

## EXTRAORDINARY GAZETTE



THE SOUTH AUSTRALIAN  
GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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

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ADELAIDE, THURSDAY, 31 AUGUST 2000

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MINING (PRIVATE MINES) AMENDMENT ACT 1999 (Act  
No. 73 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 1 September 2000 as the day on which the provisions of the *Mining (Private Mines) Amendment Act 1999* (the "Amendment Act") (except for the provision referred to in paragraph (b)) will come into operation;
- (b) fix 1 March 2001 as the day on which section 73G inserted into the *Mining Act 1971* by section 6 of the Amendment Act will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 31 August 2000.

By command,

IAIN EVANS, for Premier

MPIR 13/2000 CS

Department of the Premier and Cabinet  
Adelaide, 31 August 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Development Policy Advisory Committee, pursuant to the provisions of the Development Act 1993:

Member: (from 31 August 2000 until 30 June 2001)  
Megan Mary Lewis

By command,

IAIN EVANS, for Premier

MTUP 4/97 CS

Department of the Premier and Cabinet  
Adelaide, 31 August 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Robert Ivan Lucas, Treasurer and Minister for Industry and Trade to be also Acting Attorney-General, Acting Minister for Justice and Acting Minister for Consumer Affairs, for the period 11 September 2000 to 16 September 2000 inclusive, during the absence of the Honourable Kenneth Trevor Griffin.

By command,

IAIN EVANS, for Premier

ATTG 71/93CS

Department of the Premier and Cabinet  
Adelaide, 31 August 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint Ian John Kowalick to the position of Chief Executive, Department of the Premier and Cabinet, from 4 September 2000 to 29 September 2000, pursuant to Part 4 of the Public Sector Management Act 1995.

By command,

IAIN EVANS, for Premier

Department of the Premier and Cabinet  
Adelaide, 31 August 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint Paul Joseph Case to the position of Commissioner for Public Employment, for a term of five years commencing on 4 September 2000, pursuant to Part 5 of the Public Sector Management Act 1995.

By command,

IAIN EVANS, for Premier

DPC 027/00CS

Department of the Premier and Cabinet  
Adelaide, 31 August 2000

HIS Excellency the Governor in Executive Council has been pleased to appoint Mark Rice as a Master of the District Court from 11 September 2000, pursuant to section 12 (1) of the District Court Act.

By command,

IAIN EVANS, for Premier

ATTG 53/93CS

DEVELOPMENT ACT 1993, SECTION 27 (1): WATTLE  
RANGES COUNCIL—PENOLA (DC) DEVELOPMENT  
PLAN—GENERAL POLICIES AMENDMENT PLAN  
AMENDMENT

*Preamble*

The Minister for Transport and Urban Planning has approved the amendment entitled 'Wattle Ranges Council—Penola (DC) Development Plan—General Policies Amendment 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 31 August 2000, as the day on which it will come into operation.

Dated 31 August 2000.

E. J. NEAL, Governor

MTUP 68/99CS

DEVELOPMENT ACT 1993, SECTION 28 (1): DECLARA-  
TION OF INTERIM OPERATION OF TELECOM-  
MUNICATIONS FACILITIES STATEWIDE POLICY  
FRAMEWORK PLAN AMENDMENT

NOTICE

PURSUANT to section 28 (1) of the Development Act 1993, I, the Governor with the advice and consent of the Executive Council, being of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the 'Telecommunications Facilities Statewide Policy Framework Amendment' that the Plan Amendment should come into operation without delay, declare that the Plan Amendment will come into operation on an interim basis on 31 August 2000.

Given under my hand at Adelaide, 31 August 2000.

E. J. NEAL, Governor

MTUP 34/00CS

PUBLIC SECTOR MANAGEMENT ACT 1995

DECLARATION THAT STATUTORY OFFICER TO HAVE THE  
POWERS OF A CHIEF EXECUTIVE

*Ministerial Notice*

PURSUANT to section 13 of the Public Sector Management Act 1995, I, declare that Paul Joseph Case while holding the office of Commissioner of Public Employment will have the powers and functions of Chief Executive in relation to the administrative unit known as the Unattached Unit.

Dated 31 August 2000.

JOHN OLSEN, Premier

**REGULATIONS UNDER THE MINING ACT 1971**

No. 197 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*PURSUANT to the *Mining Act 1971* 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 Minister for Primary Industries and Resources

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Insertion of Part 9A

**PART 9A  
PRIVATE MINES**

- 88A. Liability for royalty
- 88B. Prescribed requirements for mine operations plans
- 88C. Consultation on mine operations plans
- 88D. Review of mine operations plans
- 88E. Variation or revocation of declaration
4. Revocation of reg. 99
5. Insertion of reg. 114
  114. Transitional regulation
6. Insertion of forms 28 and 29

**Citation**

1. The *Mining Regulations 1998* (see *Gazette* 21 August 1998 p. 476), as varied, are referred to in these regulations as "the principal regulations".

**Commencement**

2. These regulations will come into operation on the day on which the *Mining (Private Mines) Amendment Act 1999* comes into operation.

**Insertion of Part 9A**

3. The following Part is inserted after regulation 88 of the principal regulations:

**PART 9A  
PRIVATE MINES****Liability for royalty**

**88A.** For the purposes of section 73E(3)(b) of the Act, the form set out as Form 28 is prescribed.

**Prescribed requirements for mine operations plans**

**88B.** (1) This regulation sets out prescribed requirements relating to mine operations plans for the purposes of section 73G of the Act.

(2) A mine operations plan must include a description of the nature and character of the environment (including physical and biological features) that can reasonably be expected to be affected by operations carried out at the private mine<sup>1</sup>.

<sup>1</sup> This description must constitute part of the first component of the mine operations plan.

(3) The objectives included as part of a mine operations plan must at least relate to each of the following matters<sup>2</sup>:

- (a) the construction and operation of the mine and any related facilities; and
- (b) the management of potential impacts on the environment, including (so far as is relevant) impacts relating to the following:
  - (i) erosion;
  - (ii) noise;
  - (iii) dust;
  - (iv) visual effects;
  - (v) vegetation clearance or disturbance;
  - (vi) habitat clearance or disturbance;
  - (vii) silt;
  - (viii) stormwater;
  - (ix) topsoil management;
  - (x) waste management; and
- (c) ongoing and final rehabilitation of the site, site closure, and future use of the site; and
- (d) the action to be taken in the event of an emergency situation at the site of the mine.

<sup>2</sup> These objectives must constitute part of the second component of the mine operations plan.

(4) The following provisions apply with respect to the criteria for measuring the objectives<sup>3</sup>:

- (a) the criteria must be described in specific terms which clearly define the outcomes upon which achievement of the objectives can be measured (including, if appropriate, timelines and sequences of events);
- (b) outcomes may be expressed in quantitative or qualitative terms;

- (c) if the measurement of the achievement of an objective is to be undertaken by the acquisition of field data over time, the criteria must indicate (subject to possible changes in circumstances)—
- (i) the type of study, monitoring or other activity to be undertaken to acquire the data; and
  - (ii) the type of information to be gathered; and
  - (iii) the timelines that are to apply to acquiring, interpreting and publishing the data.

<sup>3</sup>. These criteria must constitute part of the second component of the mine operations plan.

(5) A mine operations plan must also describe, or include information about<sup>4</sup>.—

- (a) the material to be recovered at the mine; and
- (b) the geological environment, and estimated reserves, of the mine; and
- (c) the type or types of mining operation to be carried out at the mine; and
- (d) the sequence of operations at the mine; and
- (e) the hours of operation that are to apply at the mine; and
- (f) plans for the use of explosives at the mine; and
- (g) plans for any silt retention; and
- (h) plans for any stockpiling at the mine; and
- (i) any processing plant located (or to be located) at the mine; and
- (j) the services and utilities that are to be used at, or supplied to, the mine; and
- (k) the procedures to be followed in the event of an incident or situation which gives rise to, or could adversely affect, a matter of environmental significance.

<sup>4</sup>. The matters required under this subregulation must constitute the third component of the mine operations plan.

(6) A person submitting a draft to the Director under section 73G(4) of the Act must provide—

- (a) three copies of the draft in written form; or
- (b) an electronic version of the draft in a form (and format) approved by the Minister.

**Consultation on mine operations plans**

**88C.** (1) For the purposes of section 73G(9) of the Act, the Director must publish a notice in a newspaper circulating generally throughout the State—

- (a) identifying the location of the mine; and
- (b) stating that a mine operations plan has been prepared for the mine and that the relevant objectives and criteria may be inspected at a nominated address; and
- (c) inviting written submissions from interested persons on the draft objectives and criteria within a period ending on a date at least 20 business days after publication of the notice.

(2) The Director must also invite written submissions on the draft objectives and criteria from—

- (a) if the relevant mine is located on land vested in fee simple in a person other than the proprietor of the mine—that person; and
- (b) if the relevant mine is located within the area of a council—that council; and
- (c) if the relevant mine is located within a part of the State described in schedule 20 of the *Development Regulations 1993*—the Development Assessment Commission.

(3) The period for making a written submission under subregulation (2) must be at least 20 business days after the Director has served a written notice inviting the submission.

(4) The Director may, after consultation with the person who submitted the relevant draft to the Director, extend a period allowed under subregulation (1) or (3) for an additional period not exceeding 15 business days.

(5) The Director must, within 15 business days after the expiration of all time periods that apply under this regulation, provide to the person who submitted the relevant draft copies of any submissions that have been received by the Director in order to enable compliance with section 73G(10) of the Act.

(6) The report required for the purposes of section 73G(10) of the Act must be submitted to the Director within 20 business days after copies of the submissions are provided under subregulation (5), or within such longer period as the Director may allow.

**Review of mine operations plans**

**88D.** (1) For the purposes of section 73G(16) of the Act, a review of a mine operations plan must consist of the preparation of a report which includes—

- (a) an assessment of the achievement of the objectives in the mine operations plan when measured against the criteria; and
- (b) to the extent that the objectives have not been met taking into account the assessment under paragraph (a), an analysis or explanation of what has occurred; and
- (c) an analysis of whether the objectives and criteria are still, and will continue to be, appropriate; and

- (d) details about any proposals for alterations to the objectives or criteria; and
- (e) if alterations are proposed, an analysis of the impacts (if any) that those alterations may have on the environment and, if so required by the Director, any information that may be reasonably required in order to assist the Director in deciding whether the alterations are appropriate; and
- (f) information on any action that has been taken, or is proposed to be taken, as the result of a report from an inspector or other authorised person concerning operations at the mine during the period to which the review relates.

(2) If a mine operations plan is in the form of a development programme and a review is being conducted under clause 2(2) of schedule 2 of the *Mining (Private Mines) Amendment Act 1999*, the review must also include the preparation of a plan that complies with the requirements of regulation 88B.

(3) A report must be furnished to the Director within one month after the completion of the review.

(4) A person furnishing a report must provide—

- (a) three copies of the report in written form; or
- (b) an electronic version of the report in a form (and format) approved by the Minister.

#### **Variation or revocation of declaration**

**88E.** (1) For the purposes of section 73M(4)(a) of the Act, a report required from the proprietor of a private mine must include—

- (a) a description of the topography and geological environment of the relevant land; and
- (b) reasonable estimates of the quantity, quality, distribution, depth and marketability of the minerals situated within the mine; and
- (c) details of any mining operation proposed to be carried out at the mine, including the type of operation and the anticipated date for commencement of the operation; and
- (d) details of any agreement relating to future mining at the mine; and
- (e) details of any agreement between the proprietor of the mine and another person concerning the future use or development of the relevant land for a purpose other than mining; and
- (f) details of any mining or exploration operations carried out on land adjoining the mine that could be relevant to assessing the potential of the mine; and
- (g) information on the purposes for which land adjoining the mine is used.

(2) If the Director issues a notice under section 73M(4)(a) of the Act, the Director must send copies of the notice to—

- (a) the South Australian Chamber of Mines and Energy Inc.; and
- (b) the Extractive Industries Association of South Australia Inc.

(3) For the purposes of section 73M(4)(b)(ii) of the Act, the form set out as Form 29 is prescribed.

#### **Revocation of reg. 99**

4. Regulation 99 of the principal regulations is revoked.

#### **Insertion of reg. 114**

5. The following regulation is inserted after regulation 113 of the principal regulations:

##### **Transitional regulation**

**114.** (1) This regulation is made in connection with the commencement of the *Mining (Private Mines) Amendment Act 1999*.

(2) If, after the relevant day—

- (a) an application is made to the Minister by a person who is, for the time being, a successor in title (being not necessarily an immediate successor in title) of a person who has been in receipt of royalty pursuant to an application under section 19(17) of the *Mining Act 1971* (as in existence before the relevant day) made before 1 March 1980; and
- (b) the application under this regulation is made within 60 days after the person becomes such a successor in title,

then the Minister will pay royalty under section 19(17) of the Act (as in existence immediately before the relevant day) to that successor in title as if section 19 of the Act had not been repealed.

(3) This regulation does not operate so as to confer a right to the payment of royalty collected under the Act before the date of the relevant application under subregulation (2).

(4) In this regulation—

"**relevant day**" means the day on which the *Mining (Private Mines) Amendment Act 1999* comes into operation.

#### **Insertion of forms 28 and 29**

6. The following forms are inserted in schedule 1 of the principal regulations after Form 27:



**FORM 28  
MINING ACT 1971**

**PRIVATE MINE—ROYALTY LIABILITY**

(Please use BLOCK LETTERS)

To: The Minister

I,.....  
(Full name (please underline surname) or company name)

of.....  
(Full address for correspondence or company registered address)

.....  
.....

being the proprietor of **Private Mine No.** . . . . . hereby give notice pursuant to section 73E(3)(b) of the *Mining Act 1971* that:

.....  
(Full name (please underline surname) or company name)

of.....  
(Full address for correspondence or company registered address)

.....  
.....

is authorised to carry out mining operations at the private mine referred to above and is to assume liability for the payment of royalty under the Act.

**DATE:** .....

**SIGNATURE:** .....

or  
**COMPANY SEAL**<sup>1</sup>

.....  
(Director)

.....  
(Director/Secretary)

<sup>1</sup>. If the proprietor of the mine is a company, this notice must bear the company's seal and be witnessed by appropriate officers.

**FORM 29  
MINING ACT 1971**

**NOTICE OF APPLICATION TO VARY OR REVOKE THE DECLARATION  
OF AN AREA AS A PRIVATE MINE**

I, the Director of Mines, hereby give notice in accordance with section 73M(4)(b)(ii) of the *Mining Act 1971* that I propose to make an application to the Warden's Court to declare that proper grounds exist for the variation *or* revocation (*delete inapplicable*) of the following area as a private mine under the *Mining Act 1971*:

**PRIVATE MINE NO:**

**LOCATION:**

Written submissions relating to this proposal may be made to the Department at the following address:

Written submissions must be received by:

**DIRECTOR OF MINES**

.....  
(Signature and date)

MPIR 13/2000 CS

R. DENNIS Clerk of the Council

**REGULATIONS UNDER THE CONTROLLED SUBSTANCES ACT 1984**

No. 198 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Controlled Substances Act 1984*, on the recommendation of the Controlled Substances Advisory Council 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. 3—Revocation
4. Variation of reg. 4—Interpretation
5. Insertion of reg. 7A
  - 7A. Declaration of drugs of dependence (s.12(3))
6. Variation of reg. 10—Licences
7. Variation of reg. 20—Storage of poisons (s. 25)
8. Variation of reg. 21—Transport of poisons (s. 26)
9. Revocation of reg. 24
10. Variation of reg. 25—Prescription to be given in writing or by telephone or fax, etc.
11. Variation of reg. 26—Written prescriptions
12. Variation of reg. 27—Dispensing prescriptions for drugs
13. Variation of heading to Part 5
14. Variation of reg. 31—Exemptions from s. 18 of the Act
15. Insertion of Part 5A

**PART 5A****SPECIAL PROVISIONS RELATING TO DRUGS OF  
DEPENDENCE**

- 32A. Interpretation
  - 32B. Special restrictions on prescription or supply of drugs of dependence by medical practitioners, dentists and veterinary surgeons
  - 32C. Additional requirements for prescribers of drugs of dependence
  - 32D. Manufacturers of drugs of dependence to record stocks
  - 32E. Supply of drugs of dependence in accordance with an order
  - 32F. Persons receiving drugs of dependence on order to record details
  - 32G. Supply or administration of drugs of dependence by medical practitioner, dentist or registered nurse
  - 32H. Supply or administration of drugs of dependence by veterinary surgeon
  - 32I. Additional requirements for administration of drugs of dependence in health service
  - 32J. Destruction of drugs of dependence
  - 32K. Prescribed amounts (s. 32(3) and (5))
  - 32L. Exemptions from s. 33 of the Act
  - 32M. Non-compliance with Part 5A an offence
16. Variation of reg. 38—Keeping of records, etc.
  17. Insertion of reg. 40A
    - 40A. Personal identification code equivalent to signature
  18. Variation of Sched. D

19. Insertion of Scheds. KA and KB

**SCHEDULE KA**

*Prescribed Amounts for the Purposes of Section 32(3) of the Act*

**SCHEDULE KB**

*Prescribed Amounts for the Purposes of Section 32(5) of the Act*

**SCHEDULE**

*Further Amendments of Principal Regulations*

20. Transitional provision

**Citation**

1. The *Controlled Substances (Poisons) Regulations 1996* (see *Gazette* 4 January 1996 p. 36), as varied, are referred to in these regulations as "the principal regulations".

**Commencement**

2. These regulations will come into operation on 31 August 2000.

**Variation of reg. 3—Revocation**

3. Regulation 3 of the principal regulations is varied by inserting the following subregulations after subregulation (3):

(4) The *Drugs of Dependence (General) Regulations 1985* (see *Gazette* 9 May 1985 p. 1498), as varied, are revoked.

(5) The *Controlled Substances (Declared Drugs of Dependence) Regulations 1993* (see *Gazette* 13 May 1993 p. 1639), as varied, are revoked.

**Variation of reg. 4—Interpretation**

4. Regulation 4 of the principal regulations is varied—

(a) by inserting after the definition of "the Act" the following definitions:

"**address**" means the street address of the relevant premises;

"**CEO**" means the Chief Executive of the Department;;

(b) by inserting after the definition of "to dispense" the following definition:

"**drug**" means a poison designed for human or animal therapeutic use;;

(c) by inserting "injury," after "disease," in the definition of "health service";

(d) by striking out the definition of "prescriber" and substituting the following definition:

"**prescriber**" means a person who lawfully gives a prescription for a drug;.

**Insertion of reg. 7A**

5. The following regulation is inserted after regulation 7 of the principal regulations:

**Declaration of drugs of dependence (s.12(3))**

7A. Pursuant to section 12(3) of the Act, the poisons listed in schedule 8 (including all their related substances referred to in regulation 6) are declared to be drugs of dependence, (whether in a pure form, or contained in a preparation or admixture).

**Variation of reg. 10—Licences**

6. Regulation 10 of the principal regulations is varied—

(a) by striking out from subregulation (1)(a) "(s. 13)" and substituting "(s. 13; s. 32; ss. 13 and 32)";

(b) by striking out from subregulation (1)(b) "(s. 14)" and substituting "(s. 14; s. 32; ss. 14 and 32)";

(c) by inserting after paragraph (f) of subregulation (1) the following paragraphs:

(g) licence to possess drugs of dependence or equipment (s. 31);

(h) licence to sell (other than by wholesale dealing), supply, administer or possess drugs of dependence (s. 32).;

(d) by inserting after paragraph (c) of subregulation (4) the following paragraphs:

(d) licence to possess drugs of dependence or equipment (s. 31)—31 May next following the date on which the licence was granted or last renewed;

(e) licence to sell (other than by wholesale dealing), supply, administer or possess drugs of dependence (s. 32)—31 May next following the date on which the licence was granted or last renewed.

**Variation of reg. 20—Storage of poisons (s. 25)**

7. Regulation 20 of the principal regulations is varied by inserting after paragraph (c) the following paragraph:

(d) a drug of dependence except in accordance with the requirements of the **Code of Practice for the Storage and Transport of Drugs of Dependence**, developed by the Department, dated 31 July 2000 and published in the *Gazette* on 24 August 2000.

**Variation of reg. 21—Transport of poisons (s. 26)**

8. Regulation 21 of the principal regulations is varied by inserting after paragraph (b) the following paragraph:

(c) consign for transport, or transport, a drug of dependence except in accordance with the requirements of the **Code of Practice for the Storage and Transport of Drugs of Dependence**, developed by the Department, dated 31 July 2000 and published in the *Gazette* on 24 August 2000.

**Revocation of reg. 24**

9. Regulation 24 of the principal regulations is revoked.

**Variation of reg. 25—Prescription to be given in writing or by telephone or fax, etc.**

10. Regulation 25 of the principal regulations is varied—

(a) by striking out "name" from subregulation (3)(a)(ii) and substituting "full name";

(b) by striking out paragraph (b) of subregulation (3) and substituting the following paragraphs:

- (b) must, immediately after giving the prescription by that method, complete a written prescription that—
  - (i) clearly states that it is given in confirmation of the prescription given by telephone or by electronic transmission (as the case may be) on the particular date on which it was so given; and
  - (ii) otherwise complies with these regulations; and
- (c) must—
  - (i) where the prescription is for a drug of dependence, forward the written prescription to the pharmacist within 24 hours of giving the prescription by telephone or by electronic transmission; or
  - (ii) in any other case, forward the written prescription to the pharmacist as soon as practicable after giving the prescription by that method.;

(c) by striking out subregulation (4) and substituting the following subregulation:

- (4) If a prescription is given to a pharmacist by facsimile transmission, the prescriber must—
  - (i) where the prescription is for a drug of dependence, forward the original prescription to the pharmacist within 24 hours of giving the prescription by facsimile transmission; or
  - (ii) in any other case, forward the original prescription to the pharmacist as soon as practicable after giving the prescription by that method.

Maximum penalty: \$3 000.

#### **Variation of reg. 26—Written prescriptions**

**11.** Regulation 26 of the principal regulations is varied—

- (a) by inserting in subregulation (1)(a) "or cause it to be printed" after "ink";
- (b) by inserting after "date" in subregulation (1)(b) "the prescription with the date on which the prescription is written";
- (c) by striking out "name" from subregulation (1)(c)(ii)A and substituting "full name";
- (d) by inserting after paragraph (d) of subregulation (1) the following paragraph:
  - (e) if the prescription is for a drug of dependence for human use, comply with the following additional requirements:
    - (i) include on the prescription—
      - (A) the date of birth of the person for whom the prescription is intended; and

- (B) where the prescriber is acting under a section 33 authority —the authority number; and
- (ii) express the total amount of the drug to be specified under subregulation (d)(v) in both words and numerals; and
- (iii) keep a record of the details required to be included and specified under this regulation.

### Variation of reg. 27—Dispensing prescriptions for drugs

12. Regulation 27 of the principal regulations is varied—

- (a) by striking out "name" from subregulation (1)(b)(v)(A) and substituting "full name";
- (b) by inserting the following paragraph after paragraph (d) of subregulation (1):
  - (da) if the prescription specifies the number of times but not the intervals at which the drug may be dispensed—must not dispense the drug more frequently than he or she considers appropriate; and
- (c) by striking out paragraph (e) of subregulation (1) and substituting the following paragraphs:
  - (e) in the case of a prescription for a drug of dependence, must, each time the drug is dispensed, except where the drug is fully dispensed, forward a copy of the prescription to the CEO no later than the 7th day of the month following the month in which the drug was so dispensed or such later date as the CEO may, on application by the pharmacist or medical practitioner, authorise; and
  - (f) where a prescription is fully dispensed, must—
    - (i) on the day on which the prescription is fully dispensed, write "CANCELLED" on the prescription; and
    - (ii) —
      - (A) in the case of a prescription for a drug of dependence, forward it to the CEO no later than the 7th day of the month following the month in which the drug was so dispensed or such later date as the CEO may, on application by the pharmacist or medical practitioner, authorise;
      - (B) in any other case, retain the original or duplicate prescription (as the case may be), for at least two years and have it readily available for inspection during that period.;
- (d) by inserting the following subregulation after subregulation (1):

(1a) A pharmacist in charge of a pharmacy at which no drugs of dependence are dispensed for a period of 30 consecutive days must, no later than the 7th day of the month following the month during which the 30th day of that period falls, notify the CEO of that fact in writing.

Maximum penalty: \$5 000.;

(e) by striking out subregulation (4) and substituting the following subregulations:

(4) If, pursuant to subregulation (3), a pharmacist or medical practitioner dispenses a drug of dependence at an earlier interval than that specified on the prescription, the pharmacist or practitioner must notify the prescriber of that fact in writing.

(5) A pharmacist or medical practitioner must not dispense a prescription for a drug—

(a) if the prescription—

(i) is presented—

(A) in the case of a drug of dependence—more than 6 months after the date on which it was written; or

(B) in any other case—more than 12 months after the date on which it was written; or

(ii) has been cancelled; or

(iii) is partly or wholly illegible; or

(iv) does not comply with the Act or regulations; or

(b) if there are reasonable grounds for suspecting that the prescription has been altered, forged or obtained by false pretences; or

(c) unless—

(i) in the case of a prescription that is to be dispensed for the first or only time—an original prescription is presented; or

(ii) in the case of a prescription that is to be dispensed for the second or subsequent time—

(A) the original prescription and a written record (whether made on the prescription or on a separately attached repeat authorisation) of the number of times the drug has been dispensed are presented; or

(B) a duplicate or copy of the prescription and a written record (made both on the duplicate or copy (as the case may be) and on a separately attached repeat authorisation) of the number of times the drug has been dispensed are presented.

Maximum penalty: \$5 000.

(6) A pharmacist or medical practitioner must not, in respect of a drug of dependence—

(a) dispense more than 2 days' supply of the drug unless at least one of the following applies:

(i) the person for whose use the drug is prescribed is known to the pharmacist or practitioner; or



- (ii) the pharmacist or practitioner recognises the signature on the prescription as that of the prescriber who purportedly gave the prescription; or
  - (iii) the pharmacist or practitioner has verified with the prescriber who purportedly gave the prescription that the prescription was in fact given by that prescriber; or
- (b) hand over the dispensed drug until—
- (i) the person for whose use the drug is dispensed has signed and dated the prescription and, unless the person is known to the pharmacist or practitioner, has produced satisfactory evidence of his or her identity; or
  - (ii) an agent acting on behalf of the person for whose use the drug is intended has signed and dated the prescription and, unless the agent is known to the pharmacist or medical practitioner, has produced satisfactory evidence of his or her identity.

Maximum penalty: \$5 000.

(7) In this regulation—

**"fully dispensed"**, in relation to a prescription, means dispensed for the only or, in the case of a prescription that authorises the drug to be dispensed more than once, for the last time.

#### Variation of heading to Part 5

13. The heading to Part 5 of the principal regulations is varied by inserting "CERTAIN" after "TO".

#### Variation of reg. 31—Exemptions from s. 18 of the Act

14. Regulation 31 of the principal regulations is varied by striking out paragraph (e) of subregulation (2) and substituting the following paragraph:

- (e) the drug is authorised or required by the law of any place to be carried on board a ship and the pharmacist has received a written order for the drug from the master or medical officer of the ship; or.

#### Insertion of Part 5A

15. The following Part is inserted after Part 5 of the principal regulations:

### PART 5A SPECIAL PROVISIONS RELATING TO DRUGS OF DEPENDENCE

#### Interpretation

32A. (1) In this Part, unless the contrary intention appears—

**"health service pharmacy"** means a pharmacy that is part of a health service;

**"order"** means an order other than a prescription, and **"to order"** has a corresponding meaning;

**"supplier"** means a pharmacist or a licensed manufacturer, licensed wholesale dealer or other person licensed under the Act to supply drugs of dependence;

"ward of a health service" means a ward, clinic, unit, operating theatre or any other section of a health service in which persons receive medical or dental treatment.

(2) For the purposes of this Part—

- (a) a reference to the administration of a drug is, where the drug is administered continuously over an extended period (eg. by means of an intravenous drip or pump) a reference to the commencement of administration by that means;
- (b) the medical practitioner or dentist **principally responsible** for the treatment of a person is the practitioner or dentist having, for the time being, the greatest input in the determination of the course of treatment of the person.

### **Special restrictions on prescription or supply of drugs of dependence by medical practitioners, dentists and veterinary surgeons**

**32B.** (1) A medical practitioner or dentist must not, except in a verifiable emergency—

- (a) prescribe or supply a drug of dependence for use by a person without having first examined the person; or
- (b) prescribe or supply a drug of dependence for use by himself or herself; or
- (c) prescribe or supply a drug of dependence for use by his or her spouse, parent, grandparent, child, grandchild, brother or sister unless authorised to do so by the Minister.

(2) A veterinary surgeon must not, except in a verifiable emergency, prescribe or supply a drug of dependence for an animal without having first examined the animal.

(3) In this regulation—

"spouse" includes putative spouse (whether or not a declaration of the relationship has been made under the *Family Relationships Act 1975*).

### **Additional requirements for prescribers of drugs of dependence**

**32C.** (1) A prescriber must not prescribe or supply for use by a person who the prescriber knows or has reasonable cause to believe is dependent on drugs (or prohibited substances), a schedule 2, 3 or 4 poison that contains a poison listed in schedule 8, for the purposes of maintaining or treating the person's dependence unless the prescriber prescribes or supplies the drug in accordance with an authority granted by the Minister.

*Note:* Section 55 of the Act provides that the Minister may grant an authority subject to such conditions as the Minister thinks fit and specifies in the authority and may at any time, by notice in writing given personally or by post to the holder, vary or revoke a condition, or attach a further condition, to the authority.

### **Manufacturers of drugs of dependence to record stocks**

**32D.** A person who manufactures a drug of dependence must, immediately after the drug is manufactured, record the following details:

- (a) the date of manufacture; and

- (b) the trade name or the approved name of the drug or, if it does not have either a trade or approved name, its ingredients; and
- (c) the amount and, where applicable, the strength of the drug manufactured; and
- (d) the total amount of the drug now on the premises on which the drug was manufactured.

**Supply of drugs of dependence in accordance with an order**

**32E.** (1) A supplier who supplies a drug of dependence in accordance with an order—

- (a) must, immediately after the drug is supplied, record the following details and sign the record:
  - (i) the full name and address of the person who ordered the drug; and
  - (ii) the order number, if any; and
  - (iii) the date of supply; and
  - (iv) the trade name or approved name of the drug or, if it does not have either a trade or approved name, its ingredients; and
  - (v) the amount and, where applicable, the strength of the drug supplied; and
  - (vi) the total amount of the drug (if any) now remaining in the possession of the supplier; and
- (b) must—
  - (i) in the case of an order in writing—
    - (A) as soon as practicable after supplying the drug, cancel the order by writing "CANCELLED" on it; and
    - (B) unless exempted under subregulation (2), forward the cancelled order to the CEO no later than the 7th day of the month following the month in which the drug was supplied or such later date as the CEO may, on application by the supplier, authorise;
  - (ii) in any other case, unless exempted under subregulation (2), forward, no later than the 7th day of the month following the month in which the drug was supplied or such later date as the CEO may, on application by the supplier, authorise, a written notice giving details of the supply of the drug pursuant to the order.

(2) The requirement to forward an order or notice to the CEO under subregulation (1)(b) does not apply to—

- (a) licensed manufacturers or licensed wholesale dealers; or

- (b) pharmacies (including health service pharmacies) in respect of the supply of drugs of dependence to a health service.

(3) A supplier must not supply a drug of dependence in accordance with an order—

- (a) unless the supplier has reasonable cause to believe that the person who ordered the drug is lawfully authorised to do so; and
- (b) unless the person receiving the drug—
  - (i) provides the supplier with a signed and dated receipt for the drug; and
  - (ii) is known to the supplier or produces satisfactory evidence of his or her identity.

(4) A supplier must not supply a drug of dependence where the drug is authorised or required by the law of any place to be carried on board a ship unless the supplier has received a written order for the drug from the master or medical officer of the ship.

#### **Persons receiving drugs of dependence on order to record details**

**32F.** A person who receives from a supplier on order a drug of dependence must, immediately after taking delivery of the drug—

- (a) provide the supplier with a signed and dated receipt for the drug; and
- (b) record the following details and sign the record:
  - (i) the name of the person taking delivery of the drug; and
  - (ii) the trade or approved name or, if it does not have either a trade or approved name, its ingredients; and
  - (iii) the amount and, where applicable, the strength of the drug; and
  - (iv) the date; and
  - (v) the name and business address of the supplier of the drug; and
  - (vi) the total amount of the drug now in stock on the premises at which the drug is received.

#### **Supply or administration of drugs of dependence by medical practitioner, dentist or registered nurse**

**32G.** (1) A medical practitioner, dentist or registered nurse who supplies (other than by dispensing a prescription) for use by a person or administers a drug of dependence to a person must, immediately after the drug is so supplied or administered, record the following details and sign the record:

- (a) his or her name; and
- (b) the full name and address (or, in the case of a patient in a ward of a health service, the location of the ward) of the person to whom the drug is supplied or administered; and

- (c) in the case of the supply of the drug to a person acting on behalf of the person for whose use the drug is intended, the full name and address of the person for whose use the drug is intended; and
- (d) the trade name or approved name of the drug or, if it does not have either a trade or approved name, its ingredients; and
- (e) the amount and, where applicable, the strength of the drug supplied or administered; and
- (f) the date; and
- (g) the time at which the drug was supplied or administered; and
- (h) the amount of the drug (if any) now in stock on the premises at which the drug is administered or otherwise in the possession of the practitioner, dentist or nurse.

(2) Where an error is discovered in such a record, it must be corrected in the following way by a person authorised under subregulation (1) to make the record:

- (a) it must not be deleted, whited out with correction fluid or erased; and
- (b) it must be ruled out or otherwise marked so as to still be clearly legible after it has been so ruled out or marked; and
- (c) a footnote or margin note reference must be made alongside the error; and
- (d) the footnote or margin note must—
  - (i) be made on the same page as the page on which the error occurs; and
  - (ii) contain the correct information and the date of the correction; and
  - (iii) be endorsed with the name and signature of the person making the correction.

### **Supply or administration of drugs of dependence by veterinary surgeon**

**32H.** A veterinary surgeon who supplies (other than by dispensing a prescription) a drug of dependence for an animal or administers such a drug to an animal must, on the day on which the drug is so supplied or administered, record the following details and sign the record:

- (a) his or her name; and
- (b) the species of animal for which the drug is supplied or administered, the name and address of the owner of the animal and the name (if any) of the animal; and
- (c) the trade name or approved name of the drug or, if it does not have either a trade or approved name, its ingredients; and
- (d) the amount and, where applicable, the strength of the drug administered or supplied; and

- (e) the date; and
- (f) the time at which the drug was supplied or administered; and
- (g) the amount of the drug (if any) now remaining in stock on the premises at which the drug is supplied, administered or otherwise in the possession of the veterinary surgeon.

