



SIMPLIFY DAY

Reducing Red Tape and
Regulatory Burden



SIMPLIFY DAY EXPLAINED

The South Australian Government is committed to making South Australia the best place to do business. We are committed to creating an environment in which our business can operate competitively in the global economy.

The Government has delivered significant reforms in the areas of State Taxation, employment arrangements, planning, the delivery of public services and simplifying regulation. The particular focus of Simplify Day is on reducing the red tape imposed on business.

For business and non-government organisations, time and resources are critical. The time and resources devoted to unnecessary compliance and processes are time and money lost that could otherwise have been focused on growing the business, investing and expanding the skills in their workforce.

The Government's red tape reduction strategy is based on making our regulatory environment stable and predictable, promoting innovation, and facilitating investment and growth whilst upholding community safety and environmental standards. Just as important, we want to make clear what is expected of business and individuals to comply with regulation, providing certainty for everyday transactions as well as business ventures.

Simplify Day will be complemented by "Rip it up day", a process to review all Government citizen and business forms to reduce their length, remove duplication and only seek critical information. Where possible, forms will be removed all together or made digital.

The Government is committed to regulation being customer focused and to minimising costs to individuals, businesses and non-government organisations. Reducing paperwork and digitalising Government services are key elements of the announcements today.

A modern, innovative Government is able to respond quickly to the demands of the community and to promote commerce and innovation in the business sector.

On 14 July 2016, the Premier announced he wanted to hear from businesses and individuals about what makes it difficult to do business. The Premier also announced that 15 November 2016 would be Simplify Day, when the Government would table its first batch of legislation to remove out-dated and redundant legislation, regulation and policy in areas of the Government's economic priorities.

Initial public consultation was undertaken over 30 days concluding on 13 August 2016. A variety of engagement strategies were used, including a *yourSAy* discussion and face-to-face meetings with industry associations. In excess of 60 responses were received during the dedicated public consultation period from individuals, small business, local government representatives and industry peak bodies.

Submissions are still being made and will be considered as part of the Government's commitment to continued red tape reduction. A number of responses include multiple proposals with more than 180 ideas coming forward. Public sector agencies also contributed "repeal ready" and other proposed regulatory reforms in support of Simplify Day.

The Simplify Day project demonstrates the Government's commitment to regulatory reform. This initiative follows recent reviews in Planning, Liquor Licensing, Return to Work South Australia and State Taxation, which were undertaken in partnership with the community.

The Statutes Amendment and Repeal (Simplify) Bill 2016 tabled in Parliament on 15 November 2016 is an initial response, undertaking reform in those areas that could be addressed within the timeframes of the first Simplify Day.

The Government has acted to address many of the issues identified through the consultation process. Numerous ideas from the stakeholder engagement process have proceeded to become proposed amendments to existing legislation through the Simplify Bill.

We want to acknowledge that the responses from the public and business have helped shape these reforms. Some ideas put forward require further consultation and the Government is committed to further progressing these changes over the coming year.

The proposals to amend regulations set out in this report were developed in collaboration with agencies and are complementary to their existing work programs. They respond to the views of business, the public sector and the community in terms of removing processes that are out-dated or unnecessary, make interacting with Government less time consuming and make it easier to conduct business.

The measures announced in this document cover a broad range of industry and economic activity. These include reforms to fees, licences, permit, notification requirements and compliance. Not all of the changes announced are high profile, but nevertheless will make a real and lasting difference to the people and businesses affected. Simplify Day will also modernise the public's interaction with Government.

Those ideas and reforms not addressed in today's package will be the subject of ongoing work and partnership between business and Government, with some to be considered as part of the 2017 Simplify Day process. We continue to seek more ideas for change in our discussions with business and the community.

The changes announced on Simplify Day continue the Government's regulatory reform agenda. Simplify Day will become an annual event from 2016 to ensure we listen, pursue and deliver the desired regulatory and public sector reforms.

2017 will be a busy year with a second tranche of reforms already identified in areas such as transport, work health and safety, licensing and fisheries. The Government will report annually on the outcomes of our work on the legislative and regulatory changes as well as the proposals that will be considered as next steps.

You can review updates about ongoing reforms at <http://publicsector.sa.gov.au/culture/simpler-regulation-unit/> and <http://yoursay.sa.gov.au>

The Government is keen to hear further ideas and suggestions as part of our ongoing commitment to simplification. Please send them through to simplifyday@sa.gov.au

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RECENT REGULATORY REFORMS

The Simplify Day legislative and regulatory changes put forward complement a number of significant Government reforms that are already completed or are underway.

State taxation

Reforms announced in response to the State Tax Review removed taxes that constrained business investment and expansion. In the 2015-16 Budget the Government announced the most comprehensive package of tax reforms in our State's history. By 1 July 2018, the Government will have abolished 5 business taxes, providing a tax system that supports businesses to invest, grow and create jobs.

These reforms included the phased abolition of stamp duty on non-residential, non-primary production real property transfers. Stamp duty rates were reduced by one third on 7 December 2015, will be cut further by one-third on 1 July 2017 and then abolished on 1 July 2018, with up to 6,000 non-residential property transactions expected to benefit each year.

In addition, the small business payroll tax rebate has been extended for four years to 2019-20 reducing the payroll tax bill for small business. The off-the-plan stamp duty concession, that provides a benefit of up to \$15,500 for eligible purchases, has also been extended statewide and made available for a further year to 30 June 2017.

In total, more than \$740 million in tax reductions have been announced in the last two years by the Government, including ongoing reductions of more than \$268 million per annum from 2018-19.

Return to Work SA

The Government's reforms to workers compensation are aimed at delivering better outcomes for injured workers and their employers within a financially sustainable scheme.

The *Return to Work Act 2014* created a scheme that delivers better health outcomes by providing more focused, timely

and relevant recovery and return to work services – that means helping people recover more quickly and return to work and life sooner.

This will, in turn, lead to a healthier and more affordable scheme that benefit employers across South Australia.

The new scheme focuses on helping workers recover from a work-related injury more quickly and return to work by providing a service tailored to their individual needs rather than the previous more general approach.

The new premium system commenced on 1 July 2015 and coincided with the introduction of the new Return to Work scheme. The average premium rate charged has dropped from 2.75% to 1.95% of employers' declared wages, representing approximately \$180 million savings for employers in 2015-16.

Planning

South Australia is in the process of delivering on a major reform to the State's planning system. It will be a system that supports and enhances South Australia's liveability and prosperity in ways that are ecologically sustainable, whilst simultaneously meeting the needs and expectations and reflecting the diversity of our various communities. Our new planning system will be delivered through the *Planning, Development and Infrastructure Act 2016*.

Among other things, the Act provides for the establishment of the new South Australian Planning Commission, the Community Engagement Charter, new statutory instruments (including State Planning Policies, Regional Plans and the Planning and Design Code), new assessment pathways and a professional accreditation system.

