised or permitted by or under any Act or rules of a court or tribunal to take affidavits.

Dated: 17 November 2021

HON VICKIE CHAPMAN MP  
Attorney-General

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PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016  
*Planning, Development and Infrastructure (Fees) Notice 2021*

South Australia

**Planning, Development and Infrastructure (Fees) Notice 2021**under the *Planning, Development and Infrastructure Act 2016***1—Short title**

This notice may be cited as the *Planning, Development and Infrastructure (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 25 November 2021.

**3—Interpretation**

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

*Act* means the *Planning, Development and Infrastructure Act 2016*;

*allotment* does not include an allotment for road or open space requirements;

*development cost* does not include any fit-out costs;

*regulations* means the following:

- (a) the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*;
  - (b) the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*;
  - (c) the *Planning, Development and Infrastructure (General) Regulations 2017*.
- (2) Words and expressions used in the regulations and in this fee notice have the same respective meanings in this notice as they have in the regulations.
  - (3) Subclause (2) does not apply to the extent that the context or subject matter otherwise indicates or requires.

#### **4—Fees payable**

- (1) The fees set out in Schedule 1 are prescribed for the purposes of the Act and the regulations and are payable as specified in that Schedule.
- (2) A fee set out in Schedule 1 item 8 is payable to the body specified in relation to the fee.
- (3) Subject to subclauses (4) and (5), if an application, matter or circumstance falls within more than 1 item under Schedule 1, then the fee under each such item applies and those fees in total will be payable.
- (4) If planning consent is sought for development comprising more than 1 element—
  - (a) a fee is not payable under Schedule 1 item 6 for each element of the development; and
  - (b) the fee payable under Schedule 1 item 6 is the highest fee applying to a single element of the development; and
  - (c) if the relevant fee is based on the total development cost, the fee payable will be based on the total cost of all elements of the development.
- (5) If an application for planning consent must be referred to the same body under more than 1 item of Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017*, then only 1 prescribed fee under Schedule 1 item 8 is payable with respect to the referral of the application to that body.
- (6) A reference in subclause (5) to a prescribed fee extends to a prescribed fee that, although payable, was waived (in whole or in part) by a relevant authority.
- (7) Subject to subclause (8) if a lodgement fee has been paid in respect of an application for planning consent or building consent for a development, no lodgement fee is payable for any other consents related to that application or for the issue of the final development approval in respect of that development.
- (8) If a lodgement fee has been paid in respect of an application under the repealed Act, a lodgement fee under this notice is payable in respect of the first application for consent related to the application under the repealed Act that is lodged electronically via the SA planning portal.

#### **5—Assessment requirements—water and sewerage**

- (1) A prescribed fee under Schedule 1 item 27 is payable to the South Australian Water Corporation.
- (2) The prescribed fee is payable by the person who makes the application to divide the land.



## 6—Applications relating to certain electricity infrastructure—issue of certificate by Technical Regulator

The prescribed fee under Schedule 1 item 32 is payable to the Technical Regulator for the issue of a certificate required by the *Planning, Development and Infrastructure (General) Regulations 2017* to accompany an application in respect of a proposed development for the purposes of the provision of electricity generating plant with a generating capacity of more than 5 MW that is to be connected to the State's power system.

### Schedule 1—Fees

#### Part 1—Fees under *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*

The following fees are payable for the purposes of the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*:

- |     |   |          |
|-----|---|----------|
| 1   | Application to the accreditation authority for accreditation under the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> , other than where item 2 applies—   |          |
| (a) | in the case of an application for accreditation as an accredited professional—planning level 1; and   | \$774.00 |
| (b) | in any other case   | \$571.00 |
| 2   | Application to the accreditation authority for accreditation under the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> where the person is a member of a professional association or body recognised by the Chief Executive for the purposes of regulation 16(2)(a) of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> and the person is applying as a member of that association or body for a corresponding level of accreditation under regulation 16(2)(a)(ii) of those regulations | \$275.00 |
| 3   | Application to the accreditation authority under regulation 19 of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i>   | \$183.00 |
| 4   | Late application fee under regulation 19(3) of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i>  | \$61.00  |

#### Part 2—Fees relating to development assessment

The following fees are payable in relation to development assessment under the Act (including in connection with the *Planning, Development and Infrastructure (General) Regulations 2017*):

- |      |  |          |
|------|--|----------|
| 5    | Application for planning consent or building consent (the <b>base amount</b> )—                              |          |
| (a)  | a lodgement fee; and   | \$180.00 |
| (b)  | if the application is lodged at the principal office of the relevant authority—a processing fee              | \$81.50  |
| 6    | Application for planning consent—  |          |
| (a)  | if the proposed development is to be assessed as deemed-to-satisfy development under section 106 of the Act— |          |
| (i)  | if the total development cost is no more than \$10 000   | \$129.00 |
| (ii) | in any other case  | \$214.00 |

(b)	if the proposed development is to be assessed on its merits under section 107 of the Act	\$255.00 or 0.125% of the total development cost up to a maximum of \$200 000, whichever is the greater
(c)	if the proposed development is restricted development under section 108(1)(a) of the Act	
(i)	if the proposed development is the division of land	\$500.00
(ii)	in any other case	0.25% of the total development cost up to a maximum of \$300 000
(d)	if the applicant applies for a review of the decision under section 110(15) of the Act	\$521.00
(e)	if the proposed development is to be assessed as impact assessed development under section 111 of the Act—	
(i)	if the proposed development is declared as being impact assessed development by the Minister	\$1 783.00 plus 0.25% of the total development cost up to a maximum of \$500 000
(ii)	in any other case	0.25% of the total development cost up to a maximum of \$500 000
7	Application for planning consent that must be notified—	
(a)	if section 107(3)(a) applies	\$255.00
(b)	if section 110(2)(a) applies	\$255.00
8	Application for planning consent that must be referred to 1 or more prescribed bodies under Schedule 9 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> —	
(a)	for referral to the Commissioner of Highways—	
(i)	if the proposed development involves a change in the use of land	\$406.00
(ii)	if the proposed development involves the division of land	\$406.00
(b)	for referral to the Environment Protection Authority	
(i)	non-licensable	\$755.00
(ii)	licensable	\$1,699.00
(iii)	site contamination	\$1,398.00
(c)	for referral to the Minister responsible for the administration of the <i>Heritage Places Act 1993</i>	\$406.00
(d)	for referral to the Minister responsible for the administration of the <i>River Murray Act 2003</i>	\$406.00
(e)	for referral to the Relevant authority under the <i>Landscape South Australia Act 2019</i>	\$406.00
(f)	for referral to the Chief Executive of the Department of the Minister responsible for the administration of the <i>Landscape South Australia Act 2019</i>	\$406.00
(g)	for referral to the Coast Protection Board	\$406.00

(h)	for referral to the Minister responsible for the administration of the <i>Historic Shipwrecks Act 1981</i>	\$406.00
(i)	for referral to the Commonwealth Minister responsible for the administration of the <i>Underwater Cultural Heritage Act 2018</i> of the Commonwealth	\$406.00
(j)	for referral to the Native Vegetation Council	\$651.00
(k)	for referral to the Government Architect or Associate Government Architect	\$496.00
(l)	for referral to Minister responsible for the administration of the South Australian Housing Trust Act 1995	\$245.00 plus \$153.00 per stage
(m)	for referral to the Minister responsible for the administration of the Aquaculture Act 2001	\$421.00
(n)	for referral to the South Australian Country Fire Service	\$406.00
(o)	for referral to Chief Executive of the Department of the Minister responsible for the administration of the <i>Petroleum and Geothermal Energy Act 2000</i>	\$333.00
(p)	for referral to the Minister responsible for the administration of the Mining Acts	\$333.00
(q)	for referral to the Technical Regulator	\$171.00
(r)	for referral to the Airport-operator company for the relevant airport within the meaning of the <i>Airports Act 1996</i> of the Commonwealth or, if there is no airport-operator company, Secretary of the Department of the Minister responsible for the administration of the <i>Airports Act 1996</i> of the Commonwealth	\$406.00
9	Application for building consent (a <b>building assessment fee</b> )—	
(a)	for a Class 1 building under the Building Code	\$459.00 or 0.25% of the total development cost, whichever is the greater
(b)	for a Class 10 building under the Building Code	\$132.00 or 0.25% of the total development cost, whichever is the greater
(c)	for any other class of building under the Building Code—	
(i)	if the total development cost is no more than \$20 000	\$683.00
(ii)	if the total development cost is greater than \$20 000 and no more than \$200 000	\$683.00 plus 0.4% of the amount determined by subtracting \$20 000 from the total development cost
(iii)	if the total development cost is greater than \$200 000 and no more than \$1 000 000	\$1 416.00 plus 0.25% of the amount determined by subtracting \$200 000 from the total development cost
(iv)	if the total development cost is greater than \$1 000 000	\$3 454.00 plus 0.15% of the amount determined by subtracting \$1 000 000 from the total development cost

10	Application for building consent (a <i>compliance fee</i> )—	
	(a) for a Class 1 building under the Building Code or a swimming pool or swimming pool safety features	\$245.00
	(b) for a Class 1 building under the Building Code if the building comprises multiple dwellings	\$245.00 for each dwelling
	(c) for a Class 10 building under the Building Code—	
	(i) if the total development cost is no more than \$10 000	no fee
	(ii) if the total development cost is greater than \$10 000	\$81.50
	(d) for any other class of building under the Building Code	\$245.00 or 0.075% of the total development cost up to a maximum of \$2 548.00, whichever is the greater
11	Application for building consent for the demolition of a building	\$148.00
12	Application for the concurrence of the Commission under section 118(2)(a) of the Act	\$352.00
13	Referral of application to the Commission for an opinion under section 118(4) of the Act	\$352.00
14	Application for a development authorisation under section 102(1)(c) or (d) of the Act—	
	(a) if the number of allotments resulting from the division is equal to or less than the existing number of allotments, or creates no more than 4 additional allotments and does not involve the creation of a public road	\$178.00
	(b) if the division creates more than 4 additional allotments	\$178.00 plus \$16.30 for each additional allotment created
	(c) if the division involves the creation of a public road (regardless of the number of additional allotments created)	\$178.00 plus \$16.30 for each additional allotment created
15	Application for final development approval in respect of HomeBuilder development (fee payable to the council for the area in which the proposed development is to be undertaken)	\$120.00
16	Advice of the Commission under regulation 76 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> (payable by the applicant at the time of lodgement of the application)	\$204.00
17	A Certificate of Approval Fee for the purposes of section 138 of the Act	\$1 048.00
18	Application under section 130 or 131 of the Act (fee payable to the Commission)	\$180.00 plus 0.25% of the total development cost up to a maximum of \$300 000
19	Amount for public notice under section 131(13)(a) of the Act (amount payable to the Commission)	An amount determined by the Commission as being appropriate to cover its reasonable costs in giving public notice of the application under section 131(13)(a) of the Act

- |    |  |          |
|----|--|----------|
| 20 | Application for a variation of a development authorisation previously given that is minor in nature        | \$129.00 |
| 21 | Application to assessment panel for review of a prescribed matter under section 202(1)(b)(i)(A) of the Act | \$521.00 |

### **Part 3—Fees relating to building activity and use**

The following fees are payable in relation to building activity and use (including in connection with the *Planning, Development and Infrastructure (General) Regulations 2017*):

- |    |  |          |
|----|--|----------|
| 22 | Issue of a certificate relating to essential safety provisions under regulation 94 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> | \$245.00 |
| 23 | Application for assignment of a classification to a building or a change in the classification of a building under section 151 of the Act                            | \$173.00 |
| 24 | Application for a certificate of occupancy under section 152 of the Act  | \$51.00  |

### **Part 4—Funds and off-set schemes**

The following fees are payable in relation to funds and off-set schemes:

