



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ALL PUBLIC ACTS appearing in this GAZETTE are to be considered official, and obeyed as such

ADELAIDE, THURSDAY, 23 SEPTEMBER 1999

CONTENTS

	Page	Page	
Appointments, Resignations, Etc.....	1209	Public Trustee Office—Administration of Estates.....	1331
Corporations and District Councils—Notices.....	1330	Real Property Act 1886—Notice.....	1226
Crown Lands Act 1929—Notices.....	1209	REGULATIONS	
Development Act 1993—Notices.....	1210	Trans-Tasman Mutual Recognition (South Australia)	
Electricity Corporations (Restructuring and Disposal)		Act 1999 (No. 186 of 1999).....	1234
Act 1999—Notice.....	1214	Mutual Recognition (South Australia) Act 1993	
Gaming Machines Act 1992—Notice.....	1214	(No. 187 of 1999).....	1236
Geographical Names Act 1991—Notices.....	1214	Liquor Licensing Act 1997 (No. 188 of 1999).....	1238
Harbors and Navigation Act 1993—Notice.....	1214	South Australian Health Commission Act 1976	
Land Acquisition Act 1969-1972—Notices.....	1215	(No. 189 of 1999).....	1242
Land and Business (Sale and Conveyancing Act 1994)—		Road Traffic Act 1961 (No. 190 of 1999).....	1245
Notices.....	1215	Harbors and Navigation Act 1993 (No. 191 of 1999).....	1305
Liquor Licensing Act 1997—Notices.....	1216	Carrick Hill Trust Act 1985 (No. 192 of 1999).....	1307
Mining Act 1971—Notices.....	1220	Occupational Health, Safety and Welfare Act 1986	
Motor Vehicles Act 1959—Notice.....	1221	(No. 193 of 1999).....	1316
National Electricity (South Australia) Act 1996—Notice.....	1221	Liquor Licensing Act 1997 (No. 194 of 1999).....	1326
National Parks and Wildlife Act 1972—Notice.....	1223	Roads (Opening and Closing) Act 1991—Notices.....	1227
Petroleum Act 1940— <i>Erratum</i>	1226	Sale of Property.....	1333
Petroleum (Submerged Lands) Act 1967—Notice.....	1227	Sewerage Act 1929—Notice.....	1229
Private Advertisements.....	1332	Trade Standards Act 1979—Notice.....	1229
Proclamations.....	1208	Water Mains and Sewers—Mains Laid, Replaced, Etc.....	1232
Public Corporations Act 1993—Notices.....	1227	Waterworks Act 1932—Notice.....	1229

GOVERNMENT GAZETTE NOTICES

ALL poundkeepers' and private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to Riverside 2000 so as to be **received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: govgaz@riv.ssa.sa.gov.au**. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

ADMINISTRATIVE ARRANGEMENTS ACT 1994 SECTION 5:
ADMINISTRATION OF TRANS-TASMAN MUTUAL
RECOGNITION (SOUTH AUSTRALIA) ACT 1999
COMMITTED TO THE PREMIER

Proclamation By The Governor

(L.S.) E. J. NEAL

PURSUANT to section 5 of the *Administrative Arrangements Act 1994* and with the advice and consent of the Executive Council, I commit the administration of the *Trans-Tasman Mutual Recognition (South Australia) Act 1999* to the Premier.

Given under my hand and the Public Seal of South Australia, at Adelaide, 23 September 1999.

By command,

DIANA LAIDLAW, for Acting Premier

DPC 22/96 CS

PUBLIC FINANCE AND AUDIT ACT 1987 SECTION 17(3):
DECLARATION OF SEMI-GOVERNMENT
AUTHORITY— VARIATION OF DECLARATION

Proclamation By The Governor

(L.S.) E. J. NEAL

PURSUANT to section 17(3) of the *Public Finance and Audit Act 1987* and with the advice and consent of the Executive Council, I vary the declaration made on 25 June 1987 (see *Gazette* 25 June 1987 p. 1634), as varied, as follows:

- (a) by striking out from the schedule "Australian Barley Board";
- (b) by inserting alphabetically in the schedule "National Wine Centre".

Given under my hand and the Public Seal of South Australia, at Adelaide, 23 September 1999.

By command,

DIANA LAIDLAW, for Acting Premier

T&F 74/99 CS

ROAD TRAFFIC (DRIVING HOURS) AMENDMENT ACT
1999 (Act No. 34 of 1999): DAY OF COMMENCEMENT

Proclamation By The Governor

(L.S.) E. J. NEAL

WITH the advice and consent of the Executive Council, I fix 1 November 1999 as the day on which the *Road Traffic (Driving Hours) Amendment Act 1999* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 23 September 1999.

By command,

DIANA LAIDLAW, for Acting Premier

TSA 6169/98 CS

STATUTES AMENDMENT AND REPEAL (JUSTICE PORT-
FOLIO) ACT 1999 (Act No. 42 of 1999): DAY OF
COMMENCEMENT

Proclamation By The Governor

(L.S.) E. J. NEAL

WITH the advice and consent of the Executive Council, I—

- (a) fix 3 October 1999 as the day on which the *Statutes Amendment and Repeal (Justice Portfolio) Act 1999* (except for Parts 3 and 11) will come into operation;

(b) fix 1 January 2000 as the day on which Part 11 of that Act will come into operation;

(c) suspend the operation of Part 3 of that Act until a day to be fixed by subsequent proclamation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 23 September 1999.

By command,

DIANA LAIDLAW, for Acting Premier

AG 9/96 CS

CROWN LANDS ACT 1929 SECTION 5AA(1)(c): HUNDRED
OF KENNION—DEDICATED LAND RESUMED AND
GRANT CANCELLED

Proclamation By The Governor

(L.S.) E. J. NEAL

Preamble

1. The following land is dedicated as a school reserve (not intended for ecclesiastical or denominational purposes) (see *Gazette* 14 March 1974 p. 895):

That portion of Section 99, Hundred of Kennion, County of Grey, now numbered as allotment 2 of Plan No. DP 53061 accepted for deposit in the Lands Titles Registration Office at Adelaide, being portion of the land contained in Certificate of Title Register Book Volume 5470, Folio 653.

2. The registered proprietor of the land has requested the resumption of the land.

Proclamation

PURSUANT to section 5AA(1)(c) of the *Crown Lands Act 1929* and with the advice and consent of the Executive Council, I resume the land defined in the preamble and cancel the grant of that land.

Given under my hand and the Public Seal of South Australia, at Adelaide, 23 September 1999.

By command,

DIANA LAIDLAW, for Acting Premier

MEH 65/99 CS

SHOP TRADING HOURS ACT 1977 SECTION 13:
ALTERATION OF SHOP TRADING HOURS—MOUNT
BARKER SHOPPING DISTRICT

Proclamation By The Governor

(L.S.) E. J. NEAL

PURSUANT to section 13 of the *Shop Trading Hours Act 1977* and with the advice and consent of the Executive Council, I authorise the opening of all shops, excluding those shops the business of which is solely or predominantly the sale of boats or motor vehicles, in the Mount Barker Shopping District on each Monday, Tuesday, Wednesday and Friday from 6 p.m. until 7 p.m.

This proclamation has effect from Wednesday, 13 October 1999 until Friday, 12 November 1999 (both days inclusive).

Given under my hand and the Public Seal of South Australia, at Adelaide, 23 September 1999.

By command,

DIANA LAIDLAW, for Acting Premier

MGE 75/99 CS

TRANS-TASMAN MUTUAL RECOGNITION (SOUTH AUSTRALIA) ACT 1999 (Act No. 27 of 1999): DAY OF COMMENCEMENT

Proclamation By The Governor

(L.S.) E. J. NEAL

WITH the advice and consent of the Executive Council, I fix 23 September 1999 as the day on which the *Trans-Tasman Mutual Recognition (South Australia) Act 1999* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 23 September 1999.

By command,

DIANA LAIDLAW, for Acting Premier

DPC 22/96 CS

Department of the Premier and Cabinet
Adelaide, 23 September 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Soil Conservation Council, pursuant to the provisions of the Soil Conservation and Land Care Act 1989:

Presiding Member: (from 23 September 1999 until 22 September 2002)

William Raymond McIntosh

Member: (from 23 September 1999 until 22 September 2002)

Ann Sharon Oldfield
Helen Ellison
Joseph Lindsay Keynes
Robert Norman Cleveland Smyth
Iain Thomas Grierson
Gerard Francis Butler
Roger Ernest Nield
Stephen John Mann
Colin Raymond Harris
Roger Barrington Wickes
Stephen Frederick West

Deputy Presiding Member: (from 23 September 1999 until 22 September 2002)

John Anthony Berger

Deputy Member: (from 23 September 1999 until 22 September 2002)

Richard Marchant Warwick (Deputy to Oldfield)
John Anthony Mundy (Deputy to Ellison)
James Beaumont Mitchell (Deputy to Keynes)
Mourilyan Frances Nicholls (Deputy to Smyth)
Dean Richard Cresswell (Deputy to Grierson)
Mark Ambrose Wilkins (Deputy to Butler)
Jolyon Anne Gemmell (Deputy to Nield)
Michael Philip McBride (Deputy to Mann)
Lindsay Wilfred Best (Deputy to Harris)
Peter Gordon Allen (Deputy to Wickes)
Gregory Mark Rowberry (Deputy to West)

By command,

DIANA LAIDLAW, for Acting Premier

MPNR 048/99CS

Department of the Premier and Cabinet
Adelaide, 23 September 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Legal Practitioners Disciplinary Tribunal, pursuant to the provisions of the Legal Practitioners Act 1981:

Member: (from 23 September 1999 until 22 September 2002)

Penelope Anne Eldridge
Jillian Freda Cooper

By command,

DIANA LAIDLAW, for Acting Premier

ATTG 27/93CS

Department of the Premier and Cabinet
Adelaide, 23 September 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Workers Compensation Tribunal, pursuant to the provisions of the Workers Rehabilitation and Compensation Act 1986:

Deputy President: (from 15 November 1999 until 18 August 2000)

Robert McCouaig

By command,

DIANA LAIDLAW, for Acting Premier

MGE 086/99CS

Department of the Premier and Cabinet
Adelaide, 23 September 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Institute of Medical and Veterinary Science Council, pursuant to the provisions of the Institute of Medical and Veterinary Science Act 1982:

Member: (from 23 September 1999 until 22 September 2002)

John Gollan
Virginia Deegan
Ian Carmichael
Mary Barton

By command,

DIANA LAIDLAW, for Acting Premier

MHS 03/99CS

Department of the Premier and Cabinet
Adelaide, 23 September 1999

HIS Excellency the Governor in Executive Council has been pleased to appoint Brian Patrick Gilchrist as Acting Judge of the Industrial Relations Court of South Australia from 30 October 1999 to 30 April 2000, pursuant to the Judicial Administration (Auxiliary Appointments and Powers) Act 1988.

By command,

DIANA LAIDLAW, for Acting Premier

MGE 087/99CS

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by DOROTHY KOTZ, Minister for Environment and Heritage, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY:

1. Resume the land defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as a Foreshore Reserve and declare that such land shall be under the care, control and management of The Berri Barmera Council.
3. Dedicate the Crown Land defined in The Third Schedule as a Public Road.

The First Schedule

Foreshore Reserve, section 416, McIntosh Division, Cobdogla Irrigation Area, County of Hamley, the proclamation of which, together with other land was published in the *Government Gazette* of 28 April 1977 at page 1212, The Second Schedule, being the whole of the land comprised in Crown Record Volume 5417 Folio 798.

The Second Schedule

Allotment 5 of DP 52018, McIntosh Division, Cobdogla Irrigation Area, County of Hamley, exclusive of all necessary roads.

The Third Schedule

Allotment 4 of DP 52018, McIntosh Division, Cobdogla Irrigation Area, County of Hamley, being within the district of Berri Barmera.

Dated 21 September 1999.

P. M. KENTISH, Surveyor-General

DENR 11/0679

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by DOROTHY KOTZ, Minister for Environment and Heritage, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY dedicate the Crown Land defined in The Schedule as Bore Site Reserves (two) and declare that such land shall be under the care, control and management of the Minister for Government Enterprises.

The Schedule

Allotments 4 and 7 of DP 35630, Waikerie Division, Waikerie Irrigation Area, Hundred of Waikerie, County of Albert, exclusive of all necessary roads, together with an easement to the South Australian Water Corporation for access purposes over those portions of allotments 3, 5 and 6 marked C on DP 35630 and appurtenant to allotment 4 (DP 35630).

Dated 21 September 1999.

P. M. KENTISH, Surveyor-General

DL 3040/1986 TC 1

DEVELOPMENT ACT 1993, SECTION 27 (1): CITY OF ONKAPARINGA—HAPPY VALLEY (CITY) DEVELOPMENT PLAN—HERITAGE AND RURAL TOWNSHIPS PLAN AMENDMENT

Preamble

The Minister for Transport and Urban Planning has approved the amendment entitled 'City of Onkaparinga—Happy Valley (City) Development Plan—Heritage and Rural Townships Plan Amendment' (the Plan Amendment) and has referred it to the Governor.

NOTICE

PURSUANT to section 27 (1) of the Development Act 1993, I, the Governor with the advice and consent of the Executive Council, declare the Plan Amendment to be an authorised Plan Amendment and fix 23 September 1999 as the day on which it will come into operation.

Dated 23 September 1999.

E. J. NEAL, Governor

MFTUP CAB 24/99CS

DEVELOPMENT ACT 1993, SECTION 27 (1): DISTRICT COUNCIL OF BARUNGA WEST (AMALGAMATION OF THE PORT BROUGHTON (DC) AND BUTE (DC) DEVELOPMENT PLANS)—GENERAL PLAN AMENDMENT

Preamble

The Minister for Transport and Urban Planning has approved the amendment entitled 'District Council of Barunga West (Amalgamation of the Port Broughton (DC) and Bute (DC) Development Plans)—General Plan Amendment' (the Plan Amendment) and has referred it to the Governor.

NOTICE

PURSUANT to section 27 (1) of the Development Act 1993, I, the Governor with the advice and consent of the Executive Council, declare the Plan Amendment to be an authorised Plan Amendment and fix 23 September 1999 as the day on which it will come into operation.

Dated 23 September 1999.

E. J. NEAL, Governor

MFTUP CAB 31/99CS

DEVELOPMENT ACT 1993, SECTION 29 (2) (a) AMENDMENT TO THE NOARLUNGA (CITY) DEVELOPMENT PLAN

Preamble

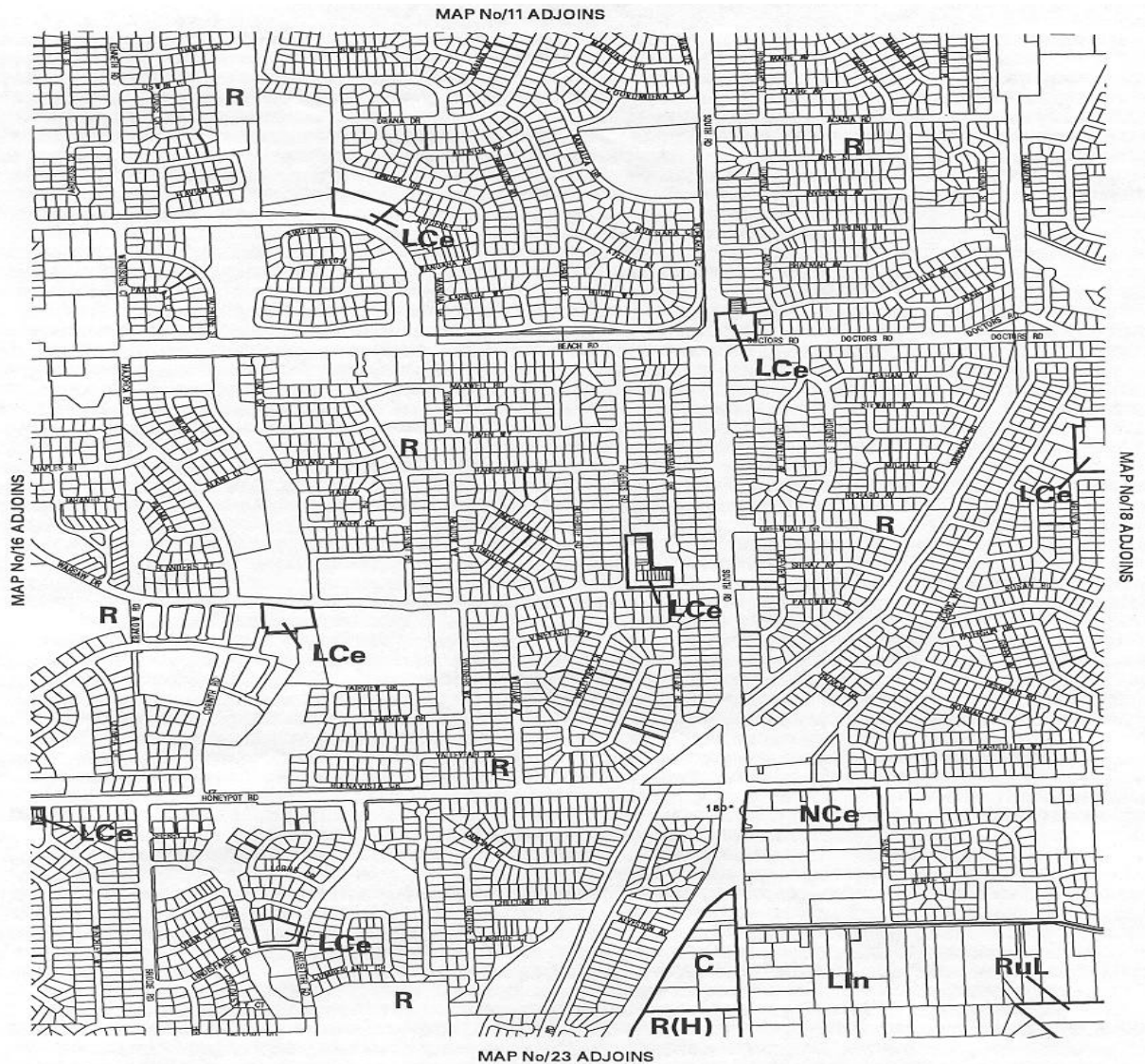
It is necessary to amend the Noarlunga (City) Development Plan dated 29 April 1999.

NOTICE

PURSUANT to Section 29 (2) (a) of the Development Act 1993, I, Diana Laidlaw, being the Minister administering the Act, amend The Noarlunga (City) Development Plan, dated 29 April 1999, as follows:

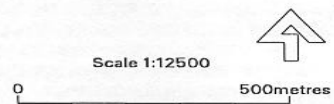
1. On page 124 Commercial zone, introduction in the sentence "The objectives and principles of development control that follow apply in the Commercial Zone shown on Maps No. 5, 6, 11, 17, 23, 28 and 29, delete the number '23' appearing after '17', and before '28'".
2. Delete Maps No. 17 and 23, and replace with the contents of Attachment A.

ATTACHMENT A

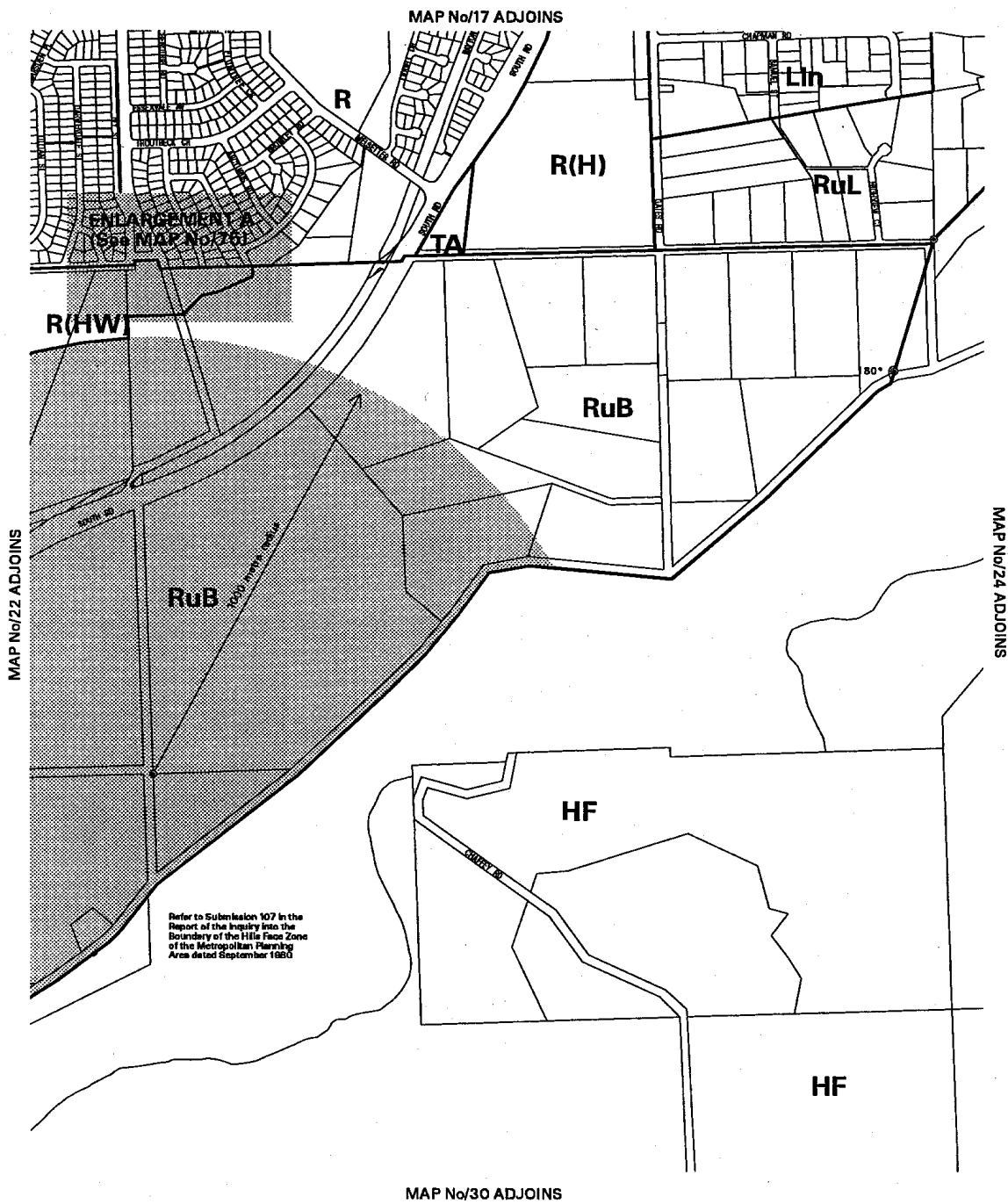


C	Commercial
LCe	Local Centre
LIn	Light Industry
NCe	Neighbourhood Centre
R	Residential
R(H)	Residential (Hackham)
RuL	Rural Living

	Zone Boundary
	Development Plan Boundary



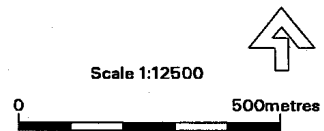
**NOARLUNGA (CITY)
ZONES
MAP No/17**



NOTE : For Policy Areas See MAP No/57

- HF Hills Face
- Lin Light Industry
- R Residential
- R(H) Residential (Hackham)
- R(HW) Residential (Hackham West)
- RuB Rural B
- RuL Rural Living
- TA Tourist Accommodation

- Zone Boundary
- Development Plan Boundary
- Area of Prohibition of Residential Development



**NOARLUNGA (CITY)
ZONES
MAP No/23**

DEVELOPMENT ACT 1993, SECTION 29 (2) (a) AMENDMENT TO THE HAPPY VALLEY (CITY) DEVELOPMENT PLAN

Preamble

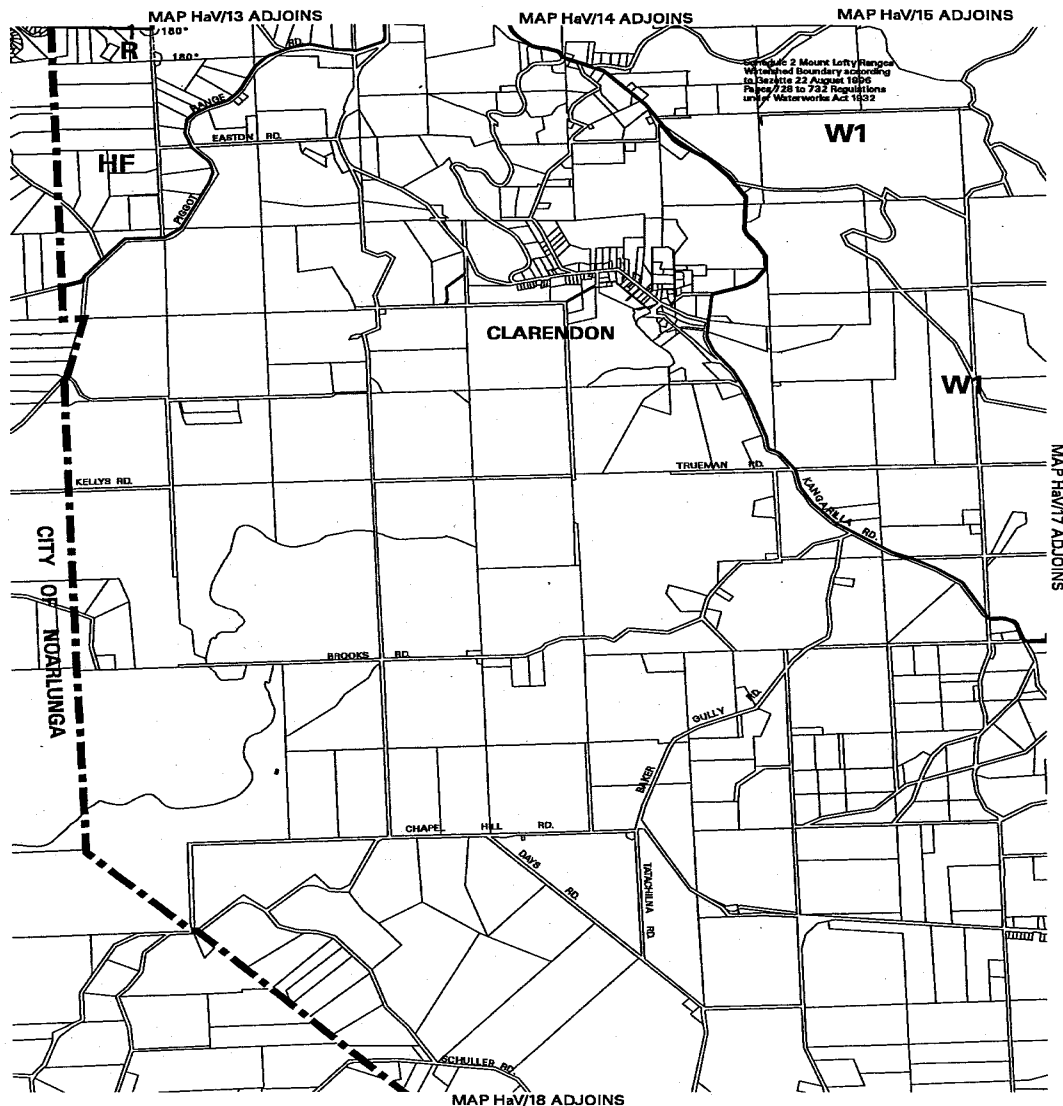
It is necessary to amend the Happy Valley (City) Development Plan dated 29 April 1999.

NOTICE

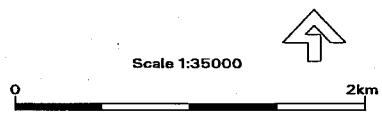
PURSUANT to Section 29 (2) (a) of the Development Act 1993, I, Diana Laidlaw, being the Minister administering the Act, amend The Happy Valley Development Plan, dated 29 April 1999, as follows:

Delete Map HaV/16, and replace with contents of Attachment A.

ATTACHMENT A



NOTE : For Policy Areas See MAPS HaV/26, HaV/30 and HaV/31
 HF Hills Face
 R Residential
 W1 Watershed 1



**HAPPY VALLEY (CITY)
 ZONES
 MAP HaV/16**

—— Zone Boundary
 - - - - - Development Plan Boundary

Dated 23 September 1999.

DIANA LAIDLAW, Minister for Transport and Urban Planning

ELECTRICITY CORPORATIONS (RESTRUCTURING AND DISPOSAL) ACT 1999

Notice by the Treasurer

I, ROB LUCAS, MLC, Treasurer of South Australia (the "Treasurer") hereby give notice, pursuant to clause 1 of Schedule 3 to the Electricity Corporations (Restructuring and Disposal) Act 1999, that Parts 2 and 3 of Schedule 3 to the Electricity Corporations (Restructuring and Disposal) Act 1999 will come into operation on 1 December 1999.

Dated 14 September 1999.

The Common Seal of the Treasurer was hereunto affixed by authority of the Treasurer and in the presence of:

(L.S.) ROB LUCAS Treasurer
K. HAYLOCK Witness

GAMING MACHINES ACT 1992

Notice of Application for Grant of Gaming Machine Licence

NOTICE is hereby given, pursuant to section 29 of the Gaming Machines Act 1992, that Camika Pty Ltd (ACN 086 325 493), c/o Wallmans Solicitors, 173 Wakefield Street, Adelaide, S.A. 5000, has applied to the Liquor and Gaming Commissioner for the grant of a Gaming Machine Licence in respect of premises situated at 205 Waymouth Street, Adelaide and known as Cumberland Arms Hotel.

The application has been set down for hearing on 22 October 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor Licensing Commissioner, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor Licensing Commissioner, 9th Floor, East Wing, G.R.E. Building, 50 Grenfell Street, Adelaide 5000.

Dated 14 September 1999.

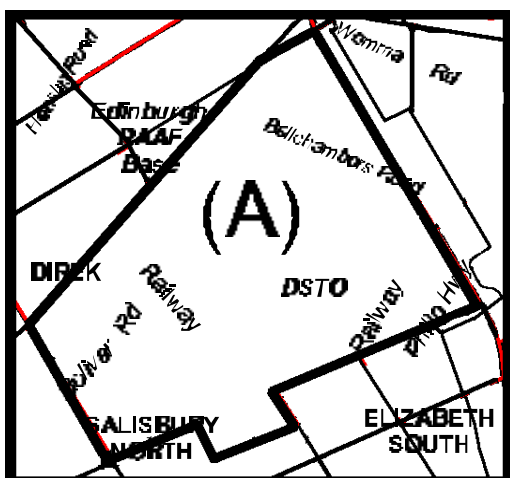
Applicant

GEOGRAPHICAL NAMES ACT 1991

Notice to Assign Names and Boundaries to Places

NOTICE is hereby given pursuant to the provisions of the above Act that I, Hon. Robert Lawson, QC MLC, Minister for Administrative Services, Minister of the Crown to whom the administration of the Geographical Names Act 1991, is committed, DO HEREBY assign the name Edinburgh to the area shown as (A) on the plan below.

The Plan



Dated 3 September 1999.

HON. ROBERT LAWSON, Minister for
Administrative Services.

DEHAA 04/0141

GEOGRAPHICAL NAMES ACT 1991

FOR PUBLIC CONSULTATION

Notice of Intention to Assign Boundaries and Names to Places

NOTICE is hereby given pursuant to the provisions of the above Act, that the Surveyor-General proposes to assign the names, BAKARA, GALGA, MERCUNDA, MANTUNG, COPE-VILLE, MINDARIE, WANBI, HALIDON, BOWHILL, PERPONDA, BORRIKA, SANDALWOOD, WYNARKA, KAROONDA and MARAMA to those areas within the District Council of Karoonda East Murray and shown numbered 1 to 15 respectively on Rack Plan 852.

Copies of Rack Plan 852 can be viewed in the Office of the Surveyor-General, Adelaide and the offices of the District Council of Karoonda East Murray.

Submissions in writing regarding this proposal may be lodged with the Secretary, Geographical Names Advisory Committee, c/o Department for Environment, Heritage and Aboriginal Affairs, 300 Richmond Road, Netley, S.A. 5037 (P.O. Box 550, Marleston, S.A. 5033) within one month of the publication of this notice.

Dated 15 September 1999.

P. M. KENTISH, Surveyor-General, Department for
Administrative and Information Services.

DEHAA 04/0202

HARBORS AND NAVIGATION ACT 1993

Determination of State Crewing Committee

THE following determination made on 27 August 1999 by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

DIANA LAIDLAW, Minister for Transport
and Urban Planning.

TSA 99/07496

HARBORS AND NAVIGATION ACT 1993

Determination of State Crewing Committee in respect of the M.V. 'Capricorn'

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Capricorn* whilst operating within the following areas:

Operational areas

1. Within 15 nautical miles of the coast of South Australia.
2. Within 30 nautical miles of the coast of South Australia.

Minimum complement

- One person—Master
Two persons—Master and GP (General Purpose Person)

Minimum Qualifications of Crew

1. Master—Certificate of Competency as Coxswain and has successfully completed Elements of Shipboard Safety and Restricted Radio Telephony courses.

2. Master—Certificate of Competency as Master Class 5.

GP—General purpose person, an able bodied person not less than 16 years of age with not less than 3 months experience and has successfully completed an approved Elements of Shipboard Safety Course.

Note: In 2. above, either the Master or GP must possess a Marine Engine Driver Grade 3 Certificate of Competency.

CAPT. W. J. STUART, Presiding Member,
State Crewing Committee.

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE Commissioner of Highways (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

The fee simple of that piece of land situated at 125 Adelaide Road, Murray Bridge, and being the whole of the land delineated as piece 51 on the plan lodged in the Lands Titles Office and numbered DP 51874, being portion of the land contained in certificate of title register book volume 5626, folio 619.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Charles Bertram
P.O. Box 1
Walkerville, S.A. 5081
Telephone: (08) 8343 2453.

Dated 16 September 1999.