**Additional requirements for administration of drugs of dependence in health service**

**32I.** (1) The administration of a drug of dependence to a person in a health service must be carried out in accordance with the following additional provisions:

- (a) the medical practitioner or dentist principally responsible for the treatment of the person while in the health service must ensure that the prescribed instructions in respect of the drug are included in the person's medication record and that he or she endorses the relevant entries with his or her name and signature;
- (b) the drug must be administered to the person in accordance with all instructions in the person's medication record;
- (c) the drug must not be administered to the person—
  - (i) unless the administration is witnessed by a nurse, or, where a nurse is not reasonably available, by some other responsible person; or
  - (ii) for a period exceeding 30 consecutive days without renewal of the instructions by the medical practitioner or dentist (as the case may be) principally responsible for the treatment of the person;
- (d) the practitioner, dentist or registered nurse who administers the drug must, immediately after doing so, ensure that the name and signature of the person who witnessed the administration of the drug is recorded;
- (e) if a medical practitioner or dentist gives prescribed instructions by telephone as to the administration of a drug of dependence to a person in a health service—
  - (i) the practitioner or dentist must give the instructions to a registered nurse and one other responsible person employed by the health service; and
  - (ii) the registered nurse must, immediately after receiving the instructions by that method, ensure that the following information is recorded in the person's medication record and sign the record:
    - (A) his or her full name; and
    - (B) the prescribed instructions in respect of the drug; and
    - (C) the words "by telephone"; and
    - (D) the date upon which the telephone instructions were given; and

- (E) the name of the medical practitioner or dentist who gave the telephone instructions; and
  - (F) the name and signature of the other person to whom the instructions were given in accordance with subparagraph (i); and
- (iii) the practitioner or dentist must, within 48 hours of giving the instructions by that method, endorse the relevant entries in the medication record with his or her signature and the date.

(2) The registered nurse in charge of a ward of a health service during a particular shift must ensure that the following additional record-keeping requirements are met in respect of drugs of dependence in the ward:

- (a) all relevant records required to be kept under these regulations in respect of those drugs must be kept in the ward; and
- (b) all drugs of dependence must be counted at the end of the shift and—
  - (i) if the balance in respect of a particular drug is found to be correct, the word "correct", the time and date and the nurse's name and signature must be recorded alongside the entry for the drug;
  - (ii) if the balance in respect of a particular drug is found to be incorrect—
    - (A) the word "incorrect", a brief explanation of the discrepancy, if known, the time and date and the nurse's name and signature must be recorded alongside the entry for the drug; and
    - (B) the Director of Nursing or manager of the health service, and the health service pharmacist, if any, must be notified, as soon as practicable, that an incorrect amount of drugs is stored in the ward; and
- (c) the drugs count and records made under paragraph (b)—
  - (i) must be witnessed by the registered nurse in charge of the ward during the next shift and endorsed with his or her name and signature; or
  - (ii) must, if the next shift does not commence immediately after the previous shift—
    - (A) be witnessed by a nurse working on the same shift as the registered nurse who made the entry and be endorsed with the name and signature of the witnessing nurse; and
    - (B) be checked by the registered nurse in charge of the ward during the next shift at the commencement of that shift and be endorsed with his or her name and signature.

(3) The manager of a health service must take all reasonable steps to ensure that—

- (a) all drugs of dependence delivered to the health service or a ward of the health service are received by a medical practitioner, dentist or registered nurse employed by the health service or, if such a practitioner, dentist or nurse is not reasonably available, by some other responsible person; and
- (b) an accurate and up-to-date balance of stocks of all drugs of dependence in each ward of the health service is maintained at all times; and
- (c) the requirements of this regulation are complied with.

(4) In this regulation—

**"health service pharmacist"** means the pharmacist in charge of a health service pharmacy;

**"prescribed instructions"**, in respect of a drug, means the form and strength of the drug and the route, frequency and duration of administration of the drug.

#### **Destruction of drugs of dependence**

**32J.** (1) Subject to this regulation or any order of a court, a person must not destroy a drug of dependence unless—

- (a) the destruction is witnessed by another person, being an authorised officer, police officer, medical practitioner, dentist, veterinary surgeon, pharmacist or nurse; and
- (b) the person destroying the drug ensures that the following information is recorded in respect of the drug immediately after its destruction:
  - (i) the full names and the signatures of the person and the witness to the destruction; and
  - (ii) the trade name or approved name of the drug or, if it did not have either a trade or approved name, its ingredients; and
  - (iii) the amount and, where applicable, the strength of the drug; and
  - (iv) the date and time of the destruction; and
  - (v) the amount of the drug (if any) now remaining in stock on the premises at which the destroyed drug was stored.

(2) This regulation does not apply to the destruction of a drug of dependence by—

- (a) a person for whose use the drug was lawfully prescribed or supplied; or
- (b) a member of the police force or an authorised officer.



**Prescribed amounts (s. 32(3) and (5))**

**32K.** (1) For the purposes of section 32(3) of the Act, the prescribed amount of a drug of dependence is the amount listed in the second column of Schedule KA opposite the entry listing the drug of dependence.

(2) For the purposes of section 32(5) of the Act, the prescribed amount of a drug of dependence (not being cannabis or cannabis resin) is the amount listed in the second column of Schedule KB opposite the entry listing the drug of dependence.

**Exemptions from s. 33 of the Act**

**32L.** (1) Section 33 of the Act does not apply to the prescription or supply by a medical practitioner of a drug of dependence for use by—

- (a) a person of or over 70 years of age, provided that the drug to be prescribed or supplied is not dextromoramide, hydromorphone or pethidine; or
- (b) a person whose life expectancy is reasonably believed, by the medical practitioner principally responsible for treatment of the person, to be less than 12 months, provided that—
  - (i) the drug to be prescribed or supplied is not dextromoramide, hydromorphone or pethidine; and
  - (ii) the medical practitioner has informed the Minister of the person's name and address, date of birth and the nature of the condition for which the drug is prescribed or supplied; and
  - (iii) each prescription (if any) is endorsed either "Notified Palliative Care Patient" or "NPCP"; or
- (c) a person receiving treatment in a hospital in respect of whom a section 33 authority exists, provided that—
  - (i) the practitioner notifies the authorised prescriber that the practitioner has prescribed or supplied the drug or is intending to prescribe or supply the drug in respect of the person; and
  - (ii) the drug is only administered to the person while in hospital; and
  - (iii) if the drug is solely for the treatment of drug dependence, the dose administered does not exceed the dose authorised; or
- (d) any other person in respect of whom a section 33 authority exists, provided that the medical practitioner prescribing or supplying the drug—
  - (i) is a medical practitioner (including a locum for the time being substituting for such a practitioner) in the same practice as the authorised prescriber; and
  - (ii) does so with the approval of the authorised prescriber; or

- (e) a person who is receiving treatment in a public hospital in respect of whom a section 33 authority does not exist, provided that the duration of the treatment of the person with the drug while the person is in hospital does not exceed 14 days.

(3) In this regulation—

"**authorised prescriber**" means the holder of a section 33 authority;

"**section 33 authority**" means an authority granted by the Minister to a medical practitioner under section 33 of the Act to prescribe or supply a drug of dependence.

#### **Non-compliance with Part 5A an offence**

**32M.** A person who contravenes or fails to comply with a regulation under this Part, for breach of which no penalty is specified, is guilty of an offence and liable to a penalty not exceeding \$5 000.

#### **Variation of reg. 38—Keeping of records, etc.**

**16.** Regulation 38 of the principal regulations is varied—

- (a) by striking out "A person" in subregulation (1) and substituting "Subject to these regulations, a person";
- (b) by inserting the following paragraph after paragraph (b) of subregulation (1):
- (c) during that period, take all reasonable steps to ensure that the records are protected against deterioration, loss, theft and unauthorised access, modification or use.;

(c) by inserting after subregulation (2) the following subregulation:

(3) Where details are to be recorded under these regulations in respect of drugs of dependence, they must, unless otherwise specified, be recorded in a drugs of dependence register in a form approved by the Minister.

(4) A receipt required to be provided to a person under these regulations must be kept by that person in the manner set out in this regulation as if it were a record.

#### **Insertion of reg. 40A**

**17.** The following regulation is inserted in Part 8 before regulation 41:

##### **Personal identification code equivalent to signature**

**40A.** (1) Where a provision of these regulations requires a person to sign a record or receipt that is in electronic form, evidence on the record or receipt that the person has entered his or her personal identification code will be taken to be sufficient compliance by that person with the requirement.

(2) In this regulation—

"**personal identification code**" means a code that—

- (a) is allotted to a person by his or her employer for use by that person in connection with official duties; and

- (b) is known only by that person and such other persons as may be authorised by the employer for management purposes.

### Variation of Sched. D

18. Schedule D of the principal regulations is varied—

(a) by inserting after paragraph (g) of item 1 the following paragraph:

- (h) for a manufacturer who manufactures drugs of dependence..... \$221

(b) by striking out the note in parentheses at the foot of item 1 and substituting the following:

**NB** The maximum cumulative annual fee is

- × for a manufacturer of poisons other than drugs of dependence—\$558
- × for a manufacturer of drugs of dependence—\$700;

(c) by inserting after paragraph (g) of item 2 the following paragraph:

- (h) for a wholesaler who sells drugs of dependence..... \$221

(d) by striking out the note in parentheses at the foot of item 2 and substituting the following:

**NB** The maximum cumulative annual fee is

- × for a wholesaler who sells poisons other than drugs of dependence—\$278
- × for a wholesaler who sells drugs of dependence—\$430;

(e) by striking out item 5 and substituting the following item:

5. Annual fee for a licence to supply or administer—

- (a) an S4 drug (other than a drug of dependence)..... \$55
- (b) a drug of dependence ..... \$55

**NB** The maximum cumulative annual fee for licence to supply or administer S4 drugs and drugs of dependence is \$75;

(f) by striking out item 7 and substituting the following items:

7. Annual fee for licence to possess drugs of dependence or equipment (s. 31) ..... \$55

8. Annual fee for licence to sell (other than by wholesale dealing) or possess drugs of dependence (s. 32) ..... \$55

9. Application fee for analysis of substance..... \$167

### Insertion of Scheds. KA and KB

19. The following Schedules are inserted after Schedule K of the principal regulations:

**SCHEDULE KA**  
*Prescribed Amounts for the Purposes of Section 32(3) of the Act*

Class of Drug of Dependence	Prescribed amount (grams)
ACETYLDIHYDROCODEINE.....	2.0
ACETYLMETHADOL.....	2.0
ALFENTANIL .....	2.0
ALPHACETYLMETHADOL.....	10.0
ALPHAPRODINE.....	25.0
AMPHETAMINE.....	2.0
AMYLOBARBITONE.....	50.0
ANILERIDINE.....	25.0
BENZYL MORPHINE.....	5.0
BEZITRAMIDE.....	5.0
BUPRENORPHINE.....	0.04
BUTOBARBITONE.....	50.0
BUTORPHANOL.....	2.0
CARFENTANYL.....	0.005
COCAINE.....	2.0
CODEINE.....	10.0
CODEINE-N-OXIDE.....	10.0
CYCLOBARBITONE.....	50.0
DEXAMPHETAMINE.....	2.0
DEXTROMORAMIDE.....	5.0
DEXTROPROPOXYPHENE.....	0.5
DIFENOXIN .....	2.0
DIHYDROCODEINE.....	10.00
DIHYDROMORPHINE.....	10.0
DIPHENOXYLATE.....	2.0
DIPIANONE.....	10.0
DRONABINOL.....	0.15
DROTEBANOL.....	2.0
ETHYLAMPHETAMINE.....	2.0
ETHYLMORPHINE.....	2.0
FENTANYL .....	0.005
FLUNITRAZEPAM .....	0.03

HYDROCODONE.....	2.0
HYDROMORPHINOL.....	2.0
HYDROMORPHONE.....	2.0
LEVAMPHETAMINE.....	2.0
LEVOMETHAMPHETAMINE.....	2.0
LEVOMORAMIDE.....	5.0
LEVORPHANOL.....	1.0
METHADONE.....	2.0
METHYLAMPHETAMINE.....	2.0
METHYLDIHYDROMORPHINE.....	2.0
METHYLPHENIDATE.....	2.0
MORAMIDE.....	5.0
MORPHINE.....	2.0
MORPHINE METHOBROMIDE.....	2.0
MORPHINE-N-OXIDE.....	2.0
NABILONE.....	2.0
NORCODEINE.....	2.0
NORMETHADONE.....	2.0
OPIUM.....	20.0
OXYCODONE.....	5.0
OXYMORPHONE.....	2.0
PENTAZOCINE.....	20.0
PENTOBARBITONE.....	50.0
PETHIDINE.....	10.0
PHENDIMETRAZINE.....	0.35
PHENMETRAZINE.....	5.0
PHENOPERIDINE.....	1.0
PHOLCODINE.....	5.0
PIRITRAMIDE.....	1.0
PROPIRAM.....	2.0
QUINALBARBITONE.....	50.0
RACEMORAMIDE.....	5.0
REMIFENTANIL.....	0.005
SECBUTOBARBITONE.....	50.0
SUFENTANIL.....	1.0

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THEBACON .....	2.0
THEBAINE .....	2.0
TILIDINE .....	2.0

**SCHEDULE KB***Prescribed Amounts for the Purposes of Section 32(5) of the Act*

<b>Class of Drug of Dependence</b>	<b>Prescribed amount (kilograms)</b>
COCAINE.....	0.4
DEXTROMORAMIDE.....	0.75
HYDROMORPHONE.....	0.3
METHADONE.....	0.3
MORPHINE.....	0.3
OPIUM.....	4.0
OXYCODONE.....	0.75
PETHIDINE.....	1.5

**SCHEDULE**  
*Further Amendments of Principal Regulations*

Provision Amended	How Amended
Regulation 14(1)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.
Regulation 16(2a)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.
Regulation 16(4)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.
Regulation 25(1)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Regulation 25(3)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.
Regulation 26(3)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.
Regulation 27(1)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Regulation 29(5)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Regulation 29(6)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Regulation 30(1)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Regulation 30(2)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.
Regulation 32	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Regulation 33(2)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Regulation 33(3)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.
Regulation 33(4)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.



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Regulation 34(2)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.
Regulation 34(3)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.
Regulation 35(1)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Regulation 35(5)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.
Regulation 36(5)	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Regulation 37	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.
Regulation 38(1)	Strike out the penalty provision and substitute: Maximum penalty: \$3 000.
Regulation 39	Strike out the penalty provision and substitute: Maximum penalty: \$5 000.

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**Transitional provision**

**20.** Despite regulation 10 of the principal regulations as amended by these regulations, a licence in force under the revoked *Drugs of Dependence (General) Regulations 1985* immediately before the commencement of these regulations will expire at midnight on 30 September 2000.

**REGULATIONS UNDER THE CONTROLLED SUBSTANCES ACT 1984**

No. 199 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Controlled Substances Act 1984*, on the recommendation of the Controlled Substances Advisory Council 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. Revocation
4. Interpretation
5. Declaration of prohibited substances (s. 12(4))
6. Prescribed amounts (s. 32(3))
7. Prescribed amounts (s. 32(5))
8. Prescribed amount of cannabis plants - personal consumption (s. 32(6))
9. Prescribed place (s. 44)
10. Taking of cannabis samples (s. 52A(6))
11. Prescribed manner of initiation of analysis and prescribed fee (s. 53(3))
12. Prescribed form of certificate of analysis (s.53(4))
13. Research permits (s. 56(1))

**SCHEDULE 1***Declared Prohibited Substances (s. 12(4))***SCHEDULE 2***Prescribed amounts (s. 32(3))***SCHEDULE 3***Prescribed amounts (s. 32(5))***SCHEDULE 4***Certificate of Analysis (reg. 12)***Citation**

1. These regulations may be cited as the *Controlled Substances (Prohibited Substances) Regulations 2000*.

**Commencement**

2. These regulations will come into operation on 31 August 2000.

**Revocation**

3. The *Controlled Substances (Declared Prohibited Substances Regulations 1985* (see *Gazette* 9 May 1985 p. 1493), as varied, are revoked.

**Interpretation**

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

"Act" means the *Controlled Substances Act 1984*;

"hemp seed oil" means the oil obtained by cold expression from the seeds of cannabis;

"schedule 8" means schedule 8 of the Uniform Poisons Standard as incorporated into the *Controlled Substances (Poisons) Regulations 1996*.

**Declaration of prohibited substances (s. 12(4))**

5. Pursuant to section 12(4) of the Act, the following substances are declared to be prohibited substances:

- (a) the natural or synthetic form of a substance listed in Schedule 1; and
- (b) any salt, active principle, alkaloid, chemical derivative, stereoisomer, ester or ether of the natural or synthetic form of a substance listed in Schedule 1; and
- (c) any of the substances referred to in paragraphs (a) or (b) of this regulation whether existing alone or in a preparation, admixture, solution or natural substance.

**Prescribed amounts (s. 32(3))**

6. For the purposes of section 32(3) of the Act, the prescribed amount of a prohibited substance is the amount listed in the second column of Schedule 2 opposite the entry listing the prohibited substance.

**Prescribed amounts (s. 32(5))**

7. For the purposes of section 32(5) of the Act, the prescribed amount of a prohibited substance is the amount listed in the second column of Schedule 3 opposite the entry listing the prohibited substance.

**Prescribed amount of cannabis plants - personal consumption (s. 32(6))**

8. For the purposes of section 32(6) of the Act, the prescribed amount of cannabis plants is 10 plants.

**Prescribed place (s. 44)**

9. For the purposes of section 44(*da*) and (*db*) of the Act, a prescribed place is any place where members of the public are gathered for an entertainment or an event or activity of any kind, whether admission is open, procured by the payment of money or restricted to members of a club or a class of persons with some other qualification or characteristic.

**Taking of cannabis samples (s. 52A(6))**

10. (1) For the purposes of section 52A(6) of the Act, where samples of cannabis are to be taken, they must be taken as follows:

- (a) in the case of a crop of growing or newly harvested plants consisting of—
  - (i) 10 or fewer plants—at least one sample must be taken;
  - (ii) 11 to 20 plants—at least 5 samples must be taken;
  - (iii) 21 to 100 plants—at least 10 samples must be taken;

- (iv) more than 100 plants—at least 20 samples must be taken;
  - (b) in the case of dried and packaged cannabis, a sample of at least 10 grams must be taken from each package.
- (2) Each sample must be separately packaged and identified.

(3) For the purposes of this regulation—

"**samples**", in relation to plants, means—

- (a) if the plants are immature (that is to say, they do not have any fully developed leaves) the plants themselves;
- (b) if the plants are mature, a fully developed leaf or flowerhead (taken from separate plants if more than one sample is required).

**Prescribed manner of initiation of analysis and prescribed fee (s. 53(3))**

**11.** For the purposes of section 53(3) of the Act—

- (a) the prescribed manner of initiating an analysis is by notice in writing, addressed to the analyst, describing the substance to be analysed and signed by the person initiating the analysis; and
- (b) the prescribed fee for analysis is \$150 per substance.

**Prescribed form of certificate of analysis (s.53(4))**

**12.** For the purposes of section 53(4) of the Act, the form set out in schedule 4 is the prescribed form for the certificate of analysis.

**Research permits (s. 56(1))**

**13.** An application for a research permit under section 56(1) of the Act must be made in writing to the Minister and signed by the applicant.

**SCHEDULE 1***Declared Prohibited Substances (s. 12(4))*

ACETORPHINE

ACETYL-ALPHA-METHYLFENTANYL

ACETYLMORPHINES

ALKOXYAMPHETAMINES and substituted alkoxyamphetamines except where separately specified.

ALKOXYPHENETHYLAMINES and substituted alkoxyphenethylamines except where separately specified.

ALKYLTHIOAMPHETAMINES and substituted alkylthioamphetamines except where separately specified.

ALLYLPRODINE

ALPHAMEPRODINE

ALPHAMETHADOL

ALPHA-METHYLFENTANYL

ALPHA-METHYLTHIOFENTANYL

2-AMINO-1-(2,5-DIMETHOXY-4-METHYL)PHENYLPROPANE (STP or DOM)

5-(2-AMINOPROPYL)INDAN and substituted 5-(2-AMINOPROPYL)INDANS except where separately specified.

BENZETHIDINE

BETACETYLMETHADOL

BETA-HYDROXYFENTANYL

BETA-HYDROXY-3-METHYLFENTANYL

BETAMEPRODINE

BETAMETHADOL

BETAPRODINE

4-BROMO-2, 5-DIMETHOXYPHENETHYLAMINE (BDMPEA)

BUFOTENINE

CANNABINOIDS except tetrahydrocannabinols

CANNABIS

CANNABIS OIL

CANNABIS RESIN

CATHINONE

CLONITAZENE

COCA LEAF (Leaves of any plant of the genus *Erythroxylon* from which cocaine can be extracted either directly or by chemical transformation)

CODOXIME

CONCENTRATE OF POPPY STRAW (the material arising when poppy straw has entered into a process for concentration of its alkaloids)

4-CYANO-2-DIMETHYLAMINO-4, 4'-DIPHENYLBUTANE (Methadone intermediate)

4-CYANO-1-METHYL-4-PHENYLPIPERIDINE (Pethidine intermediate A)

DESOMORPHINE

DIAMPROMIDE

DIETHYLTHIAMBUTENE

N, N-DIETHYLTRYPTAMINE (DET)

DIMENOXADOL

DIMEPHEPTANOL

2, 5-DIMETHOXYAMPHETAMINE

2, 5-DIMETHOXY-4-BROMOAMPHETAMINE (DOB)

2, 5-DIMETHOXY-4-ETHYLAMPHETAMINE (DOET)

3-(2-DIMETHYLAMINOETHYL)-4-HYDROXYINDOLE (Psilocine or Psilocin)

3-(1, 2-DIMETHYLHEPTYL)-1-HYDROXY-7, 8, 9, 10-TETRAHYDRO-6, 6, 9-TRIMETHYL-6H-DIBENZO (b, d) PYRAN (DMHP)

DIMETHYLTHIAMBUTENE

N,N-DIMETHYLTRYPTAMINE (DMT)

DIOXAPHETYL BUTYRATE

ECGONINE

N-ETHYL- $\alpha$ -METHYL-3, 4-(METHYLENEDIOXY) PHENETHYLAMINE (N-ethyl MDA)

ETHYLMETHYLTHIAMBUTENE

ETICYCLIDINE (PCE)

ETONITAZENE

ETORPHINE

ETOXERIDINE

FENETYLLINE

FURETHIDINE

HARMALA ALKALOIDS except in herbs or preparations, for therapeutic use:

- (a) containing 0.1 per cent or less of harmala alkaloids; or
- (b) in divided preparations containing 2 mg. or less of harmala alkaloids per recommended dose.

HEROIN (Diacetylmorphine)

3-HEXYL-1-HYDROXY-7,8,9,10-TETRAHYDRO-6,6,9-TRIMETHYL-6H-DIBENZO(b,d)PYRAN (Parahexyl)

4-HYDROXYBUTANOIC ACID and its salts

HYDROXPETHIDINE

ISOMETHADONE

KETOBEMIDONE

LEVOMETHORPHAN

LEVOPHENACYLMORPHAN

LYSERGAMIDE

LYSERGIC ACID

LYSERGIDE (Lysergic acid diethylamide: LSD)

MECLOQUALONE

MESCALINE (3, 4, 5-Trimethoxyphenethylamine)

METAZOCINE

METHAQUALONE

METHCATHINONE

4-METHOXY- $\alpha$ -METHYLPHENETHYLAMINE (PMA)

5-METHOXY-3, 4-METHYLENEDIOXYAMPHETAMINE (MDMA)

4-METHYLAMINOREX

METHYLDESORPHINE

3, 4-METHYLENEDIOXYAMPHETAMINE (MDA)

3, 4-METHYLENEDIOXYMETHAMPHETAMINE (MDMA)

3-METHYLFENTANYL

N-METHYL-1-(3,4-METHYLENEDIOXYPHENYL)-2-BUTANAMINE (MBDB)

N-[ $\alpha$ -METHYL-3, 4-(METHYLENEDIOXY)PHENETHYL] HYDROXYLAMINE (N-hydroxy MDA)

2-METHYL-3-MORPHOLINO-1, 1-DIPHENYLPROPANE CARBOXYLIC ACID (Moramide intermediate)

1-METHYL-4-PHENYL-4-PROPIONOXYPIPERIDINE (MPPP)

1-METHYL-4-PHENYLPIPERIDINE-4-CARBOXYLIC ACID (Pethidine intermediate C)

4-METHYLTHIOAMPHETAMINE

3-METHYLTHIOFENTANYL

METOPON

MORPHERIDINE

MUSCIMOL

MYROPHINE

NICOCODINE

NICODICODINE

NICOMORPHINE

NORACYMETHADOL

NORLEVORPHANOL

NORMORPHINE

NORPIANONE

OPIUM POPPY (*Papaver somniferum* L.)

PAPAVER BRACTEATUM (Lindl.)

PARA-FLUOROFENTANYL

PHENADOXONE

PHENAMPROMIDE

PHENAZOCINE

PHENCYCLIDINE

PHENOMORPHAN

1-(2-PHENYLETHYL)-4-PHENYL-4-ACETYLOXYPIPERIDINE (PEPAP)

4-PHENYLPIPERIDINE-4-CARBOXYLIC ACID ETHYL ESTER (Pethidine intermediate B)

PIMINODINE

POPPY STRAW (the straw of *Papaver somniferum* L. or *Papaver bracteatum* Lindl.)

PROHEPTAZINE



PROPERIDINE

PSILOCYBINE

RACEMETHORPHAN

RACEMORPHAN

ROLICYCLIDINE (PHP or PCPY)

TENOCYCLODINE (TCP)

TETRAHYDROCANNABINOLS and their alkyl homologues, except

- (a) tetrahydrocannabinols included in schedule 8; and
- (b) hemp seed oil
  - (i) that contains tetrahydrocannabinols at a level not exceeding 50 milligrams per kilogram; and
  - (ii) the packaging of which carries a label indicating that the oil is not for human internal use or consumption; and
- (c) a product containing hemp seed oil, being a product
  - (i) that contains tetrahydrocannabinols at a level not exceeding 50 milligrams per kilogram; and
  - (ii) that is designed for human external use.

THIOFENTANYL

TRIMEPERIDINE

3, 4, 5-TRIMETHOXY-a-METHYLPHENYLETHYLAMINE (TMA)

1-(3, 4, 5-TRIMETHOXYPHENYL)-2-AMINOBTANE

**SCHEDULE 2**  
*Prescribed amounts (s. 32(3))*

Class of Prohibited Substance	Prescribed Amounts (Grams)
ACETORPHINE.....	2.0
ACETYL-ALPHA-METHYLFENTANYL.....	0.005
ACETYLMORPHINES.....	2.0
ALKOXYAMPHETAMINES and substituted alkoxyamphetamines except where separately specified.....	0.5
ALKOXYPHENETHYLAMINES and substituted alkoxyphenethylamines except where separately specified.....	0.5
ALKYLTHIOAMPHETAMINES and substituted alkylthioamphetamines except where separately specified.....	0.5
ALLYLPRODINE.....	2.0
ALPHAMEPRODINE.....	0.2
ALPHAMETHADOL.....	0.2
ALPHA-METHYLFENTANYL.....	0.005
ALPHA-METHYLTHIOFENTANYL.....	0.005
2-AMINO-1-(2,5-DIMETHOXY-4-METHYL)PHENYLPROPANE (STP or DOM).....	0.5
5-(2-AMINOPROPYL)INDAN and substituted 5-(2-AMINOPROPYL)INDANS except where separately specified.....	0.5
BENZETHIDINE.....	10.0
BETACETYLMETHADOL.....	5.0
BETA-HYDROXYFENTANYL.....	0.005
BETA-HYDROXY-3-METHYLFENTANYL.....	0.005
BETAMEPRODINE.....	5.0
BETAMETHADOL.....	5.0
BETAPRODINE.....	5.0
4-BROMO-2, 5-DIMETHOXYPHENETHYLAMINE (BDMPEA).....	0.5
BUFOTENINE.....	2.0
CANNABINOIDS except tetrahydrocannabinols.....	2.0
CANNABIS.....	100.0
CANNABIS OIL.....	2.0
CANNABIS RESIN.....	20.0
CATHINONE.....	0.5
CLONITAZENE.....	5.0
COCA LEAF.....	800.0
CODOXIME.....	5.0

CONCENTRATE OF POPPY STRAW .....	5.0
4-CYANO-2-DIMETHYLAMINO-4,4'-DIPHENYLBUTANE (Methadone intermediate).....	2.0
4-CYANO-1-METHYL-4-PHENYLPYPERIDINE (Pethidine intermediate A).....	10.0
DESOMORPHINE.....	2.0
DIAMPROMIDE.....	5.0
DIETHYLTHIAMBUTENE.....	5.0
N, N-DIETHYLTRYPTAMINE (DET).....	2.0
DIMENOXADOL.....	10.0
DIMEPHEPTANOL.....	10.0
2, 5-DIMETHOXYAMPHETAMINE.....	0.5
2, 5-DIMETHOXY-4-BROMOAMPHETAMINE (DOB).....	0.5
2, 5-DIMETHOXY-4-ETHYLAMPHETAMINE (DOET).....	0.5
3-(2-DIMETHYLAMINOETHYL)-4-HYDROXYINDOLE (Psilocine or Psilotsin) .....	0.1
3-(1, 2 DIMETHYLHEPTYL)-1-HYDROXY-7, 8, 9, 10-TETRAHYDRO-6, 6,9-TRIMETHYL-6H-DIBENZO (b, d) PYRAN (DMHP) .....	2.0
DIMETHYLTHIAMBUTENE.....	20.0
N, N-DIMETHYLTRYPTAMINE (DMT).....	2.0
DIOXAPHETYL BUTYRATE.....	2.0
ECGONINE.....	10.0
N-ETHYL- $\alpha$ -METHYL-3, 4-(METHYLENEDIOXY) PHENETHYLAMINE (N-ethyl MDA).....	0.5
ETHYLMETHYLTHIAMBUTENE.....	10.0
ETICYCLIDINE (PCE).....	0.5
ETONITAZENE.....	5.0
ETORPHINE.....	2.0
ETOXERIDINE.....	5.0
FENETYLLINE.....	2.0
FURETHIDINE.....	1.0
HARMALA ALKALOIDS .....	0.1
HEROIN (Diacetylmorphine) .....	2.0
3-HEXYL-1-HYDROXY-7,8,9,10-TETRAHYDRO-6,6,9-TRIMETHYL-6H- DIBENZO(b,d)PYRAN (Parahexyl).....	0.1
4-HYDROXY-BUTANOIC ACID and its salts .....	0.5
HYDROXPETHIDINE.....	5.0
ISOMETHADONE.....	4.0
KETOBEMIDONE.....	2.0

LEVOMETHORPHAN .....	1.0
LEVOPHENACYLMORPHAN.....	1.0
LYSERGAMIDE.....	0.002
LYSERGIC ACID .....	0.002
LYSERGIDE (Lysergic acid diethylamide: LSD).....	0.002
MECLOQUALONE.....	5.0
MESCALINE (3, 4, 5-Trimethoxyphenethylamine).....	7.5
METAZOCINE.....	7.0
METHAQUALONE.....	5.0
METHCATHINONE.....	0.5
4-METHOXY-a-METHYLPHENETHYLAMINE (PMA).....	0.5
5-METHOXY-3, 4-METHYLENEDIOXYAMPHETAMINE (MMDA) .....	0.5
4-METHYLAMINOREX .....	0.5
METHYLDESORPHINE.....	2.0
3, 4-METHYLENEDIOXYAMPHETAMINE (MDA).....	0.5
3, 4-METHYLENEDIOXYMETHAMPHETAMINE (MDMA).....	0.5
3-METHYLFENTANYL.....	0.005
N-METHYL-1-(3,4-METHYLENEDIOXYPHENYL)-2-BUTANAMINE (MBDB) .....	0.5
2-METHYL-3-MORPHOLINO-1, 1-DIPHENYLPROPANE CARBOXYLIC ACID (Moramide intermediate).....	5.0
1-METHYL-4-PHENYL-4-PROPIONOXYPIPERIDINE (MPPP).....	0.5
1-METHYL-4-PHENYLPIPERIDINE-4-CARBOXYLIC ACID (Pethidine intermediate C).....	10.0
4-METHYLTHIOAMPHETAMINE.....	0.5
3-METHYLTHIOFENTANYL.....	0.005
METOPON .....	2.0
MORPHERIDINE .....	2.0
MUSCIMOL.....	0.5
MYROPHINE.....	20.0
NICOCODINE.....	2.0
NICODICODINE.....	2.0
NICOMORPHINE.....	2.0
NORACYMETHADOL.....	2.0
NORLEVORPHANOL.....	5.0
NORMORPHINE.....	20.0
NORPIPANONE.....	10.0
OPIUM POPPY (Papaver somniferum L.).....	100.0

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PAPAVER BRACTEATUM (Lindl.) .....	100.0
PARA-FLUOROFENTANYL .....	0.005
PHENADOXONE .....	10.0
PHENAMPROMIDE.....	10.0
PHENAZOCINE.....	1.0
PHENCYCLIDINE.....	2.0
PHENOMORPHAN.....	5.0
1-(2-PHENYLETHYL)-4-PHENYL-4-ACETYLOXYPIPERIDINE (PEPAP).....	0.5
4-PHENYLPYPERIDINE-4-CARBOXYLIC ACID ETHYL ESTER (Pethidine intermediate B)	10.0
PIMINODINE.....	10.0
POPPY STRAW (the straw of Papaver somniferum L. or Papaver bracteatum Lindl.).....	100.0
PROHEPTAZINE.....	1.0
PROPERIDINE.....	25.0
PSILOCYBINE.....	0.1
RACEMETHORPHAN.....	6.0
RACEMORPHAN.....	2.0
ROLICYCLIDINE (PHP or PCPY) .....	0.5
TENOCYCLODINE (TCP).....	0.5
TETRAHYDROCANNABINOLS and their alkyl homologues except where separately specified.....	2.0
THIOFENTANYL.....	0.005
TRIMEPERIDINE.....	10.0
3, 4, 5-TRIMETHOXY- $\alpha$ -METHYLPHENYLETHYLAMINE (TMA).....	0.5
1-(3,4,5-TRIMETHOXYPHENYL)-2-AMINOBTANE.....	0.5

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**SCHEDULE 3**  
*Prescribed amounts (s. 32(5))*

Class of Prohibited Substance	Prescribed Amounts (Kilograms)
CANNABINOIDS except tetrahydrocannabinols .....	0.3
CANNABIS.....	<i>see s. 32(5a)</i>
CANNABIS OIL.....	0.3
CANNABIS RESIN .....	<i>see s. 32(5a)</i>
COCA LEAF.....	80.0
HEROIN (Diacetylmorphine) .....	0.3
4-HYDROXY-BUTANOIC ACID and its salts .....	0.005
LYSERGAMIDE.....	0.004
LYSERGIC ACID .....	0.004
LYSERGIDE (Lysergic acid diethylamide: LSD).....	0.0004
3-METHYLFENTANYL.....	0.0008
OPIUM POPPY (Papaver somniferum L.).....	10.0
PAPAVER BRACTEATUM (Lindl.) .....	10.0
TETRAHYDROCANNABINOLS and their alkyl homologues .....	0.3

**SCHEDULE 4**  
*Certificate of Analysis (reg. 12)*

Pursuant to section 53 of the *Controlled Substances Act 1984*,

I.....  
(print full name and business address)

an Analyst appointed under the *Controlled Substances Act 1984*, certify that .....