- |    |   |  |
|----|---|--|
| 25 | Rates of contribution under section 198(1)(d), (2)(c) or (8) of the Act—      |  |
|    | (a) where the land to be divided is within Greater Adelaide                   | \$7 908.00 for each new allotment or strata lot delineated by the relevant plan that does not exceed 1 hectare in area |
|    | (b) where the land to be divided is within any other part of South Australia  | \$3 175.00 for each new allotment or strata lot delineated by the relevant plan that does not exceed 1 hectare in area |
| 26 | Rates of contribution for the purposes of section 199(1) of the Act—          |  |
|    | (a) where the prescribed building is within Greater Adelaide                  | \$7 908.00 for each apartment or allotment delineated by the relevant plan   |
|    | (b) where the prescribed building is within any other part of South Australia | \$3 175.00 for each apartment or allotment delineated by the relevant plan   |

### **Part 5—Other fees**

The following fees are also payable:

- |    |   |          |
|----|---|----------|
| 27 | An assessment, or the update of an assessment, under regulation 79 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> —    |          |
|    | (a) in relation to an original assessment   | \$410.00 |
|    | (b) in relation to an updating of the original or a subsequent assessment (including where the update is required because of an amended plan of division) | \$118.00 |

28	Application for design review under section 121 of the Act	\$100.00 plus the reasonable costs of the design panel to provide advice on the application
29	Amount for the purposes of section 127(6) of the Act	\$153.00 for each replacement tree that is not planted
30	Application for the extension of a development authorisation under section 126(3) of the Act—	
	(a) if the development authorisation relates to development assessed as restricted development under section 108(1)(a) of the Act or impact assessed development under section 111 of the Act, or relates to development assessed under section 130 or 131 of the Act	\$129.00
	(b) in any other case	\$109.00
31	Request for initiation of infrastructure scheme under section 163(3)(b) of the Act	\$3 741.00
32	Certificate from Technical Regulator	\$410.00
33	Application to register an agreement under section 192 or 193 of the Act	\$81.50
34	Fee for the purposes of section 192(7) or 193(7) of the Act	\$15.20
35	Fee for approval under section 197(5) of the Act	\$379.00
36	Application for the approval of the Minister under section 235 of the Act	\$162.00
37	Application for approval of building envelope plan under regulation 19A(1) of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i>	\$178.00 plus \$16.30 for each allotment delineated under the building envelope plan
38	Fee for consideration and publication of building envelope plan under regulation 19A(3) and (4) of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> (payable by applicant at the time of making application for approval of building envelope plan)	\$204.00
39	Fee for registration as a Local Design Review Administrator under the Minister's Design Review scheme established under section 121 of the Act	\$550.00
40	Fee for registration an Independent Design Review Administrator under the Minister's Design Review scheme established under section 121 of the Act	\$320.00
41	Fee for consideration of a proposal to initiate an amendment to the Planning and Design Code under section 73(2)(b) of the Act	\$5,500
42	Fee for the publication of consultation of a proposed amendment of the Planning and Design Code under section 73(2)(b) of the Act	\$8,700
43	Fee for the consideration by the Minister of a proposed amendment to the Planning and Design Code under section 73(2)(b) of the Act	\$8,400
44	Fee for administration of implementing a code amendment adopted to by the Minister under section 73(2)(b) of the Act	\$9,800

### **Made by the Minister for Planning and Local Government**

On 22 November 2021

## PLANT HEALTH ACT 2009

## SECTIONS 4 AND 8

## Declaration of Pests

PURSUANT to Sections 4 and 8 of the *Plant Health Act 2009*, I, Ross Meffin, Chief Inspector, delegate of the Minister for Primary Industries and Regional Development, make the following notice:

**1. Application**

All previous notices made pursuant to Sections 4 and 8 of the *Plant Health Act 2009* are hereby revoked.

**2. Declaration of Pests - Pursuant to Section 4 of the Act**

2.1 The following are declared to be pests for the purposes of the Act:

(1) The pests specified by common name and scientific name immediately below:

Common Name(s)	Scientific Name(s)
African citrus psyllid	<i>Trioza erytrae</i>
American serpentine leaf miner	<i>Liriomyza trifolii</i>
Anthraxnose of Brassica crops	<i>Colletotrichum higginsianum</i>
Asian citrus psyllid	<i>Diaphorina citri</i>
Asian longicorn beetle	<i>Anaplophora glabripennis</i>
Asian subterranean termite	<i>Cryptotermes gestroi</i>
Australian plague locust	<i>Chortoicetes terminifera</i>
Bacterial wilt of potato	<i>Ralstonia solanacearum</i> Race 3
Barley stem gall midge	<i>Mayetiola hordei</i>
Barley stripe rust	<i>Puccinia striiformis</i> f. sp. <i>hordei</i>
Blueberry rust	<i>Thekopsora minima</i>
Boil smut of maize	<i>Ustilago maydis</i>
Brown marmorated stink bug	<i>Halyomorpha halys</i>
Browsing ant	<i>Lepisiota frauenfeldi</i>
Burning moth	<i>Hylesia nigricans</i>
<i>Caracollina lenticula</i>	<i>Caracollina lenticula</i>
Ceratocystis wilt	<i>Ceratocystis manginecans</i> , <i>Ceratocystis</i> spp. (exotic species)
Chestnut blight	<i>Cryphonectria parasitica</i>
Chickpea leaf miner	<i>Liriomyza cicerina</i>
Citrus blight	(unknown causal agent)
Citrus canker	<i>Xanthomonas citri</i> subsp. <i>citri</i>
Citrus longicorn beetle	<i>Anaplophora chinensis</i>
Citrus tristeza virus – sweet orange stem pitting strain	Citrus tristeza closterovirus – sweet orange stem pitting strain
Citrus variegated chlorosis	<i>Xylella fastidiosa</i>
Citrus red mite	<i>Panonychus citri</i>
Columnnea latent viroid (CLVd)	Columnnea latent viroid
Cucumber fruit mottle mosaic virus (CFMMV)	Cucumber fruit mottle mosaic tobamovirus
Cucumber green mottle mosaic virus (CGMMV)	Cucumber green mottle mosaic tobamovirus
Drywood termite	<i>Cryptotermes dudleyi</i>
Electric ant	<i>Wasmannia auropunctata</i>
Exotic gypsy moth	<i>Lymantria</i> spp. ( <i>L. dispar</i> and sub-species, <i>L. monacha</i> )
Fire blight	<i>Erwinia amylovora</i>
European House Borer	<i>Hylotrupes bajulus</i>
Fruit flies	Pest species of Tephritidae family
Fusarium wilt of tomatoes	<i>Fusarium oxysporum</i> f.sp. <i>lycopersicon</i> Race 3
Giant African snail	<i>Lissachatina fulica</i>
Giant pine scale	<i>Marchalina hellenica</i>
Glassy-winged sharpshooter	<i>Homalodisca vitripennis</i>
Golden apple snail	<i>Pomacea canaliculata</i>
Grapevine leaf rust	<i>Phakopsora euvitis</i>
Grapevine red blotch-associated virus	Grapevine red blotch-associated geminivirus
Green snail	<i>Cantareus apertus</i>
Harlequin lady beetle	<i>Harmonia axyridis</i>
Hessian fly	<i>Mayetiola destructor</i>
Huanglongbing disease of citrus	' <i>Candidatus liberibacter</i> ' spp.
Karnal bunt	<i>Tilletia indica</i>
Khapra beetle	<i>Trogoderma granarium</i>
Kyuri green mottle mosaic virus (KGMMV)	Kyuri green mottle mosaic tobamovirus
Melon necrotic spot virus (MNSV)	Melon necrotic spot carmovirus
Melon thrips	<i>Thrips palmi</i>
Myrtle rust (exotic strains)	<i>Austropuccinia psidii</i> (syn. <i>Puccinia psidii</i> , <i>Uredo rangelii</i> ) – exotic strains
Myrtle rust	<i>Puccinia psidii</i> (syn. <i>Uredo rangelii</i> )

Common Name(s)	Scientific Name(s)
Onion Smut	<i>Urocystis cepulae</i>
Parlatoria date scale	<i>Parlatoria blanchardi</i>
Phylloxera	<i>Daktulosphaira vitifoliae</i>
Potato blackleg and soft rot	<i>Dickeya</i> spp. Including <i>D. dianthicola</i> , <i>D. dadantii</i> and <i>D. solani</i>
Potato cyst nematode	<i>Globodera pallida</i>
Potato cyst nematode	<i>Globodera rostochiensis</i>
Potato spindle tuber viroid (PSTVd)	Potato spindle tuber pospiviroid
Pepino mosaic virus (PepMV)	Pepino mosaic potexvirus
Pepper chat fruit viroid (PCFVd)	Pepper chat fruit viroid
Phoney peach disease	<i>Xylella fastidiosa</i>
Phytophthora blight	<i>Phytophthora kernoviae</i>
Pierce's disease of grapevines	<i>Xylella fastidiosa</i>
Pine wilt nematode	<i>Bursaphelenchus</i> spp. including <i>B. xylophilus</i>
Pitch canker	<i>Fusarium circinatum</i>
Polyphagous shot hole borer	<i>Euwallacea fornicatus</i>
Polyphagous shot hole borer-associated fusarium wilt	<i>Fusarium euwallaceae</i>
Potato late blight	<i>Phytophthora infestans</i> (A2 mating type)
Pyriform scale	<i>Protospulvinaria pyriformis</i>
Red imported fire ant	<i>Solenopsis invicta</i>
Sawyer beetles	<i>Monochamus</i> spp. including <i>M. alternatus</i> , <i>M. galloprovincialis</i> , <i>M. scutellatus</i> , <i>M. titillator</i>
Serpentine leaf miner	<i>Liriomyza huidobrensis</i>
Sharka	Plum pox potyvirus
Small plague grasshopper	<i>Austroicetes cruciata</i>
Spotted-winged drosophila (fruit fly)	<i>Drosophila suzukii</i>
Strawberry latent ringspot virus (SLRSV)	Strawberry latent ringspot virus
Stubborn disease of citrus	<i>Spiroplasma citri</i>
Subterranean termite	<i>Coptotermes formosanus</i>
Sudden oak death	<i>Phytophthora ramorum</i>
Tarnished plant bug	<i>Lygus lineolaris</i>
Teratosphaeria canker	<i>Teratosphaeria destructans</i> and <i>T. zuluensis</i>
Tomato apical stunt viroid (TASVd)	Tomato apical stunt viroid
Tomato black ring virus (TBRV)	Tomato black ring nepovirus
Tomato brown rugose fruit virus (ToBRFV)	Tomato brown rugose fruit tobamovirus
Tomato chlorotic dwarf viroid (TCDVd)	Tomato chlorotic dwarf viroid
Tomato leaf miner	<i>Liriomyza bryoniae</i>
Tomato mottle mosaic virus (ToMMV)	Tomato mottle mosaic tobamovirus
Tomato planta macho viroid (TPMVd)	Tomato planta macho viroid
Tomato-potato psyllid	<i>Bactericera cockerelli</i>
Tropical fire ant	<i>Solenopsis geminata</i>
Vegetable leaf miner	<i>Liriomyza sativae</i>
Watermelon green mottle mosaic virus (WGMMV)	Watermelon green mottle mosaic tobamovirus
West Indian drywood termite	<i>Cryptotermes brevis</i>
Western plant bug	<i>Lygus hesperus</i>
Wheat stem rust (exotic strains)	<i>Puccinia graminis</i> f. sp. <i>tritici</i> (exotic strains)
Wheat stem sawfly	<i>Cephus</i> spp. ( <i>C. cinctus</i> , <i>C. pygmaeus</i> )
Yellow crazy ant	<i>Anoplolepis gracilipes</i>
Zebra chip of potatoes, 'yellows' and other diseases of solanaceous and apiaceous plants	' <i>Candidatus Liberibacter solanacearum</i> ' (all Haplotypes)
Zucchini green mottle mosaic virus (ZGMMV)	Zucchini green mottle mosaic tobamovirus

### 3. Quarantine Areas – Pursuant to Section 8 of the Act

3.1 The following portions of the State are declared to be quarantine areas:

- (1) with respect to pest fruit flies, a "fruit fly outbreak area" (as defined in Section 4 of this Notice),
- (2) with respect to pest fruit flies, a "fruit fly suspension area" (as defined in Section 4 of this Notice),
- (3) with respect to pest fruit flies, for the purpose of excluding fruit flies from the Riverland of South Australia ("Riverland Pest Free Area"),
  - (i) the County of Hamley, and
  - (ii) the Hundreds of Bookpurnong, Cadell, Gordon, Holder, Katarapko, Loveday, Markaranka, Moorook, Murtho, Parcoola, Paringa, Pooginook, Pyap, Stuart, Waikerie, Eba, Fisher, Forster, Hay, Murkbo, Nildottie, Paisley, Ridley and Skurray.
- (4) the whole of Kangaroo Island with respect to the declared diseases of potato, namely bacterial wilt (*Ralstonia solanacearum* Race 3) and potato cyst nematodes (*Globodera rostochiensis* and *Globodera pallida*). This quarantine area is to be known as the 'Kangaroo Island Protected Production Area'.