The common seal of the Commissioner of Highways was hereto affixed by direction of the Commissioner of Highways in the presence of:

R. G. BEVAN, Manager, Land Acquisition and Disposal, Transport SA

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE Commissioner of Highways (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

Firstly, the fee simple of that piece of land situated at 82 Burbridge Road, Hilton, S.A. 5033, being portion of the land contained in certificate of title register book volume 2887, folio 38 and being the whole of the land delineated and numbered 50 on the plan lodged in the Lands Titles Office, numbered Deposited Plan 48953; and

Secondly, the fee simple of that piece of land situated at 82 Burbridge Road, Hilton, S.A. 5033, being portion of the land contained in certificate of title register book volume 2144, folio 183 and being the whole of the land delineated and numbered 51 on the plan lodged in the Lands Titles Office, numbered Deposited Plan 48953; and

Thirdly, the fee simple of that piece of land situated at 80 Burbridge Road, Hilton, S.A. 5033, being portion of the land contained in certificate of title register book volume 1192, folio 183 and being the whole of the land delineated and numbered 52 on the plan lodged in the Lands Titles Office and numbered Deposited Plan 48953.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Mary Trestrail
P.O. Box 1
Walkerville, S.A. 5081
Telephone: (08) 8343 2753.

Dated 21 September 1999.

The common seal of the Commissioner of Highways was hereto affixed by direction of the Commissioner of Highways in the presence of:

R. G. BEVAN, Manager, Land Acquisition and Disposal, Transport SA

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994

Section 23

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Kenneth Trevor Griffin, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

SCHEDULE 1

Wendy Margaret Day, an officer/employee of Neil Ottoson Real Estate Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5223, folio 24, situated at section 1099, Hundred of Naracoorte.

Dated 23 September 1999.

Signed for and on behalf of the Minister for Consumer Affairs by the Acting Commissioner for Consumer Affairs:

W. J. SPEHR, Acting Commissioner

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994

Section 23

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Kenneth Trevor Griffin, Minister for Consumer Affairs, do hereby exempt the person named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

SCHEDULE 1

Shani Fiona Edwards, an officer/employee of Tag Enterprises Pty Ltd.

SCHEDULE 2

The whole of the land described in Certificate of Title Register Book Volume 4267, folio 657 situated at Allotment 58, Goss Road, Aberfoyle Park, S.A. 5159.

Dated 23 September 1999.

Signed for and on behalf of the Minister for Consumer Affairs by the Acting Commissioner for Consumer Affairs:

W. J. SPEHR, Acting Commissioner

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994

Section 23

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Kenneth Trevor Griffin, Minister for Consumer Affairs, do hereby exempt the persons named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

SCHEDULE 1

Gregory Wasley Pettman and Leonie Thelma Pettman,
officers/employees of Southern Vales Real Estate Pty Ltd.

SCHEDULE 2

The whole of the land described in Certificate of Title Register
Book Volume 5020, folio 112 situated at Unit 2, 17 Paringa
Parade, Old Noarlunga, S.A. 5168.

Dated 23 September 1999.

Signed for and on behalf of the Minister for Consumer Affairs
by the Acting Commissioner for Consumer Affairs:

W. J. SPEHR, Acting Commissioner

Any person may object to the application by lodging a notice
of objection in the prescribed form with the Licensing Authority,
and serving a copy of the notice on the applicant at the
applicant's address given above, at least seven days before the
hearing date.

Plans in respect of the premises the subject of the application
are open to public inspection without fee at the Office of the
Liquor and Gaming Commissioner, 9th Floor, East Wing, 50
Grenfell Street, Adelaide, S.A. 5000.

Dated 15 September 1999.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINE
ACT 1992*Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor
Licensing Act 1997 and section 29 of the Gaming Machines Act
1992, that Talbot Hotel Group Pty Ltd (ACN 089 096 855), c/o
Bonnins Commercial Lawyers, Level 14, 100 King William
Street, Adelaide, S.A. 5000, has applied to the Liquor and Gaming
Commissioner for the transfer of a Hotel Licence and a Gaming
Machine Licence in respect of premises situated at 105 Gouger
Street, Adelaide, S.A. 5000, and known as Talbot Hotel.

The applications have been set down for hearing on 22
October 1999.

Any person may object to the application by lodging a notice
of objection in the prescribed form with the Licensing Authority,
and serving a copy of the notice on the applicant at the
applicant's address given above, at least seven days before the
hearing date.

Plans in respect of the premises the subject of the application
are open to public inspection without fee at the Office of the
Liquor and Gaming Commissioner, 9th Floor, East Wing, 50
Grenfell Street, Adelaide, S.A. 5000.

Dated 16 September 1999.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINE
ACT 1992*Notice of Application*

NOTICE is hereby given, pursuant to section 52 of the Liquor
Licensing Act 1997 and section 29 of the Gaming Machines Act
1992, that Cooling Zephyr Pty Ltd (ACN 089 193 859), 50
Western Beach Road, Geelong, Vic. 3220, has applied to the
Liquor and Gaming Commissioner for the transfer of a Hotel
Licence and a Gaming Machine Licence in respect of premises
situated at The Esplanade, Semaphore and known as Semaphore
Palais.

The applications have been set down for hearing on 22
October 1999.

Any person may object to the application by lodging a notice
of objection in the prescribed form with the Licensing Authority,
and serving a copy of the notice on the applicant at the
applicant's address given above, at least seven days before the
hearing date.

Plans in respect of the premises the subject of the application
are open to public inspection without fee at the Office of the
Liquor and Gaming Commissioner, 9th Floor, East Wing, 50
Grenfell Street, Adelaide, S.A. 5000.

Dated 16 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the
Liquor Licensing Act 1997, that Mahelp Pty Ltd (ACN 089 224
493), c/o John B. Loxton, 39-41 Main Street, Buderim, Qld 4556
has applied to the Licensing Authority for the transfer of a Retail
Liquor Merchant's Licence in respect of premises situated at 14
Murray Street, Tanunda, S.A. 5352.

The application has been set down for hearing on 8 October
1999.

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the
Liquor Licensing Act 1997, that Robert Noel Caddy has applied
to the Licensing Authority for the transfer of a Hotel Licence in
respect of premises situated at Burra Street, Mintaro, S.A. 5415
and known as Magpie & Stump Hotel.

The application has been set down for hearing on 18 October
1999.

Any person may object to the application by lodging a notice
of objection in the prescribed form with the Licensing Authority,
and serving a copy of the notice on the applicant at the
applicant's address given above, at least seven days before the
hearing date.

Plans in respect of the premises the subject of the application
are open to public inspection without fee at the Office of the
Liquor and Gaming Commissioner, 9th Floor, East Wing, 50
Grenfell Street, Adelaide, S.A. 5000.

Dated 16 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the
Liquor Licensing Act 1997, that Pearler Investments Pty Ltd
(ACN 089 324 872), c/o Griffins Lawyers, Level 14, 26 Flinders
Street, Adelaide, S.A. 5000, has applied to the Licensing
Authority for the grant of a Special Circumstances Licence in
respect of premises to be situated at Retail Level Tenancy R10,
Marina Pier Building, Holdfast Shores, Glenelg and to be known as
Oyster Bar—Holdfast Shores.

The application has been set down for hearing on 22 October
1999.

Conditions

The following licence conditions are sought:

Authorisation, including Extended Trading Authorisation, is
sought permitting trade in liquor for consumption on and off
the licensed premises, during the following hours:

- Sunday to Thursday inclusive: 6 a.m. to 11.30 p.m.
- Friday, Saturday and Public Holidays: 6 a.m. to
12.30 a.m. the following day.

Entertainment Consent is sought for the entire licensed
premises.

Any person may object to the application by lodging a notice
of objection in the prescribed form with the Licensing Authority,
and serving a copy of the notice on the applicant at the
applicant's address given above, at least seven days before the
hearing date.

Plans in respect of the premises the subject of the application
are open to public inspection without fee at the Office of the
Liquor and Gaming Commissioner, 9th Floor, East Wing, 50
Grenfell Street, Adelaide, S.A. 5000.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Australian Food and Beverage Pty Ltd has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises to be situated at Basedow Road, Tanunda, S.A. 5352 and to be known as Chateau Tanunda Estate.

The application has been set down for hearing on 22 October 1999.

Conditions

The following licence conditions are sought:

- To sell and supply liquor for consumption on the licensed premises on any day at any time with or ancillary to a meal provided by the licensee.
- To sell and supply liquor for consumption on the licensed premises to a person—Monday to Sunday, 9 a.m. to 2 a.m. the following day in the 'Restaurant', 'Function Centre', 'Winery Cellar Door Sales' and 'Outdoor' areas.
- To sell liquor for consumption off the licensed premises from the 'Winery Cellar Door Sales' area—Monday to Sunday, 9 a.m. to 2 a.m. the following day.
- To sell liquor for consumption off the licensed premises from Barossa Small Winemakers Centre. Wines from this will be exclusively small production Barossa Valley Wines that are not generally available in the market place. In certain cases may be the sole distributor for these wines.
- Entertainment consent is sought for the whole of the licensed premises—Monday to Sunday, 9 a.m. to 2 a.m. the following day.
- To make wines in accordance with the conditions of a producer's licence.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Ian Andrews, c/o Sutherlands Hotel via Eudunda, S.A. 5374, has applied to the Licensing Authority for the transfer of a Liquor (Hotel) Licence in respect of premises situated at Main Street, Sutherlands, S.A. 5374.

The application has been set down for hearing on 22 October 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 9 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Warcar Finance Pty Ltd (ACN 007 567 786), 94-98 Sturt Street, Adelaide, S.A. 5000, has applied to the Licensing Authority for an Extended Trading Authorisation to the Hotel Licence in respect of premises situated at 82 Carrington Street, Adelaide, S.A. 5000 and known as the Saracen's Head.

The application has been set down for hearing on 22 October 1999.

Conditions

The following licence conditions are sought:

- Monday to Wednesday: midnight to 5 a.m. the following day;
- Thursday to Saturday: 3 a.m. to 5 a.m. the following day;
- Sunday: 8 p.m. to midnight on the licensed premises; and
- Sunday: 8 p.m. to 9 p.m. off the licensed premises.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 10 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Soufiane Rboub, Anduar Senah, Mohammed Ibnouhane have applied to the Licensing Authority for a Restaurant Licence in respect of premises to be situated at 40A Unley Road, Unley, S.A. 5061 and to be known as Moroccan Casbah Restaurant.

The application has been set down for hearing on 22 October 1999.

Conditions

The following licence conditions are sought:

1. The licensee is authorised to sell liquor on any day except Good Friday and Christmas Day for consumption on the licensed premises by persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.
2. Extended Trading Authorisation: Hours of Operation—Friday and Saturday, midnight to 2 a.m. the following morning. Sunday, 8 a.m. to 11 a.m. and 8 p.m. to midnight.
3. Entertainment consent.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 September 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Raymond Keith Ashenden and Gaye Ashenden have applied to the Licensing Authority for a Restaurant Licence in respect of premises to be situated at Lot 248 Fiebig Road, Meningie, S.A. 5264 and to be known as Meningie Cheese Factory.

The application has been set down for hearing on 22 October 1999.

Conditions

The following licence conditions are sought:

1. The licensee is authorised to sell liquor on any day except Good Friday and Christmas Day for consumption on the licensed premises by persons:

- (a) seated at a table; or
- (b) attending a function at which food is provided.

2. Extended Trading Authorisation: Hours of Operation—

Monday to Saturday: midnight to 2 a.m. the following morning.

Sunday: 8 a.m. to 11 a.m. and 8 p.m. to midnight.

Christmas Day: midnight to 2 a.m.

3. Entertainment consent.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 September 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Southern Breeze Pty Ltd has applied to the Licensing Authority for a Hotel Licence in respect of premises situated at 21 Flinders Street, Victor Harbor, S.A. 5211 and known as Anchorage At Victor Harbor.

The application has been set down for hearing on 22 October 1999.

Conditions

The following licence conditions are sought:

- Extended trading authorisation to authorise the sale of liquor for consumption on the licensed premises between the following hours:

Friday, Saturday and any day preceding a public holiday from midnight to 1 a.m. the following morning.

Sunday from 9 a.m. to 11 a.m.

New Years Day from 2 a.m. to 3 a.m.

- Entertainment consent is sought for the areas currently licensed as Area 1-7.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Tatiana Colombin has applied to the Licensing Authority for the removal of a Producer's Licence and variation of Conditions of Licence in respect of premises situated at 68 Frederick Street, Welland, S.A. 5007 to be situated at 9 Melrose Avenue, Clearview, S.A. 5085 and known as Tatcol.

The application has been set down for hearing on 22 October 1999.

Conditions

The following licence conditions are sought:

To delete Condition No. 5 'The licensee shall not sell or deliver her Shiraz red wine to persons located within a 3km radius of the licensed premises'.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 15 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Glenbrook Apartments Pty Ltd, 17 Tusmore Avenue, Leabrook, S.A. 5068 has applied to the Licensing Authority for a Restaurant Licence with an Entertainment Consent in respect of premises to be situated at 25 L'Estrange Street, Glenside, S.A. 5065 and to be known as The Glenbrook.

The application has been set down for hearing on 22 October 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 15 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Mike Jeandupeux and Isabelle Monique Jeandupeux have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Main North Road, Auburn, S.A. 5451 and known as Tatehams.

The application has been set down for hearing on 22 October 1999.

Conditions

The following licence conditions are sought:

- The sale or supply the designated sampling area of wines produced by the licensee for consumption off the licensed premises.
- The licensee will not make available for sample the wines or liquor of any other producer.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 15 September 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Modene Pty Ltd and B. C. & M. Beer Pty Ltd have applied to the Licensing Authority for a Variation to the conditions of Licence in respect of premises situated at Samuel Road, Nuriootpa, S.A. 5355 and known as Maggie Beer's Farm Shop.

The application has been set down for hearing on 22 October 1999.

Conditions

The following licence conditions are sought:

To vary the following conditions:

- At any time on any day for liquor produced by the licensee and for consumption off the licensed premises.
- At any time on any day for liquor produced by the licensee,

to read as follows:

For consumption on the licensed premises:

- At any time on any day for liquor produced by the licensee and David and Adam Wynn Pty Ltd.

And for consumption off the licensed premises:

- At any time on any day for liquor produced by the licensee and David and Adam Wynn Pty Ltd.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 17 September 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Burrameda Pty Ltd (ACN 089 561 900) c/o Bonnins, Level 14, 100 King William Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the transfer of a Hotel Licence in respect of premises situated at 5 Market Square, Burra, S.A. 5417 and known as Burra Hotel.

The application has been set down for hearing on 25 October 1999 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 15 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Flip Dog Pty Ltd has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at Basement, 182 Hindley Street, Adelaide, S.A. 5000 and known as Supermild.

The application has been set down for hearing on 25 October 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 16 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Renmark Club Inc. has applied to the Licensing Authority to vary the existing entertainment consent to include area 5 on the approved plan in respect of premises situated at Murray Avenue, Renmark, S.A. 5341 and known as Renmark Club Inc.

The application has been set down for hearing on 29 October 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 20 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that N. Nominees Pty Ltd (ACN 088 372 614) Unit 7, Export Park Commercial Centre, Adelaide Airport, S.A. 5950 has applied for the transfer of a licence held at 16 Crozier Road, Victor Harbor, S.A. 5211 and known as Schooners Café Restaurant.

The application has been set down for hearing on 1 November 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Matthew Charles Cadzow and Sharon Fay Cadzow have applied to the Licensing Authority for the transfer of a Hotel Licence in respect of premises situated at Port Street, Gladstone, S.A. 5473 and known as Booyoolie Hotel.

The application has been set down for hearing on 1 November 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 20 September 1999.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Hewitson Pty Ltd, 4 Mann Street, Hyde Park, S.A. 5061 has applied to the Licensing Authority for the removal of a licence in respect of premises to be situated at 16 McGowan Avenue, Unley, S.A. 5061 and known as Hewitson Pty Ltd.

The application has been set down for hearing on 1 November 1999.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 1 September 1999.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Imbriaki Brotherhood of South Australia Inc., c/o Wallmans Solicitors, 173 Wakefield Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Club Licence in respect of premises situated at 38-40 Whitmore Square, Adelaide, S.A. 5000.

The application has been set down for hearing on 1 November 1999.

Conditions

The following licence conditions are sought:

Extended Trading Authorisation (including Entertainment Consent) to apply at the following times:

Hours of Operation:

Friday—midnight to 1 a.m. the following morning;

Saturday—midnight to 1 a.m. the following morning;

Sunday—10 a.m. to 11 a.m. the following morning.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 16 September 1999.

Applicant

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Primary Industries, Natural Resources and Regional Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Lynch Mining Pty Ltd

Location: Billeroo West area Approximately 100 km north of Olary, bounded as follows: Commencing at a point being the intersection of latitude 31°05'S and longitude 140°10'E, thence east to longitude 140°20'E, south to latitude 31°25'S, west to longitude 140°10'E, and north to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p.4984 of *Commonwealth Gazette* number 84 dated 6 October 1966.

Term: 1 year

Area in km²: 586

Ref. D.M.E. No.: 089/1999

Dated 23 September 1999.

L. JOHNSTON, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Primary Industries, Natural Resources and Regional Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Platsearch NL

Location: Wadnaminga Goldfield area—Approximately 60 km south of Olary, bounded as follows:

AREA A—Commencing at a point being the intersection of latitude 32°42'S and longitude 140°21'E, thence east to longitude 140°27'E, south to latitude 32°44'S, east to longitude 140°31'E, south to latitude 32°47'S, west to longitude 140°29'E, south to latitude 32°48'S, west to longitude 140°28'E, south to latitude 32°49'S, west to longitude 140°26'E, south to latitude 32°50'S, west to longitude 140°25'E, north to latitude 32°45'S, west to longitude 140°18'E, north to latitude 32°44'S, east to longitude 140°19'E, north to latitude 32°43'S, east to longitude 140°21'E, and north to the point of commencement.

AREA B—Commencing at a point being the intersection of latitude 32°51'S and longitude 140°14'E, thence east to longitude 140°21'E, south to latitude 32°52'S, west to longitude 140°18'E, south to latitude 32°53'S, west to longitude 140°14'E, and north to the point of commencement.

AREA C—Commencing at a point being the intersection of latitude 32°51'S and longitude 140°05'E, thence east to longitude 140°07'E, south to latitude 32°53'S, east to longitude 140°12'E, south to latitude 32°57'S, west to longitude 140°07'E, north to latitude 32°55'S, west to longitude 140°03'E, north to latitude 32°52'S, east to longitude 140°05'E, and north to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966.

Term: 1 year

Area in km²: 265

Ref. D.M.E. No.: 095/1999

Dated 23 September 1999.

L. JOHNSTON, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Primary Industries, Natural Resources and Regional Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: RioTinto Exploration Pty Ltd

Location: Deep Well Dam area—Approximately 60 km north-west of Olary, bounded as follows: Commencing at a point being the intersection of latitude 31°40'S and longitude 140°04'E, thence east to longitude 140°10'E, south to latitude 31°50'S, east to longitude 140°11'E, south to latitude 31°52'S, west to longitude 139°58'E, north to latitude 31°50'S, west to longitude 139°53'E, north to latitude 31°47'S, east to longitude 140°04'E, and north to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966.

Term: 1 year

Area in km²: 347

Ref. D.M.E. No.: 092/1999

Dated 23 September 1999.

L. JOHNSTON, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Primary Industries, Natural Resources and Regional Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Caldera Resources NL

Location: Mt Dutton area—Approximately 100 km north-east of Marla, bounded as follows:

AREA A—Commencing at a point being the intersection of latitude 26°50'S and longitude 134°07'E, thence east to longitude 134°12'E, south to latitude 26°56'S, west to longitude 134°07'E, and north to the point of commencement.

AREA B—Commencing at a point being the intersection of latitude 26°44'S and longitude 134°20'E, thence east to longitude 134°30'E, south to latitude 26°50'S, west to longitude 134°20'E, and north to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966.

Term: 1 year

Area in km²: 275

Ref. D.M.E. No.: 086/1999

Dated 23 September 1999.

L. JOHNSTON, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Primary Industries, Natural Resources and Regional Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Kelaray Pty Ltd, James Fraser Allender, Anthony Frances, Greve LeBrun and Ian Percival Youles

Location: Kanmantoo area—Approximately 40 km east of Adelaide, bounded as follows:

AREA A—Commencing at a point being the intersection of latitude 34°37'S and longitude 139°09'E, thence east to longitude 139°15'E, south to latitude 34°45'S, west to longitude 139°11'E, north to latitude 34°44'S, west to longitude 139°10'E, north to latitude 34°39'S, west to longitude 139°09'E, and north to the point of commencement.

AREA B—Commencing at a point being the intersection of latitude 34°44'S and longitude 139°01'E, thence east to longitude 139°03'E, south to latitude 34°45'S, east to longitude 139°04'E, south to latitude

35°08'S, west to longitude 138°59'E, south to latitude 35°13'S, west to longitude 138°53'E, north to latitude 35°09'S, east to longitude 138°55'E, north to latitude 34°56'S, east to longitude 138°58'E, north to latitude 34°45'S, east to longitude 139°01'E, and north to the point of commencement, but excluding the areas reserved (see *Government Gazette*. 3.5.73, 2.4.81, 3.3.83 and 22.2.90) and Cromer Conservation Park. all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966.

Term: 1 year

Area in km²: 685

Ref. D.M.E. No.: 051/1999

Dated 23 September 1999.

L. JOHNSTON, Mining Registrar

MOTOR VEHICLES ACT 1959

Accident Towing Roster Scheme

NOTICE is hereby given that I, Diana Vivienne Laidlaw, the responsible Minister of the Crown for the Transport portfolio, do hereby rescind the appointments of Superintendent Thomas Osborn as a member of the Accident Towing Roster Review Committee and Superintendent Graham Barton as his deputy.

Pursuant to Regulations 8 (1) (b) and 8a of the Accident Towing Roster Scheme Regulations 1984, I hereby appoint Inspector Bronwyn Killmier as a member of the Accident Towing Roster Review Committee and Senior Sergeant John Murray as her deputy.

Dated 16 September 1999.

DIANA LAIDLAW, Minister for Transport and Urban Planning

97/04559/T2

NATIONAL ELECTRICITY (SOUTH AUSTRALIA) ACT 1996

Notices Under National Electricity Law and National Electricity Code

NOTICE is hereby given pursuant to section 6(2) (b) of the National Electricity Law which forms the Schedule to the National Electricity (South Australia) Act 1996 and Clause 9.1.1 (h) of the National Electricity Code approved under section 6 of the National Electricity Law, that the following clauses of the National Electricity Code are amended:

- (a) Clause 9.35.6 (d) (Queensland Derogation—Dispatch in the Queensland Market) by deleting the clause in its entirety;
- (b) Clause 9.35.6 (d1) (Queensland Derogation—Dispatch in the Queensland Market) by deleting the clause in its entirety.

These amendments to the National Electricity Code commence at 1 October 1999.

As required by Clause 9.1.1 (h) of the National Electricity Code, copies of:

- (1) the notice from the Queensland Minister, the Honourable Tony McGrady, Queensland Minister for Mines and Energy, notifying NECA of the amendments to Clauses 9.35.6 (d), 9.35.6 (d1) of the National Electricity Code; and
- (2) the ACCC's letter dated 15 September 1999,

are set out below.

The amendments referred to in paragraphs (a)-(b) above and a copy of the ACCC's letter of 15 September 1999 are set out in full in the relevant documents entitled 'Queensland 90 Minute Rule Derogation' which can be viewed on the Internet website of National Electricity Code Administrator Limited (ACN 073 942 775) ('NECA') at www.neca.com.au under 'The Code' section of that website.

The National Electricity Code can be viewed on the NECA Internet website at www.neca.com.au and at the offices of NECA and National Electricity Market Management Company Limited (ACN 072 010 327). A list of addresses where the code can be viewed is available on the NECA website.

Dated 23 September 1999.

National Electricity Code Administrator

Notice from Queensland Minister

12 August 1999

The Hon. Kim Yeardon, MP
Minister for Energy
Level 34, Governor Macquarie Tower
1 Farrer Place
SYDNEY, N.S.W. 2000

The Hon. Allan Stockdale, MLA
Treasurer, Minister for Information and Multi Media
4th Floor, 1 Treasury Place
MELBOURNE, VIC. 3002

The Hon. Rob Lucas, MLC
Treasurer
Level 8, State Administration Centre
200 Victoria Square
ADELAIDE, S.A. 5000

The Hon. Brendon Smyth, MLA
Minister for Urban Services
ACT Legislative Assembly
London Circuit
CANBERRA, A.C.T. 2601

Dear Minister

*Consultation on Removal of Queensland Derogation:
90 Minute Rule*

As you know, Chapter 9 of the National Electricity Code (the Code) requires me to write to you when seeking to amend a derogation.

During the Queensland Interim Market, which was the test bed for the National Electricity Market (NEM) systems, it became apparent that generators were able to manipulate market prices by rebidding immediately before dispatch. Because of the immaturity of practices by retailers and the slowness of the early NEM systems, Queensland instituted a rule which prevented generators rebidding where the effect of this would move capacity from low price bands to higher price bands. This restriction was limited to the period of three trading intervals before the trading interval in which the rebid was to take place (i.e. 90 minutes).

This '90 minute' rule was a device to limit the market power that generators possess to manipulate prices. As a transition issue, this rule was carried forward into the NEM as part of the package of Queensland derogations. The effects of the rule and the benefits of its removal have been under close scrutiny within my Department since the start of the NEM.

With strengthening demand activities by the retailers and a dramatic improvement in NEM system business cycle time, the balance of net benefit has been assessed to favour the removal of the 90 minute rule as provided for in clauses 9.35.6 (d) and (d1) of the Code. On balance, with the modest capacity for the

demand side of the market to introduce countervailing actions against generators it is considered that both sides of the market are best served by the improvements in market information which would result from this action.

While the Queensland Government advocates the removal of this transitional rule, it does so against a background of needing to ensure vigilant monitoring and surveillance of market power in the NEM. Consultations on this matter have revealed that there may be some deficiencies in the monitoring and surveillance aspects of the Code and I have asked my Department to raise this matter in the context of future reviews of the Code.

Attached is an Issues Paper which discusses this matter in more detail. Copies will be sent to your Government Liaison Panel representative and your nominated Ministerial Delegate, the ACCC, NECA and NEMMCO. Written notices will be sent to the ACCC, NECA and NEMMCO foreshadowing the amendment proposed. I understand that the amendment would take effect from the date and time each of these agencies agree and announce the amendment.

I commend this derogation to you. Should you, or your officers, have questions on this matter they can be directed to Denis Waters, Principal Adviser—National Market in the Electricity Reform Unit on (07) 3239 0041. I would appreciate if he could be advised of any objections to the proposal within seven working days of the date of this letter.

Yours sincerely,

TONY MCGRADY, Minister for Mines and Energy
and Minister Assisting the Deputy Premier on
Regional Development.

ACCC Letter of Authorisation

15 September 1999

Stephen Kelly
Managing Director
National Electricity Code Administrator
Level 4, 41 Currie Street
ADELAIDE, S.A. 5000

Attention: Alex Cruickshank

Dear Mr Kelly

*National Electricity Code—Applications for Authorisation Nos.:
A90671, A90672 and A90673*

I refer to your applications for authorisation of the National Electricity Code, as submitted to the Commission on 28 August 1998 and amended on 16 September, 22 September, 2 October, 6 October, 20 October, 26 October, 5 November, 20 November 1998 and 7 June 1999.

Your facsimile dated 8 September 1999, further amends the application by withdrawing the Queensland derogation relating to rebidding contained in Clauses 9.35.6 (d) and 9.35.6 (d1) of the Code. The Commission's draft determination will incorporate this change.

If you have any queries about any issue raised in this letter, please contact myself on (02) 6243 1256 or Mary Scacheri on (02) 6243 1068.

Yours sincerely,

M. RAWSTRON, General Manager, Regulatory
Affairs—Electricity.

NATIONAL PARKS AND WILDLIFE ACT 1972

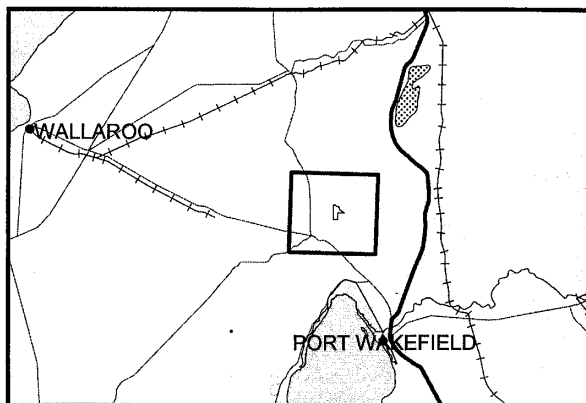
Declaration of South Hummocks Sanctuary

I, DOROTHY KOTZ, Minister for Environment and Natural Resources and Minister of the Crown for the time being administering the National Parks and Wildlife Act 1972, being of the opinion that it is desirable to conserve the animals and plants for which the land depicted as a sanctuary in the Schedule hereto is a natural habitat or environment and having received all necessary consents, do hereby declare the said land to be a sanctuary for the purposes of the said Act.

Dated 14 September 1999.