Liquor licensing

Following a review of the *Liquor Licensing Act 1997* by the Hon Timothy Anderson QC, the Government accepted most of the recommendations in that review. The Government will consult on a bill to implement the changes accepted including:

- Streamlining of licence categories.
- Removing all restrictions relating to the sale of liquor on Sundays, Christmas Day, Good Friday and New Year's Eve in respect of all licence categories.
- Replacing the existing objections process for new licence applications with restricted grounds for making submissions.
- Replacing the 'needs test' with a test based on the concept of community impact and public interest to apply to certain high risk categories of licence, with a discretion for the Licensing Authority to include other applications.
- Clarifying the physically separate requirement associated with supermarkets wishing to sell packaged liquor.

Streamlining live music regulation

One of the South Australian Government's key economic priorities is to continue to create a vibrant Adelaide that attracts new investors, entrepreneurs, residents and visitors. The flourishing of live music in our city is a vital element to the success of this vision. Adelaide is already an exciting community for musicians and music lovers with a robust music infrastructure and a history of musicians and bands that have achieved global success. This was formally recognised by the United Nations in December 2015 when Adelaide was designated a UNESCO City of Music, joining just 19 other cities internationally noted for their music cultures.

The South Australian Government has been successful in achieving changes to building classifications under the National Construction Code which have significantly reduced the cost of establishing small live music venues. In addition, new laws have been passed removing the requirement for licensed venues to have a separate consent to provide entertainment or live music during certain hours.

More can be done to create a best practice regulatory environment that leads the nation in supporting the growth of the live music industry. The Premier commissioned the Streamlining Live Music Regulation Change@SA 90-Day Project. The purpose of the project was to examine the regulatory barriers facing bricks and mortar live music venues and to recommend reforms to reduce their regulatory burden. The Government will continue to implement the findings of the project to support increasing the vibrancy of Adelaide through live music.

Electronic certificates of compliance (plumbing, electricity and gas trades)

Paper-based Certificates of Compliance (CoCs) were found to be time consuming, difficult to store and rarely valued by customers; with a heavy reliance on licensed workers and contractors to complete and submit CoCs. The use of electronic CoCs by the Office of the Technical Regulator (plumbing, electrical and gas) will replace the current paper-based system.

Analysis determined significant savings to industry, estimated to be \$6-7 million during the first year of implementation of an electronic CoC system, assuming 60% of active licensed workers and contractors adopt the system. It also determined an estimated savings for Government of over \$140,000. Non-financial benefits may also be achieved by industry and Government through improved quality of business information and industry intelligence that is captured by the system, and easier storage and retrieval of critical business information which may help management of business risks.

Improving apprenticeship licensing

The Government reviewed and implemented changes to make the process of registering for plumbing, gas and electrical trade apprenticeships simpler. This has resulted in significant improvements for the customer experience as well as creating efficiencies for Government. These improvements are:

- A digital method for the transfer of information from Traineeship and Apprenticeship Services' (TAS) records system to Consumer and Business Services (CBS) for the provision of in-training licences for new apprentices, for issuing full licences to finalised apprentices and potentially the cancellation of in-training licences when training contracts are cancelled.
- Elimination of multiple steps needed to become a new apprentice, including the scanning and signing of documents and lodging multiple applications.
- Introduction of pre-populated licensing forms to be supplied to apprentices upon completion of their apprenticeship.
- A Memorandum of Understanding between TAS and CBS for the sharing of data.

Improving plumbers' licences endorsements

Plumbers' licences are quite complex documents that can be difficult to understand. The Government aimed to simplify plumbers' licences for greater consumer protection and safety by providing consumers with a clearer understanding of what services plumbers are actually licensed to perform.

In conjunction with industry representatives, the Government identified the following:

- Simplified licences and appropriate wording.
- That consolidating multiple licences into a single licence was not necessary.
- Plans to design and implement an awareness program about aligning renewals for two types of licence.
- That targeted periodic testing for licensees endorsed to undertake high risk plumbing work was not required.

CBS will be consulting with industry prior to implementation of the new wording.

Trade waste in the food and beverage industry

Over the last decade SA Water has been moving towards a cost-recovery model for volume and load-based (VLB) trade waste services. The food and beverage industry represents a significant percentage of the VLB customers and is particularly sensitive to trade waste costs.

The Government has delivered a trade waste transition program to assist businesses improve their trade waste management. The assistance package includes:

- A resource productivity assessment grant, contributing 50% to the contracting of a skilled service provider to assess business processes, identify areas for improvement and build a business case for investment.
- A capital equipment grant contributing 50% towards the implementation of the improvements.
- Inclusion of trade waste related research and development projects to the existing Advanced Food Manufacturing grants program managed by Primary Industries and Regions SA.
- Monitoring of the program, provision of expert advice and a dedicated water efficiency website and toolkits addressing trade waste.

Improving road transport for the agriculture industry

The primary industry sector has worked together with the State Government to identify where efficiencies in road transport can be achieved. This included the potential for improvements in heavy vehicle access regulation as well as more effective regulations for the movement of agricultural machinery on public roads.

The Government has examined and addressed road transport limitations and restrictions raised by the agriculture industry by improving the relevant regulations and decision making processes and undertaking minor capital and infrastructure works, whilst maintaining public safety.

Simplifying contracts across Government to benefit local builders

The Industry Participation Advocate, with the Department of Planning, Transport and Infrastructure and Housing SA, will continue reforms to simplify housing contract specifications and the contract management processes, procurement red tape and compliance costs when tendering for Government contracts.

The Government has developed a simpler contract, with assistance from builders, the Housing Industry Association SA and the Master Builders Association of SA, which removed unnecessary contract requirements from builders. Procurement practices were also streamlined to reduce red tape. This revised approach became operational with Housing SA starting its use in early 2014.

Reducing red tape for the tuna industry

The tuna industry in South Australia generates around \$150 million per year for the South Australian economy, is a major regional employer and is the largest sector of the South Australian aquaculture industry.

The Government has reduced the regulatory burden for South Australia's Bluefin Tuna industry by speeding up the time it takes to gain approvals for a tuna licence each year and where possible, to reduce the cost to tuna farmers. The aim is to change processes so they fit better with the annual fishing and farming cycle, which is determined largely by the migration patterns of southern Bluefin Tuna.

The reform achieved:

- Strengthening the PIRSA 'one stop shop' approach.
- Streamlining of the licensing system.
- Reduced duplication of legislative processes.
- Improved information sharing among agencies to minimise delay and maximise benefit.
- Streamlined chemical usage protocols.
- Significantly refined referral process between PIRSA and EPA, involving an EPA audit of tuna licence applications, rather than a reassessment of the applications.

Outcomes from these reforms were reinforced in the changes made to the *Aquaculture Regulations 2005*. These regulations were remade in July 2016 after a complete review.