- (5) with respect to *Caracollina lenticula*, the following are declared to be quarantine areas:
- (i) 9 Creswell Road, Largs North, Certificate of Title Volume 5781 Folio 919,
  - (ii) 10 Creswell Road, Largs North, Certificate of Title Volume 5208 Folio 532, and
  - (iii) 1-4/2 Elder Road, Largs North, Certificates of Title Volume 6129 Folio 124 and Volume 6129 Folio 125.

### 3.2 Measures to be taken in Quarantine Areas

- (1) The owner or occupier of any premises within a portion of the State declared to be a fruit fly outbreak area must take the measures prescribed in the Standard for the control and eradication of such flies.
- (2) The owner or occupier of any premises within a portion of the state declared to be a fruit fly suspension area must take the measures prescribed in the Standard for the control and eradication of such flies.
- (3) The owner or occupier of any premises within the 'Kangaroo Island Protected Production Area' established under Section 3.1(4) must take the measures prescribed in the Standard for eradication of the declared diseases of potato.
- (4) Measures for the exclusion of fruit flies from the Riverland of South Australia ("Riverland Pest Free Area"):
  - (i) Introduction of host fruits of fruit flies ("host fruits") as specified under Section 7 of the Act, into the Riverland Pest Free Area is prohibited unless:
    - a) in transit through the Riverland Pest Free Area; or
    - b) if the host fruit was produced in a State or Territory other than South Australia: the host fruit complies with the treatments described within 3.2(4)(iii) below.
    - c) if the host fruit was produced in any part of South Australia outside the Riverland Pest Free Area, the host fruit has been certified by an inspector as having been either:
      - i. grown in an area free of fruit flies as defined by the Standard; or
      - ii. treated in compliance with the treatments described in 3.2(4)(iii) below.
  - (ii) if the host fruit was originally produced in the Riverland Pest Free Area, but has moved outside that area and is now proposed to be re-introduced into the area, the produce must either be:
    - a) certified by an inspector that it has been maintained under secure conditions throughout the duration that it was outside the Riverland Pest Free Area; or
    - b) moved under an accreditation arrangement as approved by the Minister under Part 4 Division 2 of the Act and regulation 7 of the *Plant Health Regulations 2009*; or
    - c) Treated in compliance with the treatments described in 3.2(4)(iii) below.
  - (iii) The following treatments are prescribed for the purpose of moving produce into the Riverland Pest Free Area:
    - a) Treatment in accordance with Condition 9 (Area Freedom for fruit flies / secure transportation) as described in the Standard
    - b) Treatment in accordance with Condition 10.1 (Hard green or similar condition for Fruit Fly) as described in the Standard
    - c) Treatment in accordance with Condition 11 (Disinfestation by Cold Storage) as described in the Standard
    - d) Treatment in accordance with Condition 12 (Disinfestation using Dimethoate – Queensland fruit fly) as described in the Standard
    - e) Treatment in accordance with Condition 12E (Winegrapes Secure Transportation – Queensland Fruit Fly / Mediterranean Fruit Fly – Systems Approach – ICA 33) as described in the Standard
    - f) Treatment in accordance with Condition 13 (Disinfestation by Methyl Bromide fumigation) as described in the Standard
    - g) Treatment in accordance with Condition 14 (Disinfestation by Irradiation) as described in the Standard
    - h) Treated or consigned under conditions approved by the Chief Inspector.
- (5) The owner or occupier of any premises within the quarantine area with respect to *Caracollina lenticula*, must take the following measures
  - (i) all outdoor areas must be treated with the following molluscicide bait treatments in accordance with label specifications:
    - a) a metaldehyde-based bait (e.g. Metarex Inov Slug and Snail Bait, Axcela Slug and Snail Bait) at least once during the months of March, April, May, September, October and November; and,
    - b) an iron-based bait (e.g. Protect Us Snail and Slug Killer, Eradicate Snail and Slug Bait) at least once during the months of June, July and August of each year.
    - c) bait applications must occur at regular intervals over the twelve months (e.g. every 30 days plus (+) or minus (-) 3 days).
  - (ii) all annual vegetative ground cover must be destroyed but retained within the premises.
  - (iii) any item from the quarantine area that may harbour *Caracollina lenticula* is prohibited from leaving the quarantine area unless it meets the conditions laid out in 3.2(5)(iii)a) to 3.2(5)(iii)d) below:
    - a) the item is inspected by an inspector and the inspector is satisfied that the item is free of *Caracollina lenticula*; or
    - b) a staff member nominated by the affected business who is authorised by an inspector to do the inspections is satisfied that the item is free of *Caracollina lenticula*, and,

- c) if *Caracollina lenticula* are found during inspection, or the item cannot be inspected to satisfy that the item is free of *Caracollina lenticula*, the item must be cleaned or treated in a method approved by the Department of Primary Industries and Regions, South Australia, and,
- d) the item is removed from the quarantine area immediately upon being inspected in accordance with Section 3.2(5)(iii)a) or b) above; or immediately upon being cleaned or treated in accordance with Section 3.2(5)(iii)c) above.

**4. In this notice:**

- “the Act” means the *Plant Health Act 2009*
- “annual vegetation” means plants that grow for only a single year and not purposely grown for amenity reasons
- “fruit fly outbreak area” means an area within 1.5 kilometres radius of a fruit fly outbreak centre
- “fruit fly outbreak centre” means the single discovery point where eggs, larvae or adults of fruit flies have been detected that meet the triggers for outbreak declaration set in Australia’s national fruit fly management agreements, or the epicentre of several such discovery points which are no more than 1 km apart
- “fruit fly suspension area” means an area surrounding a fruit fly outbreak centre that has lost area freedom status, in accordance with Australia’s national fruit fly management agreements. The fruit fly suspension area consists of all of the land within a 15 km radius for Queensland fruit fly, or within a 7.5 km radius for Mediterranean fruit fly, of the “fruit fly outbreak centre”
- “inspector” means an inspector appointed pursuant to section 41 of the Act
- an “item that may harbour *Caracollina lenticula*” includes any vehicle, machinery or equipment, whether or not it is a plant related product
- “molluscicide” means a pesticide that will kill snails and slugs
- “plant related product” has the same meaning as in the Act
- “quarantine area” means the area described in Section 3 of this Notice
- “the Standard” means the document published by Primary Industries and Regions South Australia entitled the “Plant Quarantine Standard South Australia”
- “in transit” means the movement of securely contained plant product, either directly through South Australia or through another quarantine area for a plant pest, that is accompanied by documentation that can demonstrate both the origin and destination of product, and, whilst in South Australia or another quarantine area, is not subject to off-loading, reloading or storage.
- “securely contained” means, transported in a manner that prevents infestation of product with a quarantine pest and/or release of a quarantine pest and for fruit fly purposes meets the requirements of Condition 9 of the Standard

This Notice will remain in force until revoked by subsequent Notice.

Dated: 23 November 2021

ROSS MEFFIN  
Chief Inspector  
Delegate of the Minister for Primary Industries and Regional Development

PROFESSIONAL STANDARDS ACT 2004

*The Institute of Public Accountants Professional Standards Scheme*

PURSUANT to section 14 of the *Professional Standards Act 2004*, I authorise the publication in the *Gazette* of the Queensland Law Society Professional Standards Scheme.

Pursuant to section 15(1)(a) of the *Professional Standards Act 2004*, I specify 1 July 2022 as the date of commencement of the Queensland Law Society Professional Standards Scheme.

Dated: 17 November 2021

VICKIE CHAPMAN  
Attorney-General

THE QUEENSLAND LAW SOCIETY PROFESSIONAL STANDARDS SCHEME

**PREAMBLE**

**Occupational Association**

- A. The Queensland Law Society (“the Society”) is a voluntary association for legal practitioners who practice as solicitors. It is a statutory corporation constituted under the *Legal Profession Act 2007 (Q)*. It is an occupational association under the *Professional Standards Act 2004 (Q)* (“the Act”).

**The Nature of the Scheme**

- B. The Society has made an application to the Professional Standards Council (“Council”), for approval of a scheme under the Act, and this document comprises the scheme (“the Scheme”).
- C. The Scheme is intended to operate under the Act, which has the purpose of improving occupational standards of professional persons and to protect the consumers of their services.
- D. The Scheme has been prepared by the Society for the purposes of limiting the occupational liability of Participating Members to the extent such liability may be limited under the Act.
- E. The Scheme limits damages to be awarded against a Participating Member to the monetary ceiling specified for that Participating Member if the Participating Member has the benefit of Insurance as required by the Scheme.

**Risk Management**

- F. The Society has furnished the Council with a detailed list of the risk management strategies intended to be implemented in respect of its Participating Members and the means by which those strategies are intended to be implemented.
- G. The Society will report annually on the implementation and monitoring of its risk management strategies, the effect of those strategies and any changes made or proposed to be made to them.

**Insurance**

- H. Participating Members are required to have the benefit of current professional indemnity insurance as prescribed by the LPA, the Queensland Law Society Administration Rule 2005 and the Queensland Law Society Indemnity Rule 2005. The Society has furnished the Council with details of its insurance standards and professional indemnity insurance claims monitoring process.
- I. The Society has advised its Participating Members that they must have the benefit of a professional indemnity policy that complies with the Society's insurance standards and that they remain liable for the amount of any difference between the amount payable to a plaintiff under the policy and the applicable monetary ceiling specified in the Scheme.

**Complaints and Discipline**

- J. Participating Members are subject to a complaints and discipline regime operating under the LPA. All Participating Members must comply with provisions of the LPA and the *Legal Profession (Society) Rules 2007*.

**Compliance**

- K. The Society has undertaken:-
- to comply with all the reporting obligations associated with this Scheme, in furtherance of the statutory objects of improvement of the occupation standards of its members and protection of the consumers of such member services;
  - to require from its members that participate in this Scheme their agreement to comply with all requirements of the Society so as to enable it to meet its obligations in paragraph sub (a) above; and
  - to remit all fees payable under the Professional Standards Regulation 2017 to the Council as and when they become due.

**Administration of the Scheme**

- L. Responsibility for administration of the Scheme and ensuring it complies with the requirements of the Act and the Council lies with the Council of the Society.

**Commonwealth prescription of the Scheme**

- M. Sections 12GNA(2) of the *Australian Securities and Investments Commission Act 2001* (Cth), 137(2) of the *Competition and Consumer Act 2010* (Cth), and 1044B(2) of the *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 under regulations by the Commonwealth.