.....  
.....  
.....  
.....  
.....

(insert results of analysis)

Signature of Analyst .....

Date.....

DHS 003/00/0090 CS

R. DENNIS Clerk of the Council

**REGULATIONS UNDER THE SUBORDINATE LEGISLATION ACT 1978**

No. 200 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Subordinate Legislation Act 1978* 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 Attorney-General

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Revocation
4. Interpretation
5. Postponement of expiry for one year—Regulations made before 1 January 1990
6. Revocation of obsolete regulations

**SCHEDULE 1***Postponement of Expiry of One Year***SCHEDULE 2***Revocation***Citation**

1. These regulations may be cited as the *Subordinate Legislation (Postponement of Expiry) Regulations 2000*.

**Commencement**

2. These regulations will come into operation on 1 September 2000.

**Revocation**

3. The *Subordinate Legislation (Postponement of Expiry) Regulations 1999* (see *Gazette* 26 August 1999 p. 974) are revoked.

**Interpretation**

4. In these regulations—

"Act" means the *Subordinate Legislation Act 1978*.

**Postponement of expiry for one year—Regulations made before 1 January 1990**

5. The expiry under Part 3A of the Act of the regulations listed in Schedule 1 is postponed for a period of one year commencing on 1 September 2000.

**Revocation of obsolete regulations**

6. The regulations listed in Schedule 2 are revoked (unless they have already been impliedly revoked).



**SCHEDULE 1***Postponement of Expiry of One Year*

*Adoption Regulations 1989* made under the *Adoption Act 1988* (see *Gazette* 17 August 1989 p. 571);

*Animal and Plant Control (Agricultural Protection and Other Purposes) Regulations 1987* made under the *Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986* (see *Gazette* 25 June 1987 p. 1706);

*Apiaries Regulations 1988* made under the *Apiaries Act 1931* (see *Gazette* 22 September 1988 p. 1138);

*Art Gallery Regulations 1989* made under the *Art Gallery Act 1939* (see *Gazette* 21 December 1989 p. 1865);

*Branding of Pigs Regulations 1988* made under the *Branding of Pigs Act 1964* (see *Gazette* 15 September 1988 p. 1055);

*Brands Act Regulations 1986* made under the *Brands Act 1933* (see *Gazette* 10 July 1986 p. 232);

*Chiropodists Regulations 1989* made under the *Chiropodists Act 1950* (see *Gazette* 16 February 1989 p. 475);

*The Coast Protection Act (Identity Card) Regulations 1985* made under the *Coast Protection Act 1972* (see *Gazette* 10 October 1985 p. 1090);

*Construction Industry Long Service Leave Regulations 1988* made under the *Construction Industry Long Service Leave Act 1987* (see *Gazette* 24 March 1988 p. 712);

*Controlled Substances Act (Exemptions) Regulations 1989* made under the *Controlled Substances Act 1984* (see *Gazette* 6 April 1989 p. 936);

*Controlled Substances (Expiation of Simple Cannabis Offences) Regulations 1987* made under the *Controlled Substances Act 1984* (see *Gazette* 30 April 1987 p. 1190);

*Controlled Substances (Pesticide) Regulations 1988* made under the *Controlled Substances Act 1984* (see *Gazette* 19 May 1988 p. 1267);

*Correctional Services Act Regulations 1985* made under the *Correctional Services Act 1982* (see *Gazette* 8 August 1985 p. 376);

*Country Fires Regulations 1989* made under the *Country Fires Act 1989* (see *Gazette* 31 August 1989 p. 713);

*Criminal Injuries Compensation Regulations 1987* made under the *Criminal Injuries Compensation Act 1978* (see *Gazette* 23 December 1987 p. 1962);

*Criminal Law (Witness Payments) Regulations 1989* made under the *Criminal Law Consolidation Act 1935* (see *Gazette* 25 May 1989 p. 1423);

*Deer Keepers Regulations 1987* made under the *Deer Keepers Act 1987* (see *Gazette* 20 August 1987 p. 589);

*Dentists Regulations 1988* made under the *Dentists Act 1984* (see *Gazette* 26 May 1988 p. 1360);

*Fisheries Act (Aquatic Reserves) Regulations 1989* made under the *Fisheries Act 1982* (see *Gazette* 27 July 1989 p. 260);

*Hairdressers Regulations 1988* made under the *Hairdressers Act 1988* (see *Gazette* 15 December 1988 p. 2033);

*Health Commission (Prescribed Health Service) Regulations 1987* made under the *South Australian Health Commission Act 1976* (see *Gazette* 20 August 1987 p. 592);

*Housing Improvement (Statements under section 60) Regulations 1986* made under the *Housing Improvement Act 1940* (see *Gazette* 27 March 1986 p. 748);

*Juries Act (Scale of Remuneration for Jury Service) Regulations 1989* made under the *Juries Act 1927* (see *Gazette* 22 December 1988 p. 2178);

*Local Government Finance Authority Regulations 1987* made under the *Local Government Finance Authority Act 1983* (see *Gazette* 19 November 1987 p. 1633);

*Long Service Leave Regulations 1988* made under the *Long Service Leave Act 1987* (see *Gazette* 23 December 1987 p. 1956);

*Noxious Insects Regulations 1988* made under the *Noxious Insects Act 1934* (see *Gazette* 22 December 1988 p. 2150);

*Occupational Therapists Regulations 1988* made under the *Occupational Therapists Act 1974* (see *Gazette* 7 April 1988 p. 895);

*Petroleum Products Subsidy Regulations 1989* made under the *Petroleum Products Subsidy Act 1965* (see *Gazette* 14 December 1989 p. 1815);

*Petroleum Regulations 1989* made under the *Petroleum Act 1940* (see *Gazette* 5 October 1989 p. 1053);

*Pitjantjatjara Land Rights Act (Mintabie Precious Stones Field) Regulations 1988* made under the *Pitjantjatjara Land Rights Act 1981* (see *Gazette* 20 October 1988 p. 1360);

*Prices Regulations 1985* made under the *Prices Act 1948* (see *Gazette* 4 July 1985 p. 51);

*Private Parking Areas Regulations 1987* made under the *Private Parking Areas Act 1986* (see *Gazette* 17 December 1987 p. 1894);

*Public and Environmental Health (Notifiable Diseases) Regulations 1989* made under the *Public and Environmental Health Act 1987* (see *Gazette* 7 December 1989 p. 1705);

*Public Finance and Audit Regulations 1987* made under the *Public Finance and Audit Act 1987* (see *Gazette* 25 June 1987 p. 1718);

*Recognized Hospital and Incorporated Health Centre (Medicare Patients) Fees Regulations 1987* made under the *South Australian Health Commission Act 1976* (see *Gazette* 30 July 1987 p. 334);

*Renmark Irrigation Trust Capital Recoveries Regulations 1985* made under the *Renmark Irrigation Trust Act 1936* (see *Gazette* 11 July 1985 p. 101);

*Retirement Villages Regulations 1987* made under the *Retirement Villages Act 1987* (see *Gazette* 25 June 1987 p. 1662);

*Seeds Regulations 1986* made under the *Seeds Act 1979* (see *Gazette* 14 August 1986 p. 522);

*Sexual Reassignment Regulations 1988* made under the *Sexual Reassignment Act 1988* (see *Gazette* 10 November 1988 p. 1723);

*Strata Titles (Fees) Regulations 1988* made under the *Strata Titles Act 1988* (see *Gazette* 21 July 1988 p. 468);

*Strata Titles Regulations 1988* made under the *Strata Titles Act 1988* (see *Gazette* 21 July 1988 p. 460);

*Summary Offences (Dangerous Articles) Regulations 1988* made under the *Summary Offences Act 1953* (see *Gazette* 16 June 1988 p. 1937);

*Superannuation Regulations 1988* made under the *Superannuation Act 1988* (see *Gazette* 30 June 1988 p. 2090);

*Swine Compensation Regulations 1988* made under the *Swine Compensation Act 1936* (see *Gazette* 15 September 1988 p. 1049);

*Trustee Companies Regulations 1989* made under the *Trustee Companies Act 1988* (see *Gazette* 20 April 1989 p. 1112);

*Unauthorized Documents Regulations 1988* made under the *Unauthorized Documents Act 1916* (see *Gazette* 22 December 1988 p. 2153);

*Veterinary Surgeons Regulations 1987* made under the *Veterinary Surgeons Act 1985* (see *Gazette* 25 June 1987 p. 1650);

*West Beach Recreation Reserve Act Regulations 1988* made under the *West Beach Recreation Reserve Act 1987* (see *Gazette* 31 March 1988 p. 826).

**SCHEDULE 2**  
*Revocation*

*Cattle Compensation Regulations 1988* made under the *Cattle Compensation Act 1939* (see *Gazette* 15 September 1988 p. 1052);

*The Coast Protection Act (Works of a Prescribed Nature) Regulations 1985* made under the *Coast Protection Act 1972* (see *Gazette* 18 April 1985 p. 1222);

*Industrial and Commercial Training (Fees) Regulations 1989* made under the *Fees Regulation Act 1927* (see *Gazette* 9 February 1989 p. 366);

*Loans to Producers Regulations 1989* made under the *Loans to Producers Act 1927* (see *Gazette* 12 January 1989 p. 67);

*Recognised Hospital (Prescribed Hospitals) Regulations 1985* made under the *South Australian Health Commission Act 1976* (see *Gazette* 31 January 1985 p. 288).

DPC 23/97 CS

R. DENNIS Clerk of the Council

**REGULATIONS UNDER THE FEES REGULATION ACT 1927**

No. 201 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Fees Regulation Act 1927* and with the advice and consent of the Executive Council, I make the following regulations.

E. J. NEAL Governor

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Revocation

**Citation**

1. These regulations may be cited as the *Fees Regulation (Revocation—Places of Public Entertainment) Regulations 2000*.

**Commencement**

2. These regulations will come into operation in accordance with section 5 of the *Fees Regulation Act 1927*.

**Revocation**

3. The *Fees Regulation (Places of Public Entertainment) Regulations 1992* (see *Gazette* 25 June 1992 p. 2028), as varied, are revoked.

DPC 23/97 CS

R. DENNIS Clerk of the Council

**REGULATIONS UNDER THE PUBLIC FINANCE AND AUDIT ACT 1987**

No. 202 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Public Finance and Audit Act 1987* 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 LUCAS Treasurer

**SUMMARY OF PROVISIONS**

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

**Citation**

1. The *Public Finance and Audit Regulations 1987* (see *Gazette* 25 June 1987 p. 1718), 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. 4**

3. Regulation 4 of the principal regulations is varied by striking out from each of the lists of bodies in subregulations (1) and (2) the following bodies:

Riverland Fruit Products (Investments) Pty. Ltd.  
Sagric International Pty. Ltd.  
Scenic Constructions Pty. Ltd.  
S.G.I.C. Health Pty. Ltd.

DPC 23/97 CS

R. DENNIS Clerk of the Council

# REGULATIONS UNDER THE SOUTH AUSTRALIAN HEALTH COMMISSION ACT 1976

No. 203 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *South Australian Health Commission Act 1976* 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

### PART 1

#### PRELIMINARY

1. Citation
2. Commencement
3. Revocation
4. Interpretation

### PART 2

#### LICENSING

5. Application for licence
6. Limit on number of hospital beds
7. Annual return
8. Transfer of licence
9. Fees

### PART 3

#### STANDARDS

10. Standards for private hospitals
11. Access
12. Room sizes
13. Ablution facilities
14. Electrical, cooking and laundry facilities
15. Storage and cleaning facilities
16. Ward facilities
17. Maternity facilities
18. Surgical facilities
19. Exemptions

### PART 4

#### MISCELLANEOUS

20. Licensee to keep register

**PART 1**  
**PRELIMINARY**

**Citation**

1. These regulations may be cited as the *South Australian Health Commission (Private Hospitals) Regulations 2000*.

**Commencement**

2. These regulations come into operation on 31 August 2000.

**Revocation**

3. The *South Australian Health Commission (Private Hospitals) Regulations 1985* (see *Gazette* 14 March 1985 p. 851), as varied, are revoked.

**Interpretation**

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

"**the Act**" means the *South Australian Health Commission Act 1976*;

"**licence**" means a licence granted under section 57D of the Act;

"**licensee**" means a person to whom a licence has been granted under section 57D of the Act;

"**the revoked regulations**" means the *South Australian Health Commission (Private Hospitals) Regulations 1985*.



## PART 2 LICENSING

### Application for licence

5. (1) Pursuant to section 57C(2)(a) of the Act, the following manner and form is prescribed for a licence application:

- (a) the application, and all information contained in the application, must be in writing; and
- (b) the application must request the grant of a licence to the applicant and must be forwarded by the applicant to the Minister.

(2) Pursuant to section 57C(2)(b) of the Act, a licence application must contain the following additional information:

- (a) the particulars set out in Schedule 1; and
- (b) a detailed plan of the premises that are to be used as a private hospital.

### Limit on number of hospital beds

6. For the purposes of sections 57D(1a) and 57E(5) of the Act, 5 169 is prescribed as the limit on the number of hospital beds that may be provided by recognised hospitals or private hospitals in the region specified by regulation 5a of the revoked regulations as in force on 15 December 1994.

### Annual return

7. Pursuant to section 57G of the Act—

- (a) the prescribed day for the purposes of subsection (2) is 30 April; and
- (b) the prescribed information for the purposes of subsection (2)(b) is that set out in Schedule 2.

### Transfer of licence

7. (1) Pursuant to section 57H(2)(a) of the Act, the following manner and form is prescribed for a licence transfer application:

- (a) the licensee must give notice in writing to the Minister—
  - (i) indicating that he or she intends to transfer the licence; and
  - (ii) naming the proposed transferee; and
  - (iii) indicating the proposed date of the transfer; and
- (b) the proposed transferee must forward to the Minister an application in writing—
  - (i) requesting the transfer of the licence to the proposed transferee; and
  - (ii) containing the information prescribed for the purposes of section 57H(2)(b) of the Act.

(2) Pursuant to section 57H(2)(b) of the Act, the prescribed information is that set out in Schedule 3.

**Fees**

**9.** (1) The following fees are prescribed for the purposes of the indicated sections of the Act:

- (a) licence application fee (s. 57C(2)).....\$133.50;
- (b) fee for grant of licence (s. 57D(2)).....\$133.50;
- (c) annual licence fee (s. 57G(2)).....\$133.50;
- (d) application fee for transfer of licence (s. 57H(2)).....\$ 20.00.

(2) The Minister may exempt a person from the payment of all or any part of a fee prescribed by this regulation.

### PART 3 STANDARDS

#### Standards for private hospitals

**10.** The standards of construction, facilities and equipment, and other standards, set out in this Part are prescribed for private hospitals.

#### Access

**11.** (1) A private hospital in which patients are accommodated above ground floor level must have—

- (a) an internal staircase fitted with suitable hand rails; and
- (b) a lift of sufficient size to take a bed and 2 attendants.

(2) In every private hospital all corridors used for bed, trolley or barouche traffic must be not less than 1 800 mm in width clear of handrails and any other permanent intrusions.

(3) In every private hospital—

- (a) doorways to water closets, bathrooms and shower cubicles intended for access of wheelchairs must have a clear opening of not less than 900 mm; and
- (b) where corridors are 1 800 mm in width, the doorway opening to wards must not be less than 1 200 mm in width.

(4) In every private hospital all rooms occupied by patients must be clearly identified by a number or the names of the patients occupying the room at the time.

#### Room sizes

**12.** (1) Every room in a private hospital occupied or intended to be occupied by one patient must have a floor area of at least 9.3 square metres.

(2) Every room in a private hospital occupied or intended to be occupied by more than one patient must have—

- (a) at least 8.4 square metres of floor space for each adult patient;
- (b) at least 7.5 square metres of floor space for each child up to 14 years of age;
- (c) at least 3.9 square metres of floor space for each child nursed in a cot.

#### Ablution facilities

**13.** Every private hospital must have at least the following sanitary facilities:

- (a) on each floor one water closet for each ten or portion of ten patients, at least one of which must be suitable for use by a person using a wheelchair; and
- (b) on each floor one shower cubicle for each ten or portion of ten patients, at least one of which must be suitable for use by a person using a wheelchair; and

- (c) on each floor a bathroom, containing an island or peninsula plunge bath, with minimum floor dimensions of—
  - (i) 3 000 mm × 2 400 mm; or
  - (ii) in the case of a bathroom also containing a pedestal pan and hand basin, 3 000 mm × 3 000 mm; and
- (d) on each floor one hand basin for each ten or portion of ten patients; and
- (e) grab rails fitted in shower cubicles, water closets and bathrooms; and
- (f) separate change room facilities for staff that include water closets, shower cubicles and hand basins.

#### **Electrical, cooking and laundry facilities**

**14.** In every private hospital there must be the following electrical, cooking and laundry facilities:

- (a) artificial lighting that is adequate for the needs of the hospital, and facilities for emergency lighting and power where required for patient safety; and
- (b) facilities for heating and cooling, which are so constructed, operated and permanently positioned that they are not hazardous to patients because of moving parts or accessible heated elements; and
- (c) a kitchen equipped with facilities for—
  - (i) food preparation; and
  - (ii) cooking, including an exhaust canopy fitted with an exhaust fan and grease filters; and
  - (iii) handling and serving food; and
  - (iv) the washing of dishes and utensils, including a sink and drainer large enough to contain cooking and food preparation utensils; and
  - (v) hand washing; and
  - (vi) separate storage for perishable food, frozen foods, dry foods, crockery, utensils and cutlery; and
  - (vii) refuse holding and disposal; and
  - (viii) ventilation; and
- (d) a laundry that—
  - (i) at all times, has a water supply that can deliver both hot and cold water; and
  - (ii) contains industrial type appliances to launder and disinfect bed linen, blankets, clothing, napery and other similar articles.

**Storage and cleaning facilities**

**15.** In every private hospital there must be the following facilities for storage and cleaning:

- (a) storage space specifically allocated for storage of ward linen, extra bedding, patients' baggage, appliances and equipment, including a general store for reserve furniture and equipment; and
- (b) waste receptacles for temporary storage of used dressings, human tissue and other waste; and
- (c) on each floor a pan room that must contain—
  - (i) storage racks of impervious material; and
  - (ii) a slop hopper or combination drainer and flushing bowl; and
  - (iii) facilities for disinfecting equipment; and
  - (iv) hand washing facilities; and
- (d) on each floor a cleaner's room that must contain—
  - (i) a cleaner's sink; and
  - (ii) facilities for storage of cleaning appliances and compounds; and
- (e) on each floor a clean utility room that must contain—
  - (i) a sink and drainer with hand washing facilities; and
  - (ii) a work bench,and unless supplied elsewhere—
  - (iii) facilities for the storage of equipment and supplies kept in that room; and
  - (iv) facilities for disinfecting or sterilising ward equipment; and
- (f) on each floor a soiled utility room that must contain—
  - (i) storage facilities for equipment stored or kept in that room; and
  - (ii) a sink and drainer and hand washing facilities; and
  - (iii) waste and soiled linen receptacles; and
  - (iv) a work bench.

**Ward facilities**

**16.** In every private hospital there must be the following facilities:

- (a) hand washing facilities in or adjacent to wards and rooms occupied by patients, with taps operated by wrist, elbow or foot action; and

- (b) on each floor a ward food preparation room that must contain—
  - (i) a storage cupboard; and
  - (ii) a sink and drainer; and
  - (iii) a refrigerator; and
  - (iv) facilities for heating food and drinks; and
- (c) a patient to nurse communication system at each bed, in bathrooms, water closets and shower cubicles, with—
  - (i) the indicator panel clearly visible from the nurses' station; and
  - (ii) the cancellation of calls only able to be made from the point of origin; and
- (d) on each floor a nurses' station that must contain—
  - (i) a desk and chair; and
  - (ii) a work bench and cupboards; and
  - (iii) a record storage area; and
  - (iv) a master panel for the communication system.

### **Maternity facilities**

**17.** Where a private hospital proposes to receive patients for maternity care, it must have at least the following facilities (which are additional to the general requirements set out in this Part):

- (a) delivery rooms that are adequate for the needs of the midwifery beds provided by the hospital, with each delivery room—
  - (i) to have minimum floor dimensions of 4 800 mm × 3 900 mm and a minimum ceiling height of 2 700 mm, or equivalent effective area; and
  - (ii) to be designed and constructed so that no person can enter the room from any other part of the hospital except through one door or point of entrance; and
  - (iii) to have a delivery bed; and
- (b) surgical hand washing facilities with a high quality water supply adjacent to each delivery room; and
- (c) a soiled utility room situated adjacent to each delivery room, containing—
  - (i) a work bench with an impervious top; and
  - (ii) a sink and drainboard; and
  - (iii) waste and soiled linen receptacles; and

- (iv) a slop hopper, or combination drainer and flushing bowl; and
- (d) a clean utility room situated adjacent to each delivery room, containing—
  - (i) a work bench with an impervious top; and
  - (ii) a sink and drainboard; and
  - (iii) facilities for hand washing; and
  - (iv) emergency sterilising equipment; and
  - (v) unless suitably provided elsewhere, general sterilising equipment; and
- (e) one shower, water closet and hand basin adjacent to or conveniently accessible to the delivery room; and
- (f) general nurseries containing basinetts with at least 1.8 square metres of floor space for each basinet; and
- (g) an isolation nursery or nurseries containing basinetts with at least 2.7 square metres of floor space for each basinet; and
- (h) in each nursery a hand basin, a babies' bath and bench, storage for linen and other supplies, facilities for temporary storage or disposal of soiled and waste materials; and
- (i) on each floor, facilities for preparation and refrigerated storage of babies' foods and cleansing of equipment used for preparation and feeding of babies; and
- (j) where delivery rooms, labour wards or nurseries are air-conditioned, the conditioned air is to be either directly supplied to these areas or when recycled, the air is to be filtered; and
- (k) separate change room facilities for staff that include water closets, shower cubicles and hand basins.

### **Surgical facilities**

**18.** (1) Where a private hospital proposes to receive patients for surgical procedures, it must have an operating theatre suite that complies with the requirements set out in this regulation (which are additional to the general requirements set out in this Part).

- (2) Each theatre suite must have the following:
  - (a) an operating room with minimum floor dimensions of 6 000 mm × 5 400 mm and a minimum ceiling height of 2 700 mm or equivalent effective working space; and
  - (b) provision for the safe storage and use of all anaesthetic agents in operating theatres and all other areas of the hospital; and
  - (c) surgical hand washing facilities with a high quality water supply provided adjacent to the operating room; and
  - (d) provision for the supply of filtered and conditioned air; and

- (e) a soiled utility room, containing—
  - (i) a work bench with an impervious top; and
  - (ii) a sink and drainingboard; and
  - (iii) waste and soiled linen receptacles; and
  - (iv) a slop hopper, or combination drainer and flushing bowl; and
- (f) a clean utility room that must contain—
  - (i) a work bench with an impervious top; and
  - (ii) facilities for handwashing; and
  - (iii) emergency sterilising equipment; and
  - (iv) unless suitably provided elsewhere, general sterilising equipment; and
- (g) separate change room facilities for staff that include water closets, shower cubicles and hand basins; and
- (h) a recovery room situated within the theatre suite.

(3) Operating suites must be designed and constructed so that no person can enter the suite from any other part of the hospital except through one door or point of entrance.

### **Exemptions**

**19.** The Minister may, by notice in writing, exempt conditionally or unconditionally any premises or proposed premises from any of the requirements of this Part.



**PART 4**  
**MISCELLANEOUS**

**Licensee to keep register**

**20.** A licensee must keep a register in which is recorded in relation to every patient admitted to the hospital—

- (a) the full name, age, sex and usual place of residence of the patient; and
- (b) the patient's date of admission; and
- (c) the name and address of the patient's medical attendant; and
- (d) the name and home address of the patient's next of kin; and
- (e) the date of discharge, or in the event of death, the date of the patient's death; and
- (f) in the case of a maternity patient, the patient's date and time of confinement and the sex and weight of any infant.

**SCHEDULE 1**

1. The name or proposed name of the private hospital and the address of the premises or proposed premises of the private hospital.
2. Where the applicant is a natural person, the name, address and occupation of the applicant.
3. Where the applicant is a body corporate, the name of the applicant, the address of its registered office, its date of incorporation, the State or Territory in which it is incorporated and the names, addresses and occupations of its secretary and directors.
4. Where the applicant is an incorporated association, the name of the applicant, its address and date of incorporation, the State or Territory in which it is incorporated and the names, addresses and occupations of its public officer and the members of its management committee.
5. The names, addresses and occupations of those persons who are on the board of management of the private hospital.
6. Where a board of management has not been appointed, a statement as to whether or not one will be appointed, and where one will be appointed, the names, addresses and occupations of those persons who are intended to be members.
7. The name and address of any person who has been appointed manager or administrator of the private hospital.
8. The name, address and occupation of any person, other than a person referred to in clauses 2 to 7 (inclusive) who—
  - (a) has any pecuniary interest, whether direct or indirect, in or from the running of the private hospital; or
  - (b) is involved, either directly or indirectly, in the management and control of the private hospital.
9. A statement as to whether or not the applicant or any other person referred to in clauses 2 to 8 (inclusive) has been refused a licence to operate a private hospital, nursing home, rest home or hostel, whether in the State or in any other State or a Territory of the Commonwealth, and, if so, the name of any such person, the date of the refusal and the circumstances giving rise to such refusal.
10. A statement as to whether or not the applicant or any other person referred to in clauses 2 to 8 (inclusive) has been convicted or found guilty of any criminal offence in the State or in any other State or a Territory of the Commonwealth during the period of 5 years immediately preceding the date of the application, and, if so, the name of any such person, details of the offence, the circumstances giving rise to the offence, the date of the conviction or finding and details of any penalty imposed or other disciplinary action taken.
11. A statement as to whether or not a licence to operate a private hospital, nursing home, rest home or hostel in the State or in any other State or a Territory of the Commonwealth has been revoked or cancelled or has been the subject of any enquiry relating to revocation or cancellation by reason of the conduct of the applicant or any other person referred to in clauses 2 to 8 (inclusive), and, if so, the name of such person, details of the circumstances giving rise to the revocation, cancellation or enquiry, the date of the revocation, cancellation or enquiry, and details of any penalty imposed or other disciplinary action taken.
12. A statement setting out the principal purposes for which the private hospital will be used, including details of such services.
13. A statement setting out those services that will be provided on a regular basis to same day patients.
14. A statement setting out those services that will be available on a regular basis to outpatients.
15. The number of beds to be provided.

16. Where it is intended to designate a number of beds for a particular purpose, a statement as to the number of such beds and the services for which they have been designated.

17. A statement indicating whether or not any of the following services will be provided:

- (a) dietetics;
- (b) occupational therapy;
- (c) podiatry;
- (d) pharmacy;
- (e) physiotherapy;
- (f) social work;
- (g) speech pathology;
- (h) outreach nursing;
- (i) community services;
- (j) any other like services.

18. A statement indicating whether or not any of the following facilities will be provided and, if so, the number to be provided:

- (a) operating theatres;
- (b) post operating recovery rooms;
- (c) obstetric delivery rooms;
- (d) premature baby unit;
- (e) high dependency unit;
- (f) outpatients' department;
- (g) day surgery facilities;
- (h) rehabilitation facilities;
- (i) consulting rooms for medical practitioners;
- (j) pathology;
- (k) any other like service.

19. A statement as to whether or not the following specialist diagnostic equipment will be provided and, if so, the number that will be provided:

- (a) x-ray units;
- (b) ultra sound;
- (c) C.T. scanner;

(d) nuclear magnetic resonance imagining equipment.

20. A statement as to the proposed role of the private hospital with reference to the following matters:

(a) the existing and future needs that the applicant considers the private hospital will meet;

(b) the target population the needs of which the proposed private hospital intends to meet;

(c) the number of people in the State or region of the State that the private hospital will service.

21. A statement as to the way in which the private hospital will satisfy the needs referred to in clause 20.

22. A statement setting out the arrangements that are to be made to operate, manage and control the private hospital with particular reference to the following:

(a) management, operation and staffing;

(b) the system to be used for medical records;

(c) the procedure for patient care review;

(d) the delineation of medical privileges.

**SCHEDULE 2**

1. The period to which the return relates.
2. The name and address of the private hospital.
3. Where the licensee is a private person, the name and address of the licensee.
4. Where the licensee is a body corporate, its name and the address of its registered office.
5. Where the licensee is an incorporated association, its name and address.
6. A statement as to whether or not there has been any change during the period to which the return relates in the identity of—
  - (a) in the case of a body corporate, the secretary or directors; or
  - (b) in the case of an incorporated association, the public officer or members,and where any such change has occurred the name, address and occupation of any new person appointed.
7. A statement as to whether or not there has been any change in the membership of the board of management of the private hospital during the period to which the return relates and, if so, details of any such change.
8. A statement as to whether or not there has been any change in the identity of the manager or administrator of the private hospital during the period to which the return relates and, if so, details of any such change.
9. A statement as to whether or not there has been any change, during the period to which the return relates, in the identity of a person who—
  - (a) has any pecuniary interest, whether direct or indirect, in or from the running of the private hospital; or
  - (b) is involved either directly or indirectly in the management and control of the private hospital,and, if so, details of any such change.
10. A statement as to whether or not, during the period to which the return relates, there has been any change in the purpose for which the private hospital is used and, if so, details of any such change.
11. A statement as to whether or not, during the period to which the return relates, there has been any change in the number of approved beds provided at the private hospital and, if so, details of any such change.
12. A statement as to whether or not, during the period to which the return relates, there has been any change in the number of beds designated for a particular type of service and, if so, details of any such change.
13. A statement as to whether or not, during the period to which the return relates, there has been any change in the clinical services provided as part of or ancillary to the principal services provided at the private hospital and, if so, details of any such change.
14. A statement as to whether or not, during the period to which the return relates, there has been any change in the facilities provided at the private hospital and, if so, details of any such change.
15. A statement as to whether or not, during the period to which the return relates, there has been any change in the specialist diagnostic equipment provided at the private hospital and, if so, details of any such change.

### SCHEDULE 3

1. The name and address of the private hospital the licence of which is to be transferred.
2. Where the licensee is a natural person, the name and address of the licensee.
3. Where the licensee is a body corporate, its name and the address of its registered office.
4. Where the licensee is an incorporated association, its name and address.
5. Where the proposed transferee is a natural person, the name, address and occupation of the proposed transferee.
6. Where the proposed transferee is a body corporate, its name, the address of its registered office, its date of incorporation, the State or Territory in which it is incorporated and the names, addresses and occupations of its secretary and directors.
7. Where the proposed transferee is an incorporated association, its name, address and date of incorporation, the State or Territory in which it is incorporated and the names, addresses and occupations of its public officer and the members of the management committee.
8. A statement as to whether or not a body of management has been or is to be appointed by the proposed transferee and, if so, the names, addresses and occupations of the members or proposed members.
9. A statement as to whether or not a manager or administrator has been appointed by the proposed transferee and, if so, the name and address of the manager or administrator.
10. The name, address and occupation of any person other than a person referred to in clauses 5 to 9 (inclusive) who—
  - (a) has any pecuniary interest, whether direct or indirect, in or from the running of the private hospital; or
  - (b) is involved either directly or indirectly in the management and control of the private hospital.
11. A statement as to whether or not the proposed transferee or any other person referred to in clauses 5 to 10 (inclusive) has at any time been refused a licence to operate a private hospital, nursing home, rest home or hostel in the State or in any other State or a Territory of the Commonwealth, and, if so, the name of such person, the circumstances surrounding the refusal and the date of the refusal.
12. A statement as to whether or not the proposed transferee or any other person referred to in clauses 5 to 10 (inclusive) has been found guilty of or convicted of any criminal offence in the State or in any other State or a Territory of the Commonwealth within the period of 5 years immediately preceding the date of the application to transfer, and, if so, the name of such person, and the circumstances giving rise to the offence, the date of the finding or conviction and details of the penalty imposed or other disciplinary action taken.
13. A statement as to whether or not a licence to operate a private hospital, nursing home, rest home or hostel in the State or in any other State or a Territory of the Commonwealth has been revoked or cancelled or the subject of an enquiry relating to revocation or cancellation by reason of the conduct of the proposed transferee or any other person referred to in clauses 5 to 10 (inclusive), and, if so, the name of such person, details of the circumstances giving rise to the revocation, cancellation or enquiry, the date of the refusal, cancellation or enquiry and details of any penalty imposed or other disciplinary action taken.
14. The date of the proposed transfer.

## REGULATIONS UNDER THE BOTANIC GARDENS AND STATE HERBARIUM ACT 1978

No. 204 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Botanic Gardens and State Herbarium Act 1978*, on the recommendation of the Board of the Botanic Gardens and State Herbarium 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.

IAIN EVANS Minister for Environment and Heritage

### SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 4—Interpretation
4. Variation of reg. 13—Entrance to Conservatory and Rose Garden
5. Variation of Sched.—Charges

#### Citation

1. The *Botanic Gardens and State Herbarium (General) Regulations 1993* (see *Gazette* 15 July 1993 p. 569), as varied, are referred to in these regulations as "the principal regulations".

#### Commencement

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

#### Variation of reg. 4—Interpretation

3. Regulation 4 of the principal regulations is varied—

(a) by inserting in the definition of "**the Gardens**" "and the Rose Garden" after "the Conservatory";

(b) by inserting after the definition of "**Gardens employee**" the following definition:

"**the Rose Garden**" means the Adelaide International Rose Garden situated at the corner of Plane Tree Drive and Hackney Road, adjacent to the Conservatory.

#### Variation of reg. 13—Entrance to Conservatory and Rose Garden

4. Regulation 13 of the principal regulations is varied by inserting "or the Rose Garden" after "the Conservatory".

**Variation of Sched.—Charges**

5. The Schedule to the principal regulations is varied by striking out clause 1 and substituting the following clause:

**1. ADMISSION CHARGES**

(1) During usual opening hours—

(a) *The Conservatory*

\$3.00 per adult  
\$1.50 per child or concession cardholder  
\$7.00 per family

(b) *The Rose Garden*

\$3.00 per adult  
\$1.50 per child or concession cardholder  
\$7.00 per family  
\$2.00 per adult in a group tour

(c) *Joint Admission to the Conservatory and the Rose Garden*

\$5.00 per adult  
\$2.50 per child or concession cardholder  
\$12.00 per family  
\$4.00 per adult in a group tour

(2) No charge is payable for admission to the Conservatory or the Rose Garden by a person who is a financial member of the *Friends of the Botanic Gardens of Adelaide Incorporated*.

(3) In this clause—

"**group tour**" means an organised tour approved by the Director in which a minimum of five people (including any child or concession cardholder) participate.

MEH 19/2000 CS

R. DENNIS Clerk of the Council



**REGULATIONS UNDER THE LOCAL GOVERNMENT (IMPLEMENTATION)  
ACT 1999**

No. 205 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Local Government (Implementation) 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.

DIANA LAIDLAW Minister for Transport and Urban Planning

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Variation of reg. 11—Local government land

**Citation**

1. The *Local Government (Implementation) Regulations 1999* (see *Gazette* 9 December 1999 p. 3297), as varied, are referred to in these regulations as "the principal regulations".

**Commencement**

2. These regulations will take effect from 1 July 2000<sup>1</sup>.

<sup>1</sup> See section 45(3) of the Act.