Native vegetation regulations review

New regulations have been drafted in a way that will help the public understand native vegetation and explain which clearance activities are permitted. They explain a simplified process for clearing through four distinct pathways that describe the requirements to undertake the clearance of native vegetation.

The four pathways for clearance approvals are:

- Direct exemptions, where Native Vegetation Council (NVC) approval will not be required. This is expected to apply to clearing for vehicle tracks, walking tracks, and regrowth less than five years old.
- Fire hazard reduction, management and control exemptions, where Country Fire Service approval will be required. This could apply to clearing for fire protection for existing dwellings, for fuel reduction and for fuel breaks.
- Vegetation management activities, where an NVC-approved management plan will be required. For example, clearing to manage roadside vegetation, to maintain existing agriculture and to change a grazing regime.
- Major developments, mining and petroleum, and specified activities, where a risk assessment will be required. For example, clearing for infrastructure, buildings, houses, residential subdivisions, dams and recreation tracks.

It is hoped that by making the regulations clearer and less complex, the right balance will be found between the requirements of people needing to clear vegetation with the need to protect and restore the remaining native vegetation in South Australia.

The new regulations are expected to come into operation in early 2017.

SIMPLIFY DAY LEGISLATIVE AND REGULATORY INITIATIVES

PLANNING AND TRANSPORT

Heavy vehicles registration labels

What we have now

Currently, there is a requirement to affix a registration label on all heavy vehicles registered in South Australia.

What we are doing

The requirement to affix a registration label to a heavy vehicle will be abolished. This initiative has been called for by the industry and will reduce the administrative burden on business having to regularly replace the registration label and also remove the potential of being fined for having an out-dated label. It will also reduce cost for Government to print the labels and simplify regulation as offences associated with affixing labels to heavy vehicles will be repealed.

New motor vehicle pre-registration inspections

What we have now

Currently a new motor vehicle cannot be registered until a report containing the following information is submitted by a police officer, authorised officer or an authorised person:

- Name of the person who completed the report.
- Vehicle identification number of the vehicle.
- Month and year of manufacture of the vehicle.
- Make of the vehicle.
- In the case of a motor vehicle other than a caravan or trailer, the body type and engine number of the vehicle.

What we are doing

The proposed amendment removes the requirement for the report to be completed by a police officer, authorised officer or an authorised person, whilst keeping the information required from the vehicle vendor unchanged.

This amendment will benefit the vehicle dealers as businesses will no longer have to make an application to Service SA for their employees to demonstrate their fitness to become

an authorised person. It will also save vehicle dealers from keeping associated documentation for the authorisation. Currently, all new motor vehicle dealers across the State are affected by this requirement and approximately 2,000 persons are authorised to provide the report.

The amendment will also result in Department of Planning, Transport and Infrastructure system and process efficiency as it will remove the need to authorise, manage or audit persons authorised to provide the required information. This red tape reduction initiative will also reduce workload of vehicle dealers.

Rail Commissioner's power to grant standing approvals

What we have now

The Minister cannot grant the Rail Commissioner a standing approval, which essentially is a power that allows the Rail Commissioner to exercise their powers from time to time as the need arises to carry out things like railway operations or works.

What we are doing

Adding a power to grant a standing approval which would simplify administration and enable the Rail Commissioner to exercise their powers without having to seek the Minister's approval for each individual project.

Selling goods and services at the roadside

What we have now

The South Australian legislation does not allow the selling of goods and services at the roadside. This selling is also prohibited in the Australian Road Rules.

What we are doing

Removing the duplication from the South Australian legislation whilst the prohibition to sell goods and services at the roadside will remain in the Australian Road Rules.

Survey Advisory Committee

What we have now

The Survey Advisory Committee played a significant role in the early years of monitoring the operations under the Survey Act. However, as policies have been agreed and established, its role has diminished to an extent, it meets infrequently and there are generally few matters raised through the committee. Review of regulation and the promotion of new initiatives driven by the profession are now directed through the Institution of Surveyors, South Australia Division rather than through the Survey Advisory Committee.

What we are doing

The Committee will be abolished with the transfer of its functions to the Institution of Surveyors, South Australia Division providing for more efficient administration and remove duplication between the two bodies. This measure fulfils the recommendation made in the 2014 Final Report: Boards and Committees by the Government of South Australia to abolish the Committee.

Voluntary alcohol interlock scheme

What we have now

The mandatory alcohol interlock scheme came into operation on 1 May 2009. Prior to that a voluntary scheme existed under which a person could begin driving earlier after being disqualified. The conditions of the scheme continued to apply to those persons and gradually they have exited it.

What we are doing

No one is subject to the scheme any longer. Any driver who voluntarily exits the scheme or ceases to hold a licence cannot re-enter the scheme. As such, this rule will be repealed.

Development panels transitional provisions

What we have now

Transitional arrangements were put in place in 2008 for having independent members on council Development Assessment Panels.

What we are doing

The rules are no longer applicable as the transitional period has ended and all such arrangements to appoint members in Development Assessment Panels have been completed.



Child restraint standards

What we have now

It is important for passenger safety that only recently manufactured child restraints are used. Road safety experts advise that restraints older than ten years should not be used, as they may have become brittle or worn. The Australian Standard that sets out the specifications and types of child restraints used is now over forty years old and has been superseded by the most recent Australian Standard. Currently, no other Australian jurisdiction refers to the previous standard for the purposes of approving child restraints.

What we are doing

Removes the obsolete child restraint standard from South Australian rules governing child restraints ensuring that only references to the recent Australian Standard for the current manufactured child restraints are used for passenger safety. The change will be made to remove reference to a non-existing standard.

ATTORNEY-GENERAL

Electronic transactions

What we have now

South Australian Government agencies issue a range of licences, passes and permits in a physical form. As society evolves into a more digital environment, this paper based model does not align with customer expectations of a modern public sector.

The current approach to issuing licences and passes can be inconvenient and time consuming for customers, as in many instances customers must physically attend a service centre, or await correspondence in the mail. In addition, physical cards represent a snapshot of a licence/pass status at the point of issue.

What we are doing

The Government commenced a pilot in July 2016, which successfully trialled a limited number of digital licences with selected customers. This app enables South Australians to access and validate credentials in real time, providing a live and accurate reflection of the licence status.

Over time, credentials such as occupational licences, boat licences and proof of age cards could be made available to the public via this app. When available, customers will be able to opt-in to create a secure, verified account and then access their stored credentials in a convenient way. User security is a key consideration and assured through functions such as a unique barcode that refreshes at defined intervals, and upon use, for validation of credentials in real-time.

The South Australian Government is currently engaging with businesses, associations and the public, to identify credentials to be digitised and ensuring acceptance of digital credentials.

The changes to current legislation will enable the issue of licences, permits and other authorisations or documents such as proof of age cards and drivers licences without causing doubt over which document (physical or electronic) is valid. The changes will also allow documents to be issued through an approved information system such as an app.

