



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 6 JUNE 2024

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

## GOVERNOR'S INSTRUMENTS

### APPOINTMENTS, RESIGNATIONS AND GENERAL MATTERS

Department of the Premier and Cabinet  
Adelaide, 6 June 2024

Her Excellency the Governor in Executive Council has been pleased to appoint the Honourable Katrine Anne Hildyard MP, as Acting Minister for Human Services and Acting Minister for Seniors and Ageing Well for the period from 9 June 2024 until 18 June 2024 inclusive, during the absence of the Honourable Natalie Fleur Cook MP.

By command,

PETER BRYDEN MALINAUSKAS, MP  
Premier

DHSCS/24/008

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Department of the Premier and Cabinet  
Adelaide, 6 June 2024

Her Excellency the Governor in Executive Council has been pleased to appoint the Honourable David Wickham Ridgway as Agent-General for South Australia in London, for a term commencing on 19 July 2024 and expiring on 26 May 2026 - pursuant to the Agent-General Act 1901.

By command,

PETER BRYDEN MALINAUSKAS, MP  
Premier

DPC24/036CS

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Department of the Premier and Cabinet  
Adelaide, 6 June 2024

Her Excellency the Governor in Executive Council has approved the transfer of appropriation from the Consolidated Account between public purposes of the State, an amount of \$385,000,000 for the financial year ending 30 June 2024 - pursuant to section 13 of the Public Finance and Audit Act 1987.

By command,

PETER BRYDEN MALINAUSKAS, MP  
Premier

T&F24/041CS

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## PROCLAMATIONS

South Australia

## **Statutes Amendment (Use of Devices in Vehicles) Act (Commencement) Proclamation 2024**

### **1—Short title**

This proclamation may be cited as the *Statutes Amendment (Use of Devices in Vehicles) Act (Commencement) Proclamation 2024*.

### **2—Commencement of Act**

The *Statutes Amendment (Use of Devices in Vehicles) Act 2022* (No 24 of 2022) will come into operation on 19 June 2024.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 6 June 2024

## REGULATIONS

South Australia

# Work Health and Safety (Prescription of Fee) Amendment Regulations 2024

under the *Work Health and Safety Act 2012*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Work Health and Safety Regulations 2012*

- 3 Amendment of regulation 707—Prescription of fee
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Work Health and Safety (Prescription of Fee) Amendment Regulations 2024*.

### 2—Commencement

These regulations come into operation on 1 July 2024.

## Part 2—Amendment of *Work Health and Safety Regulations 2012*

### 3—Amendment of regulation 707—Prescription of fee

- (1) Regulation 707—delete "2023/2024" wherever occurring and substitute in each case:  
2024/2025
- (2) Regulation 707(1)—delete "\$29 500 000" and substitute:  
\$30 238 000

#### Editorial note—

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

### Made by the Governor

with the advice and consent of the Executive Council  
on 6 June 2024

No 42 of 2024

South Australia

# Surveillance Devices (Prescribed Circumstances) Amendment Regulations 2024

under the *Surveillance Devices Act 2016*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Surveillance Devices Regulations 2017*

- 3 Amendment of regulation 10A—Prescribed circumstances (sections 4(2)(h) and 5(4)(f) of Act)
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Surveillance Devices (Prescribed Circumstances) Amendment Regulations 2024*.

### 2—Commencement

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

## Part 2—Amendment of *Surveillance Devices Regulations 2017*

### 3—Amendment of regulation 10A—Prescribed circumstances (sections 4(2)(h) and 5(4)(f) of Act)

(1) Regulation 10A(1)—after paragraph (e) insert:

- (f) the installation, use or maintenance of a listening device or an optical surveillance device by a CBS authorised officer for the purpose of enforcing or ensuring compliance with a relevant Act provided that when the device is being used—
  - (i) the device is worn by the officer; and
  - (ii) the device is not concealed; and
  - (iii) the officer wearing the device advises any person that they are intentionally recording by the use of the device that they are wearing the device and that it is being so used;

- (g) the installation, use or maintenance of a listening device or an optical surveillance device by a SafeWork SA inspector for the purpose of enforcing or ensuring compliance with a relevant Act provided that when the device is being used—
- (i) the device is worn by the inspector; and
  - (ii) the device is not concealed; and
  - (iii) the inspector wearing the device advises any person that they are intentionally recording by the use of the device that they are wearing the device and that it is being so used.
- (2) Regulation 10A—after subregulation (2) insert:
- (3) For the purposes of subregulation (1)(f), each of the following Acts is a **relevant Act**:
- (a) the *Associations Incorporation Act 1985*;
  - (b) the *Authorised Betting Operations Act 2000*;
  - (c) the *Casino Act 1997*;
  - (d) the *Gambling Administration Act 2019*;
  - (e) the *Gaming Machines Act 1992*;
  - (f) the *Liquor Licensing Act 1997*;
  - (g) the *Lotteries Act 2019*.
- (4) For the purposes of subregulation (1)(g), each of the following Acts is a **relevant Act**:
- (a) the *Employment Agents Registration Act 1993*;
  - (b) the *Explosives Act 1936*;
  - (c) the *Fair Work Act 1994*;
  - (d) the *Long Service Leave Act 1987*;
  - (e) the *Work Health and Safety Act 2012*.
- (5) In this regulation—
- CBS authorised officer** means—
- (a) an authorised person under the *Associations Incorporation Act 1985*; or
  - (b) an inspector under the *Gambling Administration Act 2019*; or
  - (c) an authorised officer within the meaning of section 122 of the *Liquor Licensing Act 1997*;
- SafeWork SA inspector** means—
- (a) an inspector under the *Employment Agents Registration Act 1993*;  
or
  - (b) an inspector under the *Explosives Act 1936*; or
  - (c) an inspector under the *Fair Work Act 1994*; or
  - (d) an inspector under the *Work Health and Safety Act 2012*.

**Editorial note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 6 June 2024

No 43 of 2024

South Australia

# Teachers Registration and Standards (Prescribed Qualifications) Amendment Regulations 2024

under the *Teachers Registration and Standards Act 2004*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Teachers Registration and Standards Regulations 2021*

- 3 Amendment of regulation 7—Prescribed qualifications, experience and requirements for registration as teacher
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Teachers Registration and Standards (Prescribed Qualifications) Amendment Regulations 2024*.

### 2—Commencement

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

## Part 2—Amendment of *Teachers Registration and Standards Regulations 2021*

### 3—Amendment of regulation 7—Prescribed qualifications, experience and requirements for registration as teacher

- (1) Regulation 7(1)(b)(ii)—after "qualification" insert:

(other than a Graduate Diploma or Graduate Certificate that is an approved early childhood teaching qualification under the national regulations)

- (2) Regulation 7(1)—after paragraph (b) insert:

or

- (c) an approved early childhood teaching qualification under the national regulations, other than a Graduate Diploma or Graduate Certificate, awarded on satisfactory completion of a higher education course of pre-service teacher education in pre-school education; or
- (d) a qualification determined by the Australian Children's Education and Care Quality Authority under section 169(7) of the *Education and Care Services National Law (South Australia)* to be equivalent to the qualifications mentioned in paragraph (c); or



- (e) if the person applying for registration holds a teacher registration (however described) under a corresponding law—a qualification on the list of former qualifications approved as early childhood teaching qualifications and published under regulation 137(2)(a) of the national regulations.
- (3) Regulation 7(5)—delete subregulation (5) and substitute:
- (3) For the purposes of subregulation (1)(a) and (b), an **approved** degree, diploma or other qualification means—
- (a) a degree, diploma or other qualification awarded by a higher education institution that is a member of Universities Australia; or
- (b) a degree, diploma or other qualification that was at any time nationally registered by the former Australian Council on Awards in Advanced Education or the former Australian Council on Tertiary Awards,

but does not include a degree, diploma or other qualification that the Teachers Registration Board has determined is not an appropriate qualification for registration.

- (4) In this regulation—

**approved early childhood teaching qualification** has the same meaning as in the national regulations;

**Australian Children's Education and Care Quality Authority** means the Australian Children's Education and Care Quality Authority established under the *Education and Care Services National Law (South Australia)*;

**corresponding jurisdiction** means the Commonwealth, another State or a Territory of the Commonwealth or New Zealand;

**corresponding law** means any law of a corresponding jurisdiction that regulates teachers in the jurisdiction;

**national regulations** means the *Education and Care Services National Regulations*.

**Editorial note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 6 June 2024

No 44 of 2024

South Australia

# Heavy Vehicle National Law (South Australia) (Amendment of Law) Regulations 2024

under section 5 of the *Heavy Vehicle National Law (South Australia) Act 2013*

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## Contents

Preamble

### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Amendment provision

### Part 2—Amendment of *Heavy Vehicle National Law (South Australia)*

- 5 Amendment of section 5—Definitions
  - 6 Amendment of section 153A—Using restricted access vehicle
- 

## Preamble

- 1 Section 5 of the *Heavy Vehicle National Law (South Australia) Act 2013* provides that if—
    - (a) the Parliament of Queensland enacts an amendment to the *Heavy Vehicle National Law* set out in the Schedule to the *Heavy Vehicle National Law Act 2012* of Queensland (the ***Queensland Act***); and
    - (b) the Governor is satisfied that an amendment that corresponds, or substantially corresponds, to the amendment made by the Parliament of Queensland should be made to the *Heavy Vehicle National Law (South Australia)*,the Governor may, by regulation, amend the South Australian Heavy Vehicle National Law text.
  - 2 The Parliament of Queensland has enacted the *Transport and Other Legislation Amendment Act 2024* to, among other things, amend the Queensland Act and the Governor is satisfied that the amendments corresponding to the Queensland amendments set out in Part 2 of these regulations should be made to the South Australian Heavy Vehicle National Law text.
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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Heavy Vehicle National Law (South Australia) (Amendment of Law) Regulations 2024*.

## 2—Commencement

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

## 3—Interpretation

In these regulations—

*Act* means the *Heavy Vehicle National Law (South Australia) Act 2013*.

## 4—Amendment provision

Pursuant to section 5 of the Act, the *Heavy Vehicle National Law (South Australia)* is amended as specified in Part 2 of these regulations.

## Part 2—Amendment of *Heavy Vehicle National Law (South Australia)*

### 5—Amendment of section 5—Definitions

Section 5—after the definition of *route assessment* insert:

*safer freight vehicle* has the meaning given by section 153A(2);

### 6—Amendment of section 153A—Using restricted access vehicle

(1) Section 153A(2)—after the definition of *restricted access vehicle* insert:

*safer freight vehicle* means a single heavy motor vehicle that meets the requirements prescribed for the purposes of this definition by the national regulations, but does not include a bus;

*single heavy motor vehicle* means a motor vehicle that, on its own, is a heavy vehicle;

(2) Section 153A(3)—after paragraph (c) insert:

or

(d) a safer freight vehicle; or

(e) a combination that—

(i) includes a safer freight vehicle, together with its load, that is the only component vehicle wider than 2.5m; and

(ii) is not higher than 4.3m; and

(iii) is not longer than 19m.

#### Editorial note—

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

## Made by the Governor

with the advice and consent of the Executive Council  
on 6 June 2024

No 45 of 2024

South Australia

# Road Traffic (Miscellaneous) (Use of Devices in Vehicles) Amendment Regulations 2024

under the *Road Traffic Act 1961*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Road Traffic (Miscellaneous) Regulations 2014*

- 3 Amendment of regulation 3—Interpretation
- 4 Amendment of regulation 29—Apparatus approved as photographic detection devices
- 5 Amendment of regulation 30—Prescribed offences (section 79B of Act)
- 6 Insertion of regulation 37A
  - 37A Operation and testing of device use detection cameras
- 7 Insertion of Part 3 Division 4 Subdivision 6
  - Subdivision 6—Special provisions relating to device use detection cameras
    - 43A Device use offences (section 175B of Act)
    - 43B Prescribed photographic detection devices (section 175B of Act)
    - 43C Evidentiary provision

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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Road Traffic (Miscellaneous) (Use of Devices in Vehicles) Amendment Regulations 2024*.

### 2—Commencement

These regulations come into operation on the day on which Part 3 of the *Statutes Amendment (Use of Devices in Vehicles) Act 2022* comes into operation.

## Part 2—Amendment of *Road Traffic (Miscellaneous) Regulations 2014*

### 3—Amendment of regulation 3—Interpretation

Regulation 3(1)—after the definition of *converter dolly* insert:

*device use detection camera* means a photographic detection device prescribed for the purposes of section 175B of the Act;

Note—

See also regulations 29(1)(f) and 43B.

*device use offence* has the same meaning as in section 175B of the Act;

Note—

See also regulation 43A.

#### **4—Amendment of regulation 29—Apparatus approved as photographic detection devices**

Regulation 29(1)—after paragraph (e) insert:

- (f) in relation to a device use offence, or device use offence and a registration offence arising out of the same incident—an Acusensus Heads-Up JR DD1 manufactured by Acusensus Australia Pty Ltd.

#### **5—Amendment of regulation 30—Prescribed offences (section 79B of Act)**

(1) Regulation 30(2)—after paragraph (j) insert:

- (ja) rule 300(1) of the *Australian Road Rules* (Use of mobile phones);

(2) Regulation 30(2)—after paragraph (1a) insert:

- (1b) regulation 44(1) of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014* (Prohibition of use of mobile phone by holder of learner's permit, P1 licence etc);

#### **6—Insertion of regulation 37A**

After regulation 37 insert:

##### **37A—Operation and testing of device use detection cameras**

- (1) Where a device use detection camera is used to provide evidence of a device use offence, the following provisions must be complied with:
  - (a) the camera forming part of the device must be positioned and aimed so that, when activated, the following electronic records are made:
    - (i) an electronic record of the number plate of the vehicle activating it;
    - (ii) an electronic record showing the cabin of the vehicle;
    - (iii) an electronic record of the vehicle at the time it passes the camera;
  - (b) the date, time and location at which an electronic record of a vehicle is made must be recorded on the electronic record;
  - (c) when the camera is set up at a given location or temporarily moved or repaired, a check must be carried out to ensure that the camera is correctly positioned and aimed as referred to in paragraph (a) and correctly indicates on an electronic display the date, time and location where the electronic records are made by the camera;
  - (d) once in every 90 days the camera must be checked to ensure the proper operation of the camera in accordance with this regulation;

- (e) if—
  - (i) a check; or
  - (ii) an electronic record made by the camera, indicates a fault that has affected the proper operation of the camera as required by these regulations, any electronic record affected by the fault must be rejected for evidentiary purposes.
- (2) Where a device use detection camera is used to provide evidence of a registration offence, the provisions of subregulation (1) must be complied with.

## 7—Insertion of Part 3 Division 4 Subdivision 6

After regulation 43 insert:

### **Subdivision 6—Special provisions relating to device use detection cameras**

#### **43A—Device use offences (section 175B of Act)**

For the purposes of the definition of *device use offence* in section 175B(4) of the Act, the following offences are prescribed:

- (a) an offence against rule 300(1) of the *Australian Road Rules* (Use of mobile phones);
- (b) an offence against regulation 44(1) of the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014* (Prohibition of use of mobile phone by holder of learner's permit, P1 licence etc).

#### **43B—Prescribed photographic detection devices (section 175B of Act)**

For the purposes of the definition of *prescribed photographic detection device* in section 175B(4) of the Act, a photographic detection device of a kind referred to in regulation 29(1)(f) is prescribed.

#### **43C—Evidentiary provision**

- (1) Subject to this regulation, a vehicle in a photograph or series of photographs obtained from the operation of a device use detection camera and admitted in evidence in proceedings for a device use offence or a section 79B device use offence will be presumed to be moving, or stationary but not parked.
- (2) A presumption referred to in subregulation (1) may be rebutted by the defendant establishing on the balance of probabilities that the vehicle was parked.
- (3) In this regulation—

*park* has the same meaning as for the purposes of the *Australian Road Rules*;

*section 79B device use offence* means an offence against section 79B of the Act constituted of being the owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of a device use offence.

**Editorial note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 6 June 2024

No 46 of 2024

South Australia

# Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Use of Devices in Vehicles) Amendment Regulations 2024

under the *Road Traffic Act 1961*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*

- 3 Insertion of regulations 43B and 43C
    - 43B Use of mobile phone
    - 43C Exemption for use of mobile phone for payment etc purposes
  - 4 Amendment of regulation 44—Prohibition of use of mobile phone by holder of learner's permit, P1 licence etc
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Use of Devices in Vehicles) Amendment Regulations 2024*.

### 2—Commencement

These regulations will come into operation on the day on which Part 3 of the *Statutes Amendment (Use of Devices in Vehicles) Act 2022* comes into operation.

## Part 2—Amendment of *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*

### 3—Insertion of regulations 43B and 43C

After regulation 43A insert:

#### 43B—Use of mobile phone

For the purposes of rule 300 (Use of mobile phones) and the definition of *use* in that rule—

*use*, in relation to a mobile phone, includes any of the following actions by a driver—

- (a) holds the body of the phone (whether or not engaged in a phone call), except while in the process of giving the body of the phone to a passenger in the vehicle; or



- (b) enters or places, other than by the use of voice, anything into the phone, or sends or looks at anything that is in the phone; or
- (c) turns the phone on or off; or
- (d) operates any other function of the phone.

#### **43C—Exemption for use of mobile phone for payment etc purposes**

- (1) Despite anything in rule 300 (Use of mobile phones), that rule does not apply to a driver of a vehicle if—
  - (a) the vehicle is stationary in a road-related area; and
  - (b) the mobile phone—
    - (i) is being used to pay for goods or services required to be paid for in the road-related area; or
    - (ii) is being used to display electronic identification required to be shown in the road-related area; or
    - (iii) is being used to display an electronic coupon, QR code, voucher, card or similar article that requires the phone to be held in close proximity to another device, or to be presented to a person, located in the road-related area in order for the article to be used or redeemed; or
    - (iv) is being used to enable the driver to enter another road-related area or land adjacent to the road-related area.
- (2) In this regulation—  
*mobile phone* has the same meaning as in rule 300.

#### **4—Amendment of regulation 44—Prohibition of use of mobile phone by holder of learner's permit, P1 licence etc**

- (1) Regulation 44—after subregulation (1) insert:
  - (1a) For the avoidance of doubt, subregulation (1) does not apply to a driver of a vehicle who is a learner or P1 driver in the circumstances specified in regulation 43C.
- (2) Regulation 44(2), definition of *use*—delete the definition and substitute:  
*use* has the same meaning as for the purposes of rule 300.

#### **Note—**

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

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

with the advice and consent of the Executive Council  
on 6 June 2024

No 47 of 2024

South Australia

# Environment Protection (Environment Management Fee) Amendment Regulations 2024

under the *Environment Protection Act 1993*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Environment Protection Regulations 2023*

- 3 Amendment of Schedule 4—Fees and levy
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Environment Protection (Environment Management Fee) Amendment Regulations 2024*.

### 2—Commencement

These regulations come into operation on 1 July 2024.

## Part 2—Amendment of *Environment Protection Regulations 2023*

### 3—Amendment of Schedule 4—Fees and levy

Schedule 4, Part 1, clause 1(a)(ii)—delete "\$866.00" and substitute:

\$964.00

#### Editorial note—

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

## Made by the Governor

with the advice and consent of the Executive Council  
on 6 June 2024

No 48 of 2024

South Australia

# Cost of Living Concessions (Miscellaneous) Amendment Regulations 2024

under the *Cost of Living Concessions Act 1986*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Cost of Living Concessions Regulations 2020*

- 3 Amendment of regulation 3—Interpretation
  - 4 Amendment of regulation 5—Remission of water rates
  - 5 Amendment of regulation 7—Concession eligibility requirements (section 3(2)(b))
  - 6 Substitution of regulation 8
  - 8 Concession payment amount (section 3(2))
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Cost of Living Concessions (Miscellaneous) Amendment Regulations 2024*.

### 2—Commencement

These regulations come into operation on 1 July 2024.

## Part 2—Amendment of *Cost of Living Concessions Regulations 2020*

### 3—Amendment of regulation 3—Interpretation

- (1) Regulation 3(1), definition of *prescribed payments*, (a)(v)—delete subparagraph (v)
- (2) Regulation 3(1), definition of *prescribed payments*, (a)(vii)—delete subparagraph (vii)
- (3) Regulation 3(1), definition of *prescribed payments*, (c)—after "Project" insert:  
or Remote Jobs and Economic Development Program
- (4) Regulation 3(1), definition of *prescribed payments*, (d)—delete paragraph (d) and substitute:  
(d) Self-Employment Assistance allowance payments from the Commonwealth Government; or
- (5) Regulation 3(3), delete "2019" and substitute:  
2023

**4—Amendment of regulation 5—Remission of water rates**

- (1) Regulation 5(5), definition of *prescribed maximum remission*—delete "\$317.30" and substitute:

\$377.00

- (2) Regulation 5(5), definition of *prescribed minimum remission*—delete "\$199.00" and substitute:

\$236.40

**5—Amendment of regulation 7—Concession eligibility requirements (section 3(2)(b))**

- (1) Regulation 7(3)—delete subregulation (3)  
(2) Regulation 7(4)—delete subregulation (4)

**6—Substitution of regulation 8**

Regulation 8—delete the regulation and substitute:

**8—Concession payment amount (section 3(2))**

The amount to be paid to an eligible person in respect of a financial year in accordance with section 3(2) of the Act is determined to be \$255.60 (indexed).

**Editorial note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 6 June 2024

No 49 of 2024

## STATE GOVERNMENT INSTRUMENTS

### CROWN LAND MANAGEMENT ACT 2009

#### *Notice of Application to Lease Crown Land*

Notice is hereby given, pursuant to Section 59 of the *Crown Land Management Act 2009*, that the Department for Environment and Water is considering an application to lease Section 275 Hundred of Bonython, being the waterfront Crown land at Thevenard Industrial area comprising the whole of the land in Crown Record Volume 6297 Folio 820.

Written comments may be submitted for consideration by the Minister for Climate, Environment and Water, no later than 27 June 2023.

Correspondence may be addressed to:

Property Officer, Crown Lands West and Outback  
PO Box 78  
Port Augusta SA 5700  
or [DEW.CrownLands@sa.gov.au](mailto:DEW.CrownLands@sa.gov.au)

Dated: 6 June 2024

MELANIE CARSON  
Manager, Crown Land Operations  
Department for Environment and Water  
Delegate of the Minister for Climate, Environment and Water

### ENERGY RESOURCES ACT 2000

South Australia

## Energy Resources (Fees) Notice 2024

under the *Energy Resources Act 2000*

### 1—Short title

This notice may be cited as the *Energy Resources (Fees) Notice 2024*.

### 2—Commencement

This notice has effect on 1 July 2024.

#### Note—

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

### 3—Interpretation

In this notice, unless the contrary intention appears—

*Act* means the *Energy Resources Act 2000*.

### 4—Fees

The fees set out in Schedule 1 are prescribed for the purposes of the Act.

## Schedule 1—Fees

### Part 1—Application fees

1	Application for a licence under the Act	\$5 329.00
2	Application for the renewal of a licence under the Act	\$2 666.00
3	Application to vary or revoke a discretionary condition of a licence	\$2 666.00
4	Application for the approval of the Minister to vary a work program	\$2 666.00
5	Application to convert a production licence into a retention licence	\$2 666.00

6	Application for the authorisation of the Minister to alter or modify a pipeline	\$2 666.00
7	Application to the Minister to consolidate adjacent licence areas, or to divide a licence area	\$2 666.00
8	Application to the Minister to suspend a licence for a specified period	\$2 666.00
9	Application to the Minister for the approval and registration of a registrable dealing	\$2 666.00
10	Application to have access to material included in the commercial register	\$267.00

**Part 2—Annual licence fees (Section 78 of Act)**

11	Preliminary survey licence	\$4 507.00 or \$1.80 per km <sup>2</sup> of the total licence area, whichever is the greater
12	Speculative survey licence	\$4 507.00 or \$1.80 per km <sup>2</sup> of the total licence area, whichever is the greater
13	Exploration licence—	
	(a) in relation to the first term of the licence	\$4 507.00 or \$1.80 per km <sup>2</sup> of the total licence area, whichever is the greater
	(b) in relation to a licence granted on terms under which the licence is renewable for 1 further term—in relation to the second term	\$4 507.00 or \$2.50 per km <sup>2</sup> of the licence area during the second term, whichever is the greater
	(c) in relation to a licence granted on terms under which the licence is renewable for 2 further terms—	
	(i) in relation to the second term	\$4 507.00 or \$2.15 per km <sup>2</sup> of the licence area during the second term, whichever is the greater
	(ii) in relation to the third term	\$4 507.00 or \$4.00 per km <sup>2</sup> of the licence area during the third term, whichever is the greater
	(d) in relation to a licence granted on terms under which the licence is renewable for 3 further terms—	
	(i) in relation to the second term	\$4 507.00 or \$2.05 per km <sup>2</sup> of the licence area during the second term, whichever is the greater
	(ii) in relation to the third term	\$4 507.00 or \$2.50 per km <sup>2</sup> of the licence area during the third term, whichever is the greater
	(iii) in relation to the fourth term	\$4 507.00 or \$5.10 per km <sup>2</sup> of the licence area during the fourth term, whichever is the greater

14	Retention licence—	
	(a) in relation to a petroleum retention licence	\$4 507.00 or \$542.00 per km <sup>2</sup> of the total licence area, whichever is the greater
	(b) in relation to a geothermal retention licence or a gas storage retention licence	\$4 507.00 or \$196.00 per km <sup>2</sup> of the total licence area, whichever is the greater
15	Production licence—	
	(a) in relation to a petroleum production licence	\$4 507.00 or \$829.00 per km <sup>2</sup> of the total licence area, whichever is the greater
	(b) in relation to a geothermal production licence or a gas storage licence	\$4 507.00 or \$196.00 per km <sup>2</sup> of the total licence area, whichever is the greater
16	Pipeline licence	\$4 507.00 or \$454.00 per km, whichever is the greater
17	Associated activities licence—	
	(a) in relation to a licence to which section 57(1)(a) of the Act applies	\$4 507.00 or \$2 255.00 per km <sup>2</sup> of the total licence area, whichever is the greater
	(b) in relation to a licence to which Section 57(1)(b) of the Act applies	\$4 507.00
18	Special facilities licence	\$4 507.00 or \$2 407.00 per km <sup>2</sup> of the total licence area, whichever is the greater

## Made by the Minister for Energy and Mining

On 6 June 2024

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### FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

#### *June 2024 Fishing for the West Coast Prawn Fishery*

Take notice that pursuant to Regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 22 September 2023 on page 3296 of the *South Australian Government Gazette* of 28 September 2023, 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 as defined in the West Coast Prawn Fishery Harvest Strategy.

#### SCHEDULE 2

Commencing at sunset on 4 June 2024 and ending at sunrise on 16 June 2024.

#### SCHEDULE 3

1. Each licence holder of a fishing licence undertaking fishing activities pursuant to this notice 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) A total of 12 nights of fishing are completed.
  - (b) The average catch per vessel, per night (for all 3 vessels) drops below 300kg for two consecutive nights.
  - (c) The average 'bucket count' for all vessels exceeds 240 prawns per 7kg bucket on any single fishing night in the Coffin Bay area.

- (d) The average 'bucket count' for all vessels exceeds 240 prawns per 7kg bucket on any single fishing night in the Venus Bay area.
- (e) The average 'bucket count' for all vessels exceeds 270 prawns per 7kg bucket on any single fishing night in the Corvisart Bay area.
- (f) The average catch for all three vessels exceeds the 6 tonne catch cap in the Corvisart Bay area.
4. Each licence holder, or registered master of a fishing licence undertaking fishing activities must provide a daily report by telephone or SMS message, via a nominated representative, to the Department of Primary Industries and Regions, Prawn Fishery Manager, providing the following information for all vessels operating in the fishery from the previous nights fishing:
- (a) average prawn catch; and
- (b) the average prawn 'bucket count'.
5. 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: 30 May 2024

STEVE SHANKS  
A/Prawn Fishery Manager  
Delegate of the Minister for Primary Industries and Regional Development

#### FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

##### *June 2024 Survey in the West Coast Prawn Fishery*

Take notice that pursuant to Regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 22 September 2023 on page 3296 of the *South Australian Government Gazette* of 28 September 2023, prohibiting fishing activities in the West Coast Prawn Fishery is hereby varied such that it will not apply to the holders of a West Coast Prawn Fishery licence issued pursuant to the *Fisheries Management (Prawn Fisheries) Regulations 2017* listed in Schedule 1 or their registered master insofar as they may use prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of undertaking a prawn survey during the period specified in Schedule 2, subject to the conditions contained in Schedule 3 unless this notice is varied or revoked.

##### SCHEDULE 1

Licence Number	Licence Holder/Master	Boat Name	Trawl Survey Area
D01	Bosanquet Bay Pty Ltd/Steve Paleologoudias	<i>Bosanquet Bay</i>	Venus Bay

##### SCHEDULE 2

Commencing at sunset on 3 June 2024 and ending at sunrise on 4 June 2024.

##### SCHEDULE 3

1. The licence holder listed in Schedule 1 or their registered master must operate within the trawl survey area nominated in the table in Schedule 1.
2. For the purposes of this notice the trawl survey areas cannot include any waters of a habitat protection zone or a sanctuary zone of a marine park established under the *Marine Parks Act 2007*.
3. The registered master must keep a 'skippers log' to record catch information during the survey.
4. All fish, other than King Prawns, Southern Calamari, Gould's Squid, Scallops, Octopus and Balmain Bugs taken during the exempted activity for survey purposes, are to be returned to the water immediately after capture.
5. The licence holders listed in Schedule 1 or their registered master must comply with all regulations and conditions that apply to fishing activities undertaken pursuant to their licence, in addition to the conditions imposed by this exemption.
6. While engaged in fishing activities or unloading the survey catch, the licence holder listed in Schedule 1 or their registered master must have a copy of this notice on board the boat or near his person. This notice must be produced to a Fisheries Officer if requested.
7. The licence holders listed in Schedule 1 or their registered master must not contravene or fail to comply with the *Fisheries Management Act 2007*, or any other regulations made under that Act except where specifically exempted by this notice.