**THE QUEENSLAND LAW SOCIETY PROFESSIONAL STANDARDS SCHEME****1. Occupational Association and definitions**

- 1.1 The Queensland Law Society Professional Standards Scheme is a scheme under the Act prepared by the Society whose business address is 179 Ann Street, Brisbane, Queensland.
- 1.2 Relevant definitions for the purpose of the Scheme are as follows:-
- “Act” means the *Professional Standards Act 2004 (Q)*
- “Australian Lawyer” has the same meaning as in the LPA.
- “Australian Practising Certificate” has the same meaning as in the LPA.
- “Corporate practising certificate” means a practising certificate issued to an Australian lawyer that has a condition that the lawyer is not to engage in legal work other than providing in-house legal services to a corporation that is not an incorporated legal practice.
- “Corresponding Laws” means the *Professional Standards Act 1994 (NSW)*, the *Professional Standards Act 2003 (Vic)*, *Professional Standards Act 2004 (SA)*, *Professional Standards Act 1997 (WA)*, *Professional Standards Act 2005 (Tas)*, *Professional Standards Act 2004 (NT)*, the *Civil Law (Wrongs) Act 2002 (ACT)*, as applicable.
- “Council” means the Professional Standards Council established under s41 of the Act.
- “Court” has the same meaning as it has in the Act.
- “Damages” has the same meaning as it has in the Act.
- “Exempted Member” means a full member, honorary member or an incorporated legal practice member who is, or was at the Relevant Time, exempted by the Society from participation in the scheme under clauses 3.3 and 3.4.
- “Financial year” means a financial accounting period ending 30 June.
- “Full Member” means a person within the category of full membership of the Society's as defined in s7 of the *Legal Profession (Society) Rules 2007*.
- “Government Legal Officer” has the same meaning as in the LPA.
- “Honorary Member” means a person within the category of Honorary Membership of the Society as defined in s10A of the *Legal Profession (Society) Rules 2007* who holds an Australian Practising Certificate;
- “Incorporated Legal Practice” has the same meaning as in the LPA.
- “Incorporated Legal Practice Member” means a corporation within that category of the Society's membership as defined in s10B of the *Legal Profession (Society) Rules 2007*.
- “Indemnity Rule” means the *Queensland Law Society Indemnity Rule 2005*.
- “LPA” means the *Legal Profession Act 2007 (Qld)*.
- “Law Practice” has the same meaning as in the LPA.
- “Occupational Liability” has the same meaning as it has in the Act.<sup>1</sup>
- “Participating Members” means those persons specified in clause 3.1 of the Scheme.
- “Principal” has the same meaning as in the LPA.
- “Relevant Time”, in relation to a cause of action relating to Occupational Liability, means the time when the act or omission giving rise to the cause of action happened.
- “Scheme” means the Queensland Law Society Professional Standards Scheme.

“Society” means the Queensland Law Society.

“Total annual fee income” means the amount charged during a financial year for services provided by or on behalf of a Law Practice, some of whose members are members of the Society to whom the Scheme applies.

<sup>1</sup> Section 6(1) of the Act provides that it does not apply to liability for damages because of the death of or personal injury to a person; any negligence or other fault of a lawyer in acting for a client in a personal injury claim; a breach of trust; fraud or dishonesty. Section 6(2) of the Act provides that it does not apply to liability that may be the subject of proceedings under the Land Title Act 1994, part 9, division 2, subdivision C.

## 2. Jurisdictions in which the Scheme Applies

- 2.1 The Scheme applies in Queensland pursuant to the Act.
- 2.2 In addition to Queensland the Scheme is intended to operate in New South Wales, Victoria, Tasmania, South Australia, Western Australia, the Northern Territory of Australia and the Australian Capital Territory in accordance with the professional standards legislation of those states and territories and subject to the requirements of that legislation (the Corresponding Laws), so that references to a provision of the Act, the application of the Scheme to a liability, the limit of a liability under the Act or what constitutes Occupational Liability are intended to pick up the relevant provisions of the Corresponding Laws, applied mutatis mutandis, to the extent that is necessary for the application of the Scheme in any of those jurisdictions as an interstate scheme.
- 2.3 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.

## 3. Persons to Whom the Scheme Applies

- 3.1 The Scheme applies to:-
  - 3.1.1 Full Members and Honorary Members who hold an Australian Practising Certificate, who are not excluded or exempted under clauses 3.2 or 3.3 of the Scheme;
  - 3.1.2 Incorporated Legal Practice Members that are not exempted under clause 3.3 of the Scheme;
  - 3.1.3 all persons to whom, by virtue of ss 20, 21 or 21A of the Act, the Scheme applies<sup>2</sup>;
  - 3.1.4 all persons to whom clauses 3.1.1 and 3.1.2 applied at the Relevant Time but no longer applies.
- 3.2 A person referred to in clause 3.1.1 does not include a practitioner who holds or held at the Relevant Time a Corporate Practising Certificate issued by the Society, or is or was at the Relevant Time a Government Legal Officer.
- 3.3 A person referred to in clause 3.1 may, on written application, be exempted from participation in the Scheme by the Society with effect from the date on which the exemption is granted. This clause does not apply to persons to whom the Scheme applies by virtue of ss 20 or 21 of the Act.
- 3.4 The Society may, upon application by an Exempted Member revoke an exemption of the person from participation in the Scheme from a date specified by the Society.

<sup>2</sup> Section 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 and employee of that person. However, if such officer of the body corporate or partner or employee of the person is entitled to be a member of the same occupational association as the body corporate or person (as applicable) but is not a member, the Scheme does not apply to the officer, partner or employee. Section 21A extends the limitation of liability to other persons to whom the Scheme applies.

## 4. Limitation of Liability

- 4.1 The Scheme limits the Occupational Liability of a Participating Member for Damages<sup>3</sup>:-
  - 4.1.1 arising from a single cause of action founded on an act or omission; and
  - 4.1.2 to the extent those damages exceed the amounts specified as the monetary ceiling in Cl. 4.5.
- 4.2 If a Participating Member against whom a cause of action relating to Occupational Liability<sup>4</sup> is brought is able to satisfy the Court that:-
  - 4.2.1 the Participating Member has the benefit of an insurance policy insuring him or her against the Occupational Liability to which the cause of action relates; and
  - 4.2.2 the amount payable under the insurance policy in respect of that Occupational Liability is not less than the amount of the monetary ceiling specified in Cl 4.6 as applying to the Participating Member against whom the proceeding is brought:-

the Participating Member is not liable in Damages in relation to that cause of action above the amount of that monetary ceiling.
- 4.3 For the operation of the scheme in a jurisdiction other than Queensland under a Corresponding Law of that jurisdiction, Occupational Liability means any liability included in the definition of Occupational Liability in the Corresponding Law which is in force in that jurisdiction from time to time.
- 4.4 Notwithstanding clause 4.1, for the operation of this Scheme in a jurisdiction other than Queensland under a Corresponding Law of that jurisdiction, the Occupational Liability to which the Scheme applies does not include liability to which the corresponding law states from time to time it does not apply.

<sup>3</sup> Damages as defined in Schedule 2 of the Act means:

- (a) damages awarded in respect of a claim or counter-claim or by way of set-off; and
- (b) costs in or in relation to the proceedings ordered to be paid in connection with such an award (other than costs incurred in enforcing a judgment or incurred on an appeal made by a defendant); and
- (c) any interest payable on the amount of those damages or costs<sup>4</sup> Section 7A of the Act provides that a reference in the Act “to the amount payable under an insurance policy in respect of an occupational liability includes a reference to –

<sup>4</sup> Section 7A of the Act provides that a reference in the Act “to the amount payable under an insurance policy in respect of an occupational liability includes a reference to –

- (a) defence costs payable in respect of a claim, or notification that may lead to a claim (other than reimbursement of the defendant for the time spent in relation to the claim), but only if those costs are payable out of the one sum insured under the policy in respect of the occupational liability; and
- (b) the amount payable under or in relation to the policy by way of excess.”

However, see also section 27A of the Act and its note, which has the effect that section 7A does not reduce the cap on the liability of the Participating Member to the client.

- 4.5 The monetary ceiling applicable for the purposes of limitation of liability under the Scheme at the Relevant Time is to be determined according to the following table:-

Class	Description	Monetary Ceiling
1	Participating Members who at the Relevant Time were in a Law Practice that consisted of up to and including 20 Principals and where the Law Practice generates Total annual fee income for the financial year at the Relevant Time up to and including \$10 million.	\$1.5m
2	a) Participating Members who at the Relevant Time were in a Law Practice that consisted of greater than 20 Principals; or b) Participating Members who at the Relevant Time were in a Law Practice that generated Total annual fee income for the financial year at the Relevant Time greater than \$10 million.	\$10m

- 4.6 The Scheme limits the Occupational Liability in relation to a cause of action founded on an act or omission that happens when the Scheme is in force of any person to whom the Scheme applies when the act or omission happens.

## 5. Conferral of Discretionary Authority

- 5.1 The Society has discretionary authority, on application by a Participating Member, to specify in relation to the Participating Member, a higher monetary ceiling than would otherwise apply under the Scheme in relation to the Participating Member in all cases or any specified case or class of case.
- 5.2 Before exercising that discretion in favour of the Participating Member, the Society must be satisfied the amount payable under the current professional indemnity insurance of which the Participating Member has the benefit is at least equal to the proposed higher monetary ceiling.

## 6. Duration

- 6.1 This Scheme will commence in Queensland, New South Wales, Victoria, Tasmania, Western Australia and the Northern Territory on 1 July 2022.
- 6.2 In the Australian Capital Territory and South Australia, this Scheme will commence:
- (a) On the date provided for in the Minister’s notice in relation to the Scheme 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.
- 6.3 The Scheme will remain in force for 5 years from its commencement, subject to s. 33 of the Act.

## RADIATION PROTECTION AND CONTROL ACT 1982

### SECTION 44

#### *Exemption from Annual Fee to Renew Licence*

PURSUANT to Section 44 of the *Radiation Protection and Control Act 1982* (the Act), I, **Tony Circelli**, **Chief Executive** of the Environment Protection Authority, being a person to whom the powers of the Minister under that section have been delegated under the Act, exempt the holder of Licence 50979 issued pursuant to Section 24 of the Act from the requirement to pay the annual fee prescribed by Section 24(4a) of the Act on applying 50979, subject to the following conditions:

The exemption will apply to the annual fee payable for one calendar year only from the commencement of Licence 50979 as renewed upon the expiration of the current term on 31 October 2021.

Dated: 17 November 2021

T. CIRCELLI  
Environment Protection Authority  
Delegate of the Minister for Environment and Water

## REAL PROPERTY ACT 1886

### SECTION 17

#### *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.

## THE SCHEDULE

No. of Application	Description of Property	Name	Residence	Date up to and inclusive of which caveat may be lodged
32063	Allotment 356 Filed Plan 168485 Hundred of Kapunda in the area named Kapunda	Bernadette Anne Dee	10 Shannon Street Kapunda SA 5373	25 <sup>th</sup> January 2022

Dated: 25 November 2021

B. PIKE  
 Chief Executive Officer  
 Land Services SA  
 Acting under delegation of the Registrar-General

## ROAD TRAFFIC ACT 1961

*Road Traffic (Electric Personal Transporters) Notice No 5 of 2021*

South Australia

**Road Traffic (Electric Personal Transporters) Notice No 5 of 2021**under section 161A of the *Road Traffic Act 1961***1 Short title**

This Notice may be cited as the Road Traffic (City of Unley Scooter Trial) Notice 2021.

**2 Operation**

This Notice comes into operation on the day on which it is made, and will cease operation on 31 October 2022.

**3 Interpretation**

In this Notice—

*Act* means the *Road Traffic Act 1961*;

*Council* means the Corporation of the City of Unley ABN 63 714 797 082;

*electric personal transporter* has the same meaning as in the Road Traffic (Miscellaneous) Regulations 2014;

*Minister* means the Minister to whom the administration of the Act is committed;

*path* means a bicycle path, footpath, separated footpath or shared path.