'Oath belief rule' of evidence

What we have now

The 'oath belief rule' is an ancient common law rule of evidence, which the courts have held still applies in South Australia but have criticised as being inconsistent with modern laws of evidence. The oath belief rule allows a witness to be questioned and to express an opinion about whether the evidence given by another witness in court on oath should be believed.

What we are doing

The oath belief rule predates the evolution of modern laws of evidence and is inconsistent with opinion and hearsay rules. The oath-belief rule will be abolished by legislation because it is rarely used, is inconsistent with the modern law of evidence, and has been widely criticised by the courts.

CONSUMER AND BUSINESS SERVICES

Bookmakers

What we have now

Bookmakers are currently required to hold a licence and must obtain permits for the particular events or at venues they operate from.

In practice, the Commissioner for Consumer Affairs approves permits on the basis of recommendations from the proprietors of racing venues. Irrespective of whether a permit has been issued, racing venue proprietors can decide whether or not to allow a bookmaker to operate at any of their events. Accordingly, the issuing of a permit by State Government, as it currently occurs, is a redundant procedure.

What we are doing

Remove the requirements relating to the issuing of permits to licensed bookmakers as a red tape reduction initiative.

Building and associated trades

What we have now

All partners of a business where the partnership performs building work or plumbing, gas fitting or electrical work must hold their own contractors' licence. Depending on the licence the annual fee is between \$217 and \$422. Frequently, the non-active partner is a spouse who does not contract with customers or actively manage the business. There appears to be little consumer protection benefit in requiring licensing in these circumstances.

What we are doing

Allow for exemptions to be granted to non-active partners in appropriate circumstances. Exemptions could be made subject to conditions and could be varied or revoked at the Commissioner's discretion. This would provide flexibility in the event that an unsuitable person seeks to gain entry into one of these industries through this avenue (and without undergoing all usual licensing checks).

Conveyancers

What we have now

Individual conveyancers are currently registered so that they can carry on business in partnership but a body corporate conveyancer cannot carry on business in partnership without the approval of the Commissioner for Consumer Affairs.

What we are doing

The purpose of this rule is unclear and unnecessarily inconveniences the approximately 70 body corporate conveyancers that operate in South Australia with an additional rule for conducting business. This requirement will remove the inconvenience for those conveyancers.

Occupational licensing renewals

What we have now

Holders of occupational licences and registrations administered by Consumer and Business Services must lodge an annual or periodic return, or renewal, and pay their fee by a prescribed date. If they fail to do so, CBS can issue a penalty notice requiring a licensee to lodge their renewal and fee along with payment of a penalty fee. If the licensee still fails to comply, their licence and registration is cancelled 28 days after service of the penalty notice.

What we are doing

Remove penalties for late lodgement of occupational licensing renewals and replace them with a final notice before a licence or registration is cancelled. This is a red tape reduction initiative and will also engender better relationships between licensees and the State Government.

Second-hand vehicle dealers

Registration of temporary premises

What we have now

Currently, a dealer needs to seek approval to trade at a location other than their registered premises for a period of time. This covers situations such as car shows.

What we are doing

This requirement will be removed, enabling second-hand vehicle dealers to trade for short periods of time away from their main place of business, increasing the opportunity for sales and reducing red tape in applying for approval.

Approval of premises

What we have now

In gaining approval to register a business in their name, second-hand vehicle dealers must ensure that their premises are suitable for doing business. In practice, the Commissioner for Consumer Affairs only checks to see that the proposed premises have council approval in order to grant registration. This duplicates local government's role in ensuring that business premises meet their requirements.

What we are doing

This State Government requirement for approval of business premises will be removed to reduce duplication and reduce red tape for second-hand vehicle dealers.

Registered premises

Registered dealers will also no longer need to refer to "registered premises", instead they will only need to refer to "premises notified to the Commissioner".

Second-hand Vehicle Dealer Compensation Fund

What we have now

The Commissioner for Consumer Affairs administers a compensation fund for the benefit of customers of second-hand vehicle dealers. The fund provides compensation when a customer has a valid unsatisfied claim against a dealer and there is no other reasonable prospect of recovering that claim. Currently, this process is conducted in the Magistrates Court.

What we are doing

Alter the claims process for the Second-hand Vehicles Compensation Fund where the Commissioner determines claims for compensation, with the right to appeal lying with the Magistrates Court. This is a far more efficient process and also takes pressure away from the Magistrates Court in hearing these types of claims.



FOOD AND FISHERIES

Interstate trade in horticultural products

What we have now

Individuals or businesses must be accredited under national market assurance schemes to import and export horticultural products. Importers of plant products are also required to register. Accredited persons and registered importers must pay a fee and lodge a return to Biosecurity SA for each period they wish to operate in.

What we are doing

The current State Government lodgement process has some administrative differences with the national accreditation scheme. The proposed changes will allow for accredited persons and registered importers to better align their annual fees and annual returns with national requirements and also allow Biosecurity SA to better program their audit and compliance activity.

Fisheries and aquaculture

Broodstock and seedstock fisheries

What we have now

Currently, holders of aquaculture licences are required to gain a permit to farm wild mussel spat naturally occurring in their aquaculture licence areas.

What we are doing

This change allows the collection of mussel spat by a holder of an aquaculture licence. This will reduce red tape in removing the need for a permit to cultivate mussel spat naturally occurring in aquaculture farms. It will positively affect up to 36 Aquaculture Licensees authorised to farm mussels.

Fisheries Management Industry Fund

What we have now

The Fisheries Management Industry Fund is used for items such as research, the management of aquatic resources and co-management activities. This is not clearly written down in the rules governing the fund.

What we are doing

We will clarify the purposes for which the Fisheries Management Industry Fund is to be used.

Media advertisement options for fisheries and aquaculture

What we have now

Currently, there are no alternative options than newspapers to be used for notifying the public on fisheries management plans or advertising notifications in the preparation of aquaculture statutory policies.

What we are doing

We will allow for alternative media options than newspapers to be used for notifying the public on fishery management plans. We will also vary the requirement that advertising of notifications regarding the preparation of aquaculture statutory policies must appear in newspapers, to allow for other options to be considered such as the website maintained by PIRSA. These changes provides for a more flexible mechanism that will allow for modern communication media to be incorporated and are consistent with the Premier's Better Together initiative.

Possession of protected species

What we have now

Currently, museums or nationally significant collections contain historical exhibits of protected species (or parts of protected species such as White Shark teeth or jaws) that were taken before species protection measures were in place. In such situations there is no clear mechanism for allowing the possession of such exhibits if it is justified in the public interest.

What we are doing

We will clarify the rules to allow for the possession of protected species if it is justified in the public interest.

Prawn fisheries

What we have now

The rules governing how the Spencer Gulf and West Coast prawn fisheries are opened and closed to fishing are not clearly defined in the regulations.