**Variation of reg. 11—Local government land**

3. Regulation 11 of the principal regulations is varied by striking out from subregulation (4)(c) "1 July 2000" and substituting "1 January 2001".

MLG 9/2000 CS

R. DENNIS Clerk of the Council

## REGULATIONS UNDER THE WORKERS REHABILITATION AND COMPENSATION ACT 1986

No. 206 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Workers Rehabilitation and Compensation 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. 3—Interpretation
4. Variation of reg. 7—Costs

#### **Citation**

1. The *Workers Rehabilitation and Compensation (Dispute Resolution) Regulations 1996* (see *Gazette* 30 May 1996 p. 2704) are referred to in these regulations as "the principal regulations".

#### **Commencement**

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

#### **Variation of reg. 3—Interpretation**

3. Regulation 3 of the principal regulations is varied by inserting after the definition of "Act" the following definitions:

"GST" means the tax payable under the GST law;

"GST law" means—

- (a) *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth; and
- (b) the related legislation of the Commonwealth dealing with the imposition of a tax on the supply of goods, services and other things.

**Variation of reg. 7—Costs****4. Regulation 7 of the principal regulations is varied—**

(a) by striking out subregulation (1) and substituting the following subregulation:

(1) Pursuant to section 95(1) of the Act, the following limits on costs are fixed in relation to proceedings that take place under Part 6A of the Act (other than under Division 6 of that Part) up to and including 31 December 2000:

Item	Limit \$
Assistance in the preparation and lodgement of a notice of dispute .....	88
Participation in the initial reconsideration of a disputed decision and in the initial conciliation process, including attendance at a conciliation conference .....	110
Participation in the conciliation/dispute resolution process (payable only if the matter is resolved through the conciliation process, and including the preparation of any necessary documentation) .....	88
Preparation of a case for an arbitration hearing .....	176
Appearance before an arbitration officer for an arbitration hearing (to a maximum of \$341)	
First hour .....	110
Second hour .....	66
Third and subsequent hours .....	33

(a) by striking out subregulations (4) and (5) and substituting the following subregulations:

(4) Pursuant to section 97C of the Act, the following limits on costs are fixed in relation to proceedings that take place under Part 6B of the Act up to and including 31 December 2000:

Item	Limit \$
Assistance in the preparation and lodgement of an application .....	88
Preparation of a case for hearing .....	176
Appearance before the Tribunal (to a maximum of \$341)	
First hour .....	110
Second hour .....	66
Third and subsequent hour .....	33

(5) The limits on costs in relation to proceedings under Part 6A of the Act (other than under Division 6 of that Part) and Part 6B of the Act that take place in the 2001 calendar year or a subsequent calendar year are to be determined by adjusting the amounts prescribed by subregulations (1) and (4) respectively in accordance with subregulation (6).;

(6) Subject to subregulation (7), an amount prescribed by subregulation (1) or (4) will be adjusted on an annual basis so that the adjusted amount will on 1 January 2001 and on 1 January of each subsequent year be an amount (calculated to the nearest multiple of \$10) that bears to the amount prescribed by subregulation (1) or (4) the same proportion, subject to subregulation (8), as the Consumer Price Index for the September quarter of the immediately preceding year bears to the Consumer Price Index for the September quarter, 1995.

(7) In the application of subregulation (6), the maximum amount—

- (a) for preparation of a case for an arbitration hearing prescribed by subregulation (1) will be taken to be \$165 and not \$176;
- (b) for appearance before an arbitration officer for an arbitration hearing prescribed by subregulation (1) will be taken to be \$330 and not \$341;
- (c) for preparation of a case for hearing prescribed by subregulation (4) will be taken to be \$165 and not \$176;
- (d) for appearance before the Tribunal prescribed by subregulation (4) will be taken to be \$330 and not \$341.

(8) For the purpose of making the adjustment referred to in subregulation (6), the amount of the Consumer Price Index for the September quarter, 2000, and for the September quarter of each subsequent year will be reduced by the amount of the component of the weighted average of the Consumer Price Index for the eight Australian capital cities for the September quarter, 2000, that, in the opinion of the Australian Bureau of Statistics, is attributable to the impact of the GST.

(9) If the Australian Bureau of Statistics has not determined and published the amount of the component referred to in subregulation (8) that is attributable to the GST by 1 January 2001, the adjustment under subregulation (6) for that year will be delayed until the amount has been published by the Bureau.

## REGULATIONS UNDER THE WORKERS REHABILITATION AND COMPENSATION ACT 1986

No. 207 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Workers Rehabilitation and Compensation 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. 3—Interpretation
4. Variation of reg. 4—Medical expenses
5. Variation of reg. 12—Prescribed limits on costs—Provision of professional advice
6. Variation of reg. 15—Compensation payable on death

#### Citation

1. The *Workers Rehabilitation and Compensation (General) Regulations 1999* (see *Gazette* 25 November 1999 p. 2743) are referred to in these regulations as "the principal regulations".

#### Commencement

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

#### Variation of reg. 3—Interpretation

3. Regulation 3 of the principal regulations is varied by inserting after the definition of "Act" the following definitions:

"GST" means the tax payable under the GST law;

"GST law" means—

- (a) *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth; and
- (b) the related legislation of the Commonwealth dealing with the imposition of a tax on the supply of goods, services and other things;.

#### Variation of reg. 4—Medical expenses

4. Regulation 4 of the principal regulations is varied—

- (a) by striking out paragraphs (a) and (b) of subregulation (1) and substituting the following paragraphs:

- (a) where the accommodation is provided up to and including 31 December 2000—\$143 per day;
- (b) where the accommodation is provided in the 2001 calendar year or a subsequent calendar year—an amount (calculated to the nearest multiple of \$10) that bears to \$138 the same proportion, subject to subregulation (1a), as the Consumer Price Index for the September quarter of the immediately preceding year bears to the Consumer Price Index for the September quarter, 1998.;

(b) by inserting after subregulation (1) the following subregulations:

(1a) For the purposes of determining the amount referred to in subregulation (1)(b), the amount of the Consumer Price Index for the September quarter, 2000, and for the September quarter of each subsequent year will be reduced by the amount of the component of the weighted average of the Consumer Price Index for the eight Australian capital cities for the September quarter, 2000, that, in the opinion of the Australian Bureau of Statistics, is attributable to the impact of the GST.

(1b) If the Australian Bureau of Statistics has not determined and published the amount of the component referred to in subregulation (1a) that is attributable to the GST by 1 January 2001, the determination under subregulation (1)(b) for that year will be delayed until the amount has been published by the Bureau.;

(c) by striking out from subregulation (2) "\$50" and substituting "\$55".

#### **Variation of reg. 12—Prescribed limits on costs—Provision of professional advice**

**5. Regulation 12 of the principal regulations is varied—**

- (a) by striking out from subregulation (1) "a redemption" and substituting "redemption negotiations where the advice is obtained up to and including 31 December 2000";
- (b) by striking out from subregulation (1) "\$300" and substituting "\$341";
- (c) by striking out from subregulation (1) "\$200" and substituting "\$220";
- (d) by striking out subregulation (2) and substituting the following subregulations:

(2) The limits in relation to the indemnity provided by the Corporation for the costs of obtaining professional advice in the event of redemption negotiations where the advice is obtained in the 2001 calendar year or a subsequent calendar year are to be determined by adjusting the amounts prescribed by subregulation (1) in accordance with subregulation (3).

(3) Subject to subregulation (4), an amount prescribed by subregulation (1) will be adjusted on an annual basis so that the adjusted amount will on 1 January 2001 and on 1 January of each subsequent year be an amount (calculated to the nearest multiple of \$10) that bears to the amount prescribed by subregulation (1) the same proportion, subject to subregulation (5), as the Consumer Price Index for the September quarter of the immediately preceding year bears to the Consumer Price Index for the September quarter, 1998.

(4) In the application of subregulation (3) the maximum amount for obtaining professional advice about the consequences of redemption prescribed by subregulation (1) will be taken to be \$330 and not \$341.

(5) For the purpose of making the adjustment referred to in subregulation (3), the amount of the Consumer Price Index for the September quarter, 2000, and for the September quarter of each subsequent year will be reduced by the amount of the component of the weighted average of the Consumer Price Index for the eight Australian capital cities for the September quarter, 2000, that, in the opinion of the Australian Bureau of Statistics, is attributable to the impact of the GST.

(6) If the Australian Bureau of Statistics has not determined and published the amount of the component referred to in subregulation (5) that is attributable to the GST by 1 January 2001, the adjustment under subregulation (3) for that year will be delayed until the amount has been published by the Bureau.

### **Variation of reg. 15—Compensation payable on death**

#### **6. Regulation 15 of the principal regulations is varied—**

(a) by striking out paragraphs (a) and (b) of subregulation (1) and substituting the following paragraphs:

(a) in relation to a worker who dies before or on 31 December 2000—\$5 599;

(b) in relation to a worker who dies in the 2001 calendar year or a subsequent calendar year—a sum (calculated to the nearest multiple of \$10) that bears to \$5 500 the same proportion, subject to subregulation (1a), as the Consumer Price Index for the September quarter of the immediately preceding year bears to the Consumer Price Index for the September quarter, 1998.;

(b) by inserting after subregulation (1) the following subregulations:

(1a) For the purpose of determining the sum referred to in subregulation (1)(b), the amount of the Consumer Price Index for the September quarter, 2000, and for the September quarter of each subsequent year will be reduced by the amount of the component of the weighted average of the Consumer Price Index for the eight Australian capital cities for the September quarter, 2000, that, in the opinion of the Australian Bureau of Statistics, is attributable to the impact of the GST.

(1b) If the Australian Bureau of Statistics has not determined and published the amount of the component referred to in subregulation (1a) that is attributable to the GST by 1 January 2001, the determination under subregulation (1)(b) for that year will be delayed until the amount has been published by the Bureau.

## REGULATIONS UNDER THE WORKERS REHABILITATION AND COMPENSATION ACT 1986

No. 208 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Workers Rehabilitation and Compensation 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. 4—Interpretation
4. Variation of reg. 6—Costs on account of representation

#### Citation

1. The *Workers Rehabilitation and Compensation (Reviews and Appeals) Regulations 1999* (see *Gazette* 25 November 1999 p. 2740) are referred to in these regulations as "the principal regulations".

#### Commencement

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

#### Variation of reg. 4—Interpretation

3. Regulation 4 of the principal regulations is varied by inserting after the definition of "Chief Review Officer" in subregulation (1) the following definitions:

"GST" means the tax payable under the GST law;

"GST law" means—

- (a) *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth; and
- (b) the related legislation of the Commonwealth dealing with the imposition of a tax on the supply of goods, services and other things;

#### Variation of reg. 6—Costs on account of representation

4. Regulation 6 of the principal regulations is varied—

- (a) by inserting after "related conciliation proceedings" in subregulation (1) "where the proceedings take place up to and including 31 December 2000";
- (b) by striking out the table from subregulation (1) and substituting the following table:



Item	Limit \$
Assistance in the preparation and lodgement of an application for review.....	88
Participation in the conciliation process.....	110
Participation in the dispute resolution/conclusion process.....	88
Preparation of case for a review hearing .....	165
Appearance before a Review Officer (to a maximum of \$363)	
First hour .....	110
Second hour .....	66
Third and subsequent hours.....	. . .33

(c) by inserting the following subregulation after subregulation (1):

(1a) The limits on costs in relation to proceedings before a Review Officer, and related conciliation proceedings, that take place in the 2001 calendar year or a subsequent calendar year are to be determined by adjusting the amounts prescribed by subregulation (1) in accordance with subregulation (5);

(d) by striking out subregulation (5) and substituting the following subregulations:

(5) Subject to subregulation (6), an amount prescribed by subregulation (1) will be adjusted on an annual basis so that the adjusted amount will on 1 January 2001 and on 1 January of each subsequent year be an amount (calculated to the nearest multiple of \$10) that bears to the amount prescribed by subregulation (1) the same proportion, subject to subregulation (7), as the Consumer Price Index for the September quarter of the immediately preceding year bears to the Consumer Price Index for the September quarter, 1998.

(6) In the application of subregulation (5) the maximum amount for appearance before a Review Officer prescribed by subregulation (1) will be taken to be \$352 and not \$363.

(7) For the purpose of making the adjustment referred to in subregulation (5), the amount of the Consumer Price Index for the September quarter, 2000, and for the September quarter of each subsequent year will be reduced by the amount of the component of the weighted average of the Consumer Price Index for the eight Australian capital cities for the September quarter, 2000, that, in the opinion of the Australian Bureau of Statistics, is attributable to the impact of the GST.

(8) If the Australian Bureau of Statistics has not determined and published the amount of the component referred to in subregulation (7) that is attributable to the GST by 1 January 2001, the adjustment under subregulation (5) for that year will be delayed until the amount has been published by the Bureau.

## REGULATIONS UNDER THE RECREATION GROUNDS (REGULATIONS) ACT 1931

No. 209 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Recreation Grounds (Regulations) Act 1931*, at the request of the controlling body of the relevant recreation ground 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 Attorney-General

### SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched.

#### **Citation**

1. The *Recreation Grounds Regulations 1996* (see *Gazette* 29 August 1996 p. 856) 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.**

3. The Schedule of the principal regulations is varied by striking out from the second column of the item relating to Hindmarsh Stadium "That portion of the land described in Certificate of Title Register Book Volume 5258 Folio 778 marked "1" on GRO Plan 38/1995" and substituting the following:

The whole of the land described in Certificates of Title Register Book Volume 5441 Folio 64, Volume 5664 Folio 129, Volume 5664 Folio 130 and Volume 5664 Folio 132.

AG 42/2000 CS

R. DENNIS Clerk of the Council



**REGULATIONS UNDER THE MOTOR VEHICLES ACT 1959**

No. 210 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Motor Vehicles Act 1959* 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. 38—Fees
4. Variation of reg. 43—Refund on part of licence fee on eligibility for reduced fee
5. Variation of Sched. 2—Classification of driver's licences
6. Variation of Sched. 5—Fees
7. Variation of Sched. 7—Demerit points
8. Revocation of Motor Vehicles (Interstate Road Transport Act Fees) Regulations 1986

**Citation**

1. The *Motor Vehicles Regulations 1996* (see *Gazette* 30 May 1996 p. 2751), 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. 38—Fees**

3. Regulation 38 of the principal regulations is varied—

(a) by inserting in subregulation (1) "clauses 2 to 33 (inclusive) of" after "set out in";

(b) by inserting after subregulation (1) the following subregulation:

(1a) For the purposes of the *Interstate Road Transport Act 1985* of the Commonwealth, the fees set out in clause 34 of schedule 5 are prescribed.<sup>1</sup>

<sup>1</sup>For fees not prescribed by clause 34 of schedule 5 see regulation 48A of the *Interstate Road Transport Regulations 1986* of the Commonwealth.;

(c) by inserting after subregulation (2) the following subregulations:

(3) The Registrar may, by written notice given to a person who is liable to pay the fee prescribed by clause 18(2a) of schedule 5, require the person to pay the fee within the time specified in the notice (being a period of not less than 14 days from the day on which the notice is given).

(4) If a fee is not paid as required by a notice given under subregulation (3), the Registrar may recover the fee in a court of competent jurisdiction as debt due to the Registrar.

**Variation of reg. 43—Refund on part of licence fee on eligibility for reduced fee**

4. Regulation 43 of the principal regulations is varied by inserting in paragraph (a) "or renewed" after "issued".

**Variation of Sched. 2—Classification of driver's licences**

5. Schedule 2 of the principal regulations is varied by striking out paragraph (b) of subclause (7) of clause 1 and substituting the following paragraph:

- (b) the Registrar is satisfied that—
- (i) by reason of the applicant having undertaken the driver training course known as the "Training In Lieu of Experience" ("TILE") course or some other driver training course approved by the Registrar; or
  - (ii) for some other reason,
- special circumstances exist for doing so.

**Variation of Sched. 5—Fees**

6. Schedule 5 of the principal regulations is varied—

(a) by striking out paragraph (b) of clause 18(1) and substituting the following paragraph:

- (b) where the applicant is a concession card holder (per annum) ..... \$11.00;

(b) by inserting after subclause (2) of clause 18 the following subclauses:

(2a) If—

- (a) a person ceases to be a concession card holder; and
- (b) the person holds a driver's licence that was issued or renewed on payment of a reduced fee,

the person must pay an additional fee of an amount that is equal to the difference between—

- (a) the amount obtained by multiplying the number of complete three month periods in the unexpired period of the licence by one-quarter of the annual fee paid for the issue or renewal of the licence; and
- (b) the amount obtained by multiplying the number of complete three month periods in the unexpired period of the licence by one-quarter of the annual fee that would have been payable for the issue or renewal of the licence if the person had not been a concession card holder.

(2b) For the purposes of subclause (2a), the unexpired period of the licence commences on the day on which the person ceases to be a concession card holder.;

(c) by inserting after subclause (4) of clause 18 the following subclause:

(5) In this clause—

"**concession card holder**" means a person who—

- (a) holds—
- (i) a State Concession Card issued by the Department for Human Services; or
  - (ii) a pensioner entitlement card issued under a law of the Commonwealth; and
- (b) is entitled, as the holder of such a card, to travel on public transport in this State at reduced fares;

"**reduced fee**" means the fee payable for the issue or renewal of a driver's licence where the applicant is a concession card holder.;

(d) by inserting after clause 33 the following clause:

**Fees payable for registration under Commonwealth Interstate Road Transport Act 1985**

**34.** (1) Administration fee (payable in addition to the registration charge imposed by Commonwealth law) (s. 9(1)(a))—

- (a) for registration ..... level 3 fee
- (b) for renewal of registration..... level 1 fee

(2) Administration fee to accompany notice surrendering registration (s. 12(2)) ..... level 2 fee.

**Variation of Sched. 7—Demerit points**

**7.** Schedule 7 of the principal regulations is varied—

(a) by inserting in the table in Division 1 of Part 1 the following item:

82(1)	<i>Speeding</i> Exceeding speed limit while passing school bus— by less than 15 kph ..... 1 by 15 kph or more but less than 30 kph ..... 3 by 30 kph or more but less than 45 kph ..... 4 by 45 kph or more ..... 6;
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(b) by striking out from the second column of the table in Division 2 of Part 2 in the item relating to rule 104(1) of the Australian Road Rules "GMV" and substituting "GVM".

**Revocation of Motor Vehicles (Interstate Road Transport Act Fees) Regulations 1986**

**8.** The *Motor Vehicles (Interstate Road Transport Act Fees) Regulations 1986* (see *Gazette* 11 December 1986 p. 1834) are revoked.

**REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997**

No. 211 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

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—

- (a) by striking out from the column headed "*Period*" in the item headed "**Barmera—Area 1**" "2000" and substituting "2002";
- (b) by striking out from the column headed "*Period*" in the item headed "**Barmera—Area 2**" "2000" and substituting "2002";
- (c) by striking out from the column headed "*Period*" in the item headed "**Berri—Area 1**" "2000" and substituting "2002";
- (d) by striking out from the column headed "*Period*" in the item headed "**Berri—Area 2**" "2000" and substituting "2002";
- (e) by striking out from the column headed "*Period*" in the item headed "**Paringa—Area 1**" "7 August 2000" and substituting "31 August 2002";
- (f) by striking out from the column headed "*Period*" in the item headed "**Renmark—Area 1**" "7 August 2000" and substituting "31 August 2002";
- (g) by striking out from the column headed "*Period*" in the item headed "**Renmark—Area 2**" "7 August 2000" and substituting "31 August 2002".

**REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997**

No. 212 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

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—

- (a) by striking out from the column headed "*Period*" in the item headed "**Victor Harbor—Area 1**" "2000" and substituting "2002";
- (b) by striking out from the column headed "*Extent of prohibition*" in the item headed "**Victor Harbor—Area 1**" "The consumption of liquor is prohibited" and substituting "The consumption and possession of liquor are prohibited";
- (c) by striking out from the column headed "*Period*" in the item headed "**Victor Harbor—Area 2**" "2000" and substituting "2002";
- (d) by striking out from the column headed "*Extent of prohibition*" in the item headed "**Victor Harbor—Area 2**" "The consumption of liquor is prohibited" and substituting "The consumption and possession of liquor are prohibited".



**REGULATIONS UNDER THE COAST PROTECTION ACT 1972**

No. 213 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Coast Protection Act 1972* 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.

IAIN EVANS Minister for Environment and Heritage

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Revocation
4. Declaration of land constituting part of coast

**SCHEDULE***Land Constituting Part of Coast***Citation**

1. These regulations may be cited as the *Coast Protection (South East) Regulations 2000*.

**Commencement**

2. These regulations will come into operation on 1 September 2000.

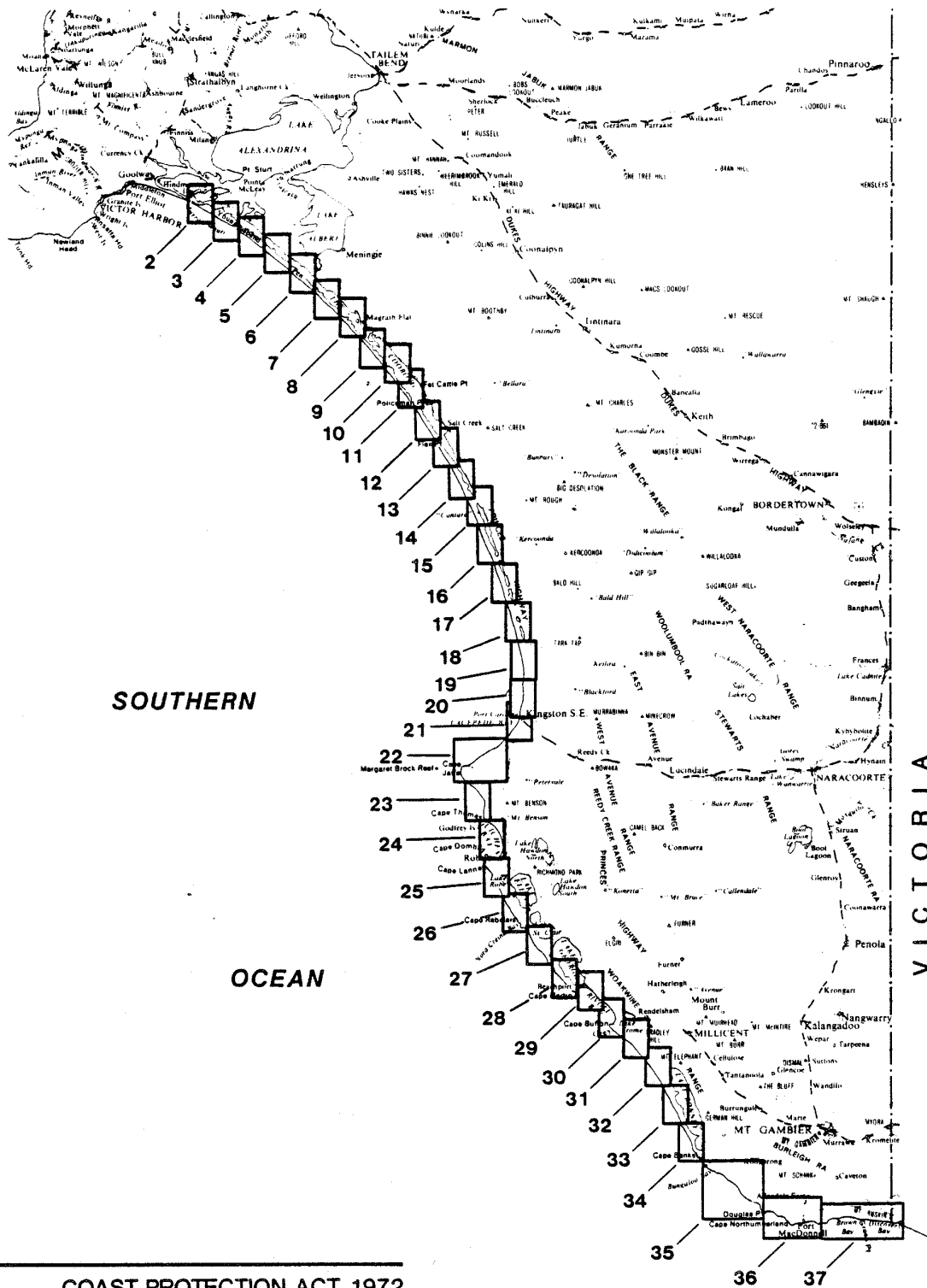
**Revocation**

3. The *Coast Protection Act (South East) Regulations (No. 2) 1985* (see *Gazette* 5 December 1985 p. 1724) are revoked.

**Declaration of land constituting part of coast**

4. The land between the seaward edge of the bold line shown on the plans in the Schedule and the mean high water mark on the seashore at spring tides is declared to constitute part of the coast for the purposes of the *Coast Protection Act 1972*.

SCHEDULE  
Land Constituting Part of Coast



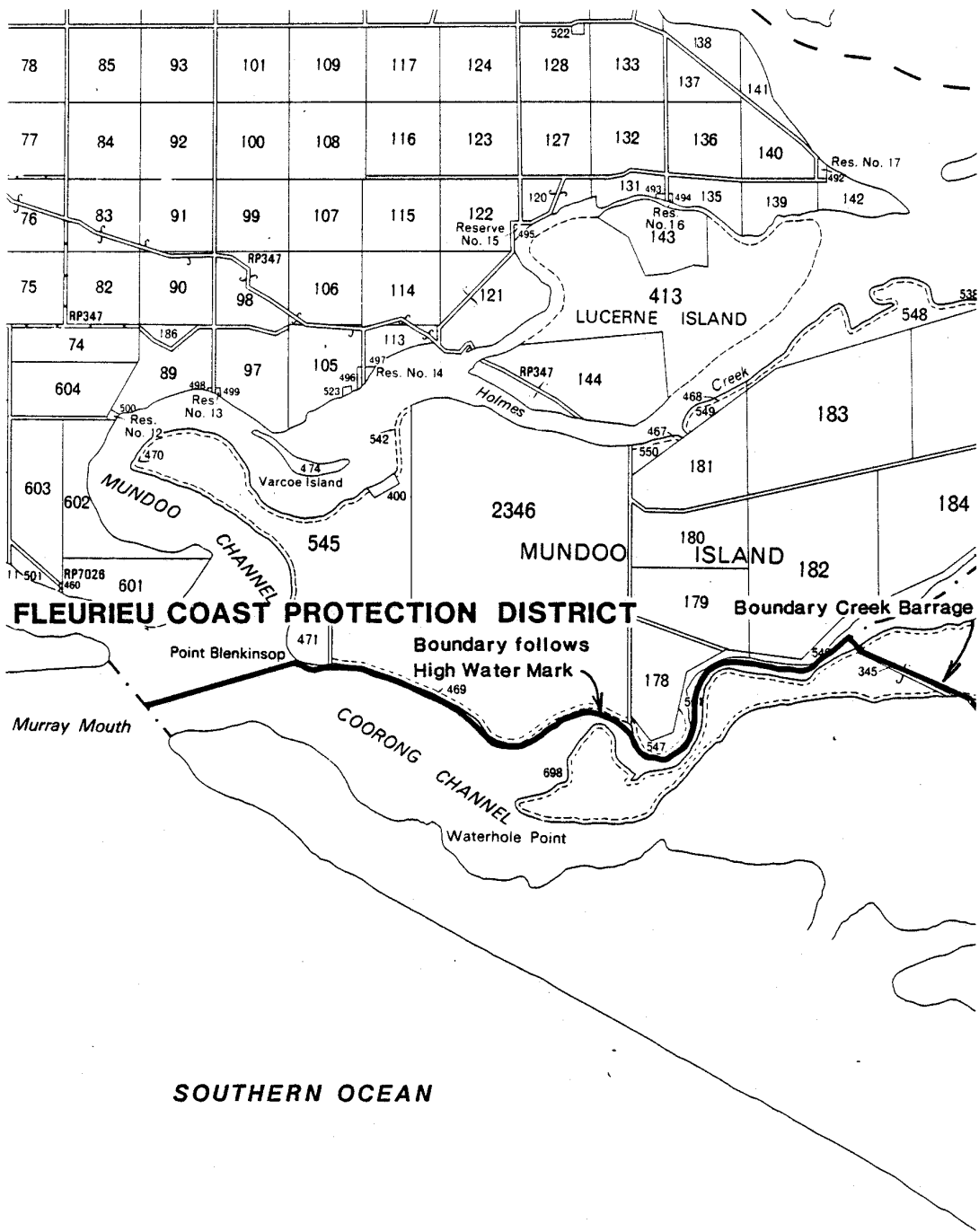
COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**  
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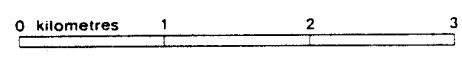
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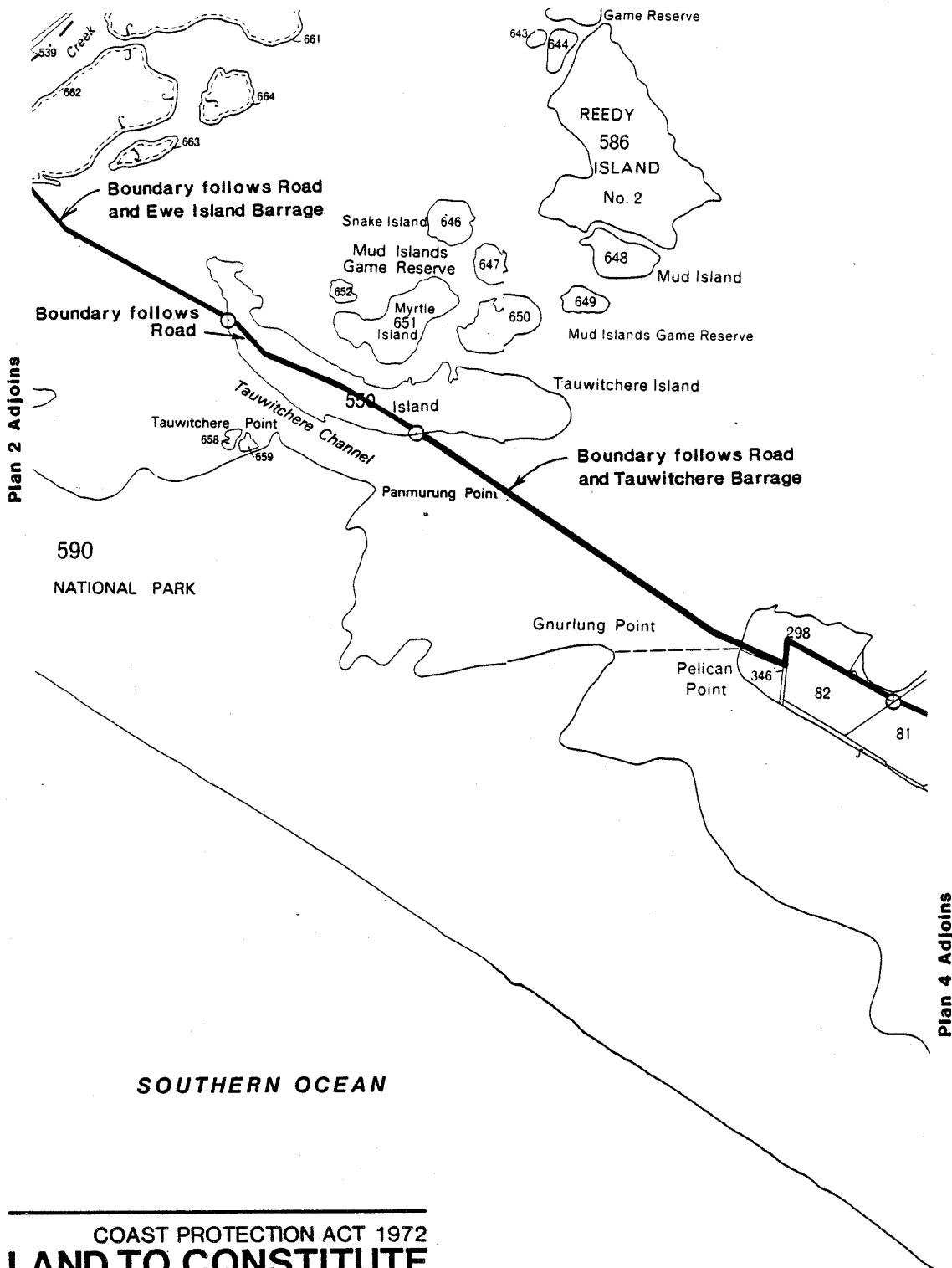
Plan 3 Adjoins

COAST PROTECTION ACT 1972  
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**2**

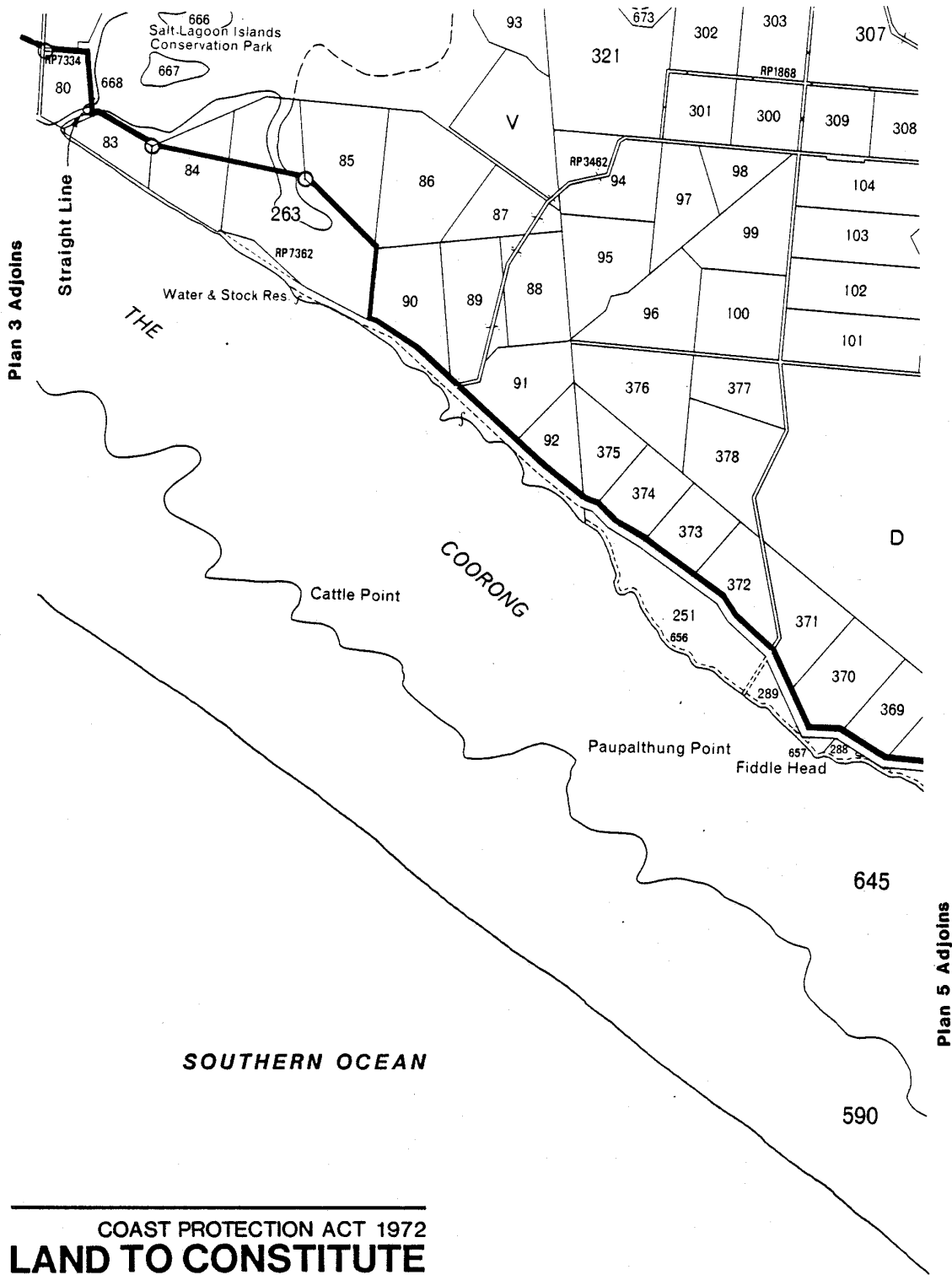


COAST PROTECTION ACT 1972  
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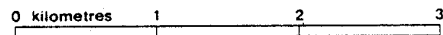