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

Dated: 29 May 2024

STEVE SHANKS  
A/Prawn Fishery Manager  
Delegate of the Minister for Primary Industries and Regional Development

#### FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

##### *Prohibiting Fishing Activities in the Spencer Gulf Prawn Fishery—Variation*

Take note that pursuant to Regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 22 September 2023 published on page 3296 of the *South Australian Government Gazette* on 28 September 2023 prohibiting fishing activities in the Spencer Gulf Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a Spencer Gulf 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 Spencer Gulf Prawn Fishery:

(a)

(i) Except the Northern Closure area, which is defined as the area north of the following index points:

1. 33°29.30S 137°16.00E
2. 33°29.30S 137°30.24E
3. 33°23.60S 137°30.24E
4. 33°23.60S 137°33.78E
5. 33°31.00S 137°34.36E
6. 33°36.84S 137°32.80E
7. 33°46.00S 137°44.00E

(ii) Excluding the Stones area, as defined by the area within the following index points:

1. 33°12.30S 137°50.00E
2. 33°12.30S 137°42.00E
3. 33°16.60S 137°36.00E
4. 33°18.00S 137°37.40E
5. 33°20.50S 137°37.40E
6. 33°20.50S 137°36.24E
7. 33°30.50S 137°36.24E
8. 33°30.50S 137°39.50E
9. 33°19.28S 137°50.80E

(b) Except for Channel Closure area, which is defined as the waters contained within the following index points:

1. 33°44.20S 137°24.65E
2. 33°44.20S 137°25.70E
3. 33°47.50S 137°25.10E
4. 33°47.50S 137°23.26E

Then back to point 1

(c) Except for the Southern Closure area, which is defined as the waters contained within the following index points:

1. 33°41.00S 137°10.00E
2. 33°49.40S 137°19.90E
3. 33°54.00S 137°09.00E
4. 33°59.30S 137°09.70E
5. 34°13.29S 136°56.67E
6. 34°31.30S 136°46.56E
7. 34°31.30S 136°43.50E
8. 34°36.00S 136°38.20E
9. 34°36.00S 136°36.50E
10. 34°07.50S 136°45.50E
11. 34°05.00S 136°49.90E
12. 34°02.40S 136°47.50E
13. 33°59.50S 136°53.20E
14. 34°01.70S 136°55.50E
15. 33°58.00S 137°01.00E
16. 33°56.13S 136°59.88E
17. 33°58.00S 136°56.14E
18. 33°56.50S 136°55.00E
19. 33°58.00S 136°52.00E
20. 33°49.40S 136°43.50E

(d) Except the Wardang Closure area, which is defined as the waters contained within the following index points:

1. 34°10.00S 137°28.00E
2. 34°21.00S 137°12.00E
3. 34°45.00S 137°15.00E
4. 34°48.53S 137°09.45E
5. 34°48.53S 137°06.00E
6. 34°50.75S 137°06.00E
7. 34°54.00S 137°01.00E

(e) Except the Corny Closure area, which is defined as the waters within and bounded by the following closure index points:

1. 34°27.00S 136°53.00E
2. 34°27.00S 137°02.00E
3. 34°35.00S 136°56.00E
4. 34°48.60S 136°52.00E
5. 34°54.00S 136°52.00E
6. 34°54.00S 136°48.50E
7. 34°49.50S 136°48.50E
8. 34°49.50S 136°40.50E
9. 34°39.50S 136°40.50E

Then back to point 1

(f) Except the Illusions Park Closure area, which is defined as the waters contained within the following closure index points:

1. 33°28.80S 137°32.20E
2. 33°28.30S 137°33.20E
3. 33°28.85S 137°33.50E
4. 33°29.40S 137°32.50E

Then back to point 1

(g) Except the Jurassic Park Closure area, which is defined as the waters contained within the following closure index points:

1. 33°54.90S 137°17.60E
2. 33°54.40S 137°19.40E
3. 33°54.70S 137°19.60E
4. 33°55.20S 137°17.80E

Then back to point 1

(h) Except the Estelle Star Closure area, which is defined as the waters contained within the following closure index points:

1. 33°58.80S 136°49.80E
2. 33°58.20S 136°51.00E
3. 33°59.10S 136°51.70E
4. 33°59.80S 136°50.40E

Then back to point 1

#### SCHEDULE 2

Commencing at sunset on 4 June 2024 and ending at sunrise on the 16 June 2024.

#### SCHEDULE 3

1. The coordinates in Schedule 1 are defined as degrees decimal minutes and are based on the World Geodetic System 1984 (WGS 84).
2. No fishing activity may be undertaken between the prescribed times of sunrise and 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.
3. Fishing must cease:
  - (a) In the fishing area known as the 'Stones' area (as identified by the coordinates in this gazette) if the average catch per vessel, per night (based on the best information available to the committee at sea) drops below 700kg or three nights (whichever comes first); and
  - (b) in the fishing area known as the 'Mid/North Gulf' area (as described on page 40 of the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery October 2020) if the average catch per vessel, per night (based on the best information available to the committee at sea) drops below 500kg; and
  - (c) in the fishing area known as the 'Southern Gulf' area (as described on page 40 of the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery October 2020) if the average catch per vessel over two consecutive nights (based on the best information available to the committee at sea) falls below 350kg.
4. Based on the best information available from the fleet, fishing must cease in an area in the Mid/North Gulf if the average prawn bucket count exceeds 260 prawns per 7kg; or in an area in the Southern Gulf if the average prawn bucket count exceeds 260 prawns/7kg.
5. No fishing activity may occur without the authorisation of Coordinator at Sea, Ashley Lukin, or other nominated Coordinator at Sea appointed by the Spencer Gulf and West Coast Prawn Association.
6. The authorisation of the Coordinator at Sea must be in writing, signed and record the day, date, and permitted fishing area within the waters of Schedule 1 in the form of a notice sent to the fishing fleet or vary an earlier authorisation issued by the Coordinator at Sea.
7. The Coordinator at Sea must cause a copy of any authorisation for fishing activity or variation of same, made under this notice to be emailed to the Prawn Fisheries Manager immediately after it is made.
8. The Spencer Gulf and West Coast Prawn Association must keep records of all authorisations issued pursuant to this notice.

Dated: 30 May 2024

ASHLEY LUKIN  
Coordinator at Sea, Spencer Gulf & West Coast Prawn Association Inc.  
Delegate of the Minister for Primary Industries and Regional Development

GEOGRAPHICAL NAMES ACT 1991

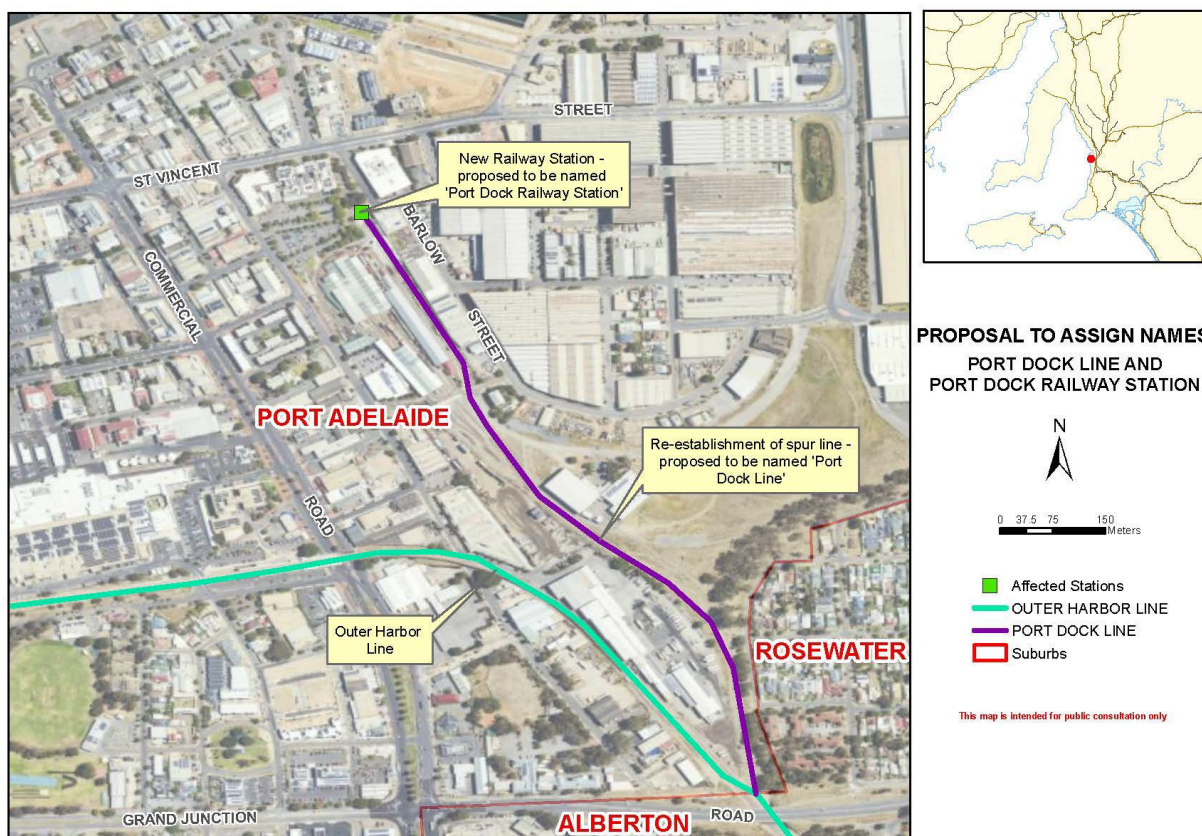
Notice of Intention to Assign a Name to a Feature

Notice is hereby given that, pursuant to Section 11B(2)(d) of the *Geographical Names Act 1991*, I, the Honourable Nick Champion MP, Minister for Planning, Minister of the Crown to whom the administration of the *Geographical Names Act 1991* is committed, seeks public comment on a proposal to assign names in reference to the Port Dock Railway Line Project:

- Assign the name PORT DOCK LINE to be consistent with the naming standards for naming a railway line after the terminus station.
- Assign the name PORT DOCK RAILWAY STATION to the proposed terminus railway station.

The location for this naming proposal is shown on the image below.

Further information can be found at [www.sa.gov.au/placenameproposals](http://www.sa.gov.au/placenameproposals).



Ref: 2017/11495/01

Submissions in writing regarding this proposal may be lodged with the Surveyor-General, GPO Box 1815, Adelaide SA 5001, or [DTL.PlaceNames@sa.gov.au](mailto:DTL.PlaceNames@sa.gov.au) within one month of the publication of this notice.

Dated: 2 June 2024

HON NICK CHAMPION MP  
 Minister for Planning

DTI: 2017/11495/01

HOUSING IMPROVEMENT ACT 2016

Rent Control

In the exercise of the powers conferred by the *Housing Improvement Act 2016*, the Delegate of the Minister for Housing and Urban Development hereby fixes the maximum rental amount per week that shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each premises described in the following table. 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
4 Main Street, Point Pass, SA 5374	Allotment 51, Deposited Plan 60140, Hundred of English	CT 5888/651	\$0.00

Dated: 6 June 2024

CRAIG THOMPSON  
 Housing Regulator and Registrar  
 Housing Safety Authority  
 Delegate of the Minister for Housing and Urban Development

## HOUSING IMPROVEMENT ACT 2016

*Rent Control Revocations*

In the exercise of the powers conferred by the *Housing Improvement Act 2016*, the Delegate of the Minister for Housing and Urban Development hereby revokes the maximum rental amount per week that shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each premises described in the following table.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
561 Klenke Road (The Cottage), Red Creek SA 5255	Allotment 220, Deposited Plan 90586, Hundred of Strathalbyn	CT6104/765
15A Murrays Lane, Adelaide SA 5000	QP 436 and QP 437, Filed Plan 182998, Hundred of Adelaide	CT5517/82
11 Mead Street, Birkenhead SA 5015	Allotment 125, Filed Plan 3379, Hundred of Port Adelaide	CT5510/367
		CT5510/368
7 Fairlie Street, Ottoway SA 5013	Allotment 63, Filed Plan 126543, Hundred of Port Adelaide	CT5546/96
66 Margaret Terrace, Rosewater SA 5013	Allotment 1, Filed Plan 107480, Hundred of Port Adelaide	CT5183/510
37 Railway Terrace, Port Germein SA 5495	Allotment 92, Filed Plan 209464, Hundred of Telowie	CT 6139/338

Dated: 6 June 2024

CRAIG THOMPSON  
Housing Regulator and Registrar  
Housing Safety Authority  
Delegate of the Minister for Housing and Urban Development

## JUSTICES OF THE PEACE ACT 2005

## SECTION 4

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

I, Fraser W. Stroud, 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 19 June 2024 and expiring on 18 June 2034:

Neville Thomas WHITTLESEA  
Roger William Ronald WESTLAND  
Rex Gordon WAY  
David Antony WALSH  
Allan SLATER  
Michael Anthony SHELLEY  
Ernst William REICHSTEIN  
Roger Maxwell PORTER  
Peter Rayne PAGE  
Julia MOURANT  
Paul Henry MOORE  
Peter Joseph MARTIN  
Jerry MAGOCH  
Deane Wilfred LIDDICOAT  
Olga LAPARIDIS  
Saroop Singh JOHAL  
Allen HARRIS  
Arturo DI FEDE  
Douglas James CULLEN  
Kenneth Ritchie BURTON  
Trevor George BRYANS  
Carolyn Swales BARNETT  
Lawrence Kym BAILEY  
Clive Vincent ANSELL  
Salvatore ALTERNETTI  
Lois Mary ALLEN

Dated: 30 May 2024

FRASER W. STROUD  
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 83 Pirie 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 53 in Deposited Plan 69272 comprised in Certificate of Title Volume 5974 Folio 242, and being the whole of the land identified as Allotment 2490 in D132583 lodged in the Lands Titles Office, expressly excluding the free and unrestricted right(s) of way over the land marked 'B'.

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 up to \$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) 7133 2479

Dated: 4 June 2024

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

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

File Reference: 2022/15480/01

## LAND ACQUISITION ACT 1969

## SECTION 16

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

The Commissioner of Highways (the Authority), of 83 Pirie 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 the whole of Allotment 9 in Filed Plan 7056 comprised in Certificate of Title Volume 5489 Folio 359.

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 up to \$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) 7133 2479

Dated: 4 June 2024

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

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

File Reference: 2022/02708/01

## LAND ACQUISITION ACT 1969

## SECTION 16

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

The Commissioner of Highways (the Authority), of 83 Pirie 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 the whole of Unit 4 in Strata Plan 5038 comprised in Certificate of Title Volume 5037 Folio 101.

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 up to \$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) 7133 2479

Dated: 4 June 2024

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

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

File Reference: 2022/11118/01

## LAND ACQUISITION ACT 1969

## SECTION 16

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

The Commissioner of Highways (the Authority), of 83 Pirie 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 the whole of Allotment 4 in Deposited Plan 2678 comprised in Certificate of Title Volume 5587 Folio 698.

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 up to \$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) 7133 2479

Dated: 4 June 2024

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

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

File Reference: 2023/05376/01

## LAND ACQUISITION ACT 1969

## SECTION 16

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

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:  
Comprising an unencumbered estate in fee simple in the whole of the land identified as “5005” and “5006” in D131919 lodged in the Lands Titles Office, being:

First: Portion of the land comprised in Certificate of Title Volume 6292 Folio 169 being portion of Allotment 4003 in Deposited Plan 131152;

Secondly: Portion of the land comprised in Certificate of Title Volume 6292 Folio 168 and being the portion of Allotments 4001 and 4002 in Deposited Plan 131152;

Thirdly: Portion of the land comprised in Certificate of Title Volume 6292 Folio 172 (being that portion of the right(s) of way over the land marked “A” on Deposited Plan 131152, appurtenant to Allotment 12 in Deposited Plan 14796, that is contained within, and forms portion of, the said land marked “5005” on D131919, to the intent that that portion of the right(s) of way will merge and be extinguished in the fee simple in the land marked “5005”).

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 up to \$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: Rob Gardner  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 7133 2415

Dated: 4 June 2024

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

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

File Reference: 2023/07449/01

## LAND TAX ACT 1936

*Change in Site Values and Index Value for the 2024 2025 Financial Year*

I, Katherine Bartolo, Valuer-General, as required by Section 8A(6) of the *Land Tax Act 1936* hereby give notice that the average percentage change in site values is 9.5% and the Index Value is 1.626 for the 2024 2025 financial year.

Dated: 6 June 2024

KATHERINE BARTOLO  
Valuer-General

## LAND TAX ACT 1936

*Land Tax Thresholds for the 2024-2025 Financial Year*

I, Julie-Anne Holmes, the Commissioner of State Taxation, as required by Section 8A(7) of the *Land Tax Act 1936*, hereby give notice that the land tax thresholds that will apply with respect to the 2024-25 financial year are:

Threshold A..... \$732,000  
Threshold B.....\$1,176,000  
Threshold C.....\$1,711,000  
Threshold D.....\$2,738,000

Dated: 6 June 2024

JULIE-ANNE HOLMES  
Commissioner of State Taxation

## LANDSCAPE SOUTH AUSTRALIA ACT 2019

*Revocation of Notice of Authorisation to Take Water from the Central Adelaide Prescribed Wells Area*

Pursuant to Section 105(5) of the *Landscape South Australia Act 2019*, I, Sue Hutchings, delegate of the Minister for Climate, Environment and Water to whom the Act is committed, hereby revoke the *Notice of Authorisation to Take Water from the Central Adelaide Prescribed Wells Area* Ref. 255324 published pursuant to Section 105(1) of the Act in the Government Gazette (pages 2411 and 2412) on 24 June 2021.

Dated: 3 June 2024

SUE HUTCHINGS  
A/Executive Director, Water and River Murray  
Department for Environment and Water  
Delegate of the Minister for Climate, Environment and Water

## LANDSCAPE SOUTH AUSTRALIA ACT 2019

*Revocation of Notice of Authorisation to Take Water from the Central Adelaide Prescribed Wells Area*

Pursuant to Section 105(5) of the *Landscape South Australia Act 2019*, I, Sue Hutchings, delegate of the Minister for Climate, Environment and Water to whom the Act is committed, hereby revoke the *Notice of Authorisation to Take Water from the Central Adelaide Prescribed Wells Area* Ref. 392551 published pursuant to Section 105(1) of the Act in the Government Gazette (pages 2412 and 2413) on 24 June 2021.

Dated: 3 June 2024

SUE HUTCHINGS  
A/Executive Director, Water and River Murray  
Department for Environment and Water  
Delegate of the Minister for Climate, Environment and Water

## LIBRARIES BOARD OF SOUTH AUSTRALIA

*Fees and Charges Schedule 2024-2025*

Description of Activity	Previous Charge 2023-24	Gazetted Charge 2024-25	Last Assessed
<i>* Denotes GST included—please see note at document end</i>			
<b>Services</b>			
<i>Photocopying/Printing</i>			
A4—Black and White	\$0.20	\$0.21	22.3.2024
A4—Colour	\$1.00	\$1.03	22.3.2024
A3—Black and White	\$0.30	\$0.31	22.3.2024
A3—Colour	\$2.00	\$2.06	22.3.2024
<i>Reference Queries/Customer Orders</i>			
Black and White Photo quality archival paper—up to A4 size print	\$19.00	\$19.57	22.3.2024
Black and White Photo quality archival paper—up to A3 size print	\$22.00	\$22.66	22.3.2024
Black and White Photo quality archival paper—up to A2 size print	\$30.00	\$30.90	22.3.2024
Colour Photo quality archival paper—up to A4 size print	\$23.00	\$23.69	22.3.2024
Colour Photo quality archival paper—up to A3 size print	\$26.00	\$26.78	22.3.2024
Colour Photo quality archival paper—up to A2 size print	\$40.00	\$41.20	22.3.2024
Image downloaded and saved	\$10.00	\$10.30	22.3.2024
A4 microfiche/film staff operated	\$2.50	\$2.58	22.3.2024
A3 microfiche/film staff operated	\$3.80	\$3.91	22.3.2024
A2 microfiche/film staff operated	\$10.00	\$10.30	22.3.2024
Scan and save microfilm image	\$12.00	\$12.36	22.3.2024
Priority Service—3 working days maximum	50%	\$0.52	22.3.2024
Express Service—1 working day maximum	100%	\$1.03	22.3.2024
Staff Operated Scanning (A4/A3)	N/A	\$0.30	22.3.2024
<i>Overhead Scanner</i>			
Overhead Scanning, up to 3	\$10.00	\$10.30	22.3.2024
Overhead Scanning, up to 25	\$40.00	\$41.20	22.3.2024
Overhead Scanning, each additional page	\$0.50	\$0.52	22.3.2024
<i>Flatbed Scanner</i>			
Scanning of undigitised material	\$10.00	\$10.30	22.3.2024
Rescanning (max. 2400dpi)	\$20.00	\$20.60	22.3.2024
High-res TIFF files converted to PDF (access copies)—single files, up to 3	\$10.00	\$10.30	22.3.2024
High-res TIFF files converted to PDF (access copies)—consecutive pages, up to 25	\$40.00	\$41.20	22.3.2024
High-res TIFF files converted to PDF (access copies)—each additional consecutive page	\$0.50	\$0.52	22.3.2024
<i>Retrieval</i>			
Retrieval for 1 item	\$20.00	\$20.60	22.3.2024
Retrieval for 5 items	\$40.00	\$41.20	22.3.2024
each subsequent item	\$10.00	\$10.30	22.3.2024
<b>Digitisation and Preservation</b>			
Labour Rate per hour	\$63.00	\$64.89	22.3.2024
<i>AudioVisual</i>			
Digitising from Collections audio format to digital file up to 3 hours	\$29.30	\$30.18	22.3.2024
Digital File Delivery	\$11.70	\$12.05	22.3.2024
Digitising from Collections audio format to digital file over 3 hours POA	POA	POA	22.3.2024
Digitising from collections video format to digital file up to 3 hours	\$29.30	\$30.18	22.3.2024
Digitising from Collections video format to digital file over 3 hours	POA	POA	22.3.2024
Digitising from collections film format to digital file	POA	POA	22.3.2024
<i>Flatbed Scans</i>			
Preservation Standard scan—original material scanned to a minimum of 50Mb (JPEG or TIFF)	\$29.30	\$30.18	22.3.2024
Custom size scanning—original material A3 size or smaller (JPEG or TIFF)	\$172.20	\$177.37	22.3.2024
<i>Overhead Colour Large Format Plans and Black and White Microform Scans</i>			
Overhead/microform scanning up to 3	\$10.00	\$10.30	22.3.2024
Overhead/microform scanning up to 25	\$40.00	\$41.20	22.3.2024
Overhead/microform scanning—each additional page	\$0.50	\$0.52	22.3.2024



Description of Activity * Denotes GST included—please see note at document end	Previous Charge 2023-24	Gazetted Charge 2024-25	Last Assessed
<i>Large Format Colour Scans—Roller scanner</i>			
A2-A0	\$30.10	\$31.00	22.3.2024
<i>Large Format Colour Scans—Flatbed scanner</i>			
A2	\$64.80	\$66.74	22.3.2024
A1	\$207.50	\$213.73	22.3.2024
A0	\$275.50	\$283.77	22.3.2024
Transfer file to USB flash drive	POA	POA	22.3.2024
<b>Marketing</b>			
Facilities Hire *	POA	POA	22.3.2024
Tours	POA	POA	22.3.2024
External Exhibition Loans	POA	POA	22.3.2024
<i>Seminars</i>			
Hosted by SLSA	\$0	POA	22.3.2024
Hosted by PLS	\$0	POA	22.3.2024
Other Seminars, short courses and training sessions	POA	POA	22.3.2024
<b>Directorate</b>			
Consultancies *	POA	POA	22.3.2024
<b>Document Delivery **</b>			
<i>Document Delivery from State Library Collections (for Public)</i>			
Photocopying A4	\$0.30	\$0.35	22.3.2024
Photocopying A3	\$0.60	\$0.70	22.3.2024
Special loans overdue fine per day	\$2.00	\$2.30	22.3.2024
<i>Charges to Public for Items from Other Libraries *</i>			
Interlibrary photocopying per article (up to 25 pages)			
Core—4 working days—electronic delivery	\$19.70	\$21.10	22.3.2024
Rush—24 Hours Mon to Fri—electronic delivery	\$39.30	\$42.00	22.3.2024
Express—2 working hours Mon to Fri—electronic delivery	\$59.00	\$63.10	22.3.2024
Interlibrary photocopying each additional 25 pages	\$4.00	\$4.50	22.3.2024
<i>Interlibrary Loans to Australian Libraries</i>			
Core—4 working days—including default delivery fees for normal delivery	\$30.30	\$32.40	22.3.2024
Rush—24 Hours Mon to Fri—including default delivery fees for express post	\$55.30	\$59.20	22.3.2024
Express—2 working hours Mon to Fri—including default delivery fees for express post or courier	\$74.90	\$80.10	22.3.2024
Interlibrary Loans from Overseas Libraries	Cost Recovery	Cost Recovery	22.3.2024
Interlibrary Copies from Overseas Libraries	Cost Recovery	Cost Recovery	22.3.2024
<i>Charges to Libraries for Items from State Library Collections *</i>			
Interlibrary photocopying per article (up to 25 pages)	N/A	POA	22.3.2024
Core—5 working days	\$30.30	\$32.40	22.3.2024
Rush—AM/PM Mon to Fri	\$55.30	\$59.20	22.3.2024
Express—2 working hours Mon to Fri	\$74.90	\$80.10	22.3.2024
Interlibrary photocopying each additional 25 pages	\$4.00	\$4.90	22.3.2024
Photocopying A4 and A3 for SA Public Libraries—PLASA levy (staff operated)— Maximum of \$5.00 per request	\$0.30	\$0.35	22.3.2024
<i>Interlibrary Loans to Australian Libraries</i>			
Core—4 working days	\$30.30	\$32.40	22.3.2024
Rush—24 Hours Mon to Fri	\$55.30	\$59.20	22.3.2024
Express—2 working hours Mon to Fri	\$74.90	\$80.10	22.3.2024
<i>Interlibrary Loans to Overseas Libraries</i>	Cost Recovery	Cost Recovery	22.3.2024

**Note:** In accordance with a GST Ruling received from the Australian Taxation Office, any supply made by the State Library, being a gift deductible entity, will be GST free where the revenue received recovers less than 75% of the cost of the service provided. Fees for services that include GST are denoted by an asterisk (\*) next to the charge.

\*\* Document Delivery charges are set by LADD and cannot be changed.

Dated: 3 June 2024

GEOFF STREMPPEL  
Director  
State Library of South Australia

## MENTAL HEALTH ACT 2009

*Approved Mental Health Professional*

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

Ashley Kotz  
Ashley Richard  
Gino Richter  
Susan Barber

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

Dated: 3 June 2024

DR J. BRAYLEY  
Chief Psychiatrist

## NATIONAL PARKS AND WILDLIFE ACT 1972

*Dingley Dell Conservation Park Management Plan—Draft*

I, Michael Joseph Williams, Director of National Parks and Wildlife, hereby give notice under the provisions of Section 38 of the *National Parks and Wildlife Act 1972* that a draft management plan for Dingley Dell Conservation Park has been prepared.

Copies of the draft plans may be obtained from:

- Department for Environment and Water Customer Service Centre, Ground Floor, 81-95 Waymouth Street, Adelaide SA 5000
- Mount Gambier National Parks and Wildlife Service Office, 152 Jubilee Highway East, Mount Gambier SA 5290

Or online at:

- <https://yoursay.sa.gov.au/>
- <https://www.parks.sa.gov.au/park-management/management-plans>

Any person may make representations in connection with the draft plan during the period up to and including 5pm Friday, 6 September 2024.

Written comments should be forwarded to National Parks and Protected Area Program Unit, Department for Environment and Water, GPO Box 1047, Adelaide SA 5001 or e-mailed to [DEWProtectedAreaManagement@sa.gov.au](mailto:DEWProtectedAreaManagement@sa.gov.au).

Dated: 23 May 2024

M. J. WILLIAMS  
Director of National Parks and Wildlife  
Delegate of the Minister for Climate, Environment and Water

## NATIONAL PARKS AND WILDLIFE ACT 1972

*Northern Lofty Woodland Parks Management Plan—Draft*

I, Michael Joseph Williams, Director of National Parks and Wildlife, hereby give notice under the provisions of Section 38 of the *National Parks and Wildlife Act 1972* that the draft Northern Lofty Woodland Parks Management Plan has been prepared for Charleston Conservation Park, Cromer Conservation Park, Cudlee Creek Conservation Park, Hale Conservation Park, Sandy Creek Conservation Park, Warren Conservation Park and Wiljani Conservation Park.

Copies of the draft plans may be obtained from:

- Department for Environment and Water Customer Service Centre, Ground Floor, 81-95 Waymouth Street, Adelaide SA 5000
- Black Hill National Parks and Wildlife Service Office, 115 Maryvale Road, Athelstone SA 5076

Or online at:

- <https://yoursay.sa.gov.au/>
- <https://www.parks.sa.gov.au/park-management/management-plans>

Any person may make representations in connection with the draft plan during the period up to and including 5pm Monday, 2 September 2024.

Written comments should be forwarded to National Parks and Protected Area Program Unit, Department for Environment and Water, GPO Box 1047, Adelaide SA 5001 or e-mailed to [DEWProtectedAreaManagement@sa.gov.au](mailto:DEWProtectedAreaManagement@sa.gov.au).

Dated: 20 May 2024

M. J. WILLIAMS  
Director of National Parks and Wildlife  
Delegate of the Minister for Climate, Environment and Water

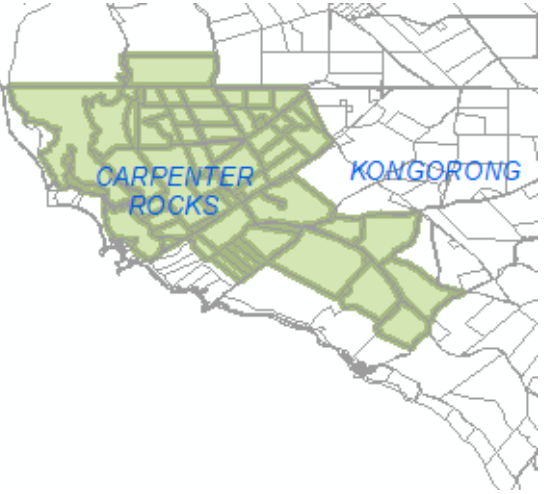
## PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

## SECTION 76

*Amendment to the Planning and Design Code**Preamble*

It is necessary to amend the Planning and Design Code (the Code) in operation at 23 May 2024 (Version 2024.9) in order to make changes of form relating to the Code's spatial layers and their relationship with land parcels. NOTE: There are no changes to the application of zone, subzone or overlay boundaries and their relationship with affected parcels or the intent of policy application as a result of this amendment.