What we are doing

We will make the management arrangements for the Spencer Gulf and West Coast prawn fisheries clear in the regulations. The arrangements will specify the fishing season to be 12 months from 1 July to the following 30 June for the taking of prescribed species under the licence. The arrangements will allow for the suspension or limits of fishing activity (or use of fishing vessels) at any time during the season by way of notice or direction issued to all licence holders.

The change is expected to benefit licence holders of the fishery through increased co-management opportunities around fishing activity. It is not expected to make any significant changes to the way in which the fishery operates, however it will improve transparency and public sector efficiency by removing the need to issue temporary exemptions and closure notices.

The new arrangements will allow for the same activities to occur for up to 42 licence holders across three fisheries consistent with the management plans for each fishery.

Aquaculture licence referrals to the Environment Protection Authority

What we have now

Currently, the Environment Protection Authority (EPA) is required to review all new licences and licence condition variations, including for non environmental matters.

What we are doing

We will clarify that the substitution of an aquaculture licence where it is amalgamated or subdivided does not need to be referred to the EPA as they are administrative in nature. Likewise where licence conditions are administrative in nature or are of a class approved by the EPA as not having or unlikely to have an adverse effect on the environment, they will not need to be referred. This will reduce red tape and further streamline aquaculture licence applications.

Minor amendments

We will also pass some other amendments that:

- Allow, under prescribed circumstances, fisheries operators to remove exotic or noxious species from State waters using the appropriate fishing equipment and methods.
- Allow for the cancellation of a fisheries licence that has been suspended for a long period of time and when the licence holder cannot be contacted.
- Enable Fisheries Officers to report possible offences to Australian law enforcement agencies.
- Incorporate a presumption as to purpose of trafficking where a person is found with a commercial quantity of fish.

HOUSING AND URBAN DEVELOPMENT

Urban Renewal Authority (URA)

What we have now

Currently, there are still references to the Land Management Corporation in State legislation and regulation, specifically relating to:

- Land and business (sale and conveyancing).
- Public corporations.
- Public sector employees.

What we are doing

This measure updates any reference to the URA and deletes any reference to the former Land Management Corporation in all relevant legislation, to reflect the corporation being replaced by the URA in 2012. The changes also ensure that the same authority exemptions for agents acting on behalf of the SA Housing Trust in a land or business sale also apply in respect of agents acting on behalf of the URA to appropriately reflect administrative practice.

SUSTAINABILITY, ENVIRONMENT AND CONSERVATION

Crown Land Management

The *Crown Land Management Act 2009* underwent a complete rewrite and replaced the *Crown Lands Act 1929* and six other minor Acts dealing with Crown land. Broadly, the Act aimed to simplify and modernise the laws regulating Crown land in South Australia.

Despite the success of streamlining the legislation, a number of provisions have proven to be administratively ambiguous or cumbersome. A review of the legislation has shown that a number of provisions should be amended to fully achieve the transparency, natural justice and red tape reduction objectives of the Act.

Declaration of surplus crown land

What we have now

Currently, there is a duplication of process where both State Government agencies and the relevant Minister declare crown land surplus to initiate a sale process.

What we are doing

This change clarifies that land declared surplus for disposal by an agency does not also need to be declared surplus by the relevant Minister.

Dedicated crown land

What we have now

Currently, crown land is dedicated for a single purpose that is approved by the Minister and is also subject to requirements from Local Government.

What we are doing

We are going to allow the purposes of dedicated crown land to be expanded from a single purpose to purposes set out in a land management plan. An associated reform is that the State Government's management plan may be the same plan as that required by local government, to reduce duplication between State and Local Government.

A further reform is that the dedication of land will take effect from the date specified by the Minister, rather than date of issue of the land instrument.

Revocation of crown land trust grants

What we have now

Currently, land that was granted in trust under the ceased *Crown Lands Act 1929*, requires a proclamation by the Governor in order to remove the trust. This is inconsistent with land that is granted under a Crown Condition Agreement under the *Crown Land Management Act 2009*, which can be revoked by the Minister.

What we are doing

This change allows trust grant land under the previous Act to be dealt with under section 26 of the *Crown Land Management Act 2009*, in the same way as Crown Condition Agreements. This will remove the requirement for a Governor's proclamation, which is a lengthy process that delays many projects.

Lease of land dedicated to another minister*What we have now*

Currently, legislation is out of step with practice in that there is no express power for a Minister that is custodian of dedicated Crown land to lease this land.

What we are doing

We will create an express provision for a Minister with dedicated land to enter into lease without the consent of the Minister for Sustainability, Environment and Conservation however the custodian Minister will be responsible for complying with the *Native Title Act 1993* and the purpose of the dedication or management plan. In addition, the Minister for Sustainability, Environment and Conservation cannot revoke the dedication for the lease term without the consent of the custodian Minister.

Lease of land dedicated to a council*What we have now*

Currently, a dedication of land does not give the custodian full property ownership rights. The intent of dedicating land is for community uses, however there are some circumstances where a lease is not appropriate over dedicated land, specifically where the lessee wishes to use the lease as security to raise capital as it is not a secure, transferable right. There is also the potential that a lease could adversely affect existing native title rights. Licences do not require a consent to lease however this option is seldom used by councils. Amending this section could save community groups from needing to obtain consent to lease. The Minister that is the custodian of the land also needs to gain the approval of Minister for Sustainability, Environment and Conservation to enter into a lease arrangement.

What we are doing

We will clarify that the power of local government to lease dedicated land is derived from the *Local Government Act 1999* and confirm that licensees do not require a consent to lease. The need for a consent to a lease will be removed where:

- Native title rights have been extinguished over the land or where the relevant council can demonstrate the grant of the lease will not impact native title rights.

- AND The lease is consistent with the purpose of the dedication or management plan.
- AND The lease will not cause any new development.

We will also remove the requirement for the Minister for Sustainability, Environment and Conservation and the Minister responsible for crown land to enter into a lease with a third party to dedicate crown land. This is an unnecessary duplication and can delay lead times and project commencement significantly.

Ministerial disposal of crown land*What we have now*

Currently, where crown land is being surrendered on fulfilment of lease conditions, the land needs to be declared surplus before being disposed of. This is a needlessly cumbersome process.

What we are doing

Where land is being disposed of in fulfilment of a condition on surrender of a perpetual lease of the land, this clause will allow the land to be disposed of without being declared surplus.

Disposal of crown land by transfer or fee simple*What we have now*

Currently disposal of land subject to a Crown Condition Agreement without competition, the Minister must be satisfied that one of the exemptions applies:

- The land is disposed to a lessee or former lessee and significant improvements have been made to the land.
- The land is disposed of in fulfilment of condition of surrender.
- That the purchaser or donee enter into a Crown Condition Agreement.

What we are doing

This change allows the Minister to enter into a Crown Condition Agreement without a market process.

Conversion of land to freehold*What we have now*

It is Government policy to permit the conversion of a perpetual lease to a freehold title however there is no express power to convert a lease to freehold, therefore this process is currently conducted using the "special circumstances" powers which still requires the land to be declared surplus. This is a needlessly cumbersome process.