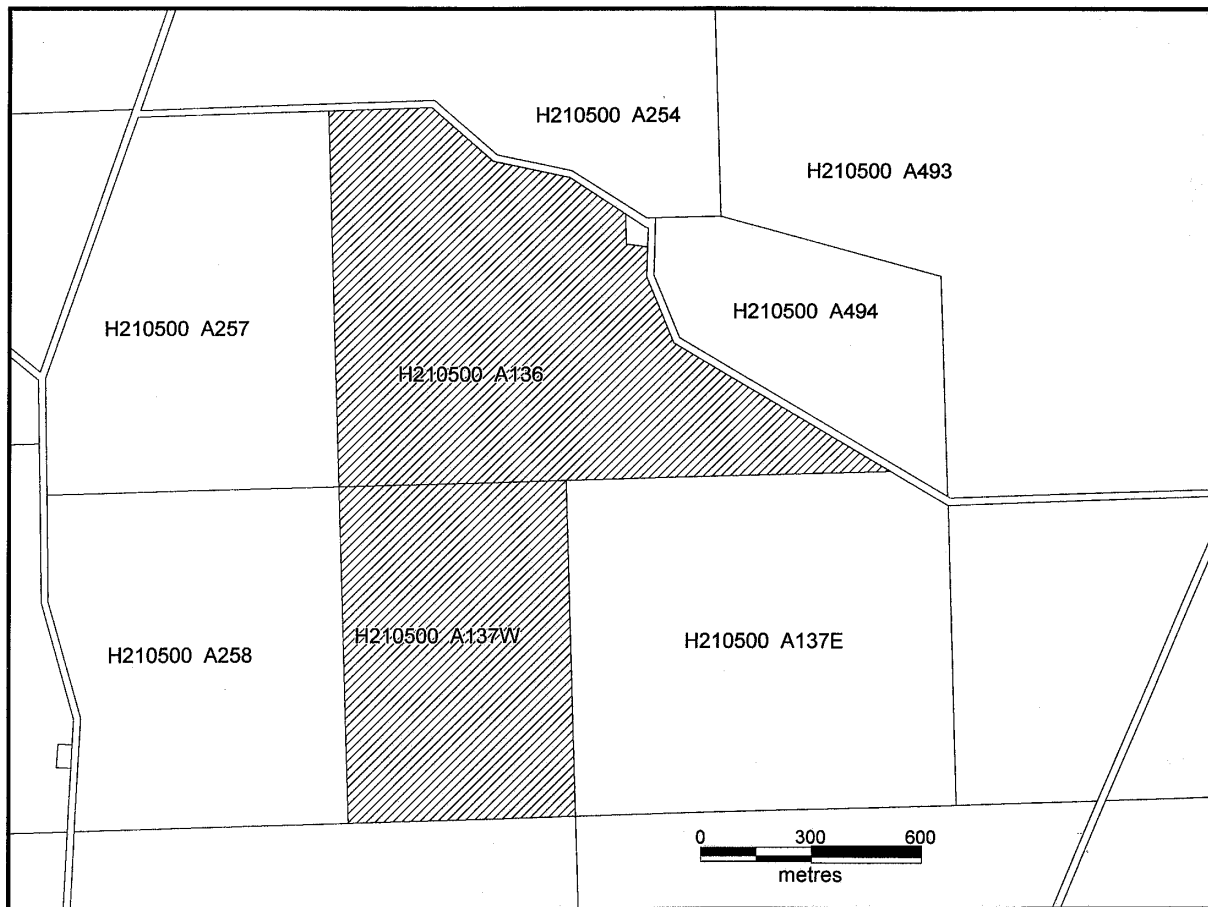
SANCTUARY NO. 76
The Schedule
SOUTH HUMMOCKS SANCTUARY
Hundred of KULPARA
Section 136 & 137

Area: 146.6 hectares



LOCATION MAP

(Note: This is private land.
Permission required before entry)



GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 1999

	\$		\$
Agents, Ceasing to Act as.....	28.50	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	21.20
Incorporation.....	14.50	Discontinuance Place of Business.....	21.20
Intention of Incorporation.....	35.75	Land—Real Property Act:	
Transfer of Properties.....	35.75	Intention to Sell, Notice of.....	35.75
Attorney, Appointment of	28.50	Lost Certificate of Title Notices.....	35.75
Bailiff's Sale.....	35.75	Cancellation, Notice of (Strata Plan).....	35.75
Cemetery Curator Appointed.....	21.20	Mortgages:	
Companies:		Caveat Lodgment	14.50
Alteration to Constitution.....	28.50	Discharge of	15.30
Capital, Increase or Decrease of	35.75	Foreclosures.....	14.50
Ceasing to Carry on Business	21.20	Transfer of.....	14.50
Declaration of Dividend.....	21.20	Sublet.....	7.30
Incorporation.....	28.50	Leases—Application for Transfer (2 insertions) each.....	7.30
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	21.20
First Name.....	21.20	Licensing.....	42.25
Each Subsequent Name.....	7.30	Municipal or District Councils:	
Meeting Final.....	23.80	Annual Financial Statement—Forms 1 and 2	400.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20	283.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting').....		First Name	57.00
First Name.....	28.50	Each Subsequent Name	7.30
Each Subsequent Name.....	7.30	Noxious Trade.....	21.20
Notices:		Partnership, Dissolution of.....	21.20
Call.....	35.75	Petitions (small).....	14.50
Change of Name	14.50	Registered Building Societies (from Registrar-	
Creditors.....	28.50	General).....	14.50
Creditors Compromise of Arrangement.....	28.50	Register of Unclaimed Moneys—First Name	21.20
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name.....	7.30
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	35.75	Rate per page (in 8pt).....	181.00
Release of Liquidator—Application—Large Ad.	57.00	Rate per page (in 6pt).....	239.00
—Release Granted.....	35.75	Sale of Land by Public Auction.....	36.25
Receiver and Manager Appointed.....	33.25	Advertisements.....	2.00
Receiver and Manager Ceasing to Act	28.50	Advertisements, other than those listed are charged at \$2.00	
Restored Name.....	27.00	per column line, tabular one-third extra.	
Petition to Supreme Court for Winding Up.....	49.50	Notices by Colleges, Universities, Corporations and District	
Summons in Action.....	42.25	Councils to be charged at \$2.00 per line.	
Order of Supreme Court for Winding Up Action	28.50	Where the notice inserted varies significantly in length from	
Register of Interests—Section 84 (1) Exempt.....	64.00	that which is usually published a charge of \$2.00 per column line	
Removal of Office	14.50	will be applied in lieu of advertisement rates listed.	
Proof of Debts.....	28.50	South Australian Government publications are sold on the	
Sales of Shares and Forfeiture.....	28.50	condition that they will not be reproduced without prior	
Estates:		permission from the Government Printer.	
Assigned.....	21.20		
Deceased Persons—Notice to Creditors, etc.	35.75		
Each Subsequent Name.....	7.30		
Deceased Persons—Closed Estates.....	21.20		
Each Subsequent Estate.....	0.90		
Probate, Selling of.....	28.50		
Public Trustee, each Estate.....	7.30		

GOVERNMENT GAZETTE NOTICES

ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to Riverside 2000 so as to be *received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: govgaz@riv.ssa.sa.gov.au*. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 1999

Acts, Bills, Rules, Parliamentary Papers and Regulations					
Pages	Main	Amends	Pages	Main	Amends
1-16	1.60	0.75	497-512	23.30	22.40
17-32	2.30	1.45	513-528	23.90	23.00
33-48	2.90	2.10	529-544	24.70	23.80
49-64	3.70	2.75	545-560	25.30	24.50
65-80	4.35	3.55	561-576	26.00	25.20
81-96	5.00	4.20	577-592	26.75	25.75
97-112	5.75	4.85	593-608	27.50	26.50
113-128	6.40	5.60	609-624	28.25	27.50
129-144	7.20	6.30	625-640	28.75	28.00
145-160	7.90	6.95	641-656	29.50	28.50
161-176	8.60	7.70	657-672	30.00	29.25
177-192	9.25	8.40	673-688	31.00	30.00
193-208	9.95	9.10	689-704	31.75	30.75
209-224	10.60	9.75	705-720	32.25	31.50
225-240	11.25	10.50	721-736	33.25	32.00
241-257	12.05	11.10	737-752	33.75	32.75
258-272	12.80	11.80	753-768	34.50	33.25
273-288	13.45	12.60	769-784	35.00	34.25
289-304	14.10	13.20	785-800	35.75	35.00
305-320	14.80	13.90	801-816	36.25	35.50
321-336	15.55	14.60	817-832	37.25	36.25
337-352	16.20	15.40	833-848	38.00	37.00
353-368	16.90	16.05	849-864	38.50	37.75
369-384	17.60	16.80	865-880	39.25	38.50
385-400	18.30	17.50	881-896	39.75	39.00
401-416	19.00	18.10	897-912	40.75	39.75
417-432	19.75	18.90	913-928	41.25	40.75
433-448	20.40	19.50	929-944	42.00	41.25
449-464	21.15	20.20	945-960	43.00	41.75
465-480	21.75	20.90	961-976	43.50	42.50
481-496	22.40	21.50	977-992	44.25	43.00

Legislation—Acts, Regulations, etc:	\$
Subscriptions:	
Acts.....	144.00
All Bills as Laid.....	344.00
Rules and Regulations.....	344.00
Parliamentary Papers.....	344.00
Bound Acts.....	159.00
Index.....	77.00
Government Gazette	
Copy.....	3.85
Subscription.....	190.00
Hansard	
Copy.....	10.30
Subscription—per session (issued weekly).....	298.00
Cloth bound—per volume.....	128.00
Subscription—per session (issued daily).....	298.00
Legislation on Disk	
Whole Database.....	2 201.00
Annual Subscription for fortnightly updates.....	677.00
Individual Act(s) including updates.....	POA

Postage Extra on Individual Copies

All Legislation, Government Gazette, Hansard and Legislation on disk are available from:

Counter Sales:	Information SA (State Government Bookshop) Australis Centre, Ground Floor, 77 Grenfell Street, Adelaide, S.A. 5000. Phone: (08) 8204 1900. Fax: (08) 8204 1909 S.A. Country Customer Free Call: 1800 182 234 TTY (Hearing Impaired): (08) 8204 1923
Mail Orders:	Subscriptions and Standing Orders: Phone: (08) 8204 9447, (08) 8204 9448. Fax: (08) 8204 1898 P.O. Box 1, Rundle Mall, Adelaide, S.A. 5000.

REAL PROPERTY ACT NOTICE

WHEREAS the persons named at the foot hereof have each respectively for himself made application to have the land set forth and described before his name at the foot hereof brought under the operation of the Real Property Act: Notice is hereby given that unless caveat be lodged with the Registrar-General by some person having estate or interest in the said lands on or before the expiration of the period herein below for each case specified, the said several pieces of land will be brought under the operation of the said Act as by law directed. Diagrams delineating these parcels of land may be inspected at the Lands Titles Registration Office, Adelaide, and in the offices of the several corporations or district councils in which the lands are situated.

THE SCHEDULE

No. of Application	Description of Property	Name	Residence	Date up to and inclusive of which caveat may be lodged
30606	Allotment 278, Township of Currency Creek (Government Town)	Ernest James Taylor	P.O. Box 292, Goolwa, S.A. 5214	25 October 1999

Dated 24 September 1999, at the Lands Titles Registration Office, Adelaide. J. ZACCARIA, Deputy Register-General

GRANT OF PETROLEUM PRODUCTION LICENCE

Erratum

Department of Primary Industries and Resources, 1 September 1999

NOTICE is hereby given that pursuant to delegated powers dated 20 November 1997, *Gazetted* 4 December 1997, page 1526, the undermentioned Petroleum Production Licence has been granted under the provisions of the Petroleum Act 1940.

D. R. MUTTON, Chief Executive, Delegate of the Minister for Primary Industries, Natural Resources and Regional Development

No. of Licence	Licensees	Locality	Date of Expiry	Area in km ²	Reference
166	Santos Ltd Delhi Petroleum Pty Ltd Boral Energy Resources Ltd Vamgas Pty Ltd Gulf (Aust) Resources NL Alliance Petroleum Australia Pty Ltd Reef Oil Pty Ltd Santos Petroleum Pty Ltd Bridge Oil Developments Pty Ltd Santos (BOL) Pty Ltd Basin Oil NL	Taylor South East Field in the Cooper Basin of South Australia	31 December 2019	1.23	SR.28.1.295

Description of the Area

All that part of the State of South Australia bounded as follows: Commencing at a point being the intersection of latitude 27°33'25"S and longitude 140°29'20"E, thence east to longitude 140°29'25"E, south to latitude 27°33'30"S, east to longitude 140°29'35"E, south to latitude 27°33'35"S, east to longitude 140°30'20"E, south to latitude 27°33'40"S, east to longitude 140°30'25"E, south to latitude 27°33'45"S, west to longitude 140°30'20"E, south to latitude 27°33'50"S, west to longitude 140°30'10"E, south to latitude 27°33'55"S, west to longitude 140°29'40"E, south to latitude 27°34'00"S, west to longitude 140°29'10"E, north to latitude 27°33'50"S, east to longitude 140°29'20"E, and north to the point of commencement, all the within latitudes and longitudes being geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of *Commonwealth Gazette* number 84 dated 6 October 1966.

COMMONWEALTH OF AUSTRALIA

PETROLEUM (SUBMERGED LANDS) ACT 1967

Delegation Under Section 8H of the Petroleum (Submerged Lands) Act 1967 (The Act)

WE, Nicholas Hugh Minchin, the Minister for Industry, Science and Resources, for the Commonwealth of Australia ('the Commonwealth Minister'), and Robert Gerard Kerin, the Minister for Primary Industries, Natural Resources and Regional Development for the State of South Australia ('the State Minister'), the Joint Authority under the Act in respect of the adjacent area in respect of South Australia, under section 8H of the Act, hereby revoke all existing delegations made pursuant to section 8H and delegate to:

- (a) the person who, from time to time, holds, occupies or performs the office of General Manager, Exploration and Development Branch, Petroleum and Electricity Division, Department of Industry, Science and Resources of the Commonwealth of Australia, as the person representing the Commonwealth Minister; and
- (b) the person who, from time to time, holds, occupies, or performs the duties of the office of Director, Petroleum Group, Department of Primary Industries and Resources of the State of South Australia, as the person representing the State Minister,

together the powers of the Joint Authority under the Act specified in the Schedule.

SCHEDULE

1. Petroleum (Submerged Lands) Act 1967—subsections 18 (1), 20 (1), 20 (2), 22 (1), 22 (4), 22A (1), 22A (6), 22B (1), 22B (2), 22B (5), 23 (1), 25 (1), 25 (2), 27, 31 (5), 32 (1), 32 (2), 32 (6), 33 (1), 36 (6), 36 (8), 36 (9), 37 (1), 37 (2), 37 (3), 37 (4), 37 (5), 38B (1), 38B (2), 38 (B5), 38BC (1), 38BC (2), 38BC (5), 38E (1), 38E (2), 38G (1), 38G (2), 38G (7), 38H (1), 38H (3), 39A (5), 40 (4), 42 (1), 43 (1), 44 (2), 47 (1), 47 (2), 49 (1), 49 (2), 50, 51 (4), 53A (1), 53A (2), 55 (1), 55 (2), 55 (3), 55 (5), 56 (1), 58 (1), 58 (2), 58 (3), 58 (4), 58 (5), 59 (3), 59 (4), 59 (5), 59 (6), 59 (7), 64 (3), 65 (1), 65 (2), 65 (2A), 65 (3), 65 (5), 65 (8), 65 (10), 67 (1), 69 (1), 69 (2), 69 (6), 70 (1), 71 (5), 72 (1), 73, 74 (1), 78 (4), 78 (6), 81 (5), 81 (6), 81 (10), 101 (3), 102 (1A), 103 (1), 103 (3), 103A (1), 103A (3), 103A (4), 105 (1), 125 (1).

2. Petroleum (Submerged Lands) (Royalty) Act 1967—subsection 10A (1).

3. Petroleum (Submerged Lands) (Registration Fees) Act 1967—subsections 4 (4), 4 (5), 4 (6A), 4 (6B).

Dated 11 August 1999.

N. H. MINCHIN, Minister for Industry,
Science and Resources.

Dated 17 September 1999.

ROB KERIN, Minister for Primary Industries, Natural
Resources and Regional Development.

PUBLIC CORPORATIONS ACT 1993

Direction by the Treasurer

I, ROBERT IVAN LUCAS, Treasurer hereby direct SA Generation Corporation:

1. To comply with the document titled 'Probity Rules as to South Australian Government's Lease Disposal Program for ETSA Utilities and ETSA Power' as separately identified by me (together with amendments and Supplementary Rules as identified by me from time to time known as the Probity Rules).
2. To cause each of its officers and employees to comply with the Probity Rules.
3. To cause each of its subsidiaries:
 - (i) to comply with the Probity Rules; and
 - (ii) to cause each of its directors, officers and employees to comply with the Probity Rules.

Dated 14 September 1999.

ROB LUCAS, Treasurer

PUBLIC CORPORATIONS ACT 1993

Direction by the Treasurer

I, ROBERT IVAN LUCAS, Treasurer hereby direct ETSA Corporation:

1. To comply with the document titled 'Probity Rules as to South Australian Government's Lease Disposal Program for ETSA Utilities and ETSA Power' as separately identified by me (together with amendments and Supplementary Rules as identified by me from time to time known as the Probity Rules).
2. To cause each of its officers and employees to comply with the Probity Rules.
3. To cause each of its subsidiaries:
 - (iii) to comply with the Probity Rules; and
 - (iv) to cause each of its directors, officers and employees to comply with the Probity Rules.

Dated 14 September 1999.

ROB LUCAS, Treasurer

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Kemp Road, Aldgate
Deposited Plan 52864*

BY Road Process Order made on 15 July 1999, the Adelaide Hills Council ordered that:

1. Portion of the public road (Kemp Road) adjoining allotment 200 in Deposited Plan 29374 more particularly lettered 'A' in Preliminary Plan No. PP32/0347 be closed.

2. The whole of the land subject to closure be transferred to A. F. & V. J. THOMAS PTY LTD in accordance with agreement for transfer dated 23 June 1998, entered into between the Adelaide Hills Council and A. F. & V. J. Thomas Pty Ltd.

On 13 September 1999, that order was confirmed by the Minister for Administrative Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 23 September 1999.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Braemar Terrace/Devon Avenue, Stirling
Deposited Plan 52865*

BY Road Process Order made on 2 June 1999, the Adelaide Hills Council ordered that:

1. Portions of allotments 35 and 41 in Deposited Plan 4120 adjoining Braemar Terrace and Devon Avenue, more particularly delineated and numbered '1' in the Preliminary Plan No. PP32/0338 be opened as road.

On 29 July 1999, that order was confirmed by the Minister for Administrative Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 23 September 1999.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***South Terrace, Ceduna
Deposited Plan 52203*

BY Road Process Order made on 26 March 1999, the District Council of Ceduna ordered that:

1. Portion of the public road (South Terrace) between O'Loughlin Terrace and Poynton Street, more particularly delineated and lettered 'A', in Preliminary Plan No. PP32/0385 be closed.

2. The whole of the land subject to closure be transferred to the CEDUNA COMMUNITY HOTEL LTD in accordance with agreement for transfer dated 26 March 1999, entered into between the District Council of Ceduna and Ceduna Community Hotel Ltd.

3. The following easements are granted over the land subject to that closure:

Grant to the District Council of Ceduna an easement for drainage purposes over portion of the land.

Grant free and unrestricted rights of way appurtenant to Certificate of Title Volume 5456 Folio 742 over portions of the land.

On 23 April 1999, that order was confirmed by the Minister for Administrative Services, conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 23 September 1999.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Natski and Na Botto Courts, Morphettville
Deposited Plan 52845*

BY Road Process Order made on 19 July 1999, The Corporation of The City of Marion ordered that:

1. Portions of allotments 39 and 40 (Reserves) and 25 in Deposited Plan 30271 more particularly delineated and numbered '1', '2', '3' and '4' in Preliminary Plan No. PP32/0425 be opened as road.

2. Portion of the public road (Natski Court) adjoining Na Botto Court more particularly lettered 'A' in Preliminary Plan No. PP32/0425 be closed.

3. Issue a Certificate of Title to THE CORPORATION OF THE CITY OF MARION for the whole of the land subject to closure which land is being retained by Council for merging with the adjoining Council owned land.

4. The following easement be granted over portion the land subject to that closure:

Grant to the ETSA Utilities an easement for underground electricity supply purposes.

On 2 August 1999, that order was confirmed by the Minister for Administrative Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 23 September 1999.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Windsor Road, Windsor
Deposited Plan 52292*

BY Road Process Order made on 19 April 1999, the District Council of Mallala ordered that:

1. Portion of the public road (Windsor Road) adjoining allotment 106 in Deposited Plan 28212, more particularly delineated and lettered 'A', in Preliminary Plan No. PP32/0316 be closed.

2. The whole of the land subject to closure be transferred to ALLAN EDWARD McEWEN and KATHRYN HILARY McEWEN in accordance with agreement for transfer dated 16 September 1998, entered into between the District Council of Mallala and A. E. and K. H. McEwen.

3. The following easement be granted over portion of the land subject to that closure:

Grant to the South Australian Water Corporation an easement for water supply purposes.

On 25 May 1999, that order was confirmed by the Minister for Administrative Services, conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 23 September 1999.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Woods Hill/ Greenhill/Ridge Roads, Summertown
Deposited Plan 50983*

BY Road Process Order made on 31 July 1998, the Adelaide Hills Council ordered that:

1. Portions of piece 6 in Filed Plan 130944 adjoining Woods Hill, Greenhill and Ridge Roads, more particularly delineated and numbered '1', '2' and '3' (respectively) in the Preliminary Plan No. PP32/0271 be opened as road.

2. Portion of the public roads (Greenhill Road and Ridge Road) adjoining pieces 6 and 5 in Filed Plan 130944, more particularly lettered 'A' and 'B' (respectively) in Preliminary Plan No. PP32/0271 be closed.

3. The whole of the land subject to closure be transferred to NORMA MOFFATT in accordance with agreement for exchange dated 20 January 1998, entered into between the Adelaide Hills Council and N. Moffatt.

On 30 October 1998, that order was confirmed by the Minister for Administrative Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 23 September 1999.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Phyl Ashby/Alison Ashby Drives, Hundred of Encounter Bay
Deposited Plan 51677*

BY Road Process Order made on 12 November 1998, the District Council of Victor Harbor ordered that:

1. Portions of allotment 140 in Filed Plan 166199 adjoining Mount Alma Road, and forming a re-alignment of Phyl Ashby Drive more particularly delineated and numbered '1' and '2' (respectively) in Preliminary Plan No. PP32/0357 be opened as road.

2. Portion of the public roads (Phyl Ashby Drive and Alison Ashby Drive) adjoining allotments 7 and 12 and pieces 32 and 33 in Deposited Plan 49106, more particularly lettered 'A', 'B' and 'C' in Preliminary Plan No. PP32/0357 be closed.

3. The whole of the land subject to closure be transferred to ERIC ASHBY NOMINEES PTY LTD in accordance with agreement for exchange dated 21 August 1998, entered into between the District Council of Victor Harbor and Eric Ashby Nominees Pty Ltd.

4. The following easement be granted over portion of the land subject to that closure:

Grant to ETSA Utilities an easement for overhead electricity supply purposes.

On 9 February 1999, that order was confirmed by the Minister for Administrative Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

Pursuant to section 24(5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 23 September 1999.

P. M. KENTISH, Surveyor-General

TRADE STANDARDS ACT 1979

Declaration of Dangerous Goods

NOTICE is hereby given that pursuant to section 25 of the Trade Standards Act 1979, I, Kenneth Trevor Griffin, Minister for Consumer Affairs, to whom the administration of the Trade Standards Act 1979 is committed, declare the goods specified in the Schedule hereto to be dangerous goods. I am satisfied that the declaration is necessary in order to avert serious risk to or impairment of health, and that it is not appropriate in the circumstances to deal with the matter by the prescription of safety standards.

The effect of this declaration is that forthwith, a person shall not in the course of a trade or business, manufacture or supply the items referred to in the Schedule.

SCHEDULE

Candle with a wick or wicks that contain lead (Pb); and candle wicks that contain lead (Pb).

Dated 17 September 1999.

K. T. GRIFFIN, Minister for Consumer Affairs

WATERWORKS ACT 1932

*Removal of Land from Beetaloo Country Lands Water District and Addition to Laura Water District
Removal of Land from Laura Water District and Addition to Beetaloo Country Lands Water District*

PURSUANT to section 6 of the *Waterworks Act 1932*, the South Australian Water Corporation:

- (a) removes from the Beetaloo Country Lands Water District and adds to the Laura Water District all the land contained in:
 - (i) allotment 1 in Deposited Plan 21653 (except the portion of that land already in the Laura Water District); and
 - (ii) piece 5 in Filed Plan 213848 (except the portion of that land already in the Laura Water District);
- (b) removes from the Laura Water District and adds to the Beetaloo Country Lands Water District all the land contained in allotment 2 in Deposited Plan 21653 (except the portion of that land already in the Beetaloo Country Lands Water District); and
- (c) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 17 September 1999.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

P. LOKAN

In the presence of: P. RUCIOCH

SAWATER 0991/97
MAPSHEETS 653117R,18N
LAURA W650

SEWERAGE ACT 1929

Addition of Land to Victor Harbor Country Drainage Area

PURSUANT to section 18 of the *Sewerage Act 1929*, the South Australian Water Corporation:

- (a) adds to the Victor Harbor Country Drainage Area the land shown on the plans in the schedule; and
- (b) declares that this notice has effect from the commencement of the financial year in which it is published in the *Gazette*.

Dated 17 September 1999.

Signed for and on behalf of the South Australian Water Corporation by a person duly authorised so to do:

P. LOKAN

In the presence of: P. RUCIOCH

SAWATER 1111/1999
MAPSHEETS 662609A6,09H1,10D4,10D5,10E2,10E3
ENCOUNTER BAY D1074

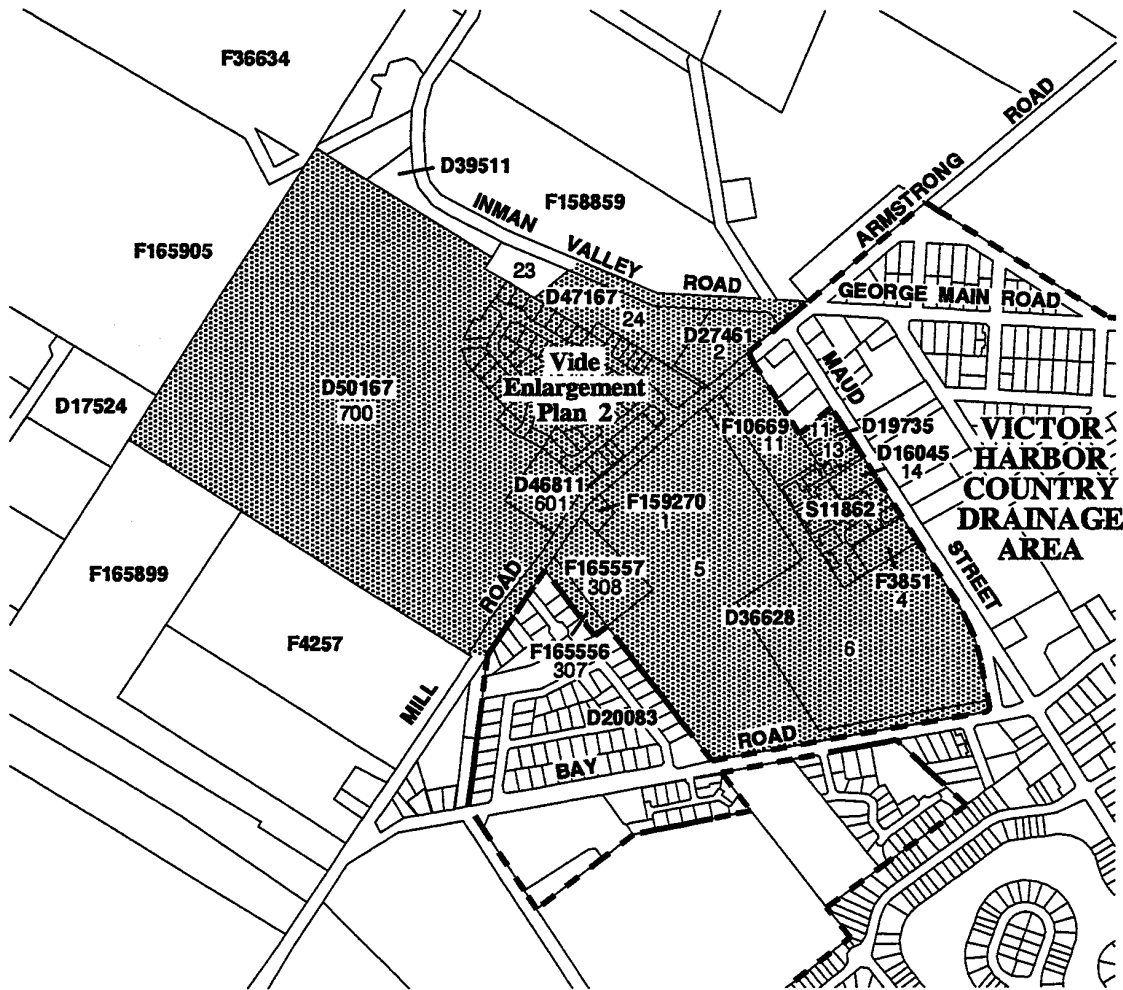
D1074

SA WATER 1111/1999

Mapsheets: 662609A6,09H1
662610D4,10D5
662610E2,10E3

**SCHEDULE
PLAN 1**

**ENCOUNTER BAY
HUNDRED OF ENCOUNTER BAY**



NOT TO SCALE

**BOUNDARY OF VICTOR HARBOR COUNTRY DRAINAGE AREA
PREVIOUSLY PROCLAIMED SHOWN - - - -**

**LAND TO BE ADDED TO VICTOR HARBOR COUNTRY DRAINAGE
AREA SHOWN [cross-hatch pattern]**

PCT

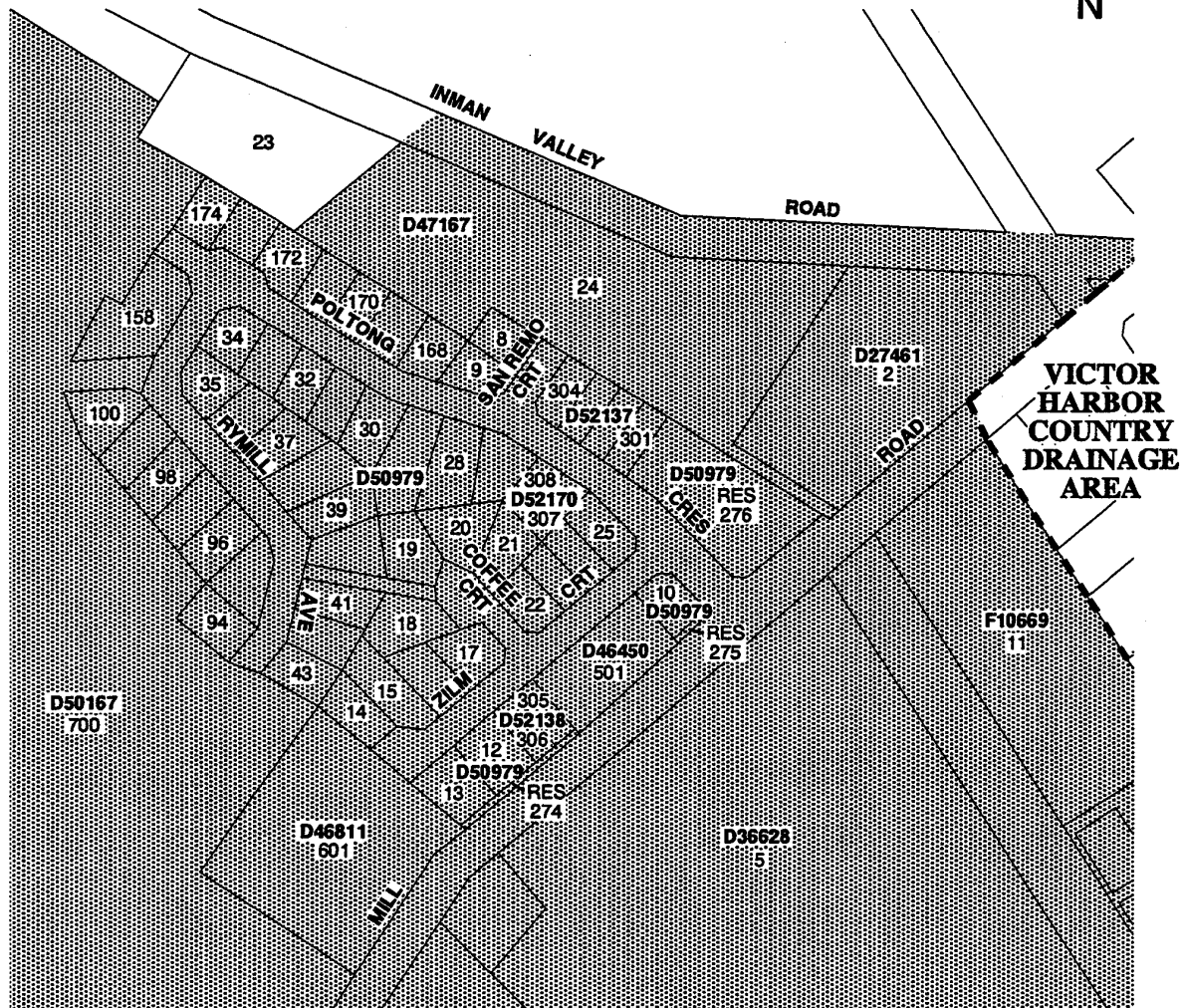
D1074

SA WATER 1111/1999

Mapsheets: 662609A6,09H1
662610D4,10D5
662610E2,10E3

SCHEDULE
PLAN 2

ENCOUNTER BAY
HUNDRED OF ENCOUNTER BAY



NOT TO SCALE

BOUNDARY OF VICTOR HARBOR COUNTRY DRAINAGE AREA
PREVIOUSLY PROCLAIMED SHOWN - - - -

LAND TO BE ADDED TO VICTOR HARBOR COUNTRY DRAINAGE
AREA SHOWN [Hatched Box]

PCT

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 23 September 1999.

WATER MAINS LAID

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

ADELAIDE WATER DISTRICT

CITY OF CHARLES STURT
Albert Parade, Semaphore Park. p19

CITY OF MARION
Caroline Close, Sheidow Park. p31

CITY OF NORWOOD, PAYNEHAM AND ST. PETERS
Caleb Street, Marden. p3
Birch Street, Felixstow. p33

CITY OF ONKAPARINGA
Southbound Avenue, Aberfoyle Park. p18
Mariner Lane, Seaford. p23
Island Way, Seaford. p23
Sea Cove, Seaford. p23

CITY OF PLAYFORD
Landseer Place, Hillbank. p22
Easement in lot 297, Landseer Place, Hillbank. p22
Berkeley Way, Hillbank. p22
Pinewood Avenue, Blakeview. p24
Maplewood Drive, Blakeview. p24 and 25
Lynton Court, Blakeview. p25
Milford Avenue, Blakeview. p24
Hedgestone Place, Blakeview. p24

CITY OF PORT ADELAIDE ENFIELD
Saltram Parade, Oakden. p30
Park Terrace, Oakden. p30
Emmett Place, Oakden. p30
Hedge Row, Oakden. p30
Benthall Avenue, Oakden. p30
Hinton Mews, Oakden. p30

CITY OF SALISBURY
Grassmere Place, Mawson Lakes. p32
Elder Circuit, Mawson Lakes. p32

CITY OF TEA TREE GULLY
Topaz Court, Hope Valley. p29

BEETALOO COUNTRY LANDS WATER DISTRICT

PORT PIRIE REGIONAL COUNCIL
Crystal Brook Bypass (across Frith Road), Crystal Brook. p27

MOONTA WATER DISTRICT

DISTRICT OF THE COPPER COAST
Marine Parade, Moonta Bay. p20
Martin Street, Moonta Bay. p21

WHYALLA WATER DISTRICT

CITY OF WHYALLA
Easement in lot 1, Broadbent Terrace, Whyalla. p2
Sewerage land (lot 4) off Broadbent Terrace, Whyalla. p2

WATER MAINS ABANDONED

Notice is hereby given that the undermentioned water mains have been abandoned by the South Australian Water Corporation.

ADELAIDE WATER DISTRICT

CITY OF CHARLES STURT
Judith Place, Grange. p6
Leason Street, Grange. p6

CITY OF ONKAPARINGA
Dalkeith Street, Seaford Rise. p14-17
Southbound Avenue, Aberfoyle Park. p18

BEETALOO COUNTRY LANDS WATER DISTRICT

PORT PIRIE REGIONAL COUNCIL
Crystal Brook Bypass (across Frith Road), Crystal Brook. p27

WALLAROO MINES WATER DISTRICT

DISTRICT OF THE COPPER COAST
Easements in lot 2 (formerly section 232, hundred of Wallaroo), Barkla Road, Wallaroo Mines. p1

WATER MAINS LAID

Notice is hereby given that the undermentioned water main has been laid down by the South Australian Water Corporation and is not available for a constant supply of water to adjacent land.