1. Pursuant to Section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make changes of form (without altering the effect of underlying policy), correct errors and make operational amendments as follows:
- (a) Undertake minor alterations to the geometry of the spatial layers and data in the Code to maintain the current relationship between the parcel boundaries and Code data as a result of the following:
- (i) New plans of division deposited in the Land Titles Office between 15 May 2024 and 28 May 2024 affecting the following spatial and data layers in the Code:
- A. Zones and subzones
- B. Technical and Numeric Variations
- Building Heights (Levels)
  - Building Heights (Metres)
  - Minimum Dwelling Allotment Size
  - Minimum Frontage
  - Minimum Site Area
  - Minimum Primary Street Setback
  - Minimum Side Boundary Setback
  - Future Local Road Widening Setback
- C. Overlays
- Dwelling Excision
  - Future Local Road Widening
  - Future Road Widening
  - Hazards (Bushfire—High Risk)
  - Hazards (Bushfire—Medium Risk)
  - Hazards (Bushfire—General Risk)
  - Hazards (Bushfire—Urban Interface)
  - Hazards (Bushfire—Regional)
  - Hazards (Bushfire—Outback)
  - Heritage Adjacency
  - Local Heritage Place
  - Limited Dwelling
  - Limited Land Division
  - Significant Landscape Protection
  - State Heritage Place
- (ii) Improved spatial data for existing land parcels in the following locations (as described in Column A) that affect data layers in the Code (as shown in Column B):

Location (Column A)	Layers (Column B)
<p><b>Carpenter Rocks</b></p>  <p>The map shows a coastal area with a grid of streets. A large portion of the area is shaded in light green. The words 'CARPENTER ROCKS' and 'KONGORONG' are written in blue across the map.</p>	<p>Zones and subzones</p> <p>Technical and Numeric Variations</p> <ul style="list-style-type: none"> <li>- Finished Ground and Floor Levels</li> <li>- Minimum Dwelling Allotment Size</li> <li>- Minimum Site Area</li> </ul> <p>Overlays</p> <ul style="list-style-type: none"> <li>- Coastal Areas</li> <li>- Dwelling Excision</li> <li>- Limited Land Division</li> </ul>

- (b) In Part 13 of the Code—Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the 'Table of Planning and Design Code Amendments' to reflect the amendments to the Code as described in this Notice.
2. Pursuant to Section 76(5)(a) of the Act, I further specify that the amendments to the Code as described in this Notice will take effect upon the date those amendments are published on the SA planning portal.

Dated: 3 June 2024

GREG VAN GAANS  
 Director, Land and Built Environment  
 Department for Trade and Investment  
 Delegate of the Minister for Planning

## PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

## SECTION 76

*Amendment to the Planning and Design Code**Preamble*

It is necessary to amend the Planning and Design Code (the Code) in operation at 23 May 2024 (Version 2024.9) in order to make the following minor or operational amendments:

- to correct errors relating to:
    - references to the Significant Interface Management Overlay within Table 5—Procedural Matters (PM)—Notification of the Urban Renewal Neighbourhood Zone.
    - misapplication of the State Heritage Place Overlay to adjacent parcels at Nailsworth, Medindie Gardens, Felixstow and Adelaide.
    - missing spatial application of the State Heritage Place Overlay over a State Heritage Place property at North Adelaide.
    - misapplication of the Local Heritage Place Overlay over incorrect property at Willunga.
1. Pursuant to Section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make the following minor or operational amendments as follows:
    - (a) In Part 2—Urban Renewal Neighbourhood Zone, Table 5—Procedural Matters (PM)—Notification, replace all references to ‘Significant Interface Management Overlay’ with ‘Interface Management Overlay’.
    - (b) Amend the spatial layer of the State Heritage Place Overlay for Heritage Number 3191 (being the ‘North Road Church of England Cemetery’) so that it only applies to the following allotments and update the spatial layer of the Heritage Adjacency Overlay to reflect these changes:
      - (i) 1A Cemetery Avenue, Nailsworth (Lot 2, CT5504/602)
      - (ii) 1 Cemetery Avenue, Nailsworth (Lots 21 to 43, CT5733/718)
    - (c) Amend the spatial layer of the State Heritage Place Overlay for Heritage Number 6326 (being ‘Office (‘Forsyth House’, former Dwelling), Aldersgate Nursing Home’) so that it only applies to the following allotments and update the spatial layer of the Heritage Adjacency Overlay to reflect these changes:
      - (i) 160-168 O.G. Road, Felixstow (Lot 502, D51736, CT5828/286)
    - (d) Amend the spatial layer of the State Heritage Place Overlay for Heritage Number 27078 (being the ‘Adelaide Fire Station’) so that it only applies to the following allotments and update the spatial layer of the Heritage Adjacency Overlay to reflect these changes:
      - (i) 97 Wakefield Street, Adelaide (Lot 80, CT6181/979)
      - (ii) 97 Wakefield Street, Adelaide (Lot 704, CT5943/887)
      - (iii) 97 Wakefield Street, Adelaide (Lot 705, CT5782/242)
      - (iv) 97 Wakefield Street, Adelaide (Lot 690, CT5943/888)
      - (v) 97 Wakefield Street, Adelaide (Lot 668, CT5761/799)
      - (vi) 97 Wakefield Street, Adelaide (Lot 659, CT5761/798)
      - (vii) 97 Wakefield Street, Adelaide (Lot 7, CT5346/689)
    - (e) Amend the spatial layer of the State Heritage Place Overlay so that it applies to (and is linked to Heritage Number 1651 (being ‘Lutheran Seminary, Hebart Hall (former Whinham College, sometime Angas College, sometime Immanuel College) and Front Boundary Wall’) the following property and update the spatial layer of the Heritage Adjacency Overlay to reflect these changes:
      - (i) Lot 96, CT5388/373, North Adelaide
    - (f) Amend the spatial layer of the Local Heritage Places Overlay so that:
      - (i) it does not apply to 134 Edwards Road, Willunga (Lot 56, CT5742/598)
      - (ii) it applies instead to (and is linked to Heritage Number 5429) 140 Edwards Road, Willunga (Lot 57, CT5396/451)Update the spatial layer of the Heritage Adjacency Overlay to reflect the above changes.
    - (g) In Part 11—Local Heritage Places, in the section applying to ‘Onkaparinga’, amend the table of Local Heritage Places by replacing the words ‘134 Edwards Road WILLUNGA’, with the words ‘140 Edwards Road WILLUNGA’.
    - (h) In Part 13—Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the ‘Table of Planning and Design Code Amendments’ to reflect the amendments to the Code as described in this Notice.
  2. Pursuant to Section 76(5)(a) of the Act, I further specify that the amendments to the Code as described in this Notice will take effect upon the date those amendments are published on the SA planning portal.

Dated: 4 June 2024

JASON BAILEY  
Manager, Planning and Design Code  
Department for Trade and Investment  
Delegate of the Minister for Planning

## PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

South Australia

# Planning, Development and Infrastructure (Fees) Notice (No 4) 2024

under the *Planning, Development and Infrastructure Act 2016*

## 1—Short title

This notice may be cited as the *Planning, Development and Infrastructure (Fees) Notice (No 4) 2024*.

Note—

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

## 2—Commencement

This notice has effect on 1 July 2024.

## 3—Interpretation

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

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

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

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

*regulations* means the following:

(a) the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*;

(b) the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*;

(c) the *Planning, Development and Infrastructure (General) Regulations 2017*.

(2) Words and expressions used in the regulations and in this fee notice have the same respective meanings in this notice as they have in the regulations.

(3) Subclause (2) does not apply to the extent that the context or subject matter otherwise indicates or requires.

## 4—Fees payable

(1) The fees set out in Schedule 1 are prescribed for the purposes of the Act and the regulations and are payable as specified in that Schedule.

(2) A fee set out in Schedule 1 item 8 is payable to the body specified in relation to the fee.

(3) Subject to subclauses (4) and (5), if an application, matter or circumstance falls within more than 1 item under Schedule 1, then the fee under each such item applies and those fees in total will be payable.

(4) If planning consent is sought for development comprising more than 1 element—

(a) a fee is not payable under Schedule 1 item 6 for each element of the development; and

- (b) the fee payable under Schedule 1 item 6 is the highest fee applying to a single element of the development; and
  - (c) if the relevant fee is based on the total development cost, the fee payable will be based on the total cost of all elements of the development.
- (5) If an application for planning consent must be referred to the same body under more than 1 item of Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017*, then only 1 prescribed fee under Schedule 1 item 8 is payable with respect to the referral of the application to that body.
- (6) A reference in subclause (5) to a prescribed fee extends to a prescribed fee that, although payable, was waived (in whole or in part) by a relevant authority.
- (7) Subject to subclause (8) if a lodgement fee has been paid in respect of an application for planning consent or building consent for a development, no lodgement fee is payable for any other consents related to that application or for the issue of the final development approval in respect of that development.
- (8) If a lodgement fee has been paid in respect of an application under the repealed Act, a lodgement fee under this notice is payable in respect of the first application for consent related to the application under the repealed Act that is lodged electronically via the SA planning portal.

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

- (1) A prescribed fee under Schedule 1 item 27 is payable to the South Australian Water Corporation or any other water industry entity identified for the purposes of Section 102(1)(c)(iii) and (1)(d)(vii) of the Act.
- (2) The prescribed fee is payable by the person who makes the application to divide the land.

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

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

## **Schedule 1—Fees**

### **Part 1—Fees 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—<br>planning level 1; and   | \$852.00 |
|   | (b) in any other case   | \$628.00 |

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	\$303.00
3	Application to the accreditation authority under Regulation 19 of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i>	\$202.00
4	Late application fee under Regulation 19(3) of the <i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i>	\$67.00

## 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 outline consent, planning consent or building consent (the <b>base amount</b> )—	
	(a) a lodgement fee	
	(i) if the total development cost is no more than \$10,000	\$92.50
	(ii) if the total development cost is greater than \$10,000 and no more than \$50,000	\$148.00
	(iii) if the total development cost is greater than \$50,000 and no more than \$100,000	\$167.00
	(iv) if the total development cost is greater than \$100,000 and no more than \$300,000	\$176.00
	(v) if the total development cost is greater than \$300,000 and no more than \$500,000	\$185.00
	(vi) if the total development cost is greater than \$500,000 and no more than \$700,000	\$426.00
	(vii) if the total development cost is greater than \$700,000 and no more than \$1,000,000	\$742.00
	(viii) if the total development cost is greater than \$1,000,000 and no more than \$5,000,000	\$1,669.00
	(ix) if the total development cost is greater than \$5,000,000 and no more than \$10,000,000	\$2,225.00
	(x) if the total development cost is greater than \$10,000,000; and	\$3,059.00
	(b) if the application is lodged at the principal office of the relevant authority—a processing fee	\$89.50
5a	Application for outline consent under Section 120 of the Act	\$6,180.00
6	Application for planning consent—	
	(a) if the proposed development is to be assessed as deemed to satisfy development under Section 106 of the Act—	
	(i) if the total development cost is no more than \$10 000	\$142.00
	(ii) in any other case	\$235.00

	(b)	if the proposed development is to be assessed on its merits under Section 107 of the Act	\$280.00 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	\$550.00
	(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	\$573.00
	(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	\$1,963.00 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	\$280.00
	(b)	if Section 110(2)(a) applies	\$280.00
7a		Application for outline consent that must be notified	\$280.00
8		Application for outline consent or planning consent that must be referred to 1 or more prescribed bodies under Schedule 9 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> —	
	(a)	for referral to the Commissioner of Highways—	
	(i)	if the proposed development involves a change in the use of land	\$447.00
	(ii)	if the proposed development involves the division of land	\$447.00
	(b)	for referral to the Environment Protection Authority	
	(i)	non-licensable	\$831.00
	(ii)	licensable	\$1,870.00
	(iii)	site contamination	\$1,539.00
	(c)	for referral to the Minister responsible for the administration of the <i>Heritage Places Act 1993</i>	\$447.00
	(d)	for referral to the Minister responsible for the administration of the <i>River Murray Act 2003</i>	\$447.00
	(e)	for referral to the Relevant authority under the <i>Landscape South Australia Act 2019</i>	\$447.00
	(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>	\$447.00
	(g)	for referral to the Coast Protection Board	\$447.00



(h)	for referral to the Minister responsible for the administration of the <i>Historic Shipwrecks Act 1981</i>	\$447.00
(i)	for referral to the Commonwealth Minister responsible for the administration of the <i>Underwater Cultural Heritage Act 2018</i> of the Commonwealth	\$447.00
(j)	for referral to the Native Vegetation Council	\$717.00
(k)	for referral to the Government Architect or Associate Government Architect	\$546.00
(l)	for referral to Minister responsible for the administration of the <i>South Australian Housing Trust Act 1995</i>	\$270.00 plus \$168.00 per stage
(m)	for referral to the Minister responsible for the administration of the <i>Aquaculture Act 2001</i>	\$464.00
(n)	for referral to the South Australian Country Fire Service	\$447.00
(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>	\$367.00
(p)	for referral to the Minister responsible for the administration of the Mining Acts	\$367.00
(q)	for referral to the Technical Regulator	\$187.00
(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	\$447.00
9	Application for building consent (a <b>building assessment fee</b> )—	
(a)	for a Class 1 building under the Building Code	\$505.00 or 0.25% of the total development cost, whichever is the greater
(b)	for a Class 10 building under the Building Code	\$145.00 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	\$752.00
(ii)	if the total development cost is greater than \$20,000 and no more than \$200,000	\$752.00 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	\$1,558.00 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	\$3,803.00 plus 0.15% of the amount determined by subtracting \$1 000 000 from the total development cost
10	Application for building consent (a <b>compliance fee</b> )—	
(a)	for a Class 1 building under the Building Code or a swimming pool or swimming pool safety features	\$270.00

	(b) for a Class 1 building under the Building Code if the building comprises multiple dwellings	\$270.00 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	\$89.50
	(d) for any other class of building under the Building Code	Once per building—\$270.00 or 0.075% of the total development cost up to a maximum of \$2,806.00, whichever is the greater
11	Application for building consent for the demolition of a building	\$163.00
11a	Where Regulation 39 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> applies	20% of the total consent fees payable, excluding the base amount
12	Application for the concurrence of the Commission under Section 118(2)(a) of the Act	\$387.00
13	Referral of application to the Commission for an opinion under Section 118(4) of the Act	\$387.00
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	\$197.00
	(b) if the division creates more than 4 additional allotments	\$197.00 plus \$17.90 for each additional allotment created
	(c) if the division involves the creation of a public road (regardless of the number of additional allotments created)	\$197.00 plus \$17.90 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)	\$132.00
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)	\$225.00
17	A Certificate of Approval Fee for the purposes of Section 138 of the Act	\$1,154.00
18	Application under Section 130 or 131 of the Act (fee payable to the Commission)	\$199.00 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	\$142.00
21	Application to assessment panel for review of a prescribed matter under Section 202(1)(b)(i)(A) of the Act	\$573.00

### 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>	\$270.00
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	\$190.00
24	Application for a certificate of occupancy under Section 152 of the Act	\$56.00

### 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	\$8,707.00 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	\$3,496.00 for each new allotment or strata lot delineated by the relevant plan that does not exceed 1 hectare in area
26	Rates of contribution for the purposes of Section 199(1) of the Act—	
	(a) where the prescribed building is within Greater Adelaide	\$8,707 for each apartment or allotment delineated by the relevant plan
	(b) where the prescribed building is within any other part of South Australia	\$3,496.00 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	\$451.00
	(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)	\$130.00
28	Application for design review under Section 121 of the Act	\$110.00 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	\$500.00 for each replacement tree that is not planted

29A	Amount for the purposes of the Urban Tree Canopy Offset Scheme established under Section 197 of the Act—	
(a)	in relation to a small tree	\$500.00
(b)	in relation to a medium tree	\$1,000.00
(c)	in relation to a large tree	\$1,500.00
29B	Amount for the purposes of Schedule 4, Clause 18(1a)(a)(ii) of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i>	\$500.00 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	\$142.00
(b)	if the development authorisation relates to development assessed as impact assessed development under Section 111 of the Act	\$10,000 for the first request, with the fee to be double the previously applicable fee for each subsequent request thereafter
(c)	in any other case	\$119.00
30a	Application for the extension of a development authorisation under Regulation 104B of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> where the development authorisation relates to development assessed under Section 130 of the Act	\$142.00
30b	Application for the extension of a development authorisation under Regulation 108 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> :	
(a)	if the development authorisation relates to development assessed under Section 131(2)(b) of the Act, and the development is undertaken in partnership or joint venture with a person or body that is not a State agency	\$10,000 for the first request, with the fee to be double the previously applicable fee for each subsequent request thereafter
(b)	if the development authorisation relates to development assessed under Section 131(2)(c) of the Act	\$10,000 for the first request, with the fee to be double the previously applicable fee for each subsequent request thereafter
(c)	in any other case	\$142.00
31	Request for initiation of infrastructure scheme under Section 163(3)(b) of the Act	\$4,119.00
32	Certificate from Technical Regulator	\$451.00
33	Application to register an agreement under Section 192 or 193 of the Act	\$89.50
34	Fee for the purposes of Section 192(7) or 193(7) of the Act	\$16.70
35	Fee for approval under Section 197(5) of the Act	\$418.00

36	Application for the approval of the Minister under Section 235 of the Act	\$178.00
37	Application for approval of building envelope plan under Regulation 19A(1) of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i>	\$197.00 plus \$17.90 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)	\$225.00
39	Fee for registration as a Local Design Review Administrator under the Minister's Design Review scheme established under Section 121 of the Act	\$606.00
40	Fee for registration an Independent Design Review Administrator under the Minister's Design Review scheme established under Section 121 of the Act	\$352.00
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	\$6,055.00
42	Fee for the administration and management of a proposed amendment to the Planning and Design Code, where approval of the Minister to initiate the amendment has been granted under Section 73(2)(b) of the Act:	
	(a) if the proposed amendment is determined to be simple in nature	\$4,625.00
	(b) if the proposed amendment is determined to be moderately complex in nature	\$22,461.00
	(c) if the proposed amendment is determined to be complex in nature	\$31,379.00
43	Fee for the publication of consultation of a proposed amendment of the Planning and Design Code under Section 73(2)(b) of the Act	\$9,579.00
44	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:	
	(a) where the proposed amendment is determined to be simple in nature	\$4,624.00
	(b) where the proposed amendment is determined to be moderately complex in nature	\$22,460.00
	(c) where the proposed amendment is determined to be complex in nature	\$31,379.00
45	Fee for administration of implementing a code amendment adopted to by the Minister under Section 73(2)(b) of the Act	\$10,790.00
46	Fee for accredited professionals acting in a private capacity to use the SA Planning Portal to assess development applications	\$51.50 per consent assessed in the preceding quarter

**Made by the Minister for Planning**  
**Hon Nick Champion MP**

On 4 June 2024

[REPUBLISHED]

On Thursday, 18 April 2024, the notice published under the *Professional Standards Act 2004*, on page 738 of the *South Australian Government Gazette* No. 28 was published without the Scheme attached. The notice should be replaced with the following:

PROFESSIONAL STANDARDS ACT 2004

*The Bar Association of Queensland Professional Standards Scheme*

Pursuant to Section 14 of the *Professional Standards Act 2004*, I authorise the publication in the Gazette of the Bar Association of Queensland Professional Standards Scheme.

Pursuant to Section 15(1)(a) of the *Professional Standards Act 2004*, I specify 1 July 2024 as the date of commencement of the Bar Association of Queensland Professional Standards Scheme.

Dated: 30 May 2024

KYAM MAHER  
Attorney-General

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THE BAR ASSOCIATION OF QUEENSLAND PROFESSIONAL STANDARDS SCHEME  
*A Scheme Under the Professional Standards Act 2004 (Qld)*

*Preamble*

**Occupational Association**

- A. The Bar Association of Queensland (ACN 009 717 739) (“the Association”) is an occupational association constituted as an Australian Public Company, Limited by Guarantee pursuant to the *Corporations Act 2001* (Cth).
- B. The occupational group for the purposes of the Scheme represented by the Association consists of barristers practising in or from Queensland who hold a Queensland practising certificate.
- C. The objectives of the Association are expressed in Clause 3 of its Constitution and include:
- (a) to promote the cause of justice;
  - (b) to maintain the high tradition of the Bar;
  - (c) to uphold the honour and promote the interests of the Association and members of the Association;
  - (d) to maintain correct and cordial relations with the Bench and the other branches of the profession;
  - (e) to arrange and promote continuing professional development;
  - (f) to promote fair and honourable practice amongst barristers; to suppress, discourage and prevent unsatisfactory professional conduct and professional misconduct; to inquire into so far as the law permits and decide questions as to professional conduct and etiquette of barristers; to make rules (including rules for the imposition on members of penalties, including expulsion, suspension or fines), with regard to the foregoing to the extent the law permits and in the absence of other rules and regulations made under the *Legal Profession Act 2007* (Qld) (“the LP Act”) for breach of such rules; and if deemed necessary, to report any of such rules or decisions to the Supreme Court of Queensland and to the Members of the Association and to the public as the Council sees fit;
  - (g) to raise with the appropriate bodies established under the LP Act all such matters as are necessary in respect of the discipline of members;
  - (h) to be represented in any matter before any Court, tribunal, body or person;
  - (i) to exercise such powers as may be conferred upon the Association by the LP Act, any other legislation, Rules of Court, or otherwise;
  - (j) to confer, and when thought fit, to cooperate with bodies in Australia or elsewhere representing the profession of the law or any branch thereof, or with any other bodies in Australia or elsewhere, as to matters directly or indirectly affecting the profession of the law, or which may affect the Association or its members, or may affect the attainment of the objects of Association; and, form and maintain associations with the Australian Bar Association and the Law Council of Australia, or any other body in Australia or elsewhere whether or not connected with the profession of the law;
  - (k) to make suggestions upon legislation, Rules of Court, the business and procedure of Courts, and the accommodation and condition of Court buildings;
  - (l) to inquire into and report upon applications for admission as a legal practitioner and to take such action thereon as may be deemed proper;
  - (m) to promote, conduct or cooperate in the promotion or conduct of activities of a professional, educational, cultural, sporting and social nature amongst Members of the Association.

**Nature of the Scheme**

- D. The Bar Association of Queensland Professional Standards Scheme (“the Scheme”) is a scheme under the *Professional Standards Act 2004* (Qld) (“the PS Act”) that applies to the persons referred to below in Clause 2.
- E. The Scheme does not apply to all members of the Association. Article 4.1 of the Bar Association of Queensland Constitution provides for four types of membership: Ordinary Member—Class A, Class B or Class C; Associate Member; Honorary Member; or Life Member. The Constitution provides that a person, who agrees before admission to membership to undertake to abide by the Constitution and Rules of the Association, may be admitted as an Ordinary Member:
- (a) in Class A for any local practising barrister;
  - (b) in Class B for any person who holds a practising certificate issued by the Association who is not a local practising barrister; or
  - (c) in Class C, being an interstate practising barrister.

Article 4.8 of the Constitution provides that Life Members are members or former members of the Association appointed for exceptional service to justice, the law or the Association upon nomination by the President, seconded by the Vice-President and approved by no less than three-quarters majority of a general meeting. A Life Member may also belong to another class of membership.

The Scheme will only apply to Class A Ordinary members and Life Members.

- F. The approximate number of members of the Association to whom the Scheme might apply at its commencement is 1036.
- G. The Scheme is intended to operate under the PS Act, which has the purpose of improving the occupational standards of professional persons, and to protect the consumers of their services.
- H. The Scheme limits the occupational liability of a person to whom it applies.
- I. The occupational liability limited by the Scheme is that provided for by the PS Act, which at present is all civil liability for damages (in tort, contract equity, or otherwise) in relation to a cause of action founded on an act or omission of a person to whom the Scheme applies acting in the performance of the person's occupation that happens when the Scheme is in force.
- J. The Scheme does not apply to any liability to which the PS Act does not apply from time to time, which at present is any liability for damages arising from death 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 or liability that may be the subject of proceedings under the *Land Title Act 1994* (Qld), part 9, division 2, subdivision C.
- K. The Scheme does not affect any claim for damages below the monetary ceiling specified in the Scheme for each member.
- L. The Scheme limits liability for damages to the monetary ceiling specified for a person to whom it applies provided that the person has insurance as required by s 22 of the PS Act.
- M. Notwithstanding anything to the contrary contained in the Scheme, if in particular circumstances giving rise to occupational liability, the liability of any person who is subject to the Scheme should be 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.

#### **Risk Management**

- N. The Association has adopted strategies which cover requirements for professional entry to practice at the Bar in Queensland, and continuing professional development in the areas of ethics and regulation of the profession management, substantive law, court practice and procedure, and evidence, and advocacy, mediation and other barristers' skills, including making rules about legal practice in this jurisdiction engaged in by an Australian legal practitioner as a barrister. The Association has provided the Professional Standards Councils with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- O. The Association 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.

#### **Complaints and discipline**

- P. Association members are subject to a complaints and discipline system. The system operates pursuant to the requirements of the LP Act.
- Q. The Association is actively engaged in that system, and has the functions of investigation and of making a recommendation as to whether a discipline application should be started when a complaint is referred to the Association by the Legal Services Commissioner.

#### **Standards of Insurance**

- R. Members of the Association are required by the LP Act and regulations made under it, as a condition precedent to the issue of a required annual practising certificate, to have professional indemnity insurance:
  - (a) for at least \$1.5m inclusive of defence costs; and
  - (b) provided by an insurer approved by the Association.
- S. The Association annually approves insurers for that purpose to provide annual insurance cover on the terms of particular standard form policies.
- T. The standard form policies cover occupational liability in all Australian States and Territories.

#### **Claims Monitoring**

- U. As a condition of approval of an insurer each year, the Association requires that the insurer provide claims data to the Association, so that the Association can continue to monitor claims made against its members from time to time.
- V. The Association will establish or maintain relationships with approved insurers from time to time.
- W. The Association will report annually to the Professional Standards Councils on claims monitoring, tactics, performance measures and monitoring systems.

#### **Scheme Administration**

- X. Responsibility for administration of the Scheme and ensuring that it complies with the requirements of the PS Act and of the Professional Standards Councils rests with the Association.

#### **Duration**

- Y. It is intended for the Scheme to remain in force for a period of 5 years from its commencement unless it is revoked, extended or ceases in accordance with Section 33 of the PS Act.

#### **Operation as an interstate scheme**

- Z. The Scheme is intended to operate in a jurisdiction other than Queensland in accordance with the corresponding law to the PS Act of that jurisdiction and subject to the requirements of the corresponding law, so that references to a provision of the PS Act, the application of the Scheme to a liability, the limit of a liability under the PS Act or what constitutes occupational liability are intended to pick up the relevant provisions of the corresponding law, applied mutatis mutandis, to the extent that is necessary for the application of the Scheme in that jurisdiction as an interstate scheme.

#### THE BAR ASSOCIATION OF QUEENSLAND SCHEME

### **1. Occupational association**

- 1.1 The Bar Association of Queensland Scheme ("the Scheme") is a scheme under the PS Act.
- 1.2 The Scheme was prepared by the Association, whose business address is:  
Ground Floor, Inns of Court, 107 North Quay, Brisbane, Queensland. 4000.

## 2. Persons to Whom the Scheme Applies

- 2.1 The Scheme applies to any barrister who holds a Queensland practising certificate issued under the LP Act or regulations made under it, is a Class A Ordinary member or a Life member of the Association and is insured under an approved professional indemnity insurance policy which complies with the requirements under the LP Act and regulations made under it (or any Act replacing those requirements) and Clause 3.1 below.
- 2.2 This Scheme also applies to any person to whom it applies by the operation of ss 20, 21 or 21A of the PS Act.
- 2.3 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.
- 2.4 The Association may, upon application by a person to whom the Scheme applies, exempt that person from participation in the Scheme with effect from a date specified by the Bar Council on or after the date on which the exemption is granted.
- 2.5 The Association may, upon application by a person exempted from the Scheme under Clause 2.4, revoke such exemption with effect from a date specified by the Bar Council.

## 3. Limitation of Liability

- 3.1 If a person to whom this Scheme applies and against whom a cause of action relating to occupational liability is brought is able to satisfy the Court that:
  - (a) the person has the benefit of an insurance policy insuring the person against the occupational liability; and
  - (b) the amount payable under the insurance policy in relation to the occupational liability is at least the amount of the monetary ceiling specified in Clause 3.8 in relation to the class of person and the kind of work to which the cause of action relates;the person is not liable in damages in relation to that cause of action above the amount of that monetary ceiling. For the purposes of s 27 of the PS Act, the Scheme only affects a liability for damages arising from a single cause of action to the extent that the liability results in damages exceeding \$1,500,000.
- 3.2 For the operation of this Scheme in Queensland or in a jurisdiction other than Queensland pursuant to the PS Act, “occupational liability” in this Scheme means any civil liability arising whether in tort, contract or otherwise, directly or vicariously from anything done or omitted by a member of the Association acting in the performance of the member’s occupation and any other liability included in the meaning of “occupational liability” under the PS Act from time to time.
- 3.3 For the operation of this Scheme in a jurisdiction other than Queensland under a corresponding law of that jurisdiction, “occupational liability” means any liability included in the meaning of “occupational liability” in the corresponding law which is in force in that jurisdiction from time to time.
- 3.4 The occupational liability for which a person is not liable above the amount of the monetary ceiling is an occupational liability in relation to a cause of action founded on an act or omission that happens when the Scheme is in force in a jurisdiction to which the Scheme applies.
- 3.5 Notwithstanding Clause 3.1, for the operation of this Scheme in Queensland or in a jurisdiction other than Queensland pursuant to the PS Act the occupational liability to which this Scheme applies does not include liability to which the PS Act states, from time to time, that it does not apply.
- 3.6 Notwithstanding Clause 3.1, for the operation of this Scheme in a jurisdiction other than Queensland under a corresponding law of that jurisdiction the occupational liability to which this Scheme applies does not include liability to which the corresponding law states, from time to time, that it does not apply.
- 3.7 The Scheme is intended to apply in respect of occupational liability of a person to whom the Scheme applies arising in the jurisdictions of Queensland, New South Wales, Victoria, South Australia, Western Australia, the Australian Capital Territory, the Northern Territory and Tasmania and to apply in each of those jurisdictions from the time the Scheme commences under the PS Act or, to the extent required by a corresponding law of another jurisdiction, by the corresponding law of the relevant jurisdiction.
- 3.8 The monetary ceiling is \$1,500,000.
- 3.9 The monetary ceiling is in Australian currency.

## 4. Conferral of discretionary authority

- 4.1 The Scheme confers on the Association a discretionary authority, on application by a person to whom the Scheme applies, to specify a higher maximum amount of liability than would otherwise apply under the Scheme in relation to the person, either in all cases or in any specified case or class of case, being a specified monetary ceiling not exceeding \$50 million.

## 5. Duration

- 5.1 The Scheme will commence:
  - (a) In New South Wales, the Northern Territory, Tasmania, Western Australia, Victoria and Queensland on 1 July 2024; and
  - (b) In the Australian Capital Territory and in South Australia, on this same date, or such other later date, provided the date is specified in the relevant Minister’s notice in relation to the scheme; or,
  - (c) In all other cases, subject to the statutory provisions of each applicable jurisdiction.
- 5.2 The Scheme will remain in force for a period of 5 years from its commencement in Queensland.
- 5.3 Clause 5.2 is subject to the provisions of each jurisdiction in relation to the revocation, extension, or cessation of a scheme.