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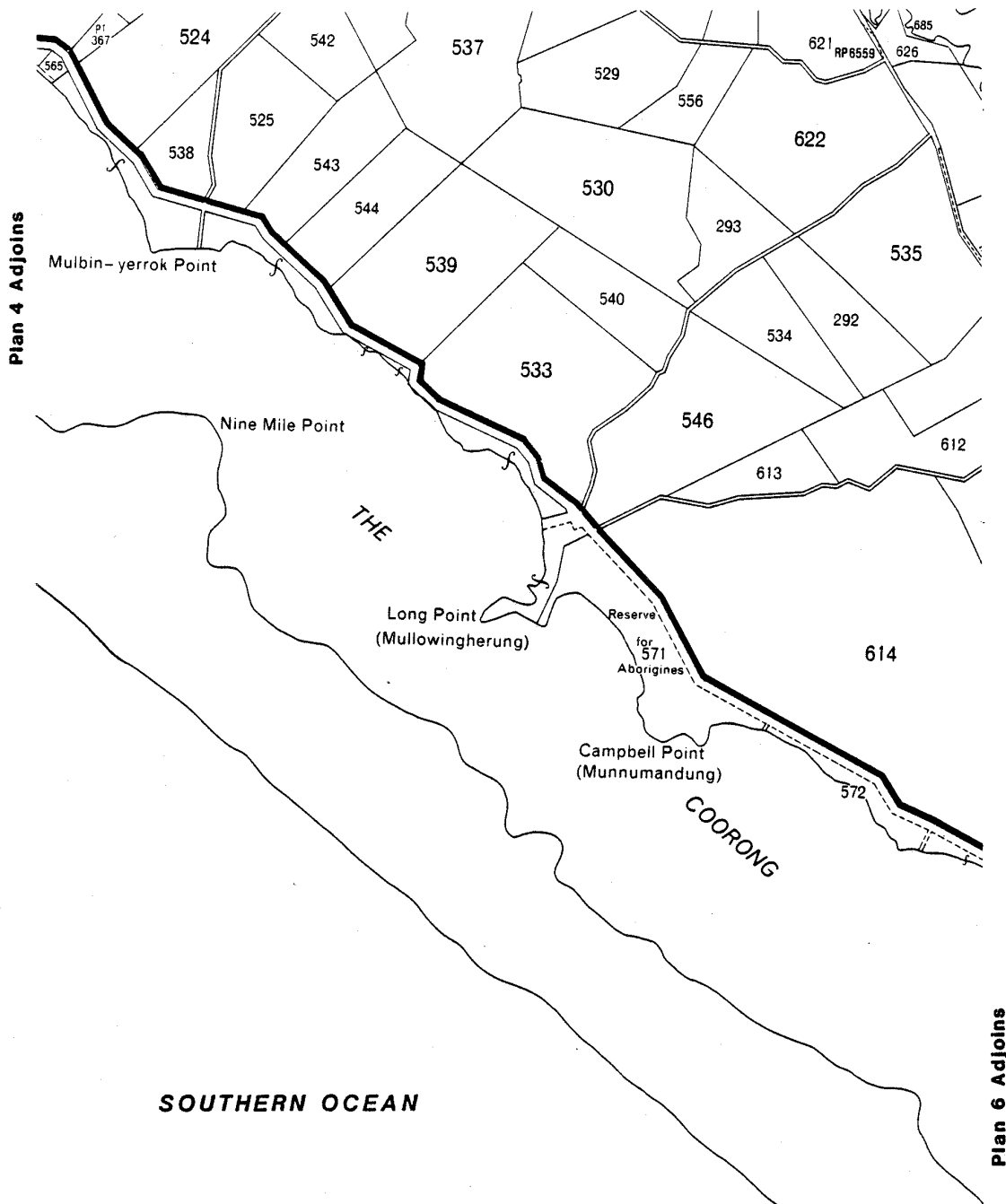
COAST PROTECTION ACT 1972  
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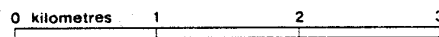


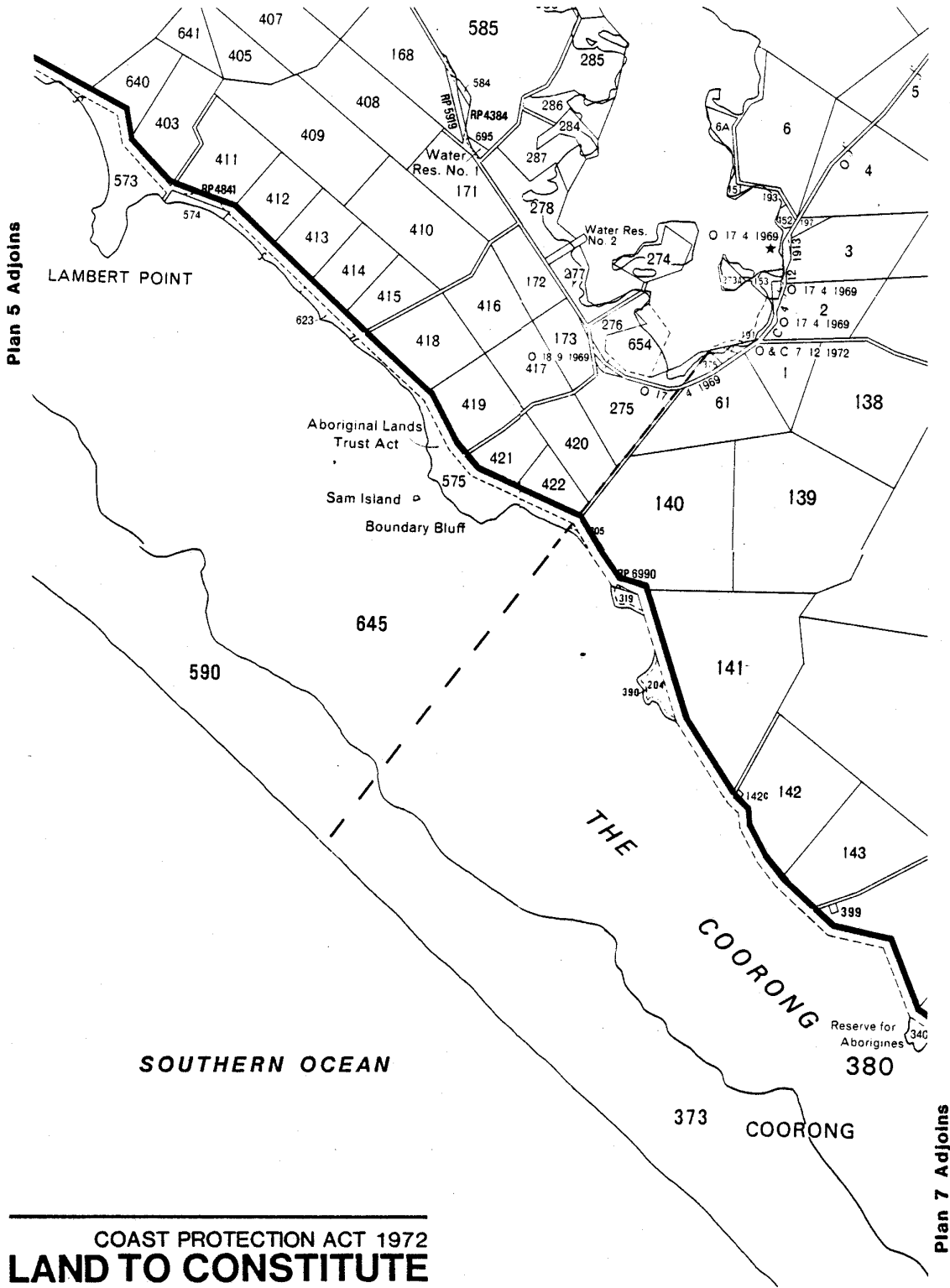


COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
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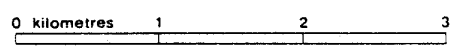
The Schedule

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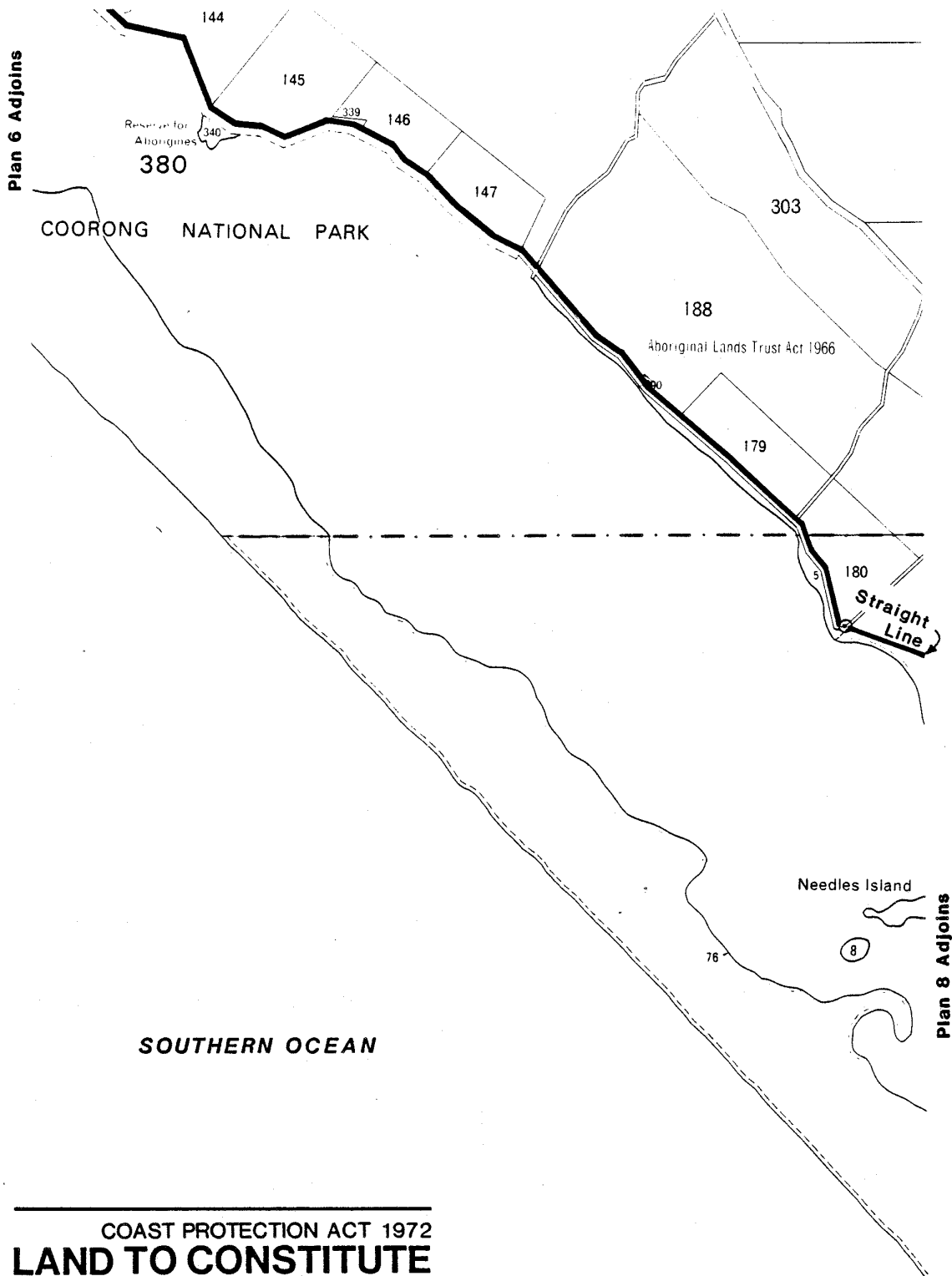


COAST PROTECTION ACT 1972  
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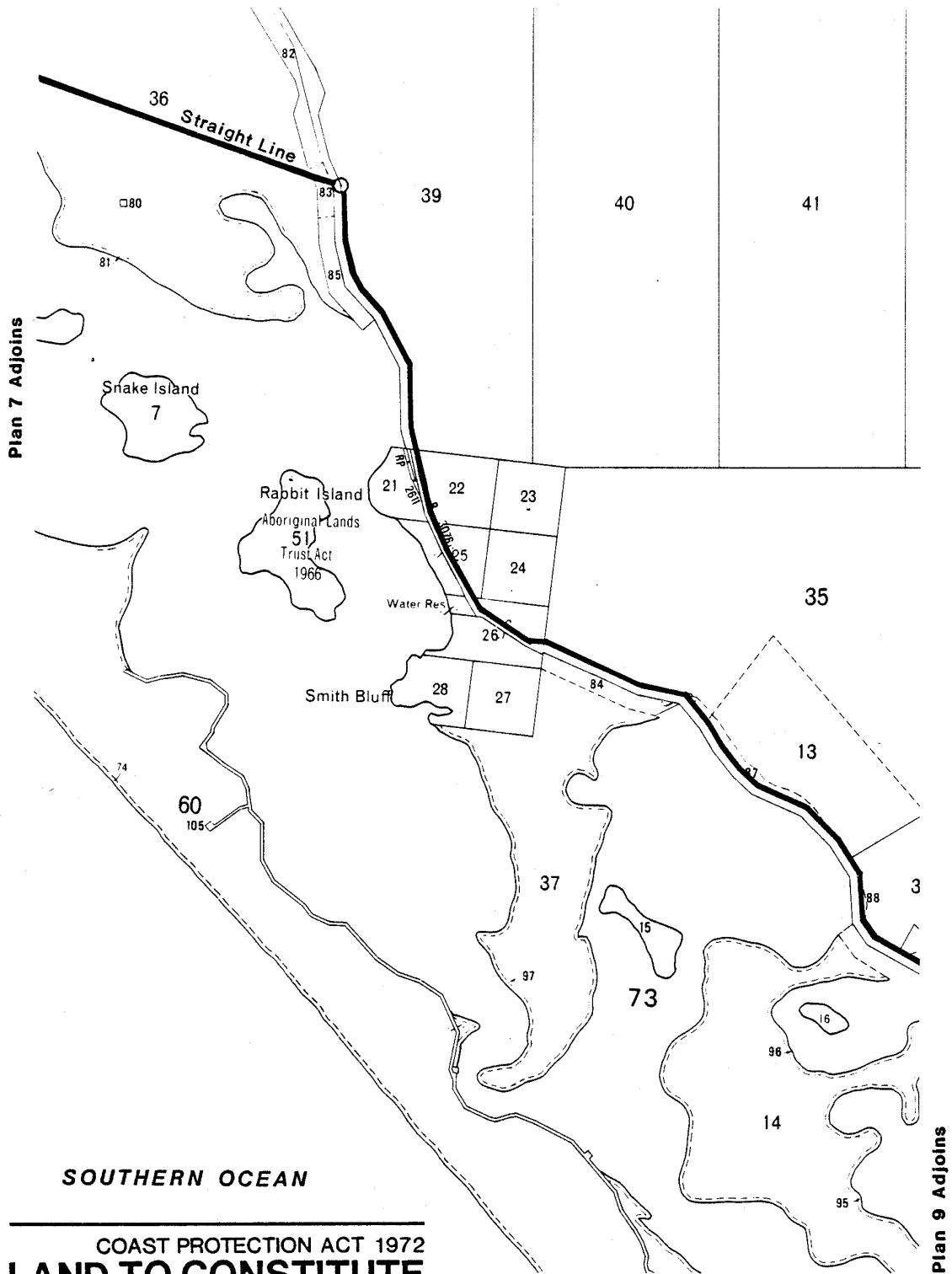
COAST PROTECTION ACT 1972  
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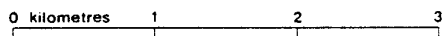
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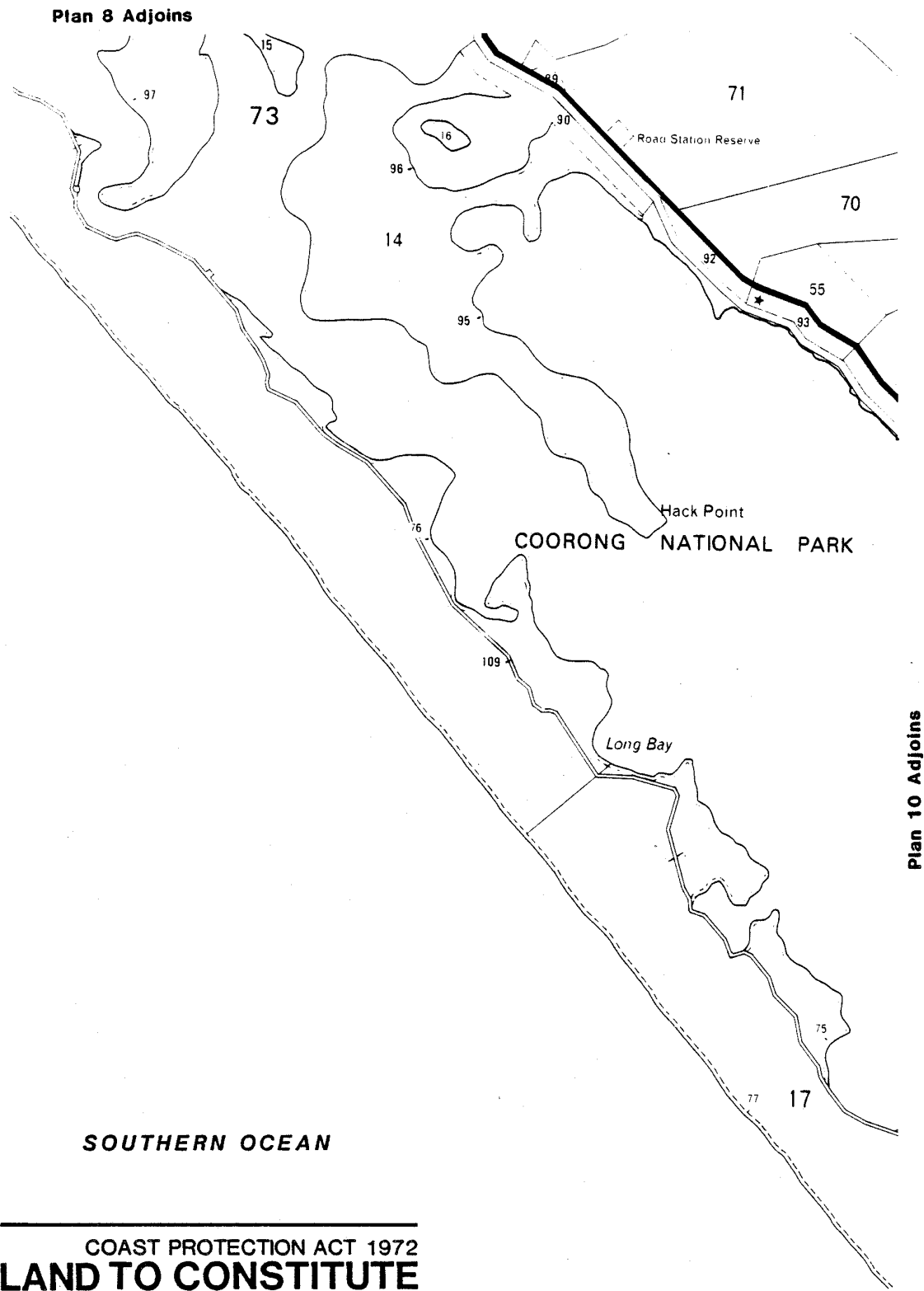
COAST PROTECTION ACT 1972  
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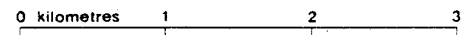
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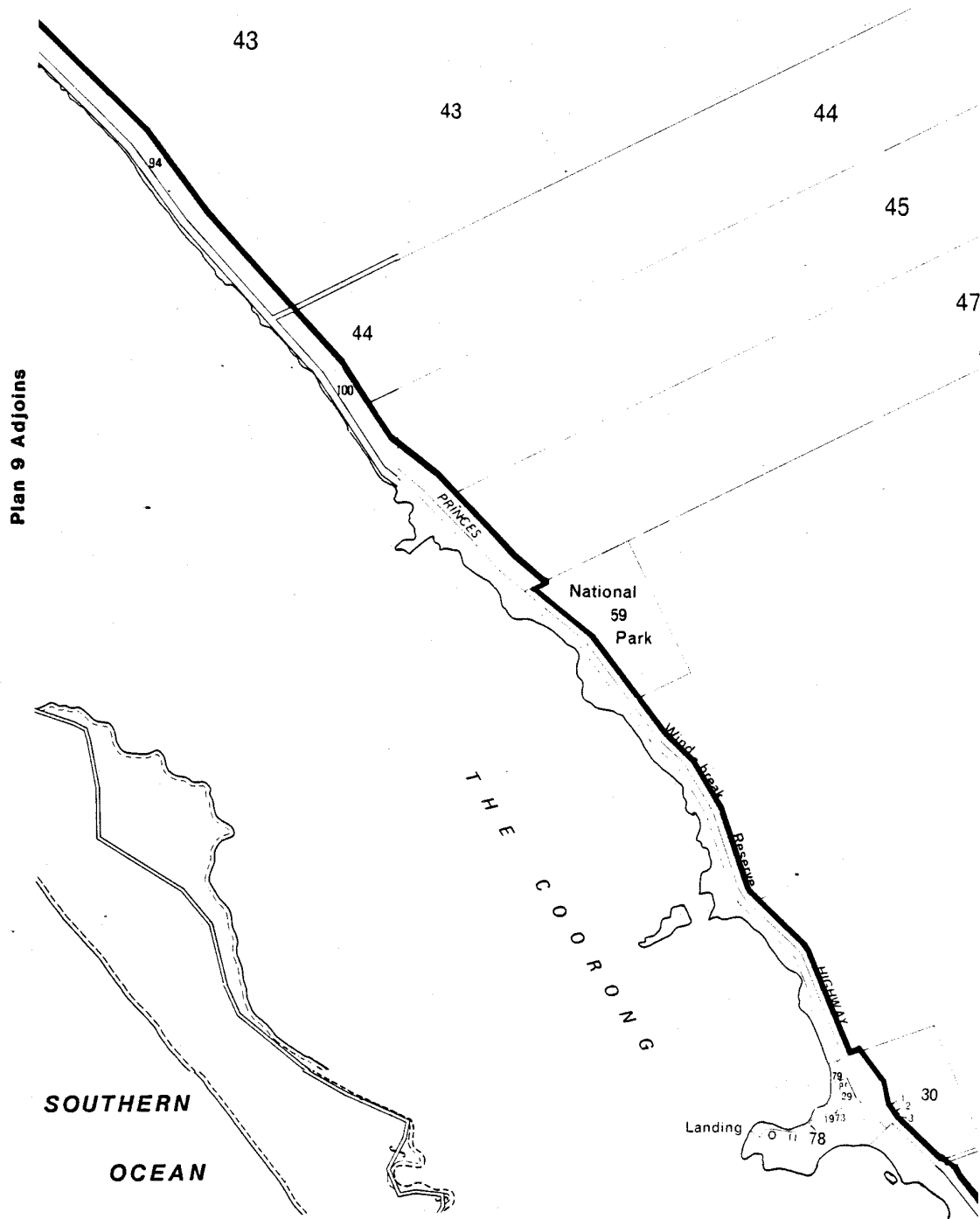
COAST PROTECTION ACT 1972  
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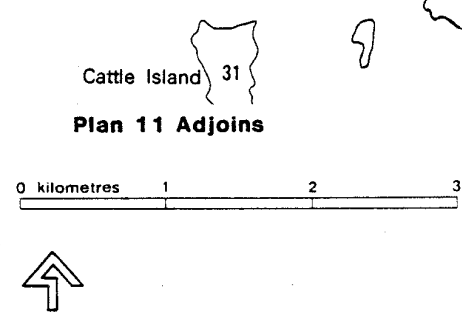




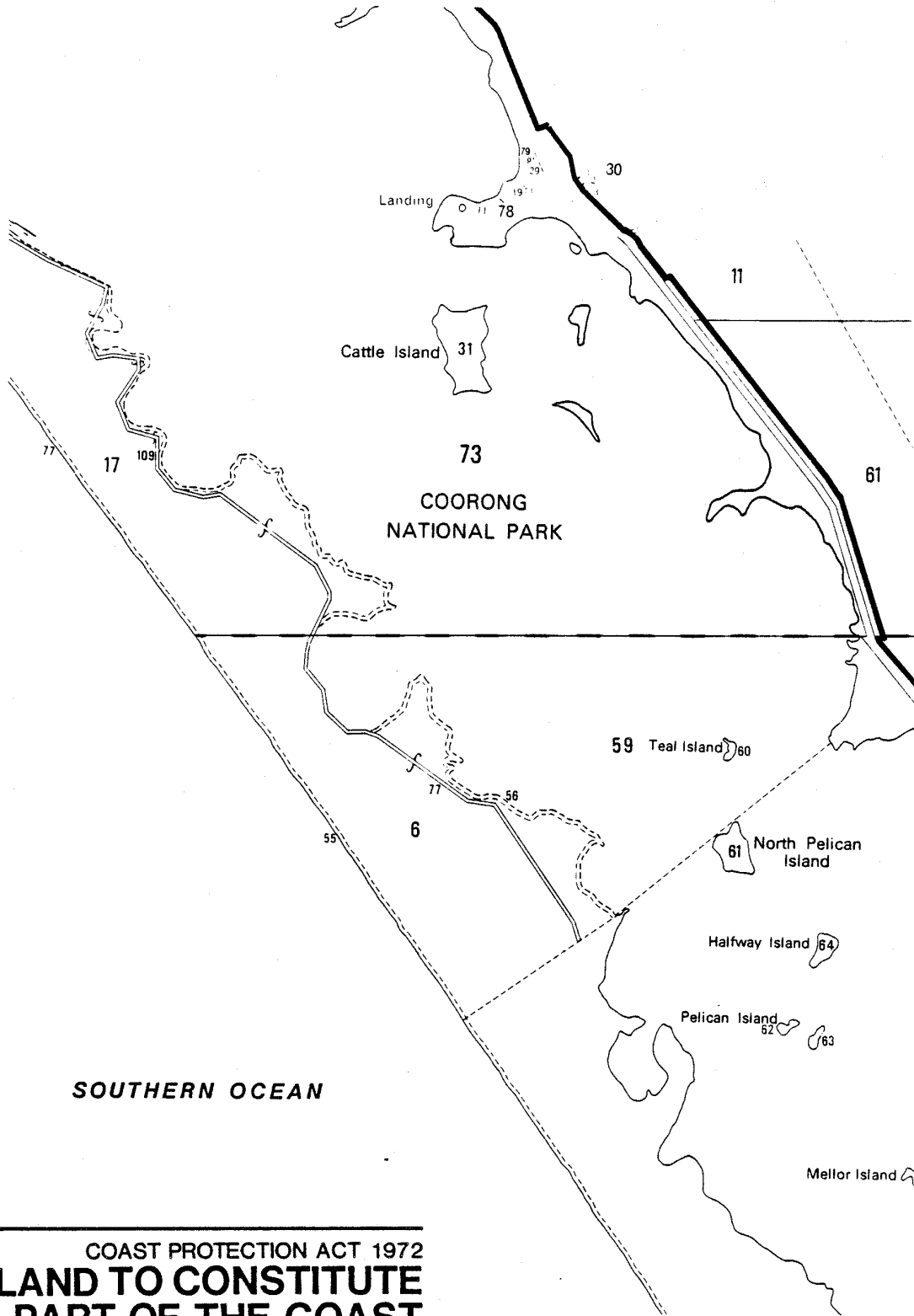
COAST PROTECTION ACT 1972  
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Plan 10 Adjoins



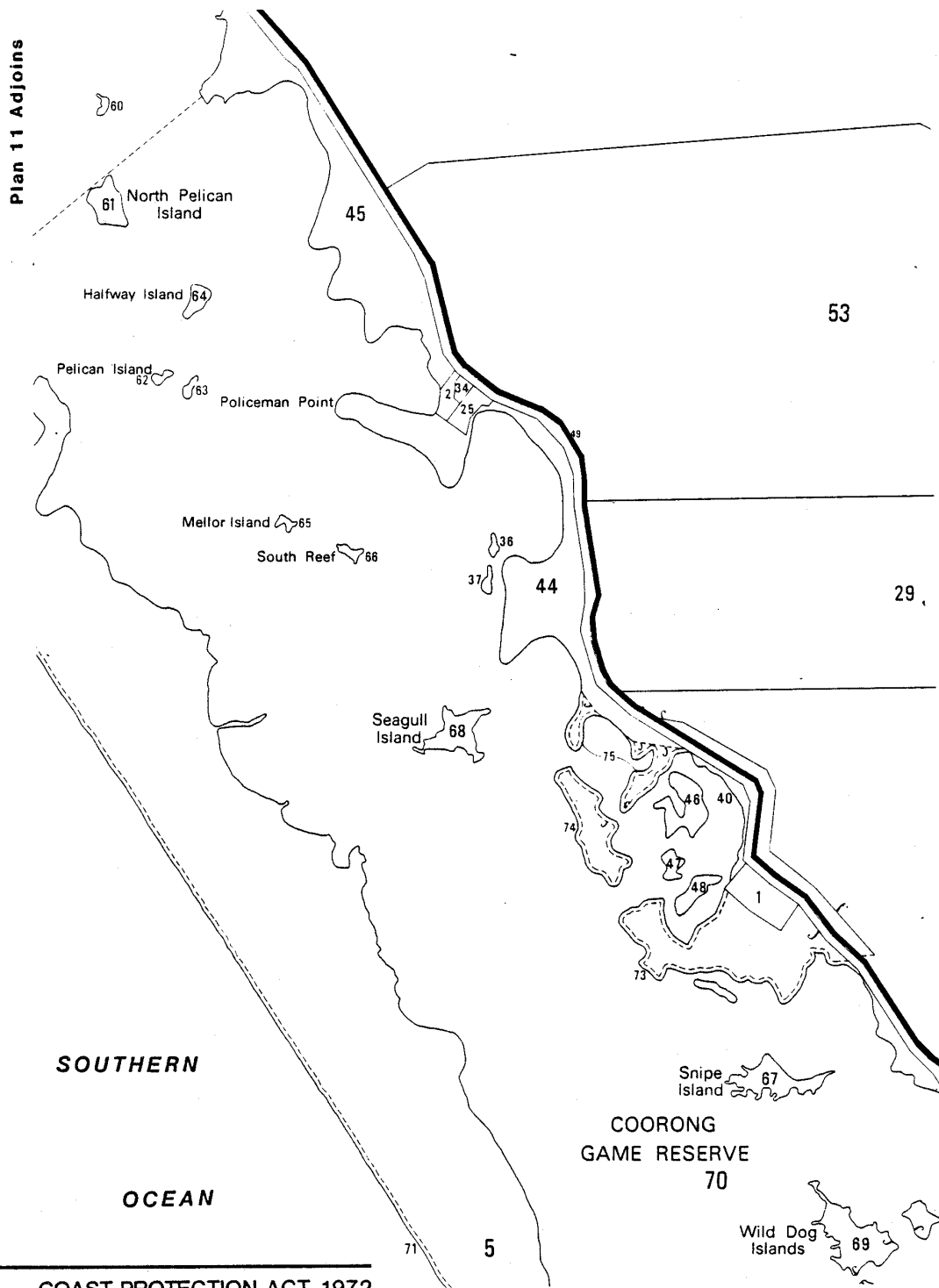
Plan 12 Adjoins

COAST PROTECTION ACT 1972  
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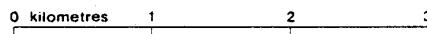




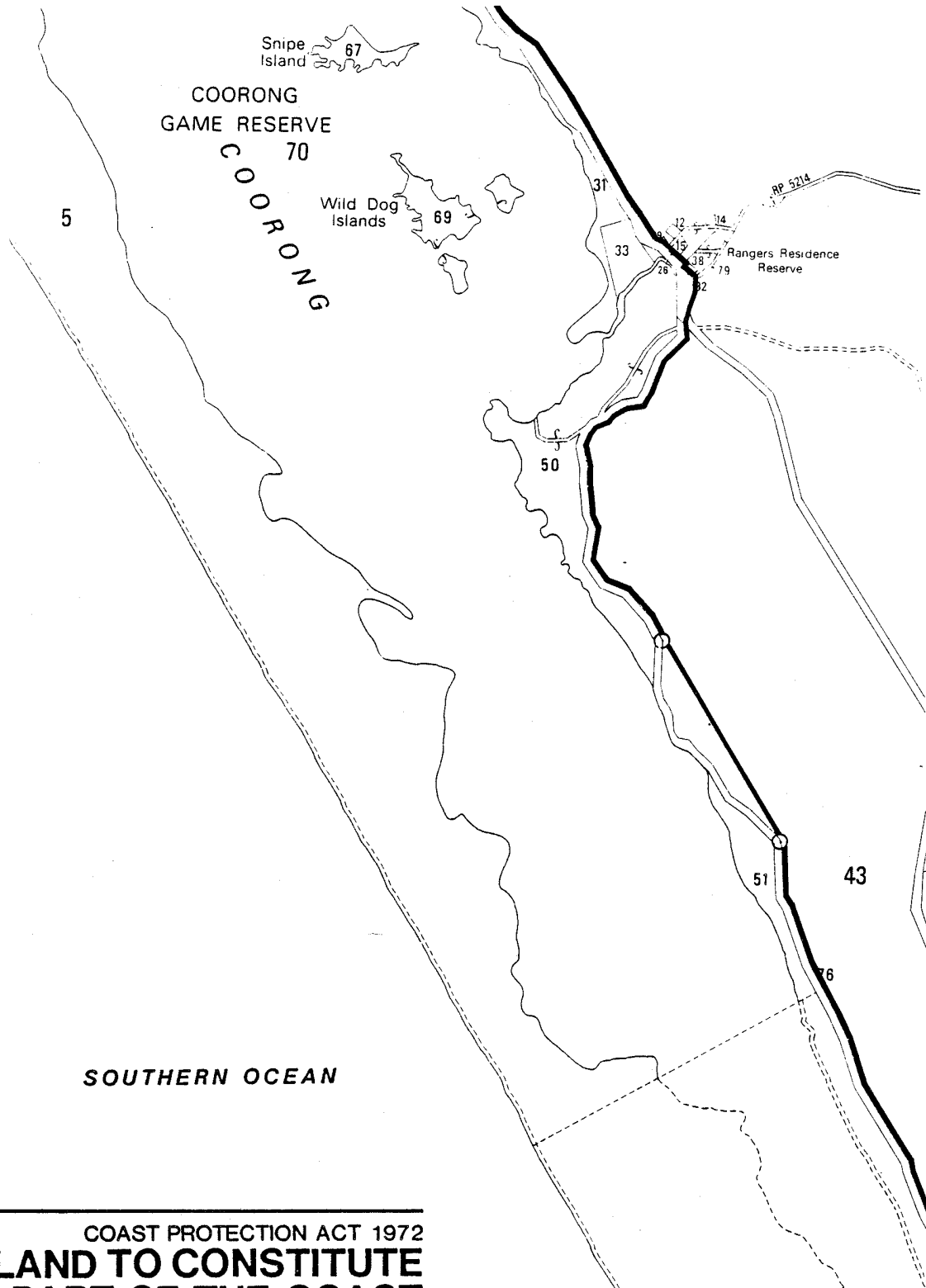
COAST PROTECTION ACT 1972  
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Plan 12 Adjoins