What we are doing

The change will create an express power for a Crown lessee to apply to the Minister to surrender (or partially surrender) their Crown lease and provide for the Minister to grant title to a lessee or a party nominated by the lessee. This completely eliminates the need for a Crown lessee to go through a disposal process as a prior condition to converting the lease to freehold land.

Cancellation of crown land licence

What we have now

Currently there is no ability to permit a licensee to surrender or relinquish their licence. Licensees can ask for a refund for their outstanding fees however this costs more in administration than the refund amount.

What we are doing

Create a mechanism to allow for the cancellation of a licence upon application of the licensee. The licence can be cancelled when the Minister is satisfied that:

- The licensee has vacated the land.
- The licensee has complied with the conditions of their licence.
- The licensee has left the land in a reasonable condition.

Licensees will not be eligible for refund of any licence fees paid.

Renewal of crown land licence

What we have now

Legislation is out of step with current practices for the renewal of a licence to occupy crown land. The State Government does not require an application to renew these licences.

What we are doing

The change will formalise current processes where a licence renewal occurs without the need for an application. Licensees will be issued an invoice for a new year's occupation of a licence that will be an offer of a new lease term of 1 year. Payment of this invoice will be acceptance of the terms and conditions for another licence year. New licence terms and conditions may be as published on a South Australian Government website.

Ministerial consent to activities on land

What we have now

The rules around a Minister for Sustainability, Environment and Conservation giving consent to activities occurring on crown land are not clear.

What we are doing

We are clarifying that the Minister has the power to consent to activities occurring on crown land (not being activities that should be the subject of a lease or licence).

Waterfront land disposals

What we have now

When crown land is being divided and sold with waterfront land being retained as crown land, there is a requirement to advertise the intention to proceed with the sale in a statewide newspaper as well as in the Government Gazette.

What we are doing

We will remove the requirement for notice to appear in a statewide newspaper and require that it be advertised on the relevant South Australian Government webpage.

Environment protection

Ozone protection

What we have now

Notification requirements are in the Act for applications for exemption from ozone depleting regulations. All ozone protection regulations were removed from the *Environment Protection Act 1993* in 2008 and notification requirements are therefore no longer relevant.

What we are doing

We will remove the ozone notification requirements from the *Environment Protection Act 1993*.

Waste transport business notification

What we have now

Currently, there are two licence categories for waste transport businesses in South Australia. The two classes (Category A and B) are distinguished by the degree of environmental risk of the type of waste being transported. In applying for a Category A waste transport business licence, applicants must advertise the nature of their business to the public.

What we are doing

The requirement to hold a licence for operating this type of business will remain, however we will exclude the requirement to advertise seeking public comment on the licence application. This is in addition to the current exclusion for waste transport business (category B). The impact of these business activities are transient in nature (as a transport service) so it is unusual for an individual location to be impacted. In practice, the Environment Protection Authority has not received public submissions against this form of application. This reform will save 3 weeks for applicants.

Environment Protection Authority role in the planning system

What we have now

Currently the Environment Protection Authority (EPA) has no concurrence role under planning legislation, that is, it does not provide any endorsement to the authority assessing a development approval.

What we are doing

Clarify that the EPA does not have a concurrence role in relation to the proposed granting of development approval by the relevant authority. This will ensure consistency with the new planning legislation.

Local nuisance and litter control

What we have now

The use by authorised officers of their senses to assess local nuisance is limited to certain forms of local nuisance such as noise, odour, smoke, fumes, aerosols, dust or animals which makes compliance by local government difficult and non-uniform as other forms of local nuisance such as unsightly conditions or a contravention of an environment protection policy cannot be assessed by authorised officers with their senses. The Act allows evidentiary provisions to support the regulations to be introduced via regulation as well as through third party codes, standards and guidelines yet there is no provision to introduce evidentiary provisions for matters within the Act, via regulation.

What we are doing

An amendment to allow the use of sensory evidence by council officers for all local nuisance matters will make compliance by local government more consistent and improve understanding in the community.

Further amendments will allow for inclusion of evidentiary provisions in the regulations to facilitate proof of breaches of the Act or the regulations. These amendments will ensure flexibility and that such matters are only dealt with via regulation as it is not appropriate for codes, standards or guidelines to deal with such matters as currently drafted.

National parks and wildlife regional reserve reporting

What we have now

A parliamentary report must be prepared for each regional reserve at intervals of not more than ten years:

- Assessing the impact of using natural resources on the conservation of the wildlife and the natural and historic features of the reserve.
- Assessing the impact of using these natural resources on the economy of the State.
- Making recommendations as to the future status of the land constituting the reserve.

What we are doing

The preparation of a ten-yearly report is not an effective method in evaluating and mitigating impacts on regional reserves. Decisions by Government on whether to retain regional reserves (or parts thereof) and to manage the land differently have been made independent of these reports. Removal of this requirement will simplify the planning and management of regional reserves by ensuring that Government resources can be directed towards preparing publicly available management plans for the reserves rather than preparing a report every ten years.

South Australian Heritage Council (SAHC) out-of-session business

What we have now

Currently, the SAHC is responsible for both the provisional entry and the confirmation of entry of a place in the South Australian Heritage Register. The SAHC is required to convene an extra-ordinary meeting of the Council in the event that they need to assess urgent matters. Therefore at times the ability to respond expeditiously is reduced given the Council is required to meet in a place that is open to the public.

What we are doing

With advancements in technology there should be a more contemporary approach to engaging with the community and open and transparent decision-making. SAHC will now have the ability to make decisions by another mechanism such as telephone or other electronic means where there is no requirement for a person to appear personally before the Council to make oral representation.

STAMP DUTY

Stamp duties

What we have now

A number of Stamp Duty obligations have become redundant. These include:

- Duties on rental businesses, as they ceased to be collected after 1 July 2009.
- Concessional rates of duty in respect of the purchase of a first home, as this concession ceased to be available for conveyancers on or after 5 June 2008.
- Gaming machine surcharge, as this is not collected on transactions completed on and after 18 June 2016.
- Duties arising from mortgages executed, bonds or warrants of attorney as they ceased to apply after 1 July 2009.
- Special provisions relating to financial products, as no liability to duty arises in relation to a conveyance or instrument executed on or after 18 June 2015.

What we are doing

Removing these Stamp Duty obligations as they have ceased to be collected or granted.

TOURISM

Major events

What we have now

The Government can declare an event a 'major event' under the *Major Events Act 2013*. The Act provides for the regulation of broadcasting, control of event air space and a number of other provisions, to ensure that major events are conducted in a safe and efficient manner. It also deals with the regulation of certain commercial activities at major events such as the sale and distribution of prescribed articles, ticket scalping and ambush marketing.

Some activities, such as ambush marketing, are prohibited in areas that have been declared 'controlled area' for the event. Outside of the controlled area, these activities are not regulated. The prescription of the 'controlled area' is currently defined by a map.