[REPUBLISHED]

On Thursday, 18 April 2024, the notice published under the *Professional Standards Act 2004*, on page 738 of the *South Australian Government Gazette* No. 28 was published without the Scheme attached. The notice should be replaced with the following:

### PROFESSIONAL STANDARDS ACT 2004

#### *The Law Society of Western Australia Professional Standards Scheme*

Pursuant to Section 14 of the *Professional Standards Act 2004*, I authorise the publication in the Gazette of the Law Society of Western Australia Professional Standards Scheme.

Pursuant to Section 15(1)(a) of the *Professional Standards Act 2004*, I specify 1 July 2024 as the date of commencement of the Law Society of Western Australia Professional Standards Scheme.

Dated: 30 May 2024

KYAM MAHER  
Attorney-General



## THE LAW SOCIETY OF WESTERN AUSTRALIA PROFESSIONAL STANDARDS SCHEME

*Professional Standards Act 1997 (WA)**Preamble*

- A. The Law Society of Western Australia Inc. (“Law Society WA”) is an occupational association for legal practitioners in Western Australia for the purposes of the *Professional Standards Act 1997 (WA)* (“the Act”).
- B. The Scheme is prepared by the Law Society WA for the purposes of limiting Occupational liability to the extent to which such liability may be limited under the Act.
- C. The Scheme applies to all Participating Members, as defined in the Scheme.
- D. The Scheme will have force in Western Australia, Victoria, New South Wales, Queensland, South Australia, the Northern Territory, Tasmania and the Australian Capital Territory. To the extent that the Scheme applies to limit liability in jurisdictions other than Western Australia, it is subject to the Professional Standards Legislation of those jurisdictions.
- E. The Law Society WA has furnished the Council with a detailed list of the risk management strategies to be implemented in respect of its Participating Members and the means by which those strategies are to be implemented.
- F. The Law Society WA has furnished the Council with details of its insurance standards and professional indemnity insurance claims monitoring process. The Law Society WA will not amend these insurance standards while the Scheme is in force without prior approval of the Council.
- G. The Law Society of WA has advised its Participating Members that they must have the benefit of a professional indemnity policy that complies with Law Society WA’s insurance standards and that they remain liable for the amount of any difference between the amounts payable to a plaintiff under the policy and the monetary ceiling specified in the Scheme.
- H. The Law Society WA has furnished the Council with details of its complaints system and discipline system.
- I. The Law Society WA and its members to whom the Scheme applies have undertaken to comply with all reporting obligations associated with the Scheme, in furtherance of the statutory objects of improvement of the occupational standards of its members, and protection of the consumers of such members’ services.
- J. The Law Society WA has undertaken to remit all fees payable under the *Professional Standards Regulations 1998 (WA)* to the Council as and when these become due.
- K. The Scheme is intended to commence on 1 July 2024 and remain in force for a period of five (5) years from its commencement, unless, prior to that time, it is revoked, its operation ceases, or it is extended.
- L. 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 a 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 LAW SOCIETY OF WESTERN AUSTRALIA SCHEME

**1. Occupational association**

- 1.1 The Law Society of Western Australia Inc. Professional Standards Scheme is a scheme under the *Professional Standards Act 1997 (WA)* (“the Act”) prepared by the Law Society of Western Australia Inc. (“Law Society of WA”) whose business address is: Level 4, 160 St Georges Terrace, Perth, Western Australia.

**2. Persons to Whom the Scheme Applies**

- 2.1 The Scheme applies to:
  - 2.1.1 All Ordinary Members and Life Members holding an Australian Practising Certificate, who are not a Corporate Legal Practitioner or a Government Legal Practitioner, and who are not exempted under Clause 2.2 of the Scheme;
  - 2.1.2 Incorporated Legal Practice Members that are not exempted under clause
- 2.2 of the Scheme; and
  - 2.1.3 All persons to whom, by virtue of Sections 31, 32 or 33 of the Act, the Scheme applies.
- 2.2 A person referred to in Clause 2.1 may, on application by that person, be exempted from the Scheme from the date specified by the Law Society WA. This clause does not apply to persons to whom the Scheme applies by virtue of Sections 31, 32 or 33 of the Act.

**3. Jurisdiction**

- 3.1 The Scheme applies in Western Australia.
- 3.2 In addition to Western Australia, the Scheme is intended to operate in New South Wales, Victoria, Queensland, South Australia, Tasmania, the Northern Territory 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.

**4. Limitation of liability**

- 4.1 The Scheme only affects the liability for damages arising from a single cause of action to the extent to which the liability results in Damages exceeding \$1.5 million.
- 4.2 If a person who is, or was, at the time of the act or omission giving rise to Occupational liability, a person to whom the Scheme applies, or applied, and against whom a proceeding relating to Occupational liability is brought, is able to satisfy the Court that such person has the benefit of an insurance policy:
  - (a) Of a kind which complies with the standards determined by the Law Society WA;
  - (b) Insuring such person against the Occupational liability to which the cause of action relates; and
  - (c) Under which the amount payable in respect of that Occupational liability is not less than the applicable monetary ceiling specified in Clause 4.3 of this Scheme;

then that person is not liable in Damages in relation to that cause of action above the monetary ceiling specified in Clause 4.3 of this Scheme.

- 4.3 The applicable monetary ceiling is to be determined according to the table below:

Tier	Description	Monetary Ceiling (Maximum amount of liability)
1	Participating Members who were at the Relevant Time in a Law Practice that generated a Total Annual Fee Income for the financial year immediately preceding the Relevant Time up to and including \$5 million	\$1.5 million
2	Participating Members who were at the Relevant Time in a Law Practice that generated a Total Annual Fee Income for the financial year immediately preceding the Relevant Time of more than \$5 million and up to \$10 million	\$5 million
3	Participating Members who were at the Relevant Time in a Law Practice that Generated a Total Annual Fee Income for the financial year immediately preceding the Relevant Time of more than \$10 million	\$10 million

- 4.4 Clause 4.2 does not limit the amount of Damages to which a person to whom the Scheme applies is liable if the amount is less than the amount specified for the purpose in this Scheme in relation to a person to whom the Scheme applies.
- 4.5 This Scheme limits the Occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the Scheme was in force of an person to whom the Scheme applied at the time the act or omission occurred.
- 4.6 Notwithstanding anything to the contrary contained in this Scheme if, in particular circumstances giving rise to Occupational liability, the liability of any person who is subject to this Scheme should be capped by both this Scheme and also by any other scheme under Professional Standards Legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and, if the amount of such caps should differ, then the higher cap shall be the applicable cap.

## 5. Conferral of discretionary authority

- 5.1 The Law Society WA has discretionary authority, on application by a person referred to in Clause 2.1, to specify in relation to that person, a higher maximum amount of liability than would otherwise apply under the Scheme in relation to that person, either in all cases or in any.

## 6. Commencement and duration

- 6.1 The Scheme will commence:
- 6.1.1 in Western Australia, New South Wales, Queensland, Tasmania, and the Northern Territory on 1 July 2024; and
- 6.1.2 in Victoria, on 1 July 2024 if the Scheme is published in the Government Gazette at least two months prior to that date; or in any other case, two months after the date the Scheme is published in the Government Gazette.
- 6.1.3 in the Australian Capital Territory and in South Australia, on this same date, or such other later date, provided the date is specified in the relevant Minister's notice in relation to the Scheme; or
- 6.1.4 in all other cases, subject to the statutory provisions of each applicable jurisdiction.
- 6.2 The Scheme will be in force in all applicable jurisdictions for a period of five (5) years from its commencement in Western Australia.
- 6.3 Clause 6.2 is subject to the provisions of the Corresponding laws in each jurisdiction in relation to the revocation, extension, or cessation of a scheme.

## 7. Definitions

- 7.1 Relevant definitions for the purpose of this Scheme are as follows:

“Act” means the *Professional Standards Act 1997* (WA).

“Australian Practising Certificate” has the same meaning as it has in the Legal Profession Uniform Law (Western Australia)<sup>1</sup>.

“Corporate Legal Practitioner” has the same meaning as it has in the Legal Profession Uniform Law (Western Australia)<sup>2</sup>.

“Corresponding laws” means the *Professional Standards Act 1994* (NSW), the *Professional Standards Act 2003* (Vic), the *Professional Standards Act 2004* (Qld), the *Professional Standards Act 2004* (SA), the *Professional Standards Act 2005* (Tas), the *Professional Standards Act 2004* (NT), and the *Civil Law (Wrongs) Act 2002* (ACT), as applicable.

“Council” means the Professional Standards Council established under Section 8(1) 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 member of the Law Society WA who is, or was, at the Relevant Time, exempted by the Law Society WA from participation in the Scheme pursuant to Clause 2.2;

“Financial Year” means a financial accounting period ending 30 June.

“Government Legal Practitioner” has the same meaning as it has in the Legal Profession Uniform Law (Western Australia)<sup>3</sup>.

“Incorporated Legal Practice Member” means an incorporated legal practice within the meaning of the Legal Profession Uniform Law (Western Australia) that is a member of the Law Society WA under Rule 15 of the Constitution of the Law Society WA, as amended from time to time<sup>4</sup>.

“Law Practice” has the same meaning as it has in the Legal Profession Uniform Law (Western Australia)<sup>5</sup>.

“Law Society WA” means the Law Society of Western Australia Inc.

“Life Member” means a person who is a Life Member of the Law Society WA within the meaning of Rule 13 of the Constitution of the Law Society WA, as amended from time to time.

“Occupational liability” has the same meaning as it has in the Act.

“Ordinary Member” means a person who is an Ordinary Member of the Law Society WA within the meaning of Rule 9 of the Constitution of the Law Society WA, as amended from time to time.

“Participating Members” means those persons specified in Clause 2.1 of the Scheme.

“Person” means an individual or a body corporate.

“Professional Standards Legislation” means the legislation applicable in each State and Territory, namely, the *Professional Standards Act 1994* (NSW), the *Professional Standards Act 2003* (Vic), the *Professional Standards Act 2004* (Qld), the *Professional Standards Act 2004* (SA), the *Professional Standards Act 2005* (Tas), the *Professional Standards Act 2004* (NT), and the *Civil Law (Wrongs) Act 2002* (ACT), as applicable.

“Relevant Time” refers to the time at which the act or omission occurs, not the time when the claim is brought.

“Scheme” means the Law Society of Western Australia Inc. Professional Standards Scheme.

“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 Participating Members.

<sup>1</sup> Refer *Legal Profession Uniform Law Application Act 2022*, Section 6.

<sup>2</sup> Refer *Legal Profession Uniform Law Application Act 2022*, Section 6.

<sup>3</sup> Refer *Legal Profession Uniform Law Application Act 2022*, Section 6.

<sup>4</sup> Refer *Legal Profession Uniform Law Application Act 2022*, Section 6.

<sup>5</sup> Refer *Legal Profession Uniform Law Application Act 2022*, Section 6.

## RETIREMENT VILLAGES ACT 2016

### SECTION 59(1)

#### *Voluntary Termination of Retirement Village Scheme*

Take notice that I, Chris Picton, Minister for Health and Wellbeing, pursuant to Section 59(1) of the *Retirement Villages Act 2016*, HEREBY TERMINATE the Barossa Village Inc—Park Ave retirement village scheme situated at 22-30 Park Avenue, Nuriootpa SA 5355 and comprising all of the land and improvements in Certificate of Title Register Book Volume 5925 Folio 360. I do so being satisfied for the purposes of Section 59(2) of the Act that there are no retirement village residents in occupation. The date of termination was 2 November 2021.

Dated: 3 June 2024

CHRIS PICTON MP  
Minister for Health and Wellbeing

## RETURN TO WORK ACT 2014

### *Industry Premium Rates Determination 2024-2025*

In accordance with the power delegated to me by the Board of the Return to Work Corporation of South Australia (‘the Corporation’) under the current Instrument of Delegation of the Corporation, I, Michael Francis, Chief Executive Officer, determine that the Industry Premium Rates for the purpose of Section 142 of the *Return to Work Act 2014* (‘the Act’) are as follows:

#### **Part 1—Preliminary Matters**

1. This determination may be cited as the *Industry Premium Rates Determination 2024-2025*.
2. The Industry Premium Rates Determination is made pursuant to subsection 142(1) of the Act and published in the Government Gazette in accordance with subsection 142(2)(a) of the Act.
3. This determination commences on 1 July 2024.
4. If before 1 July 2025, an Industry Premium Rates Determination has not been made for the 2025-2026 period, this determination will apply pending the making of such a determination.

#### **Part 2—Terms of Industry Premium Rates Determination**

1. This determination establishes the Industry Premium Rates set out in the Appendix to this determination.
2. The industry premium rate for each South Australian Industry Classification (SAIC) referred to in Column 2 of the Appendix, is fixed by the Corporation as the industry premium rate (expressed as a percentage) opposite each SAIC in Column 3 of the Appendix.
3. Any *RTWSA Premium Provisions*, *RTWSA Premium Order (Return to Work Premium System)* and *RTWSA Premium Order (Retro-Paid Loss Arrangement)* having application for the 2024-2025 premium period will be applied for the purpose of detailing how the industry premium rate is used in the premium calculation for an employer in respect of whom those Premium Orders apply.

#### **Part 3—Specified criteria for fixing Industry Premium Rates**

1. In respect of the premium rate applicable to the classes of industry, the Industry Premium Rates Determination takes into account the criteria prescribed in Regulation 56 of the *Return to Work Regulations 2015*.

I confirm that this is a true and correct record of the decision of the Corporation made in the exercise of my delegated authority.

Dated: 29 May 2024

M. FRANCIS  
Chief Executive Officer

### APPENDIX

#### *Return to Work Corporation of South Australia* *ReturnToWorkSA Industry Premium Rates 2024-2025*

Column 1	Column 2	Column 3
SAIC Code Number	Industry Description	Industry Premium Rate per \$100
<b>AGRICULTURE, FORESTRY AND FISHING</b>		
011101	Nursery Production	3.313
011301	Turf Growing	3.471
011401	Floriculture Production	3.760
012101	Mushroom Growing	3.838
012201	Vegetable Growing	3.684
013101	Grape Growing	2.707
013406	Apple, Pear, Stone Fruit, Berry Fruit, Kiwifruit and Citrus Growing	3.585
013701	Olive growing	3.972
013901	Other Fruit and Tree Nut Growing	3.494

Column 1	Column 2	Column 3
SAIC Code Number	Industry Description	Industry Premium Rate per \$100
014406	Sheep-Beef Cattle Farming	5.350
014501	Grain-Sheep or Grain-Beef Cattle Farming	3.083
014901	Other Grain Growing	3.032
015901	Other Crop Growing n.e.c.	4.660
016001	Dairy Cattle Farming	6.705
017101	Poultry Farming (Meat)	5.199
017201	Poultry Farming (Eggs)	5.285
018001	Deer Farming	5.280
019101	Horse Farming	5.401
019201	Pig Farming	6.981
019306	Beekeeping	4.692
019901	Other Livestock Farming n.e.c.	4.742
020101	Offshore Longline and Rack Aquaculture	3.030
020201	Offshore Caged Aquaculture	3.013
020301	Onshore Aquaculture	2.950
030101	Forestry	2.888
030201	Logging	5.240
041101	Rock Lobster and Crab Potting	3.273
041201	Prawn Fishing	2.805
041301	Line Fishing	4.599
041901	Other Fishing	5.250
042001	Hunting and Trapping	5.934
051001	Forestry Support Services	3.002
052201	Shearing Services	7.130
052901	Other Agriculture and Fishing Support Services	3.204
	<b>MINING</b>	
060001	Coal Mining	3.171
070001	Oil and Gas Extraction	1.932
080101	Iron Ore Mining	2.847
080201	Bauxite Mining	3.667
080301	Copper Ore Mining	1.858
080401	Gold Ore Mining	3.288
080501	Mineral Sand Mining	2.730
080601	Nickel Ore Mining	3.667
080701	Silver-Lead-Zinc Ore Mining	3.208
080901	Other Metal Ore Mining	4.119
091101	Gravel and Sand Quarrying	3.491
091901	Other Construction Material Mining	4.344
099001	Other Non-Metallic Mineral Mining and Quarrying	2.580
101101	Petroleum Exploration	4.357
101201	Mineral Exploration	1.190
109001	Other Mining Support Services	2.163
109002	Drilling and Boring Support Services	2.893
	<b>MANUFACTURING</b>	
111106	Meat Processing	7.581
111107	Livestock Processing	5.307
111201	Poultry Processing	5.366
111301	Cured Meat and Smallgoods Manufacturing	8.124
112001	Seafood Processing	3.556
113101	Milk and Cream Processing	3.601
113201	Ice Cream Manufacturing	1.466
113301	Cheese and Other Dairy Product Manufacturing	4.441
114001	Fruit and Vegetable Processing	4.216
115001	Oil and Fat Manufacturing	3.671
116101	Grain Mill Product Manufacturing	1.710
116201	Cereal, Pasta and Baking Mix Manufacturing	3.746
117101	Bread Manufacturing (Factory based)	4.512
117201	Cake and Pastry Manufacturing (Factory based)	3.189
117301	Biscuit Manufacturing (Factory based)	5.496
117401	Bakery Product Manufacturing (Non-factory based)	1.516
118101	Sugar Manufacturing	4.197
118201	Confectionery Manufacturing	4.223
119101	Potato, Corn and Other Crisp Manufacturing	4.763
119201	Prepared Animal and Bird Feed Manufacturing	4.924
119901	Other Food Product Manufacturing n.e.c.	3.947
121101	Soft Drink, Cordial and Syrup Manufacturing	2.276
121201	Beer Manufacturing	1.525
121301	Spirit Manufacturing	1.768
121401	Wine and Other Alcoholic Beverage Manufacturing	1.730

Column 1	Column 2	Column 3
SAIC Code Number	Industry Description	Industry Premium Rate per \$100
122001	Cigarette and Tobacco Product Manufacturing	4.763
131101	Wool Scouring	3.461
131201	Natural Textile Manufacturing	2.946
131301	Synthetic Textile Manufacturing	2.627
132001	Leather Tanning, Fur Dressing and Leather Product Manufacturing	2.870
133101	Textile Floor Covering Manufacturing	2.226
133201	Rope, Cordage and Twine Manufacturing	2.558
133301	Cut and Sewn Textile Product Manufacturing	3.433
133401	Textile Finishing and Other Textile Product Manufacturing	2.401
134001	Knitted Product Manufacturing	2.472
135101	Clothing Manufacturing	2.257
135201	Footwear Manufacturing	3.247
141101	Log Sawmilling	5.785
141201	Wood Chipping	3.855
141301	Timber Resawing and Dressing	7.141
149101	Prefabricated Wooden Building Manufacturing	3.918
149201	Wooden Structural Fitting and Component Manufacturing	3.646
149301	Veneer and Plywood Manufacturing	5.600
149401	Reconstituted Wood Product Manufacturing	3.074
149901	Other Wood Product Manufacturing n.e.c.	3.682
149902	Wooden Containers Manufacturing	5.556
151001	Pulp, Paper and Paperboard Manufacturing	3.633
152101	Corrugated Paperboard and Paperboard Container Manufacturing	3.851
152201	Paper Bag Manufacturing	6.074
152301	Paper Stationery Manufacturing	2.875
152401	Sanitary Paper Product Manufacturing	4.225
152901	Other Converted Paper Product Manufacturing	4.346
161106	Printing	1.313
161206	Printing Support Services	1.042
162007	Reproduction of Recorded Media	0.400
170101	Petroleum Refining and Petroleum Fuel Manufacturing	1.456
170901	Other Petroleum and Coal Product Manufacturing	2.084
181101	Industrial Gas Manufacturing	1.686
181201	Basic Organic Chemical Manufacturing	2.575
181301	Basic Inorganic Chemical Manufacturing	2.494
182101	Synthetic Resin and Synthetic Rubber Manufacturing	5.907
182901	Other Basic Polymer Manufacturing	4.503
183101	Fertiliser Manufacturing	3.550
183201	Pesticide Manufacturing	2.744
184101	Human Pharmaceutical and Medicinal Product Manufacturing	2.017
184201	Veterinary Pharmaceutical and Medicinal Product Manufacturing	2.747
185101	Cleaning Compound Manufacturing	2.507
185201	Cosmetic and Toiletry Preparation Manufacturing	1.605
189101	Photographic Chemical Product Manufacturing	2.409
189201	Explosive Manufacturing	2.836
189901	Other Basic Chemical Product Manufacturing n.e.c.	2.284
191101	Polymer Film and Sheet Packaging Material Manufacturing	3.282
191201	Rigid and Semi-Rigid Polymer Product Manufacturing	4.637
191301	Polymer Foam Product Manufacturing	4.362
191401	Tyre Manufacturing	3.898
191501	Adhesive Manufacturing	2.358
191601	Paint and Coatings Manufacturing	2.710
191602	Inks and Toners Manufacturing	0.742
191901	Other Polymer Product Manufacturing	4.975
192001	Natural Rubber Product Manufacturing	3.579
201001	Glass and Glass Product Manufacturing	3.171
202101	Clay Brick Manufacturing	3.606
202901	Other Ceramic Product Manufacturing	2.586
203101	Cement and Lime Manufacturing	1.084
203201	Plaster Product Manufacturing	5.277
203301	Ready-Mixed Concrete Manufacturing	5.163
203401	Concrete Product Manufacturing	7.210
209001	Other Non-Metallic Mineral Product Manufacturing	5.579
211001	Iron Smelting and Steel Manufacturing	3.686
212106	Iron and Steel Casting	6.593
212201	Steel Pipe and Tube Manufacturing	3.061
213106	Alumina Production	2.799
213201	Aluminium Smelting	4.083

Column 1	Column 2	Column 3
SAIC Code Number	Industry Description	Industry Premium Rate per \$100
213301	Copper, Silver, Lead and Zinc Smelting and Refining	4.531
213901	Other Basic Non-Ferrous Metal Manufacturing	6.051
214101	Non-Ferrous Metal Casting	2.862
214201	Aluminium Rolling, Drawing, Extruding	3.083
214901	Other Basic Non-Ferrous Metal Product Manufacturing	2.821
221001	Iron and Steel Forging	5.784
222101	Structural Steel Fabricating	4.298
222201	Prefabricated Metal Building Manufacturing	4.110
222301	Architectural Aluminium Product Manufacturing	4.245
222401	Metal Roof and Guttering Manufacturing (except Aluminium)	3.098
222901	Other Structural Metal Product Manufacturing	4.732
223101	Boiler, Tank and Other Heavy Gauge Metal Container Manufacturing	6.697
223901	Other Metal Container Manufacturing	2.749
224001	Sheet Metal Product Manufacturing (except Metal Structural and Container Products)	3.705
229101	Spring and Wire Product Manufacturing	4.338
229201	Nut, Bolt, Screw and Rivet Manufacturing	2.799
229301	Metal Coating and Finishing	4.522
229901	Other Fabricated Metal Product Manufacturing n.e.c.	3.101
229902	Cutlery and Hand Tool Manufacturing	10.349
231101	Motor Vehicle Manufacturing	2.912
231201	Motor Vehicle Body and Trailer Manufacturing	5.070
231301	Automotive Electrical Component Manufacturing	2.709
231901	Other Motor Vehicle Parts Manufacturing	3.338
239101	Shipbuilding and Repair Services	5.552
239102	Submarine Building and Repair Services	1.622
239201	Boatbuilding and Repair Services	4.247
239301	Railway Rolling Stock Manufacturing and Repair Services	2.761
239401	Aircraft Manufacturing and Repair Services	0.647
239901	Other Transport Equipment Manufacturing n.e.c.	2.628
241101	Photographic, Optical and Ophthalmic Equipment Manufacturing	0.500
241201	Medical and Surgical Equipment Manufacturing	1.799
241901	Other Professional and Scientific Equipment Manufacturing	0.555
242101	Computer and Electronic Office Equipment Manufacturing	0.521
242201	Communication Equipment Manufacturing	0.539
242901	Other Electronic Equipment Manufacturing	0.453
243101	Electric Cable and Wire Manufacturing	2.793
243201	Electric Lighting Equipment Manufacturing	2.209
243901	Other Electrical Equipment Manufacturing	2.516
244101	Whiteware Appliance Manufacturing	2.745
244901	Other Domestic Appliance Manufacturing	2.729
245101	Pump and Compressor Manufacturing	3.590
245201	Fixed Space Heating, Cooling and Ventilation Equipment Manufacturing	1.774
246101	Agricultural Machinery and Equipment Manufacturing	3.359
246201	Mining and Construction Machinery Manufacturing	2.772
246301	Machine Tool and Parts Manufacturing	2.594
246901	Other Specialised Machinery and Equipment Manufacturing	3.064
249101	Lifting and Material Handling Equipment Manufacturing	4.952
249901	Other Machinery and Equipment Manufacturing n.e.c.	3.198
251101	Wooden Furniture and Upholstered Seat Manufacturing	3.431
251201	Metal Furniture Manufacturing	4.437
251301	Mattress Manufacturing	4.615
251901	Other Furniture Manufacturing	3.393
259101	Jewellery and Silverware Manufacturing	1.348
259201	Toy, Sporting and Recreational Product Manufacturing	3.639
259901	Other Manufacturing n.e.c.	2.238
	<b>ELECTRICITY, GAS, WATER AND WASTE SERVICES</b>	
261101	Fossil Fuel Electricity Generation	0.676
261901	Other Electricity Generation	0.652
262001	Electricity Transmission and Distribution	0.593
264001	On Selling Electricity and Electricity Market Operation	0.576
270001	Gas Supply	0.913
281101	Water Supply	0.841
281201	Sewerage and Drainage Services	2.183
291101	Solid Waste Collection Services	5.332
291901	Other Waste Collection Services	6.042
292101	Waste Treatment and Disposal Services	5.762
292201	Waste Remediation and Materials Recovery Services	6.622

Column 1	Column 2	Column 3
SAIC Code Number	Industry Description	Industry Premium Rate per \$100
	<b>CONSTRUCTION</b>	
301101	House Construction	2.557
301901	Other Residential Building Construction	3.559
302001	Non-Residential Building Construction	2.511
310101	Heavy and Civil Engineering Construction	3.051
321101	Land Development and Subdivision	1.468
321201	Site Preparation Services	3.995
322101	Concreting Services	6.185
322201	Bricklaying Services	6.197
322301	Roofing Services	7.387
322401	Structural Steel Erection Services	5.860
323106	Plumbing Services	3.148
323206	Electrical Services	2.019
323306	Air Conditioning and Heating Services	3.602
323406	Fire and Security Alarm Installation Services	2.198
323901	Other Building Installation Services	4.178
324106	Plastering and Ceiling Services	6.065
324206	Carpentry Services	5.048
324306	Tiling and Carpeting Services	4.391
324406	Painting and Decorating Services	4.498
324506	Glazing Services	5.625
329101	Landscape Construction Services	4.108
329201	Hire of Construction Machinery with Operator	3.683
329901	Other Construction Services n.e.c.	5.224
	<b>WHOLESALE TRADE</b>	
331101	Wool Wholesaling	2.829
331201	Cereal Grain Wholesaling	3.457
331901	Other Agricultural Produce Wholesaling	2.097
331902	Other Agricultural Supply Wholesaling	0.609
332101	Petroleum Product Wholesaling	1.344
332201	Metal Wholesaling	4.113
332202	Mineral Wholesaling	1.973
332301	Industrial and Agricultural Chemical Product Wholesaling	1.449
333101	Timber Wholesaling	3.516
333201	Plumbing Goods Wholesaling	2.002
333901	Builders Hardware Goods Wholesaling	1.933
333902	Household Hardware Goods Wholesaling	1.105
341101	Agricultural and Construction Machinery Wholesaling	1.585
341901	Other Specialised Industrial Machinery and Equipment Wholesaling	1.692
349101	Professional and Scientific Goods Wholesaling	0.622
349201	Computer and Computer Peripheral Wholesaling	0.427
349301	Telecommunication Goods Wholesaling	0.723
349401	Other Electrical and Electronic Goods Wholesaling	0.766
349402	Photographic Equipment Wholesaling	0.400
349901	Other Machinery and Equipment Wholesaling n.e.c.	1.318
350101	Car Wholesaling	1.387
350201	Commercial Vehicle Wholesaling	2.186
350301	Trailer and Other Motor Vehicle Wholesaling	2.095
350401	Motor Vehicle New Parts Wholesaling	2.372
350501	Motor Vehicle Dismantling and Used Parts Wholesaling	2.717
360101	General Line Grocery Wholesaling	2.962
360201	Meat Wholesaling	5.629
360202	Poultry and Smallgoods Wholesaling	2.217
360301	Dairy Produce Wholesaling	2.833
360302	Milk Vending	4.574
360401	Fish and Seafood Wholesaling	2.948
360501	Fruit and Vegetable Wholesaling	4.399
360601	Liquor and Tobacco Product Wholesaling	1.352
360901	Other Grocery Wholesaling	3.289
360902	Confectionery and Soft Drink Wholesaling	2.165
371101	Textile Product Wholesaling	0.863
371201	Clothing and Footwear Wholesaling	0.447
372001	Pharmaceutical and Toiletry Goods Wholesaling	0.876
373101	Furniture and Floor Covering Wholesaling	1.317
373201	Jewellery and Watch Wholesaling	0.869
373301	Kitchen and Dining ware Wholesaling	1.115
373401	Toy and Sporting Goods Wholesaling	1.108
373501	Book and Magazine Wholesaling	1.284