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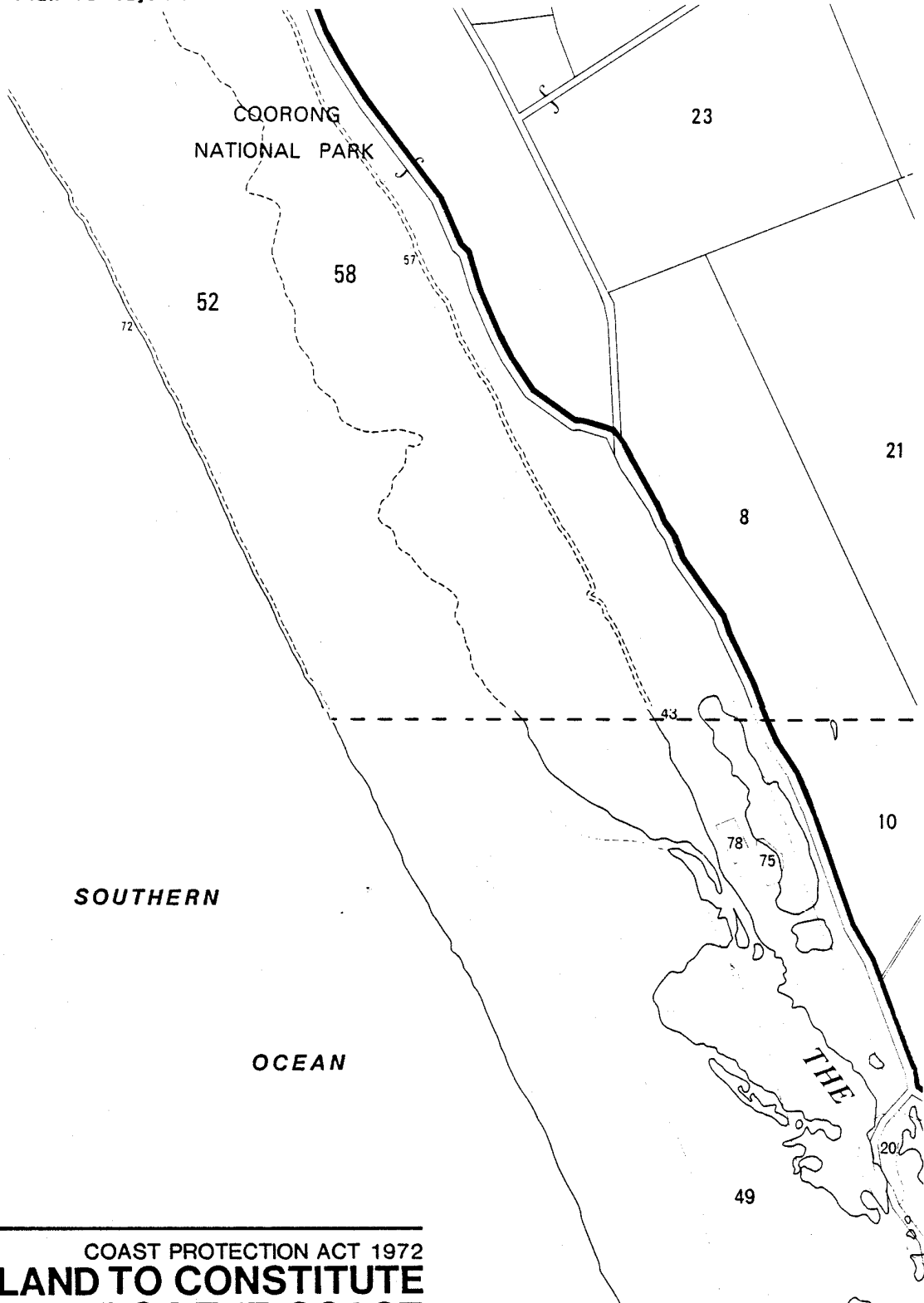
COAST PROTECTION ACT 1972  
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Plan 13 Adjoins



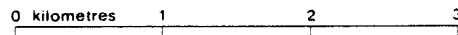
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Plan 15 Adjoins

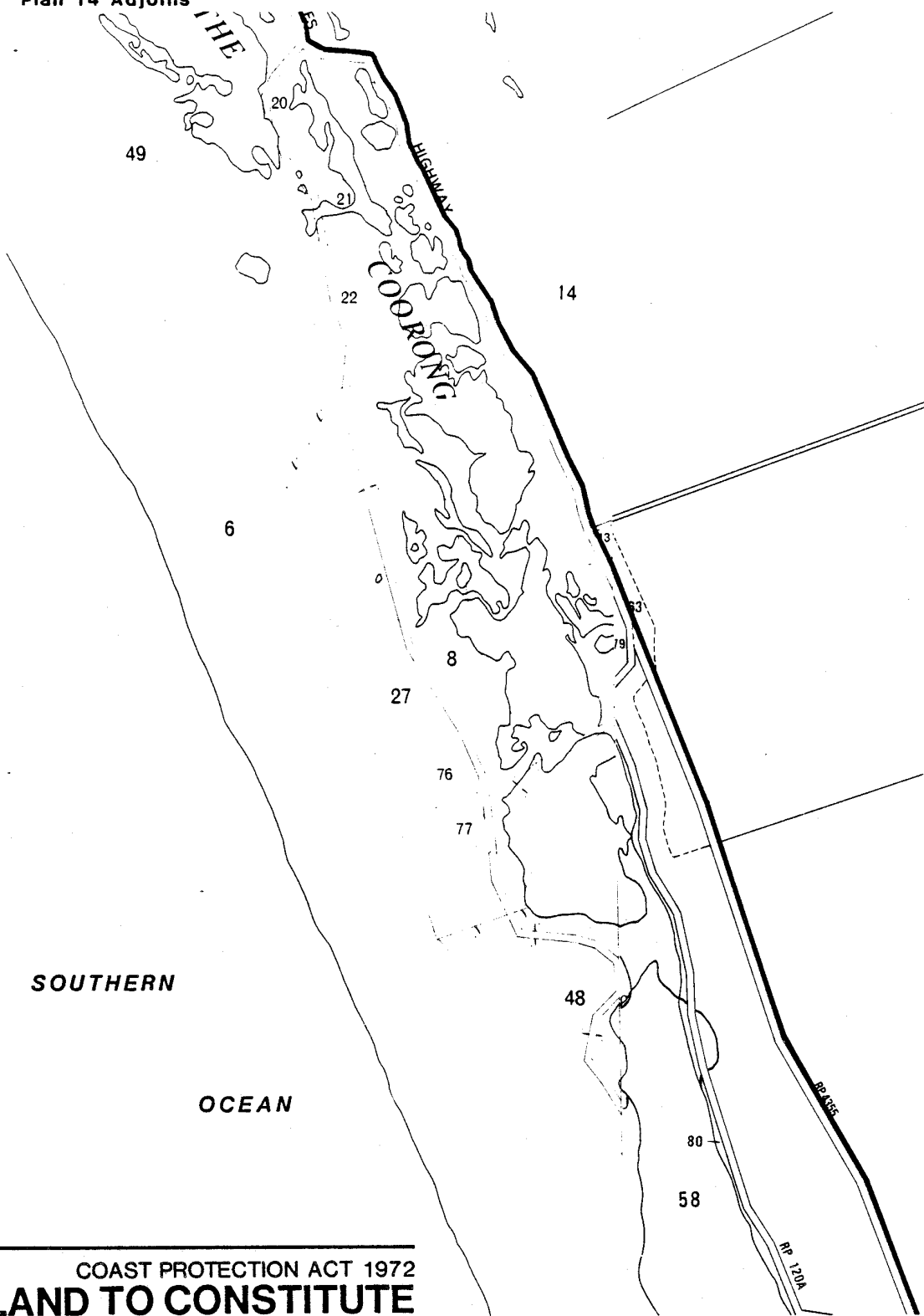


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Plan 14 Adjoins



Plan 16 Adjoins

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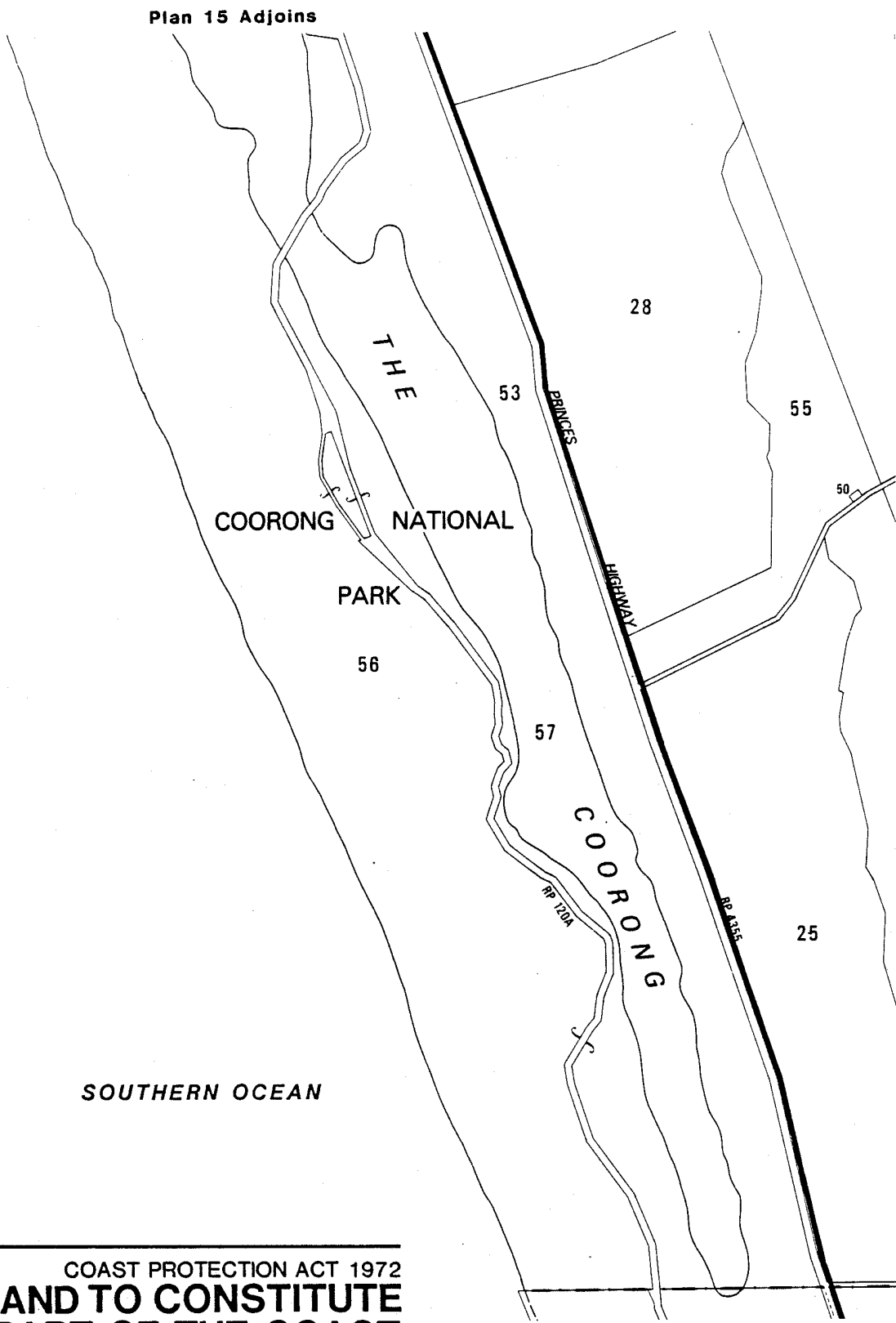
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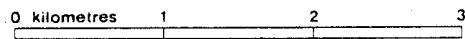
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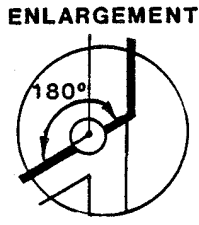
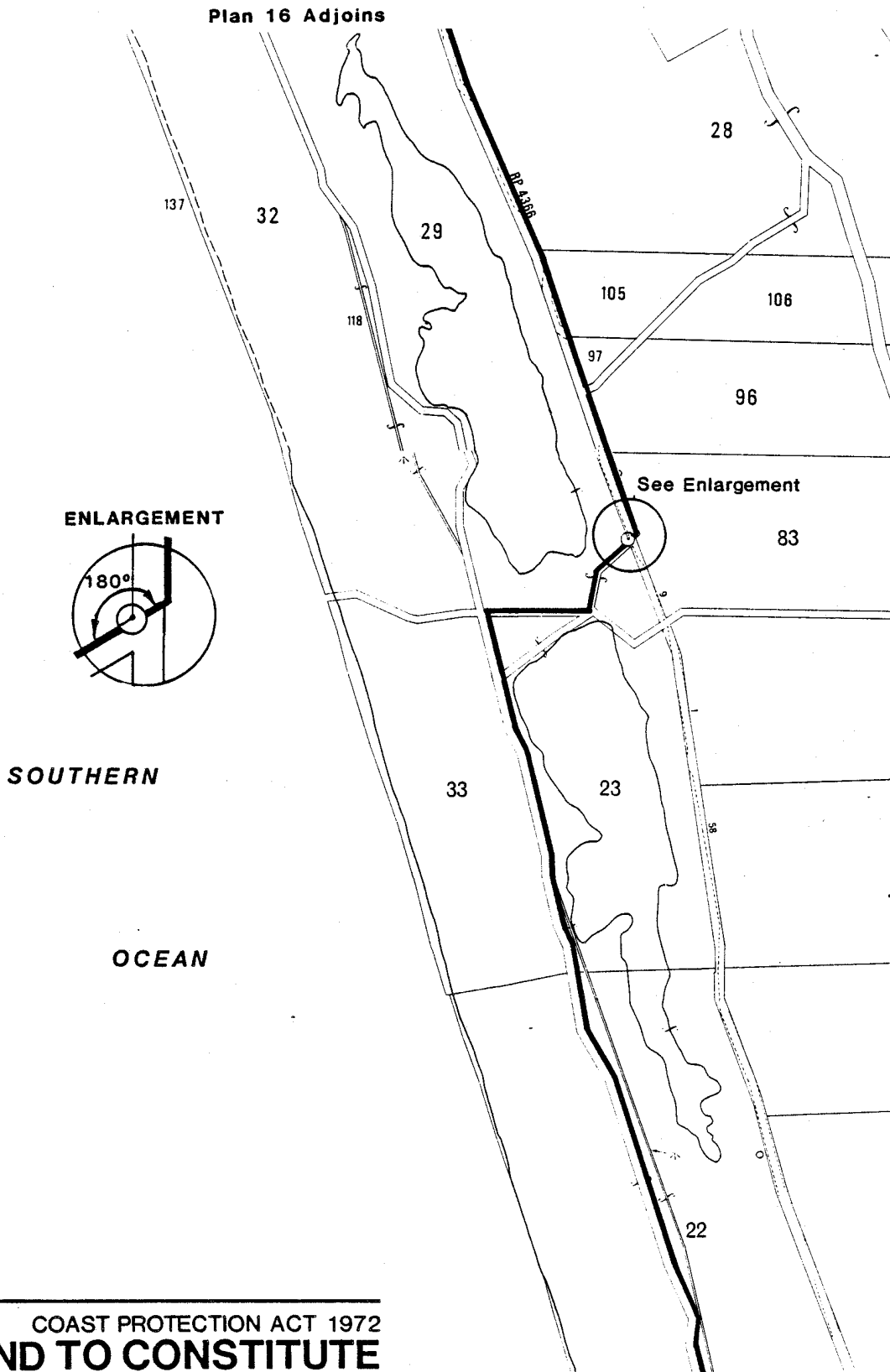


COAST PROTECTION ACT 1972  
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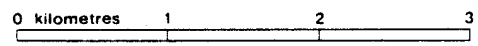
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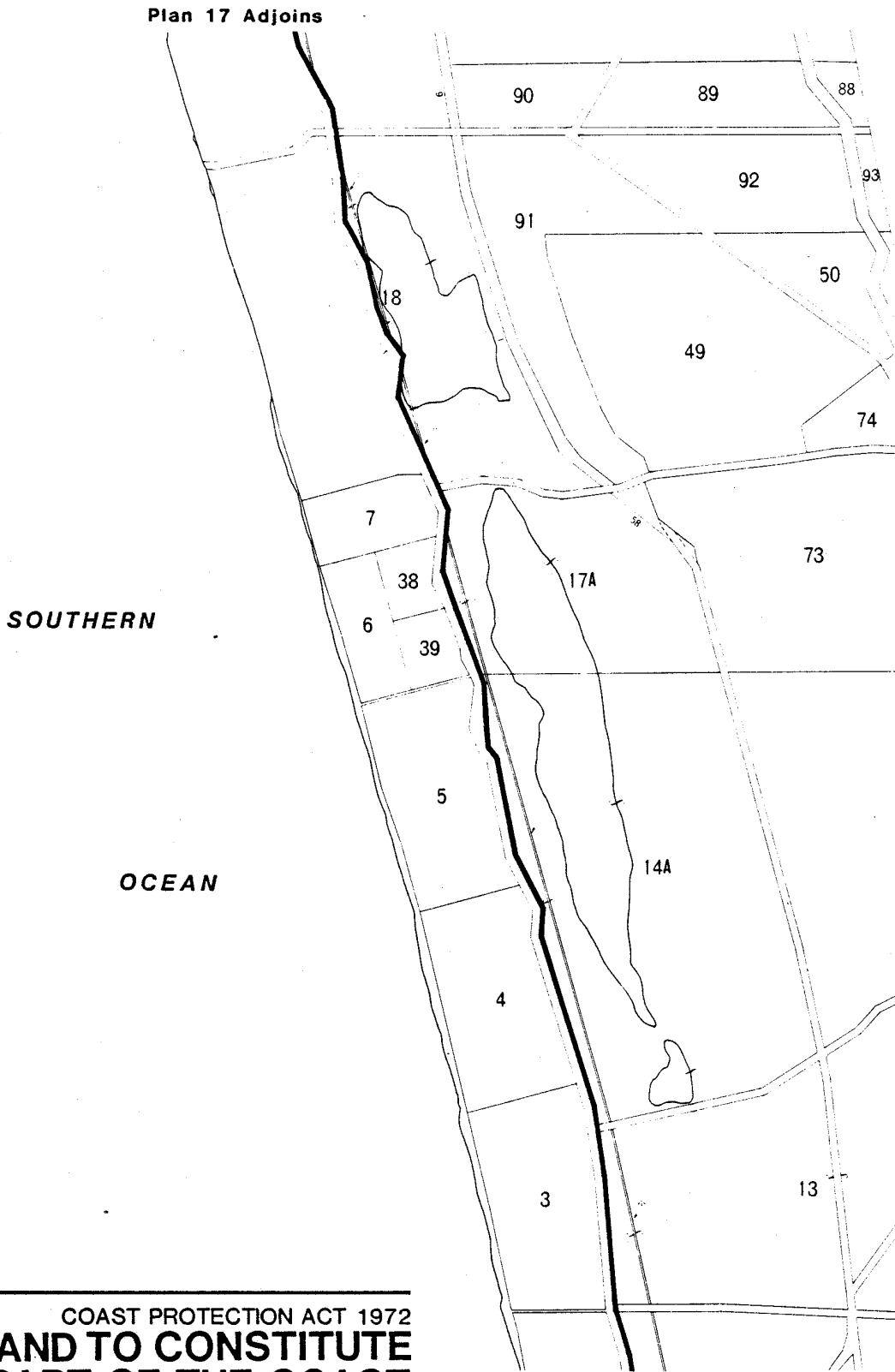


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COAST PROTECTION ACT 1972  
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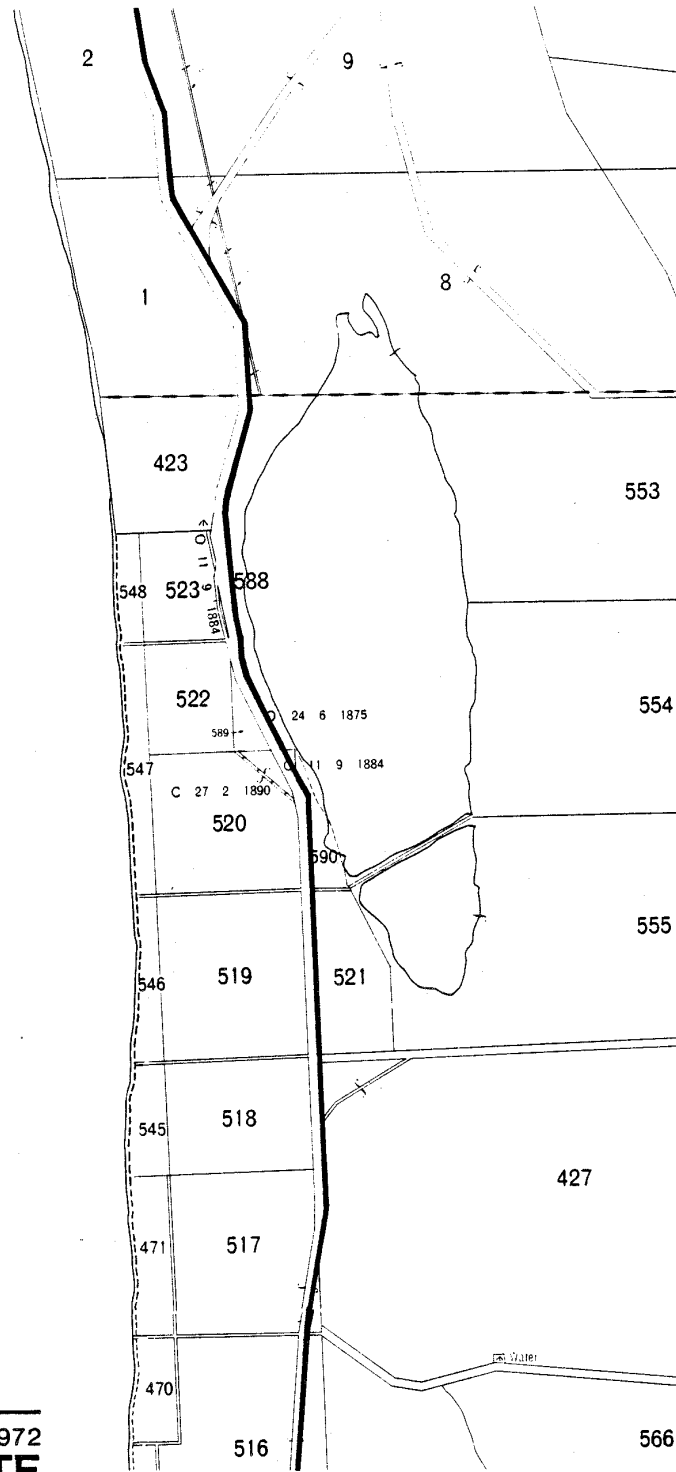


The Schedule

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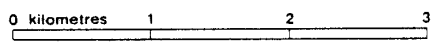
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SOUTHERN  
OCEAN



Plan 20 Adjoins

COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
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The Schedule

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# COAST PROTECTION ACT 1972 LAND TO CONSTITUTE PART OF THE COAST

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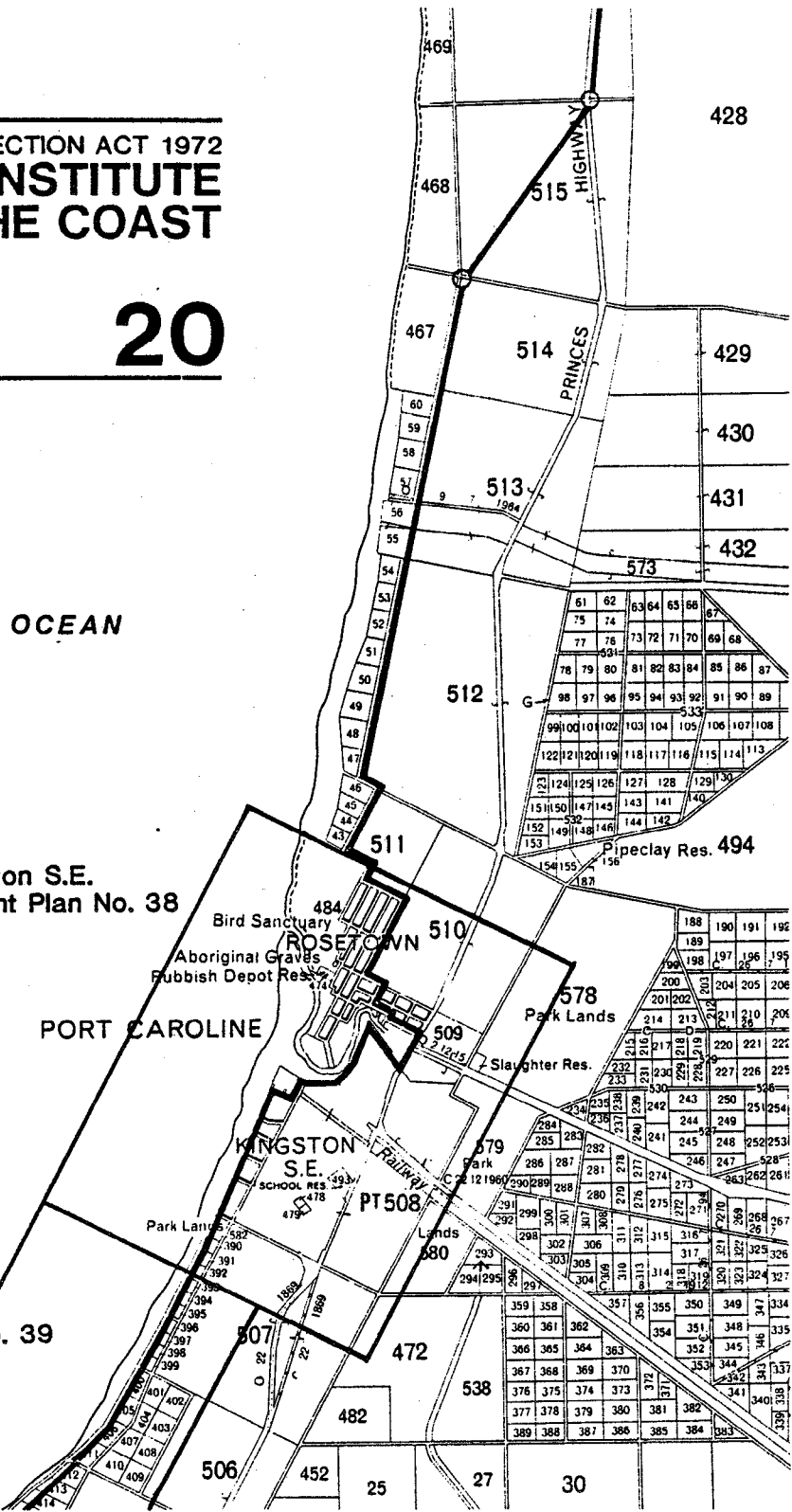
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SOUTHERN OCEAN

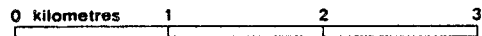
Plan 19 Adjoins

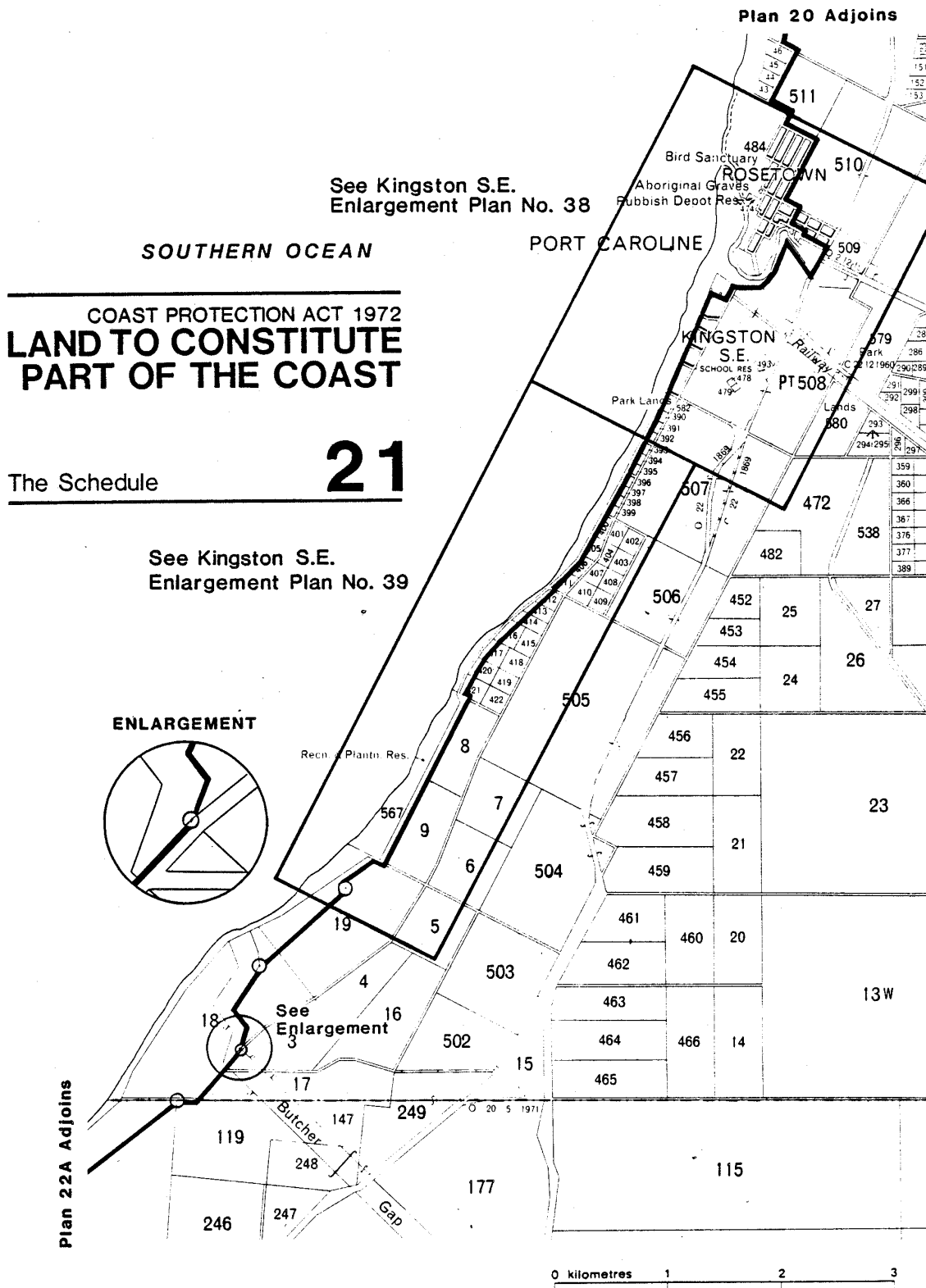
See Kingston S.E.  
Enlargement Plan No. 38

See Kingston S.E.  
Enlargement Plan No. 39



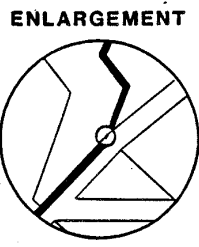
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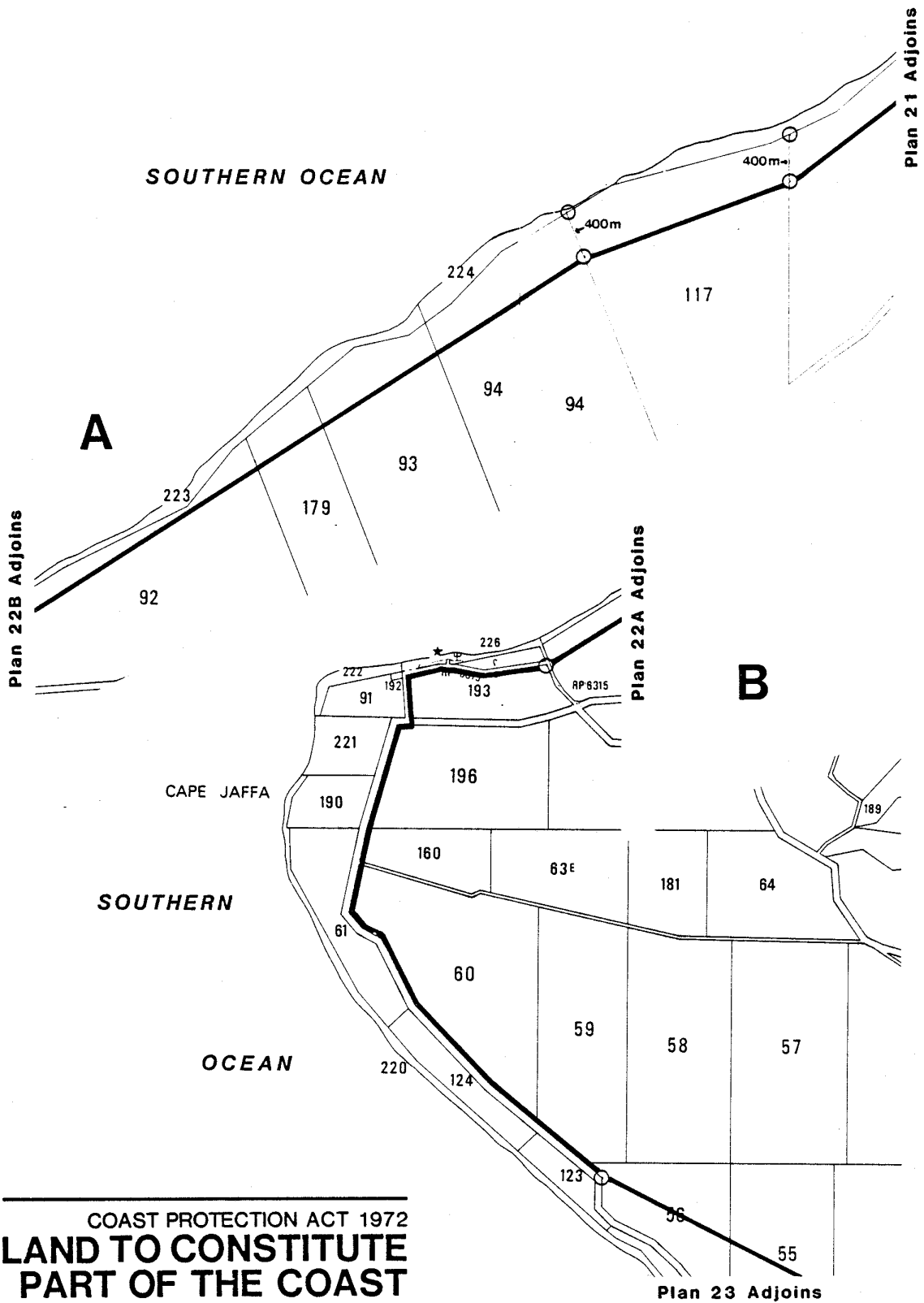
COAST PROTECTION ACT 1972  
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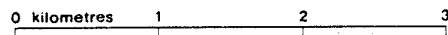