GERANIUM WATER DISTRICT

SOUTHERN MALLEE DISTRICT COUNCIL
Waterworks reserve (section 95, hundred of Price), Geranium Terrace, Geranium. p27

SEWERS LAID

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

ADELAIDE DRAINAGE AREA

CITY OF BURNSIDE
Roslind Street, Kensington Gardens. FB 1081 p25

CITY OF CAMPBELLTOWN
Jenkins Avenue, Rostrevor. FB 1081 p27

CITY OF MARION
Nari Drive, Sheidow Park. FB 1081 p40 and 41
Caroline Close, Sheidow Park. FB 1081 p40 and 41

CITY OF NORWOOD, PAYNEHAM AND ST. PETERS
Across lower Portrush Road (opposite lot 59 in LTRO DP 49581), Marden. FB 1081 p26
Birch Street, Felixstow. FB 1081 p37
Gage Street, Firl. FB 1081 p46

CITY OF ONKAPARINGA
Mariner Lane, Seaford. FB 1081 p33 and 34
Island Way, Seaford. FB 1081 p33 and 34
Sea Cove, Seaford. FB 1081 p33 and 34

CITY OF PLAYFORD
Easements in lots 200 and 1201, Landseer Place, Hillbank. FB 1081 p35 and 36
Berkeley Way, Hillbank. FB 1081 p35 and 36
Landseer Place, Hillbank. FB 1081 p35 and 36

Easements in lots 199-195, Berkeley Way, Hillbank. FB 1081 p35 and 36
Easement in lot 213, Berkeley Way and lot 297, Landseer Place, Hillbank. FB 1081 p35 and 36
Hedgestone Place, Blakeview. FB 1081 p31
Smith Street, Blakeview. FB 1081 p30 and 32
Easement in reserve (lot 1220), Smith Street, Blakeview. FB 1081 p30 and 32
Lynton Court, Blakeview. FB 1081 p30 and 32

CITY OF PORT ADELAIDE ENFIELD

Saltram Parade, Oakden. FB 1081 p42 and 43
Park Terrace, Oakden. FB 1081 p42 and 43
Emmett Place, Oakden. FB 1081 p42 and 43
Hedge Row, Oakden. FB 1081 p42 and 43
Benthall Avenue, Oakden. FB 1081 p42 and 43
Hinton Mews, Oakden. FB 1081 p42 and 43

CITY OF SALISBURY

Easement in lot 800, Grassmere Place, Mawson Lakes. FB 1081 p38 and 39
Grassmere Place, Mawson Lakes. FB 1081 p38 and 39
Elder Circuit, Mawson Lakes. FB 1081 p38 and 39

CITY OF TEA TREE GULLY

Easement in lots 10 and 9, Garnet Court, Hope Valley. FB 1081 p44 and 45
Topaz Court, Hope Valley. FB 1081 p44 and 45
Easements in lots 2-4, Green Road, Hope Valley. FB 1081 p44 and 45

PORT PIRIE COUNTRY DRAINAGE AREA**PORT PIRIE REGIONAL COUNCIL**

Alice Street, Port Pirie West. FB 1081 p23

SEWERS ABANDONED

Notice is hereby given that the undermentioned sewer has been abandoned by the South Australian Water Corporation.

ADELAIDE DRAINAGE AREA**CITY OF ONKAPARINGA**

Across Lynton Terrace (formerly easement in lot 1001), Seaford. FB 1081 p33

CORRECTIONS

Corrections to notices in "Government Gazette" of 26 August 1999.

"SEWERS LAID"**"ADELAIDE WATER DISTRICT"****"CITY OF ONKAPARINGA"**

"Easements in lots 2043 and 2041, Eucalypt Circuit, reserve (lot 2042), Swallow Drive and reserve (lot 500), Myna Court, Flagstaff Hill. FB 1080 p33 and 34"

For "FB 1080 p33 and 34" read "FB 1080 p33 and 34 and 1081 p28"

"Sturt Approach, Flagstaff Hill. FB 1080 p33 and 34"

"Easements in lots 449 and 464, Sturt Approach, Flagstaff Hill. FB 1080 p33 and 34"

"Ibis Court, Flagstaff Hill. FB 1080 p33 and 34"

For "FB 1080 p33 and 34" read "FB 1080 p33 and 1081 p28"

S. SULLIVAN, Chief Executive, South Australian
Water Corporation

**REGULATIONS UNDER THE TRANS-TASMAN MUTUAL RECOGNITION
(SOUTH AUSTRALIA) ACT 1999**

No. 186 of 1999

At the Executive Council Office at Adelaide 23 September 1999

PURSUANT to the *Trans-Tasman Mutual Recognition (South Australia) Act 1999* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

ROB KERIN Acting Premier

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Interpretation
4. Temporary exemptions—goods (banned electrical products)
5. Temporary exemptions—laws

Citation

1. These regulations may be cited as the *Trans-Tasman Mutual Recognition (South Australia) Regulations 1999*.

Commencement

2. These regulations will come into operation on 23 September 1999.

Interpretation

3. In these regulations—

"the Act" means the *Trans-Tasman Mutual Recognition (South Australia) Act 1999*.

Temporary exemptions—goods (banned electrical products)

4. (1) For the purposes of section 5 of the Act and section 46 of the Commonwealth Act, an electrical product the sale of which is prohibited by public notice given at any time under the *Electrical Products Act 1988* (or any Act enacted in substitution for that Act) on the ground that the product is or is likely to become unsafe in use is declared to be exempt from the operation of the Commonwealth Act.

(2) The exemption from the Commonwealth Act of an electrical product pursuant to subregulation (1) has effect for a period beginning on the day on which the notice imposing the prohibition is published and ending—

- (a) 12 months later; or
- (b) on the revocation of the prohibition,

whichever occurs first.

Temporary exemptions—laws

5. (1) For the purposes of section 5 of the Act and section 46 of the Commonwealth Act, the following laws are declared to be exempt from the operation of the Commonwealth Act:

- (a) the *Electrical Products Act 1988* (or any Act enacted in substitution for that Act) and all regulations in force at any time under that Act (or substituted Act), to the extent that they require the labelling of electrical products so as to indicate energy efficiency;

- (b) the *Summary Offences Act 1953*, section 15 (to the extent that it deals with items other than firearms) and section 15A;
 - (c) the *Summary Offences (Dangerous Articles) Regulations 1988*.
- (2) This regulation expires 12 months after its commencement.

DPC 22/96 CS
MPNR 11/99 CS

R. DENNIS Clerk of the Council

**REGULATIONS UNDER THE MUTUAL RECOGNITION
(SOUTH AUSTRALIA) ACT 1993**

No. 187 of 1999

At the Executive Council Office at Adelaide 23 September 1999

PURSUANT to the *Mutual Recognition (South Australia) Act 1993* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

ROB KERIN Acting Premier

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Interpretation
4. Temporary exemptions—goods (banned electrical products or gas appliances)

Citation

1. These regulations may be cited as the *Mutual Recognition (South Australia) (Temporary Exemptions) Regulations 1999*.

Commencement

2. These regulations will come into operation on 23 September 1999.

Interpretation

3. In these regulations, unless the contrary intention appears—

"the Act" means the *Mutual Recognition (South Australia) Act 1993*.

Temporary exemptions—goods (banned electrical products or gas appliances)

4. (1) For the purposes of section 5 of the Act and section 15 of the Commonwealth Act—

- (a) an electrical product the sale of which is prohibited by public notice given at any time under the *Electrical Products Act 1988* (or any Act enacted in substitution for that Act) on the ground that the product is or is likely to become unsafe in use is declared to be goods to which section 15 of the Commonwealth Act applies;
- (b) a gas appliance the sale of which is prohibited by public notice given at any time under the *Gas Act 1997* (or any Act enacted in substitution for that Act) on the ground that the appliance is or is likely to become unsafe in use is declared to be goods to which section 15 of the Commonwealth Act applies.

(2) The exemption from the Commonwealth Act of an electrical product or a gas appliance pursuant to subregulation (1) has effect for a period beginning on the day on which the notice imposing the prohibition is published and ending—

- (a) 12 months later; or
- (b) on the revocation of the prohibition,

whichever occurs first.

REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997

No. 188 of 1999

At the Executive Council Office at Adelaide 23 September 1999

PURSUANT to the *Liquor Licensing Act 1997* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

K. T. GRIFFIN Minister for Consumer Affairs

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 1—Long Term Dry Areas
4. Variation of Sched. 2—Plans of Long Term Dry Areas

SCHEDULE 1

Kadina—Plan No. 1

SCHEDULE 2

Wallaroo—Plan No. 2

Citation

1. The *Liquor Licensing (Dry Areas—Long Term) Regulations 1997* (see *Gazette* 6 November 1997 p. 1217), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of Sched. 1—Long Term Dry Areas

3. Schedule 1 of the principal regulations is varied—

(a) by inserting after the item headed "**Hallett Cove—Area 2**" the following item:

Kadina—Area 1

(see schedule 2 : Kadina—Plan No. 1)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The area (known as Victoria Square) in Kadina bounded on the north by Taylor Street, on the west by Digby Street, on the south by Graves Street and on the east by Hay Street, together with the footpaths of Taylor Street, Digby Street, Graves Street and Hay Street immediately abutting that area.	From 9.00 p.m. on each day to 6.00 a.m. on the following day, until 6.00 a.m. on 7 August 2001.	The consumption and possession of liquor are prohibited.

(b) by striking out from the column headed "*Period*" in the item headed "**Moonta—Area 1**" "1999" and substituting "2001";

(c) by striking out from the column headed "*Period*" in the item headed "**Moonta—Area 2**" "1999" and substituting "2001";

- (d) by striking out from the column headed "*Period*" in the item headed **'Moonta Bay—Area 1'** "1999" and substituting "2001";
- (e) by striking out from the column headed "*Period*" in the item headed **'Port Hughes—Area 1'** "1999" and substituting "2001";
- (f) by striking out from the column headed "*Period*" in the item headed **'Port Hughes—Area 2'** "1999" and substituting "2001";
- (g) by striking out from the column headed "*Period*" in the item headed **'Wallaroo—Area 1'** "1999" and substituting "2001";
- (h) by striking out from the column headed "*Period*" in the item headed **'Wallaroo—Area 2'** "1999" and substituting "2001";
- (i) by inserting after the item headed **'Wallaroo—Area 2'** the following item:

Wallaroo—Area 3

(see schedule 2 : Wallaroo—Plan No. 2)

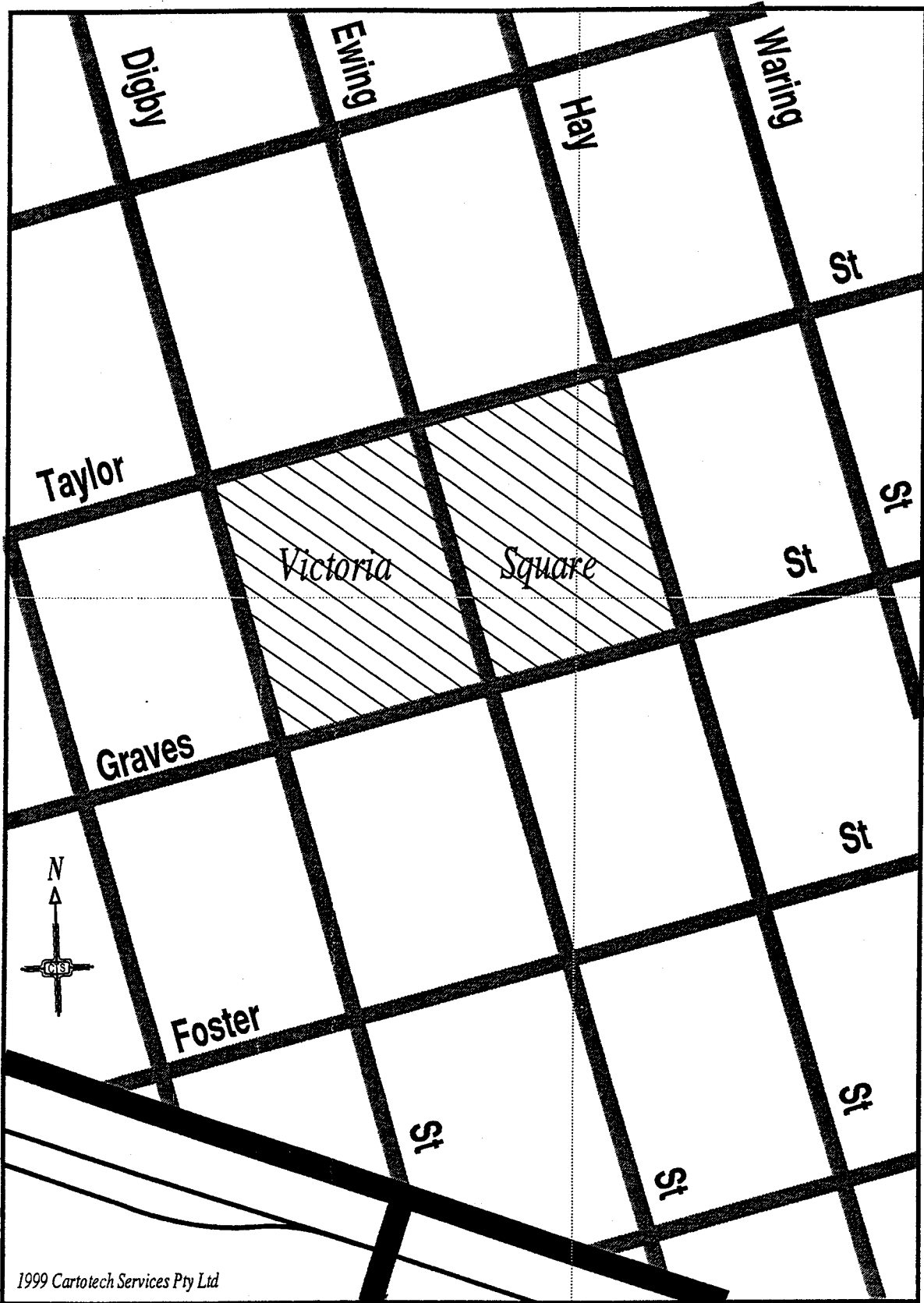
<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Commencing at the point at which the north-western boundary of Heritage Drive, Wallaroo, meets the south-western boundary of the Wallaroo Sailing Club, then north-westerly and north-easterly along the south-western and north-western boundaries of the Sailing Club to the north-eastern boundary of the Sailing Club, then north-westerly along the prolongation in a straight line of the north-eastern boundary of the Sailing Club to the low water mark, then generally south-westerly, north-westerly, southerly and south-westerly along the low water mark to the prolongation in a straight line of the western boundary of Section 322, Hundred of Wallaroo (Foreshore Reserve), then south-easterly along that prolongation and boundary to the fence line forming the southern boundary of Section 322, then generally north-easterly, easterly and north-easterly along that fence line and the continuation of that fence line along the northern boundary of the Seafarers Recreation Centre and adjoining reserve areas to the north-western boundary of Heritage Drive, then north-easterly along that north-western boundary of Heritage Drive to the point of commencement.	From 10.00 p.m. on each day to 6.00 a.m. on the following day, until 6.00 a.m. on 7 August 2001.	The consumption and possession of liquor are prohibited.

Variation of Sched. 2—Plans of Long Term Dry Areas

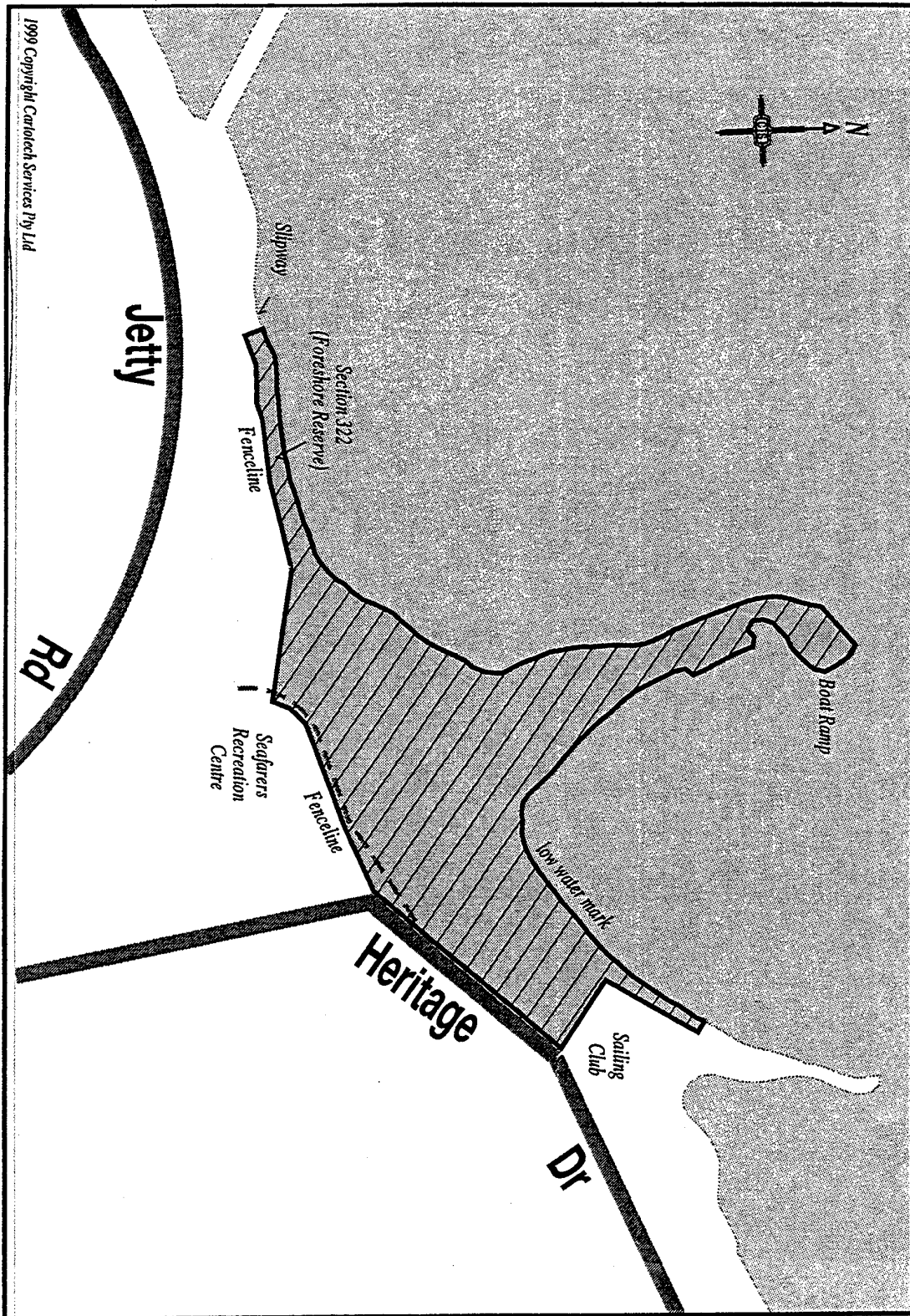
4. Schedule 2 of the principal regulations is varied—

- (a) by inserting after the plan headed **'Hallett Cove—Plan No. 2'** the plan in schedule 1 of these regulations;
- (b) by inserting after the plan headed **'Wallaroo—Plan No. 1'** the plan in schedule 2 of these regulations.

SCHEDULE 1
Kadina—Plan No. 1



SCHEDULE 2
Wallaroo—Plan No. 2



REGULATIONS UNDER THE SOUTH AUSTRALIAN HEALTH COMMISSION ACT 1976

No. 189 of 1999

At the Executive Council Office at Adelaide 23 September 1999

PURSUANT to the *South Australian Health Commission Act 1976*, on the recommendation of the South Australian Health Commission and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

DEAN BROWN Minister for Human Services

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 4
4. Substitution of Sched.

SCHEDULE

Citation

1. The *Recognized Hospital and Incorporated Health Centre (Medicare Patients) Fees Regulations 1987* (see *Gazette* 30 July 1987 p. 334), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations will come into operation on 1 October 1999.

Variation of reg. 4

3. Regulation 4 of the principal regulations is varied by striking out from subregulation (1) the definitions of "benefit entitlement card", "the Commonwealth benefit", "the Council" and "long stay patient" and substituting the following definitions:

"benefit entitlement card" means any of the following cards issued by the Commonwealth:

- (a) a Health Care Card;
- (b) a Pensioner Concession Card;
- (c) a Department of Veterans' Affairs Treatment Entitlement Card (Gold or White);

"the Commonwealth benefit", in relation to a patient, means the aggregate of the following amounts:

- (a) the maximum amount (expressed on a daily basis) payable as an age pension under the *Social Security Act 1991* of the Commonwealth to a person who is not a member of a couple within the meaning of that Act, excluding the amount of any pharmaceutical allowance payable under that Act; and

(b) —

- (i) if the patient receives rent assistance under that Act—the amount (expressed on a daily basis) received; or
- (ii) if the patient is not entitled to an age pension or disability support pension under that Act—the maximum amount (expressed on a daily basis) payable as rent assistance under that Act;

"long stay patient" means a patient who has been an admitted patient in a recognized hospital for a continuous period exceeding 35 days;

Substitution of Sched.

4. The Schedule of the principal regulations is revoked and the following Schedule is substituted:

SCHEDULE

1. Fees for services provided to Medicare patients at recognized hospitals

	Fee per day
(a) For the accommodation, maintenance, care and treatment of a public overnight stay patient.....	no fee
(b) For the accommodation, maintenance and care of a private overnight stay patient.....	\$216
(c) For the accommodation, maintenance, care and treatment of a public patient who is a same day patient.....	no fee
(d) For the accommodation, maintenance and care of a private patient who is a same day patient—	
(i) for gastro-intestinal endoscopy or other minor surgical and non-surgical procedures that do not normally require an anaesthetic (Band 1)	\$156
(ii) for procedures (other than Band 1 procedures) carried out under local anaesthetic with no sedation given where the actual time in the theatre is less than one hour (Band 2)	\$178
(iii) for procedures (other than Band 1 procedures) carried out under general or regional anaesthesia or intravenous sedation where the actual time in the theatre is less than one hour (Band 3)	\$196
(iv) for any procedures carried out under general or regional anaesthesia or intravenous sedation where the actual time in the theatre is one hour or more (Band 4).....	\$216
(e) For the accommodation, maintenance, care and treatment of a public long stay patient who is acutely ill	no fee
(f) For the accommodation, maintenance, care and treatment of a public long stay patient who is not acutely ill	87.5 per cent of the Commonwealth benefit
(g) For the accommodation, maintenance and care of a private long stay patient who is not acutely ill	\$73.40 plus 87.5 per cent of the Commonwealth benefit

2. Fees for domiciliary care services provided to Medicare patients

(a) If the person to whom the services are provided is a person to whom a social security pension is payable under the <i>Social Security Act 1991</i> of the Commonwealth or a person who holds a benefit entitlement card.....	\$3 per hour
(b) In all other cases	\$6 per hour

REGULATIONS UNDER THE ROAD TRAFFIC ACT 1961

No. 190 of 1999

At the Executive Council Office at Adelaide 23 September 1999

PURSUANT to the *Road Traffic Act 1961* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

DIANA LAIDLAW Minister for Transport and Urban Planning

SUMMARY OF PROVISIONS**PART 1****PRELIMINARY**

1. Citation
2. Commencement
3. Main object of regulations
4. Outline of main features of regulations
5. Application of regulations

DIVISION 2—INTERPRETATION

6. Definitions—the dictionary etc.
7. References to exemptions etc.

DIVISION 3—SOME KEY CONCEPTS FOR THESE REGULATIONS**Subdivision A—Persons with special duties**

8. What is a heavy truck, bus and commercial bus
9. Driver definitions
10. Who is an employer and responsible employee
11. Who is a consignor

Subdivision B—Driving, work and rest times

12. What is driving and driving time
13. What is work time
14. What is rest time

Subdivision C—Jurisdictions and zones

15. Definitions—jurisdictions and zones

**PART 2
REGULATED HOURS**

DIVISION 1—INTRODUCTORY

16. Application of Part 2
17. Brief outline of Part 2
18. Regulated hours — relevant periods

DIVISION 2—DRIVING, WORK AND REST TIMES OF REGULATED HOURS DRIVERS

19. Regulated hours—maximum driving times
20. Regulated hours—maximum work times
21. Regulated hours—required minimum rest times
22. Application of Division to drivers from elsewhere in the regulated zone
23. Application of Division to drivers from non-regulated zone

**PART 3
TRANSITIONAL FATIGUE MANAGEMENT SCHEME**

DIVISION 1—INTRODUCTORY

24. Brief outline of Part 3
25. Registration of participants in TFMS
26. TFMS—relevant periods

DIVISION 2—DRIVING, WORK AND REST TIMES OF TFMS DRIVERS

27. Application of Division 2
28. TFMS—maximum driving times
29. TFMS—maximum work times
30. TFMS—required minimum rest times
31. Application of Division to heavy truck drivers from elsewhere in the regulated zone
32. Application of Division to heavy truck drivers from the non-regulated zone

DIVISION 3—OTHER OBLIGATIONS OF DRIVER PARTICIPANTS

33. Application of Division 3
34. General obligations
35. Medical examination requirements
36. Approved fatigue management training requirements
37. Minister to be told if driver certification manual lost etc.

DIVISION 4—OBLIGATIONS OF EMPLOYER PARTICIPANTS

38. Application of Division 4
39. General obligations
40. Minister may ask employers to ensure attendance of responsible employees at training courses

**PART 4
DRIVING RECORDS**

DIVISION 1—KEY CONCEPTS FOR PART 4

41. What is a driver's 100 kilometre limit
42. What is a driver's base and the garage address of a vehicle
43. What is local area work
44. What is non-local area work
45. What is a driver's logbook
46. What is an approved DSMD
47. Driving record definitions

DIVISION 2—DRIVING RECORDS FOR NON-LOCAL AREA WORK

48. Drivers to have logbooks etc.
49. Logbook records to be made by drivers engaged in non-local area work
50. Additional logbook records to be made before engaging in non-local area work
51. Additional logbook records to be made after engaging in non-local area work
52. How information is to be recorded in logbooks
53. Exceptions to logbook record requirements
54. When and how supplementary records may be made by drivers

DIVISION 3—DRIVING RECORDS FOR LOCAL AREA WORK

55. Application of Division 3
56. Driving records to be made by employers of drivers
57. Driving records to be made by self-employed drivers

DIVISION 4—INSPECTION OF DRIVING RECORDS

58. Driving records—non-local area work

DIVISION 5—DRIVING RECORDS TO BE KEPT

59. Definitions for Division 5
60. Driving records made by employed drivers—non-local area work
61. Driving records for non-local area work to be kept
62. Local area management records to be kept
63. Minister may ask for driving records to be produced

DIVISION 6—OTHER OFFENCES BY DRIVERS AND EMPLOYERS

64. Minister to be told if logbook lost etc.
65. Drivers must not have more than 1 logbook
66. Possession of purported driving records etc. prohibited
67. Drivers to tell employers of incorrectly operating approved DSMDs etc.

DIVISION 7—GENERAL DRIVING RECORD OFFENCES

68. Definitions for Division 7
69. False and misleading driving records etc. prohibited
70. False representation of driving records prohibited
71. Making entries in someone else's driving records prohibited
72. Destruction of certain driving records prohibited
73. Interference with approved DSMDs prohibited

**PART 5
EXTENDED OFFENCES**

- 74. Definitions for Part 5
- 75. Certain requests etc. prohibited
- 76. Special obligation of consignors
- 77. Special obligation of employers
- 78. Special obligations—rostering and scheduling

**PART 6
ISSUE OF LOGBOOKS**

- 79. Logbooks
- 80. Applications for logbooks
- 81. Issue of logbooks

**PART 7
TFMS ADMINISTRATION**

**DIVISION 1—REGISTRATION OF TFMS PARTICIPANTS AND ISSUE OF DRIVER
CERTIFICATION MANUALS**

- 82. Applications for registration
- 83. Driver certification manuals
- 84. What is a required medical certificate
- 85. What is a required training certificate
- 86. TFMS registration and issue of driver certification manuals
- 87. Applications for replacement driver certification manuals
- 88. Issue of replacement driver certification manuals

DIVISION 2—CANCELLATION OF REGISTRATION OF TFMS PARTICIPANTS

- 89. Cancellation of TFMS registration on application
- 90. Grounds for cancellation of TFMS registration except on application
- 91. Cancellation of TFMS registration except on application
- 92. Notice of cancellation of TFMS registration of employers
- 93. Return of driver certification manuals

**DIVISION 3—REVIEW AND AUDIT OF PARTICIPATION OF EMPLOYERS AND
SELF-EMPLOYED DRIVERS**

- 94. Application of Division 3
- 95. Reviews of participation required
- 96. Reports of reviews
- 97. Minister may audit participation

DIVISION 4—RECOMMENDATIONS ABOUT TFMS REGISTRATION

- 98. Recommendations by Minister
- 99. Recommendations by corresponding authorities

**PART 8
EXEMPTIONS**

DIVISION 1—KEY CONCEPTS FOR PART 8

- 100. What is an exemption
- 101. What is an emergency exemption
- 102. What is an FMS exemption
- 103. What is a limited driving hours exemption
- 104. What is a logbook exemption

DIVISION 2—EMERGENCY EXEMPTIONS

- 105. Definitions for Division 2
- 106. Emergency exemptions
- 107. Effect of emergency exemptions

DIVISION 3—FMS EXEMPTIONS

- 108. FMS exemptions
- 109. Effect of FMS exemptions

DIVISION 4—LIMITED DRIVING HOURS EXEMPTIONS

- 110. Limited driving hours exemptions
- 111. Effect of limited driving hours exemptions

DIVISION 5—LOGBOOK EXEMPTIONS

- 112. Logbook exemptions—literacy
- 113. Other logbook exemptions
- 114. Effect of logbook exemptions

DIVISION 6—VARIATION AND CANCELLATION OF EXEMPTIONS

- 115. Variation and cancellation of exemptions on application
- 116. Grounds for variation of exemptions except on application
- 117. Grounds for cancellation of exemptions except on application
- 118. Variation and cancellation of exemptions except on application
- 119. Return of exemptions etc.

DIVISION 7—EXEMPTIONS GENERALLY

- 120. Applications for exemption
- 121. Decisions by Minister on exemption applications
- 122. Duration of exemptions
- 123. Conditions of exemptions
- 124. Replacement of lost etc. exemptions
- 125. Failure to comply with conditions of exemptions
- 126. Minister to tell corresponding authorities of certain decisions

PART 9
ENFORCEMENT, REVIEW AND OTHER MATTERS

DIVISION 1—PROVISIONS ABOUT OFFENCES

- 127. Deciding whether persons ought reasonably to have known
- 128. Limited jeopardy
- 129. General offence and penalty and penalty for bodies corporate

DIVISION 2—ADDITIONAL ENFORCEMENT POWERS

- 130. Information about exemptions
- 131. Information about TFMS etc.
- 132. Information about whether drivers engaged in non-local area work
- 133. Information about driver's base
- 134. False and misleading statements to Minister and authorised persons

DIVISION 3—REVIEW AND APPEAL

- 135. Certain decisions may be reviewed
- 136. Review of decisions
- 137. Appeals to District Court
- 138. Operation of decision subject to reconsideration or appeal

DIVISION 4—MISCELLANEOUS

- 139. Declaration of relevant jurisdictions
- 140. Authorised persons
- 141. Identity cards
- 142. Identification of authorised persons

DICTIONARY

(Regulation 6)

PART 1
PRELIMINARY

Citation

1. These regulations may be cited as the *Road Traffic (Driving Hours) Regulations 1999*.

Commencement

2. These regulations will come into operation on 1 November 1999.

Main object of regulations

3. The main object of these regulations is to provide for the suitable management of the fatigue of drivers of heavy trucks and commercial buses by regulating the periods that they spend driving, working and resting.

Outline of main features of regulations

4. (1) These regulations apply mainly to—

- (a) employed drivers of heavy trucks and commercial buses and their employers; and
- (b) self-employed drivers of heavy trucks and commercial buses.

Note: Some provisions may apply to other persons eg Part 5 (Extended offences).

(2) The regulations provide, in Part 2 (Regulated hours), for maximum driving and work times, and minimum rest times, for drivers of heavy trucks and commercial buses.

(3) The regulations also provide, in Part 4 (Driving records), for recording the driving, work and rest times of drivers of heavy trucks and commercial buses.

(4) An exemption, including an FMS exemption, may be sought from various requirements of the regulations.

Note: **FMS exemption** is defined in regulation 102.

(5) If a driver or employer wishes to conduct heavy truck driving in a way more suitable to the driver or employer than complying with Part 2, the driver or employer may apply for registration in the Transitional Fatigue Management Scheme established by Part 3.

Application of regulations

5. (1) These regulations apply to heavy trucks and commercial buses, and their drivers, on roads and road-related areas.

(2) A **road** is an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles.

(3) A **road-related area** is any of the following:

(a) an area that divides a road;

(b) a footpath or nature strip adjacent to a road;

(c) an area that is not a road and that is open to the public and is designated for use by cyclists or animals;

(d) an area that is not a road and that is open to or used by the public for driving, riding or parking vehicles;

(e) any other area that has been declared by regulation to be an area to which these regulations apply.

DIVISION 2—INTERPRETATION

Definitions—the dictionary etc

6. (1) The dictionary at the end of these regulations defines certain words and expressions, and includes references to certain words and expressions that are defined elsewhere in these regulations (**signpost definitions**).

Example—

The signpost definition "**commercial bus**" *see regulation 8(3)* means that the expression "**commercial bus**" is defined in regulation 8(3).

Note: The dictionary only includes a signpost definition for a word or expression if the word or expression is used in more than 1 regulation.

(2) The dictionary is part of these regulations.

(3) A definition in these regulations applies to each use of the word or expression in these regulations, unless the contrary intention appears.

References to exemptions etc

7. In these regulations, a reference to—

- (a) an **exemption** includes a reference to the exemption as varied; and
- (b) a **variation** of an exemption includes a reference to a variation of a condition of the exemption by addition, omission or substitution.

DIVISION 3—SOME KEY CONCEPTS FOR THESE REGULATIONS**Subdivision A—Persons with special duties****What is a heavy truck, bus and commercial bus**

8. (1) A **heavy truck** is—

- (a) a motor vehicle (except a bus or tram) with a GVM over 12 tonnes; or
- (b) a motor vehicle (except a bus or tram) forming part of a combination if the total of the GVMs of the vehicles in the combination is over 12 tonnes.

(2) A **bus** is a motor vehicle built mainly to carry people that seats over 12 adults (including the driver).

(3) A **commercial bus** is a bus used to carry people for reward or in a business.

Driver definitions

9. (1) A **driver** is a driver of a heavy truck or commercial bus.

(2) An **employed driver** is a driver who is employed by someone else to drive a heavy truck or commercial bus.

(3) A driver who is not an employed driver is a **self-employed driver**.

Who is an employer and responsible employee

10. (1) An **employer** is a person who employs someone else to drive a heavy truck or commercial bus.

(2) A **responsible employee** of an employer is an employee or agent of the employer who is responsible for—

- (a) rostering driving, work or rest time of employed drivers; or
- (b) scheduling the transport of people or goods by road,

and, if the employer is an individual, includes the employer.

Who is a consignor

11. A **consignor** is a person who—

- (a) engages someone, directly or through an agent or other intermediary, to transport goods by road; and
- (b) has possession of, or control over, the goods before they are transported; and
- (c) is not the employer of the driver of a heavy truck or commercial bus that transports the goods.