Column 1	Column 2	Column 3
SAIC Code Number	Industry Description	Industry Premium Rate per \$100
373601	Paper Product Wholesaling	1.443
373901	Other Goods Wholesaling n.e.c.	1.532
380001	Commission-Based Wholesaling	1.491
380002	Wholesaling goods not physically handling any stock	0.727
	<b>RETAIL TRADE</b>	
391101	Car Retailing	1.623
391201	Motor Cycle Retailing	1.591
391301	Trailer and Other Motor Vehicle Retailing	1.871
392101	Motor Vehicle Parts Retailing	1.446
392201	Tyre Retailing	3.733
400001	Fuel Retailing	2.650
411001	Supermarket and Grocery Stores	1.873
412102	Fresh Fish Retailing	1.374
412106	Fresh Meat and Poultry Retailing	3.256
412206	Fruit and Vegetable Retailing	1.668
412301	Liquor Retailing	1.383
412901	Other Specialised Food Retailing	1.563
421101	Furniture Retailing	3.031
421201	Floor Coverings Retailing	2.112
421301	Housewares Retailing	1.704
421401	Manchester and Other Textile Goods Retailing	3.035
422101	Electrical, Electronic and Gas Appliance Retailing	1.269
422102	Photographic Equipment Retailing	0.506
422201	Computer and Computer Peripheral Retailing	1.222
422901	Other Electrical and Electronic Goods Retailing	1.531
423106	Hardware and Building Supplies Retailing	1.962
423206	Garden Supplies Retailing	2.510
424106	Sport and Camping Equipment Retailing	0.775
424206	Entertainment Media and Musical Instrument Retailing	0.443
424306	Toy and Game Retailing	0.400
424406	Newspaper and Book Retailing	0.988
424506	Marine Equipment Retailing	1.503
425101	Clothing Retailing	1.444
425201	Footwear Retailing	0.922
425301	Watch and Jewellery Retailing	0.753
425901	Other Personal Accessory Retailing	1.295
426001	Department Stores	1.764
426002	General Variety Stores	2.492
427101	Pharmaceutical, Cosmetic and Toiletry Goods Retailing	0.953
427201	Stationery Goods Retailing	0.916
427301	Antique and Used Goods Retailing	3.626
427302	Coin and stamp dealing	0.400
427401	Flower Retailing	2.633
427901	Other Store-Based Retailing n.e.c.	1.208
427902	Tobacco Products Retailing	2.001
431001	Non-Store Retailing	0.792
432001	Retail Commission-Based Buying and/or Selling	0.767
	<b>ACCOMMODATION AND FOOD SERVICES</b>	
440001	Accommodation	2.170
451101	Cafes and Restaurants	1.834
451201	Takeaway Food Services	1.184
451301	Catering Services	2.998
452001	Pubs, Taverns and Bars	2.170
453001	Clubs (Hospitality)	2.601
	<b>TRANSPORT, POSTAL AND WAREHOUSING</b>	
461001	Road Freight Transport	7.513
461002	Towing Services	4.957
462101	Interurban and Rural Bus Transport	3.734
462201	Urban Bus Transport (Including Tramway)	2.548
462301	Taxi and Other Road Transport	3.566
471006	Rail Freight Transport	1.678
472001	Rail Passenger Transport	2.585
481001	Water Freight Transport	3.639
482001	Water Passenger Transport	2.816
490001	Scheduled Air and Space Transport	1.543
490002	Non-Scheduled Air and Space Transport	1.101
501001	Scenic and Sightseeing Transport	2.921
502101	Pipeline Transport	0.987



Column 1	Column 2	Column 3
SAIC Code Number	Industry Description	Industry Premium Rate per \$100
502901	Other Transport n.e.c.	1.135
510101	Postal Services	1.408
510201	Courier Pick-up and Delivery Services	6.011
521101	Stevedoring Services	4.774
521201	Port and Water Transport Terminal Operations	3.467
521901	Other Water Transport Support Services	1.695
522001	Airport Operations and Other Air Transport Support Services	0.482
529101	Customs Agency Services	0.902
529201	Freight Forwarding Services	2.136
529202	Freight Forwarding Services - not physically handling any stock	0.400
529206	Freight Forwarding Services (Water)	1.579
529901	Other Transport Support Services n.e.c.	2.761
529902	Radio Base Operation	1.781
530101	Grain Storage Services	3.073
530906	Other Warehousing and Storage Services	3.582
530907	Cold Storage	6.839
<b>INFORMATION MEDIA AND TELECOMMUNICATIONS</b>		
541101	Newspaper Publishing	0.788
541201	Magazine and Other Periodical Publishing	0.758
541301	Book Publishing	0.797
541401	Directory and Mailing List Publishing	0.826
541901	Other Publishing (except Software, Music and Internet)	0.779
542001	Software Publishing	0.400
551101	Motion Picture and Video Production	0.825
551201	Motion Picture and Video Distribution	0.622
551301	Motion Picture Exhibition	1.324
551401	Post-production Services and Other Motion Picture and Video Activities	0.689
552101	Music Publishing	0.811
552201	Music and Other Sound Recording Activities	0.400
561001	Radio Broadcasting	0.400
562101	Free-to-Air Television Broadcasting	0.449
562201	Cable and Other Subscription Broadcasting	0.455
570001	Internet Publishing and Broadcasting	0.869
580106	Wired Telecommunications Network Operation	0.651
580206	Other Telecommunications Network Operation	0.636
580901	Other Telecommunications Services	0.630
591001	Internet Service Providers and Web Search Portals	0.648
592101	Data Processing and Web Hosting Services	0.421
592201	Electronic Information Storage Services	0.947
601001	Libraries and Archives	0.400
602001	Other Information Services	0.401
<b>FINANCIAL AND INSURANCE SERVICES</b>		
621001	Central Banking	0.449
622101	Banking	0.453
622201	Building Society Operation	0.400
622301	Credit Union Operation	0.436
622901	Other Depository Financial Intermediation	0.400
623001	Non-Depository Financing	0.400
624006	Financial Asset Investing	0.400
631006	Life Insurance	0.400
632101	Health Insurance	0.567
632206	General Insurance	0.482
633001	Superannuation Funds	0.400
641101	Financial Asset Broking Services	0.400
641901	Other Auxiliary Finance and Investment Services	0.400
642001	Auxiliary Insurance Services	0.482
<b>RENTAL, HIRING AND REAL ESTATE SERVICES</b>		
661101	Passenger Car Rental and Hiring	1.431
661901	Other Motor Vehicle and Transport Equipment Rental and Hiring	1.632
662001	Farm Animal and Bloodstock Leasing	3.137
663101	Heavy Machinery and Scaffolding Rental and Hiring	2.877
663201	Video and Other Electronic Media Rental and Hiring	0.893
663901	Other Goods and Equipment Rental and Hiring n.e.c.	3.475
663902	Party Hire	5.365
664001	Non-Financial Intangible Assets (Except Copyrights) Leasing	0.400
671101	Residential Property Operators	1.685
671201	Non-Residential Property Operators	1.325

Column 1	Column 2	Column 3
SAIC Code Number	Industry Description	Industry Premium Rate per \$100
672001	Real Estate Services	0.482
	<b>PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES</b>	
691001	Scientific Research Services	0.400
692101	Architectural Services	0.400
692201	Surveying and Mapping Services	0.901
692301	Engineering Design and Engineering Consulting Services	0.400
692401	Other Specialised Design Services	0.400
692501	Scientific Testing and Analysis Services	0.534
693101	Legal Services	0.507
693201	Accounting Services	0.400
694001	Advertising Services	0.443
695001	Market Research and Statistical Services	0.426
696101	Corporate Head Office Management Services	0.443
696201	Management Advice and Related Consulting Services	0.400
697001	Veterinary Services	1.151
699101	Professional Photographic Services	1.459
699901	Other Professional, Scientific and Technical Services n.e.c.	0.455
700001	Computer System Design and Related Services	0.400
	<b>ADMINISTRATIVE AND SUPPORT SERVICES</b>	
721101	Employment Placement and Recruitment Services	1.786
721201	Labour Supply Services	0.690
721202	Employment Programs	2.386
722001	Travel Agency and Tour Arrangement Services	0.458
729101	Office Administrative Services	0.442
729201	Document Preparation Services	1.243
729301	Credit Reporting and Debt Collection Services	0.746
729401	Call Centre Operation	0.807
729901	Other Administrative Services n.e.c.	0.726
731101	Building and Other Industrial Cleaning Services	4.825
731201	Building Pest Control Services	4.293
731301	Gardening Services	3.759
731302	Tree Lopping and Arborist Services	7.345
732001	Packaging Services	2.545
	<b>PUBLIC ADMINISTRATION AND SAFETY</b>	
751001	Central Government Administration	0.453
752001	State Government Administration	0.454
753001	Local Government Administration	2.486
754001	Justice	0.635
755101	Domestic Government Representation	0.502
755201	Foreign Government Representation	0.502
760001	Defence	2.949
771101	Police Services	2.097
771201	Investigation and Security Services	4.219
771202	Security Support Services	2.102
771301	Fire Protection and Other Emergency Services	3.622
771401	Correctional and Detention Services	3.605
771901	Other Public Order and Safety Services	4.279
772001	Regulatory Services	0.559
	<b>EDUCATION AND TRAINING</b>	
801001	Preschool Education	1.488
802101	Primary Education	0.828
802201	Secondary Education	0.816
802301	Combined Primary and Secondary Education	0.892
802401	Special School Education	1.811
810101	Technical and Vocational Education and Training	1.474
810201	Higher Education	0.560
821101	Sports and Physical Recreation Instruction	1.397
821201	Arts Education	1.423
821901	Adult, Community and Other Education n.e.c.	1.348
822001	Educational Support Services	1.368
	<b>HEALTHCARE AND SOCIAL ASSISTANCE</b>	
840101	Hospitals (Except Psychiatric Hospitals)	2.180
840201	Psychiatric Hospitals	1.820
851101	General Practice Medical Services	0.465
851201	Specialist Medical Services	0.400
852001	Pathology Services	1.458
852002	Diagnostic Imaging Services	0.410

Column 1	Column 2	Column 3
SAIC Code Number	Industry Description	Industry Premium Rate per \$100
853101	Dental Services	0.458
853201	Optometry, Optical Dispensing and Audiology Services	0.461
853301	Physiotherapy Services	0.623
853401	Chiropractic and Osteopathic Services	0.400
853901	Other Allied Health Services	0.888
853902	Nursing Services (own account)	3.080
859101	Ambulance Services	3.031
859901	Other Health Care Services n.e.c.	1.029
859902	Community Health Centres (Medical)	2.096
859903	Community Health Centres (Paramedical)	3.840
860101	Aged Care Residential Services	3.667
860901	Other Residential Care Services	4.480
871001	Child Care Services	2.062
879001	Other Social Assistance Services	2.795
	<b>ARTS AND RECREATION SERVICES</b>	
891001	Museum Operation	1.679
892101	Zoological and Botanical Gardens Operation	3.222
892201	Nature Reserves and Conservation Parks Operation	3.058
900101	Performing Arts Operation	2.326
900201	Creative Artists, Musicians, Writers and Performers	0.405
900301	Performing Arts Venue Operation	1.685
911101	Health and Fitness Centres and Gymnasia Operation	1.389
911201	Sports and Physical Recreation Clubs and Sports Professionals	1.377
911202	Thoroughbred Horse Racing	23.345
911301	Sports and Physical Recreation Venues, Grounds and Facilities Operation	1.519
911401	Sports and Physical Recreation Administrative Service	0.897
912101	Horse and Dog Racing Administration and Track Operation	1.763
912901	Other Horse Racing Activities	10.04
912902	Other Dog Racing Activities	1.489
913106	Amusement Parks and Centres Operation	1.790
913901	Amusement and Other Recreational Activities n.e.c.	1.722
920101	Casino Operation	1.683
920201	Lottery Operation	0.815
920901	Other Gambling Activities	0.732
	<b>OTHER SERVICES</b>	
941101	Automotive Electrical Services	2.191
941201	Automotive Body, Paint and Interior Repair	3.550
941203	Automotive Glass Replacement and Repair Services	1.953
941901	Other Automotive Repair and Maintenance	2.737
942101	Domestic Appliance Repair and Maintenance	2.312
942201	Electronic (except Domestic Appliance) and Precision Equipment Repair and Maintenance	0.645
942901	Other Machinery and Equipment Repair and Maintenance	2.517
942902	Agricultural, Farm, Construction and Earthmoving Machinery and Equipment Repair and Maintenance	1.496
949101	Clothing and Footwear Repair	1.139
949901	Other Repair and Maintenance n.e.c.	2.264
951101	Hairdressing and Beauty Services	1.274
951201	Diet and Weight Reduction Centre Operation	2.539
952001	Funeral Services	2.058
952002	Crematorium and Cemetery Services	5.701
953101	Commercial Laundries and Linen Hire Services	5.839
953102	Laundrettes and Dry-Cleaners	3.349
953201	Photographic Film Processing	0.908
953301	Parking Services	2.768
953401	Brothel Keeping and Prostitution Services	1.790
953901	Other Personal Services n.e.c.	1.756
953902	Pet Care Services	4.211
954001	Religious Services	0.852
955101	Business and Professional Association Services	0.734
955201	Labour Association Services	1.136
955901	Other Interest Group Services n.e.c.	1.855
955902	Political Parties	0.400
960101	Private Households Employing Staff	3.109
	<b>NON-CLASSIFIABLE</b>	
990001	Non-Classifiable Economic Unit	23.345

## RETURN TO WORK ACT 2014

*Publication of Designated Manners and Forms Notice 2024**Preamble*

Subsection 4(15) of the *Return to Work Act 2014* (“the Act”) provides that the Return to Work Corporation of South Australia (“the Corporation”) may, by notice in the Gazette, designate manners and forms for the purposes of the Act.

In accordance with the power delegated to me by the Corporation under the current Instrument of Delegation of the Corporation, I, Michael Francis, Chief Executive Officer, designate pursuant to the sections of the Act specified herein the forms by which information is to be provided by an employer.

**Part 1—Preliminary Matters**

1. This notice may be cited as the Publication of Designated Manners and Forms Notice 2024.

**Part 2—Designated Forms***2. Employer remuneration return*

Pursuant to subsection 149(1) of the Act, I give notice that the form at Attachment 1 is the designated form for the purpose of that subsection in respect of a return required at the beginning of the 2024-25 premium period.

This form will come into effect on 1 July 2024, and supersedes only the form designated under subsection 149(1) of the Act previously published in the Government Gazette No. 36 dated 1 June 2023.

**Part 3—Designated Manners**

3. Employers may supply the information required in the form designated in Clause 2 of this Notice titled ‘Employer remuneration return’ in the following designated manners:
  - 3.1. by post
  - 3.2. by phone
  - 3.3. by email
  - 3.4. by lodging via ReturntoWorkSA’s website
4. The information shall be deemed to have been provided if one of the designated manners in Clause 3 of this Part is used.
5. No signature is required for the purposes of Clause 3.2, 3.3 and 3.4 of this Part.

I confirm that this is a true and correct record of the decision of the Corporation made in the exercise of my delegated authority.

Dated: 29 May 2024

M. FRANCIS  
Chief Executive Officer



**Labour hire**

Please fill in details of all businesses (**labour hire suppliers**) who have supplied labour to you during the 2023-24 financial year.  
**You can ensure your labour suppliers are registered with ReturnToWorkSA by using our employer lookup at [www.rtwsa.com](http://www.rtwsa.com).**

Labour supply business name	ABN	Total contract amount paid during 2023-24
<input type="text"/>	<input type="text"/>	\$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> .00
<input type="text"/>	<input type="text"/>	\$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> .00

If more, attach list.

**! Premium calculation – choice**

If you would like us to calculate your premium for the 2024-25 financial year based on the actual remuneration you paid your workers in the 2023-24 financial year, **you do not need to provide any further information. Go to SECTION C – DECLARATION to finalise your return.**

Benefits of this option:

- ReturnToWorkSA will not adjust your premium at the end of the financial year – there is no extra bill or refund, providing you with certainty of your insurance costs.

If you would like us to calculate your premium for the 2024-25 financial year based on the estimated remuneration you expect will be payable to your workers during the 2023-24 financial year, **you must complete both SECTION B – ESTIMATED REMUNERATION and SECTION C – DECLARATION.**

- if you choose this option, ReturnToWorkSA will adjust your premium at the end of the financial year when your actual remuneration is known – you will receive an additional bill or a refund.

**SECTION B – Estimated remuneration**

**! ONLY COMPLETE THIS SECTION IF YOU WOULD LIKE YOUR PREMIUM FOR THE 2024-25 FINANCIAL YEAR CALCULATED USING ESTIMATED REMUNERATION.**

Please provide the estimated remuneration that you expect will be payable to your workers during the 2024-25 financial year. If you have more than one location, you must provide a separate return for each location.

<b>Section 1 – All workers</b> (include superannuation, working directors and apprentices)	Estimated remuneration \$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> .00
<b>Section 2 – Apprentices</b> (see note below)	\$ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> .00

*Please note* – only complete Section 2 if you employ or expect to employ during the 2024-25 financial year:

- an apprentice who was trained under an approved training contract in an occupation declared to be a ‘trade’ under section 6 of the *South Australian Skills Act 2008* (or former Act); or
- **Group Training Organisations only** – a trainee who was trained under an approved training contract (with a group training organisation) in an occupation which is a declared ‘vocation’ under section 6 of the *South Australian Skills Act 2008* (or former Act)

**SECTION C – Declaration**

I have included all relevant items of remuneration such as wages (including the wages of working directors), superannuation payments, salary sacrifice amounts, non-cash components of remuneration and payments to subcontractors as deemed workers. I hereby declare that:

- the information in this return is true and complete in every respect; and
- all workers have been paid the correct wages and entitlements in accordance with law.

I have documents which verify that such payments were made, as well as documents to support the employment of apprentices or trainees with a group training organisation and remuneration paid to them.

I understand that ReturnToWorkSA relies upon this return to calculate premiums under the *Return to Work Act 2014* (the Act) and I may be liable for a fine of \$50,000 or imprisonment for 2 years for dishonestly giving a return under the Act knowing the return to be false or misleading.

For assistance please refer to the Remuneration guide on the ReturnToWorkSA website [www.rtwsa.com](http://www.rtwsa.com).

**I declare that the information I have given on this form is complete and correct in every respect to the best of my knowledge and belief.**

Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Signature of employer, public officer or authorised person	Name (BLOCK LETTERS)
	Position/title
	Organisation
	Phone

Provide your completed form to ReturnToWorkSA by: **Post** 400 King William Street, Adelaide SA 5000 or **GPO** Box 2668, Adelaide SA 5001

**Fax** (08) 8233 2990 **Email** [premium@rtwsa.com](mailto:premium@rtwsa.com) **Phone** 13 18 55 **Visit our website** [www.rtwsa.com](http://www.rtwsa.com)

## RETURN TO WORK ACT 2014

*RTWSA Premium Order (Retro-Paid Loss Arrangement) 2024-2025*

The Board of the Return to Work Corporation of South Australia ('the Corporation') after consultation with the Minister publishes the principles fixing the manner in which a premium payable by an employer (or person who proposes to become an employer) will be calculated for the purposes of Section 143 of the *Return to Work Act 2014* ('the Act'), referred to as the 'RTWSA Premium Order (Retro Paid Loss Arrangement) 2024-2025' ('this Order').

This Order fixes the manner in which such a premium is to be calculated for the Retro-Paid Loss Arrangement authorised under subsection 143(7)(e) of the Act for the period beginning 1 July 2024 to and including 30 June 2025.

**Part 1—Preliminary Matters**

1. This Order is the RTWSA Premium Order (Retro-Paid Loss Arrangement) 2024-2025 published pursuant to subsection 143(3) of the Act.
2. This Order takes effect on 1 July 2024.

**Part 2—Application**

3. This Order applies to employers who, in accordance with subsection 143(7)(e) of the Act, on application and at the discretion of the Corporation, satisfy specified criteria so as to pay a premium determined according to an alternative set of principles. The Corporation delegates to its Chief Executive Officer the function and power to specify such criteria.
4. In accordance with subsection 143(7)(e) of the Act and as determined in Part 7 of the RTWSA Premium Order (Return to Work Premium System) 2024-2025 this Order fixes such an alternative set of principles for calculating premiums (to be known as the Retro-Paid Loss Arrangement premium calculation).
5. If, before 1 July 2025, a RTWSA Premium Order (Retro-Paid Loss Arrangement) has not been made for the 2025-2026 period (or such further period thereafter), this Order continues to apply pending the making of such an order.
6. The terms and conditions in the RTWSA Premium Provisions 2024-2025 apply to, and in respect of, a Retro-Paid Loss Arrangement unless this Order provides otherwise.
7. In this Order, words and expressions have the same meaning as they have in the RTWSA Premium Provisions 2024-2025, unless this Order provides otherwise.

**Part 3—Retro-Paid Loss Arrangement premium calculation**

8. The Retro-Paid Loss Arrangement premium calculated at the commencement of the premium period is the initial premium, determined in accordance with Part 6 of this Order.
9. The Retro-Paid Loss Arrangement premium is then recalculated at each adjustment date as the adjusted premium, determined in accordance with Part 6 of this Order.

**Part 4—Returns and payment terms**

10. Any initial premium will be payable in accordance with the provisions in the then current Payment of Statutory Payments Notice.
11. Any adjusted premium is to be paid in full on the date specified on the adjustment note.

**Part 5—Adjustment dates**

12. In this Order:
  - 12.1 adjustment date, in relation to the Retro-Paid Loss Arrangement, means each of the following dates:
    - (a) the date that is 15 months after the date of the commencement of the premium period (the first adjustment date),
    - (b) the date that is 27 months after the date of the commencement of the premium period (the second adjustment date),
    - (c) the date that is 39 months after the date of the commencement of the premium period (the third adjustment date),
    - (d) the date that is 48 months after the date of the commencement of the premium period (the fourth adjustment date).

**Part 6—Calculation of initial premium and adjusted premium**

13. The method for calculating the premium for an employer or group of employers:
  - 13.1 at the commencement of the premium period, the premium (initial premium) is calculated as defined in the RTWSA Premium Order (RTW Premium System) 2024-2025, but where, in calculating base premium, 'ra, rb...rn' are each part of the total remuneration in respect of the 2024-2025 premium period, being a part of the total remuneration attributable to each of the employer's relevant SAICs.
  - 13.2 at the 15 month adjustment date, the premium (adjusted premium) is as follows:
 
$$P = (BP - A) \times 0.6 + C + SUR + GST + WHS$$
 but not more than  $P_{max}$ .
  - 13.3 at the 27 month adjustment date, the premium (adjusted premium) is as follows:
 
$$P = (BP - A) \times 0.5 + C + SUR + GST + WHS$$
 but not more than  $P_{max}$ .
  - 13.4 at the 39 month adjustment date, the premium (adjusted premium) is as follows:
 
$$P = (BP - A) \times 0.4 + C + SUR + GST + WHS$$
 but not more than  $P_{max}$ .
  - 13.5 at the 48 month adjustment date, the premium (adjusted premium) is as follows:
 
$$P = (BP - A) \times 0.4 + C + SUR + GST + WHS$$
 but not more than  $P_{max}$ .

Where:

**BP** is the base premium calculated in accordance with Part 4 of the RTWSA Premium Provisions 2024-2025 but where 'ra, rb...rn' are each part of the total remuneration in respect of the 2024-2025 premium period, being a part of the total remuneration attributable to each of the employer's relevant SAICs.

**A** is the Apprentice and Trainee incentive amount, if any, for an employer or group of employers determined with respect to the premium period or part thereof in accordance with Part 5 of the RTWSA Premium Provisions 2024-2025.

**SUR** is the Supplementary Underwriting Rate being a premium adjustment (either a decrease or an increase) to allow the premium of an employer, within a particular category or class, to be adjusted. Any adjustment is at the discretion of the Corporation and subject to the claims experience and a specific risk assessment of the employer by the Corporation.

**GST** is the Goods and Services Tax as defined in Part 2 of the RTWSA Premium Provisions 2024-2025.

**WHS** is the work health and safety registration fee as defined in accordance with Part 2 of the RTWSA Premium Provisions 2024-2025.

**P** is the adjusted premium for the time being payable by an employer or group of employers in respect of the premium period (including, where adjustments are required to be made to that premium by reason of the operation of this Order, the premium so payable by reason of those adjustments).

**C** is the total of the cost of claims for an employer or group of employers as defined in Part 8 of this Order in respect of claims with a date of injury in the premium period. For this purpose date of injury is the date the person suffered the injury, or the deemed date of injury under the Act.

**P<sub>max</sub>** is the maximum premium that is payable by an employer or group of employers calculated in accordance with Part 7 of this Order.

14. The method to apportion adjusted premium for each member of a group at each adjustment date (the adjusted premium) is as follows:

$$P_E = \frac{P \times BP - A}{BP_G - A_G}$$

Where:

**P<sub>E</sub>** is the premium for the time being payable by an employer who is a member of a group in respect of the premium period calculated in accordance with 13.2, 13.3, 13.4 and 13.5 of Part 6 of this Order (including, where adjustments are required to be made to that premium by reason of the operation of this Order, the premium so payable by reason of those adjustments).

**BP** is the base premium for an employer that is a member of a group calculated in accordance with Part 4 of the RTWSA Premium Provisions 2024-2025, but where 'ra, rb...rn' are each part of the total remuneration in respect of the 2024-2025 premium period, being a part of the total remuneration attributable to each of the employer's relevant SAICs.

**A** is the Apprentice and Trainee incentive amount, if any, for an employer determined with respect to the premium period or part thereof in accordance with Part 5 of the RTWSA Premium Provisions 2024-2025.

**BP<sub>G</sub>** is the sum of the BP for all the members of a group of which the employer is a member.

**A<sub>G</sub>** is the sum of A for all members of a group of which the employer is a member.

#### **Part 7—Maximum and minimum premium payable**

15. For the purposes of this Order, the maximum premium (P<sub>max</sub>) that is payable by an employer or group of employers in respect of the premium period is calculated as follows:

$$P_{max} = [(BP \times 2) - A] + SUR + GST + WHS$$

16. Despite any other provision of this Order, an initial premium or an adjusted premium is to be no less than the minimum premium specified in the RTWSA Premium Provisions 2024-2025.

#### **Part 8—Cost of claims**

17. Cost of claims means the total of:

- 17.1 costs paid on, and in respect of, each claim for compensation allocated to a particular employer (irrespective of whether the claim for compensation was withdrawn by the worker, accepted or rejected); and
- 17.2 for claims in which a worker has or is expected to have an entitlement for a lump sum payment in accordance with Part 4 Division 6 and/or Part 4 Division 7 of the Act where the payment has not been made, the cost of claims will include an estimate assessed by the Corporation of the outstanding liability for expected lump sum payment(s); and
- 17.3 for claims in which a worker is a seriously injured worker (as defined in Part 2 Division 4 of the Act), the current and most accurate estimate assessed by the Corporation of the outstanding liability for each claim.

18. The costs of each claim are the total costs for the claim, as described in Clause 17 of this Part, based on the evidence available at the time of the relevant adjustment date.

19. Excluded from the costs of each claim are:

- 19.1 Costs associated with claims for unrepresentative injuries,
- 19.2 Costs associated with successfully prosecuted fraudulent claims,
- 19.3 Actual recoveries for compulsory third party and common law actions under Section 66 of the Act,
- 19.4 the amount of income support paid in the first two weeks of a worker's incapacity where the Corporation has undertaken the liability of the employer in accordance with subsection 64(14) of the Act, and
- 19.5 Claims costs in excess of \$500,000.

20. But, in any case where a single event leads to 3 or more individual claims, the maximum total combined costs of all those claims in relation to that event will not exceed \$1,000,000.

#### **Part 9—Exit to Self-Insurance**

21. If an employer to whom this Order applies is registered as a self-insured employer under Section 129 of the Act:

- 21.1 within 15 months from the commencement of the premium period, premium will be calculated in accordance with Clause of 13.1 of Part 6 of this Order; or
- 21.2 on or after 15 months and prior to 48 months from the commencement of the premium period, then adjusted premium will be payable within 28 days of commencement of the self-insurance registration. The calculation of adjusted premium will be based on the balance of all premium that would have been payable under Part 6 of this Order, by applying the adjustment formula applicable immediately prior to commencement of the self-insurance registration with C (in that formula). This will be calculated as at the date immediately prior to commencement of the self-insurance registration.

I confirm that this is a true and correct record of the decision of the Board of the Corporation made on the 23<sup>rd</sup> day of April 2024.

Dated 23 April 2024

G. MCCARTHY  
Board Chair



## RETURN TO WORK ACT 2014

*RTWSA Premium Order (Return to Work Premium System) 2024-2025*

The Board of the Return to Work Corporation of South Australia ('the Corporation') after consultation with the Minister publishes the principles fixing the manner in which a premium payable by an employer (or person who proposes to become an employer) will be calculated for the purposes of Section 143 of the *Return to Work Act 2014* ('the Act'), referred to as the 'RTWSA Premium Order (Return to Work Premium System) 2024-2025' ('this Order'). This Order fixes the manner in which such a premium is to be calculated so as to take effect on 1 July 2024 and up to and including 30 June 2025.

**Part 1—Preliminary Matters**

This Order is the RTWSA Premium Order (Return to Work Premium System) 2024-2025 published pursuant to subsection 143(3) of the Act and takes effect on 1 July 2024.

**Part 2—Application**

1. This Order applies to all employers other than a newly registered employer in the circumstance described in Clause 2 or unless another Order applies.
2. A newly registered employer, who commenced to be an employer after 1 July 2023 and who employed workers after 1 July 2023, who is not subject to the transfer of business provisions in Section 160 of the Act, will have their premium calculated in accordance with Part 6 of the RTWSA Premium Provisions 2024-2025 until that employer has experienced a full premium period.
3. If before 1 July 2025, a RTWSA Premium Order (Return to Work Premium System) has not been made for the 2025-2026 period, this Order continues to apply pending the making of such an Order.
4. The terms and conditions in the RTWSA Premium Provisions 2024-2025 apply unless this Order provides otherwise.
5. In this Order, words and expressions have the same meaning as they have in the RTWSA Premium Provisions 2024-2025, unless this Order provides otherwise.

**Part 3—Calculation of premium payable by an employer**

6. The premium payable by an employer for a premium period, or part thereof, is to be calculated by the following formula:

$$P = BP \times (1 - D) + C^* - A + SUR + GST + WHS$$

\* C is subject to a maximum of  $3 \times D \times BP$

Where:

**P** is the total premium

**D** is the base premium discount factor calculated in accordance with Part 4 of this Order

**BP** is the base premium calculated in accordance with Part 4 of the RTWSA Premium Provisions 2024-2025

**C** is the cost of claims calculated in accordance with Part 5 of this Order

**A** is the Apprentice and Trainee incentive amount, if any, for an employer determined with respect to the premium period or part thereof in accordance with Part 5 of the RTWSA Premium Provisions 2024-2025

**SUR** is the Supplementary Underwriting Rate being a premium adjustment (either a decrease or an increase) to allow the premium of an employer, within a particular category or class, to be adjusted. Any adjustment is at the discretion of the Corporation and subject to the claims experience and a specific risk assessment of the employer by the Corporation.

**GST** is the Goods and Services Tax as defined in Part 2 of the RTWSA Premium Provisions 2024-2025

**WHS** is the work health and safety registration fee as defined in Part 2 of the RTWSA Premium Provisions 2024-2025

**Part 4—Base premium discount factor**

7. The base premium discount factor (D) for an employer is as follows:
  - 7.1. Where the employer's annualised Base Premium is less than \$10,000, the premium discount factor is 0.05.
  - 7.2. Where the employer's annualised Base Premium is or exceeds \$10,000 and is less than \$50,000, the premium discount factor is 0.1.
  - 7.3. Where the employer's annualised Base Premium is or exceeds \$50,000 and is less than \$100,000, the premium discount factor is 0.15.
  - 7.4. Where the employer's annualised Base Premium is or exceeds \$100,000 and is less than \$500,000, the premium discount factor is 0.2.
  - 7.5. Where the employer's annualised Base Premium is or exceeds \$500,000 and is less than \$1,000,000, the premium discount factor is 0.25.
  - 7.6. Where the employer's annualised Base Premium is or exceeds \$1,000,000 the premium discount factor is 0.30.