What we are doing

Currently, the declaration of a major event is done by regulations. An amendment is sought to provide the option of declaring a major event either by regulation or Government Gazette. Declaring major events by way of Government Gazette will be more efficient in cases where event organisers wish only to enact limited provisions for a particular event.

The controlled area of a major event will be able to be declared by a map and/or a word description. This will allow great flexibility in defining a 'controlled area' in situations where a word description would be sufficient.







SIMPLIFY DAY – LEGISLATION REPEALS



Debits Tax Act 1994

The *Debits Tax Act 1994* enabled a tax to be levied on certain debits for accounts with financial institutions. This Act has not applied since 30 June 2005.

Financial Institutions Duties Act 1983

The *Financial Institution Duties Act 1983* enabled the collection of duties on financial receipts. This Act has not applied since 30 June 2001.

Gift Duty Act 1968

The *Gift Duty Act 1968* enabled the imposition, assessment and collection of a duty on gifting real and personal property or any estate, debt or power associated with property. A person was obliged to lodge a return with the Commissioner of Succession Duties within, depending on the circumstances, one or two months of a gift being received. Since 1980, a person can no longer incur a liability to pay a gift duty under the Act.

Industries Development Act 1941

Repealing the *Industries Development Act 1941* will abolish the Industry Development Committee that has not met since 2005 as the role has been managed by the Parliamentary Economic Finance Committee.

Mount Gambier Hydrotherapy Pool Fund Act 2009

The *Mount Gambier Hydrotherapy Pool Fund Act 2009* allowed for donations to financially support the construction of a hydrotherapy facility, however the construction never went ahead and as such this piece of legislation is no longer needed.

The Naracoorte Town Square Act 2005

This Act is now redundant as works on the Naracoorte Town Square, authorised by the Act, were completed in 2010.

Software Centre Inquiry (Powers and Immunities) Act 2001

The Inquiry involved consideration of the accuracy and completeness of evidence provided to a previous inquiry about Motorola's tender for the provision of a government radio network. The Inquiry, which commenced in March 2001, has been concluded.

South Australian Meat Corporation – Two Acts

The *South Australian Meat Corporation (Sale of Assets) Act 1996* and the *South Australian Meat Corporation Act 1936* will both be repealed as the sale of the assets has been finalised. The Government is no longer involved in the business of abattoirs and will therefore not require legislation to do so.

Wilpena Station Tourist Facility Act 1990

The *Wilpena Station Tourist Facility Act 1990* was enacted to support a developer to establish a tourist facility in the Ikara-Flinders Ranges National Park. The development never proceeded and the Act is therefore redundant.

Year 2000 Information Disclosure Act 1999

The Act was established to encourage the voluntary disclosure of information about any Year 2000 computer problems and remediation efforts. The year 2000 computer issues were resolved and therefore this Act can be repealed.



SIMPLIFY DAY NEXT STEPS 2017 AND BEYOND



The Simplify Bill is a continuation of the Government's regulatory reform agenda. Simplify Day will become an annual event from 2016 to ensure we listen, pursue and deliver the desired regulatory and public sector reforms. The Government will report annually on the outcomes of our work on the legislative and regulatory changes as well as the commitments and announcements made today. You can review updates about the Simplify Day on <http://publicsector.sa.gov.au/culture/simpler-regulation-unit/> and <http://yoursay.sa.gov.au>

The public engagement process resulted in over 60 submissions and responses. The public responses covered an array of statewide and specific issues. These suggestions and ideas for reform have formed more than a meaningful part of the legislative program and commitments contained in the Simplify Day initiatives.

Many of the public responses need further discussion and exploration and therefore could not be accommodated in the time frame of this process. The issues raised will be considered as part of ongoing work and a number of them have been included in the reforms identified below, to be progressed in 2017 and beyond.

The future reform commitments will be subject to consultation and collaboration between public sector agencies, business and the community. Engagement with key business groups including Business SA, RAA and the Local Government Association, industry associations, interested stakeholders and the community will inform the extent and type of reform capable of being delivered.

TRANSPORT REFORMS

Changes are being progressed as part of a package of broader transport reforms supporting service efficiencies and modernising licensing and transport network access;

- ***Segways and mobility devices***

Create a framework to allow approval of motorised mobility devices, including segways, deemed safe for use on roads or road-related areas. Currently these devices cannot be used these areas which prohibits new business ventures in South Australia and tourism opportunities particularly in the CBD and popular tourist locations. As a first step approval will be granted to conduct trials of small segway tours along the Riverbank Precinct.

- ***Reforming bus lane access***

Under current laws only public transport buses are able to drive or stop in a bus lane or stop at a bus stop. This reform would enable other buses (such as certain types of private or charter buses) to be able to use bus lanes and bus stops. These options will support tourism and city vibrancy through better transport network access, making it easier for people to get closer to places of interest, particularly in the metropolitan area and the CBD.

- ***Towing field bins used in primary production by light vehicles***

Work with industry to allow the towing of field bins by light vehicles in certain circumstances on public roads and road related areas.

- ***Conditional registration scheme for historic, left-hand drive and street rod vehicles***

Simplify access to the scheme to facilitate greater opportunity for enthusiasts to access conditional registration. This has the potential to attract a niche vehicle restoration industry to South Australia and expand the number of historic vehicle enthusiasts in the State.

- ***Simpler access to low risk events held on roads***

This will be done by providing greater flexibility and clarity for organisers of events where the event is flowing rather than static and requires the closure and re-opening of sections of a road as the event progresses. It would be useful for example, when the Tour Down Under passes through a town, an Anzac Day march from the RSL or town hall to the War Memorial for the Dawn Service, or at Christmas time when Santa Sleigh's travel through the back streets.

- ***Optional direct delivery of number plates***

Introduce optional postal delivery of number plates direct from the manufacturer to the vehicle owner. This will save considerable time for businesses and individuals not needing to attend a Service SA centre to collect number plates.

- ***6 monthly registration***

Introduce optional 6 monthly registration for light trailers and caravans.

- ***Improve the current process for driving instructors to become authorised to conduct heavy vehicle licence assessments***

Work with industry to streamline the process, become more efficient and less resource intensive by removing duplication and unnecessary forms creating savings for the industry, individuals and the Government.

- ***Remove duplication in the medical fitness to drive assessment processes for a drivers licence and passenger transport driver accreditation***

A single process will reduce cost and administrative burden for businesses and individuals and deliver efficiencies for the Government.

- ***Remove the need for inspection of a new light vehicle before registration as a passenger transport operator***

New vehicles are required to meet Australian Design Rules and the current process of inspecting all new light vehicles is unnecessary. This will save passenger transport operators, such as tour operators, both time and cost.

ADAPTIVE REUSE OF EXISTING BUILDINGS

The adaptive reuse of existing buildings provides a potential opportunity to increase Adelaide's vibrancy through the use of unused spaces. This issue has previously been the subject of consultation with industry, and a Code for the adaptive reuse of existing buildings will be considered and consulted on with industry and community. This proposal also has the prospect of providing more certainty for developers and investors.