Subdivision B—Driving, work and rest times

What is driving and driving time

12. (1) **Driving** is driving a heavy truck or commercial bus, and includes—

- (a) being in the driving seat of a stationary heavy truck or commercial bus while the engine is running; and
- (b) being in a heavy truck or commercial bus and instructing or supervising someone else to drive it.

(2) **Driving time** of a driver is time spent by the driver driving, whether or not the time is spent on a road or road-related area.

What is work time

13. (1) **Work time** of a driver is the driver's driving time, and other time spent by the driver—

- (a) loading or unloading a heavy truck or commercial bus; or
- (b) inspecting, servicing or repairing a heavy truck or commercial bus, inspecting or attending to the load on a heavy truck or commercial bus, or attending to the passengers of a commercial bus; or
- (c) cleaning or refuelling a heavy truck or commercial bus; or
- (d) performing marketing tasks in relation to the operation of a heavy truck or commercial bus; or
- (e) helping with, or supervising, an activity mentioned in paragraphs (a) to (d); or
- (f) recording information, or completing a document, in accordance with these regulations or otherwise in relation to the operation of a heavy truck or commercial bus.

(2) In these regulations—

"**marketing tasks**" includes arranging for, or canvassing for orders for, the transport of people or goods.

What is rest time

14. **Rest time** of a driver is a continuous period of at least 15 minutes that is not work time of the driver.

Subdivision C—Jurisdictions and zones

Definitions—jurisdictions and zones

15. (1) **This jurisdiction** is South Australia.

(2) **Another jurisdiction** is a State or a Territory.

(3) A **relevant jurisdiction** is—

- (a) this jurisdiction; or
- (b) another jurisdiction, if the law of the other jurisdiction includes provisions having the same, or substantially the same, effect as these regulations.

(4) The **regulated zone** is all relevant jurisdictions.

(5) The **non-regulated zone** is all jurisdictions that are not relevant jurisdictions.

**PART 2
REGULATED HOURS**

DIVISION 1—INTRODUCTORY

Application of Part 2

16. This Part applies to a driver unless—

- (a) the driver is a heavy truck driver; and
- (b) the driver is registered as a driver participant in TFMS or a corresponding TFMS; and
- (c) the driver is carrying his or her current driver certification manual or corresponding driver certification manual; and
- (d) if the driver is an employed driver — the driver's employer is registered as an employer participant in TFMS or a corresponding TFMS.

Note: See Division 1 of Part 7 for registration in TFMS.

Brief outline of Part 2

17. (1) This Part sets the maximum driving and work times, and minimum rest times, for drivers to whom the Part applies.

(2) These times are set by reference to 4 periods, which are called—

- relevant period 1
- relevant period 2
- relevant period 3
- relevant period 4.

(3) A driver must ensure that, for each relevant period 1, 2 or 3—

- (a) the driver's total driving time does not exceed the driver's maximum driving time; and
- (b) the driver's total work time does not exceed the driver's maximum work time.

(4) A driver must ensure that the driver's rest time complies with the driver's required minimum rest time for—

- (a) any relevant period 1, 2 or 3 in which the driver drives a heavy truck; and
- (b) any relevant period 1, 2 or 4 in which the driver drives a commercial bus.

Regulated hours — relevant periods

18. For this Part—

- **relevant period 1** is any period of 5.5 hours
- **relevant period 2** is any period of 24 hours
- **relevant period 3** is any period of 168 hours
- **relevant period 4** is any period of 672 hours.

Examples of the beginning and end of the relevant periods for this Part—

- 1 The relevant periods beginning at 9.00am on 5 May are the periods ending as follows—
 - relevant period 1 ends at 2.30pm on 5 May (that is, 5.5 hours later)
 - relevant period 2 ends at 9.00am on 6 May (that is, 24 hours later)
 - relevant period 3 ends at 9.00am on 12 May (that is, 168 hours later)
 - relevant period 4 ends at 9.00am on 2 June (that is, 672 hours later).
- 2 The relevant periods ending at 9.00am on 12 May are the periods beginning as follows—
 - relevant period 1 begins at 3.30am on 12 May (that is, 5.5 hours earlier)
 - relevant period 2 begins at 9.00am on 11 May (that is, 24 hours earlier)
 - relevant period 3 begins at 9.00am on 5 May (that is, 168 hours earlier)
 - relevant period 4 begins at 9.00am on 14 April (that is, 672 hours earlier).

DIVISION 2—DRIVING, WORK AND REST TIMES OF REGULATED HOURS DRIVERS

Regulated hours—maximum driving times

19. (1) For this Part, the **maximum driving times** of a driver are—

- (a) for any relevant period 1—5 hours; and
- (b) for any relevant period 2—12 hours; and
- (c) for any relevant period 3—72 hours.

(2) A driver commits an offence if, for any relevant period 1, 2 or 3 in which the driver drives a heavy truck or commercial bus on a road or road-related area, the driver's total driving time exceeds the driver's maximum driving time.

Maximum Penalty: For a first offence—\$1 250.
For a second or subsequent offence—\$2 500.

Note: Regulation 128 limits the number of times, in each relevant period, that a driver is liable for an offence.

Regulated hours—maximum work times

20. (1) For this Part, the **maximum work times** of a driver are—

- (a) for any relevant period 1—5 hours; and
- (b) for any relevant period 2—14 hours; and
- (c) for any relevant period 3—72 hours.

(2) A driver commits an offence if, for any relevant period 1, 2 or 3 in which the driver drives a heavy truck or commercial bus on a road or road-related area, the driver's total work time exceeds the driver's maximum work time.

Maximum Penalty: For a first offence—\$1 250.
For a second or subsequent offence—\$2 500.

Note: Regulation 128 limits the number of times, in each relevant period, that a driver is liable for an offence.

Regulated hours—required minimum rest times

21. (1) For this Part, the **required minimum rest times** of a driver are rest times of—

- (a) for any relevant period 1—30 minutes, which must be in a single period or 2 separate periods of 15 minutes; and
- (b) for any relevant period 2—10 hours, which must include a single period of at least 6 hours not spent by the driver in or on—
 - (i) a heavy truck, except a heavy truck with a sleeper berth complying with ADR 42; or
 - (ii) a commercial bus, except a commercial bus with an approved sleeper berth; and
- (c) for any relevant period 3—96 hours, which must include a single period of at least 24 hours not spent by the driver in or on a heavy truck or commercial bus; and
- (d) for any relevant period 4—384 hours, which must include—
 - (i) 4 separate periods of at least 24 hours each; or
 - (ii) a single period of at least 72 hours and a separate period of at least 24 hours; or
 - (iii) 2 separate periods of at least 48 hours each; or
 - (iv) a single period of at least 96 hours,not spent by the driver in or on a heavy truck or commercial bus.

(2) A driver commits an offence if, for any relevant period 1, 2 or 3 in which the driver drives a heavy truck on a road or road-related area, the driver's rest time does not comply with the driver's required minimum rest time.

Maximum penalty: For a first offence—\$1 250.
For a second or subsequent offence—\$2 500.

Note: Regulation 128 limits the number of times, in each relevant period, that a driver is liable for an offence.

(3) A driver commits an offence if, for any relevant period 1, 2 or 4 in which the driver drives a commercial bus on a road or road-related area, the driver's rest time does not comply with the driver's required minimum rest time.

Maximum penalty: For a first offence—\$1 250.
For a second or subsequent offence—\$2 500.

Note: Regulation 128 limits the number of times, in each relevant period, that a driver is liable for an offence.

Application of Division to drivers from elsewhere in the regulated zone

22. In applying this Division to a driver, any time spent by the driver in another jurisdiction in the regulated zone is treated in the same way as it would have been treated if the time had been spent in this jurisdiction.

Note: **Regulated zone** is defined in regulation 15.

Application of Division to drivers from non-regulated zone

23. (1) This regulation applies to a driver if the driver drives a heavy truck or commercial bus into this jurisdiction from the non-regulated zone.

Note: **Non-regulated zone** is defined in regulation 15.

(2) In applying this Division to the driver—

- (a) any driving, work or rest time of the driver before the start of his or her last 6 hour rest break before entering this jurisdiction is disregarded; and
- (b) any driving, work or rest time of the driver after the start of that rest break is taken into account; and
- (c) any time spent by the driver in the non-regulated zone (or another jurisdiction in the regulated zone) after the start of that rest break is treated in the same way as it would have been treated if the time had been spent in this jurisdiction.

**PART 3
TRANSITIONAL FATIGUE MANAGEMENT SCHEME**

DIVISION 1—INTRODUCTORY

Brief outline of Part 3

24. (1) This Part—

- (a) establishes the Transitional Fatigue Management Scheme (**TFMS**) for heavy truck drivers and the employers of heavy truck drivers; and
- (b) provides for other matters about TFMS.

Note: This Part applies only to the driving of heavy trucks. However, driving, work and rest time spent in relation to commercial buses is taken into account in working out the driving, work and rest times of heavy truck drivers.

(2) This Part also sets maximum driving and work times, and minimum rest times, for heavy truck drivers to whom TFMS applies by reference to 3 periods, which are called—

- relevant period 1
- relevant period 2
- relevant period 3.

(3) A heavy truck driver to whom TFMS applies must ensure that, for each relevant period applying to the driver—

- (a) the driver's total driving time does not exceed the driver's maximum driving time; and
- (b) the driver's total work time does not exceed the driver's maximum work time; and
- (c) the driver's rest time complies with the driver's required minimum rest time.

Registration of participants in TFMS

25. A person may be registered as a driver or employer participant in TFMS under Division 1 of Part 7.

Note: Part 7 deals with TFMS administration.

TFMS—relevant periods

26. For this Part—

- **relevant period 1** is any period of 5.5 hours
- **relevant period 2** is any period of 24 hours
- **relevant period 3** is any period of 336 hours.

Examples of the beginning and end of the relevant periods for this Part—

1 The relevant periods beginning at 9.00am on 5 May are the periods ending as follows—

- relevant period 1 ends at 2.30pm on 5 May (that is, 5.5 hours later)
- relevant period 2 ends at 9.00am on 6 May (that is, 24 hours later)
- relevant period 3 ends at 9.00am on 19 May (that is, 336 hours later).

2 The relevant periods ending at 9.00am on 19 May are the periods beginning as follows—

- relevant period 1 begins at 3.30am on 19 May (that is, 5.5 hours earlier)
- relevant period 2 begins at 9.00am on 18 May (that is, 24 hours earlier)
- relevant period 3 begins at 9.00am on 5 May (that is, 336 hours earlier).

DIVISION 2—DRIVING, WORK AND REST TIMES OF TFMS DRIVERS**Application of Division 2**

27. This Division applies to a driver only if—

- (a) the driver is a heavy truck driver; and
- (b) the driver is registered as a driver participant in TFMS or a corresponding TFMS; and
- (c) the driver is carrying his or her current driver certification manual or corresponding driver certification manual; and
- (d) if the driver is an employed driver—the driver's employer is also registered as an employer participant in TFMS or a corresponding TFMS.

Note 1: If this Division does not apply to the driver of a heavy truck, Part 2 applies to the driver—see regulation 16.

Note 2: See Division 1 of Part 7 for registration in TFMS.

TFMS—maximum driving times

28. (1) For this Division, the **maximum driving times** of a driver are—

- (a) for any relevant period 1—5 hours; and
- (b) for any relevant period 2—14 hours; and
- (c) for any relevant period 3—144 hours.

(2) However, if at any time in any relevant period 2 the driver is a two-up driver, the driver's

maximum driving time for the period is 12 hours.

(3) A driver commits an offence if, for any relevant period in which the driver drives a heavy truck on a road or road-related area, the driver's total driving time exceeds the driver's maximum driving time.

Maximum penalty: For a first offence—\$1 250.
For a second or subsequent offence—\$2 500.

Note: Regulation 128 limits the number of times, in each relevant period, that a driver is liable for an offence.

TFMS—maximum work times

29. (1) For this Division, the **maximum work times** of a driver are—

- (a) for any relevant period 1—5 hours; and
- (b) for any relevant period 2—14 hours; and
- (c) for any relevant period 3—144 hours.

(2) A driver commits an offence if, for any relevant period in which the driver drives a heavy truck on a road or road-related area, the driver's total work time exceeds the driver's maximum work time.

Maximum penalty: For a first offence—\$1 250.
For a second or subsequent offence—\$2 500.

Note: Regulation 128 limits the number of times, in each relevant period, that a driver is liable for an offence.

TFMS—required minimum rest times

30. (1) For this Division, the **required minimum rest times** of a driver are rest times of—

- (a) for any relevant period 1—30 minutes, which must be in a single period or 2 separate periods of 15 minutes; and
- (b) for any relevant period 2—10 hours, which must include a single period of at least 6 hours not spent by the driver in or on—
 - (i) a heavy truck, except a heavy truck with a sleeper berth complying with ADR 42; or
 - (ii) a commercial bus, except a commercial bus with an approved sleeper berth; and
- (c) for any relevant period 3—192 hours, which must include 2 single periods of at least 24 hours each not spent by the driver in or on a heavy truck or commercial bus.

(2) For a single period of at least 24 hours mentioned in subregulation (1)(c), 1 continuous period of up to 1 hour spent in the period cleaning or refuelling a heavy truck or commercial bus (other than at the direction of his or her employer) is taken to be **rest time** of the driver if the beginning and end of the cleaning or refuelling are separated by at least 3 hours from the beginning and end of driving or work time.

(3) A driver commits an offence if, for any relevant period in which the driver drives a heavy truck on a road or road-related area, the driver's rest time does not comply with the driver's required minimum rest time.

Maximum penalty: For a first offence—\$1 250.
For a second or subsequent offence—\$2 500.

Note: Regulation 128 limits the number of times, in each relevant period, that a driver is liable for an offence.

Application of Division to heavy truck drivers from elsewhere in the regulated zone

31. In applying this Division to a heavy truck driver, any time spent by the driver in another jurisdiction in the regulated zone is treated in the same way as it would have been treated if the time had been spent in this jurisdiction.

Note: **Regulated zone** is defined in regulation 15.

Application of Division to heavy truck drivers from the non-regulated zone

32. (1) This regulation applies to a driver if the driver drives a heavy truck into this jurisdiction from the non-regulated zone.

Note: **Non-regulated zone** is defined in regulation 15.

(2) In applying this Division to the driver—

- (a) any driving, work or rest time of the driver before the start of his or her last 6 hour rest break before entering this jurisdiction is disregarded; and
- (b) any driving, work or rest time of the driver after the start of that rest break is taken into account; and
- (c) any time spent by the driver in the non-regulated zone (or another jurisdiction in the regulated zone) after the start of that rest break is treated in the same way as it would have been treated if the time had been spent in this jurisdiction.

DIVISION 3—OTHER OBLIGATIONS OF DRIVER PARTICIPANTS**Application of Division 3**

33. (1) This Division applies to a driver who is registered as a driver participant in TFMS.

(2) Regulation 34(1) also applies to a driver who is registered as a driver participant in a corresponding TFMS.

General obligations

34. (1) If a driver becomes, or ceases to be, employed to drive a heavy truck, the driver must immediately record in his or her driver certification manual, as required by the instructions in the manual, the day and time when the driver became, or ceased to be, employed and, if the driver became employed—

- (a) the employer's name and the address of the place where the employer manages the employment of drivers; and
- (b) whether the employer is registered as an employer participant in TFMS; and
- (c) if so, the employer's TFMS registration number.

(2) A self-employed driver must—

- (a) manage the driver's driving, work and rest times so the driver can comply with this Part; and
- (b) keep complete and accurate records showing that the driver has complied with paragraph (a).

(3) In this regulation—

"**driver certification manual**" includes a corresponding driver certification manual;

"**TFMS**" includes a corresponding TFMS.

Medical examination requirements

35. (1) The Minister may, by written notice given to a driver, ask the driver to—

- (a) undergo a medical examination in accordance with the required medical standards; and
- (b) give his or her driver certification manual to the examining doctor for inclusion of the certificate mentioned in subregulation (2); and
- (c) produce the manual containing the certificate to the Minister for inspection within the time stated in the notice.

(2) The certificate must state—

- (a) the name and address of the doctor; and
- (b) that the doctor examined the driver in accordance with the required medical standards; and
- (c) the date of the medical examination; and
- (d) that the person met, or did not meet, the required medical standards.

(3) The time stated in the notice must be at least 7 days after the notice is given to the driver.

(4) The driver must comply with the notice.

Approved fatigue management training requirements

36. (1) The Minister may, by written notice given to a driver, ask the driver to—

- (a) attend an approved fatigue management training course; and
- (b) give his or her driver certification manual to the trainer conducting the course for inclusion of the certificate mentioned in subregulation (2); and
- (c) produce the manual containing the certificate to the Minister for inspection within the time stated in the notice.

(2) The certificate must state—

- (a) the name and address of the trainer; and
- (b) that the driver finished an approved fatigue management training course conducted by the trainer; and
- (c) the date of the course.

(3) The time stated in the notice must be at least 28 days after the notice is given to the driver.

(4) The driver must comply with the notice.

Minister to be told if driver certification manual lost etc

37. (1) If a driver's driver certification manual is destroyed, lost or stolen, the driver must tell the Minister, in writing, as soon as practicable (but within 2 business days) after becoming aware that the manual has been destroyed, lost or stolen.

(2) If a lost or stolen driver certification manual (the **earlier manual**) is found or returned to the driver after a replacement driver certification manual has been issued to the driver, the driver must give the earlier manual to the Minister as soon as practicable (but within 3 business days) after the manual is found or returned.

DIVISION 4—OBLIGATIONS OF EMPLOYER PARTICIPANTS**Application of Division 4**

38. This Division applies to an employer who is registered as an employer participant in TFMS.

General obligations

39. The employer must—

- (a) manage employed heavy truck drivers, including their driving, work and rest times, so that they are able to comply with this Part; and
- (b) ensure that each responsible employee of the employer attends any approved fatigue management training course required under this Division; and
- (c) keep complete and accurate records showing—
 - (i) that the employer has complied with paragraphs (a) and (b); and
 - (ii) the medical examinations undergone by the employer's employed truck drivers for these regulations; and
 - (iii) the approved fatigue management training courses attended by the employer's employed truck drivers and responsible employees.

Maximum penalty: For a first offence—\$1 250.
 For a second or subsequent offence—\$2 500.

Note: Contravention of these regulations is a ground for cancellation of an employer's registration as an employer participant in TFMS—see regulation 90(b).

Minister may ask employers to ensure attendance of responsible employees at training courses

40. (1) The Minister may, by written notice given to the employer, ask the employer to—

- (a) ensure that all or stated responsible employees of the employer attend an approved fatigue management training course (a **training course**); and
 - (b) obtain the certificate mentioned in subregulation (2) for each person who finishes a training course from the trainer who conducted the course; and
 - (c) produce each certificate to the Minister for inspection within the time stated in the notice.
- (2) The certificate must state—
- (a) the name and address of the trainer; and
 - (b) that the person named in the certificate finished a training course conducted by the trainer; and
 - (c) the date of the course.
- (3) The time stated in the notice must be at least 28 days after the notice is given to the employer.
- (4) The employer must comply with the notice.

**PART 4
DRIVING RECORDS**

DIVISION 1—KEY CONCEPTS FOR PART 4

What is a driver's 100 kilometre limit

41. For the driver of a heavy truck or commercial bus, the **100 kilometre limit** is the circumference of a notional circle of which—

- (a) the centre is the driver's base; and
- (b) the radius is 100 kilometres.

What is a driver's base and the garage address of a vehicle

42. (1) The **base** of the driver of a heavy truck or commercial bus is the vehicle's garage address.

(2) The vehicle's **garage address** is the principal depot or base of operations of the vehicle.

(3) However, if the driver operates and receives instructions from another place that is recorded in the driver's logbook as the driver's base, the other place is the driver's **base**.

(4) For this regulation, if a driver is a self-employed driver and an employed driver at different times, the driver may have one base as a self-employed driver and another base as an employed driver.

(5) For this regulation, if a driver has 2 or more employers, the driver may have a different base in relation to each employer.

What is local area work

43. The driver of a heavy truck or commercial bus is engaged in **local area work** if the driver is driving the vehicle within the driver's 100 kilometre limit.

What is non-local area work

44. The driver of a heavy truck or commercial bus is engaged in **non-local area work** if the driver is driving the vehicle beyond the driver's 100 kilometre limit.

What is a driver's logbook

45. A driver's **logbook** is a logbook issued to the driver under regulation 81, and, in this Part, includes a corresponding logbook.

What is an approved DSMD

46. An **approved DSMD** is an automatic recording device of a type that is approved as a driver-specific monitoring device by the Ministerial Council.

Note: Information about approved DSMDs can be obtained from the National Road Transport Commission, PO Box 13105, Law Courts, Melbourne Vic 3001 or through the National Road Transport Commission web site (URL: www.nrtc.gov.au).

Driving record definitions

47. (1) A **driving record** is—

- (a) a logbook; or
- (b) a record made by an approved DSMD under regulation 53(b); or
- (c) a supplementary record; or
- (d) a local area management record.

(2) A **supplementary record** is a record made under regulation 54 (When and how supplementary records may be made by drivers).

(3) A **local area management record** is a record made under Division 3 (Driving records for local area work).

DIVISION 2—DRIVING RECORDS FOR NON-LOCAL AREA WORK

Drivers to have logbooks etc

48. (1) A driver must not engage in non-local area work unless the driver has a logbook in which the driver can record information under this Division in accordance with regulation 52 (How information is to be recorded in logbooks).

(2) The driver must carry the logbook while engaging in non-local area work.

(3) It is a defence to an offence against this regulation if, at the time of the offence—

(a) the driver's logbook had been completed, destroyed, lost or stolen; and

(b) the driver had not been issued with a replacement logbook; and

(c) not more than 2 business days had elapsed since the logbook was completed, destroyed, lost or stolen; and

(d) the driver was making a supplementary record in the period.

Logbook records to be made by drivers engaged in non-local area work

49. (1) This regulation applies to a driver for a day on which the driver engages in non-local area work.

(2) Before the driver's first period of driving or work time anywhere on the day, the driver must record the following information in the driver's logbook:

(a) the day of the week and date;

(b) the driver's name and current driver licence number;

(c) the State or Territory where the licence was issued.

(3) The driver must record the registration number of each heavy truck or commercial bus to be driven anywhere by the driver on the day in his or her logbook before the driver begins to drive the vehicle for the first time on the day.

(4) Immediately before or after each change of activity on the day, the driver must record the following information in the driver's logbook—

(a) the change of activity;

(b) the driving time, other work time or rest time spent anywhere by the driver since the last change of activity;

(c) the time and place of the change of activity;

(d) if the driver is or becomes a two-up driver—the name and current driver licence number of the other driver in the two-up driving arrangement.

(5) A **change of activity** for the driver is a change from—

- (a) driving time to other work time; or
- (b) work time (except driving time) to driving time; or
- (c) driving time to rest time; or
- (d) rest time to driving time; or
- (e) work time (except driving time) to rest time; or
- (f) rest time to work time (except driving time); or
- (g) being a solo driver to being a two-up driver; or
- (h) being a two-up driver to being a solo driver.

(6) However, if subregulation (2), (3) or (4) requires the driver to record information in his or her logbook before beginning to engage in non-local area work on a day, it is a defence to an offence against the subregulation if the driver proves that, at the time of the offence—

- (a) the driver was unaware that the driver would be engaging in non-local area work on the day; and
- (b) the driver recorded the information in his or her logbook as soon as practicable after becoming aware that the driver would be engaging in non-local area work on the day.

(7) If this regulation (or regulation 50 or 51) applies to 2 drivers who are in a two-up driving arrangement, each driver must separately record information in his or her logbook.

Additional logbook records to be made before engaging in non-local area work

50. (1) In this regulation—

"**required information**" means the information mentioned in regulation 49(2), (3) and (4) for the period since the start of the driver's last 6 hour rest break (whether or not the rest break was spent in this jurisdiction).

Note: Regulation 49 deals with information for a day on which the driver engages in non-local area work.

(2) Before a driver begins to engage in non-local area work on a day, the driver must record the required information in his or her logbook.

(3) However, the driver is not required by subregulation (2) to record information already recorded in compliance with this Division.

Additional logbook records to be made after engaging in non-local area work

51. (1) In this regulation—

"**cut-off time**" means the start of the driver's next 6 hour rest break, whether or not the rest break is spent in this jurisdiction.

"**required information**" means the information mentioned in regulation 49(2), (3) and (4).

Note: Regulation 49 deals with information for a day on which the driver engages in non-local area work.

(2) After a driver stops engaging in non-local area work, the driver must continue to record the required information in his or her logbook until the cut-off time.

How information is to be recorded in logbooks

52. The records to be made in a logbook by a driver must be made in the following way—

- (a) the information for each day must be written on a separate daily sheet in a logbook that has not been cancelled by the Minister;
- (b) information must be written on a daily sheet as required by the instructions in the logbook for recording information on daily sheets;
- (c) the daily sheets in the logbook must be used in turn from the front of the logbook;
- (d) each daily sheet must be signed and dated by the driver;
- (e) information must be written on a daily sheet with enough pressure to ensure that a readable record of the information appears on the duplicate daily sheet;
- (f) other information must be written in the logbook as required by the instructions in the logbook for the recording of the information.

Exceptions to logbook record requirements

53. Regulations 48 to 52 do not apply to a driver in relation to information if—

- (a) regulation 54 (When and how supplementary records may be made by drivers) applies to the driver and the driver records the information in accordance with the regulation; or
- (b) the driver records the information using an approved DSMD that is operating as required by the manufacturer's instructions.

When and how supplementary records may be made by drivers

54. (1) This regulation applies to a driver if—

- (a) the driver's logbook is completed, destroyed, lost or stolen; and
- (b) the driver has not been issued with a replacement logbook; and
- (c) 2 business days have not elapsed since the logbook was completed, destroyed, lost or stolen.

(2) This regulation also applies to a driver if—

- (a) the driver is not carrying a logbook in which the driver can record information under this Division in accordance with regulation 52 (How information is to be recorded in logbooks); and
- (b) the driver is driving a heavy truck or commercial bus fitted with an approved DSMD that is not operating as required by the manufacturer's instructions; and
- (c) 2 business days have not elapsed since the DSMD stopped operating as required by those instructions.

(3) The driver must record information required by regulations 48 to 51 in a way that is at least as accurate and understandable as, and in a similar form to, records made in a logbook.

DIVISION 3—DRIVING RECORDS FOR LOCAL AREA WORK**Application of Division 3**

55. This Division applies in relation to a driver who is engaged in local area work.

Driving records to be made by employers of drivers

56. (1) The employer of an employed driver must record the following information:

- (a) the driver's name;
- (b) the date of each day when the driver drives a heavy truck or commercial bus;
- (c) an estimate of the driver's total driving time, total work time and total rest time on each day when the driver drives a heavy truck or commercial bus;
- (d) an estimate of the driver's total driving time, total work time and total rest time for each week in which the driver drives a heavy truck or commercial bus.

(2) The records may be made as part of other records made by the employer.

Driving records to be made by self-employed drivers

57. (1) A self-employed driver must record the following information:

- (a) the date of each day when the driver drives a heavy truck or commercial bus;
- (b) an estimate of the driver's total driving time, total work time and total rest time on each day when the driver drives a heavy truck or commercial bus;
- (c) an estimate of the driver's total driving time, total work time and total rest time for each week in which the driver drives a heavy truck or commercial bus.

(2) The records may be made as part of other records made by the driver.

DIVISION 4—INSPECTION OF DRIVING RECORDS**Driving records—non-local area work**

58. (1) If a driver is engaged in non-local area work, or has been engaged in non-local area work at any time in the last 28 days, the driver must, while driving a heavy truck or commercial bus, carry his or her driving records for the last 28 days, irrespective of the number of days in that period on which the driver drove a heavy truck or commercial bus.

(2) If an authorised person suspects on reasonable grounds that a driver is engaged in non-local area work, or has been engaged in non-local area work at any time in the last 28 days, the authorised person may ask the driver to produce for inspection his or her driving records for the last 28 days, irrespective of the number of days in that period on which the driver drove a heavy truck or commercial bus.

(3) The driver must immediately produce his or her driving records for the last 28 days for inspection by the authorised person.

(5) It is a defence to an offence against this regulation if, at the time of the offence, the driving records had been destroyed, lost or stolen.

(6) The authorised person may annotate the driving records, and may sign and date an annotation.

(7) In this regulation—

"driving record"—

- (a) includes a corresponding driving record; but
- (b) does not include a local area management record.

DIVISION 5—DRIVING RECORDS TO BE KEPT**Definitions for Division 5**

59. In this Division—

"**driving record**" includes a corresponding driving record;

"**local area management record**" includes a local area management record made under a corresponding law for Division 3.

Driving records made by employed drivers—non-local area work

60. An employed driver must give a copy of the driver's driving records for non-local area work on a day to the driver's employer (or, if the driver has 2 or more employers on the day, a copy of the records to each employer)—

- (a) if the driver and employer are both registered participants in TFMS—within 28 days after that day; and
- (b) in any other case—within 21 days after that day.

Driving records for non-local area work to be kept

61. (1) An employer must keep the copy of a driver's driving records given to the employer for the driver's non-local area work on a day for at least 12 months after that day at the place where the employer manages the employment of the driver.

(2) A self-employed driver must keep the driver's driving records for non-local area work on a day for at least 12 months after that day at the driver's base.

Local area management records to be kept

62. (1) An employer must keep local area management records made in relation to a driver for a day for at least 12 months after that day at the place where the employer manages the employment of the driver.

(2) A self-employed driver must keep the driver's local area management records for a day for at least 12 months after that day at the driver's base.

Minister may ask for driving records to be produced

63. (1) The Minister may, by written notice given to a person who is required under this Division to keep driving records, ask the person to produce stated driving records to the Minister for inspection within the time stated in the notice.

- (2) The time stated in the notice must be at least 7 days after the notice is given to the person.
- (3) The person must comply with the notice.

DIVISION 6—OTHER OFFENCES BY DRIVERS AND EMPLOYERS**Minister to be told if logbook lost etc**

64. (1) If a logbook issued to a driver is destroyed, lost or stolen, the driver must tell the Minister, in writing, as soon as practicable (but within 2 business days) after becoming aware that the logbook has been destroyed, lost or stolen.

(2) If a lost or stolen driver's logbook (the **earlier logbook**) is found or returned to the driver after a replacement logbook has been issued to the driver, the driver must—

- (a) immediately cancel any unused daily sheets in the earlier logbook by writing 'cancelled' in large letters across each unused sheet; and

- (b) give the earlier logbook to the Minister as soon as practicable (but within 3 business days) after the logbook is found or returned.

Drivers must not have more than 1 logbook

65. A driver must not have in his or her possession more than 1 logbook in which information can be recorded on a daily sheet.

Possession of purported driving records etc prohibited

66. (1) A driver or employer must not have in his or her possession something purporting to be a driving record or driver certification manual if the driver or employer knows, or reasonably ought to know, that it is not a driving record or driver certification manual.

- (2) In this regulation—

"**driver certification manual**" includes a corresponding driver certification manual;

"**driving record**" includes a corresponding driving record.

Drivers to tell employers of incorrectly operating approved DSMDs etc

67. An employed driver must tell his or her employer as soon as practicable if the driver knows or suspects on reasonable grounds that an approved DSMD fitted in a heavy truck or commercial bus driven by the driver for the employer is not operating as required by the manufacturer's specifications.

Note: **Approved DSMD** is defined in regulation 46.

DIVISION 7—GENERAL DRIVING RECORD OFFENCES

Definitions for Division 7

68. In this Division—

"**driving record**" includes a corresponding driving record;

"**entry**", in a driving record, includes an annotation made in the record by an authorised person.

False and misleading driving records etc prohibited

69. A person must not—

- (a) make an entry in a driving record that the person knows, or reasonably ought to know, is false or misleading in a material respect; or
- (b) deface or change an entry in a driving record that the person knows, or reasonably ought to know, is correct.

False representation of driving records prohibited

70. A person must not falsely represent that a driving record, or an entry in a driving record, was made by the person.

Making entries in someone else's driving records prohibited

71. (1) A person (other than an authorised person) must not make an entry in someone else's driving record.

(2) Subregulation (1) does not apply if the person is the nominee of a driver and makes the entry in the driver's logbook as required by a logbook exemption applying to the driver.

Destruction of certain driving records prohibited

72. If a driving record is required under this Part to be kept for a particular period by a person, the person or someone else must not destroy the record before the end of the period.

Interference with approved DSMDs prohibited

73. A person must not interfere with the operation of an approved DSMD.

Note: **Approved DSMD** is defined in regulation 46.

**PART 5
EXTENDED OFFENCES****Definitions for Part 5**

74. In this Part—

"core driving hours offence" means an offence against any of the following provisions or a corresponding law—

- regulation 19 (Regulated hours—maximum driving times)
- regulation 20 (Regulated hours—maximum work times)
- regulation 21 (Regulated hours—required minimum rest times)
- regulation 28 (TFMS—maximum driving times)
- regulation 29 (TFMS—maximum work times)
- regulation 30 (TFMS—required minimum rest times);

"driving record offence" means an offence against a provision of Part 4 (Driving records) or a corresponding law;

"speeding offence" means an offence against the law of this or another jurisdiction that involves driving a heavy truck or commercial bus at a speed over the speed-limit.

Certain requests etc prohibited

75. A person must not ask, direct or require, directly or indirectly, a driver to do something if the person knows, or reasonably ought to know, that by complying the driver would, or would be likely to, commit—

- (a) a core driving hours offence; or
- (b) a driving record offence; or
- (c) a speeding offence.

Maximum penalty: \$2 500.

Example of requirement

A requirement that is an express or implied condition of the driver's engagement.

Special obligation of consignors

76. A consignor must not engage someone to transport goods by road if the consignor knows, or reasonably ought to know, that by complying with an express or implied condition of the engagement the driver of a heavy truck or commercial bus transporting the goods would, or would be likely to, commit—

- (a) a core driving hours offence; or
- (b) a driving record offence; or

- (c) a speeding offence.

Maximum penalty: \$2 500.