**Part 5—Cost of claims**

8. Cost of claims means income support payments, where:
  - 8.1. payments were made in the financial year preceding the premium period to which the premium applies, and
  - 8.2. the payments were paid with respect to claims with a date of injury in the three financial years preceding the commencement of the premium period to which the premium applies, but excluding:
    - 8.2.1. the amount of income support paid in the first two weeks of a worker's incapacity where the Corporation has undertaken the liability of the employer in accordance with subsection 64(14) of the Act, and
    - 8.2.2. the income support payments paid in respect of claims arising from an unrepresentative injury as defined by Section 4 of the Act, and
    - 8.2.3. the income support payments associated with successfully prosecuted fraudulent claims.

**Part 6—Group Training Organisation arrangement**

9. Where an employer is registered with the South Australian Government as meeting the National Standards for Group Training Organisations in the relevant premium period, the premium (P) will be calculated in accordance with the following formula:

$$P = BP - A + SUR + GST + WHS$$

10. This arrangement shall only apply if the employer has registered and obtained a separate employer number with ReturnToWorkSA for the purpose of reporting apprentice and trainee remuneration.

**Part 7—Alternative set of Principles (Retro Paid Loss Arrangement)**

11. For the purposes of Section 143(7)(e) of the Act, the RTWSA Premium Order (Retro-Paid Loss Arrangement) 2024-2025 is an alternative set of principles for the payment of premium for an employer or employers.

**Part 8—Provision of a deposit, bond or guarantee or other security**

12. As permitted by Section 143(7) of the Act the Corporation will be entitled, in its discretion, to require any employer within a class set out below to provide security for the due payment of premium or other money due to the Corporation. Such security may, at the discretion of the Corporation, be constituted by a deposit, bond, guarantee, and/or a security over assets of that employer or over the assets of any person or entity providing a guarantee.

13. The following classes of employer are specified for the purposes of Section 143(7)(f):

- (a) An employer who has been or is a non-compliant employer;
- (b) An employer in respect of which any manager, director, officer or other person having material influence over the affairs of the employer:
  - (i) has previously been a manager director officer or person having material influence over the affairs of a non-compliant employer; or
  - (ii) is a related person to a manager, director, officer or other person having material influence over the affairs of a non-compliant employer;
- (c) An employer who would be capable of being treated as a member of a group under the *Payroll Tax Act 2009* where any other member of the group has been or is a non-compliant employer;
- (d) An employer who is or has been or is an associated entity of a non-compliant employer;
- (e) An employer who has not disclosed information to which the Corporation is entitled under either Section 149 or 150 of the Act in a timely manner.

14. In this Part 8 the following terms have the meanings set out below:

“**non-compliant employer**” is an employer who has defaulted in the payment of premium or other money due to the Corporation, within the 3 years prior to the commencement of this Premium Order or who has failed to comply with Section 128 of the Act or any equivalent provision in prior legislation;

“**associated entity**” means entities that are associated under Section 50AAA of the *Corporations Act 2001*;

“**related person**” means spouse, domestic partner, parent, grandparent, child, grandchild, stepchild, brother, sister, stepbrother, stepsister, half-brother, half-sister, aunt, uncle, cousin or a spouse or domestic partner of any of those persons.

I confirm that this is a true and correct record of the decision of the Board of the Corporation made on the 23<sup>rd</sup> day of April 2024.

Dated: 23 April 2024

G. MCCARTHY  
Board Chair

RETURN TO WORK ACT 2014  
*RTWSA Premium Provisions 2024-2025*

The Board of the Return to Work Corporation of South Australia (“the Corporation”) after consultation with the Minister publishes the following terms and conditions that will apply in relation to the calculation, imposition and payment of premiums for the purposes of subsection 138(1) of the *Return to Work Act 2014* (“the Act”) and these terms and conditions will be referred to as the ‘RTWSA Premium Provisions 2024-2025’.

The RTWSA Premium Provisions 2024-2025 apply for the premium period 2024-2025 (and each premium period thereafter until modified in accordance with subsection 138(1) of the Act).

**Part 1—Preliminary Matters**

1. These terms and conditions apply to the calculation, imposition and payment of premiums on or after 1 July 2024.

**Part 2—Definitions**

2. For the purposes of the RTWSA Premium Provisions 2024-2025, RTWSA Premium Order (Return To Work Premium System) 2024-2025 (as amended from time to time) and the RTWSA Premium Order (Retro-Paid Loss Arrangement) 2024-2025 (as amended from time to time) the following definitions will apply except where otherwise modified:

**apprentice:** A person who is or will be trained by their employer under an approved training contract in an occupation declared to be a ‘trade’ under Section 6 of the *South Australian Skills Act 2008*.

**approved training contract:** Has the same meaning as a contract approved as a training contract under the *South Australian Skills Act 2008*.

**ceasing employer:** A registered employer that ceases to be an employer required to be registered under Part 9 of the Act.

**employer:** Has the same meaning as in Section 4 of the Act.

**financial year:** The period from 1 July in a calendar year to 30 June in the next calendar year with a **full financial year** being the whole of that 12 month period and **part financial year** being any period less than the whole 12 month period.

**GST:** The Goods and Services Tax, has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth.

**GTO:** A Group Training Organisation which is registered as such under the National Standards for Group Training Organisations in South Australia and which has a registered office in South Australia.

**industry premium rate:** A rate that corresponds to a SAIC as determined by the Corporation from time to time and published in the Government Gazette.

**new employer:** An employer who takes over a business on account of a transfer of business as defined by Section 160 of the Act.

**newly registered employer:** An employer who has not been registered for one full premium period.

**old employer:** An employer who has disposed of a business under a transfer of business as defined by Section 160 of the Act.

**period:** Includes any financial year, or as provided in Part 8.

**premium period:** Refers to any financial year for which premium is calculated.

**Regulations:** The *Return to Work Regulations 2015*.

**remuneration:** is the remuneration payable by an employer to or for the benefit of workers during a premium period and includes all liabilities for payment made or to be made to or for the benefit of a worker which by the determination of the Corporation constitute remuneration but does not include payments determined by the Corporation not to constitute remuneration.

**SAIC:** South Australian Industry Classification.

**the Act:** *Return to Work Act 2014*.

**trainee:** A person who is or will be trained by their employer under an approved training contract (entered into prior to 23 May 2013 or with a GTO) in an occupation which is a declared 'vocation' under Section 6 of the *South Australian Skills Act 2008*.

**WHS:** The work health and safety registration fee calculated for each financial year and collected by the Corporation on behalf of SafeWork SA in accordance with Schedule 5 of the *Work Health and Safety Act 2012*.

### Part 3—Liability to pay premiums

3. For the purposes of Section 139(1) of the Act, an employer will be liable to pay a premium for each premium period.

### Part 4—Calculation of Base Premium for employers

4. Pursuant to Section 142(4) of the Act, the base premium (BP) is to be calculated in accordance with the following formula:

$$BP = (Ra \times Ia) + (Rb \times Ib) + \dots (Rn \times In)$$

Where:

**Ra, Rb, ...Rn** are each a part of the total remuneration in respect of the period:

- (a) for which the premium is to be calculated; or
- (b) preceding the period for which the premium is to be calculated,

as chosen by the employer at the time of completing the return for the current premium period, being a part of the total remuneration attributable to each of the employer's relevant SAICs.

**Ia, Ib, ...In** are each an industry premium rate expressed as a percentage that corresponds to each relevant SAIC applicable to the employer.

*Non-payment or underpayment of remuneration lawfully payable will not reduce the remuneration used as a basis for calculation of an employer's base premium.*

### Part 5—Apprentice and Trainee Incentive Amount

5. The Apprentice and Trainee incentive amount (A) for an employer is to be calculated in accordance with the following formula:

$$A = (Aa \times Ia) + (Ab \times Ib) + \dots (An \times In)$$

Where:

**Aa, Ab, ...An** are each a part of the total remuneration payable by the employer to:

- 5.1. apprentices (as defined in Part 2) in respect of the period for which the premium is to be calculated, being a part of the total remuneration attributable to a SAIC applicable to the employer.
- 5.2. trainees (as defined in Part 2) but only for the term or the balance of the term of an approved training contract (as defined in Part 2) entered into prior to 23 May 2013 and in respect of the period for which the premium is to be calculated, being a part of the total remuneration attributable to a SAIC applicable to the employer.
- 5.3. in the case of an employer who is a GTO, GTO trainees (both as defined in Part 2) employed by that GTO in respect of the period for which the premium is to be calculated, being a part of the total remuneration applicable to a SAIC applicable to the employer.

**Ia, Ib, ...In** are each an industry premium rate being a percentage rate that corresponds to each relevant SAIC applicable to the employer.

6. If the employer has not supplied a return with respect to remuneration (as required under the Act) in respect of any relevant period, the apprentice and trainee incentive amount ("A") is taken to be zero for the purposes of the calculation of the employer's premium but the premium may be recalculated when the required return as to remuneration has been supplied.

### Part 6—Premium payable by a newly registered employer

7. Where an employer is a newly registered employer, the premium payable ("P") is calculated in accordance with the following formula:

$$P = (BP - A) + SUR + GST + WHS$$

Where:

**P** is the premium payable for a premium period or part thereof

**SUR** is the Supplementary Underwriting Rate being a premium adjustment (either a decrease or an increase) to allow the premium of an employer, within a particular category or class, to be adjusted. Any adjustment is at the discretion of the Corporation and subject to the claims experience and a specific risk assessment of the employer by the Corporation.

**Part 7—Transfer of Business**

8. For the purposes of Section 160 of the Act it is determined that the claims history of the old employer will be applied to the calculation of the premium payable by the new employer in the following circumstances:
- 8.1. Where the new employer has employed workers who constituted all or a majority of the workers employed by the old employer at any time at the business location or locations transferred to the new employer, and
  - 8.2. The workers at any time carried out activities/services for the new employer that are the same or similar to activities/services carried out by those workers for the old employer.

In any other case involving a transfer of business pursuant to Section 160 of the Act, the Corporation will be entitled in its discretion to apply claims experience with respect to the employer before the transfer, to the employer who takes over the business on account of the transfer.

These provisions apply whether or not the business of the new employer or the activities and/or services performed are at the same business location.

**Part 8—Designated period and designated minimum premium**

9. For the purposes of Section 143(9)(a) of the Act, the designated period is a financial year.
10. For the purposes of Section 143(9)(b) of the Act, the designated minimum premium is \$200, subject to any instalment payment rounding.

**Part 9—Cessations**

11. For the purposes of Section 139(3) of the Act, the Corporation will calculate a ceasing employer's refund as follows:
- 11.1. the ceasing employer's premium ("**final premium**") will be calculated in accordance with the formula in Part 3 of the RTWSA Premium Order (Return to Work Premium System) 2024-2025, but where, in calculating base premium, 'Ra, Rb, ...Rn' is the remuneration declared in the return for the current premium period multiplied by the percentage of that period that the ceasing employer was registered; and
  - 11.2. if the premium already paid by the ceasing employer is greater than the final premium, the ceasing employer is entitled to a refund of an amount equal to the difference between the premium already paid and the final premium.
12. If the premium already paid by a ceasing employer in the current premium period is less than the final premium, the ceasing employer is required to pay the Corporation an amount equal to the difference between the premium already paid in the current premium period and the final premium (being an adjusted premium).
13. For the avoidance of doubt, nothing in this Part 9 impacts the Corporation's power under Section 144(6)(b) of the Act.

I confirm that this is a true and correct record of the decision of the Board of the Corporation made on the 23<sup>rd</sup> day of April 2024.

Dated: 23 April 2024

G. MCCARTHY  
Board Chair

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THE SOUTH AUSTRALIAN SUPERANNUATION BOARD (SUPER SA)  
SUPERANNUATION FUNDS MANAGEMENT CORPORATION OF SOUTH AUSTRALIA BOARD (FUNDS SA)  
SOUTHERN SELECT SUPER CORPORATION (SUPER SA SELECT)

*Upcoming Board Member Elections*

Ballots for the following elections will open on Monday 12 August 2024:

- Super SA Board (South Australian Superannuation Board)
- Funds SA Board (board of the Superannuation Funds Management Corporation of South Australia)
- Super SA Select Board (board of the Southern Select Super Corporation)

In addition, eligible members of SA Police Super (Police Superannuation Scheme) as at 5pm (ACST) on 28 June 2024 will be notified of how to vote in the Funds SA Board election.

Voting will be by ballot paper delivered to the address linked to members' Super SA or SA Police Super account (as the case may be) and eligible members will be further notified of how to vote. However, to receive voting packs and cast votes, members will need to ensure their postal address details are up to date by Friday, 28 June 2024.

Super SA members—please update your postal address via the member portal at [supersa.sa.gov.au](https://supersa.sa.gov.au) or call Super SA on (08) 8214 7800.

SA Police Super member—please update your postal address by calling SA Police Super on (08) 8470 0370 or email [admin@policessuper.sa.gov.au](mailto:admin@policessuper.sa.gov.au).

Information about the nomination process for the elections will be published in the Government Gazette on 4 July 2024, the Advertiser on Saturday, 6 July 2024, the Sunday Mail on Sunday, 7 July 2024 and at [supersa.sa.gov.au](https://supersa.sa.gov.au).

Dated: 6 June 2024

KATHY O'DONNELL  
Manager, Board Services,  
Policy and Governance, Super SA

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# LOCAL GOVERNMENT INSTRUMENTS

RURAL CITY OF MURRAY BRIDGE

LOCAL GOVERNMENT ACT 1999

*Permits and Penalties By-Law 2024*

*By-law No. 1 of 2024*

To provide for a permit system, set penalties for breaches of by-laws, provide for certain matters pertaining to liability and evidence, set regulatory requirements, clarify the construction of Council's by-laws and for related purposes.

## PART 1—PRELIMINARY

### 1. Short Title

This by-law may be cited as the *Permits and Penalties By-law 2024*.

### 2. Commencement

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

### 3. Definitions

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

- 3.1.1 **authorised person** means a person appointed as an authorised person pursuant to Section 260 of the *Local Government Act 1999*;
- 3.1.2 **Council** means Rural City of Murray Bridge;
- 3.1.3 **drive** a vehicle means to be in control of the steering, movement or propulsion of the vehicle;
- 3.1.4 **driver** of a vehicle means the person driving the vehicle;
- 3.1.5 **motor vehicle** has the same meaning as in the *Road Traffic Act 1961*;
- 3.1.6 **person** includes a natural person, a body corporate or incorporated association;
- 3.1.7 **road** has the same meaning as in the *Local Government Act 1999*;
- 3.1.8 **vehicle** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules* and includes a motor vehicle.

3.2 In this by-law:

- 3.2.1 **owner** has the same meaning as in the *Road Traffic Act 1961*;
- 3.2.2 **prescribed offence** means an offence against a by-law of the Council relating to the driving, parking or standing of vehicles.

### 4. Construction

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

## PART 2—PERMITS

### 5. Council May Grant Permits

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

- 5.1 The permit must be in writing.
- 5.2 A person may apply for permission by:
  - 5.2.1 making a written application for permission to the Council or its duly authorised agent;
  - 5.2.2 making application by way of a website established by the Council for the purpose of issuing a permit of a particular kind;
  - 5.2.3 obtaining a permit from a permit vending-machine installed and maintained by the Council that has been designated by the Council for the purposes of issuing a permit of a particular kind.
- 5.3 The Council may:
  - 5.3.1 provide that the permit applies for a particular term;
  - 5.3.2 attach conditions to the permit the Council considers appropriate;
  - 5.3.3 change or revoke a condition, by notice in writing; or
  - 5.3.4 add new conditions, by notice in writing.
- 5.4 A person who holds a permit must comply with every condition attached to it. Failure to do so constitutes a breach of this by-law.
- 5.5 The Council may revoke a permit, by notice in writing, if:
  - 5.5.1 the holder of the permit fails to comply with a condition attached to it; or
  - 5.5.2 the permit is of a continuing nature, and the Council has reasonable grounds for revoking it.
- 5.6 The Council may, by resolution, fix, vary or revoke fees or charges for the granting of a permit to do a specified thing.
- 5.7 A person who applies for permission by way of subparagraph 5.2.2 or 5.2.3 is taken to have been granted permission when the following steps have been completed:
  - 5.7.1 the person pays the permit fee (if any) by (as the case may be):
    - 5.7.1.1 inserting sufficient coins or notes into the permit vending-machine;
    - 5.7.1.2 credit or debit card; or
    - 5.7.1.3 such other method of payment that may be approved by the Council by resolution;
  - 5.7.2 the person receives a notice identifying itself as a permit from the Council to undertake the activity specified in the permit.

## PART 3—ENFORCEMENT

**6. Penalties**

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

**7. Liability of Vehicles Owners and Expiation of Certain Offences**

- 7.1 Without derogating from the liability of any other person, but subject to this paragraph, if a vehicle is involved in a prescribed offence, the owner of the vehicle is guilty of an offence and liable to the same penalty as is prescribed for the principal offence and the expiation fee that is fixed for the principal offence applies in relation to an offence against this paragraph.
- 7.2 The owner and driver of a vehicle are not both liable through the operation of this paragraph to be convicted of an offence arising out of the same circumstances, and consequently conviction of the owner exonerates the driver and conversely conviction of the driver exonerates the owner.
- 7.3 An expiation notice or expiation reminder notice given under the *Expiation of Offences Act 1996* to the owner of a vehicle for an alleged prescribed offence involving the vehicle must be accompanied by a notice inviting the owner, if they were not the driver at the time of the alleged prescribed offence, to provide the Council or officer specified in the notice, within the period specified in the notice, with a nomination:
- 7.3.1 setting out the name and address of the driver; or
- 7.3.2 if they had transferred ownership of the vehicle to another prior to the time of the alleged offence and has complied with the *Motor Vehicles Act 1959* in respect of the transfer—setting out details of the transfer (including the name and address of the transferee).
- 7.4 Before proceedings are commenced against the owner of a vehicle for an offence against this paragraph 7 involving the vehicle, the Informant must send the owner a notice:
- 7.4.1 setting out particulars of the alleged prescribed offence; and
- 7.4.2 inviting the owner, if they were not the driver at the time of the alleged prescribed offence, to provide the Informant, within 21 days of the date of the notice, with a nomination setting out the matters referred to in subparagraph 7.3.
- 7.5 Subparagraph 7.4 does not apply to:
- 7.5.1 proceedings commenced where an owner has elected under the *Expiation of Offences Act 1996* to be prosecuted for the offence; or
- 7.5.2 proceedings commenced against an owner of a vehicle who has been named in a nomination under this paragraph 7 as the driver of the vehicle.
- 7.6 The Council, Informant or officer to whom a nomination is provided in response to a notice under subparagraphs 7.3 or 7.4 may require the person who made the nomination to verify the information contained in the nomination by statutory declaration.
- 7.7 If the Council, Informant or officer specified in the notice under subparagraphs 7.3 or 7.4 believes that a nomination made in response to the notice has been made in error, the Council, Informant or officer (as the case may be) may permit the nomination to be withdrawn and a new nomination to be made.
- 7.8 Subject to subparagraph 7.9, in proceedings against the owner of a vehicle for an offence against this paragraph, it is a defence to prove:
- 7.8.1 that, in consequence of some unlawful act, the vehicle was not in the possession or control of the owner at the time of the alleged prescribed offence; or
- 7.8.2 that the owner provided the Informant with a nomination in accordance with an invitation under this paragraph.
- 7.9 The defence in paragraph 7.8.2 does not apply if it is proved that the owner made the nomination knowing it to be false in a material particular.
- 7.10 If:
- 7.10.1 an expiation notice is given to a person named as the alleged driver in a nomination under this paragraph; or
- 7.10.2 proceedings are commenced against a person named as the alleged driver in such a nomination, the notice or Information, as the case may be, must be accompanied by a notice setting out particulars of the nomination that named the person as the alleged driver.
- 7.11 The particulars of the nomination provided to the person named as the alleged driver must not include the address of the person who provided the nomination.
- 7.12 A nomination under this paragraph must be made in a manner and form approved by the Council.
- 7.13 A person must not, in making a nomination for the purposes of this paragraph, make a statement that is false or misleading in a material particular.

**8. Evidence**

In proceedings for a prescribed offence, an allegation in an Information that:

- 8.1 a specified place was a road or local government land; or
- 8.2 a specified vehicle was driven, parked or left standing in a specified place; or
- 8.3 a specified vehicle was parked or left standing for the purposes of soliciting business from a person or offering or exposing goods for sale; or
- 8.4 a specified place was not formed or otherwise set aside by the Council for the purposes of the driving, parking or standing of vehicles; or
- 8.5 a specified person was an authorised person; or

- 8.6 a specified provision was a condition of a specified permit granted under paragraph 5 of this by-law; or
- 8.7 a specified person was the owner or driver of a specified vehicle; or
- 8.8 a person named in a nomination under paragraph 7 of this by-law for the prescribed offence to which the declaration relates was the driver of the vehicle at the time at which the alleged offence was committed; or
- 8.9 an owner or driver of a vehicle for a prescribed offence was given notice under paragraph 7 of this by-law on a specified day, is proof of the matters so alleged in the absence of proof to the contrary.

## PART 4—MISCELLANEOUS

**9. Revocation**

Council's *Permits and Penalties By-law 2016*, published in the Gazette on 5 January 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of Rural City of Murray Bridge held on 13 May 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

Dated: 6 June 2024

HEATHER BARCLAY  
Chief Executive Officer

## RURAL CITY OF MURRAY BRIDGE

## LOCAL GOVERNMENT ACT 1999

*Local Government Land By-law 2024**By-Law No. 2 of 2024*

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

## PART 1—PRELIMINARY

**1. Short Title**

This by-law may be cited as the *Local Government Land By-law 2024*.

**2. Commencement**

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

**3. Definitions**

In this by-law:

- 3.1 **aquatic life** means any animal or plant living or growing in water including but not limited to yabbies, fish, insects, insect pupa or larvae and water plants;
- 3.2 **authorised person** has the same meaning as in the *Local Government Act 1999*;
- 3.3 **boat** includes a raft, pontoon, houseboat, personal watercraft or other similar device;
- 3.4 **camp** includes setting up a camp, or cause a tent, caravan, motorhome or other vehicle to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 3.5 **e-cigarette** means:
  - 3.5.1 a device that is designed to generate or release an aerosol or vapour for inhalation by its user in a manner similar to the inhalation of smoke from an ignited tobacco product; or
  - 3.5.2 a device of a kind resolved by the Council and notified by notice in the Gazette to be an e-cigarette;
- 3.6 **electoral matter** has the same meaning as in the *Electoral Act 1985*;
- 3.7 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 3.8 **inflatable castle** includes a bouncy castle, jumping castle and any other inflatable structure used for recreational purposes;
- 3.9 **liquor** has the same meaning as in the *Liquor Licensing Act 1997*;
- 3.10 **local government land** and **land** means all land owned by the Council or under the Council's care, control and management other than roads;
- 3.11 **model aircraft** includes a drone;
- 3.12 **moveable sign** has the same meaning as in the *Local Government Act 1999*;
- 3.13 **open container** means a container which:
  - 3.13.1 after the contents thereof have been sealed at the time of manufacture and:
    - 3.13.1.1 being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
    - 3.13.1.2 being a can, it has been opened or punctured;
    - 3.13.1.3 being a cask, has had its tap placed in a position to allow it to be used;
    - 3.13.1.4 being any form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or
  - 3.13.2 is a flask, glass, may or container used for drinking purposes;
- 3.14 **park** has the same meaning as in the *Local Government Act 1999*;

- 3.15 **public place** has the same meaning as in the *Local Government Act 1999*;
- 3.16 **reserve** has the same meaning as in the *Local Government Act 1999*;
- 3.17 **road** has the same meaning as in the *Local Government Act 1999*;
- 3.18 **smoke** means:
- 3.18.1 in relation to a tobacco product, smoke, hold, or otherwise have control over, an ignited tobacco product; or
- 3.18.2 in relation to an e-cigarette, to inhale from, hold or otherwise have control over, an e-cigarette that is in use;
- 3.19 **vehicle** has the same meaning as in the *Australian Road Rules*;
- 3.20 **waters** includes any body of water including a pond, lake, river, creek or wetland under the care, control and management of the Council;
- 3.21 **wheeled recreational device** has the same meaning as in the *Road Traffic Act 1961*.

## PART 2—MANAGEMENT OF LOCAL GOVERNMENT LAND

**4. Activities Requiring Permission**

A person must not, without permission, on local government land:

- 4.1 *Admission Charges*  
impose any charge for admission onto the land;
- 4.2 *Advertising*  
display any sign for the purpose of commercial advertising;
- 4.3 *Aircraft*  
subject to the *Civil Aviation Act 1988* (Cth), land or take off any aircraft on or from the land;
- 4.4 *Alteration to Local Government Land*  
make an alteration to the land, including:
- 4.4.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property; or
- 4.4.2 erecting or installing a structure (including pipes, wires, cables, pavers, fixtures, fittings and other objects) in, on, across, under or over the land; or
- 4.4.3 changing or interfering with the construction, arrangement or materials of the land; or
- 4.4.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the land; or
- 4.4.5 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land;
- 4.5 *Amplification*  
use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;
- 4.6 *Animals*  
to which the Council has resolved this paragraph shall apply:
- 4.6.1 cause or allow any animal to stray onto, move over, graze or be left unattended except where the Council has set aside a track or other area for use by or in connection with an animal of that kind;
- 4.6.2 cause or allow any animal to enter, swim, bathe or remain in any waters;
- 4.6.3 lead or drive a horse, cattle or sheep, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind;
- 4.7 *Aquatic Life*  
take, interfere with, disturb, or introduce any aquatic life in any waters to which the Council has resolved this paragraph shall apply;
- 4.8 *Attachments*  
attach, suspend, hang or fix anything to a tree, plant, equipment, fence, post, structure or fixture;
- 4.9 *Bees*  
place or allow any beehive to remain;
- 4.10 *Boats and Boat Ramps*  
Subject to the provisions of the *Harbors and Navigation Act 1993* and the *Marine Safety (Domestic Commercial Vessel) National Law*:
- 4.10.1 launch or retrieve a boat to or from any waters or part of any waters where the Council has determined that this clause applies;
- 4.10.2 launch or retrieve a boat without using a boat ramp or thoroughfare constructed or set aside by the Council for that purpose;
- 4.10.3 propel, float or otherwise use a boat on or in any waters or part of any waters where the Council has determined that this clause applies;
- 4.10.4 hire out a boat or otherwise use a boat for commercial purposes in any waters or part of any waters where the Council has determined that this clause applies;
- 4.10.5 moor a boat on or to local government land to which the Council has determined this clause applies;
- 4.10.6 moor any boat on or to local government land other than in accordance with such time limits and other conditions determined by the Council by resolution and set out in a notice on or in the vicinity of the land to which the time limits or conditions apply;
- 4.10.7 obstruct any boat, mooring site or access (either by water or land) to any boat (either floating, or sunk);
- 4.10.8 allow a vehicle to remain stationary on a boat ramp longer than is necessary to launch or retrieve a boat;
- 4.11 *Bridge Jumping*  
jump from or dive from a bridge;



- 4.12 *Burials and Memorials*
- 4.12.1 bury, inter or spread the ashes of any human or animal remains;
- 4.12.2 erect any memorial;
- 4.13 *Camping and Tents*
- 4.13.1 camp or sleep overnight; or
- 4.13.2 pitch, erect or construct any tent or other structure of calico, canvas, plastic or any similar material; or
- 4.13.3 use, occupy, or cause, suffer or permit any other person to use or occupy any caravan, motorhome or other vehicle as a place of habitation;
- on any park, reserve or other local government land except:
- 4.13.4 where a sign or signs erected by the Council indicate that camping on the land is permitted; or
- 4.13.5 where the person is in a caravan park on local government land, the proprietor of which has been given permission to operate the caravan park on that land;
- 4.14 *Cemeteries*
- comprising a cemetery:
- 4.14.1 bury or inter any human or animal remains; or
- 4.14.2 erect any memorial;
- 4.15 *Closed Lands*
- enter or remain on any part of the land:
- 4.15.1 at any time during which the Council has declared that part shall be closed to the public, and which is indicated by a sign to that effect;
- 4.15.2 where the land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked;
- 4.15.3 where admission charges are payable for that person to enter that part, without paying those charges; or
- 4.15.4 where that person has been requested by an officer, employee or agent of the Council or a Council subsidiary to leave that land;
- 4.16 *Distributing of Bills*
- give out or distribute to any bystander or passer-by any handbill, book, notice, or other printed matter;
- 4.17 *Donations*
- ask for or receive or indicate that they desire a donation of money or any other valuable item or thing;
- 4.18 *Entertainment and Busking*
- 4.18.1 sing, busk or play any recording or use any musical instrument so as to appear to be for the purpose of entertaining other persons or receiving money;
- 4.18.2 conduct or hold any concert, festival, show, circus, performance or any other similar activity;
- 4.18.3 erect or inflate any inflatable castle;
- 4.19 *Fires*
- subject to the *Fire and Emergency Services Act 2005*, light any fire except:
- 4.19.1 in a place provided by the Council for that purpose; or
- 4.19.2 in a portable barbeque as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres;
- 4.20 *Fireworks*
- use, discharge or ignite any fireworks;
- 4.21 *Fishing*
- 4.21.1 fish in any waters on local government land to which the Council has resolved this subparagraph shall apply;
- 4.21.2 fish from any bridge or other structure on local government land to which the Council has resolved this subparagraph shall apply;
- 4.21.3 fish with a bow or crossbow;
- 4.22 *Flora and Fauna*
- subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:
- 4.22.1 damage, pick, disturb, interfere with or remove any tree, shrub or other vegetation;
- 4.22.2 lead or drive any animal, or stand or walk, on any flower bed or garden plot;
- 4.22.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
- 4.22.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature or the eggs or young of any animal, bird or marine creature;
- 4.22.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries, flowers or native seeds;
- 4.22.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
- 4.22.7 collect or take any timber or dead wood;
- 4.22.8 allow any animal to damage any flower bed, garden plot, tree, lawn or other item or place;
- 4.23 *Games*
- 4.23.1 participate in, promote or organise any game, recreation or amusement which involves the use of a ball, missile or other object; or
- 4.23.2 fly any model aircraft or operate any power model boat or remote control vehicle; or