AGRICULTURAL AND VETERINARY PRODUCTS COMPLIANCE SIMPLIFICATION

This proposal would see Biosecurity SA investigate whether the compliance arrangements relating to agricultural and veterinary products could be simplified through introducing accreditation and auditing arrangements similar to those applicable to primary produce. The proposal is intended to reduce risks to consumers and ensure safe and suitable practices by better using resources and providing a more effective regulatory scheme in relation to existing offences. It would apply to all primary industries that rely on conventional pest and disease control practices, domestic and commercial pest control operators and aerial sprayers.

BUILDING CONTRACTOR LICENSING SIMPLIFICATION

In close consultation with industry it is proposed to commence discussions to simplify building work contractors licensing arrangements to have only two types of licence: trade or general. Under current arrangements building contractors are granted a licence having regard to their trade qualification and/or their qualifications or relevant experience in business and management. The proposal is expected to affect up to 27,000 builders and building trades people.

This proposal envisages licencing arrangements where the allowable scope of work of a building contractor can be determined by the approved supervisor's scope of work, reducing complexity of the contractor licensing system and red tape for builders. It is also expected to have the benefit of removing possible confusion for consumers and the industry regarding what type of work can be performed under which kind of licence. This would simplify the licensing system for consumers and industry and allow quicker changes to the scope of work that a contractor can perform.

BUILDING INDEMNITY INSURANCE

Commence consultation on the need for building indemnity insurance in some low-risk circumstances will be considered, in particular for non-habitable structures such as garages (not attached to a house), tennis courts, gazebos and pontoons. This would reduce costs for consumers having these structures built.

CITRUS INDUSTRY

Under current arrangements citrus fruit packing businesses are required to have an approved food safety arrangement. Biosecurity SA have found that by working proactively and directly with fruit packing companies the current arrangements are not necessary. Accordingly, it is proposed to build on this contemporary approach and remove the regulatory burden on companies exporting whole fruit. Consultation is underway and expected to be completed in 2017. Up to 21 businesses are affected.

DISTRAINT LAWS

These laws enable a landlord to remove tenant's belongings if they are behind in rent in certain circumstances. These laws will be considered with a view to modernising, harmonising with other jurisdictions and clearing up uncertainties having regard to the regulations in place relating to personal properties securities. This legislation is only in place in South Australia and Tasmania and is out-dated and creates uncertainty in terms of landlords being able to override personal properties security laws by seizing goods, requiring tenants to make a claim to have them returned. It can also create complications for financiers of equipment that can be caught up in tenant/landlord disputes of this nature.

FISHERIES

Reforms to regulations under the *Fisheries Management Act 2007* aimed at improving, consolidating and simplifying existing arrangements. These resulted from the various reviews, including the rules review of regulatory arrangements under the Act, and industry requests.

INCORPORATED ASSOCIATIONS LAWS

It is proposed that these laws be reviewed to remove unnecessary, burdensome and onerous administrative practices that do not add value in the running and control of an association. There are around 20,000 registered incorporated associations covered by the Act that include religious and educational institutions, community services and sporting groups. This review is expected to balance the removal of red tape whilst retaining appropriate protections. Targeted and broader community consultation is proposed.

LAND AGENTS LICENCE EXEMPTIONS (COMMERCIAL PROPERTY OWNERS)

It is proposed to consider removing the requirement for certain commercial property owners from needing a real estate licence. Large commercial property owners tend to rely on their experience and access to legal and other advisory services in conducting their property transactions. The removal of the requirement for such property owners to be registered as land agents would reduce costs and regulatory burden for these businesses.

This proposed reform responds to suggestions from the Shopping Centre Council of Australia and would be in line with similar reforms in Queensland and New South Wales. Consultation with affected stakeholders is required to balance potential efficiencies for large commercial property owners, whilst retaining appropriate protections for those that do not have the same level of experience or access to legal and other services as larger corporations do, in the conduct of property management and transactions.

MODERNISATION OF DANGEROUS SUBSTANCE AND EXPLOSIVE LAWS

SafeWork SA is conducting a review of its dangerous substances and explosives legislative framework, including licensing processes, to ensure that it delivers the greatest level of safety standards as well as efficiencies through reduced red tape and regulatory and administrative burden on business.

PROTECTIONS AGAINST UNFAIR CONTRACT TERMS FOR SMALL BUSINESS

South Australian Government procurement policy will reflect amendments to the *Competition and Consumer Act 2010* (Cth), extending protections against "unfair" contract terms for small businesses. This proposal would see Government procurement contracts with small businesses offer additional unfair contract term protections over and above those available under consumer law.

PUBLIC NOTIFICATIONS AND COMMUNITY NOTICES

Feedback from the Local Government Association, public sector agencies and business suggests that there is a need to review the current requirements to publish notices in newspapers or in the Government Gazette. These notices can be about heritage places, crown land, environmental protection, various required reports and the intent to conduct allowed business activities. A review be conducted across

state legislation and regulations to streamline and update notification requirements, including exploring the benefits of using digital sources and modern media.

SURVEYING PRACTICE

The Surveyors Board of South Australia Code of Practice for Lodgement of Boundary Identification Surveys will be adopted. This will recognise the industry standard, reducing boundary disputation and enhancing the community's confidence in the land title system. Adopting the Code in regulation supports evidentiary practice so future surveyors are aware of the outcomes of earlier surveys not registered with the Registrar-General when carrying out identification surveys.

This proposal builds on the Simplify Day survey industry reform of transferring oversight of the industry to the profession in line with the Government's 2014 Final Boards and Committees Report, and supporting increased communication between the profession and Government. Further consultation on the adoption of the Code will be undertaken. The proposal is anticipated to be supported by the Institution of Surveyors, Australia, South Australia Division Incorporated, the Survey Advisory Committee, and the Registrar-General.

TRAINING AND DEVELOPMENT

A review of the *Training and Development Act 2008* is underway, initial consultation has been completed. The focus of the review is to simplify procedures relating to the employment of apprentices and trainees without diminishing necessary protections. This includes improving consistency across jurisdictions through appropriate national harmonisation.

WORK HEALTH AND SAFETY

Amendments to the Work Health and Safety Regulations will simplify and clarify the operation of some current arrangements, including:

- Removing the requirement to approve demolition where explosives are used (as this is already approved under other legislation).
- Clarifying the circumstances in which certain air monitoring licences are required for asbestos removal.
- Training requirements for health and safety representatives.

It is proposed that a review of work health and safety regulations in 2017 will further simply the operation of the work health and safety laws (where health and safety is not affected) and reduce red tape.

FURTHER IDEAS

The Government is keen to hear further ideas and suggestions as part of our ongoing commitment to simplification. Please send them through to simplifyday@sa.gov.au