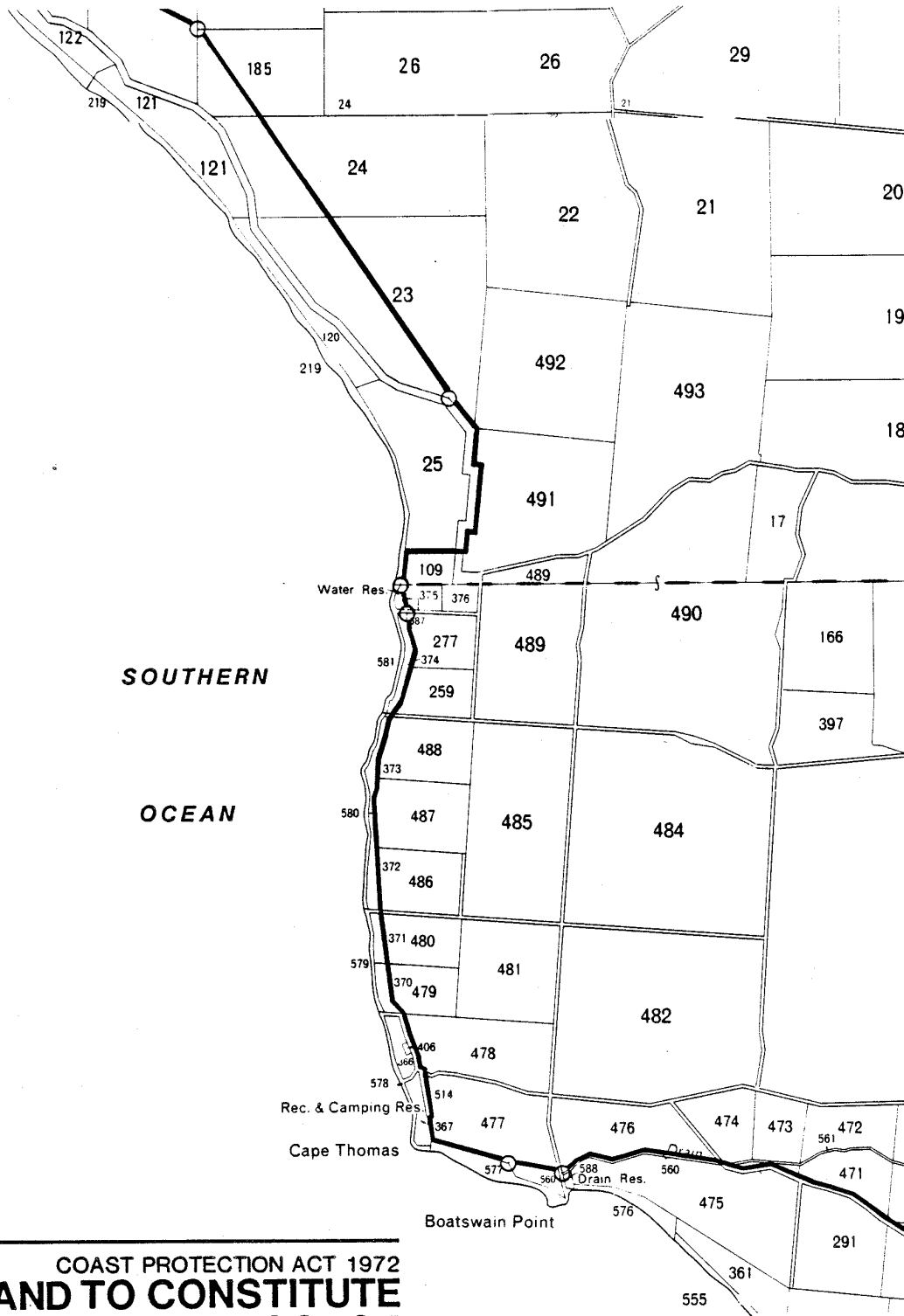
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Plan 22B Adjoins



Plan 24 Adjoins

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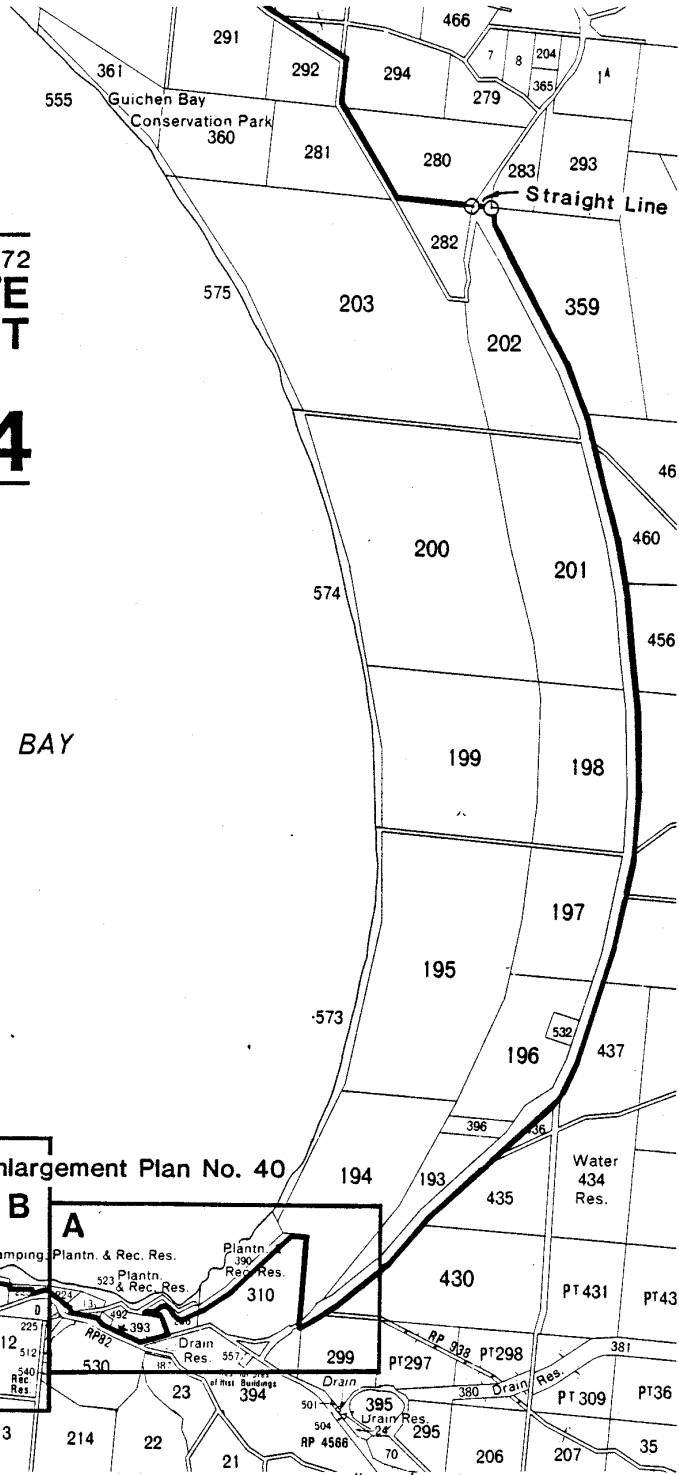


COAST PROTECTION ACT 1972  
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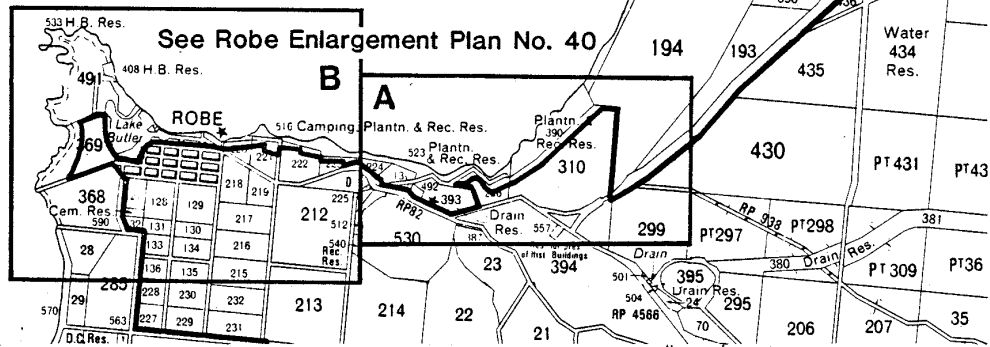
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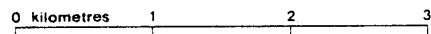
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GUICHEN BAY

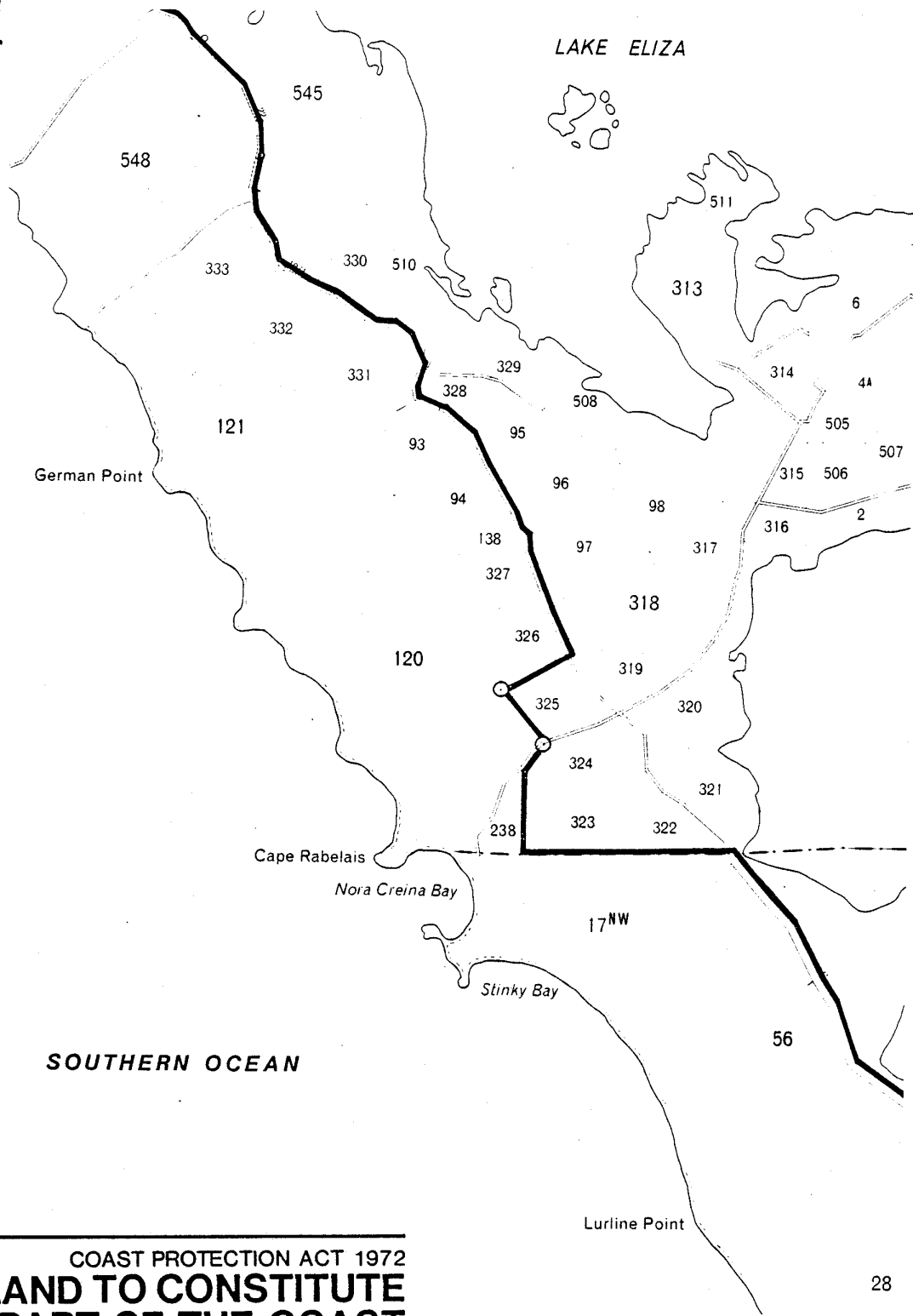


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Plan 25 Adjoins

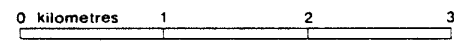


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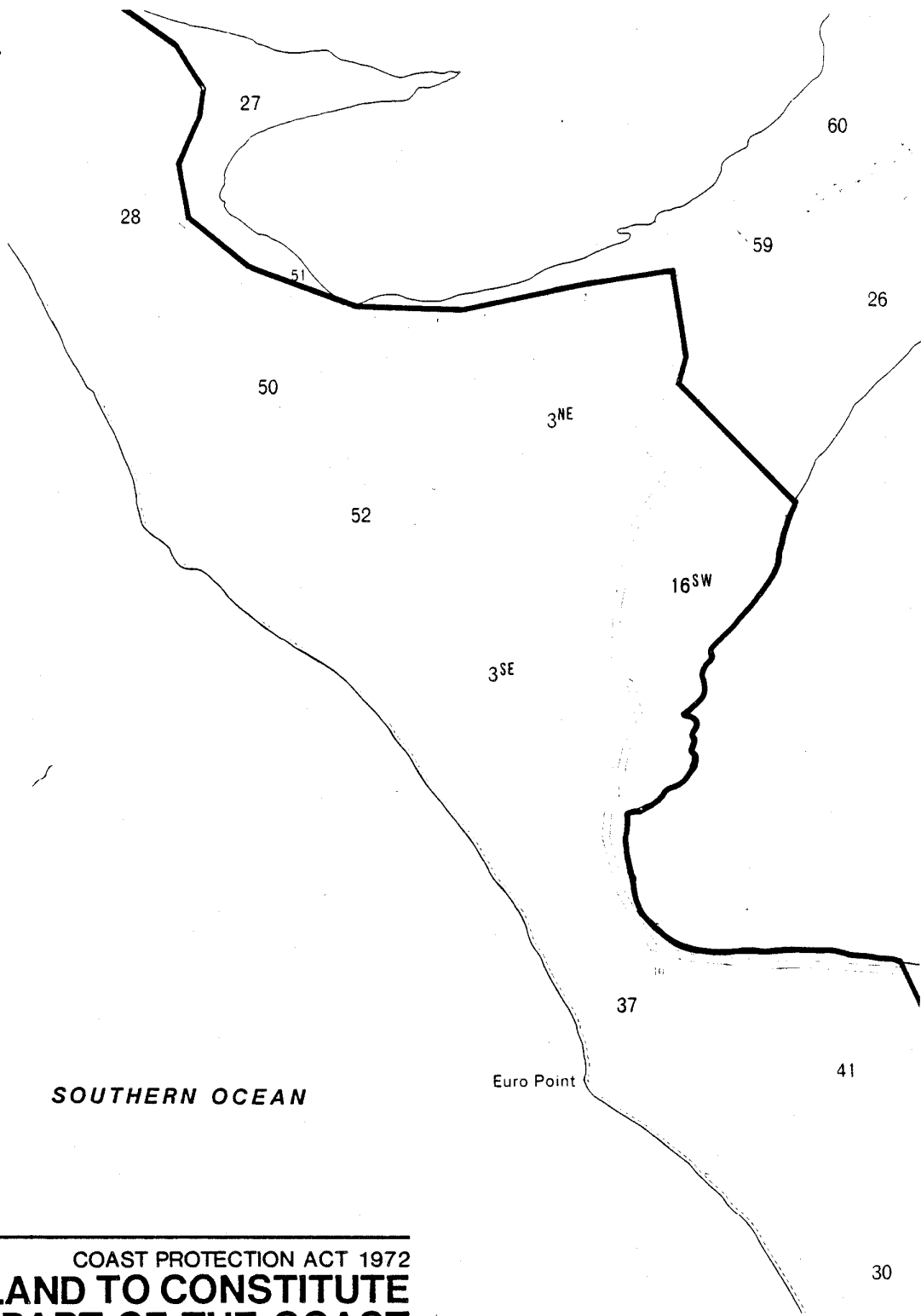
COAST PROTECTION ACT 1972  
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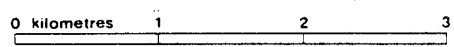


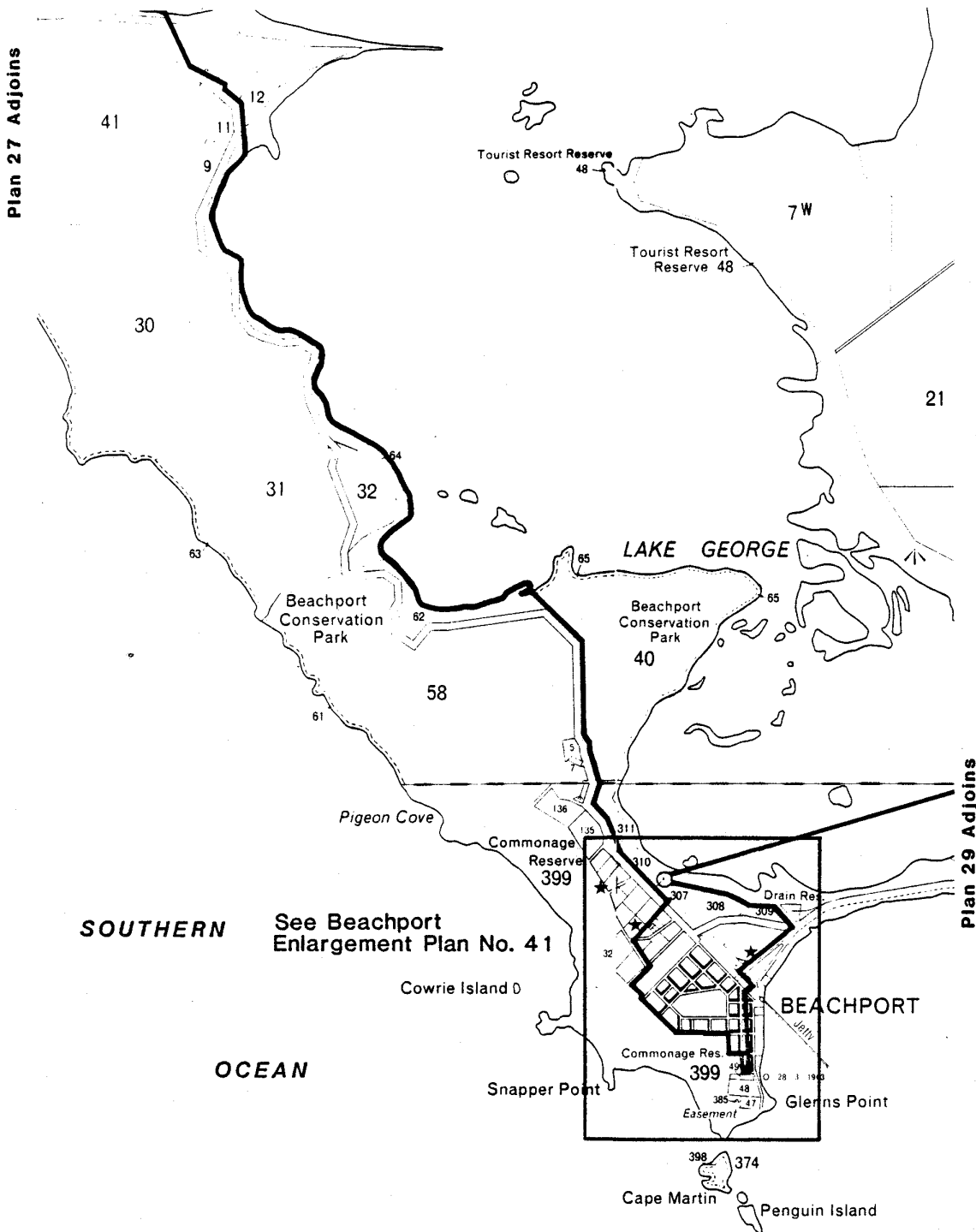
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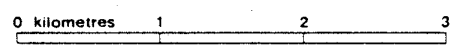
The Schedule

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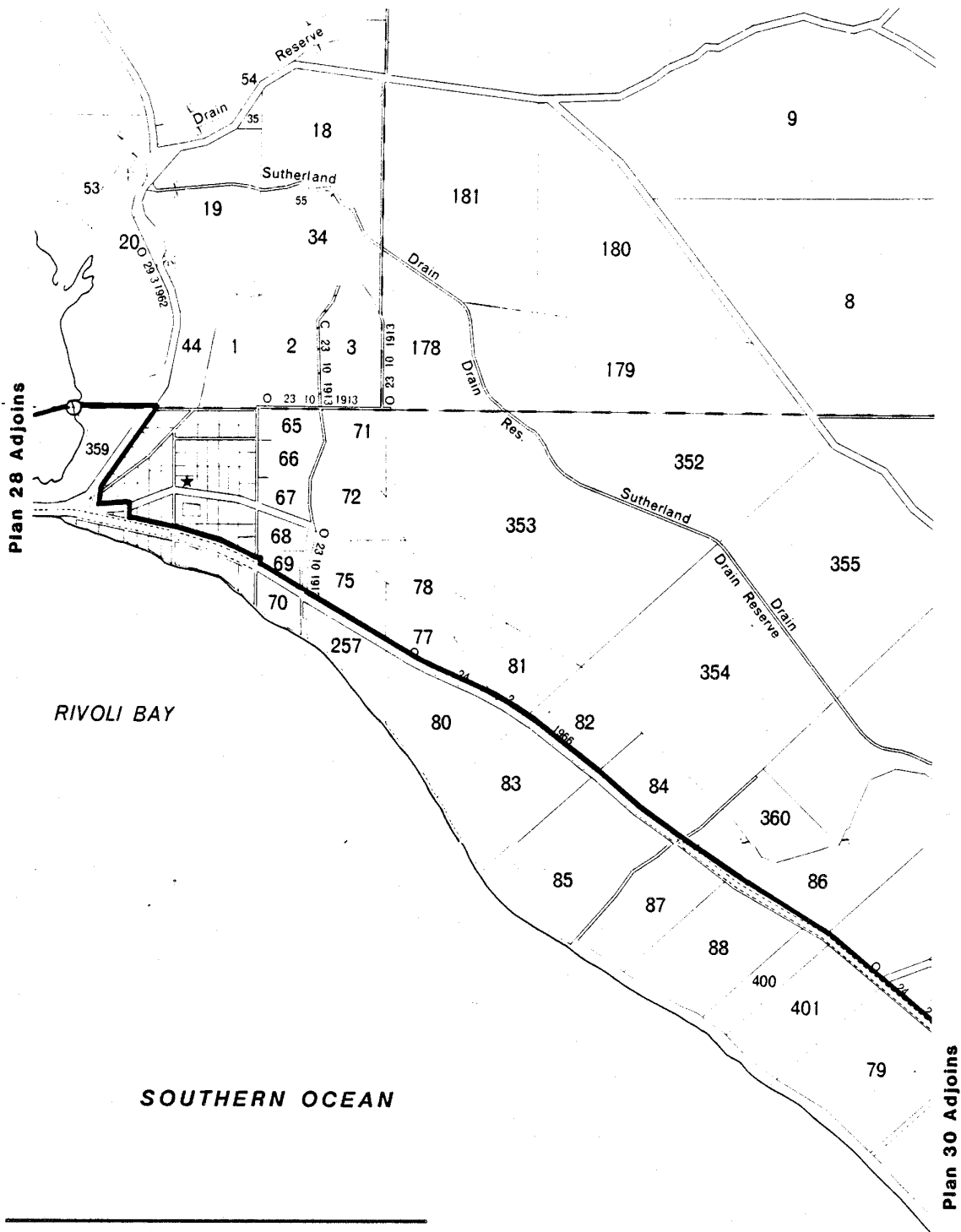
COAST PROTECTION ACT 1972  
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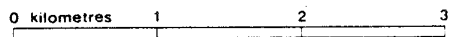
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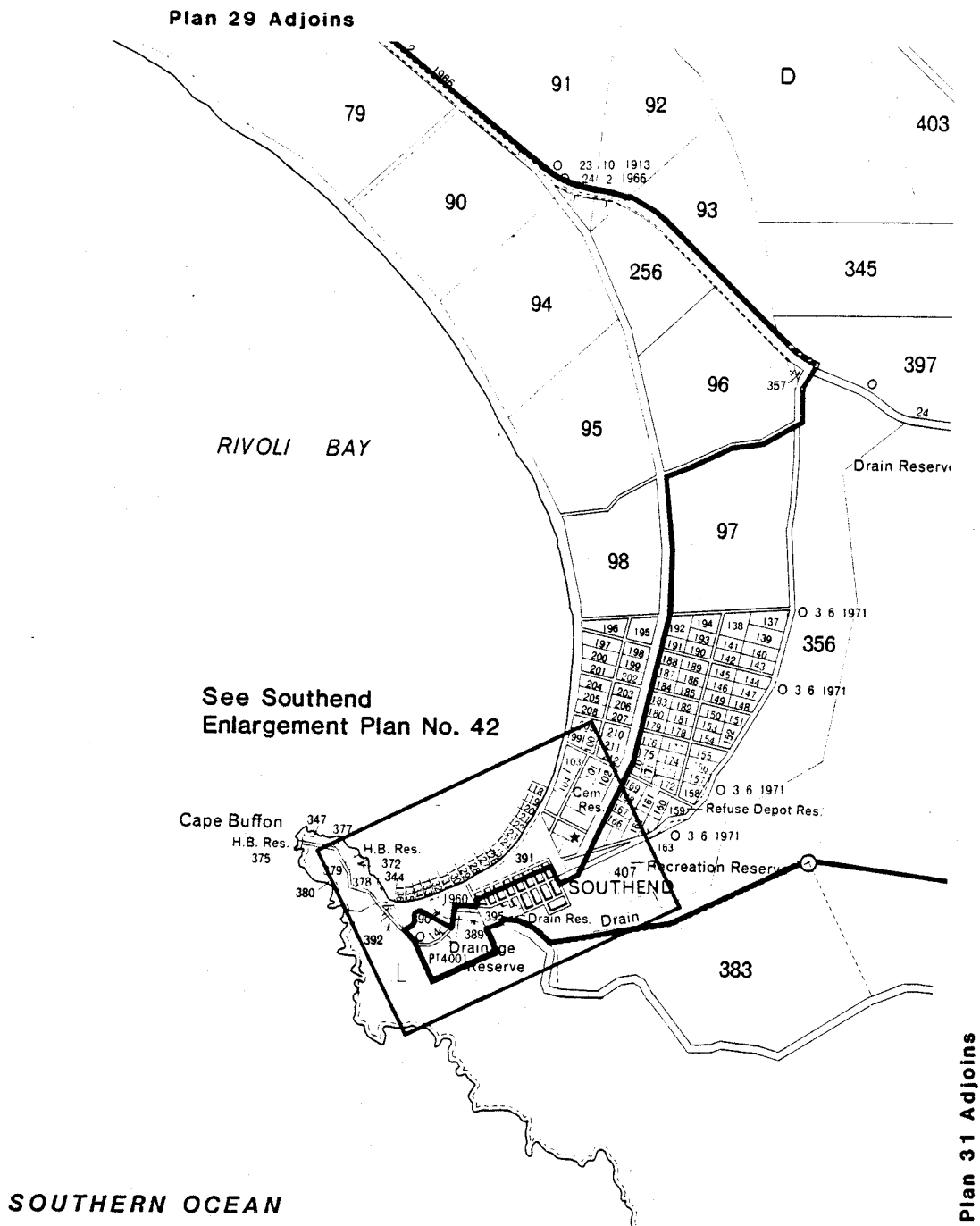
COAST PROTECTION ACT 1972  
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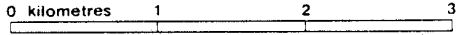
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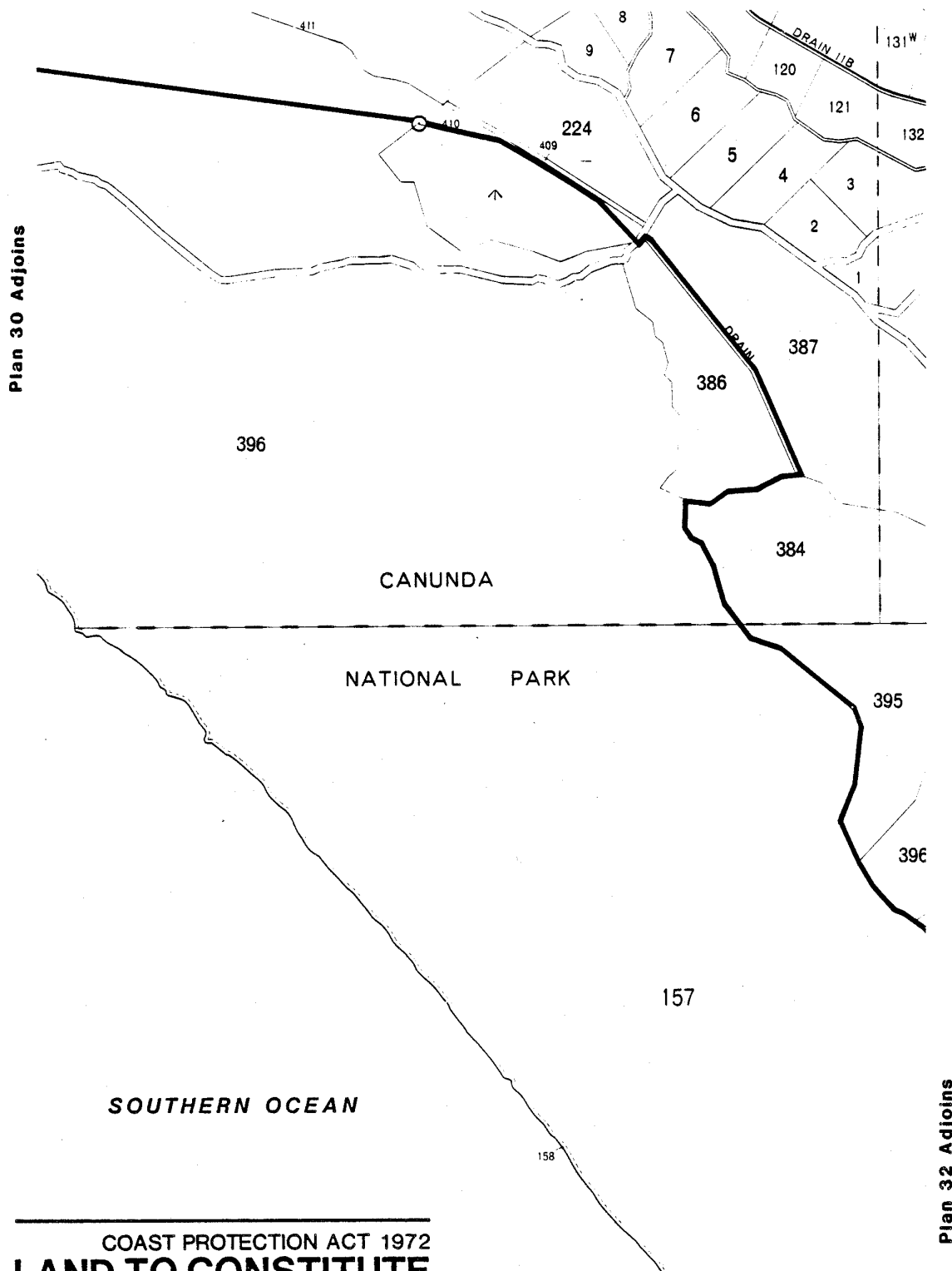
COAST PROTECTION ACT 1972  
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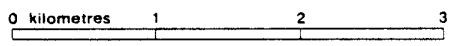
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COAST PROTECTION ACT 1972  
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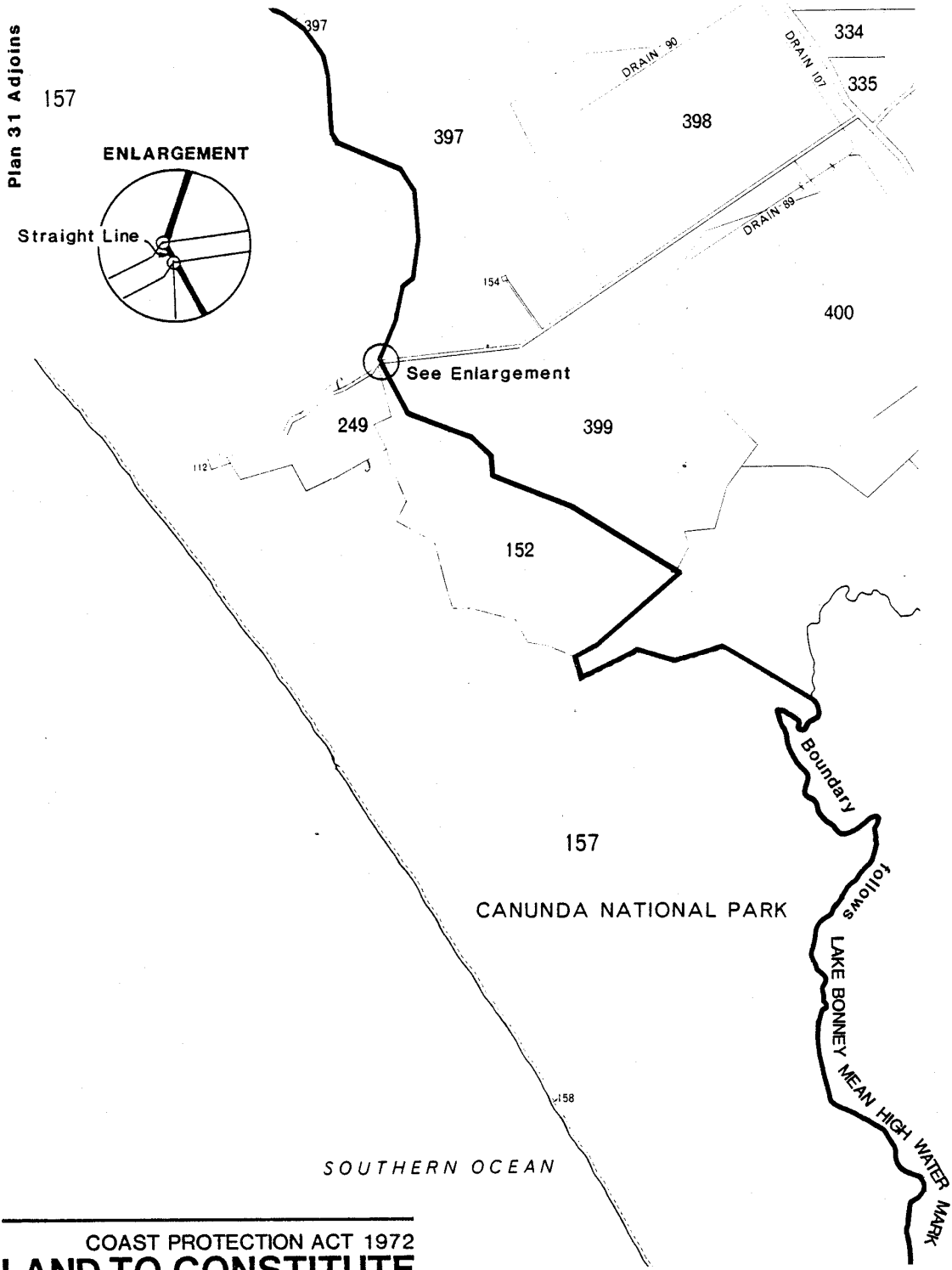