- 4.23.3 play or practice any game which involves kicking, hitting or throwing a ball or other object on any local government land to which this subparagraph applies;  
in circumstances which may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land; or
- 4.23.4 promote, organise or take part in any organised competition sport or organised athletic sport, as distinct from organised social play on any local government land to which this subparagraph applies;
- 4.24 *Golf*  
except on a properly constructed golf course or practice fairway, play or practice the game of golf on any local government land to which this paragraph applies;
- 4.25 *No Liquor*
- 4.25.1 consume, carry or be in possession or charge of any liquor on any local government land constituting a park or reserve to which this subparagraph applies;
- 4.25.2 consume, carry or be in possession or charge of any liquor in an open container on any local government land constituting a park or reserve to which this subparagraph applies;
- 4.26 *Obstruction*  
obstruct:
- 4.26.1 any path or cycle track;
- 4.26.2 any door, entrance, stairway or aisle on any building; or
- 4.26.3 any gate or entrance to the land;
- 4.27 *Objects on Local Government Land*
- 4.27.1 erect, place, use or allow to remain any object including, but not limited to any planter box, table, chairs, display stand, hoarding, crane, cherry picker, elevated platform vehicle, scaffolding, stage, ladder, trestle, appliance or other equipment; or
- 4.27.2 tie any rope, rug or article to any tree, stake, plant or other object;
- 4.27.3 place any buoy, cable, chain, hawser, rope or net in or across any waters;
- 4.28 *Playing Area*  
use or occupy any playing area:
- 4.28.1 in such a manner as is likely to or does damage the surface of the playing area and/or infrastructure (above or below ground level);
- 4.28.2 in any manner contrary to the purpose for which the playing area was intended to be used or occupied; or
- 4.28.3 contrary to the directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area;
- 4.29 *Preaching and Canvassing*  
preach, canvass, harangue, tout for business or conduct any survey or opinion poll except on any land or part thereof where the Council has, by resolution, determined that this restriction shall not apply;
- 4.30 *Rubbish and Rubbish Dumps*
- 4.30.1 interfere with, remove or take away any rubbish that has been discarded at any rubbish dump;
- 4.30.2 remove, disperse or interfere with any rubbish that has been discarded in a bin, or placed on the land for collection by the Council or its agents; or
- 4.30.3 deposit in any Council rubbish bin any rubbish emanating from domestic, commercial or trade purposes, unless permission is designated by a sign;
- 4.31 *Times of Sport*  
play or practice any game or sport other than at the times indicated on a sign applicable to such area and displayed by the Council;
- 4.32 *Trading*
- 4.32.1 carry on the business of buying, selling, offering or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing;
- 4.32.2 set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing;
- 4.33 *Vehicles Generally*
- 4.33.1 drive or propel a motor vehicle, except on any road or other land constructed or set aside by the Council for the parking or travelling of vehicles;
- 4.33.2 except on a properly constructed area for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters, or bicycles take part;
- 4.34 *Vehicle Repairs*  
perform the work of repairing, washing, painting, panel beating or other work of any nature on any vehicle, provided that this paragraph shall not extend to running repairs in the case of accidental break down;
- 4.35 *Weddings, Funerals or Special Events*
- 4.35.1 conduct or participate in a marriage ceremony, funeral or special event on any park or reserve;
- 4.35.2 erect a marquee, stage or structure for the purposes of holding or conducting a wedding, funeral or special event on any park or reserve;
- 4.35.3 hold or conduct any filming for commercial purpose, other than for the purposes of reporting the news;

## 5. Prohibited Activities

A person must not on any local government land:

### 5.1 Annoyances

5.1.1 annoy or unreasonably interfere with any other person's use of the land or occupation of nearby premises by making a noise, being annoying, offensive, indecent or creating a disturbance that has not been authorised by the Council;

5.1.2 spit, urinate or defecate other than in provided toilet;

### 5.2 Climbing

climb on or over any fixture, fitting, plant, object or building other than in a playground or similar area that the Council has set aside for that purpose;

### 5.3 Defacing Property

deface, paint, write, cut or etch names, letters or make marks on any tree, rock, gate, fence, building, sign or property of the Council;

### 5.4 Glass

wilfully break any glass, china or other brittle material;

### 5.5 Interference with Permitted Use

interrupt, disrupt or interfere with any other person's use of local government land which is permitted or for which permission has been granted;

### 5.6 Public Conveniences

in any public convenience:

5.6.1 smoke tobacco or any other substance;

5.6.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;

5.6.3 use it for a purpose or manner for which it was not designed or constructed;

5.6.4 subject to Clause 5.6.5, enter the public convenience unless the person is of the gender indicated in writing or on a sign located on the public convenience;

5.6.5 Clause 5.6.4 does not apply—

5.6.5.1 in a genuine emergency; or

5.6.5.2 to a vulnerable person being assisted by the vulnerable person's caregiver, parent or guardian; or

5.6.5.3 to a person that is intersex, transgender or gender diverse; or

5.6.5.4 to a person with a disability; or

5.6.5.5 to a person assisting a person with a disability;

### 5.7 Smoking

5.7.1 smoke tobacco or any other substance in any building on the land; or

5.7.2 smoke tobacco or any other substance on any land or part thereof that the Council has resolved this subparagraph shall apply;

### 5.8 Use of Equipment

use or occupy any appliance, equipment, structure or property belonging to the Council:

5.8.1 other than for the purpose and in the manner for which it was designed, constructed or intended to be used; or

5.8.2 in such a manner as is likely to damage or destroy it;

### 5.9 Wheeled Recreational Devices

subject to the *Road Traffic Act 1961* and the *Local Government Act 1999*, ride a wheeled recreational device on any local government land to which this paragraph applies.

## 6. Removal of Animals, Objects and Directions to Persons

6.1 If any animal or object is found on any part of local government land in breach of this by-law:

6.1.1 any person in charge of the animal or object shall forthwith remove it from the land upon a reasonable request of an authorised person;

6.1.2 an authorised person may remove and dispose of the animal or object from the land if the person in charge of it fails to comply with the request, or if no person is in charge of it; and

6.1.3 the Council may recover the cost of doing so from the person in charge of the animal or object.

6.2 An authorised person may direct any person who is reasonably considered to be committing or having committed a breach of this by-law to leave that part of the local government land. Failure to comply with that direction forthwith is a breach of this by-law.

### PART 3—MISCELLANEOUS

## 7. Directions

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

7.1 that person's use of any local government land;

7.2 that person's conduct and behaviour on local government land;

7.3 that person's safety on any local government land;

7.4 the safety and enjoyment of any local government land by another person; and/or

7.5 that person entering or remaining on premises on any local government land in circumstances where that person has been known to misbehave on those premises.

## 8. Removal of Encroachment or Interference

Any person who encroaches onto, interferes with, or alters local government land contrary to this by-law must at the request in writing of an authorised person:

- 8.1 cease the encroachment or interference; and
- 8.2 remove the source of the encroachment or interference; and
- 8.3 reinstate the land to the same standard it was prior to the encroachment, interference or alteration.

## 9. Council May do Work

If a person fails to remove an encroachment or interference on local government land in accordance with a request of an authorised officer pursuant to paragraph 8 of this by-law, then an authorised person may:

- 9.1 undertake the work; and
- 9.2 recover the cost of doing so from that person.

## 10. Exemptions

- 10.1 The restrictions in this by-law do not apply to any Police Officer, emergency worker, Council Officer or employee acting in the course and within the scope of that person's normal duties or to a contractor while performing work for the Council and while acting under the supervision or authorisation of a Council Officer.
- 10.2 The restrictions in paragraphs 4.5, 4.16 and 4.29 do not apply to:
  - 10.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
  - 10.2.2 any matter that is posted during the course of and for the purpose of a referendum.
- 10.3 The restriction in paragraph 4.10.2 does not apply to a canoe, kayak or similar boat.

## 11. Applications

Any of the subparagraphs 4.6, 4.7, 4.10.1, 4.10.3, 4.10.4, 4.10.5, 4.21.1, 4.21.2, 4.23.3, 4.23.4, 4.24, 4.25.1, 4.25.2, 4.29, 5.7.2 and 5.9 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

## 12. Revocation

Council's *Local Government Land By-law 2016*, published in the Gazette on 5 January 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of Rural City of Murray Bridge held on 13 May 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Dated: 6 June 2024

HEATHER BARCLAY  
Chief Executive Officer

## RURAL CITY OF MURRAY BRIDGE

### LOCAL GOVERNMENT ACT 1999

#### *Roads By-law 2024*

#### *By-law No. 3 of 2024*

For the management of public roads.

### PART 1—PRELIMINARY

#### 1. Short Title

This by-law may be cited as the *Roads By-law 2024*.

#### 2. Commencement

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

#### 3. Definitions

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

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

## PART 2—MANAGEMENT OF ROADS

**4. Activities Requiring Permission**

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

**4.1 Advertising**

4.1.1 display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed on a public road in accordance with the Council's *Moveable Signs By-law 2024*;

4.1.2 place or maintain any goods or sign on the road or park or stand a vehicle on the road for the purpose of:

4.1.2.1 soliciting any business from any person; or

4.1.2.2 offering or exposing goods or services for sale.

provided that this paragraph 4.1.2 shall not apply to a person who is simply travelling along a road.

**4.2 Amplification**

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

**4.3 Animals**

4.3.1 cause or allow any animal, to stray onto, graze, wander on or be left unattended on any road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind and, then only if under the effective control of a person;

4.3.2 lead, drive or exercise any animal in such a manner as to endanger the safety of any person;

**4.4 Bridge Jumping**

jump from or dive from a bridge;

**4.5 Camping**

4.5.1 camp;

4.5.2 erect any tent or other structure of calico, canvas, plastic or similar material;

4.5.3 camp in a motorhome or caravan, except where a sign or signs erected by the Council indicates that camping on the road in such a vehicle is permitted;

**4.6 Donations**

ask for or receive or indicate that they desire a donation of money or any other thing;

**4.7 Driving on Formed Surface**

drive a motor vehicle other than on a portion of the road that has been formed or otherwise set aside by the Council for the driving of motor vehicles, unless it is not reasonably practical to do so;

**4.8 Fires**

light any fire except:

4.8.1 in a place provided by the Council for that purpose; or

4.8.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres; and

4.8.3 in accordance with the *Fire and Emergency Services Act 2005*;

**4.9 Fishing**

fish from any bridge or other structure on a road to which the Council has resolved this subparagraph shall apply;

**4.10 Flora and Fauna**

subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:

4.10.1 lead, drive or allow any animal to wander, stand, walk on or damage any flowerbed or garden plot;

4.10.2 dig, damage, disturb, interfere with, take or remove any soil, stone, wood, clay, rubble, pebbles, timber, dead wood, bark or seeds;

4.10.3 take, interfere with, tease, harm or disturb any animal or bird or the eggs or young of any animal or bird;

4.10.4 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird; or

4.10.5 allow any animal to damage any tree or lawn;

**4.11 Model Aircraft**

fly any model aircraft in circumstances which may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that road or detract from or be likely to detract from another person's lawful use and enjoyment of the road;

**4.12 Obstructions**

Erect, install or place or cause to be erected, installed or placed any structure, object or material of any kind so as to obstruct a road or footway, water-channel or watercourse on a road;

**4.13 Preaching**

preach or harangue, other than at a place set aside by the Council for that purpose;

**4.14 Public Exhibitions and Displays**

4.14.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;

- 4.14.2 conduct or hold any concert, festival, show, public gathering, street party, circus, performance or any other similar activity;
- 4.14.3 erect a stage or structure for the purposes of conducting or holding a concert, festival, show, circus, performance or similar activity;
- 4.14.4 cause any public exhibitions or displays;
- 4.15 *Working on Vehicles*  
perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

## PART 3—MISCELLANEOUS

**5. Directions**

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

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

**6. Removal of Animals**

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

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

**7. Exemptions**

- 7.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker performing emergency duties.
- 7.2 The restrictions in paragraph 4.2, 4.13 and 4.14 of this by-law do not apply to:
  - 7.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
  - 7.2.2 matters which relate to, and occur during the course of and for the purpose of a referendum.
- 7.3 Paragraph 4.7 of this by-law does not apply to a motor vehicle being driven to or from adjacent land by the shortest practical route.

**8. Application**

Paragraph 4.9 of this by law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

**9. Revocation**

Council's *Roads By-law 2016*, published in the Gazette on 5 January 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of Rural City of Murray Bridge held on 13 May 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

Dated: 6 June 2024

HEATHER BARCLAY  
Chief Executive Officer

## RURAL CITY OF MURRAY BRIDGE

## LOCAL GOVERNMENT ACT 1999

*Moveable Signs By-law 2024**By-law No. 4 of 2024*

To protect visual amenity and public safety on roads and footpaths by setting standards for moveable signs and regulating their placement in a manner which recognises the advertising needs of businesses to maximise economic viability.

## PART 1—PRELIMINARY

**1. Short Title**

This by-law may be cited as the *Moveable Signs By-law 2024*.

**2. Commencement**

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

**3. Definitions**

In this by-law, unless the contrary intention is clearly indicated:

- 3.1 **authorised person** has the same meaning as in the *Local Government Act 1999*;
- 3.2 **arterial road** means:
  - 3.2.1 the roads set out in Schedule 1 to this by-law; and
  - 3.2.2 any other road which the Council resolves is an arterial road for the purposes of this by-law, provided Council provides public notice of the resolution;

- 3.3 **banners** means a moveable sign constituted of a strip of cloth, plastic or other material hung or attached to a pole, fence or other structure designed to direct people to or to promote a community event;
- 3.4 **business premises** means the premises from which a business, trade or calling is conducted;
- 3.5 **community event** means an event to which members of the community may attend at no charge which is held within the Council's area;
- 3.6 **footpath area** means an area:
- 3.6.1 between the edge of the carriageway of a road and adjacent land; or
- 3.6.2 open to the public that is designed for, or has one of its main uses, use by pedestrians;
- 3.7 **moveable sign** has the same meaning as in the *Local Government Act 1999*;
- 3.8 **public notice** has the same meaning as in the *Local Government Act 1999*;
- 3.9 **road** has the same meaning as in the *Local Government Act 1999*;
- 3.10 **road related area** has the same meaning as in the *Road Traffic Act 1961*;
- 3.11 **tear drop sign** means a sign in the style of a tear drop sign or feather sign.

PART 2—PROVISIONS APPLICABLE TO MOVEABLE SIGNS

**4. Construction and Design**

A moveable sign must:

- 4.1 be of a kind known as an 'A' Frame or Sandwich Board sign, an inverted 'T' sign, a tear drop sign, or a flat sign, or, with the permission of the Council, a sign of some other kind; and
- 4.2 be designed, constructed and maintained in good condition so as not to present a hazard to any member of the public; and
- 4.3 be of strong construction so as to be stable when in position and to be able to keep its position in adverse weather conditions; and
- 4.4 not contain sharp or jagged edges or corners; and
- 4.5 not be unsightly or offensive in appearance or content; and
- 4.6 not rotate or contain moving parts; and
- 4.7 not contain flashing lights or be illuminated internally; and
- 4.8 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials; and
- 4.9 not exceed:
- 4.9.1 900mm in perpendicular height, or have a base with any side exceeding 600mm in length when placed on a footpath area of a road to which a speed limit of 60km/h or less applies; or
- 4.9.2 1,200mm in perpendicular height, or have a base with any side exceeding 900mm in length when placed on a footpath area of a road to which a speed limit of more than 60km/h applies; and
- 4.10 not have a display area exceeding 1 metre square in total or, if the sign is two-sided, 1 metre square on each side; and
- 4.11 be stable when in position; and
- 4.12 in the case of an 'A' Frame or Sandwich Board sign:
- 4.12.1 be hinged or joined at the top; and
- 4.12.2 be of such construction that its sides shall be securely fixed or locked in position when erected; and
- 4.13 in the case of an inverted 'T' sign, contain no struts or supports that run between the display area and the base of the sign.

**5. Appearance**

A moveable sign on a road must, in the opinion of an authorised person:

- 5.1 be painted or otherwise detailed in a competent and professional manner; and
- 5.2 be aesthetically appealing, legible and simply worded to convey a precise message; and
- 5.3 be of such design and contain such colours:
- 5.3.1 as are compatible with the architectural design of the premises adjacent to the sign; and
- 5.3.2 which relate well to the townscape and overall amenity of the locality in which it is situated; and
- 5.3.3 which do not detract from or conflict with traffic, safety or direction signs or signals; and
- 5.4 contain combinations of colours and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.

**6. Placement**

A moveable sign must:

- 6.1 only be placed on the footpath area of a road; and
- 6.2 be directly in front of the business premises to which it relates; and
- 6.3 where there is no kerb to define the footpath area, must allow a set back of 500mm from the edge of the carriageway; and
- 6.4 in the case of a flat sign, be in line with and against the property boundary of the road; and
- 6.5 be placed no less than 1.2 metres away from any structure, fixed object, tree, bush or plant (including another moveable sign); and

- 6.6 not be fixed, tied or chained to or leaned against any other structure, fixed object, tree, bush or plant (including another moveable sign); and
- 6.7 not be placed on a sealed part of any footpath area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.8 metres wide; and
- 6.8 in the case of a A-frame sign or inverted 'T' sign, where there is a kerb to define the footpath area, must allow no less than 1.8 metres between the sign and the front boundary of the adjacent business premises to which relates; and
- 6.9 not be placed within six metres of the corner or intersection of a road; and
- 6.10 not be placed on a landscaped area other than landscaping that comprises only lawn; and
- 6.11 not be placed on a designated parking area or within 1 metre of an entrance to or exit from business premises; and
- 6.12 not unreasonably:
  - 6.12.1 restrict the use of the footpath area or road; or
  - 6.12.2 endanger the safety of members of the public.

## 7. Restrictions

A moveable sign displayed on a public street or road shall:

- 7.1 subject to subparagraph 7.3.1, be placed adjacent to the business premises to which it relates;
- 7.2 display:
  - 7.2.1 material about the products available from the business to which it relates; or
  - 7.2.2 subject to subparagraph 7.3.1, material which advertises a business being conducted on business premises adjacent to the sign;
- 7.3 be, in respect of:
  - 7.3.1 business premises located:
    - 7.3.1.1 on a road other than an arterial road; and
    - 7.3.1.2 within 500m of the intersection of an arterial road,  
limited to two per business, one of which must be located on the footpath area of the arterial road, directing persons to the business;
  - 7.3.2 business premises other than those to which subparagraph 7.3.1 applies, limited to one per business premises;
- 7.4 only be displayed when the business is open to the public; and
- 7.5 be securely fixed in position such that it cannot be blown over or swept away; and
- 7.6 not in such a position or in such circumstances that the safety of any user of the road is at risk; and
- 7.7 not be displayed during the hours of darkness unless it is clearly visible; and
- 7.8 not to be displayed on a median strip, traffic island or on a carriageway of a road.

## 8. Exemptions

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

- 8.1 is a moveable sign that is placed on a public road pursuant to an authorisation under the *Local Government Act 1999* or another Act;
- 8.2 directs people to a current open inspection of any land or building that is available for purchase or lease;
- 8.3 directs people to a current garage sale that is being held on residential premises provided the sign does not restrict the use of the road or endanger the safety of members of the public;
- 8.4 is a flat sign containing only the banner or headlines of a newspaper or magazine provided:
  - 8.4.1 the sign does not restrict the use of the road or endanger members of the public; and
  - 8.4.2 only three such signs are displayed in relation to a business premises;
- 8.5 is related to a Commonwealth election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day;
- 8.6 is related to a State election and is otherwise authorised to be exhibited under the Section 226 of *Local Government Act 1999* or the *Electoral Act 1985*;
- 8.7 is related to a referendum and is displayed during the course and for the purpose of that referendum;
- 8.8 is displayed with permission of the Council and in accordance with any conditions attached to that permission; or
- 8.9 is a sign of a class prescribed in the regulations.

## 9. Banners

- 9.1 The provisions of this paragraph apply to banners, notwithstanding the other provisions of this Part.
- 9.2 Subject to paragraph 9.5, a banner must:
  - 9.2.1 only be displayed on a road, footpath area or road related area;
  - 9.2.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
  - 9.2.3 not be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, or other improvement to a road owned by the Council;
  - 9.2.4 not be displayed more than one month before and two days after the event it advertises;



- 9.2.5 not be displayed for a continuous period of more than one month and two days in any 12 month period;
- 9.2.6 be aesthetically appealing, legible and simply worded to convey a precise message;
- 9.2.7 be securely fixed in position such that it cannot be blown or swept away;
- 9.2.8 not in such a position or in such circumstances that the safety of any user of the road is at risk;
- 9.2.9 not to be displayed on a median strip, traffic island or on a carriageway of a road;
- 9.2.10 not exceed 3m<sup>2</sup> in size.
- 9.3 The Council may adopt location guidelines relating to the display of banners.
- 9.4 The location guidelines may apply to all banners or banners of a particular type of kind, may modify the application of this clause to banners, or provide additional requirements in relation to banners.
- 9.5 A banner must comply with any location guidelines made by the Council.

## PART 3—ENFORCEMENT

**10. Removal of Non-complying Moveable Signs**

- 10.1 If:
- 10.1.1 the design or construction of a moveable sign that has been placed on a road does not comply with a requirement of this by-law; or
- 10.1.2 the positioning of a moveable sign does not comply with a requirement of this by law; or
- 10.1.3 any other relevant requirement of this by-law is not complied with; or
- 10.1.4 the moveable sign unreasonably:
- 10.1.4.1 restricts the use of the footpath area or road; or
- 10.1.4.2 endangers the safety of members of the public,
- an authorised person may order the owner of the sign to remove the sign from the road.
- 10.2 A person must comply with an order of an authorised person made pursuant to subparagraph 10.1 of this by-law.
- 10.3 If the authorised person cannot find the owner, or the owner fails to comply immediately with the order of an authorised person, the authorised person may remove and dispose of the moveable sign.
- 10.4 The owner or other person entitled to recover a moveable sign removed pursuant to paragraph 10.3 of this by-law must pay to the Council any reasonable costs incurred by the Council in removing, storing and attempting to dispose of the moveable sign before being entitled to recover the moveable sign.

**11. Removal of Complying Moveable Signs**

- 11.1 The owner of, or other person responsible for, a moveable sign must remove or relocate the moveable sign at the request of an authorised person if, in the reasonable opinion of that authorised person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign.
- 11.2 The owner of, or other person responsible for, a moveable sign must remove or relocate the moveable sign at the request of an authorised person for the purpose of special events, parades, road works or in any other circumstances which, in the reasonable opinion of the authorised person, requires relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.

## PART 4—MISCELLANEOUS

**12. Revocation**

Council's *Moveable Signs By-law 2016*, published in the Gazette on 5 January 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of Rural City of Murray Bridge held on 13 May 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

Dated: 6 June 2024

HEATHER BARCLAY  
Chief Executive Officer

## SCHEDULE 1—ARTERIAL ROADS

Road	Locality
East Terrace	Callington, from Cemetery Road to Jaensch Road
Drummond Street	Jervois
Rayson Street	Jervois
Adelaide Road	Murray Bridge
Bridge Street	Murray Bridge
Cypress Terrace	Murray Bridge
Hindmarsh Road	Murray Bridge
Maurice Road	Murray Bridge, from Mulgundawah Road to Cypress Terrace
Swanport Road	Murray Bridge
Mannum Road	From Murray Bridge to Council Boundary
Princess Highway	Murray Bridge East
Green Street	Myppolonga
Jervois/Langhorne Creek Road	Wellington, from Sharkland Road to Richards Street

RURAL CITY OF MURRAY BRIDGE  
DOG AND CAT MANAGEMENT ACT 1995  
LOCAL GOVERNMENT ACT 1999

*Dogs By-law 2024*  
*By-law No. 5 of 2024*

For the management and control of dogs within the Council's area and to limit the number of dogs kept in premises.

PART 1—PRELIMINARY

**1. Short Title**

This by-law may be cited as the *Dogs By-law 2024*.

**2. Commencement**

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

**3. Definitions**

In this by-law:

- 3.1 **Act** means the *Dog and Cat Management Act 1995*;
- 3.2 **approved kennel establishment** means a building, structure, premises or area approved by the relevant authority, pursuant to the *Planning, Development and Infrastructure Act 2016*, for the keeping of dogs on a temporary or permanent basis;
- 3.3 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled and includes a dog undergoing training of a kind approved by the Board for assistance dogs;
- 3.4 **children's playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 3 metres of such devices if there is no enclosed area);
- 3.5 **effective control** means a person exercising effective control of a dog either:
  - 3.5.1 by means of a physical restraint; or
  - 3.5.2 by command, the dog being in close proximity to the person, and the person being able to see the dog at all times;
- 3.6 **local government land** has the same meaning as in the *Local Government Act 1999*;
- 3.7 **premises** includes any land and part of any premises or land whether used or occupied for domestic and non-domestic purposes, except an approved kennel establishment;
- 3.8 **small dwelling** means a self-contained dwelling commonly known as a flat, service flat, home unit or the like where the property, or part thereof, contains a secured unobstructed yard area of less than 100 square metres;
- 3.9 **township** has the same meaning as in the *Local Government Act 1999*;
- 3.10 **working livestock dog** has the same meaning as in the Act.

PART 2—DOG MANAGEMENT AND CONTROL

**4. Limit on Dog Numbers**

- 4.1 The limit on the number of dogs kept in any premises in a township (other than a small dwelling) shall be two dogs.
- 4.2 The limit on the number of dogs kept in any small dwelling in a township shall be one dog.
- 4.3 The limit on the number of dogs kept in any premises outside of a township shall be three dogs.
- 4.4 A person must not, without obtaining written permission of the Council, keep any dog on any premises where the number of dogs exceeds the limit unless the premises is an approved kennel establishment.
- 4.5 A person must not keep a dog on any premises where, in the opinion of an authorised person, there is no secure or appropriate area where the dog may be effectively confined.

**5. Dog Free Areas**

A person must not cause, suffer or permit any dog under that person's control, charge or authority to be, or remain:

- 5.1 on any local government land to which this paragraph applies, in accordance with paragraph 10 of this by-law;
- 5.2 on any enclosed tennis, basketball or netball court;
- 5.3 on any synthetic sports playing surfaces;
- 5.4 on any children's playground or skate park.

**6. Dogs on Leashes**

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

- 6.1 on local government land or public place to which the Council has resolved that this paragraph applies;
- 6.2 on any park or reserve during times when organised sport is being played;

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

**7. Dog Exercise Areas**

- 7.1 Any person may enter upon any part of local government land to which this paragraph applies in accordance with paragraph 10 of this by-law for the purpose of exercising a dog under their effective control.
- 7.2 Where a person enters upon such part of local government land for that purpose, they shall ensure that the dog or dogs under their control remain under effective control while on the land.
- 7.3 The Council must erect a sign or signs to denote the local government land or public places to which this paragraph applies, and information will be provided, in a manner determined by the Chief Executive Officer of the Council, to inform the public about such public places.

## 8. Dog Faeces

A person must not, on local government land or a public place, be in control of a dog, unless the person has, in their possession, a bag or other suitable receptacle for the purpose of picking up and lawfully disposing of any faeces that the dog may generate while in that place.

## 9. Exemptions

- 9.1 Paragraph 4 does not apply where the dog is under three months of age.
- 9.2 Paragraph 4.3 does not apply to any working livestock dog, provided no more than five of such dogs are kept on the premises.
- 9.3 Paragraphs 5 and 6 do not apply where the dog is an assistance dog.

### PART 3—MISCELLANEOUS

## 10. Application

Paragraphs 5.1, 6.1 and 7 of this by-law shall apply only in such portion or portions of the area as the council may by resolution direct (in accordance with Section 246(3)(e) of the *Local Government Act 1999*).

## 11. Revocation

Council's *Dogs By-law 2016*, published in the Gazette on 5 January 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of Rural City of Murray Bridge held on 13 May 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

Dated: 6 June 2024

HEATHER BARCLAY  
Chief Executive Officer

## SOUTHERN REGION WASTE RESOURCE AUTHORITY REGIONAL SUBSIDIARY

### LOCAL GOVERNMENT ACT 1999

#### Charter 2024

### PART I: GENERAL

## 1. INTRODUCTION

### 1.1 Name

The name of the subsidiary is Southern Region Waste Resource Authority (referred to as '**the Authority**' in this Charter).

### 1.2 Definitions

- 1.2.1 **absolute majority** means a majority of the whole number of the Board members or of the Constituent Councils as the case may be;
- 1.2.2 **Act** means the *Local Government Act 1999*;
- 1.2.3 **Board** means the board of management of the Authority;
- 1.2.4 **Budget** means a budget consistent with Clause 6.5 and last adopted by the Board
- 1.2.5 **Constituent Councils** means the Councils identified at Clause 2.1 of this Charter;
- 1.2.6 **Gazette** means the *South Australian Government Gazette*;
- 1.2.7 **net assets** means total assets (current and non-current) less total liabilities (current and non-current) as reported in the annual audited financial statements of the Authority together with the net present value of the projected future cash inflows net of cash outflows of the remaining useable airspace over the SRWRA Landfill Operation as licensed by the Environment Protection Authority;
- 1.2.8 **simple majority** means a majority of those present and entitled to vote;
- 1.2.9 **SRWRA Landfill Operation** means that land which is held by the Authority under certificates of title volume 5822, folio 967; volume 5822, folio 966; volume 5822, folio 965; volume 5299, folio 719; volume 5299, folio 720; volume 6199, folio 621 and volume 6217, folio 132;
- 1.2.10 **waste** means any or all waste as approved under the Environment Protection Act licence held by the Authority or its contractor.

### PART II: GOVERNANCE

## 2. THE AUTHORITY

### 2.1 Establishment and Charter

- 2.1.1 The Authority is a regional subsidiary established pursuant to Section 43 of and Schedule 2 to the Act by the:
  - 2.1.1.1 City of Holdfast Bay;
  - 2.1.1.2 City of Marion; and
  - 2.1.1.3 City of Onkaparinga.
- 2.1.2 This Charter may be amended at any time by unanimous decision (expressed by resolution) of the Constituent Councils.
- 2.1.3 Before the Constituent Councils vote on a proposal to alter this Charter, they must take into account any recommendations of the Board.
- 2.1.4 For the purposes of Clause 19(5)(b) of Schedule 2 to the Act, the Chief Executive Officers of the Constituent Councils have determined that a copy of the Charter, must be published on the website of the Authority.
- 2.1.5 This Charter must be read in conjunction with Parts 2 and 3 of Schedule 2 to the Act. The Authority shall conduct its affairs in accordance with Schedule 2 to the Act except as modified by this Charter in a manner permitted by Schedule 2.