**4 Approval**

In accordance with the power under section 161A of the Act, I hereby APPROVE an electric personal transporter to be driven on or over a road.

**5 Conditions**

An electric personal transporter may only be driven:

1. within the Council area designated in the Schedule to this Notice;
2. on roads and paths not prohibited for use by Council;
3. if supplied by an operator permitted by Council, or otherwise authorised or accredited;
4. by a driver aged 18 years old or older;
5. if the electric personal transporter meets the criteria in paragraphs (a) to (d) of the definition of *scooter* in rule 244A(1) of the Australian Road Rules;
6. if the maximum speed of the electric personal transporter cannot exceed 15km/h;

- 7. if the maximum speed of the electric personal transporter cannot exceed 10km/h on roads under the care, control and management of the Commissioner of Highways;
- 8. if the unladen mass of the electric personal transporter does not exceed 25kg.

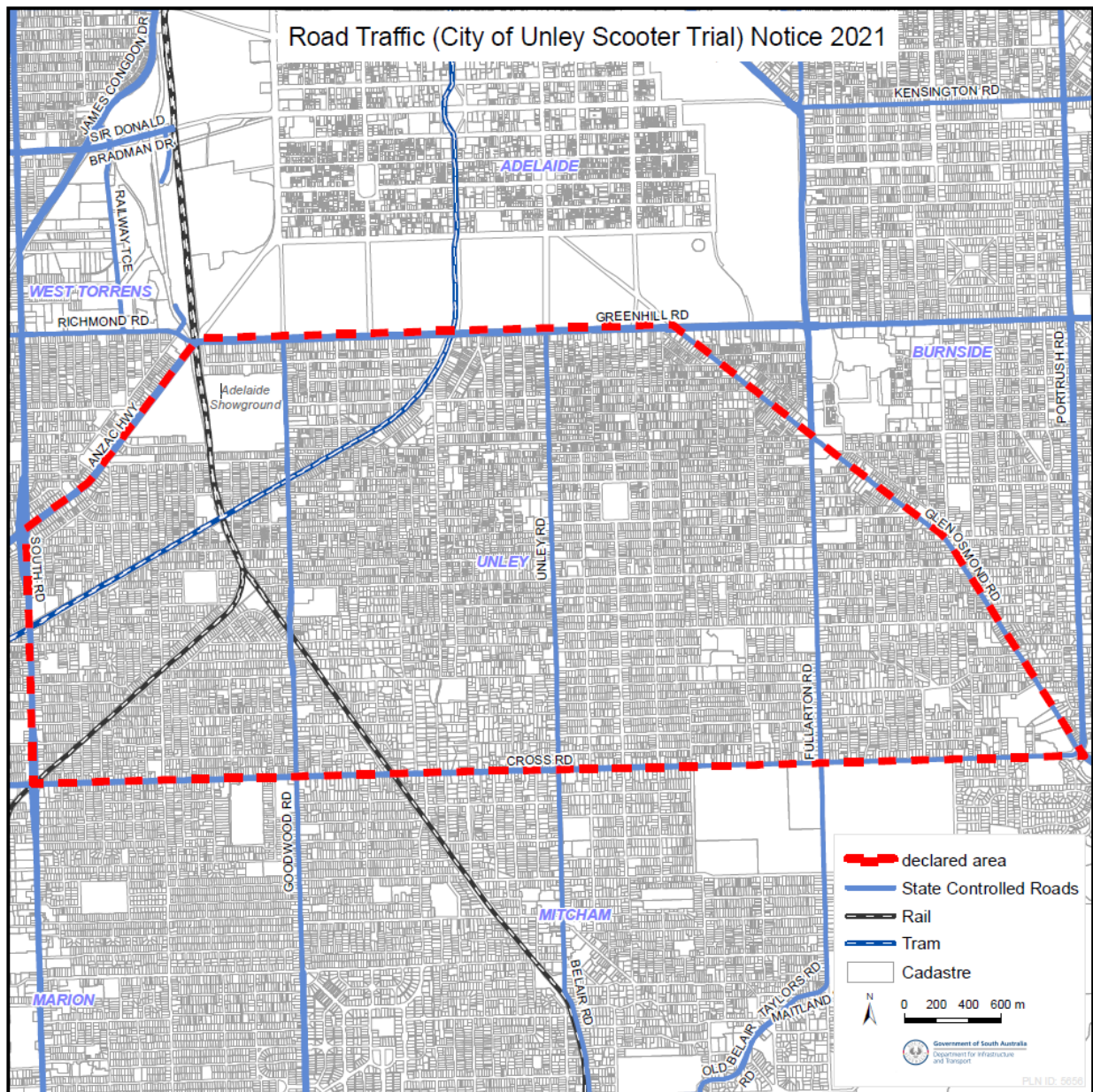
### 6 Revocation

This Notice may be revoked by the Minister or his delegate at any time.

### 7 Execution

Dated: 17 November 2021

HON COREY WINGARD MP  
Minister for Infrastructure and Transport



## LOCAL GOVERNMENT INSTRUMENTS

### CITY OF HOLDFAST BAY

#### ELECTION RESULTS

##### *Supplementary Election of Councillor for Somerton Ward*

#### **Election conducted on Tuesday 16 November 2021.**

Formal Ballot Papers – 1729

Informal Ballot Papers – 6

Quota – 865

Candidates	First Preference Votes	Elected/Excluded	Votes at Election/ Exclusion	Count
LOOKER, Tim	493		623	
FLETCHER, Janet	427	Elected	881	3
KNOLDER, Ron	438	Excluded	539	3
DE RITTER, Mark	371	Excluded	371	2

Dated: 16 November 2021

MICK SHERRY  
Returning Officer

### CITY OF MOUNT GAMBIER

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

##### *Road Opening—Pinehall Avenue, Suttontown*

NOTICE is hereby given, pursuant to section 10 of the *Roads (Opening and Closing) Act 1991*, that the council proposes to make a Road Process Order to open as road portion of allotment 132 in F194744, forming a widening of the O’Leary Road and Pinehall Avenue intersection shown numbered ‘1’ on Preliminary Plan 21/0027.

The Preliminary Plan and Statement of Persons Affected is available for public inspection at the offices of the City of Mount Gambier located at 10 Watson Terrace, Mount Gambier and the Adelaide Office of the Surveyor-General at Level 2, 101 Grenfell Street Adelaide during normal office hours. The Preliminary Plan can also be viewed at [www.sa.gov.au/roadsactproposals](http://www.sa.gov.au/roadsactproposals).

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons. The application for easement or objection must be made in writing to the City of Mount Gambier at PO Box 56 Mount Gambier SA 5290 or [city@mountgambier.sa.gov.au](mailto:city@mountgambier.sa.gov.au), WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General at GPO Box 1354, Adelaide 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Council contact for enquiries is Elisa Solly, phone: 8721 2574

Dated: 25 November 2021

SARAH PHILPOTT  
Chief Executive Officer

### CITY OF ONKAPARINGA

#### LOCAL GOVERNMENT ACT 1999

##### *Naming of an Un-Named Road*

Notice is hereby given that under delegation and in accordance with Section 219 (1) of the *Local Government Act 1999*, a privately owned service road leading from Hub Drive, Aberfoyle Park to the Hub Library will be named Hub Lane, Aberfoyle Park.

A plan that delineates the road, which is subject to the new road name, is available for inspection at Council’s Noarlunga Office, Ramsay Place, Noarlunga Centre, during business hours.

Dated: 25 November 2021

SCOTT ASHBY  
Chief Executive Officer

### CITY OF ONKAPARINGA

#### LOCAL GOVERNMENT ACT 1999

##### *Place Naming Outcomes*

NOTICE is hereby given that at its meeting held on 16 November 2021, pursuant to Section 219 of the *Local Government Act 1999*, the City of Onkaparinga assigned the formal names:

- **Mukarta Patpangka/Oak Tree Reserve** for the land on the corner of Avondale Road and McKenzie Street in Coromandel Valley described as Allotment 25 (Reserve) in Deposited Plan 9160 comprised in Certificate of Title Volume 6255 Folio 364.
- **Kadli Wirra/John Ackers Park** for the land between Greenlees Parade and Cuttle Street in Aldinga Beach described as Allotment 4 in Deposited Plan 63084 (Reserve) comprised in Certificate of Title Volume 5907 Folio 727.
- **Manya Pilyapilya/Jim Jaggard Park** for the land between Periwinkle Drive and Bayside Avenue in Aldinga Beach described as Allotment 800 in Deposited Plan 69046 (Reserve) comprised in Certificate of Title Volume 5953 Folio 552.
- **The Paul Murray Recreation Centre** for the building located on Allotment 21 in Filed Plan 10518, comprised in Certificate of Title Volume 5068 Folio 374.

Dated: 16 November 2021

S ASHBY  
Chief Executive Officer



## ADELAIDE HILLS COUNCIL

## LIQUOR LICENCING (LIQUOR REVIEW) AMENDMENT ACT 2017

*Short Term Dry Area Declaration (48 hours or less)*

I, Andrew Aitken, Chief Executive Officer, for and on behalf of the Adelaide Hills Council, in accordance with section 131 of the Liquor Licensing (Liquor Review) Amendment Act 2017 in effect from September 2018, hereby declare a short term dry area of 48 hours or less for the following community events.

**Event:** Lights of Lobethal Opening Night 2021  
**Event date/s:** Sunday 12 December 2021  
**Period of prohibition:** 2:00pm – 11:59pm

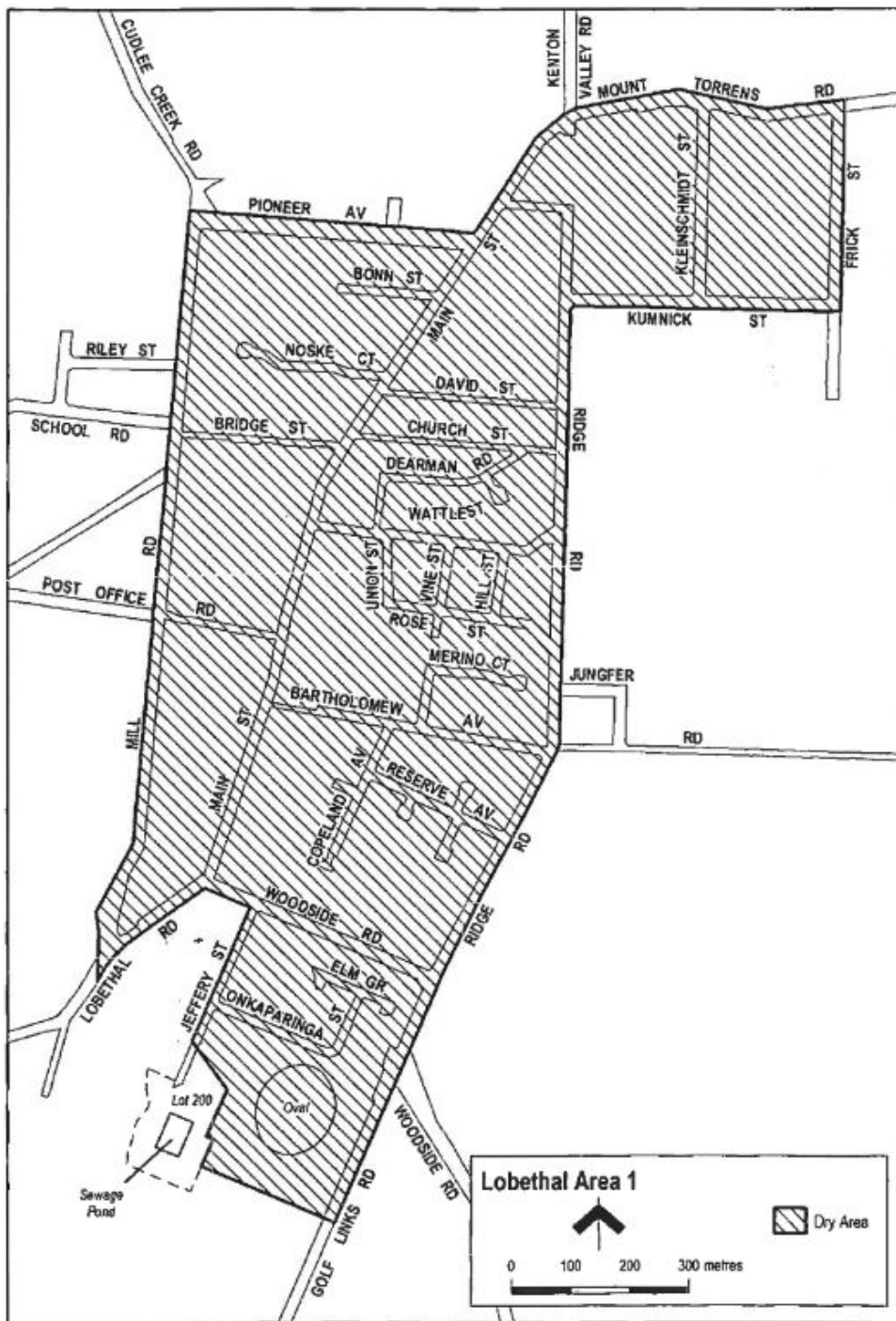
**Event:** Lobethal Christmas Pageant 2021  
**Event date/s:** Thursday 23 December 2021  
**Period of prohibition:** 2:00pm – 11:59pm

**Extent of temporary dry area:** Various roads around the Lobethal township as shown in the attached map (written description included).