Note: **Consignor** is defined in regulation 11.

Special obligation of employers

77. An employer must not allow an employed driver to drive a heavy truck or commercial bus for the employer if the employer knows, or reasonably ought to know, that by driving the vehicle the driver would, or would be likely to, commit a core driving hours offence.

Maximum penalty: \$2 500.

Special obligations—rostering and scheduling

78. (1) An employer, or a responsible employee of an employer, must not roster driving, work or rest time of an employed driver if the employer or responsible employee knows, or reasonably ought to know, that by complying with the roster the driver would, or would be likely to, commit a core driving hours offence.

Maximum penalty: \$2 500.

Note: **Responsible employee** is defined in subregulation 10 (2).

(2) An employer, or a responsible employee of an employer, must not schedule the transport of people or goods by road if the employer or employee knows, or reasonably ought to know, that by complying with the schedule the driver of the heavy truck or commercial bus transporting the people or goods would, or would be likely to, commit—

- (a) a core driving hours offence; or
(b) a speeding offence.

Maximum penalty: \$2 500.

PART 6 ISSUE OF LOGBOOKS

Logbooks

79. (1) A **logbook** is a logbook issued by the Minister that complies with this regulation.

(2) The logbook must contain—

- (a) a unique identifying number for the logbook; and
(b) sequentially numbered sheets for making daily records; and
(c) provision for recording information on the daily sheets; and
(d) a duplicate of—
(i) each daily sheet; and
(ii) any application form in the logbook; and
(e) instructions for use of the logbook.

(3) The logbook may contain an application form for the issue of a logbook.

(4) When the logbook is used as required by the instructions in the logbook, information written on a daily sheet or application form must be automatically copied on the duplicate daily sheet or application form.

(5) The logbook must be in the form that is approved by the Ministerial Council.

Applications for logbooks

80. (1) A driver who wishes to be issued with a logbook (including a replacement logbook) must apply in person to the Minister using the application form provided by the Minister.

(2) If the application is for a logbook to replace a logbook (the **existing logbook**) that has been previously issued to the driver, the driver must give the existing logbook to the Minister with the application unless the existing logbook has been destroyed, lost or stolen.

(3) If the driver gives the existing logbook to the Minister, the Minister must—

(a) cancel any unused daily sheets in the logbook; and

(b) return the logbook to the driver when the Minister issues the replacement logbook to the driver.

(3) If the application is for a logbook to replace a logbook that has been destroyed, lost or stolen, the application must—

(a) state the logbook's number and that it has been destroyed, lost or stolen; and

(b) briefly outline the circumstances of the destruction, loss or theft.

(4) An application form provided by the Minister must be in the form that is approved by the Ministerial Council.

Issue of logbooks

81. (1) The Minister must issue a logbook to a driver if the driver—

(a) applies to the Minister in accordance with regulation 80; and

(b) identifies himself or herself by showing the driver's current driver licence to the Minister; and

(c) pays an application fee of \$14.

(2) If the Minister issues a logbook to a driver, it must annotate the logbook to show the date, time and place of issue.

(3) The Minister may also annotate the logbook in other ways.

PART 7 TFMS ADMINISTRATION

DIVISION 1—REGISTRATION OF TFMS PARTICIPANTS AND ISSUE OF DRIVER CERTIFICATION MANUALS

Applications for registration

82. (1) If an employed or self-employed heavy truck driver wishes to be registered as a driver participant in TFMS, the driver may apply to the Minister using the application form in a driver certification manual issued by the Minister.

(2) The application must include the required medical certificate and required training certificate and must be in duplicate.

(3) If the employer of a heavy truck driver wishes to be registered as an employer participant in TFMS, the employer may apply to the Minister using the application form provided by the Minister.

(4) An applicant must pay an application fee of \$50.

Driver certification manuals

83. (1) A **driver certification manual** is a manual issued by the Minister that complies with this regulation.

(2) The driver certification manual must contain—

- (a) an application form for registration as a driver participant in TFMS, including provision for the required medical and training certificates; and
- (b) provision for a unique identifying number for the manual; and
- (c) provision for other medical and training certificates; and
- (d) provision for recording employers' names and the addresses of places where the employers manage the employment of drivers; and
- (e) provision for recording whether an employer is registered as an employer participant in TFMS and, if so, for recording the employer's TFMS registration number; and
- (f) instructions for use of the manual.

What is a required medical certificate

84. (1) For regulation 82, the **required medical certificate** is a certificate of a doctor who examined the applicant in accordance with the required medical standards within 12 months before the making of the application.

(2) The medical certificate must state—

- (a) the name and address of the doctor; and
- (b) that the doctor examined the applicant in accordance with the required medical standards; and
- (c) that the applicant met the required medical standards; and
- (d) the date of the medical examination.

What is a required training certificate

85. (1) For regulation 82, the **required training certificate** is a certificate by the trainer who conducted an approved fatigue management training course finished by the applicant.

(2) The training certificate must state—

- (a) the name and address of the trainer; and
- (b) that the applicant finished an approved fatigue management training course conducted by the trainer; and
- (c) the date of the course.

TFMS registration and issue of driver certification manuals

86. (1) The Minister may, on application made in accordance with regulation 82—

- (a) if the application is for registration as a driver participant in TFMS—register the applicant as a driver participant in TFMS; and
- (b) if the application is for registration as an employer participant in TFMS—register the applicant as an employer participant in TFMS.

(2) However, the Minister must not register the applicant if the applicant was previously registered as a participant in TFMS or a corresponding TFMS and the applicant's registration was cancelled less than 3 months before the applicant again applied for registration.

(3) After registering an applicant as a driver participant in TFMS, the Minister must—

- (a) give a unique identifying TFMS registration number to the applicant; and
- (b) annotate the applicant's driver certification manual to show the TFMS registration number and the date, time and place of registration; and
- (c) issue the manual to the applicant.

(4) After registering an applicant as an employer participant in TFMS, the Minister must—

- (a) give a TFMS registration number to the applicant; and
- (b) tell the applicant in writing of the number.

(5) If the Minister decides not to register an applicant, the Minister must give the applicant written reasons for the decision and tell the applicant in writing that the applicant may apply to have the decision reconsidered.

Applications for replacement driver certification manuals

87. (1) If a driver who is registered as a driver participant in TFMS wishes to be issued with a replacement driver certification manual, the driver must apply to the Minister using the application form provided by the Minister.

(2) If the application is for a driver certification manual to replace a driver certification manual that has been destroyed, lost or stolen, the application must—

- (a) state that the manual has been destroyed, lost or stolen; and
- (b) briefly outline the circumstances of the destruction, loss or theft.

(3) The Minister may require the driver to give the driver's current driver certification manual to the Minister with the application unless the manual has been destroyed, lost or stolen.

(4) If the driver gives the current driver certification manual to the Minister, the Minister must return the manual to the driver when the Minister issues a replacement driver certification manual to the driver.

Issue of replacement driver certification manuals

88. (1) The Minister must issue a replacement driver certification manual to a driver if the driver—

- (a) applies to the Minister in accordance with regulation 87; and
- (b) pays an application fee of \$10.

(2) If the Minister issues a replacement driver certification manual to a driver, the Minister must annotate the manual to show the driver's TFMS registration number and the date, time and place of the driver's TFMS registration.

- (3) The Minister may also annotate the driver certification manual in other ways.

DIVISION 2—CANCELLATION OF REGISTRATION OF TFMS PARTICIPANTS

Cancellation of TFMS registration on application

89. (1) The Minister may cancel the registration of a person as a driver or employer participant in TFMS if the person applies in writing to the Minister for its cancellation.

- (2) The Minister must tell the person in writing of the Minister's decision.

(3) If the Minister decides to cancel the registration, the cancellation takes effect on the day when the person is told of the decision by the Minister.

(4) If the Minister decides not to cancel the registration, the Minister must give the applicant written reasons for the decision and tell the applicant in writing that the applicant may apply to have the decision reconsidered.

Grounds for cancellation of TFMS registration except on application

90. The grounds for cancellation of the registration of a person as a driver or employer participant in TFMS, except on application, are—

- (a) that the person's application for registration was false or misleading in a material respect; or
- (b) that the person has contravened the Act, these regulations or a corresponding law; or
- (c) if the person is registered as a driver participant in TFMS—that the person no longer meets the required medical standards.

Cancellation of TFMS registration except on application

91. (1) This regulation applies if the Minister considers that a ground exists to cancel the registration of a person as a driver or employer participant in TFMS, except on application.

- (2) The Minister must give a written notice to the person that—

- (a) tells the person of the proposed cancellation; and
- (b) states the ground for the proposed cancellation; and
- (c) outlines the facts and other circumstances forming the basis for the ground; and
- (d) invites the person to state in writing, within a stated time of at least 14 days after the notice is given to the person, why the registration should not be cancelled.

(3) If, after considering any written statement made within the stated time, the Minister is reasonably satisfied that a ground exists to cancel the registration, the Minister may cancel the registration.

- (4) The Minister must tell the person in writing of the Minister's decision.

(5) If the Minister decides to cancel the registration, the Minister must also give the person written reasons for the decision and tell the person in writing that the person may apply to have the decision reconsidered.

- (6) The cancellation takes effect—

- (a) when the person is told by the Minister of the decision and given reasons for the decision; or
- (b) if the Minister tells the person that the cancellation takes effect at a later time—that time.

Notice of cancellation of TFMS registration of employers

92. If the registration of a person as an employer participant in TFMS is cancelled, the Minister must give written notice of the cancellation to each employed driver of the employer who is registered as a driver participant in TFMS.

Note: TFMS driving, work and rest times apply to an employed driver only if the driver is registered as a driver participant and the driver's employer is registered as an employer participant—see regulation 27.

Return of driver certification manuals

93. (1) If the registration of a person as a driver participant in TFMS is cancelled, the Minister may, by written notice, ask the person to return his or her driver certification manual to the Minister.

(2) The person must return the manual within 7 days after the notice is given to the person or, if a longer period is stated in the notice, within the longer period.

DIVISION 3—REVIEW AND AUDIT OF PARTICIPATION OF EMPLOYERS AND SELF-EMPLOYED DRIVERS**Application of Division 3**

94. This Division applies to a person (the **participant**) who is—

- (a) registered as an employer participant in TFMS; or
- (b) registered as a driver participant in TFMS and is, for at least part of the time spent as a driver, a self-employed driver.

Reviews of participation required

95. (1) The participant must arrange for a review of his or her participation in TFMS as an employer or self-employed driver to be conducted—

- (a) within 9 months after the participant's registration as a driver or employer participant in TFMS; and
- (b) before the second and each later anniversary of the registration.

(2) The person conducting the review must report in writing to the participant whether the participant's management practices promote compliance with Part 3 and other relevant provisions of these regulations by the participant and, if the participant is an employer participant in TFMS, by the participant's employed drivers and responsible employees.

Reports of reviews

96. (1) The participant must keep the report of a review for at least 2 years after it is given to the participant.

(2) The Minister may, by written notice given to the participant within the 2 year period, ask the participant to give a copy of the report to the Minister within the time stated in the notice.

(3) The time stated in the notice must be at least 7 days after the notice is given to the participant.

(4) The participant must comply with the notice.

Minister may audit participation

97. (1) The Minister may audit the management practices adopted by the participant to promote compliance with Part 3 and other relevant provisions of these regulations by the participant and, if the participant is an employer participant in TFMS, by the participant's employed drivers and responsible employees.

(2) For the audit, the Minister may, by written notice given to the participant, ask the participant to give to the Minister within the time stated in the notice—

- (a) for an employer participant—records about any of the following kept by the participant:
 - (i) the receipt and storage of records given to the participant by employed drivers for these regulations;
 - (ii) the medical examinations undergone by the participant's employed drivers for these regulations;
 - (iii) the approved fatigue management training courses attended by the participant's employed drivers and responsible employees;
 - (iv) the management of the participant's employed drivers, including their driving, work and rest times; and
 - (b) for a driver participant—records about any of the following kept by the participant:
 - (i) the storage of records made by the participant for these regulations;
 - (ii) the medical examinations undergone by the participant for these regulations;
 - (iii) the approved fatigue management training courses attended by the participant;
 - (iv) the management of the driving, work and rest times of the participant.
- (3) The time stated in the notice must be at least 7 days after the notice is given to the participant.
- (4) The participant must comply with the notice.
- (5) After examining the records, the Minister—
- (a) may copy some or all of the records; and
 - (b) must return the records to the participant.

DIVISION 4—RECOMMENDATIONS ABOUT TFMS REGISTRATION

Recommendations by Minister

98. (1) This regulation applies if the Minister considers that a ground exists for a corresponding authority to cancel the registration of a person as a driver or employer participant, or as both a driver and employer participant, in a corresponding TFMS.

- (2) The Minister may recommend in writing that the corresponding authority cancel the registration.
- (3) The Minister must give written reasons to the corresponding authority for the recommendation.

Recommendations by corresponding authorities

99. The Minister must have regard to a written recommendation by a corresponding authority that the Minister cancel the registration of a person as a driver or employer participant, or as both a driver and employer participant, in TFMS.

PART 8 EXEMPTIONS

DIVISION 1—KEY CONCEPTS FOR PART 8

What is an exemption

100. An **exemption** is an emergency, Fatigue Management Scheme (FMS), limited driving hours or logbook exemption.

What is an emergency exemption

101. (1) The **emergency-related provisions** are—

- Part 2 (Regulated hours)
- Part 3 (Transitional fatigue management scheme), except Divisions 3 (Other obligations of driver participants) and 4 (Obligations of employer participants)
- Part 4 (Driving records), except Division 7 (General driving record offences).

(2) An **emergency exemption** is an exemption in force under regulation 106 from the emergency-related provisions.

What is an FMS exemption

102. (1) The **regulated hours provisions** are—

- Part 2 (Regulated hours)
- Part 4 (Driving records), except Division 7 (General driving record offences).

(2) An **FMS exemption** is an exemption in force under regulation 108 from the regulated hours provisions.

What is a limited driving hours exemption

103. (1) A **maximum driving hours provision** is—

- (a) regulation 19 (Regulated hours—maximum driving times) so far as it relates to relevant period 1 or 2; or
- (b) regulation 28 (TFMS—maximum driving times) so far as it relates to relevant period 1 or 2.

(2) A **limited driving hours exemption** is an exemption in force under regulation 110 from a maximum driving hours provision.

What is a logbook exemption

104. (1) The **logbook provisions** are Part 4 (Driving records), Division 2 (Driving records for non-local area work).

(2) A **logbook exemption** is an exemption in force under regulation 112 or 113 from the logbook provisions.

DIVISION 2—EMERGENCY EXEMPTIONS

Definitions for Division 2

105. In this Division—

"**emergency**" means an event (or possible event) that—

- (a) endangers, or may endanger, life, property or the environment; or

- (b) has disrupted, or may disrupt, communications, energy, water supply or sewerage services; or
- (c) is declared to be an emergency or disaster by—
 - (i) the Commonwealth or a State or Territory; or
 - (ii) a Commonwealth, State or Territory authority responsible for managing responses to emergencies or disasters;

Examples of an emergency

Fire, explosion and natural disaster.

"**emergency service**" includes an ambulance service, fire brigade, police service or force or any disaster or emergency organisation of the Commonwealth or a State or Territory.

Emergency exemptions

106. (1) An application may be made, in accordance with subregulation (2) and regulation 120, for an exemption from the emergency-related provisions for a person or class of persons who act for an emergency service, in relation to an emergency.

Note: The **emergency-related provisions** are defined in regulation 101.

(2) The application must—

- (a) specify the person or class of persons covered by the application; and
- (b) describe the emergency to which the application relates.

(3) The Minister may, on the application, exempt a person or class of persons from the emergency-related provisions in relation to the emergency.

Effect of emergency exemptions

107. The emergency-related provisions do not apply to a person or class of persons in relation to an emergency if an emergency exemption applies to the person or class of persons in relation to the emergency.

DIVISION 3—FMS EXEMPTIONS

FMS exemptions

108. (1) An application may be made, in accordance with subregulation (2) and regulation 120, for an exemption from the regulated hours provisions.

Note: **Regulated hours provisions** is defined in regulation 102.

(2) The application must—

- (a) specify the person or class of persons covered by the application; and
- (b) state the driver fatigue management practices that would be followed by the specified person or class of persons if the exemption were given; and
- (c) show that the practices would be at least as effective as the regulated hours provisions.

(3) The Minister may, on the application, exempt a person or class of persons from the regulated hours provisions if the Minister considers that—

- (a) the driver fatigue management practices stated in the application would, if followed, be at least as effective as the regulated hours provisions in managing driver fatigue; and
- (b) the person or class of persons are likely to follow the stated practices effectively and consistently.

Effect of FMS exemptions

109. The regulated hours provisions do not apply to a person or class of persons to whom an FMS exemption applies.

DIVISION 4—LIMITED DRIVING HOURS EXEMPTIONS

Limited driving hours exemptions

110. (1) An application may be made, in accordance with subregulation (2) and regulation 120, for an exemption from a maximum driving hours provision.

Note: **Maximum driving hours provision** is defined in regulation 103.

- (2) The application must—
 - (a) specify the person or class of persons covered by the application; and
 - (b) state the driver fatigue management practices that would be followed by the specified person or class of persons if the exemption were given; and
 - (c) show that the practices would be at least as effective as the maximum driving hours provision.
- (3) The Minister may, on the application, exempt a person or class of persons from the maximum driving hours provision if the Minister considers that—
 - (a) compliance with the provision would be an unreasonable restriction on operations to which the application relates; and
 - (b) the driver fatigue management practices stated in the application would, if followed, be at least as effective as the provision in managing driver fatigue; and
 - (c) the person or class of persons are likely to follow the stated practices effectively and consistently.

Effect of limited driving hours exemptions

111. A maximum driving hours provision does not apply to a person or class of persons to whom a limited driving hours exemption applies.

DIVISION 5—LOGBOOK EXEMPTIONS

Logbook exemptions—literacy

112. (1) An application may be made by a driver, in accordance with this regulation and regulation 120, for exemption from the logbook provisions.

Note: **Logbook provisions** is defined in regulation 104.

- (2) The application must nominate a person (the **nominee**) to make written driving records for the driver.
- (3) The nominee must agree to the nomination in writing.
- (4) The nominee's agreement must accompany, or be included in, the application.

(5) The Minister may exempt the driver from the logbook provisions if the Minister considers that the driver cannot make the records in the driver's logbook because of an English literacy disability.

Other logbook exemptions

113. (1) An application may be made, in accordance with subregulation (2) and regulation 120, for an exemption from the logbook provisions.

(2) The application must—

- (a) specify the person or class of persons covered by the application; and
- (b) state how, if the exemption were given, records would be made in relation to the specified person or class of persons that are no less complete and accurate than records made in accordance with the logbook provisions.

(3) The Minister may, on the application, exempt a person or class of persons from the logbook provisions if the Minister considers that records will be made in relation to the person or class or persons that are no less complete and accurate than records made in accordance with the logbook provisions.

Effect of logbook exemptions

114. The logbook provisions do not apply to a person or class of persons to whom a logbook exemption applies.

DIVISION 6—VARIATION AND CANCELLATION OF EXEMPTIONS

Variation and cancellation of exemptions on application

115. (1) The Minister may, on application made in accordance with regulation 120, vary or cancel an exemption.

(2) The variation or cancellation takes effect on the day when the applicant is told of the decision by the Minister.

Grounds for variation of exemptions except on application

116. The grounds for variation of an exemption, except on application, are—

- (a) that the application for the exemption was false or misleading in a material respect but the circumstances do not require its cancellation; or
- (b) that a person to whom the exemption applies is no longer suitable to be a person to whom the exemption applies without variation because the person has contravened the Act, these regulations or a corresponding law; or
- (c) that—
 - (i) since the exemption was given, a change has happened in relation to something the Minister must consider in deciding whether to give an exemption of that kind; and
 - (ii) the exemption would have been given as it is proposed to be varied if the change had happened before the exemption was given.

Grounds for cancellation of exemptions except on application

117. The grounds for cancellation of an exemption, except on application, are—

- (a) that the application for the exemption was false or misleading in a material respect; or

- (b) that a person to whom the exemption applies is no longer suitable to be a person to whom the exemption applies because the person has contravened the Act, these regulations or a corresponding law; or
- (c) that—
 - (i) since the exemption was given, a change has happened in relation to something the Minister must consider in deciding whether to give an exemption of that kind; and
 - (ii) the exemption would not have been given if the change had happened before the exemption was given.

Variation and cancellation of exemptions except on application

118. (1) This regulation applies if the Minister considers that a ground exists to vary or cancel an exemption, except on application.

(2) The Minister must give the person to whom the exemption was given a written notice that—

- (a) if the Minister proposes to vary the exemption—tells the person of the proposed variation; and
- (b) if the Minister proposes to cancel the exemption—tells the person of the proposed cancellation; and
- (c) states the ground for the proposed variation or cancellation; and
- (d) outlines the facts and other circumstances forming the basis for the ground; and
- (e) invites the person to state in writing, within a stated time of at least 14 days after the notice is given to the person, why the exemption should not be varied or cancelled.

(3) If, after considering any written statement made within the stated time, the Minister is reasonably satisfied that a ground exists to take the proposed action, the Minister may—

- (a) if the proposed action is to vary the exemption in a stated way—vary the exemption in that way; and
- (b) if the proposed action is to cancel the exemption—cancel the exemption or vary the exemption in any way.

(4) The Minister must tell the person in writing of the Minister's decision.

(5) If the Minister decides to vary or cancel the exemption, the Minister must also give the person written reasons for the decision and tell the person in writing that the person may apply to have the decision reconsidered.

(6) The variation or cancellation takes effect—

- (a) when the person is told by the Minister of the decision and given reasons for the decision; or
- (b) if the Minister tells the person that the variation or cancellation takes effect at a later time—that time.

Return of exemptions etc

119. (1) If an exemption given to a person is varied or cancelled, the Minister may, by written notice, ask the person to return the exemption to the Minister.

(2) The person must comply with the notice within 7 days after the notice is given to the person or, if a longer period is stated in the notice, within the longer period.

(3) If the exemption has not been cancelled, the Minister must give the person a replacement exemption.

DIVISION 7—EXEMPTIONS GENERALLY

Applications for exemption

120. (1) An application for an exemption, or for variation or cancellation of an exemption, must be made to the Minister in writing.

(2) However, an application for an emergency exemption, or for variation of an emergency exemption, may be made to the Minister orally in urgent circumstances.

(3) A written application for an exemption (except an emergency exemption) must state—

(a) the full name, and TFMS registration number (if any), of the applicant; and

(b) the exemption to which the application relates; and

(c) if the applicant is a driver—the address of the driver's base; and

(d) if the applicant is an employer—the address of the place where the employer manages the employment of drivers covered by the application.

(4) In an application for an exemption, the applicant may state the period for which the exemption is sought and any conditions to which the exemption is sought to be subject.

(5) If the application is a written application for variation or cancellation of an exemption—

(a) the applicant must give the exemption to the Minister with the application; and

(b) the application must—

(i) for an application for variation of an exemption—state clearly the variation sought; and

(ii) outline why the exemption should be varied or cancelled.

(6) The Minister may require the applicant to give the Minister any necessary additional information.

(7) If the application is made in writing, a requirement under subregulation (6) must be made by written notice given to the applicant.

Decisions by Minister on exemption applications

121. (1) The Minister must decide an application for an exemption, or for variation or cancellation of an exemption, as soon as practicable after the Minister receives the application.

(2) If the Minister decides to give the applicant an exemption, the Minister must give the applicant a written exemption.

(3) If the Minister decides to vary an exemption on application, the Minister must give the applicant a written replacement exemption.

(4) In any other case, the Minister must tell the applicant in writing of the Minister's decision.

(5) If the Minister does not make the decision sought by the applicant, the Minister must also give the applicant written reasons for the Minister's decision and tell the applicant in writing that the applicant may apply to have the Minister's decision reconsidered.

Duration of exemptions

122. (1) An exemption takes effect on the day when the applicant is told of the Minister's decision to give the exemption.

(2) An exemption applies for the period (not longer than 3 years) stated in the exemption.

Conditions of exemptions

123. An exemption may be given subject to a condition stated in the exemption.

Replacement of lost etc exemptions

124. (1) If the Minister is satisfied that an exemption given to a person by the Minister has been defaced, destroyed, lost or stolen, the Minister must give the person a replacement exemption as soon as practicable.

(2) If the Minister decides not to give a replacement exemption to a person who applies to the Minister for a replacement exemption, the Minister must give the person written reasons for the decision and tell the person that the person may apply to have the decision reconsidered.

Failure to comply with conditions of exemptions

125. A person to whom an exemption is given must not contravene a condition of the exemption.

Minister to tell corresponding authorities of certain decisions

126. (1) If the Minister gives an exemption to a person, the Minister must tell each corresponding authority and give the corresponding authority details of the exemption.

(2) If the Minister varies or cancels an exemption, the Minister must tell each corresponding authority.

**PART 9
ENFORCEMENT, REVIEW AND OTHER MATTERS**

DIVISION 1—PROVISIONS ABOUT OFFENCES

Deciding whether persons ought reasonably to have known

127. If, in a prosecution for an offence against these regulations, it is relevant to prove that someone ought reasonably to have known something, the issue must be decided having regard to—

- (a) the person's abilities, experience, qualifications and training; and
- (b) the circumstances of the offence.

Limited jeopardy

128. (1) In this regulation—

"**day**" means a day of the week;

"**fortnight**" means a period of 14 days beginning on a Monday;

"**month**" means a period of 28 days beginning on a Monday;

"**regulated hours offence provision**" means any of the following provisions:

- regulation 19 (Regulated hours—maximum driving times)
- regulation 20 (Regulated hours—maximum work times)
- regulation 21 (Regulated hours—required minimum rest times);

"**TFMS offence provision**" means any of the following provisions:

- regulation 28 (TFMS—maximum driving times)
- regulation 29 (TFMS—maximum work times)
- regulation 30 (TFMS—required minimum rest times);

"**week**" means a period of 7 days beginning on a Monday.

(2) A driver is not liable for more than—

- (a) 3 offences against a particular regulated hours offence provision for any relevant period 1 on the same day; or
- (b) 2 offences against a particular regulated hours offence provision for any relevant period 2 on the same day; or
- (c) 2 offences against a particular regulated hours offence provision for any relevant period 3 in the same week; or
- (d) 4 offences against regulation 21 for any relevant period 4 in the same month.

(3) A driver is not liable for more than—

- (a) 3 offences against a particular TFMS offence provision for any relevant period 1 on the same day; or
- (b) 2 offences against a particular TFMS offence provision for any relevant period 2 on the same day; or
- (c) 2 offences against a particular TFMS offence provision for any relevant period 3 in the same fortnight.

(4) A reference in this regulation to a **relevant period** is—

- (a) in relation to an offence against a regulated hours offence provision—a reference to a relevant period within the meaning given by regulation 18; or
- (b) in relation to an offence against a TFMS offence provision—a reference to a relevant period within the meaning given by regulation 26.

General offence and penalty and penalty for bodies corporate

129. (1) A person who contravenes or fails to comply with a provision of these regulations is guilty of an offence and, if no penalty is specifically fixed by the provision, is liable to a penalty not exceeding \$1 250.

(2) The maximum penalty that a court may impose for an offence against these regulations that is committed by a body corporate is five times the maximum penalty that the court could, but for this subregulation, impose as a penalty for the offence.

DIVISION 2—ADDITIONAL ENFORCEMENT POWERS

Information about exemptions

130. (1) An authorised person may ask the driver of a heavy truck or commercial bus whether an exemption applies to the driver.

(2) If the driver claims that an exemption applies to the driver, the authorised person may ask the driver—

- (a) what kind of exemption applies to the driver; and
- (b) to produce the exemption, or an exact copy, for inspection.

(3) Subregulation (5) applies to the driver if—

- (a) the driver does not immediately produce the exemption, or an exact copy, for inspection when asked to produce the exemption by the authorised person; or
- (b) the driver does not answer a question that the authorised person asks the driver under subregulation (1) or (2).

(4) However, subregulation (5) does not apply if the driver has not yet received the exemption or an exact copy of the exemption.

(5) For the application of Part 2 (Regulated hours) or 3 (Transitional fatigue management scheme) to the driver, the driver is taken not to have been at any time in the last 336 hours a person to whom the exemption applies.

Example

If, for a relevant period under Part 2, the driver's total driving time exceeds the driver's maximum driving time, the driver can be dealt with for an offence against regulation 19 (regulated hours—maximum driving times), whether or not an FMS or limited driving hours exemption applies to the driver.

(6) In this regulation—

"**exact copy**", of an exemption, means a copy that is identical in all material respects with the exemption.

Information about TFMS etc

131. (1) An authorised person may ask the driver of a heavy truck whether the driver is registered as a driver participant in TFMS.

(2) If the driver claims to be registered as a driver participant in TFMS, the authorised person may ask the driver—

- (a) to produce his or her current driver certification manual for inspection; and
- (b) whether the driver is an employed driver.

(3) If the driver claims to be an employed driver, the authorised person may ask the driver—

- (a) the employer's name and the address of the place where the employer manages the employment of drivers; and
- (b) whether the employer is registered as an employer participant in TFMS; and
- (c) if so, the employer's TFMS registration number.

(4) Subregulation (5) applies to the driver if—

- (a) the driver does not immediately produce his or her driver certification manual for inspection when asked to produce it by the authorised person; or

- (b) the driver does not answer a question that the authorised person asks him or her under this regulation.

(5) For the application of Part 2 (Regulated hours) to the driver, the driver is taken not to have been at any time in the last 336 hours registered as a driver participant in TFMS.

Example

If, for a relevant period under Part 2, the driver's total driving time exceeds the driver's maximum driving time, the driver can be dealt with for an offence against regulation 19 (Regulated hours—maximum driving times), whether or not the driver is registered as a driver participant in TFMS.

- (6) In this regulation—

"**driver certification manual**" includes a corresponding driver certification manual;

"**TFMS**" includes a corresponding TFMS.

Information about whether drivers engaged in non-local area work

132. (1) An authorised person may ask the driver of a heavy truck or commercial bus whether—

- (a) the driver is engaged in local area work or non-local area work; or
(b) the driver has engaged in non-local area work at any time in the last 28 days.

(2) The driver must answer a question that the driver is asked under subregulation (1).

Information about driver's base

133. (1) An authorised person may ask the driver of a heavy truck or commercial bus to produce his or her logbook for inspection to see whether a place other than the vehicle's garage address is recorded in the logbook as the driver's base.

(2) Subregulation (3) applies if the driver does not immediately produce his or her logbook for inspection when asked to produce it by the authorised person.

(3) For the application of Part 4 (Driving records) to the driver, the driver's base is taken to be the vehicle's garage address.

- (4) In this regulation—

"**logbook**" includes a corresponding logbook.

False and misleading statements to Minister and authorised persons

134. A person must not make a statement to the Minister or an authorised person that the person knows, or reasonably ought to know, is false or misleading in a material respect.

Maximum penalty: \$2 500.

DIVISION 3—REVIEW AND APPEAL

Certain decisions may be reviewed

135. (1) The following decisions of the Minister are decisions to which this Division applies:

Item	Regulation under which decision made	Brief description of decision
1	86	decision not to register applicant for TFMS
2	89	decision not to cancel TFMS registration on application
3	91	decision to cancel TFMS registration except on application
4	106	decision not to give an emergency exemption (or not to give the exemption for a person sought to be covered by the exemption)
5	108	decision not to give an FMS exemption (or not to give the exemption for a person sought to be covered by the exemption)
6	110	decision not to give a limited driving hours exemption (or not to give the exemption for a person sought to be covered by the exemption)
7	112 or 113	decision not to give a logbook exemption (or not to give the exemption for a person sought to be covered by the exemption)
8	115	decision not to vary or cancel an exemption on application
9	117	decision to vary or cancel an exemption except on application.
10	122	decision to give an exemption for less than 3 years or the period sought by the applicant
11	123	decision to give an exemption subject to a condition not sought by the applicant
12	124	decision not to give a replacement exemption

Review of decisions

136. (1) A person affected by a decision to which this Division applies (an **initial decision**) may apply to the Minister in writing for the Minister to review the decision.

(2) The application must be made within—

- (a) 28 days after the person, or someone else affected by the decision, was told of the initial decision, and given reasons for the decision, by the Minister; or
- (b) any longer period allowed by the Minister.

Note 1: Under regulation 86 (5), an applicant for TFMS registration must be told of the Minister's decision not to register the applicant.

Note 2: Under regulation 89 (4), an applicant for cancellation of TFMS registration must be told of the Minister's decision not to cancel the registration.

Note 3: Under regulation 91 (4), a person whose TFMS registration is cancelled must be told of the Minister's decision to cancel the registration.

Note 4: Under regulation 118 (4), a person whose exemption is varied or cancelled must be told of the Minister's decision.

Note 5: Under regulation 121, a person who applies for an exemption, or for variation or cancellation of an exemption, must be told of the Minister's decision.

(3) The application must state the decision sought by the person and outline why the decision should be made.

(4) Within 28 days after receiving the application, the Minister must review the initial decision and—

(a) confirm the decision; or

(b) vary the decision; or

(c) set the decision aside and substitute a new decision.

(5) The Minister must tell the person in writing of the result of the review and, if the Minister does not make the decision sought by the person—

(a) give the person written reasons for the decision on the review; and

(b) tell the person in writing that the person may appeal against the decision to the District Court.

Appeals to District Court

137. (1) The person affected by a decision that has been reviewed under regulation 138 may appeal to the District Court against the decision on the review.

(2) The appeal must be instituted within 28 days after receipt of the written reasons for the decision on the review.

(3) The District Court may, if satisfied that it is just and reasonable to do so, dispense with the requirement that an appeal be instituted within the period fixed by this regulation.

(4) On an appeal under this regulation, the District Court may—

(a) confirm the decision;

(b) vary the decision;

(c) set the decision aside and substitute a new decision;

(d) make any further or other order as to any matter that the case requires.

Operation of decision subject to reconsideration or appeal

138. (1) Subject to subregulation (2), the making of an application for review of a decision or an appeal under this Division does not affect the decision the subject of the application or appeal.