## 2.2 *Objects and Purposes*

### 2.2.1 The Authority is established to:

- 2.2.1.1 provide and operate services at a place or places for the management of waste by or on behalf of the Constituent Councils and/or any other approved councils;
- 2.2.1.2 undertake anything relevant (including educational programmes and processes) to the management of waste;
- 2.2.1.3 provide a forum for discussion and/or research for the ongoing improvement of management of waste;
- 2.2.1.4 undertake management of waste on behalf of the Constituent Councils on a competitive basis;
- 2.2.1.5 fulfil, on behalf of the Constituent Councils, any ongoing obligation in relation to rehabilitation and monitoring of waste management facilities under its control;
- 2.2.1.6 secure best value and value for money in waste management activities and services;
- 2.2.1.7 develop or facilitate activities or enterprises that result in a beneficial use of waste;
- 2.2.1.8 be financially self-sufficient;
- 2.2.1.9 develop or facilitate activities or enterprises that result in a beneficial use of the landfill site or infrastructure;
- 2.2.1.10 keep the Constituent Councils informed about relevant emerging opportunities, trends or issues in waste management; and
- 2.2.1.11 have regard in the performance of its functions to sustainable, environmentally efficient practices with regard to waste management

### 2.2.2 The Authority must in the performance of its role and functions and in all of its plans, policies and activities:

- 2.2.2.1 operate in a sustainable manner by giving due weight to economic, social and environmental considerations; and
- 2.2.2.2 conduct its activities in compliance with all regulatory requirements and in a manner that minimises risk to the Constituent Councils.

## 2.3 *Powers and Functions of the Authority*

Subject to this Charter, the Authority may exercise the following powers in the performance or discharge of its objects and purposes:

- 2.3.1 the accumulation of surplus funds including for investment purposes;
- 2.3.2 investing any of the funds of the Authority in any investment authorised by the *Trustee Act 1936*, or with the Local Government Finance Authority provided that:
  - 2.3.2.1 in exercising this power to invest the Authority must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
  - 2.3.2.2 the Authority must avoid investments that are speculative or hazardous in nature;
- 2.3.3 setting aside a reserve fund or funds clearly identified for the upkeep and/or replacement of fixed assets of the Authority or meeting any deferred liability of the Authority;
- 2.3.4 borrowing money and/or to incurring expenditure in accordance with Clause 6.2 of this Charter;
- 2.3.5 opening and operating bank accounts;
- 2.3.6 entering into contracts, purchasing, selling, leasing, hiring, renting or otherwise acquiring or disposing of any personal property or interests therein;
- 2.3.7 purchasing, selling, leasing, hiring, renting or otherwise acquiring or disposing of any real property or interests therein, provided that it is a condition precedent, that in any such transaction where the Authority will incur a singular or a total liability of \$1,000,000 or more that unless the liability is included in the Budget; the prior written approval of two-thirds of the Constituent Councils is obtained;
- 2.3.8 participating in a joint venture, trust, partnership or similar for the purpose of engaging in a commercial activity or enterprise;
- 2.3.9 appointing, managing, suspending and dismissing the Chief Executive Officer of the Authority;
- 2.3.10 engaging retaining, and dispensing with the services of professional advisers to the Authority;
- 2.3.11 charging whatever fees, the Authority considers appropriate for services rendered to any person, body or Council;
- 2.3.12 making any election for the purpose of any tax or statutory charge;
- 2.3.13 determining the types of waste which shall be received and the method of collection, treatment, recycling and disposal of that waste;
- 2.3.14 undertaking all manner of things relating and incidental to the collection, treatment, recycling and disposal of waste;
- 2.3.15 pursuing the concept of co-operative regionalism in the collection, treatment, recycling and disposal of waste for which the Constituent Councils are or may become responsible
- 2.3.16 causing all waste collected by the Authority to be treated, recycled and disposed of in a sanitary and environmentally acceptable way;
- 2.3.17 providing a forum for the discussion and consideration of topics related to the Constituent Councils' obligations and responsibilities in respect of waste;
- 2.3.18 adopting and using a trading name provided that the Authority shall first register the trading name with the Australian Securities and Investment Commission;
- 2.3.19 commencing legal proceedings provided that any legal proceedings seeking urgent relief be the subject of an urgent report to the Constituent Councils by the Chief Executive Officer;
- 2.3.20 without limiting the Authority's powers and functions, making submissions to and negotiating with the Federal Government, State Government and other sources of grant funding in relation to the provision and receipt of funding for the Authority; and
- 2.3.21 anything else necessary or convenient for or incidental to the exercise, performance or discharge of its powers and functions or the attainment of its objects and purposes.

#### 2.4 *National Competition Policy*

If the Authority engages in any commercial activity or enterprise which constitutes a significant business activity of the Authority, it will, where necessary and having regard to a cost/benefit analysis, apply relevant principles of competitive neutrality to that activity.

#### 2.5 *Acting Outside Areas of Constituent Councils*

The Authority may undertake its activities outside the areas of the Constituent Councils in accordance with the Act but only where such activities have been approved by the Constituent Councils as being necessary or expedient to the performance by the Authority of its functions and the activity is included in the annual business plan of the Authority.

#### 2.6 *Delegation by the Authority*

The Authority may delegate any of its powers except those to:

- 2.6.1 impose charges;
- 2.6.2 enter into transactions in excess of \$250,000
- 2.6.3 subject to this Charter, borrow money or obtain any other form of financial accommodation;
- 2.6.4 approve expenditure of money on the works, services or operations of the Authority not set out in the Budget or where required by this Charter, approved by the Constituent Councils;
- 2.6.5 approve the payment of allowances to members of the Board;
- 2.6.6 adopt or revise an annual business plan or Budget or any financial estimates and reports; and
- 2.6.7 make any application or recommendation to the Minister.

#### 2.7 *Committees*

- 2.7.1 The Board may establish a committee comprised of any persons to deal with any matter within the Authority's functions and as detailed in the terms of reference adopted by the Board for the committee.
- 2.7.2 The Board may delegate powers and functions to a committee.
- 2.7.3 A member of a committee established under this Clause holds office at the pleasure of the Board.
- 2.7.4 The Chair of the Board is an ex-officio a member of any committee established by the Board.

### 3. CONSTITUENT COUNCILS

#### 3.1 *Withdrawal*

- 3.1.1 A Constituent Council may not withdraw from the Authority except with the approval of the Minister and subject to the Act and this Charter.
- 3.1.2 A Constituent Council which intends to withdraw from the Authority shall give to the Board and the other Constituent Councils written notice of such intention, specifying the date of intended withdrawal. The notice shall be a minimum of twenty-four months' notice expiring on 30 June of the relevant financial year.
- 3.1.3 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council for the payment of its contribution towards any actual or contingent deficiency in the net assets of the Authority at the end of the financial year in which such withdrawal occurs.
- 3.1.4 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by the Authority at any time before or after such withdrawal in respect of any act or omission by the Authority prior to such withdrawal. For the avoidance of doubt, any and all costs associated with closure processes (including but not limited to capping and post-closure monitoring and necessary actions) of a waste cell or the landfill site generally is a liability incurred before the withdrawal of a Constituent Council and is, therefore, a continuing liability for the purposes of this Clause.
- 3.1.5 Payment by or to the withdrawing Constituent Council must be fully paid by 30 June of the financial year following 30 June of the year in which the withdrawal occurs unless there is agreement of alternative payment arrangements made by the Constituent Councils.

#### 3.2 *New Members*

Subject to the provisions of the Act, the Constituent Councils may unanimously agree to admit a new Constituent Council or Councils, to membership of the Authority, with or without conditions.

#### 3.3 *Direction by Constituent Councils*

To be effective, a direction of the Constituent Councils for the purposes of Clause 26 of Schedule 2 to the Act must be evidenced by a minute signed by the Chief Executive Officer of each of the Constituent Councils and provided to the Chief Executive Officer of the Authority, as a true and accurate record of the decision made by the delegate or at the relevant Council meeting.

### 4. BOARD OF MANAGEMENT

The Authority is a body corporate and is governed by the Board, which has the responsibility to manage the business and other affairs of the Authority in accordance with this Charter and any delegations made to it by the Constituent Councils.

#### 4.1 *Functions of the Board*

- 4.1.1 The formulation of strategic plans and strategies aimed at improving the business of the Authority.
- 4.1.2 To provide professional input and policy direction to the Authority.
- 4.1.3 Monitoring, overseeing and measuring the performance of the Chief Executive Officer of the Authority.
- 4.1.4 Implementing effective risk management policies, practices, procedures and strategies, including by ensuring the protection of assets under the care and control of the Authority.
- 4.1.5 Ensuring that a code of ethical behaviour and integrity is established and implemented in all business dealing of the Authority.
- 4.1.6 Developing business plans.
- 4.1.7 Exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

- 4.1.8 Observing all plans, targets, structures, systems and practices required or applied to the Authority by the Constituent Councils.
- 4.1.9 Ensuring that all information furnished to a Constituent Council is accurate.
- 4.1.10 Ensuring that the Constituent Councils are advised, as soon as practicable, of any material development that affects the financial or operating capacity of the Authority or gives rise to the expectation that the Authority may not be able to meet its debts as and when they fall due.
- 4.2 *Membership of the Board*
- 4.2.1 The Board shall consist of eight members appointed as follows:
- 4.2.1.1 two persons appointed by each Constituent Council, one of whom must be a senior officer of the Constituent Council making the appointment;
- 4.2.1.2 two persons appointed jointly by the Constituent Councils who are not members or officers of a Constituent Council but who, in the opinion of the Constituent Councils, have expertise in waste management and/or business. These persons will be chosen from a list of persons circulated to the Constituent Councils and appointed by a panel comprising the Chief Executive Officer (or nominee) and one other person from each Constituent Council nominated by the Chief Executive Officer.
- 4.2.2 With the exception of the persons appointed pursuant to subclause 4.2.1.2, a Board Member shall, subject to this Charter, be appointed for a term not exceeding the term determined by the Constituent Council and specified in the instrument of appointment and at the expiration of the term of office will be eligible for re-appointment.
- 4.2.3 The maximum term of service for Board Members appointed pursuant to subclause 4.2.1.2 should not exceed 10 years.
- 4.2.4 The Constituent Councils may appoint either a specific Deputy for each Board Member appointed pursuant to subclause 4.2.1.1 or one non-specific Deputy for both such Board Members and a second Deputy to that Deputy. In the absence of a Board Member, the specific Deputy or the non-specific Deputy will be deemed to be the Board Member for that time or, where a non-specific Deputy and second Deputy have been appointed and both Board Members are absent then both Deputies will be deemed to be the Board Members for that time, exercising all of the rights and privileges and being subject to all of the obligations and liabilities of the Board Member(s) during the absence of the Board Member(s).
- 4.2.5 The Constituent Councils should give consideration to the skills that may be required for the Board to operate effectively when making Board appointments.
- 4.2.6 In addition to the circumstances provided for under Clause 20(3) of Schedule 2 to the Act, the office of a Board Member will become vacant upon:
- 4.2.6.1 the Constituent Council (or Constituent Councils as the case may be) responsible for appointing the Board Member providing written notice to the Board Member and the Board of the Constituent Council's (or Constituent Councils') decision to remove the Board Member from office. The Board Members appointed under subclause 4.2.1.2, can only be removed from office by a unanimous decision of the Constituent Councils; or
- 4.2.6.2 if the Board Member is an elected member or officer of a Constituent Council, upon ceasing to be either an elected member of or an employee of the Constituent Council as the case may be; or
- 4.2.6.3 if the Board Member has been appointed pursuant to subclause 4.2.1.1, upon the Constituent Council withdrawing from the Authority.
- 4.2.7 The Board may by a two-thirds majority vote of the Board Members present (excluding the Board Member subject to this subclause 4.2.7) make a recommendation to the relevant Constituent Council requesting the Constituent Council to terminate the appointment of a Board Member that it has appointed under subclause 4.2.1.1 or, to all of the Constituent Councils to terminate the appointment of a Board Member appointed under subclause 4.2.1.2 for:
- 4.2.7.1 any behaviour of the Board Member which, in the opinion of the Board, amounts to impropriety and includes, but is not limited to, a breach of the Member's obligations under the Act;
- 4.2.7.2 serious neglect of duty in attending to his/her responsibilities as a Board Member;
- 4.2.7.3 breach of fiduciary duty to the Authority;
- 4.2.7.4 breach of the duty of confidentiality to the Authority; or
- 4.2.7.5 any other behaviour which, in the opinion of the Board, may discredit the Authority.
- 4.2.8 If any casual vacancy occurs in the membership of the Board it will be filled in the same manner as the original appointment for the balance of the term of the original appointment.
- 4.2.9 The Board Member appointed pursuant to subclause 4.2.1.2 shall be eligible for an allowance from the funds of the Authority as the Board shall determine from time to time.
- 4.3 *Propriety of Members of the Board*
- 4.3.1 Whilst all Board Members must comply with their statutory obligations under the Act, only the Board Members appointed pursuant to subclause 4.2.1.2 are required to comply with Division 2, Part 4 (Register of Interests) of Chapter 5 of the Act.
- 4.4 *Chair of the Board*
- 4.4.1 The Chair of the Board shall be a person appointed pursuant to subclause 4.2.1.2 and shall hold office for a term of three years, unless he/she resigns, is removed from office pursuant to subclause 4.2.6 or, is otherwise no longer eligible to act as a Board Member.
- 4.4.2 Subject to Clause 4.2.3, the Chair is eligible for re-appointment at the expiration of the term of office. The decision regarding re-appointment is made by the panel formed pursuant to subclause 4.2.1.2.
- 4.4.3 The Board will choose a person appointed pursuant to subclause 4.2.1.1 or 4.2.1.2 to be the Deputy Chair of the Board for a term determined by the Board.
- 4.4.4 In the event of the Chair being absent from a meeting, the Deputy Chair shall preside and in the event of both the Chair and the Deputy Chair being absent from a meeting, the Board Members present shall appoint a person from amongst themselves to chair the meeting.

4.4.5 In the event that the Chair either resigns or is no longer eligible to act as a Board Member prior to the expiration of their term, the Deputy Chair shall hold office until a further appointment is made pursuant to subclause 4.2.1.2 whereupon the person so appointed will hold office for the duration of the original appointment. The Deputy Chair is not entitled to any allowance that is paid to the Chair whilst acting in the office of the Chair.

#### 4.5 *Meetings of the Board*

4.5.1 Subject to the requirements of Schedule 2 to the Act, this Charter and any direction of the Constituent Councils, the Board must determine its own meeting procedures for the proceedings and conduct of all Board meetings and set them out in a Code of Practice for Meetings which shall be reviewed every two years.

4.5.2 Ordinary meetings of the Board must take place at such times and places as may be fixed by the Board or the Chief Executive Officer of the Authority from time to time. There shall be at least six ordinary meetings of the Board held in each financial year. Meetings shall not be held before 5 p.m. unless the Board resolves otherwise by resolution supported unanimously by all of the Board Members present at the meeting which determines the issue.

4.5.3 An ordinary meeting of the Board will constitute an ordinary meeting of the Authority.

4.5.4 Notice of ordinary meetings of the Board must be given by the Chief Executive Officer to each Board Member in the same manner as notice is given by a Chief Executive Officer of a council for an ordinary meeting of a council and for these purposes Section 83 of the Act extends to the Authority as if it were a council.

4.5.5 Any Constituent Council or Board Member may by delivering a written request to the Chief Executive Officer of the Authority require a special meeting of the Board to be held. The request will only be valid if it is accompanied by the agenda for the special meeting. On receipt of the request the Chief Executive Officer shall send a notice of the special meeting to all Board Members at least 24 hours prior to the commencement of the special meeting. Such notice shall comply with subclauses 4.5.7 and 4.5.9 of this Charter.

4.5.6 The quorum for a meeting of the Board is one-half of the members in office, ignoring any fraction plus one.

4.5.7 Each Board Member present at a Board Meeting, excluding the Chairperson, is entitled to vote on a matter. All matters for decision at a meeting of the Board will be decided by a simple majority of votes of the Board Members present and entitled to vote on the matter except where this Charter provides otherwise. In the event that the votes are equal the Chairperson may exercise a casting vote.

4.5.8 Subject to complying with their statutory obligations, all Board Members present at a meeting shall vote.

4.5.9 Chapter 6, Part 3 of the Act does not apply to the Authority. Meetings of the Board will not be open to the public unless the Board otherwise resolves.

4.5.10 Each Board Member must be supplied with a copy of all minutes of the proceedings of a meeting within five days of the meeting.

4.5.11 Prior to the conclusion of each meeting of the Board, the Board must identify which agenda items considered by the Board at that meeting will be the subject of an information report to the Constituent Councils.

### **PART III: BUSINESS & FINANCIAL REQUIREMENTS**

#### **5. STAFF**

5.1 The Board must appoint a Chief Executive Officer of the Authority to manage the business of the Authority on terms determined by the Board, acting reasonably. The Chief Executive Officer may be a natural person or a body corporate.

5.2 The Chief Executive Officer shall cause records to be kept of the business and financial affairs of the Authority in accordance with this Charter.

5.3 In the absence or likely absence of the Chief Executive Officer for any period exceeding two weeks, a suitable person to act in the position of Chief Executive Officer of the Authority must be appointed by the Chief Executive Officer after consultation with the Chair or, in default, by the Chair.

5.4 The Chief Executive Officer is responsible for the day to day management of the Authority and will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of the Authority.

5.5 The functions of the Chief Executive Officer shall be specified in the terms and conditions of appointment and shall include but not be limited to:

5.5.1 attending at all meetings of the Board unless excluded by resolution of the Board;

5.5.2 ensuring that lawful decisions of the Board are implemented in a timely and efficient manner;

5.5.3 providing information to assist the Board to assess the Authority's performance against its Strategic and business plans;

5.5.4 appointing, managing, suspending and dismissing other employees of the Authority;

5.5.5 determining the conditions of employment of employees of the Authority, within budgetary constraints set by the Board;

5.5.6 providing advice and reports to the Board on the exercise and performance of the powers and functions under this Charter or any Act;

5.5.7 ensuring that the Authority is at all times complying with all relevant statutory obligations;

5.5.8 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Authority;

5.5.9 ensuring that the assets and resources of the Authority are properly managed and maintained;

5.5.10 ensuring that records required under the Act or any other legislation are properly kept and maintained;

5.5.11 exercising, performing or discharging other powers, functions or duties conferred on the Chief Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board;

5.5.12 achieving financial outcomes in accordance with adopted plans and the Budget of the Authority;

5.5.13 inviting any person to attend at a meeting of the Board to act in an advisory capacity; and

5.5.14 providing reports to the Constituent Councils in accordance with subclause 4.5.11.

- 5.6 The Chief Executive Officer may delegate or sub-delegate to an employee of the Authority any power or function vested in the Chief Executive Officer or, in the case of a sub-delegation, any power delegated to the office by the Board. A delegation or sub-delegation by Chief Executive Officer may be subject to any conditions or limitations as determined by the Chief Executive Officer.
- 5.7 A written record of all delegations and sub-delegations must be kept by the Chief Executive Officer.
- 5.8 The Chief Executive Officer and any other officer declared by the Board to be subject to this provision is required to comply with Division 2 of Part 4 of Chapter 7 (Register of Interests) of the Act. Section 118 (Inspection of Register) of the Act and Section 119 (Restrictions on disclosure) of the Act will apply in respect of the returns furnished by officers of the Authority.

## 6. MANAGEMENT

### 6.1 *Financial Management*

- 6.1.1 The Authority must ensure that appropriate policies, practices and procedures of internal control are implemented and maintained in order to assist it to carry out its activities in an efficient and orderly manner to achieve its objectives, to ensure adherence to management policies, to safeguard its assets and to secure (as far as possible) the accuracy and reliability of its records.
- 6.1.2 The Authority must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- 6.1.3 Any cheques must be signed by two persons authorised by resolution of the Board. Any payments made by Electronic Funds Transfer must be made in accordance with procedures which have received the prior written approval of the Board.
- 6.1.4 The Chief Executive Officer must act prudently in the handling of all financial transactions for the Authority and must provide quarterly financial and corporate reports to the Board.
- 6.1.5 The Authority's books of account are available for inspection by any Board Member or authorised representative of any Constituent Council at any reasonable time on request.

### 6.2 *Borrowings and Expenditure*

- 6.2.1 The Authority has the power to incur expenditure and/or to borrow money:
- 6.2.1.1 in accordance with the Budget of the Authority; or
  - 6.2.1.2 pursuant to the provisions of subclauses 2.3.4 and 6.2.4 of this Charter; or
  - 6.2.1.3 with the prior approval of two-thirds of the Constituent Councils for amounts which do not exceed 25% of the value of the net assets of the Authority and with the prior approval of all the Constituent Councils for other amounts, which approval must be evidenced by formal resolution of the Councils, or
  - 6.2.1.4 otherwise for genuine emergency or hardship.
- 6.2.2 For the purpose of exercising the powers at Clause 6.2.1 of this Charter the Authority may borrow money from the Local Government Finance Authority or from a registered bank or financial institution within Australia.
- 6.2.3 For the purposes of Clause 6.2.2 but subject to this Charter borrowings of the Authority:
- 6.2.3.1 must not be used for the purpose of funding operational costs; and
  - 6.2.3.2 where the borrowings are undertaken with the prior approval of the Constituent Councils, must be drawn down within a period of twenty-four months from the date of approval.
- 6.2.4 The Authority may operate an overdraft facility or facilities as required provided that the overdrawn balance must not exceed \$100,000 or the amount set out in the annual business plan, whichever is the greater, without the prior approval of two-thirds of the Constituent Councils.

### 6.3 *Audit*

- 6.3.1 The Authority shall appoint an auditor in accordance with the *Local Government (Financial Management) Regulations 2011*, on terms and conditions set by the Board.

### 6.4 *Strategic Plan*

The Authority shall:

- 6.4.1 prepare a five-year Strategic Plan linking the core business activities of the Authority to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period; and
- 6.4.2 review the Strategic Plan annually; and
- 6.4.3 consult with the Constituent Councils prior to adopting or amending the Strategic Plan.

### 6.5 *Annual Business Plan and Budget*

- 6.5.1 The Authority shall, after 31 May but before the end of June in each financial year, prepare and adopt an annual business plan and Budget for the ensuing financial year in accordance with the Act.
- 6.5.2 The draft annual business plan and the draft Budget must be referred to the Constituent Councils with sufficient time to receive any comments from the Councils for consideration by the Board at the time it is considered by the Board for adoption.
- 6.5.3 For the purposes of subclause 6.5.2, a Constituent Council may comment in writing to the Chief Executive Officer on the draft annual business plan and draft Budget but may only do so at least five business days before the Board meeting at which it will be considered
- 6.5.4 The Authority must provide a copy of its annual business plan and Budget to the Constituent Councils within five business days after adoption by the Board.
- 6.5.5 Reports summarising the financial position and performance of the Authority against the annual business plan and the Budget shall be prepared and presented to the Board every three calendar months and copies provided to the Constituent Councils within five days of the Board meeting to which they have been presented.



## 6.6 *Reporting*

- 6.6.1 The Authority must submit to the Constituent Councils by 30 September in each year in respect of the immediately preceding financial year, a report on the work and operations of the Authority detailing achievement of the aims and objectives of its Business Plan and incorporating the audited Financial Statements of the Authority and any other information or reports required by the Constituent Councils.
- 6.6.2 The Board shall present a balance sheet and full financial report to the Constituent Councils at the end of each financial year.

## 7. MISCELLANEOUS

### 7.1 *Equitable Interest*

- 7.1.1 Subject to subclause 7.1.2 the equitable interest of the Constituent Councils in the Authority is agreed as follows:
- 7.1.1.1 City of Holdfast Bay: 15%.
- 7.1.1.2 City of Marion: 30%.
- 7.1.1.3 City of Onkaparinga: 55%.
- 7.1.2 The equitable interests of the Constituent Councils in the Authority as set out at subclause 7.1.1 may be varied by agreement of the Constituent Councils and will be varied where a new Constituent Council or Councils is admitted to or and existing Constituent Council withdraws from the Authority pursuant to Clause 3.1.

### 7.2 *Insurance Requirements*

- 7.2.1 The Authority shall register with the Local Government Mutual Liability Scheme and comply with the Rules of that Scheme.
- 7.2.2 The Authority shall advise Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of the Authority.
- 7.2.3 The Authority must register with the Local Government Workers Compensation Scheme and comply with the Rules of that Scheme.

### 7.3 *Winding Up and Statutory Guarantee*

- 7.3.1 On winding up of the Authority, the surplus assets or liabilities of the Authority, as the case may be, shall be distributed between or becomes the responsibility of the Constituent Councils in the same proportion as their equitable interest in the Authority in accordance with subclause 7.1.
- 7.3.2 If there are insufficient funds to pay all expenses due by the Authority on winding up (or at any other time there are unfunded liabilities which the Authority cannot meet), the Constituent Councils must financially contribute in proportion to their equity share for the purpose of satisfying their statutory guarantee of the liabilities of the Authority.

### 7.4 *Common Seal*

- 7.4.1 The Authority will have a common seal, which may be affixed to documents requiring execution under seal and where affixed must be witnessed by two Board Members or where authority has been conferred by instrument executed under the common seal of the Authority, by the Chair of the Board and the Chief Executive Officer.
- 7.4.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board.
- 7.4.3 The Chief Executive Officer must maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with the particulars of persons who witnessed the fixing of the seal and the date that the seal was affixed.

## 8. DISPUTE RESOLUTION

### 8.1 About this Clause:

- 8.1.1 The procedure in this Clause must be applied to any dispute that arises between the Authority and a Constituent Council concerning the affairs of the Authority, or between Constituent Councils concerning the affairs of the Authority, including as to the meaning or effect of this Charter.
- 8.1.2 The Authority and a Constituent Council must continue to observe and perform this Charter despite the dispute.
- 8.1.3 This Clause does not prejudice the right of a party:
- 8.1.3.1 to require the continuing observance and performance of this Charter by all parties; or
- 8.1.3.2 to institute proceedings to enforce payment due under this Charter or to seek injunctive relief to prevent immediate and irreparable harm.
- 8.1.4 Subject to this Clause, a dispute must not be the subject of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this provision, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedure set out in this Clause.

### 8.2 **Dispute Resolution Process**

- 8.2.1 The Constituent Councils and the Authority agree to work together in good faith to resolve any matter requiring their direction or resolution.
- 8.2.2 A party to the dispute must promptly notify each other party to the dispute:
- 8.2.2.1 of the nature of the dispute, giving reasonable details; and
- 8.2.2.2 what action (if any) the party giving notice thinks will resolve the dispute; but a failure to give such notice does not entitle any other party to damages.
- 8.2.3 Upon receipt of a notice under subclause 8.2.2, the parties to a dispute may agree to refer the dispute for mediation by a mediator agreed by the parties or, if no agreement can be reached, a mediator nominated by the then President of the of the South Australian Bar Association (or equivalent officer of any successor organisation). The cost of any mediation are to be borne by the parties to the dispute in equal shares.

- 8.2.4 Where the parties are unable to resolve a matter (including by way of any mediation process) within ninety (90) days of the matter being presented to them, the matter will be referred for arbitration in accordance with this Clause 8.2.
- 8.2.5 There must be only one arbitrator who must be a natural person agreed by the parties or, if they cannot agree within fourteen business days, an arbitrator nominated by the then Chairperson of the Resolution Institute.
- 8.2.6 The role of the arbitrator is to resolve the dispute and make decisions binding on the parties; The arbitration must take place in a location in Adelaide determined by the arbitrator.
- 8.2.7 A party must cooperate in arranging and expediting arbitration.
- 8.2.8 A party must send to the arbitration a senior manager with authority to resolve the dispute.
- 8.2.9 The parties may provide evidence and given written and verbal submissions to the arbitrator within the time set by the arbitrator.
- 8.2.10 The arbitrator must:
- 8.2.10.1 consider the evidence and submissions, decide the dispute; and
  - 8.2.10.2 give written reasons to each party.
- 8.2.11 Subject to this Clause, the arbitration must take place in accordance with the provisions of the *Commercial Arbitration Act 2011* or subject to this Clause, the arbitrator must fix the rules of arbitration.
- 8.2.12 The costs and expenses of the arbitrator and of each party must be borne as the arbitrator decides.

#### **9. CIRCUMSTANCES NOT PROVIDED FOR**

If any circumstances arise about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Board has the power to consider the circumstance and determine the action to be taken.

Dated: 6 June 2024

CHRIS ADAMS  
Chief Executive Officer

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## PUBLIC NOTICES

TRUSTEE ACT 1936

PUBLIC TRUSTEE

*Estates of Deceased Persons*

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

ANDERSON Roger Clement Henry late of 15 Rosemary Street Woodville West Landscape Gardner who died 25 November 2023  
CARROLL John Edward Keith late of 7 East Terrace Port Broughton Retired carpenter/builder who died 5 December 2023  
CHICK Margaret late of 17 Hill Street Kingswood Retired Nurse who died 27 January 2024  
DONALDSON George Garland late of 56 High Street Grange of no occupation who died 9 December 2023  
FOOTE Gregory Allen late of 78 Windsor Grove Windsor Gardens Postal delivery driver who died 26 July 2023  
HICKEY John Francis late of 76 Connell Street Davoren Park Retired Factory Hand who died 14 May 2023  
McLEAN Barry late of 58 Chief Street Brompton Retired Wharfie who died 24 August 2023  
OLAVESSEN Melva Florence late of 5 Bradford Court Enfield Home Duties who died 30 June 2023  
PHILLIPS Valerie late of 80 Moseley Street Glenelg of no occupation who died 6 September 2023  
PICKEN Frances Audrey late of 17 Victoria Road Clare of no occupation who died 9 February 2024  
RIEFF Elkan Malcolm late of 49 Buxton Street North Adelaide Aeroplane mechanic who died 27 June 2023  
SMITH David John late of 39 Butler Avenue Pennington Retired Soldier who died 8 September 2023  
SMYTH Lois Lenore late of Unit 4, 86 Lockwood Road Burnside Retired secretary who died 16 February 2024  
VELLA Joseph late of Unit 3, 18 Miller Street Whyalla Norrie of no occupation who died 6 April 2023  
WILSON Heather Coral late of 18 West Terrace Quorn of no occupation who died 25 December 2023  
WORTLEY William John late of Unit 3, 102 Military Road Henley Beach South Retired Public Servant who died 29 August 2023

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 SA 5001, full particulars and proof of such claims, on or before the 5 July 2024 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: 6 June 2024

N. S. RANTANEN  
Public Trustee

# NOTICE SUBMISSION

The South Australian Government Gazette is published each Thursday afternoon.

Notices must be emailed by 4 p.m. Tuesday, the week of publication.

Submissions are formatted per the gazette style and a proof will be supplied prior to publication, along with a quote if applicable. Please allow one day for processing notices.

Alterations to the proof must be returned by 4 p.m. Wednesday.

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