The Council and event organisers have declared a dry area to ensure the township remains 'family friendly' and to enable SA Police to proactively manage potential alcohol-related anti-social behaviour. A temporary dry area has been in place during this December period in recent years. It has been well received and is considered to have been a successful initiative.

**Description of area:**

The area in and adjacent to Lobethal bounded as follows: commencing at the point at which the western boundary of Mill Road meets the north-western boundary of the Adelaide to Lobethal Road, then generally northerly along that boundary of Mill Road and the prolongation in a straight line of that boundary to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Pioneer Avenue, then easterly along that prolongation and boundary of Pioneer Avenue to the point at which it meets the north-western boundary of Main Street, then generally north-easterly and easterly along that boundary of Main Street and the northern boundary of the Lobethal to Mount Torrens Road to the point at which that northern boundary is intersected by the prolongation in a straight line of the eastern boundary of Frick Street, then southerly along that prolongation and boundary of Frick Street to the point at which it is intersected by the prolongation in a straight line of the southern boundary of Kumnick Street, then westerly along that prolongation and boundary of Kumnick Street to the eastern boundary of Ridge Road, then southerly and south-westerly along that boundary of Ridge Road to the point at which it meets the northern boundary of the Lobethal to Woodside Road, then in a straight line by the shortest route to the point at which the eastern boundary of Golf Links Road meets the southern boundary of the Lobethal to Woodside Road, then generally south-westerly along that boundary of Golf Links Road to the point at which it is intersected by the prolongation in a straight line of the southern boundary of the sewage pond in Lot 200 of DP71985, then westerly along that prolongation to the eastern boundary of Lot 200, then generally north-easterly along that eastern boundary to the north-eastern boundary of Lot 200, then north-westerly along the north-eastern boundary of Lot 200 and the prolongation in a straight line of that boundary across Jeffery Street to the north-western boundary of Jeffery Street, then north-easterly along that boundary of Jeffery Street to the southern boundary of the Lobethal to Woodside Road, then westerly along that boundary of the Lobethal to Woodside Road to the south-eastern boundary of the Adelaide to Lobethal Road, then south-westerly along that boundary of the Adelaide to Lobethal Road to the point at which it is intersected by the prolongation in a straight line of the western boundary of Mill Road, then northerly along that prolongation to the point of commencement.



Dated: 18 November 2021

ANDREW AITKEN  
Chief Executive Officer

DISTRICT COUNCIL OF CEDUNA  
LOCAL GOVERNMENT ACT 1999 (SA) – SECTION 210(1)

*Declaration of Public Roads*

The District Council of Ceduna (Council) hereby gives notice that pursuant to section 210(1) of the Local Government Act 1999 (SA), the Council has declared the following private roads within its Council area to be public roads:

The private roads are situated within Allotments 39, 40 and 41 in Deposited Plan 1806 held within Certificate of Title Volume 1075 Folio 59.

Dated: 19 November 2021

M.S. HEWITSON  
Acting Chief Executive Officer

## DISTRICT COUNCIL OF CLEVE

*Change of Meeting Date*

Notice is hereby given that the Ordinary January Council Meeting will now be held on Tuesday, 18 January 2022, commencing at 2.30pm in the Council Chambers of Main Street, Cleve, in lieu of Tuesday, 11 January 2022.

Dated: 22 November 2021

ML QUINN  
Acting Chief Executive Officer

## DISTRICT COUNCIL OF ELLISTON

*Liquor Licensing (Dry Areas) Notice 2021*

South Australia

**Liquor Licensing (Dry Areas) Notice 2021**

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

**1—Short title**

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2019*.

**2—Commencement**

This notice comes into operation on 31 December 2021.

**3—Interpretation**

(1) In this notice—

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

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

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

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

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

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

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

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

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

(ii) the container has not been opened; or

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

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

**Schedule—Elliston Area 1****1—Extent of prohibition**

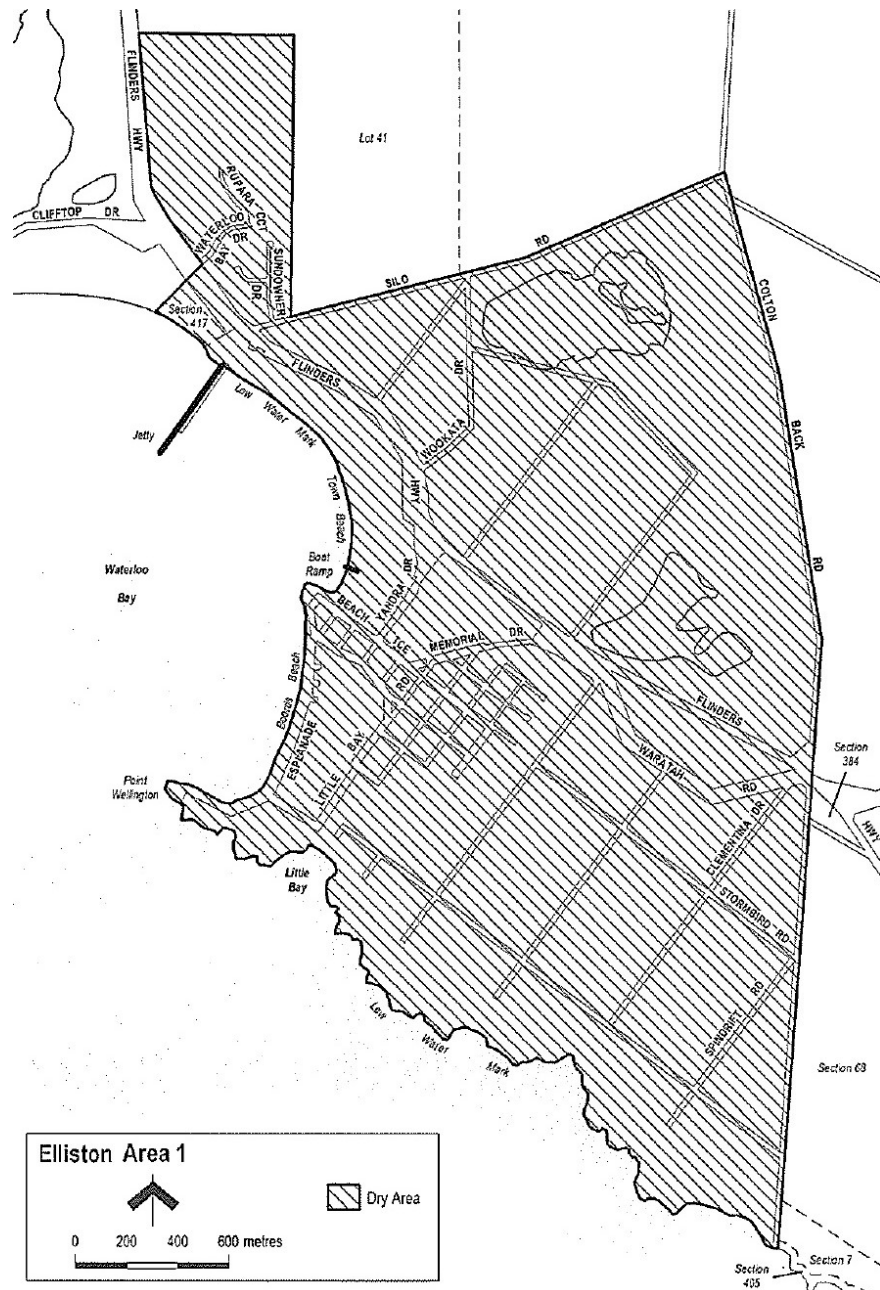
The consumption of liquor is prohibited and the possession of liquor is prohibited.

**2—Period of prohibition**

From 9 pm on 31 December 2021 to 8 am on 1 January 2022.

3—Description of area

The area in and adjacent to Elliston bounded as follows: commencing at the point at which the prolongation in a straight line of the north-western boundary of Section 417 Hundred of Ward intersects the low water mark on Waterloo Bay, then generally south-easterly, southerly, westerly and south-easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the western boundary of Section 405 Hundred of Ward, then northerly along that prolongation and boundary of Section 405, the western boundary of Section 7 Hundred of Ward and the western boundary of Section 68 Hundred of Ward, to the northern boundary of Section 68, then in a straight line by the shortest route to the point at which the western and southern boundaries of Section 384 Hundred of Ward meet, then northerly along the western boundary of Section 384 to the point at which it meets the north-eastern boundary of the Section, then in a straight line by the shortest route (across Flinders Highway) to the point at which the eastern boundary of Colton Back Road meets the northern boundary of Flinders Highway, then generally northerly and north-westerly along the eastern boundary of Colton Back Road to the point at which it is intersected by the prolongation in a straight line of the northern boundary of Silo Road, then south-westerly along that prolongation and boundary of Silo Road to the western boundary of Lot 41 of DP 72507, then generally northerly and westerly along the western and southern boundaries of Lot 41 to the point at which the southern boundary of the Lot meets the eastern boundary of Flinders Highway, then generally southerly and south-easterly along that boundary to the point at which it is intersected by the prolongation in a straight line of the north-western boundary of Section 417 Hundred of Ward, then south-westerly along that prolongation and boundary of Section 417, and the prolongation in a straight line of that boundary, to the point of commencement. The area does not include any jetty, boat ramp or other structure projecting below the low water mark from within the area described above.