(2) The Minister may, on application, make an order staying or otherwise affecting the operation of a decision the subject of an application for review.

(3) The Minister or the District Court may, on application, make an order staying or otherwise affecting the operation of a decision the subject of an appeal.

(4) An order under this regulation—

(a) is subject to such conditions as are specified in the order; and

(b) may be varied or revoked by the Minister or the Court by further order.

DIVISION 4—MISCELLANEOUS

Declaration of relevant jurisdictions

139. The Minister must publish, by notice in the *Gazette*, any declaration by the Ministerial Council that another jurisdiction is a relevant jurisdiction.

Authorised persons

140. Members of the police force and inspectors under the Act are authorised persons for these regulations.

Identity cards

141. (1) The Minister must give an identity card to each authorised person who is not a member of the police force.

(2) The card must contain—

- (a) a recent photograph of the person; and
- (b) the person's name or a unique identification number; and
- (c) the date of issue of the card; and
- (d) a date of expiry for the card.

(3) If a person who is not a member of the police force ceases to be an authorised person, the person must return his or her identity card to the Minister within 7 days.

Identification of authorised persons

142. (1) An authorised person who is not a member of the police force, and is not in uniform, may exercise a power in relation to another person only if the authorised person—

- (a) produces his or her identity card for the other person's inspection; or
- (b) has his or her identity card displayed so it is clearly visible.

(2) However, if for any reason it is not practicable to comply with subregulation (1) before exercising the power and the other person requests the authorised person to produce evidence of the authorised person's authority, the authorised person must produce the identity card for inspection by the other person.

DICTIONARY

(*Regulation 6*)

"**6 hour rest break**" means a rest time that is a single period of at least 6 hours;

"**100 kilometre limit**"—*see regulation 41*;

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

"**ADR 42**" means the national standard described as ADR 42 as in force from time to time under the *Motor Vehicle Standards Act 1989* of the Commonwealth;

"**another jurisdiction**"—*see regulation 15(2)*;

"**approved DSMD**"—*see regulation 46*;

"approved fatigue management training course" means a fatigue management training course of a kind that is approved by the Ministerial Council;

Note: Information about approved fatigue management training courses can be obtained from the National Road Transport Commission, PO Box 13105, Law Courts, Melbourne Vic 3001.

"approved sleeper berth" means a driver's sleeper berth complying with a standard for sleeper berths that is approved for commercial buses by the Ministerial Council;

"authorised person" means a person who is an authorised person under regulation 140;

"base"—*see regulation 42*;

"business day" means a day that is not a Saturday or a Sunday or other public holiday in this jurisdiction;

"change of activity"—*see regulation 49(5)*;

"combination" means a group of vehicles consisting of a motor vehicle connected to 1 or more vehicles;

"commercial bus"—*see regulation 8(3)*;

"consignor"—*see regulation 11*;

"core driving hours offence"—*see regulation 74*;

"corresponding authority" means the authority of another jurisdiction corresponding to the Minister;

"corresponding driver certification manual", for a driver, means a manual issued to the driver under a corresponding law for regulation 86 or 88;

"corresponding driving record" means—

- (a) a corresponding logbook; or
- (b) a record made by an approved DSMD under a corresponding law for regulation 53(b); or
- (c) a supplementary record under a corresponding law for regulation 54 (When and how supplementary records may be made by drivers); or
- (d) a local area management record under a corresponding law for Part 4 (Driving records), Division 3 (Driving records for local area work);

"corresponding law", for these regulations or a provision, or provisions, of these regulations or of the Act as it applies to these regulations, means the law in force in another jurisdiction corresponding to these regulations or the provision or provisions;

"corresponding logbook", for a driver, means a logbook issued to the driver under a corresponding law for regulation 81;

"corresponding TFMS" means a transitional fatigue management scheme established under a corresponding law that includes provisions having the same, or substantially the same, effect as the following provisions:

- Part 3 (Transitional fatigue management scheme)

- Part 4 (Driving records), except Division 3 (Driving records for non-local area work) and regulation 62 (Local area management records to be kept)
- Parts 6 (Issue of logbooks) and 7 (TFMS administration)
- regulation 128 (Limited jeopardy)
- Part 9 (Enforcement, review and other matters), Division 2 (Additional enforcement powers);

"District Court" means the Administrative and Disciplinary Division of the District Court;

"doctor" means a person who is registered as a medical practitioner under a law of a State or Territory;

"driver"—*see regulation 9(1)*;

"driver certification manual"—

- (a) *see regulation 83(1)*; and
- (b) for a driver, means a manual issued to the driver under regulation 86 or 88;

"driver licence"—

- (a) means a licence issued under a State or Territory law authorising the licensee to drive a motor vehicle; and
- (b) until the licence is issued, includes the receipt for the licence fee;

Note:—See also definition of **licence**.

"driving"—*see regulation 12(1)*;

"driving record"—

- (a) *see regulation 47(1)*; and
- (b) for Part 4, Division 5—*see also regulation 59*; and
- (c) for Part 4, Division 7—*see also regulation 68*;

"driving record offence"—*see regulation 74*;

"driving time"—*see regulation 12(2)*;

"duplicate daily sheet" means the duplicate of a daily sheet in a logbook or corresponding logbook;

"eligible person"—*see regulation 105*;

"emergency"—*see regulation 105*;

"emergency exemption"—*see regulation 101(2)*;

"emergency-related provisions"—*see regulation 101(1)*;

"emergency service"—*see regulation 105*;

"**employed driver**"—see regulation 9(2);

"**employer**"—see regulation 10(1);

"**entry**"—see regulation 68;

"**exemption**"—see regulation 100 and also regulation 7(a);

"**FMS**"—see regulation 100;

"**FMS exemption**"—see regulation 102(2);

"**garage address**"—see regulation 42(2);

"**GVM**", for a vehicle, means the maximum loaded mass of the vehicle—

- (a) specified by the manufacturer on an identification plate on the vehicle; or
- (b) if there is no specification by the manufacturer on an identification plate on the vehicle or if the specification is not appropriate because the vehicle has been modified—certified by the Registrar of Motor Vehicles or the authority of another jurisdiction corresponding to the Registrar of Motor Vehicles;

"**heavy truck**"—see regulation 8(1);

"**identity card**", for an authorised person, means a card issued to the authorised person under regulation 141(1);

"**licence**" does not include a learner's permit;

"**limited driving hours exemption**"—see regulation 103(2);

"**local area management record**"—

- (a) see regulation 47(3); and
- (b) for Part 4, Division 5—see also regulation 59;

"**local area work**"—see regulation 43;

"**logbook**"—

- (a) see regulation 79(1); and
- (b) for a driver—see regulation 45;

"**logbook exemption**"—see regulation 104(2);

"**logbook provisions**"—see regulation 104(1);

"**maximum driving hours provision**"—see regulation 103(1);

"**maximum driving times**"—

- (a) for Part 2—see regulation 19(1); and
- (b) for Part 3—see regulation 28(1);

"maximum work times"—

(a) for Part 2—*see regulation 20(1)*; and

(b) for Part 3—*see regulation 29(1)*;

"Ministerial Council" means the Ministerial Council for Road Transport established by Part VI of the Heavy Vehicles Agreement set out in Schedule 1 to the *National Road Transport Commission Act 1991* of the Commonwealth;

"motor vehicle" means a vehicle that is built to be propelled by a motor that forms part of the vehicle;

"nominee"—*see regulation 112(2)*;

"non-local area work"—*see regulation 44*;

"non-regulated zone"—*see regulation 15(5)*;

"participant"—*see regulation 94*;

"regulated hours provisions"—*see regulation 102(1)*;

"regulated zone"—*see regulation 15(4)*;

"relevant jurisdiction"—*see regulation 15(3)*;

"relevant period"—

(a) for Part 2—*see regulation 18*; and

(b) for Part 3—*see regulation 26*;

"required medical certificate"—*see regulation 84(1)*;

"required medical standards" means the standards for medical examinations in the edition of the publication, published by the Federal Office of Road Safety and the National Road Transport Commission, entitled *Medical Examinations of Commercial Vehicle Drivers* that is current at the commencement of this definition;

"required minimum rest times"—

(a) for Part 2—*see regulation 21(1)*; and

(b) for Part 3—*see regulation 30(1)*;

"required training certificate"—*see regulation 85(1)*;

"responsible employee"—*see regulation 10(2)*;

"rest time"—*see regulation 14*;

"road"—*see regulation 5(2)*;

"road-related area"—*see regulation 5(3)*;

"self-employed driver"—*see regulation 9(3)*;

"**solo driver**" means a driver who is not a party to a two-up driving arrangement;

"**speeding offence**"—*see regulation 74*;

"**supplementary record**"—*see regulation 47(2)*;

"**TFMS**"—*see regulation 24(1)(a)*;

"**this jurisdiction**"—*see regulation 15(1)*;

"**two-up driver**" means the driver of a heavy truck or commercial bus who is a party to a two-up driving arrangement;

"**two-up driving arrangement**" means an arrangement under which 2 drivers share the driving of—

- (a) a heavy truck with a sleeper berth complying with ADR 42; or
- (b) a commercial bus with an approved sleeper berth;

"**variation**", of an exemption—*see regulation 7(b)*;

"**work time**"—*see regulation 13*.

REGULATIONS UNDER THE HARBORS AND NAVIGATION ACT 1993

No. 191 of 1999

At the Executive Council Office at Adelaide 23 September 1999

PURSUANT to the *Harbors and Navigation Act 1993* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

DIANA LAIDLAW Minister for Transport and Urban Planning

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 66—Requirements for certificate of competency: s. 48(2)
4. Variation of reg. 69—Endorsement of certificates of competency
5. Insertion of reg. 70A
70A. Duration of certificate of competency of a class appropriate to a trading vessel
6. Variation of reg. 71—Re-validation of certificates of competency of a class appropriate to a trading vessel

Citation

1. The *Harbors and Navigation Regulations 1994* (see *Gazette* 20 October 1994 p. 987), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of reg. 66—Requirements for certificate of competency: s. 48(2)

3 Regulation 66 of the principal regulations is varied—

(a) by striking out from subregulation (4) all the words after "Code" first occurring;

(b) by striking out from subregulation (5) all the words after "Code" first occurring.

Variation of reg. 69—Endorsement of certificates of competency

4 Regulation 69 of the principal regulations is varied by inserting after subregulation (2) the following subregulation:

(3) The following limitations apply to the endorsement of a certificate of competency under this regulation:

(a) a certificate of competency of a class appropriate to a fishing vessel may not be endorsed so as to extend its application to a trading vessel;

(b) a certificate of competency of a class appropriate to a trading vessel may not be endorsed so as to extend its application to a fishing vessel.

Insertion of reg. 70A

5. The following regulation is inserted after regulation 70 of the principal regulations:

Duration of certificate of competency of a class appropriate to a trading vessel

70A. (1) Subject to the Act, a certificate of competency of a class appropriate to a trading vessel issued after the commencement of this regulation remains in force for five years after the date of its issue and may be re-validated from time to time for further periods of five years.

(2) Subject to this regulation, a certificate of competency of a class appropriate to a trading vessel issued before the commencement of this regulation remains in force until cancelled.

(3) The holder of a certificate of competency of a class appropriate to a trading vessel issued before the commencement of this regulation is not required to apply for re-validation of the certificate but, if such an application is made after the commencement of this regulation, the following rules apply:

- (a) if the application is successful—the certificate ceases to be in force five years after the date of its re-validation but may be re-validated from time to time for further periods of five years;
- (b) if the application is refused—the certificate ceases to be in force when the time for appealing against the decision to refuse the application expires or, if there is such an appeal, when the decision is confirmed on appeal or the appeal is discontinued.

Variation of reg. 71—Re-validation of certificates of competency of a class appropriate to a trading vessel

6. Regulation 71 of the principal regulations is varied—

- (a) by striking out from subregulation (1) "(other than a Boat Operator's Licence)" and substituting "of a class appropriate to a trading vessel";
- (b) by striking out from subregulation (2)(b)(ii) "where no experience approved by the CEO has been undertaken during the year preceding the application—";
- (c) by striking out subregulations (4), (5) and (6) and substituting the following subregulation:

(4) The CEO may, on the re-validation of a certificate of competency, issue a replacement certificate of competency or make a note of the period for which the certificate is re-validated on the certificate concerned.

REGULATIONS UNDER THE CARRICK HILL TRUST ACT 1985

No. 192 of 1999

At the Executive Council Office at Adelaide 23 September 1999

PURSUANT to the *Carrick Hill Trust Act 1985* on the recommendation of the Trust and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

DIANA LAIDLAW Minister for the Arts

SUMMARY OF PROVISIONS**PART 1****PRELIMINARY**

1. Citation
2. Commencement
3. Revocation
4. Interpretation

PART 2**CONDUCT AT CARRICK HILL****DIVISION 1—PERSONAL CONDUCT**

5. Entry to Carrick Hill
6. Behaviour while at Carrick Hill

DIVISION 2—DRIVING AND PARKING MOTOR VEHICLES

7. Motor vehicles, how driven etc.
8. Impeding pedestrian or vehicular access
9. Disabled permit areas

PART 3**ENFORCEMENT**

10. Appointment of authorised persons
11. General powers of authorised persons
12. Offence to provide false information
13. Persons under the influence of alcohol or drugs
14. Offence to re-enter after removal
15. Removal of animals
16. Power to remove and confiscate
17. Offence to fail to comply with requirement of authorised person
18. Use of reasonable force
19. Offence to hinder authorised person
20. No liability for acts done in exercise of official powers

PART 4**MISCELLANEOUS**

21. Confiscated or surrendered property
22. Use of name "Carrick Hill"

**PART 1
PRELIMINARY**

Citation

1. These regulations may be cited as the *Carrick Hill Trust Regulations 1999*.

Commencement

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

Revocation

3. The *Carrick Hill Trust Regulations 1986* (see *Gazette* 4 September 1986, p. 713), as varied, are revoked.

Interpretation

4. In these regulations—

"**Act**" means the *Carrick Hill Trust Act 1985*;

"**authorised person**"—see *Part 3*;

"**Carrick Hill**" means the land vested in, or under the care, control and management of, the Trust;

"**disabled person's parking permit**" means—

(a) a permit issued under Part IIID of the *Motor Vehicles Act 1959*; or

(b) a similar permit or authority issued under the law of another State or a Territory of the Commonwealth;

"**property of the Trust**" includes property for which the Trust has responsibility.

PART 2
CONDUCT AT CARRICK HILL

DIVISION 1—PERSONAL CONDUCT

Entry to Carrick Hill

5. (1) A person must not, without the authority of the Trust—

- (a) enter Carrick Hill without paying the entrance fee (if any) fixed by the Trust;
- (b) enter or remain at Carrick Hill when it is closed to the public.

Maximum penalty: \$1 000.

Expiation fee: \$75.

(2) A child under the age of 16 years must not enter or remain at Carrick Hill unless in the care or under the supervision of an adult.

Maximum penalty: \$500.

Expiation fee: \$50.

Behaviour while at Carrick Hill

6. (1) A person must not, while at Carrick Hill—

- (a) interfere with another person's reasonable enjoyment of Carrick Hill; or
- (b) eat, drink or smoke in an area marked, with the authority of the Trust, by a sign indicating that eating, drinking or smoking (as the case may be) is prohibited in that area; or
- (c) use abusive, threatening or insulting language; or
- (d) deposit litter or waste matter in any place (other than a receptacle provided by the Trust for that purpose).

Maximum penalty: \$500.

Expiation fee: \$50.

(2) A person must not, without the authority of the Trust—

- (a) bring an animal other than a guide dog into Carrick Hill; or
- (b) bring into Carrick Hill, or have in his or her possession at Carrick Hill, weapons, firearms or explosives.

Maximum penalty: \$1 000.

Expiation fee: \$75.

(3) A person must not, without the authority of the Trust, while at Carrick Hill—

- (a) deface or interfere with any property of the Trust; or
- (b) pick any flower or damage or uproot any tree, shrub, flower or other plant; or
- (c) distribute any printed matter; or
- (d) erect any structure; or
- (e) display any bill, sign, poster, placard, banner or flag; or

- (f) sell anything or offer anything for sale; or
- (g) take up a collection; or
- (h) hold, arrange or participate in a rally, demonstration or other meeting; or
- (i) climb on any tree, shrub, fence, roof, wall or other structure or any other property of the Trust;
or
- (j) light or maintain a fire; or
- (k) touch any object of art or any furniture or other property of the Trust that has historic or artistic value; or
- (l) take a photograph while inside a building.

Maximum penalty: \$1 000.

Expiation fee: \$75.

DIVISION 2—DRIVING AND PARKING MOTOR VEHICLES

Motor vehicles, how driven etc.

7. A person who drives or rides a motor vehicle at Carrick Hill must not—

- (a) unless authorised by the Trust—
 - (i) fail to comply with any speed, parking or other traffic restriction or direction indicated (with the authority of the Trust) by signs or lines or a combination of signs and lines; or
 - (ii) drive or ride in areas that are not intended for public vehicular access; or
 - (iii) drive or ride in such a manner as to cause undue noise to be emitted from the vehicle;
or
- (b) drive or ride in a dangerous or careless manner or without reasonable consideration for others;
or
- (c) fail to comply with any reasonable speed, parking or other traffic direction of an authorised person.

Maximum penalty: \$500.

Expiation fee: \$50.

Impeding pedestrian or vehicular access

8. A person must not park a motor vehicle at Carrick Hill so as to prevent or impede the passage of a pedestrian or another motor vehicle.

Maximum penalty: \$500.

Expiation fee: \$50.

Disabled permit areas

9. A person must not park a motor vehicle at Carrick Hill in an area indicated, with the authority of the Trust, by signs or lines or a combination of signs and lines, as a parking area for disabled persons unless a disabled person's parking permit is lawfully displayed in the vehicle.

Maximum penalty: \$500.

Expiation fee: \$50.

PART 3 ENFORCEMENT

Appointment of authorised persons

10. (1) The Trust may appoint a person to be an authorised person for the purposes of these regulations.

(2) An appointment may be made subject to conditions specified in the instrument of appointment.

(3) The Trust may, at any time, revoke an appointment or vary, revoke or add a condition of an appointment.

(4) The Trust must issue an identity card to each authorised person appointed by it.

(5) An authorised person must produce his or her identity card at the request of a person in relation to whom the authorised person has exercised, or intends to exercise, powers under these regulations.

General powers of authorised persons

11. If an authorised person has reasonable cause to suspect that a person at Carrick Hill has committed, is committing or is about to commit an offence against the Act or these regulations, the authorised person may—

(a) order the person to leave Carrick Hill or to leave, or not to enter, a particular part of Carrick Hill; or

(b) require the person to produce satisfactory evidence of that person's entitlement to be at Carrick Hill; or

(c) require the person to state his or her full name and address and, if the authorised person has reasonable cause to suspect that the name or address stated is false, require the person to produce evidence of the correctness of the name or address so stated.

Offence to provide false information

12. A person must not—

(a) state to an authorised person a name or address that is false; or

(b) produce to an authorised person false evidence in relation to—

(i) his or her name or address; or

(ii) his or her entitlement to be at Carrick Hill.

Maximum penalty: \$1 000.

Persons under the influence of alcohol or drugs

13. If an authorised person has reasonable cause to suspect that a person at Carrick Hill is so much under the influence of alcohol or a drug as to be visibly affected by it, the authorised person may—

(a) order the person to leave Carrick Hill or to leave, or not to enter, a particular part of Carrick Hill; or

(b) if the person is in possession of a drug or alcoholic beverage—require the person to surrender it and, if it is not surrendered, confiscate it.

Offence to re-enter after removal

14. A person who has been ordered by an authorised person to leave Carrick Hill on a particular day must not re-enter Carrick Hill on that day.

Maximum penalty: \$1 000.

Removal of animals

15. If an authorised person has reasonable cause to suspect that an animal—

- (a) has been brought to Carrick Hill in breach of these regulations; or
- (b) is interfering with, or is likely to interfere with any person's reasonable enjoyment of Carrick Hill,

the authorised person may order the owner or person in charge of the animal to remove the animal from Carrick Hill (or from a part of Carrick Hill) or, if the owner or person in charge of the animal cannot be located in the vicinity, may remove the animal from Carrick Hill (or that part of Carrick Hill).

Power to remove and confiscate

16. An authorised person may require a person to surrender anything brought into, or erected or displayed at, Carrick Hill in contravention of these regulations and, if it is not surrendered, confiscate it.

Offence to fail to comply with requirement of authorised person

17. A person ordered or required to do something by, or to surrender or produce something to, an authorised person in the exercise of powers or functions under these regulations must comply with the order or requirement.

Maximum penalty: \$1 000.

Use of reasonable force

18. An authorised person may use reasonable force—

- (a) to remove from Carrick Hill or a part of Carrick Hill a person who has been ordered to leave; or
- (b) to prevent a person who has been ordered not to enter Carrick Hill or a part of Carrick Hill from entering those places; or
- (c) to confiscate anything not surrendered.

Offence to hinder authorised person

19. A person must not interfere with, obstruct or hinder an authorised person in the exercise of powers or functions under these regulations.

Maximum penalty: \$1 000.

No liability for acts done in exercise of official powers

20. (1) No liability attaches to an authorised person for an act or omission done or made in good faith in the exercise or purported exercise of official powers or functions.

(2) An action that would, but for subregulation (1), lie against the authorised person, lies instead against the Crown.

PART 4
MISCELLANEOUS

Confiscated or surrendered property

21. (1) The Trust should endeavour to return to a person, when leaving Carrick Hill, anything that was surrendered by or confiscated from the person pursuant to these regulations.

(2) However, the Trust may retain, for such period as is necessary for the purposes of legal proceedings, any thing that the Trust reasonably believes may constitute evidence of the commission of an offence.

Use of name "Carrick Hill"

22. (1) The Trust has a proprietary interest in the name "Carrick Hill".

(2) A person must not, without the consent of the Trust, in the course of a trade or business—

(a) sell goods marked with the name "Carrick Hill"; or

(b) use the name "Carrick Hill" for the purpose of promoting the sale of goods or services or the provision of any benefits.

Maximum penalty: \$1 000.

ASA 2/98 CS

R. DENNIS Clerk of the Council

REGULATIONS UNDER THE OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1986

No. 193 of 1999

At the Executive Council Office at Adelaide 23 September 1999

PURSUANT to the *Occupational Health, Safety and Welfare Act 1986* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

MICHAEL ARMITAGE Minister for Government Enterprises

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 1.1.5—Interpretation
4. Variation of reg. 2.1.1—Access and egress
5. Variation of reg. 2.2.5—Toilets
6. Revocation of reg. 2.2.10
7. Variation of reg. 2.3.1—Application
8. Variation of reg. 2.3.3—Fragile roofing materials
9. Variation of reg. 2.3.4—Space per person
10. Variation of reg. 2.4.1—Preliminary
11. Variation of reg. 2.4.4—Control of risk
12. Variation of reg. 2.5.1—Preliminary
13. Variation of reg. 2.6.1—Preliminary
14. Variation of reg. 2.7.1—Fire prevention
15. Variation of reg. 2.8.1—Lighting
16. Variation of reg. 2.10.2—Duties of designers, manufacturers, suppliers and importers
17. Variation of reg. 2.10.3—Duties of employers
18. Revocation of reg. 2.12.3
19. Variation of reg. 2.13.1—Prevention of falls
20. Variation of reg. 2.14.1—Isolated work
21. Variation of reg. 2.15.1—Storage
22. Variation of reg. 2.16.1—Traffic control
23. Variation of reg. 2.17.1—Ventilation
24. Variation of reg. 2.18.1—Cleanliness and hygiene
25. Variation of reg. 3.1.6—Inspection fee
26. Variation of reg. 3.2.15—Hazard identification and risk assessment
27. Variation of reg. 3.2.24—Plant under pressure
28. Variation of reg. 3.2.37—Hazard identification and risk assessment
29. Variation of reg. 3.2.45—Hazard identification and risk assessment
30. Variation of reg. 3.4.1—Preliminary
31. Variation of reg. 3.4.3—Registration of items of plant
32. Variation of reg. 3.4.7—Transitional provisions
33. Variation of reg. 4.1.3—Interpretation
34. Variation of reg. 4.1.4—Classification of hazardous substances
35. Variation of reg. 4.1.5—Material Safety Data Sheets
36. Variation of reg. 4.1.7—Ingredient disclosure
37. Variation of reg. 4.1.16—Risk control
38. Revocation of reg. 4.1.21
39. Variation of reg. 4.2.3—Exposure standards
40. Variation of reg. 4.2.8—Duties of employers

41. Variation of reg. 4.2.9—Duties as to atmospheric monitoring
42. Variation of reg. 4.2.10—Duties of building owners and other persons in possession of asbestos
43. Variation of reg. 4.3.4—Control of atmospheric contaminants
44. Variation of reg. 4.4.2—Exposure standards
45. Variation of reg. 5.4.3—Storage of hazardous substances
46. Variation of reg. 5.6.5—Moulding and casting
47. Revocation of reg. 5.12.40
48. Variation of reg. 6.1.11—Training
49. Variation of reg. 6.4.1—Preliminary
50. Variation of reg. 6.4.9—Suspension or cancellation of the certificate—grounds
51. Substitution of reg. 6.4.14
 - 6.4.14. Transition to certificate
52. Variation of reg. 6.4.15—Loadshifting equipment
53. Variation of reg. 6.4.16—Registration of assessors
54. Variation of reg. 6.6.1—Preliminary
55. Variation of reg. 6.6.2—Notification of work-related injuries
56. Variation of reg. 6.6.3—Notification of dangerous occurrences
57. Variation of reg. 6.8.1—Registration of employers
58. Variation of schedule 1
59. Variation of schedule 2

Citation

1. The *Occupational Health, Safety and Welfare Regulations 1995* (see *Gazette* 23 February 1995 p. 423), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations will come into operation on 1 October 1999.

Variation of reg. 1.1.5—Interpretation

3. Regulation 1.1.5 of the principal regulations is varied—

(a) by striking out from subregulation (1) the definition of "**ADG Code**" and substituting the following definition:

"**ADG Code**" means the sixth edition of the *Australian Code for the Transport of Dangerous Goods by Road and Rail* approved by the Ministerial Council for Road Transport, endorsed by the Australian Transport Council and published by the Australian Office of Road Safety;;

(b) by striking out from subregulation (1) the definition of "**building**" and substituting the following definition:

"**building**" has the same meaning as in the *Development Act 1993*;;

(c) by striking out from subregulation (1) the definition of "**confined space**" and substituting the following definition:

"**confined space**" means an enclosed or partially enclosed space which—

- (a) is at atmospheric pressure during occupancy; and
- (b) is not intended or designed primarily as a place of work; and
- (c) may have restricted means of entry and exit; and

- (d) may—
- (i) have atmospheric contaminants or an unsafe oxygen level; or
 - (ii) cause engulfment,

and may include (but is not limited to)—

- (e) a storage tank, tank car, process vessel, boiler, pressure vessel, silo or other tank-like compartment;
- (f) an open-topped space (such as a degreaser or pit);
- (g) a pipe, sewer, shaft, duct or similar structure;
- (h) a shipboard space entered through a small hatchway or access point, or a cargo tank, cellular double bottom tank, duct keel, ballast or oil tank or other void space, other than a dry cargo hold;;

- (d) by striking out from subregulation (1) the definition of "**dB(lin)**" and substituting the following definition:

"**dB(lin)**" means decibels of unweighted sound pressure level;;

- (e) by inserting in subregulation (1) after the definition of "**forest compartment**" the following definition:

"**forklift truck**" means a powered industrial truck equipped with a mast and an elevating load carriage to which is attached a pair of forkarms or another form of loadholding attachment, and includes a truck on which the operator is raised with an attachment for order picking, but does not include a pedestrian operated industrial truck;;

- (f) by striking out from the definition of "**hazardous substance**" in subregulation (1) "Worksafe Australia's" twice occurring and substituting, in each case, "NOHSC's";

- (g) by striking out from subregulation (1) the definition of "**MSDS**" and substituting the following definition:

"**MSDS**" means a Material Safety Data Sheet prepared in accordance with the requirements of Part 4.1;;

- (h) by inserting after the definition of "**NICNAS summary report**" in subregulation (1) the following definition:

"**NOHSC**" means the National Occupational Health and Safety Commission;;

- (i) by striking out from the definition of "**pressure piping**" in subregulation (1) "or pressure vessel" and substituting "or a pressure vessel or pipeline regulated under other legislation";

- (j) by striking out from the definition of "**risk phrase**" in subregulation (1) "Worksafe Australia's" and substituting "NOHSC's";

- (k) by striking out from the definition of "**safety phrase**" in subregulation (1) "Worksafe Australia's" and substituting "NOHSC's";
- (l) by striking out from subregulation (1) the definition of "**Worksafe Australia**";
- (m) by inserting after subregulation (3) the following subregulation:
- (3a) If—
- (a) a building conforms with the requirements of the Building Rules under the *Development Act 1993* with respect to a particular matter; and
- (b) these regulations impose different requirements in relation to the same matter,
- then these regulation will not apply to the extent of the inconsistency.;
- (n) by striking out from subregulation (4) "Worksafe Australia" and substituting "NOHSC".

Variation of reg. 2.1.1—Access and egress

4. Regulation 2.1.1 of the principal regulations is varied by striking out subregulation (5).

Variation of reg. 2.2.5—Toilets

5. Regulation 2.2.5 of the principal regulations is varied by striking out subregulation (4).

Revocation of reg. 2.2.10

6. Regulation 2.2.10 of the principal regulations is revoked.

Variation of reg. 2.3.1—Application

7. Regulation 2.3.1 of the principal regulations is varied by striking out subregulation (3).

Variation of reg. 2.3.3—Fragile roofing materials

8. Regulation 2.3.3 of the principal regulations is varied by striking out subregulation (2) and substituting the following subregulations:

(2) If the whole or any part of the roof of a building or structure that comprises or includes a workplace consists of (or includes) any fragile material, then appropriate steps must be taken to warn persons who may be required to carry out work on the roof.

(2a) Appropriate steps under subregulation (2) may include the display of a sign—

- (a) that complies with AS 1319 *Rules for the Design and Use of Safety Signs for the Occupational Environment* and states:

DANGER
FRAGILE ROOFING
USE CRAWL BOARDS; or

- (b) that advises a person to seek the advice of appropriate personnel before commencing work on the roof.

Variation of reg. 2.3.4—Space per person

9. Regulation 2.3.4 of the principal regulations is varied by striking out from subregulation (5) "Unless otherwise prescribed or allowed by or under the *Development Act 1993*, the" and substituting "The".

Variation of reg. 2.4.1—Preliminary

10. Regulation 2.4.1 of the principal regulations is varied by striking out subregulation (2).

Variation of reg. 2.4.4—Control of risk

11. Regulation 2.4.4 of the principal regulations is varied by striking out from subregulation (1)(b) "Worksafe Australia's" and substituting "NOHSC's".

Variation of reg. 2.5.1—Preliminary

12. Regulation 2.5.1 of the principal regulations is varied by striking out subregulation (3).

Variation of reg. 2.6.1—Preliminary

13. Regulation 2.6.1 of the principal regulations is varied by striking out subregulation (2).

Variation of reg. 2.7.1—Fire prevention

14. Regulation 2.7.1 of the principal regulations is varied by striking out subregulation (3).

Variation of reg. 2.8.1—Lighting

15. Regulation 2.8.1 of the principal regulations is varied by striking out subregulation (4).

Variation of reg. 2.10.2—Duties of designers, manufacturers, suppliers and importers

16. Regulation 2.10.2 of the principal regulations is varied by striking out subregulation (4).

Variation of reg. 2.10.3—Duties of employers

17. Regulation 2.10.3 of the principal regulations is varied by striking out subregulation (4).

Revocation of reg. 2.12.3

18. Regulation 2.12.3 is revoked.

Variation of reg. 2.13.1—Prevention of falls

19. Regulation 2.13.1 of the principal regulations is varied—

(a) by striking out paragraph (c) of subregulation (10);

(b) by striking out subregulation (12).

Variation of reg. 2.14.1—Isolated work

20. Regulation 2.14.1 of the principal regulations is varied by striking out subregulation (3).

Variation of reg. 2.15.1—Storage

21. Regulation 2.15.1 of the principal regulations is varied by striking out subregulation (5).

Variation of reg. 2.16.1—Traffic control

22. Regulation 2.16.1 of the principal regulations is varied by striking out subregulation (5).

Variation of reg. 2.17.1—Ventilation

23. Regulation 2.17.1 of the principal regulations is varied by striking out subregulation (7).

Variation of reg. 2.18.1—Cleanliness and hygiene

24. Regulation 2.18.1 of the principal regulations is varied by striking out subregulation (5).

Variation of reg. 3.1.6—Inspection fee

25. Regulation 3.1.6 of the principal regulations is varied by inserting after its present contents (now to be designated as subregulation (1)) the following subregulation:

(2) If schedule 8 does not specify a fee for a particular kind of inspection or testing carried out on plant by an inspector, the Director may determine a fee for the inspection or testing.

Variation of reg. 3.2.15—Hazard identification and risk assessment

26. Regulation 3.2.15 of the principal regulations is varied by striking out paragraph (d) of subregulation (1) (and the word "and" appearing immediately before that paragraph).

Variation of reg. 3.2.24—Plant under pressure

27. Regulation 3.2.24 of the principal regulations is varied by striking out subregulation (2).

Variation of reg. 3.2.37—Hazard identification and risk assessment

28. Regulation 3.2.37 of the principal regulations is varied by striking out subregulation (4).

Variation of reg. 3.2.45—Hazard identification and risk assessment

29. Regulation 3.2.45 of the principal regulations is varied by striking out paragraph (d) of subregulation (1) (and the word "and" appearing immediately before that paragraph).

Variation of reg. 3.4.1—Preliminary

30. Regulation 3.4.1 of the principal regulations is varied by inserting after subregulation (5) the following subregulation:

(6) This Division does not apply to manually powered plant.

Variation of reg. 3.4.3—Registration of items of plant

31. Regulation 3.4.3 of the principal regulations is varied by inserting after subregulation (13) the following subregulation:

(14) Subregulation (1) does not extend to a case where an item of plant is undergoing commissioning testing or, in the case of a lift, is being used by an installer prior to commissioning testing.

Variation of reg. 3.4.7—Transitional provisions

32. Regulation 3.4.7 of the principal regulations is varied—

(a) by striking out subregulations (1) and (2);

(b) by inserting after paragraph (b) of subregulation (3) the following word and paragraph:

or

(c) under an Act of another State or a Territory that corresponds to an Act referred to in paragraph (a) or (b);

(c) by striking out from subregulation (3) ", on the commencement of these regulations,";

(d) by inserting after subparagraph (ii) of subregulation (4)(a) the following subparagraph and word:

(iii) under an Act or another State or a Territory that corresponds to an Act referred to in subparagraph (i) or (ii); or;

(e) by striking out from subregulation (4) ", on the commencement of these regulations,".

Variation of reg. 4.1.3—Interpretation

33. Regulation 4.1.3 of the principal regulations is varied—

(a) by striking out "Worksafe Australia's" from the definition of **'type I ingredient'** wherever it occurs and substituting, in each case, "NOHSC's";

(b) by striking out "Worksafe Australia's" from the definition of **'type II ingredient'** twice occurring and substituting, in each case, "NOHSC's".

Variation of reg. 4.1.4—Classification of hazardous substances

34. Regulation 4.1.4 of the principal regulations is varied—

- (a) by striking out from subregulation (1) "Worksafe Australia's" twice occurring and substituting, in each case, "NOHSC's";
- (b) by striking out from paragraph (a) of subregulation (2) "Worksafe Australia's" and substituting "NOHSC's";
- (c) by striking out from subregulation (2) "Worksafe Australia" and substituting "NOHSC".

Variation of reg. 4.1.5—Material Safety Data Sheets

35. Regulation 4.1.5 of the principal regulations is varied by striking out from subregulation (3)(b) "Worksafe Australia" and substituting "NOHSC".

Variation of reg. 4.1.7—Ingredient disclosure

36. Regulation 4.1.7 of the principal regulations is varied by striking out from subregulation (5) "Worksafe Australia" twice occurring and substituting, in each case, "NOHSC".

Variation of reg. 4.1.16—Risk control

37. Regulation 4.1.16 of the principal regulations is varied by striking out from subregulation (2) "Worksafe Australia's" and substituting "NOHSC's".

Revocation of reg. 4.1.21

38. Regulation 4.1.21 of the principal regulations (and the heading appearing immediately above that regulation) are revoked.

Variation of reg. 4.2.3—Exposure standards

39. Regulation 4.2.3 of the principal regulations is varied—

- (a) by striking out from subregulation (1) "Worksafe Australia's" and substituting "NOHSC's";
- (b) by striking out from subregulation (2) "Worksafe Australia" and substituting "NOHSC".

Variation of reg. 4.2.8—Duties of employers

40. Regulation 4.2.8 of the principal regulations is varied by striking out from subregulation (2) "subsection" and substituting "subregulation".

Variation of reg. 4.2.9—Duties as to atmospheric monitoring

41. Regulation 4.2.9 of the principal regulations is varied by striking out from subregulation (1)(a)(i) "Worksafe Australia" and substituting "NOHSC".

Variation of reg. 4.2.10—Duties of building owners and other persons in possession of asbestos

42. Regulation 4.2.10 of the principal regulations is varied by inserting in subregulation (1) ", by the use of a competent person," after "A person must".

Variation of reg. 4.3.4—Control of atmospheric contaminants

43. Regulation 4.3.4 of the principal regulations is varied by striking out from subregulation (2) "Worksafe Australia's" and substituting "NOHSC's".

Variation of reg. 4.4.2—Exposure standards

44. Regulation 4.4.2 of the principal regulations is varied—

- (a) by striking out subregulation (2) and substituting the following subregulation:

(2) Without limiting the operation of subregulation (1), a person at work must not be exposed to airborne synthetic mineral fibres in excess of the relevant exposure standards determined

according to NOHSC's *Exposure Standards for Atmospheric Contaminants in the Occupational Environment*;

(b) by striking out from subregulation (3)(a) "Worksafe Australia" and substituting "NOHSC".

Variation of reg. 5.4.3—Storage of hazardous substances

45. Regulation 5.4.3 of the principal regulations is varied by striking out from subregulation (2) "Worksafe Australia" and substituting "NOHSC".

Variation of reg. 5.6.5—Moulding and casting

46. Regulation 5.6.5 of the principal regulations is varied by inserting in subregulation (4)(d) "and" after "the side of the pit".

Revocation of reg. 5.12.40

47. Regulation 5.12.40 is revoked.

Variation of reg. 6.1.11—Training

48. Regulation 6.1.11 of the principal regulations is varied—

(a) by striking out "section 34(3)" and substituting "subsection (3) of section 34";

(b) by inserting "approved by the Minister under that subsection" after "courses of training".

Variation of reg. 6.4.1—Preliminary

49. Regulation 6.4.1 of the principal regulations is varied—

(a) by striking out from the definition of "national loadshifting guidelines" in subregulation (2) "Worksafe Australia" and substituting "NOHSC";

(b) by striking out from the definition of "national standard" in subregulation (2) "Worksafe Australia" and substituting "NOHSC";

(c) by inserting in the definition of "registered assessor" in subregulation (2) "(or taken to be registered)" after "is registered";

(d) by inserting after subregulation (2) the following subregulation:

(3) Work or a task associated with any of the following will be taken to fall outside the ambit of a prescribed occupation:

(a) a boiler that satisfies the requirements specified in AS 2593 for the attendance category *Unattended Operation*;

(b) a boiler of the hobby miniature locomotive type that complies with the *Australian Miniature Boiler Safety Committee Code* (Part 1 or 2) published by the Australian Miniature Boiler Safety Committee;

(c) a boiler with a heating surface below 5 square metres;

(d) a boiler that has a hazard level D or E according to the criteria specified in AS 3920 Part 1 *Pressure Equipment Manufacture—Assurance of Product Quality*.

Variation of reg. 6.4.9—Suspension or cancellation of the certificate—grounds

50. Regulation 6.4.9 of the principal regulations is varied by striking out from subregulation (2) "regulation 6.4.14" and substituting "regulation 6.4.13".

Substitution of reg. 6.4.14

51. Regulation 6.4.14 of the principal regulations is revoked and the following regulation is substituted:

Transition to certificate

6.4.14. A person who holds a written notice of satisfactory assessment issued by a registered assessor in accordance with the national standard for a prescribed occupation may, pending the issue of a certificate of competency under these regulations, for a period of up to 60 days from the date of the issue of the notice, carry on the prescribed occupation without holding a certificate of competency.

Variation of reg. 6.4.15—Loadshifting equipment

52. Regulation 6.4.15 of the principal regulations is varied—

- (a) by striking out from subregulation (1) the definition of "forklift truck";
- (b) by striking out from subregulation (4)(d) "another authority and" and substituting "a certifying or training authority".

Variation of reg. 6.4.16—Registration of assessors

53. Regulation 6.4.16 of the principal regulations is varied by inserting after subregulation (12) the following subregulation:

(13) A person who is registered as an assessor under a law of another State, a Territory or the Commonwealth that corresponds to the provisions of this Division will be taken to be a registered assessor under these regulations.

Variation of reg. 6.6.1—Preliminary

54. Regulation 6.6.1 of the principal regulations is varied by striking out subregulation (2).

Variation of reg. 6.6.2—Notification of work-related injuries

55. Regulation 6.6.2 of the principal regulations is varied—

- (a) by striking out subregulations (1) and (2) and substituting the following subregulation:

(1) Subject to these regulations, if an employee suffers an immediately notifiable work-related injury, the employer must notify the Department of the injury by telephone or facsimile as soon as practicable after the occurrence of the injury.;

- (b) by striking out subregulation (5).

Variation of reg. 6.6.3—Notification of dangerous occurrences

56. Regulation 6.6.3 of the principal regulations is varied by striking out from subregulation (4)(c) "or any" and substituting "of any".

Variation of reg. 6.8.1—Registration of employers

57. Regulation 6.8.1 of the principal regulations is varied by striking out subregulation (2) and substituting the following subregulation:

(2) No fee is payable in relation to an organisation that is the subject of an exemption under section 114 of the *Industrial and Employee Relations Act 1994*.

Variation of schedule 1

58. Schedule 1 of the principal regulations is varied by striking out the rows that relate to regulation 2.2.10 or regulation 2.12.3.

Variation of schedule 2

59. Schedule 2 of the principal regulations is varied by striking out the rows that relate to regulation 2.2.10 or regulation 2.12.3.

MGE 49/99 CS

R. DENNIS Clerk of the Council

REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997

No. 194 of 1999

At the Executive Council Office at Adelaide 23 September 1999

PURSUANT to the *Liquor Licensing Act 1997* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

K. T. GRIFFIN Minister for Consumer Affairs

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched.1—Long Term Dry Areas

Citation

1. The *Liquor Licensing (Dry Areas—Long Term) Regulations 1997* (see *Gazette* 6 November 1997 p. 1217), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of Sched.1—Long Term Dry Areas

3. Schedule 1 of the principal regulations is varied by inserting after the item headed '**Christies Beach—Area 1**' the following items:

Clare—Area 1

(there is no plan for this area)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The following areas of road in Clare:	From 10.30 p.m. on each day until 8.00 a.m. on the following day, until 8.00 a.m. on 23 September 2000.	The consumption and possession of liquor are prohibited.
(a) Main North Road between the northern end of the northern bridge on Main North Road (the bridge located between Daly Street and Blanche Street) and the southern end of the southern bridge on Main North Road (the bridge located between Lennon Street and Bank Street);		
(b) Old North Road between Lennon Street and Main North Road;		
(c) Mill Place between Old North Road and Main North Road.		

Clare—Area 2
(*there is no plan for this area*)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The following parks and reserves in Clare:	From 10.30 p.m. on each day until 8.00 a.m. on the following day, until 8.00 a.m. on 23 September 2000.	The consumption and possession of liquor are prohibited.
(a) The area (known as Burke Park) bounded on the west by Farrell Flat Road, on the south by Old North Road, on the east by a stone cliff that extends northerly (then westerly) from the northern boundary of Old North Road from a point approximately 30 metres east of the eastern boundary of Farrell Flat Road, and on the north by that same stone cliff and by the westerly prolongation of the cliff line to the eastern boundary of Farrell Flat Road;		
(b) The area (known as Burton Street Reserve) bounded on the west by Strickland Street, on the south by Burton Street and on the east and north by the western and southern banks of the Hutt River;		
(c) The area (known as Ennis Park) bounded on the west by Main North Road, on the south by the northern wall of the Clare Town Hall, on the east by Old North Road and on the north by the fence forming the southern boundary of the adjoining private land (ANZ Bank);		
(d) The area (known as Hentschke Park) bounded on the south by Essington Avenue, on the east by Powell Street and on the north and west by the fence line forming the southern and eastern boundaries of the adjoining private land;		
(e) The area (known as Lions Park) bounded on the north by Victoria Road, on the west by Hope Street, on the south by the fence forming the northern boundary of the adjoining Dept. of Defence land and on the east firstly by the western bank of the creek that runs northerly from the Dept. of Defence land to the Hutt River and thereafter by the western bank of the Hutt River;		
(f) The area (known as Maynard Park) bounded on the south by Pioneer Avenue, on the east by Christison Avenue, on the north by the fence forming the southern boundary of the Clare Swimming Centre and on the west by the eastern bank of the Hutt River;		
(g) The area (known as Sanders Park) bounded on the north by Lennon Street, on the west by Main North Road, on the south by the northern bank of the Hutt River and on the east by the fence forming the western boundary of the adjoining ETSA land.		

Clare—Area 3
(there is no plan for this area)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The following carpark in Clare:	From 10.30 p.m. on each day until 8.00 a.m. on the following day, until 8.00 a.m. on 23 September 2000.	The consumption and possession of liquor are prohibited.
(a) The area (known as the Blanche Street Carpark) bounded on the north by Blanche Street, on the west and south by the eastern and northern banks of the Hutt River and on the east by the building line forming the western boundary of the adjoining private land;		
(b) The area (known as the Thomas Hart Carpark) bounded on the east by Scott Street, on the north by the broken raised kerb line forming the southern boundary of the adjoining private carpark, on the west by Old North Road and on the south by the fence forming the northern boundary of the adjoining private land.		

LL 3/99 CS

R. DENNIS Clerk of the Council

FAXING COPY?

IF you fax copy to Riverside 2000, for inclusion in the *Government Gazette*, there is **no need** to send a Confirmation Copy to us as well.

This creates confusion and may well result in your notice being printed **twice**.

Please use the following fax number:

Fax transmission: (08) 8207 1040

Phone Inquiries: (08) 8207 1045

Please include a contact person, phone number and order number so that we can phone back with any queries we may have regarding the fax copy.

NOTE: Closing time for lodging new copy (either fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication.

Government Gazette notices can be E-mailed.

The address is:

govgaz@riv.ssa.sa.gov.au

Documents should be sent as attachments in Word format.

When sending a document via E-mail, please confirm your transmission with a faxed copy of your document, including the date the notice is to be published.

Fax transmission: (08) 8207 1040

Enquiries: (08) 8207 1045

PORT PIRIE REGIONAL COUNCIL
ROADS (OPENING AND CLOSING) ACT 1991

Right of Way adjacent to Brown Street

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Port Pirie Regional Council proposes to make a Road Process Order to close that portion of land on the western boundary of allotment 48 in Deposited Plan 1976 public road (right of way) south of Brown Street, Port Pirie, more particularly delineated and marked 'A' in Preliminary Plan No. PP32/0493. The portion marked 'A' is to be transferred to M. J. and S. M. Gray and merged with certificate of title CT5068/210.

A copy of the preliminary plan and statement of persons affected is available for public inspection at the Council Office, 115 Ellen Street, Port Pirie and the Adelaide office of the Surveyor-General, during normal office hours.

Any person affected may object to the proposed road process, or apply for an easement to be granted in that person's favour over land subject to the proposed road closure. Such objection, or application for an easement, must set out the full name and address of the person, and reason for making the objection or application. Any application for an easement must give full particulars of the nature and location of the easement and, where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed.

An objection, or application for an easement, must be lodged in writing to the Port Pirie Regional Council, P.O. Box 45, Port Pirie, S.A. 5540, and a copy lodged with the Surveyor-General, Department of Administrative and Information Services, G.P.O. Box 1354, Adelaide, S.A. 5001, within 28 days of this notice.

Where an objection, or application for an easement is made, the council will give notification of a meeting at which the matter will be considered, so that the person making the objection or application may attend, if desired, personally or by a representative.

P. ARNOLD, Chief Executive Officer

PORT PIRIE REGIONAL COUNCIL

Periodic Review of Elector Representation

NOTICE is hereby given that the Port Pirie Regional Council has completed a review to determine whether a change of arrangements in respect to elector representation, including ward structure and the composition of council, would result in the electors of the council area being more adequately and fairly represented.

Council has prepared a report which details the review process; the public consultation undertaken; and the proposal which it considers should be implemented. Copies of this report are available at the council offices, or by contacting Ellie Green on telephone 8632 1222.

Pursuant to the provisions of section 24 (7) (b) (ii) of the Local Government Act 1934, as amended, interested persons are invited to make a written submission in respect to the report. These should be directed to the Chief Executive Officer, Port Pirie Regional Council, 115 Ellen Street (P.O. Box 45), Port Pirie, S.A. 5540, by close of business on Friday, 15 October 1999.

Any person who makes a written submission will be afforded an opportunity to appear before council, or a committee thereof, to be heard in respect to his/her submission.

P. J. ARNOLD, Chief Executive Officer

CITY OF UNLEY

Periodical Review

NOTICE is hereby given that the City of Unley, in accordance with the requirements of section 24 (2) of the Local Government Act 1934, as amended, has reviewed its composition and elector representation arrangements.

Pursuant to section 24 (11) (a) of the said Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of section 24 and may therefore now be put into effect as from the day of the first general election held after the expiration of five months from the publication of this notice.

The new composition and representation arrangements are as follows:

1. The number of Elected Members remains at 13, and comprises a Mayor and 12 Councillors.
2. The number of wards remains at six.
3. The number of Councillors representing each ward remains the same and is as follows:

Ward Name	No. of Councillors
Parkside	2
Unley	2
Fullarton	2
Unley Park.....	2
Goodwood South.....	2
Goodwood.....	2

4. Revisions have been made to the boundaries of Unley Ward, Unley Park Ward, Parkside Ward and Fullarton Ward. The boundaries of all wards are defined as follows:

Goodwood Ward: No change.

Goodwood South Ward: No change.

Unley Ward: Alter and adjust the boundaries of Unley Ward and Unley Park Ward of the City of Unley by severing from the said Unley Ward the land defined in the First Schedule.

Unley Park Ward: Alter and adjust the boundaries of Unley Ward and Unley Park Ward of the City of Unley by severing from the said Unley Ward the land defined in the First Schedule and annexing same to the said Unley Park Ward.

Parkside Ward: Alter and adjust the boundaries of Parkside Ward and Fullarton Ward of the City of Unley by severing from the said Parkside Ward the land defined in the Second Schedule.

Fullarton Ward: Alter and adjust the boundaries of Parkside Ward and Fullarton Ward of the City of Unley by severing from the said Parkside Ward the land defined in the Second Schedule and annexing same to the said Fullarton Ward.

THE FIRST SCHEDULE

Comprising that portion of the Hundred of Adelaide, County of Adelaide, bounded as follows:

Commencing at a point on the centre of Unley Road, suburb of Malvern, being its intersection with the centre of Wattle Street; thence northerly along the centre of Unley Road to the centre of Fairford Street, suburb of Unley; easterly along the centre of Fairford Street to the centre of Duthy Street; southerly along the centre of Duthy Street to the centre of Wattle Street, suburb of Malvern; thence westerly along the centre of Wattle Street to the point of commencement and crossing all intervening roads.

THE SECOND SCHEDULE

Comprising the portion of the Hundred of Adelaide, County of Adelaide, bounded as follows:

Commencing at a point on the centre of Fullarton Road, suburb of Fullarton, being its intersection with the centre of Wattle Street; thence northerly along the centre of Fullarton Road to the centre of Restormal Avenue; generally easterly along the centre of Restormal Avenue to the centre of Wellington Terrace; southerly along the centre of Wellington Terrace to the centre of Medway Street; easterly along the centre of Medway Street to the centre of Nelson Street; northerly along the centre of Nelson Street to the centre of Katherine Street; easterly along the centre of Katherine Street and its production to the north-eastern boundary of the City of Unley; south-easterly along the latter boundary to its intersection with the production easterly of the centre of Wattle Street; thence westerly along the latter production and the centre of Wattle Street to the point of commencement and crossing all intervening roads.

R. J. GREEN, City Manager

THE BAROSSA COUNCIL

Temporary Street Closure

NOTICE is hereby given that pursuant to the provisions of section 359 of the Local Government Act 1934, as amended, the Barossa Council resolves that the following public road will be closed to all vehicles, except emergency vehicles and authorised service vehicles, between 8.45 a.m. and noon on Sunday, 3 October 1999, for the staging of the Masters Games Half Marathon:

Penrice Road from Kokoda Road to Park Avenue.

J. G. JONES, Chief Executive Officer

THE FLINDERS RANGES COUNCIL

Temporary Road Closure

NOTICE is hereby given that pursuant to section 359 of the Local Government Act 1934, as amended, The Flinders Ranges Council agrees to the following temporary road closure, including any entry points, from 8.30 a.m. on Wednesday, 6 October 1999 until 10 a.m. on Sunday, 10 October 1999:

Silo Road—between Park Terrace and Oval Road, (adjacent to section 37, Hundred of Pichi Richi),

for the purpose of a Campdraft Event.

D. CEARNS, Chief Executive Officer

DISTRICT COUNCIL OF GRANT

Draft Plan Amendment Report—Public Hearing

NOTICE is hereby given that the public hearing for submissions received to the draft Plan Amendment Report (recently on Public Exhibition) will be held on Monday, 27 September 1999 commencing at 7 p.m. as previously advised.

Please note change of venue—the public hearing will now be held at the International Motel, Millicent Road.

R. STORAN, Development Manager

DISTRICT COUNCIL OF KAROONDA EAST MURRAY

Periodical Review of Elector Representation

NOTICE is hereby given that the District Council of Karoonda East Murray has completed a review to determine whether a change of arrangements in respect to elector representation, including ward boundaries and the composition of council, would result in the electors of the council area being more adequately and fairly represented.

Council has prepared a report which details the review process; the public consultation undertaken; and the proposal which it considers should be implemented. Copies of the report are available at the council office, or by contacting Peter Smithson, telephone 8578 1004.

Pursuant to the provisions of section 24 (7) (b) (ii) of the Local Government Act 1934, as amended, interested persons are invited to make a written submission in respect to the reports. These should be directed to the District Clerk, P.O. Box 58, Karoonda, S.A. 5307 by close of business on Monday, 18 October 1999.

Any person who makes a written submission will be afforded an opportunity to appear before council, or a committee thereof, to be heard in respect to his/her submission.

P. SMITHSON, District Clerk

MID MURRAY COUNCIL

Supplementary Election—Counting of Votes

NOTICE is hereby given that in accordance with section 59 (1) of the Local Government Act 1934, as amended, the Mid Murray Council has appointed the Council Chambers, Main Street, Cambrai as the place for the counting of votes for the Sturt Ward Supplementary Election.

The counting of votes will commence after the close of voting at 6 p.m. on Friday, 8 October 1999.

G. R. BRUS, Returning Officer

DISTRICT COUNCIL OF MOUNT REMARKABLE

Review of Elector Representatives

NOTICE is hereby given that council has completed a Review of Electors representation. A report is available for public consultation. Copies of the report are available from the council office at Melrose. Invitation is given to interested persons to make written submissions on this report and the position adopted by council.

Written submissions should be addressed to the Chief Executive Officer, District Council of Mount Remarkable, P.O. Box 94, Melrose, S.A. 5483 or should be delivered to the Melrose office of the council by Wednesday, 13 October 1999. Persons making written submissions will be given the opportunity to address council either in person or by representation. Council's proposal is to remain with four Wards and nine Councillors.

P. J. MOORE, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT REMARKABLE

Appointment

NOTICE is hereby given that Neville Bruce Scutcheon has been appointed as an Authorised Dog and Cat Control Officer, pursuant to section 68 of the Dog and Cat Management Act 1995, with his authority extending over the entire council area.

P. J. MOORE, District Clerk

SOUTHERN MALLEE DISTRICT COUNCIL

Temporary Road Closures

NOTICE is hereby given that pursuant to section 359 of the Local Government Act 1934, as amended, the following roads will be closed to unauthorised vehicular traffic:

- Wednesday, 6 October 1999, 7.30 a.m. to 5.30 p.m., Tower Road, Pinnaroo (from Homburg Terrace to Park Terrace).
- Saturday, 16 October 1999, 11 a.m. to 1.30 p.m., Railway Terrace South, Pinnaroo (from Mann Street easterly to Day Street).

P. WOOD, Chief Executive Officer

DISTRICT COUNCIL OF YANKALILLA

Periodical Review of Elector Representation

NOTICE is hereby given that pursuant to the provisions of section 24 (3) of the Local Government Act 1934, as amended, the District Council of Yankalilla has completed a Review to determine whether a change in arrangements with respect to elector representation, including the area and composition of the council, would result in the electors of the area being more fairly and adequately represented.

Council has prepared a report which details the Review process, public consultation undertaken and the proposal it considers should be implemented. Copies of the report are available from the Council Office, Main Road, Yankalilla.

Written submissions are invited from interested persons and should be directed to the Chief Executive Officer, District Council of Yankalilla, P.O. Box 9, Yankalilla, S.A. 5203, by close of business on 15 October 1999.

Any person who makes a written submission will be given an opportunity to appear before the council, or a council committee thereof, to be heard in respect to their submission.

M. DAVIS, Chief Executive Officer

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

- Billing, Coral Marie*, late of Streaky Bay, widow, who died on 4 August 1999.
- Birins, Peteris*, late of 401 Portrush Road, Toorak Gardens, of no occupation, who died on 21 May 1999.
- Buck, Victor*, late of 58 Avenue Road, Paradise, retired carpenter, who died on 15 July 1999.
- Hall, Grace*, late of 29 Austral Terrace, Morphettville, widow, who died on 14 August 1999.
- Kirby, Violet Joyce*, late of Sichler Street, Waikerie, home duties, who died on 17 July 1999.

Long, Ellen Maud, late of 51 Cliff Street, Glenelg East, of no occupation, who died on 19 July 1999.

Mishra, Ganga Prasad, late of 1 Main North Road, Gawler, retired public servant, who died on 9 July 1999.

Morgan, Thomas Edward, late of 4 Essex Street, Brighton, retired mechanic, who died on 26 March 1999.

Mundy, William John, late of 9 Ayton Avenue, Fulham, retired fitter and turner, who died on 30 July 1999.

O'Halloran, Jean Cecelia Veronica, late of 3 Kenton Avenue, Oaklands Park, widow, who died on 19 July 1999.

O'Malley, Patrick Kevin, late of 342 Marion Road, North Plympton, retired railway employee, who died on 19 July 1999.

Richards, William Graham, late of 52 Dunrobin Road, Hove, of no occupation, who died on 20 August 1999.

Shepherd, Peter Raymond, late of 342 Marion Road, North Plympton, retired public servant, who died on 16 June 1999.

Tinka, Marine Evelyn, late of 6 Doreen Street, St Agnes, retired secretary, who died on 10 August 1999.

Twitchee, Gladys Elizabeth, late of corner of Pimpala and Panalatinga Roads, Woodcroft, home duties, who died on 5 July 1999.

Whisson, Joan, late of 5 Murphy Street, Fulham Gardens, of no occupation, who died on 17 August 1999.

Whillim, Lucy Margaret, late of 11 Wynette Street, Pennington, home duties, who died on 8 August 1999.

Wilson, James Robert, late of 11 Sturdee Street, Linden Park, retired departmental store manager, who died on 31 July 1999.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, 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 Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 22 October 1999, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are 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 the same to the Public Trustee.

Dated 23 September 1999.

J. H. WORRALL, Public Trustee

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

Alston, Harry Arthur, late of 8 Almont Avenue, Pooraka, retired bank officer, who died on 23 August 1999.

Doecke, Theodore Edwin, late of Kalimna Homes, 45 High Street, Strathalbyn, retired maintenance engineer, who died on 4 February 1999.

Franklin, Alan William, late of Government Road, Moonta, retired inspector, who died on 10 September 1999.

McBride, Pansy Victoria, late of Gap Road, Alice Springs, widow, who died on 4 September 1999.

Seidel, Dora Friederike, late of Willochra Home for the Aged, Gadd Avenue, Crystal Brook, widow, who died on 30 August 1999.

Sinclair, Ethel Selina, late of St Laurence's Court, 56 High Street, Grange, widow, who died on 2 September 1999.

Zampin, Amelia Katherine, late of 13 Angley Avenue, Findon, widow, who died on 26 August 1999.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972-1975 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against any of the abovenamed estates are directed to send full particulars of such claims to the undersigned on or before 22 October 1999, otherwise they will be excluded from the distribution of the said estate.

Dated 23 September 1999.

IOOF AUSTRALIA TRUSTEES LIMITED
(ACN 007 870 644) and BAGOT'S
EXECUTOR AND TRUSTEE COMPANY
LIMITED (ACN 007 869 829), both of
212 Pirie Street, Adelaide, S.A. 5000.

AIRWALK LOGISTICS PTY LTD

(ACN 085 036 255)

MACBAR NOMINEES PTY LTD trading as Southern Cross Trailers has brought a summons in Acting No. 1104 of 1999 in the Supreme Court of South Australia seeking the winding up of Airwalk Logistics Pty Ltd. The summons is listed for hearing on 19 October 1999, at not before 2.30 p.m. Any creditor or contributory of Airwalk Logistics Pty Ltd wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (South Australia) Rules 1993, at least three business days before the day on which the summons is listed for hearing and must attend at the Supreme Courthouse, Victoria Square, Adelaide, at the time set for the hearing of the summons. A copy of the summons and the affidavit in support can be obtained on payment of the proper costs from Marshalls, Level 2, 81 Flinders Street, Adelaide, S.A. 5000.

GOLDBAR PTY LTD

(RECEIVER AND MANAGER APPOINTED)

(ACN 060 022 880)

COMMONWEALTH BANK OF AUSTRALIA has brought a summons in Action No. 1117 of 1999, in the Supreme Court of South Australia seeking the winding up of Goldbar Pty Ltd. The summons is listed for hearing on Tuesday, 19 October 1999 at not before 2.15 p.m. Any creditor or contributory of Goldbar Pty Ltd wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (South Australia) Rules 1993, at least three business days before the day on which the summons is listed for hearing and must attend at the Supreme Courthouse, Victoria Square, Adelaide at the time set for the hearing of the summons. A copy of the summons and the affidavit in support can be obtained on payment of the proper cost from Piper Alderman, solicitors, 167 Flinders Street, Adelaide, S.A. 5000.

HADDIN PTY LTD

(ACN 065 366 529)

NORTHLINE FREIGHT MANAGEMENT PTY LTD (ACN 008 008 857) has brought a summons in Action No. 1067 of 1999, in the Supreme Court of South Australia seeking the winding up of Haddin Pty Ltd. The summons is listed for hearing on Tuesday, 5 October 1999 at not before 2.15 p.m. Any creditor or contributory of Haddin Pty Ltd wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (South Australia) Rules 1993, at least three business days before the day on which the summons is listed for hearing and must attend at the Supreme Courthouse, Victoria Square, Adelaide at the time set for the hearing of the summons. A copy of the summons and the affidavit in support can be obtained on payment of the proper cost from Martirovs & Co., 3rd Floor, 44 Pirie Street, Adelaide, S.A. 5000, solicitors for the plaintiff.

FEDERAL COURT OF AUSTRALIA—South Australian District Registry, General Division. No. SG 3151 of 1994. In the matter of Linke's Loxton Bakery Pty Ltd (ACN 053 929 507) and in the matter of the Corporations Law.

Notice by a Liquidator of His Intention to Seek His Release

Take notice that I, Austin Robert Meerten Taylor of Horwath Adelaide Partnership, 99 Frome Street, Adelaide, the liquidator of the abovenamed company, intend to make application to the Supreme Court of South Australia for my release as the liquidator of the abovenamed company.

And further take notice that if you have any objection to the granting of my release you must file at the Supreme Court and also forward to me within 21 days of the publication in the *Gazette* of the notice of my intention to apply for a release a notice of objection in the form laid down by the Corporations (South Australia) Rules 1993. A summary of my receipts and payments as liquidator is available from my office.

Dated 8 September 1999.

A. R. M. TAYLOR, Liquidator

Note: Section 481 of the Corporations Law enacts that an order of the Court releasing a liquidator shall discharge him/her in the administration of the affairs of the company, or otherwise in relation to his or her conduct as liquidator, but any such order may be revoked on proof that it was obtained by fraud or by suppression or by concealment of any material fact.

SOUTH AUSTRALIA—In the Supreme Court. No. 1501 of 1997. In the matter of Water Purification Systems International Pty Limited (in liquidation) (ACN 067 187 731) and in the matter of the Corporations Law.

Notice of Release of Liquidator and Dissolution of the Company

Take notice that by an order of the Supreme Court of South Australia, dated 9 September 1999, I, David John Olifent, of PricewaterhouseCoopers, 91 King William Street, Adelaide, S.A. 5000, the liquidator of the abovenamed company, was granted my release as liquidator and the company was dissolved as at the date of this order.

Dated 16 September 1999.

D. J. OLIFENT, Liquidator

TRANSPORT ENGINEERING & MACHINING PTY LTD

(ACN 073 566 042)

SOUTHCOTT PTY LTD has brought a summons in Action No. 1042 of 1999, in the Supreme Court of South Australia seeking the winding up of Transport Engineering & Machining Pty Ltd. The summons is listed for hearing on 5 October 1999 at 2.15 p.m. Any creditor or contributory of Transport Engineering & Machining Pty Ltd wishing to be heard on the summons must file and serve a notice in accordance with Rule 20 of the Corporations (S.A.) Rules 1993, at least three business days before the day on which the summons is listed for hearing and must attend the Supreme Courthouse, Victoria Square, Adelaide at the time set for the hearing of the summons. A copy of the summons and the affidavit in support can be obtained from Carmine Barone, 42 Blyth Street, Parkside, S.A. 5063, solicitor for the plaintiff.

SPORTZWORLD PTY LTD

(ACN 008 009 274)

ON 7 September 1999, the Supreme Court of South Australia in Action No. 849 of 1999, made an order for the winding up of Sportzworld Pty Limited and appointed Bruce James Carter, 81 Flinders Street, Adelaide, S.A. 5000 to be the liquidator of that company.

CARMINE BARONE, 42 Blyth Street, Parkside,
S.A. 5063, solicitor for the plaintiff.

SALE OF PROPERTY

Lot 21, Stirling Street, Stirling

NOTICE is hereby given that on the above date at the time and place stated, by virtue of Warrants of Sale issued out of the Magistrates Court of South Australia, Mount Barker Registry, Action Numbers 1035 of 1998 and 869 of 1998, directed to the Sheriff of South Australia in actions wherein Lawrence Caspers & Robert Gilliland, are Plaintiffs and Pauline Brown is defendant, I, John Andrew Carr, Sheriff, of the State of South Australia, will be my auctioneers, Griffin Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the defendant Pauline Brown as the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Milang, being Lot 21, Stirling Street, Stirling, being the property comprised in Certificate of Title Register Book Volume 5161, Folio 787.

GRIFFIN REAL ESTATE, 179 King William Road,
Hyde Park, S.A. 5061

ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform Riverside 2000 of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before 10 a.m. on Thursday**.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

NOTE: Closing time for lodging new copy (either fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Ph. 8207 1045—Fax 8207 1040.