**Schedule—Port Kenny Area 1**

**1—Extent of prohibition**

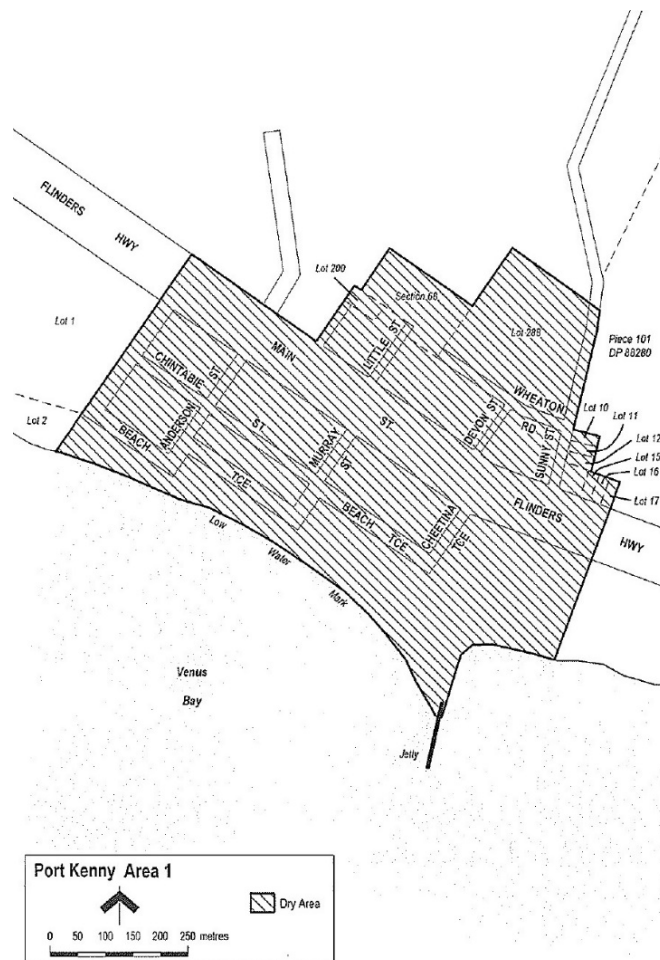
The consumption of liquor is prohibited and the possession of liquor is prohibited.

**2—Period of prohibition**

From 9 pm on 31 December 2021 to 8 am on 1 January 2022.

**3—Description of area**

The area in and adjacent to Port Kenny bounded as follows: commencing at the point at which the prolongation in a straight line of the eastern boundary of Lot 1 of DP 29315 intersects the north-eastern boundary of Main Street (Flinders Highway), then south-westerly along that prolongation and boundary of Lot 1 to the eastern boundary of Lot 2 of DP 29315, then south-westerly along that eastern boundary of Lot 2 and the prolongation in a straight line of that boundary to the low water mark on the northern side of Venus Bay, then generally south-easterly, northerly and easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the eastern boundary of Lot 17 of DP 4405, then north-easterly along that prolongation and boundary of Lot 17 to the northern boundary of the Lot, then north-westerly along the northern boundaries of Lots 17, 16 and 15 of DP 4405 to the eastern boundary of Lot 12 of DP 4405, then northerly along the eastern boundary of that Lot, and the eastern boundaries of Lots 11 and 10 of DP 4405, to the northern boundary of Lot 10, then westerly along that boundary of Lot 10 to the eastern boundary of Sunny Street, then northerly along that boundary of Sunny Street and the western boundary of Piece 101 of DP 88280 to the point at which the western boundary of Piece 101 is intersected by the prolongation in a straight line of the north-eastern boundary of Lot 288 of FP 180320, then north-westerly along that prolongation and boundary of Lot 288 to the north-western boundary of the Lot, then south-westerly along the north-western boundary of Lot 288 to the north-eastern boundary of Section 68 Hundred of Wright, then north-westerly and south-westerly along the north-eastern and north-western boundaries of the Section to the point at which the north-western boundary meets the north-eastern boundary of Lot 200 of DP 84488, then north-westerly along that boundary of Lot 200 to the north-western boundary of the Lot, then south-westerly along the north-western boundary of Lot 200 and the prolongation in a straight line of that boundary to the point at which that prolongation intersects the north-eastern boundary of Main Street (Flinders Highway), then north-westerly along that boundary of Main Street to the point of commencement. The area does not include any jetty, boat ramp or other structure projecting below low water mark from within the area described above.



**Schedule—Venus Bay Area 1**

**1—Extent of prohibition**

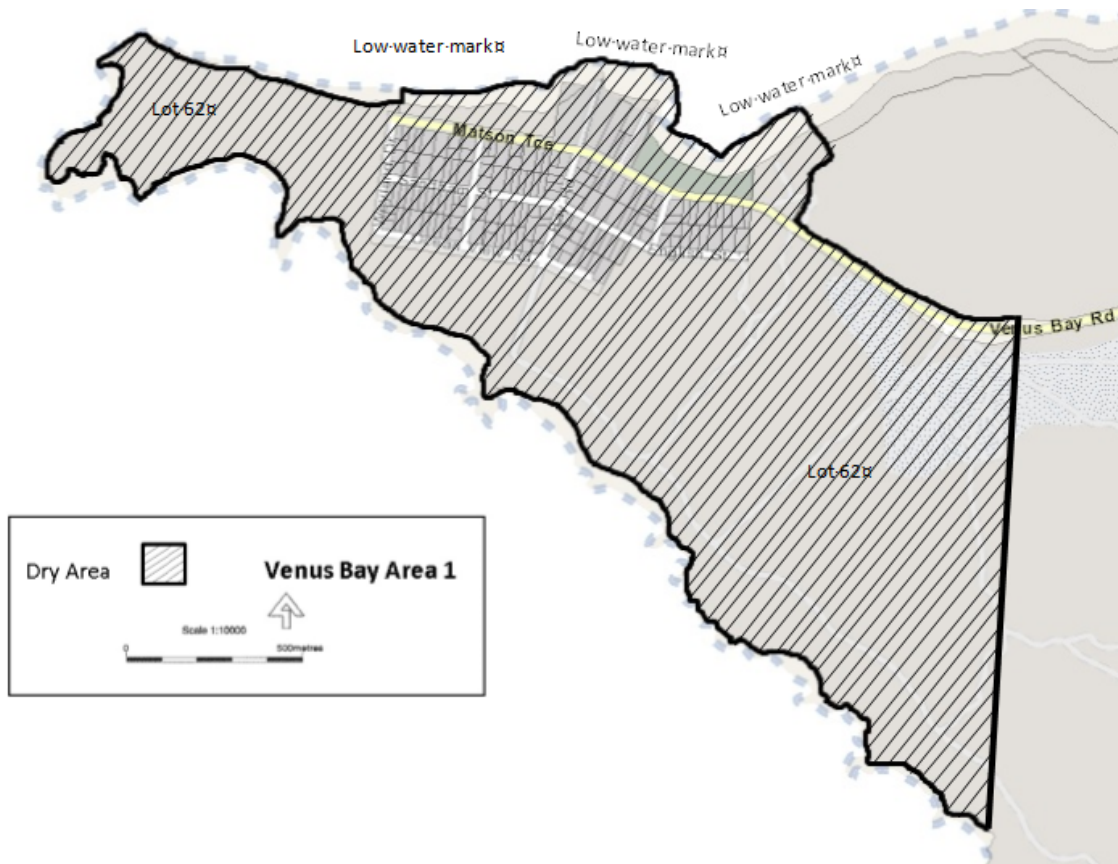
The consumption of liquor is prohibited and the possession of liquor is prohibited.

**2—Period of prohibition**

From 9 pm on 31 December 2021 to 8 am on 1 January 2022.

**3—Description of area**

The area in and adjacent to the town of Venus Bay bounded as follows: Commencing at the point at which the prolongation in a straight line of the northern boundary of Lot 62 DP34608 intersects the low water mark of Venus Bay, then in westerly, north-westerly direction along the northern boundary of Lot 62, then generally southerly, south-westerly along the western boundary of the lot, then generally in a south, south-easterly, easterly, north-easterly and northerly along the boundary of Lot 62 to the point at which the common boundary of Lot 62 and Lot 39 meet then north along the eastern boundary of Lot 62 to the northern boundary of Venus Bay Road, then in a straight line by the shortest route along (Venus Bay Road) to the south-western corner of Lot 58 DP34994, then in a straight line by the shortest route to the eastern boundary of the lot, then generally north-easterly and north-westerly along that boundary of Lot 58 to the point at which the North-western boundary of the lot intersect the low water mark, then south-westerly and north-westerly along the northern low water mark to the point of commencement. This area includes any jetty, boat ramp or structure projecting below the low water mark form within the area described above.



Made by the District Council of Elliston

on 16 November 2021

GEOFF SHERIDAN  
Chief Executive Officer

## MID MURRAY COUNCIL

*Close of Roll for Supplementary Election*

Due to the passing of a member of the council, a supplementary election will be necessary to fill the vacancy of Councillor for Eyre Ward. The voters roll for this supplementary election will close at 5pm on Tuesday 30 November 2021.

You are entitled to vote in the election if you are enrolled on the State electoral roll for the council area. If you have recently turned 18 or changed your residential or postal address you must complete an electoral enrolment form available online at [www.ecsa.sa.gov.au](http://www.ecsa.sa.gov.au).

If you are not eligible to enrol on the State electoral roll you may still be entitled to enrol to vote if you own or occupy a property in the council area. Contact the council to find out how.

Nominations to fill the vacancy will open on Thursday 30 December 2021 and will be received until 12 noon on Thursday 13 January 2022.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Monday 21 February 2022.

Dated: 22 November 2021

MICK SHERRY  
Returning Officer

## MOUNT BARKER DISTRICT COUNCIL

## LOCAL GOVERNMENT ACT 1999

*Change of Road Name*

NOTICE is hereby given that pursuant to Section 219(1) of the Local Government Act 1999, under delegation, Council has renamed a portion of the road named "Glenlea Boulevard" within DP127386 as part of the Glenlea Land Division—Mount Barker, (particularly the southern extensions of road allotment 3020) to "Greenheart Circuit".

This road name will come into effect from 25 November 2021.

Dated: 22 November 2021

A. STUART  
Chief Executive Officer

## MOUNT BARKER DISTRICT COUNCIL

## CORRIGENDUM

## ROADS (OPENING AND CLOSING) ACT 1991

*Partial Road Closure – Totness*

The notice published in the *Government Gazette* No. 74, dated 18 November 2021, on page 4115, under the heading of 'Roads (Opening and Closing) Act 1991, Partial Road Closure – Totness', contains an error. The Preliminary Plan number should be replaced with 21/0025, as follows:

Notice is hereby given, pursuant to Section 10 of the *Roads (Opening and Closing) Act 1991*, that the Mount Barker District Council proposes to commence a Road Process Order to close a portion of the southernmost part of Follet Close, Totness, delineated "A" on Preliminary Plan 21/0025 which is to be retained by Council as a separate allotment. Subject to the approval of a Development Application over adjoining allotments to the west and east it is proposed to sell the land to the adjoining owner at a later date.

A copy of the Preliminary Plan and a statement of persons affected are available for public inspection at the Local Government Centre, 6 Dutton Road Mount Barker, and the office of the Surveyor-General 101 Grenfell Street, Adelaide during normal opening hours and from Councils website [www.mountbarker.sa.gov.au](http://www.mountbarker.sa.gov.au).

Any application for easement or objection must be made in writing to the Council at PO Box 54 Mount Barker SA 5251 within 28 days of this Notice and a copy must be forwarded to the Surveyor General at GPO Box 1354, Adelaide 5001 setting out full details. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Any enquiries regarding the proposal should be directed to Council on 8391 7200 or email [council@mountbarker.sa.gov.au](mailto:council@mountbarker.sa.gov.au).

Dated: 22 November 2021

ANDREW STUART  
Chief Executive Officer

## PORT PIRIE REGIONAL COUNCIL

## LOCAL GOVERNMENT ACT 1999

*Representation Review***Final Recommendation**

Notice is hereby given that Port Pirie Regional Council in accordance with the requirements of section 12(4) of the *Local Government Act 1999*, has reviewed its composition and elector representation arrangements.

**Certification**

Pursuant to section 12(13)(a) of the said Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of section 12 and may therefore now be put into effect from the first day of the first periodic election held after the publication of this notice.

**The representation arrangements are as follows:**

1. Retain the existing no ward structure.
2. Retain the existing representation levels of:
  - 2.1 an elected Mayor;
  - 2.2 nine elected members.

Dated: 25 November 2021

PETER ACKLAND  
Chief Executive Officer

DISTRICT COUNCIL OF STREAKY BAY  
*Liquor Licensing (Dry Areas) Notice 2021*

South Australia

## **Liquor Licensing (Dry Areas) Notice 2021**

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

### **1—Short title**

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2021*.

### **2—Commencement**

This notice comes into operation on 31 December 2021.

### **3—Interpretation**

(1) In this notice—

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

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

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

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

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

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

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

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

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

(ii) the container has not been opened; or

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

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



- (5) Schedule 1 and Schedule 2 are in substitution for Schedule—Streaky Bay Area 1 and Area 2 in the principal notice.

## **Schedule 1—Streaky Bay Area 1**

### **1—Extent of prohibition**

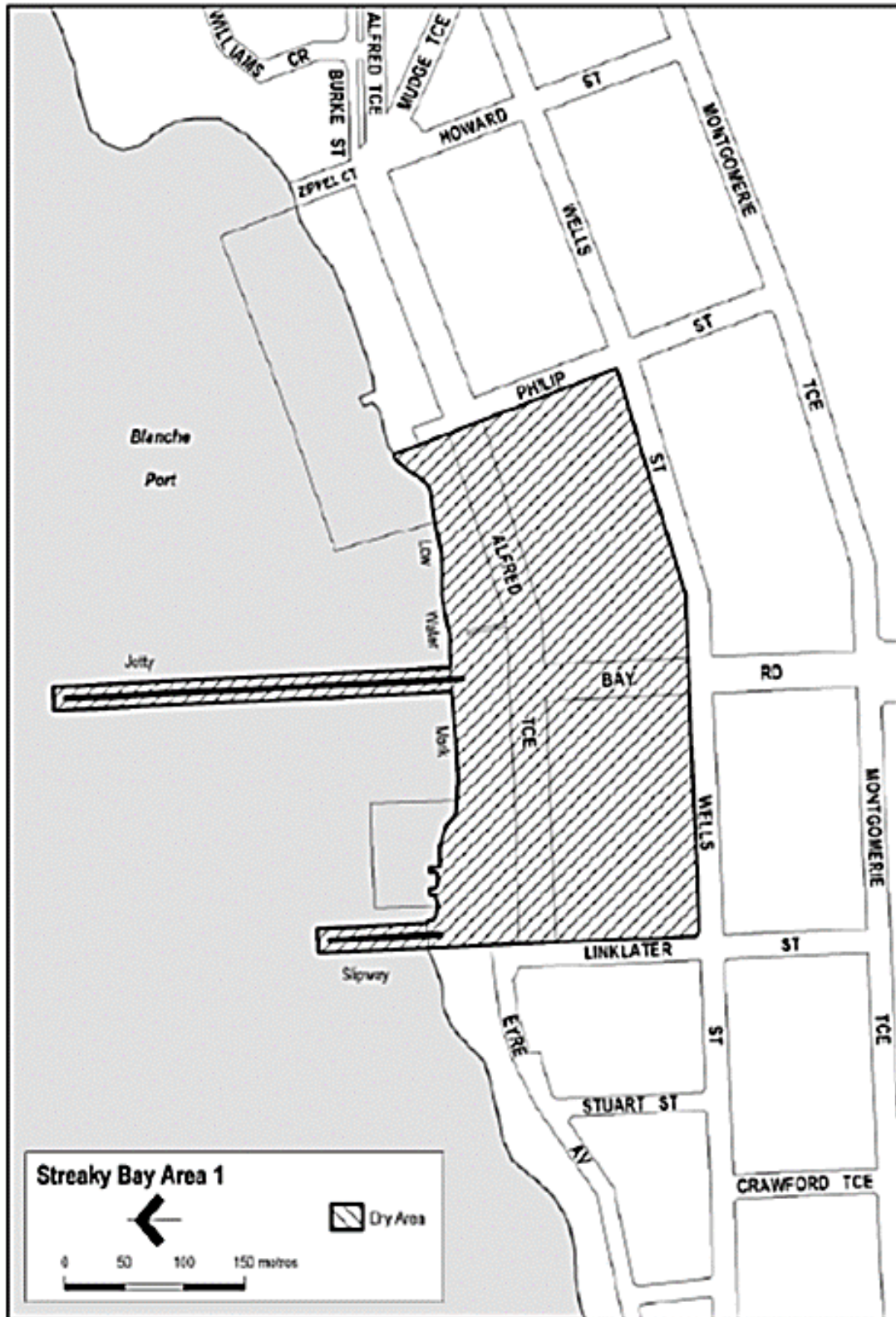
The consumption of liquor is prohibited and the possession of liquor is prohibited.

### **2—Period of prohibition**

From 6.00pm on Friday, 31 December 2021 to 8.00am on Saturday, 1 January 2022.

### **3—Description of area**

The area in and adjacent to the town of Streaky Bay bounded as follows: commencing at the point at which the prolongation in a straight line of the eastern boundary of Linklater Street intersects the low water mark on the southern side of Blanche Port, then generally easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the western boundary of Philip Street, then south-easterly along that prolongation and boundary of Philip Street to the northern boundary of Wells Street, then south-westerly and westerly along that boundary of Wells Street to the eastern boundary of Linklater Street, then northerly along that boundary of Linklater Street and the prolongation in a straight line of that boundary to the point of commencement. The area includes the whole of any jetty, boat ramp, slipway or other structure that projects below the low water mark from within the area described (as well as any area beneath such a structure).



## Schedule 2—Streaky Bay Area 2

### 1—Extent of prohibition

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

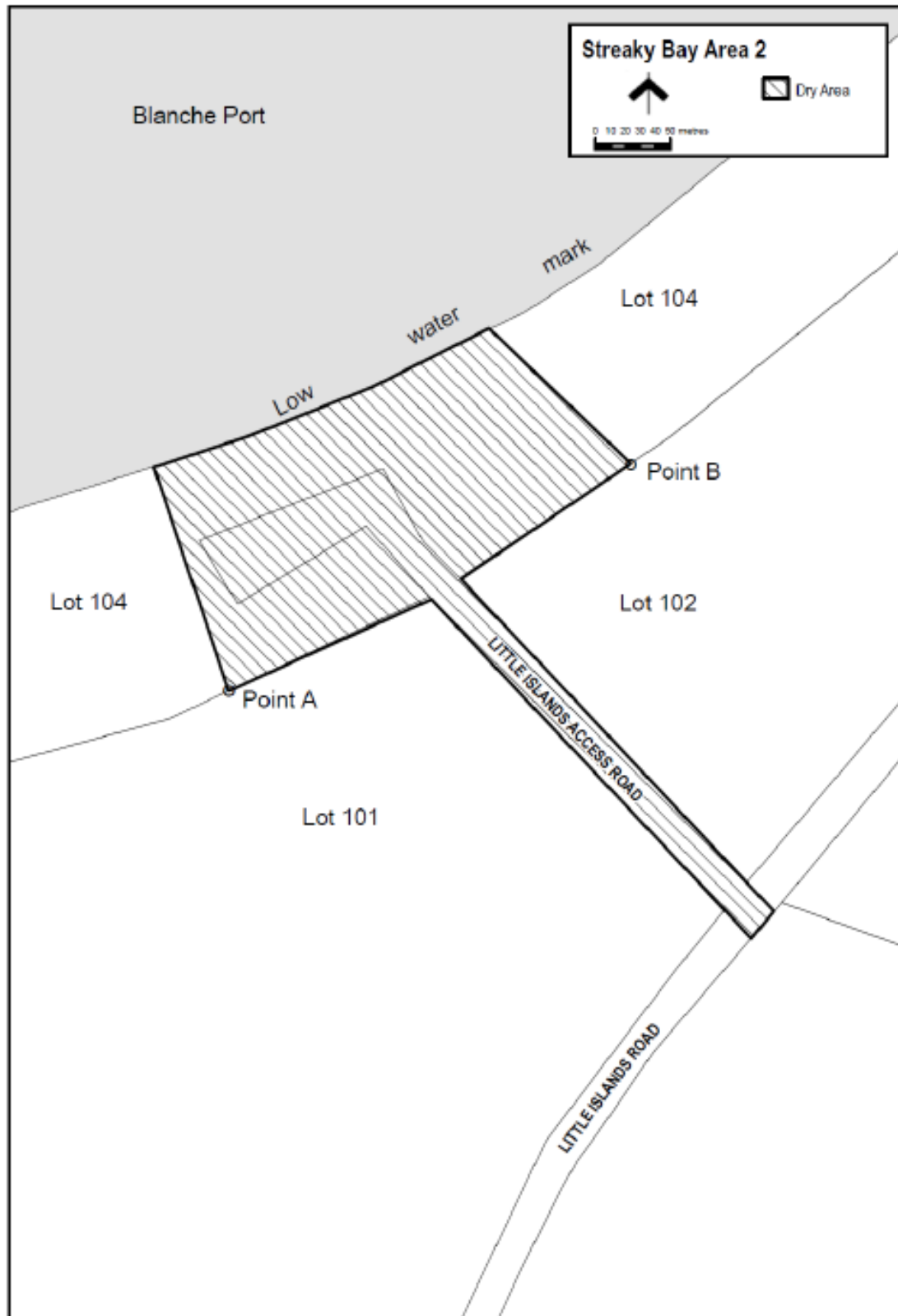
### 2—Period of prohibition

From 6.00pm on Friday, 31 December 2021 to 8.00am on Saturday, 1 January 2022.

### 3—Description of area

The area adjacent to Streaky Bay, generally known as the Little Islands car park and access road (together with adjoining land), comprising—

- (a) the whole of that part of the Government road (the access road between Little Islands Road and the Little Islands car park) that lies between the north-eastern boundary of Lot 101 DP 70670 and the south-western boundary of Lot 102 DP 70670; and
- (b) the area at the north-western end of that part of the Government road (including a car park and other land) bounded on the south-east by the south-eastern boundary of Lot 104 DP 70670 from a point 140 metres south-west of the north-eastern boundary of Lot 101 DP 70670 ("*point A*") to a point 140 metres north-east of the south-western boundary of Lot 102 DP 70670 ("*point B*"), on the north-east by a straight line along the shortest route from point B to the low water mark of Blanche Port, on the north-west by the low water mark of Blanche Port and on the south-west by a straight line along the shortest route from the low water mark of Blanche Port to point A.



Dated: 22 November 2021

DAMIAN CARTER  
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:

BARABAS Margit late of 1 Malcolm Street Glenelg East of no occupation who died 01 August 2021  
BERKAMENARTI Joseph late of 67 Porter Street Salisbury of no occupation who died 07 March 2021  
COWIE Thomas late of 8 Elmgrove Road Salisbury North of no occupation who died 18 July 2021  
DITTMAYER Margarete Maria late of 477-479 Military Road Largs Bay of no occupation who died 23 April 2021  
EDDY Barry James late of 47 Ballard Road Smithfield Plains of no occupation who died 15 December 2020  
EDWARDS Lila Patricia late of 2 Albert Street Gumeracha of no occupation who died 31 August 2021  
HEISE Walter late of 7 Raymond Grove Glenelg of no occupation who died 22 August 2021  
IRVING Frank Ross late of 29 Tilbrook Avenue Minlaton Retired Foreman who died 26 October 2020  
MUNDY Rosaleen Margaret late of 8 Oakmont Court Salisbury East of no occupation who died 23 August 2021  
ROHRLACH Clive late of 106 Battye Road Encounter Bay Farmer who died 05 December 2020  
SHIPMAN Lynton Lyle late of 16-24 Penneys Hill Road Hackham of no occupation who died 24 August 2021  
SMUTNY Martha late of Hazel Grove Ridgehaven of no occupation who died 08 May 2021  
STEWART Elsie May late of 7 Newton Street Whyalla of no occupation who died 26 March 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 24 December 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: 25 November 2021

N. S. RANTANEN  
Public Trustee

# 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
- Contact details of at least two people responsible for the notice content
- Name of the person and organisation to be charged for the publication (Local Council and Public notices)
- Request for a quote, if required
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**All instruments appearing in this gazette are to be considered official, and obeyed as such**