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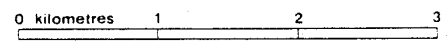
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COAST PROTECTION ACT 1972  
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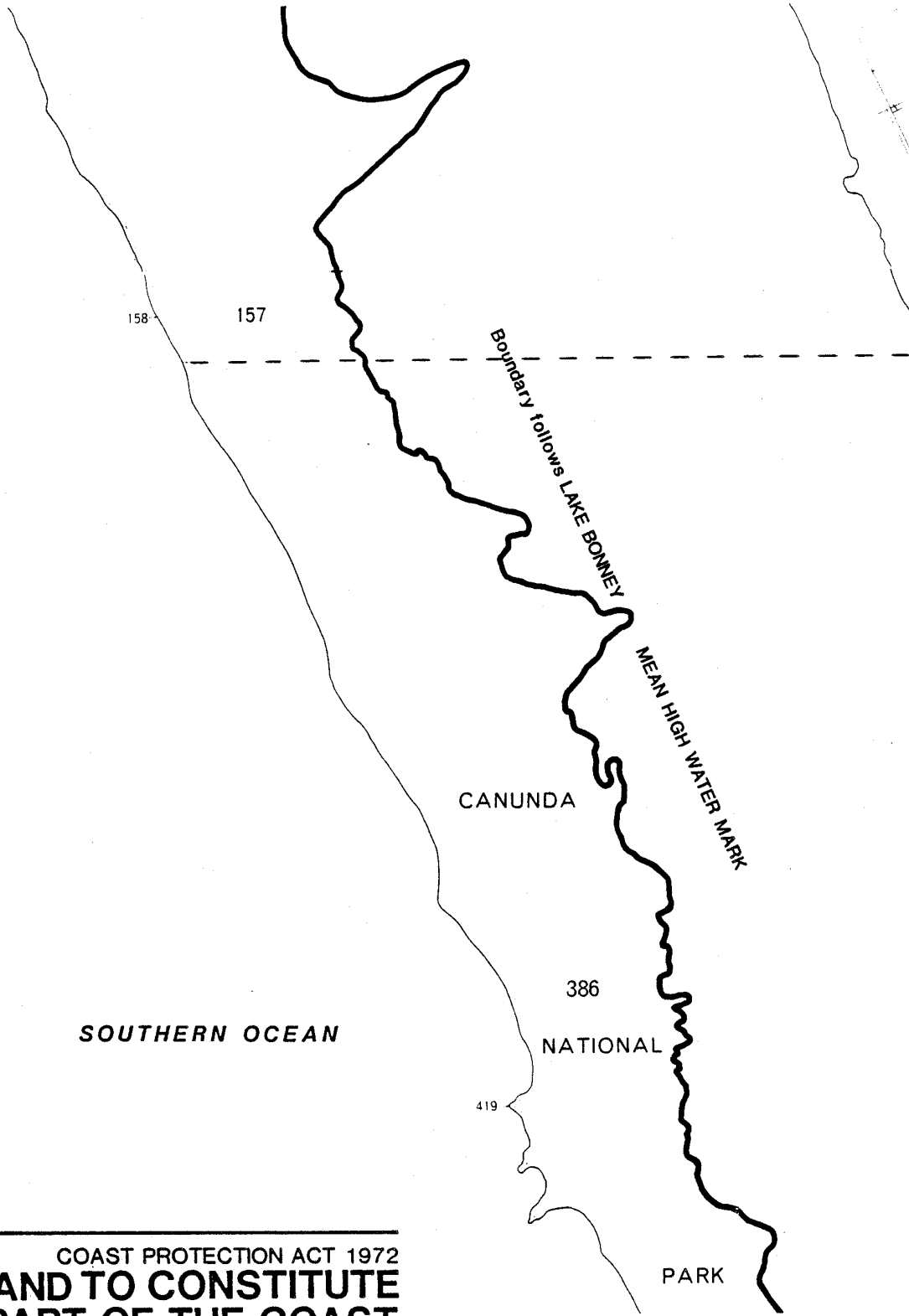


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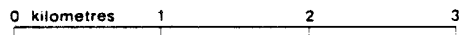


Plan 32 Adjoins



Plan 34 Adjoins

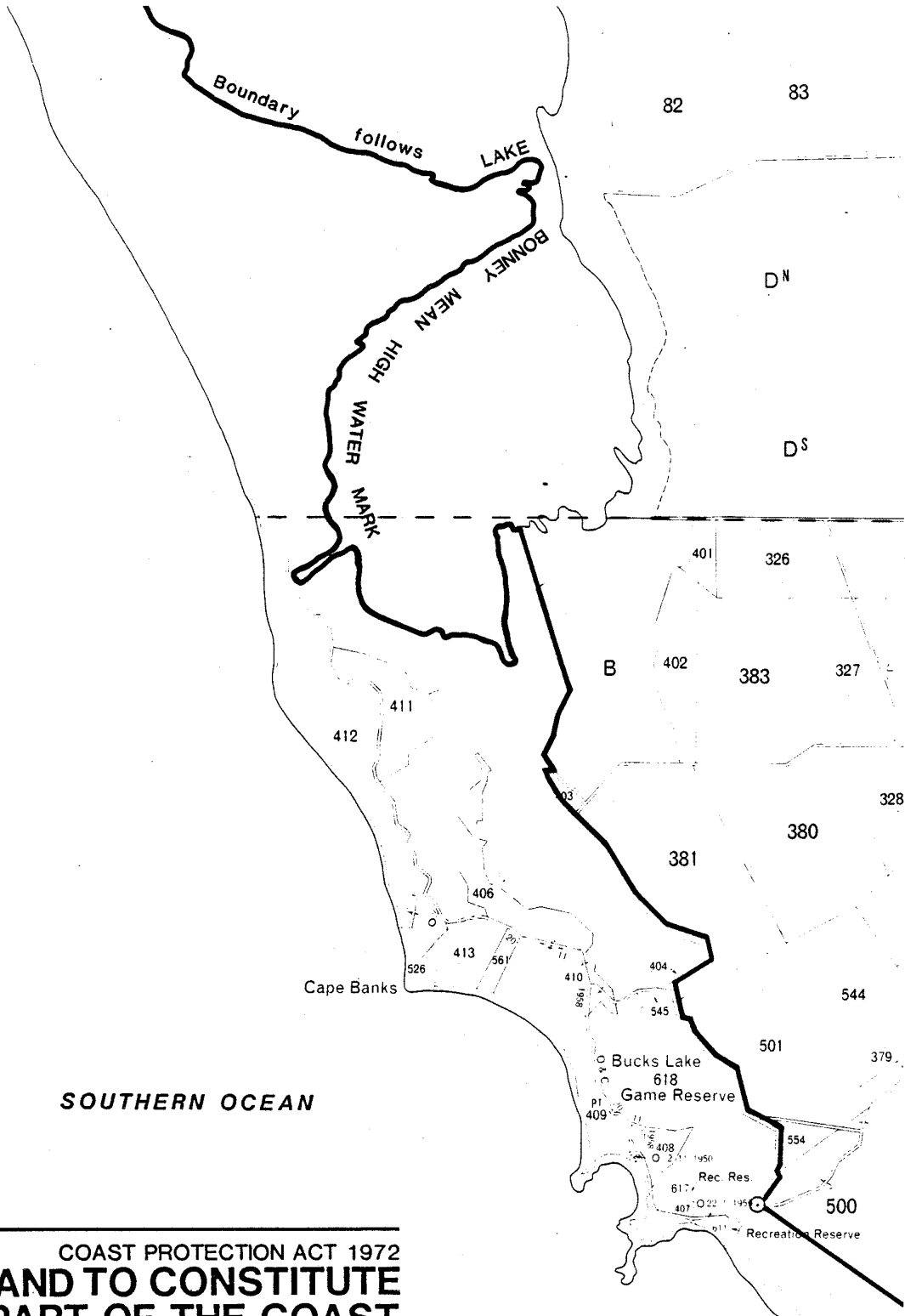
COAST PROTECTION ACT 1972  
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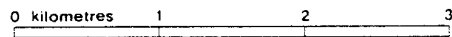
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SOUTHERN OCEAN

COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
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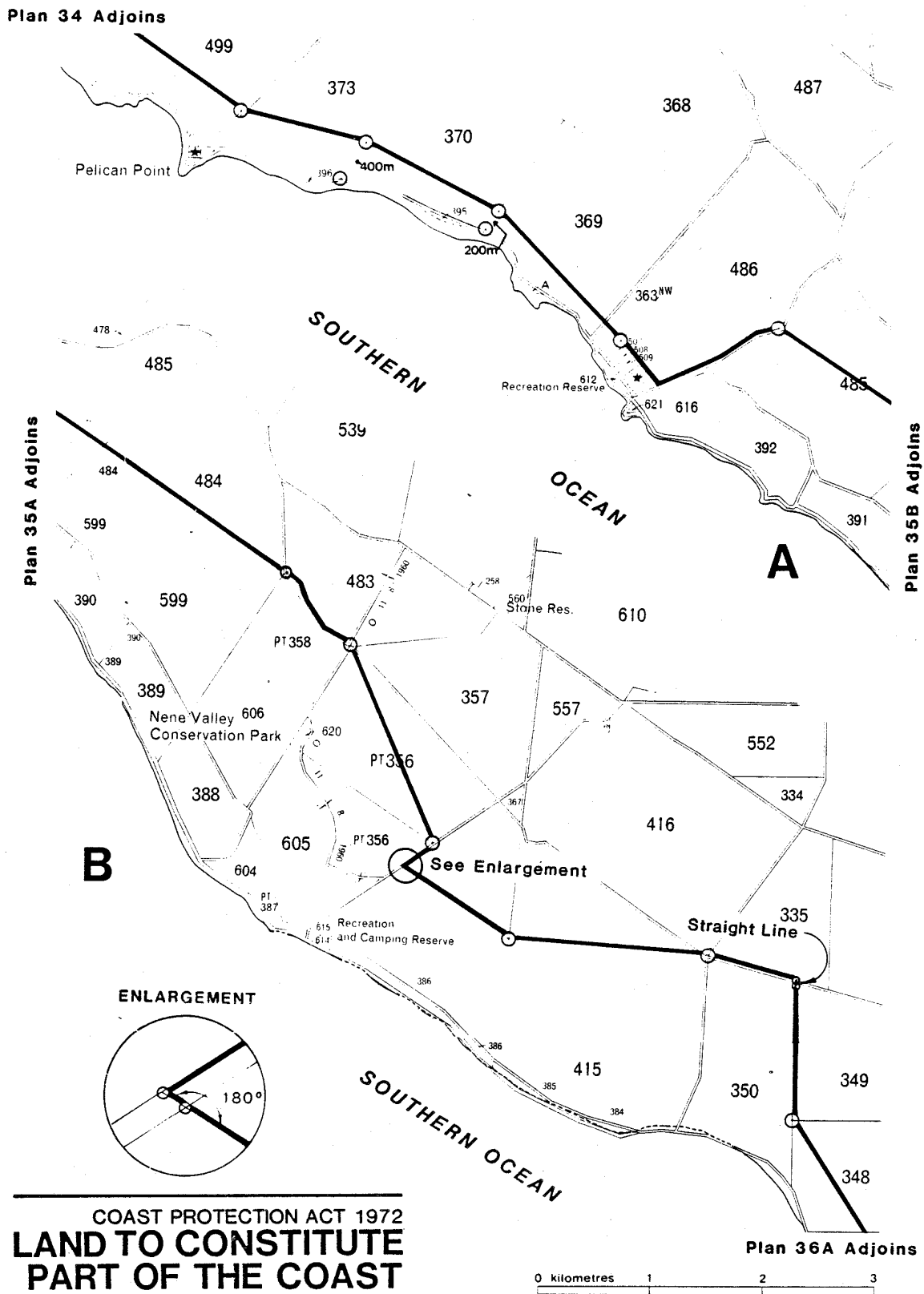


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Plan 35A Adjoins



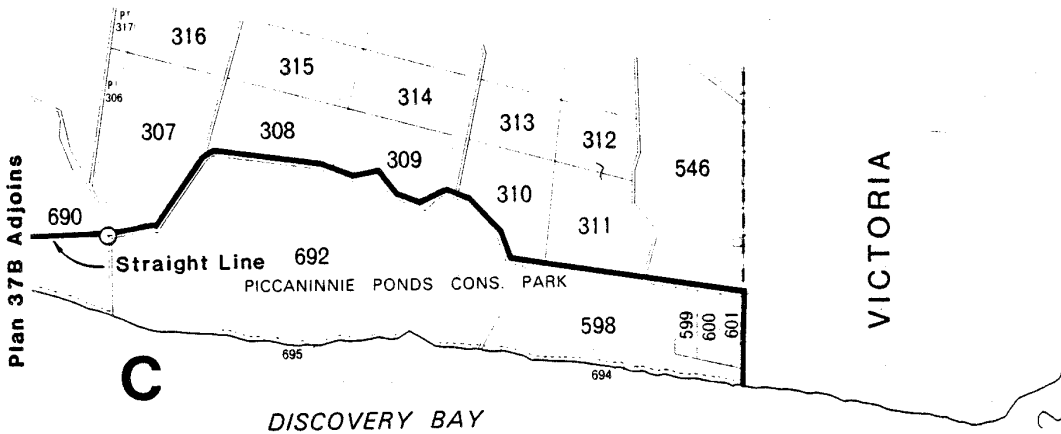
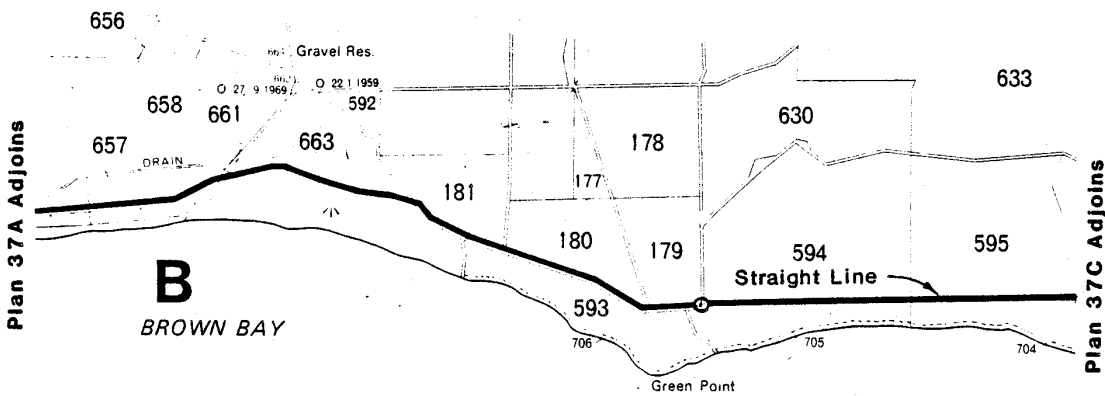
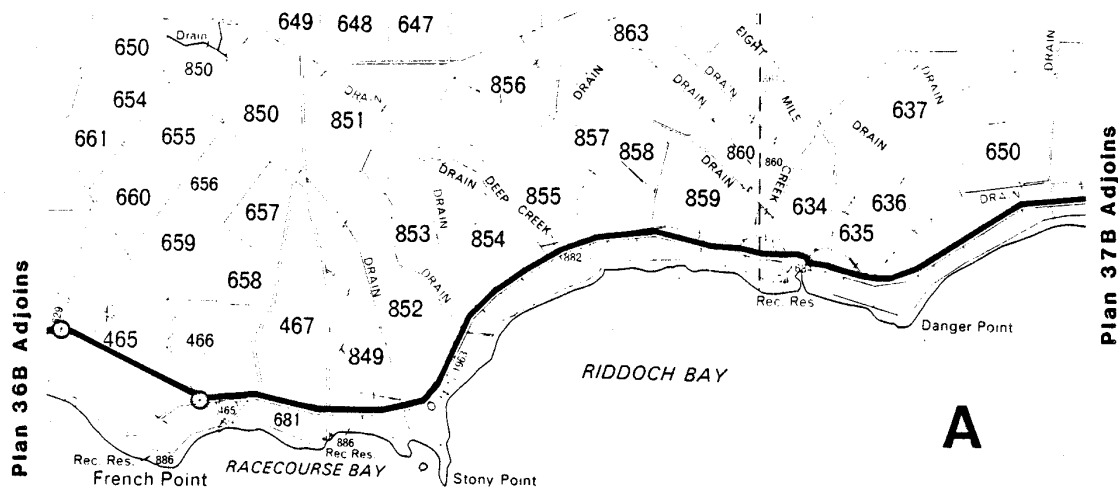
COAST PROTECTION ACT 1972  
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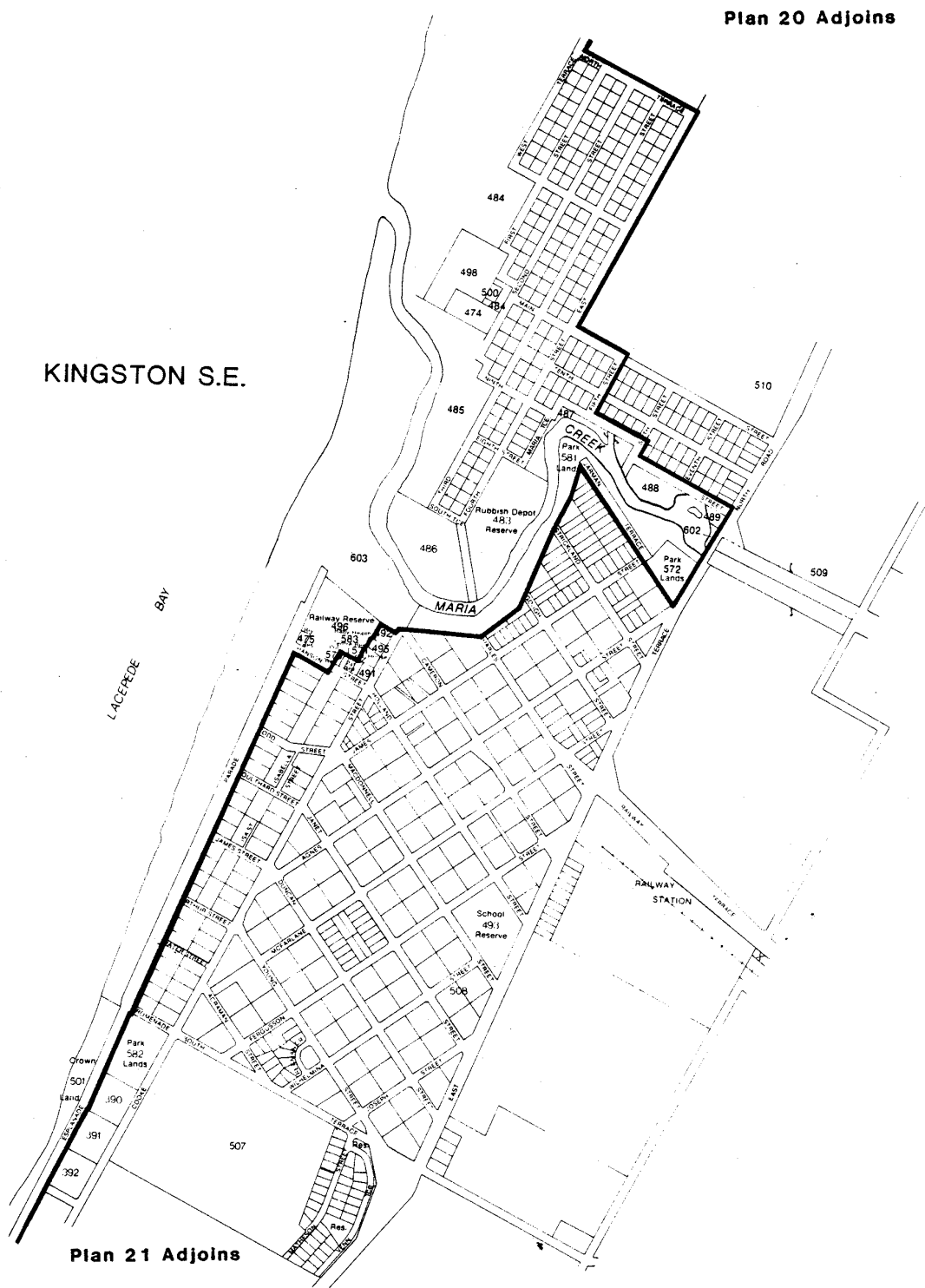
COAST PROTECTION ACT 1972  
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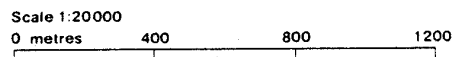
**37**

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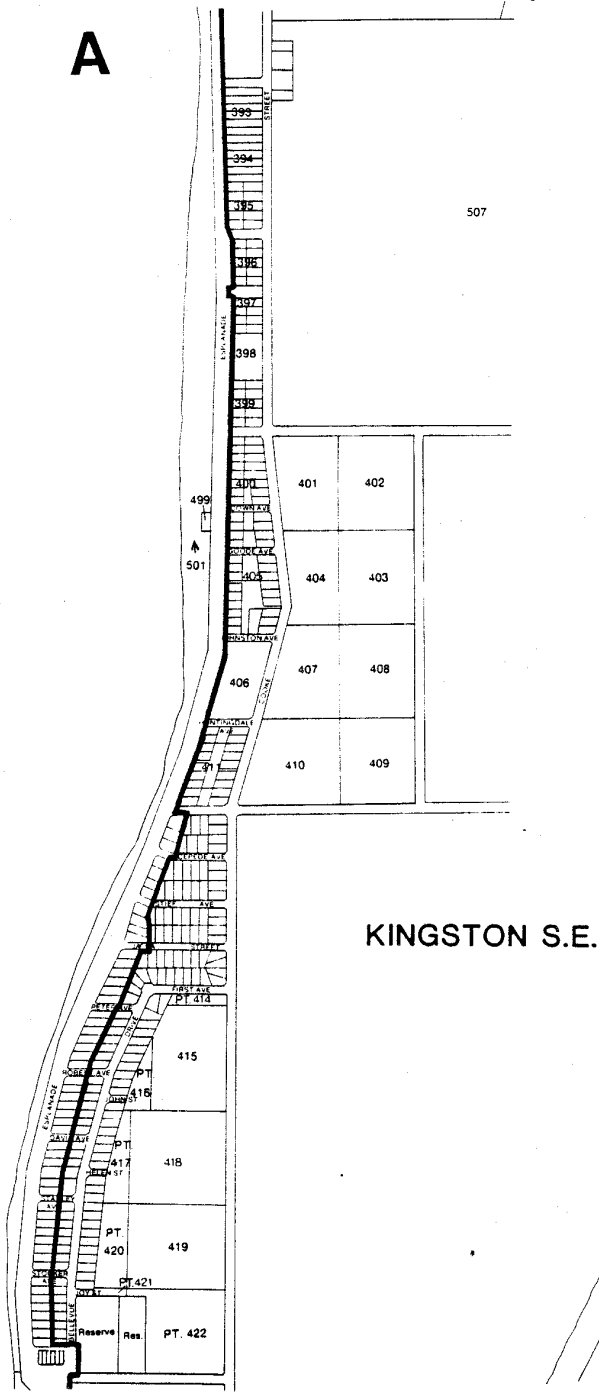
COAST PROTECTION ACT 1972  
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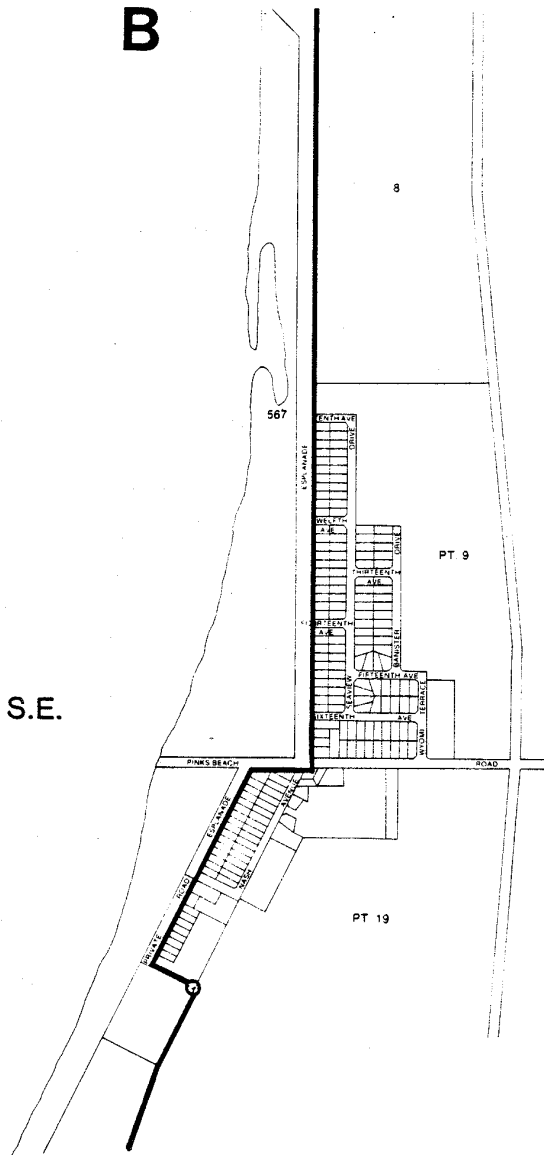
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Plan 38 Adjoins



Plan A Adjoins



COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

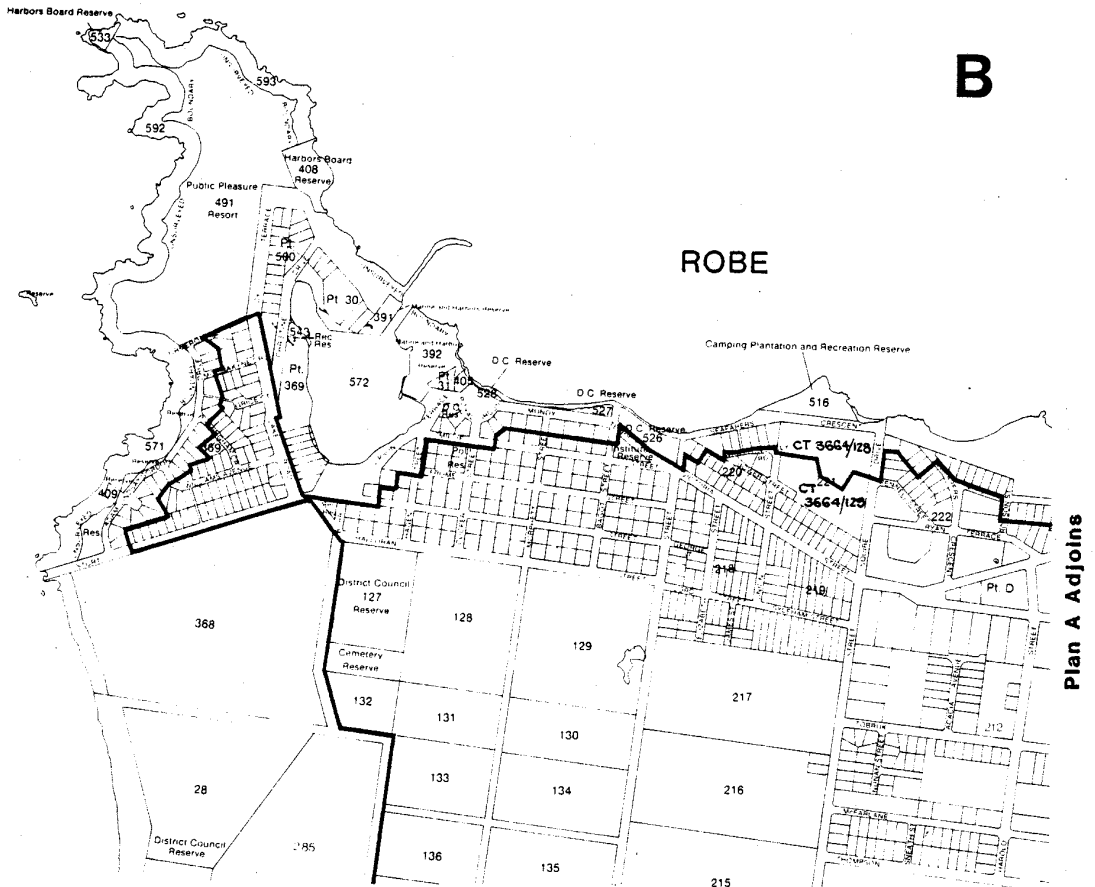
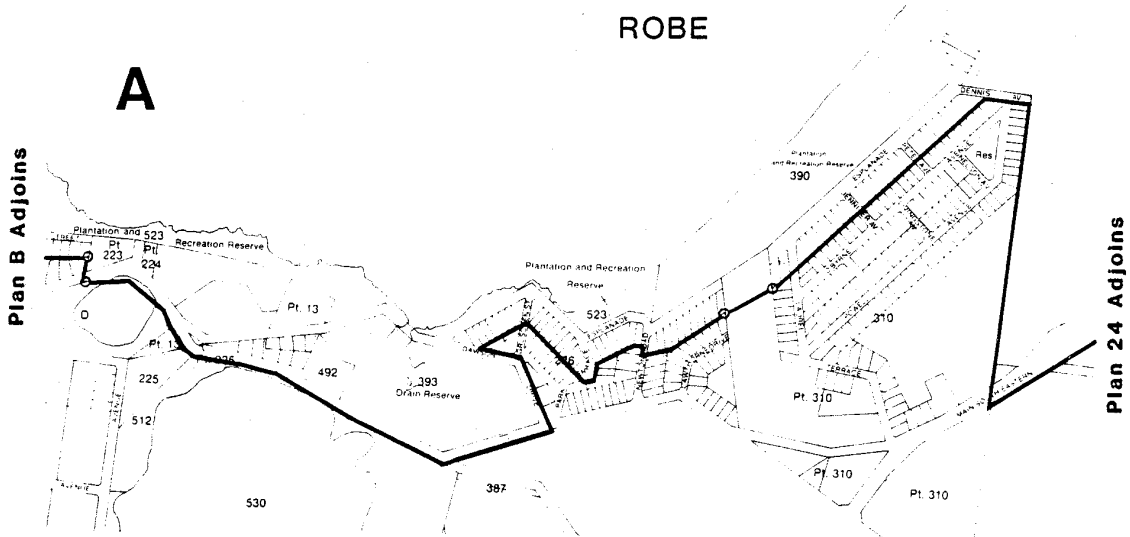
Scale 1:20000  
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The Schedule

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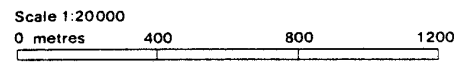






COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

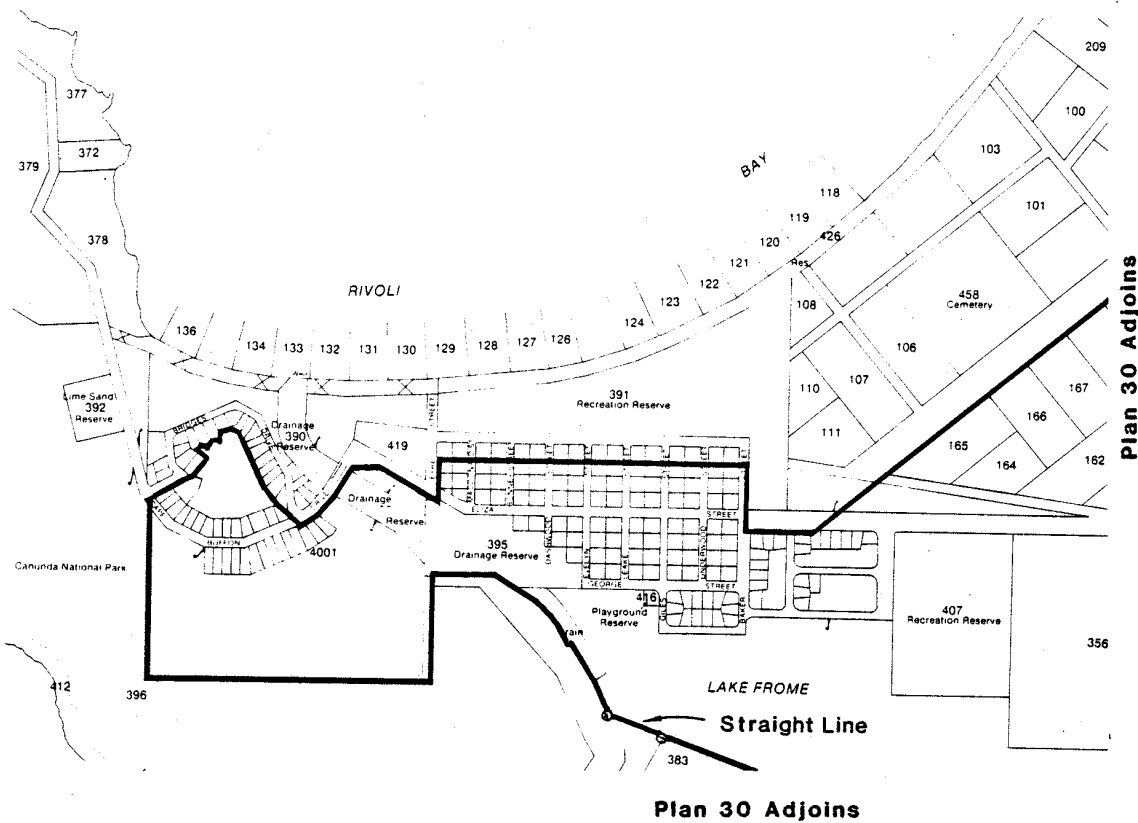
Plan 24 Adjoins



The Schedule **40**

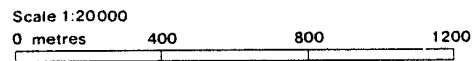






SOUTHEND

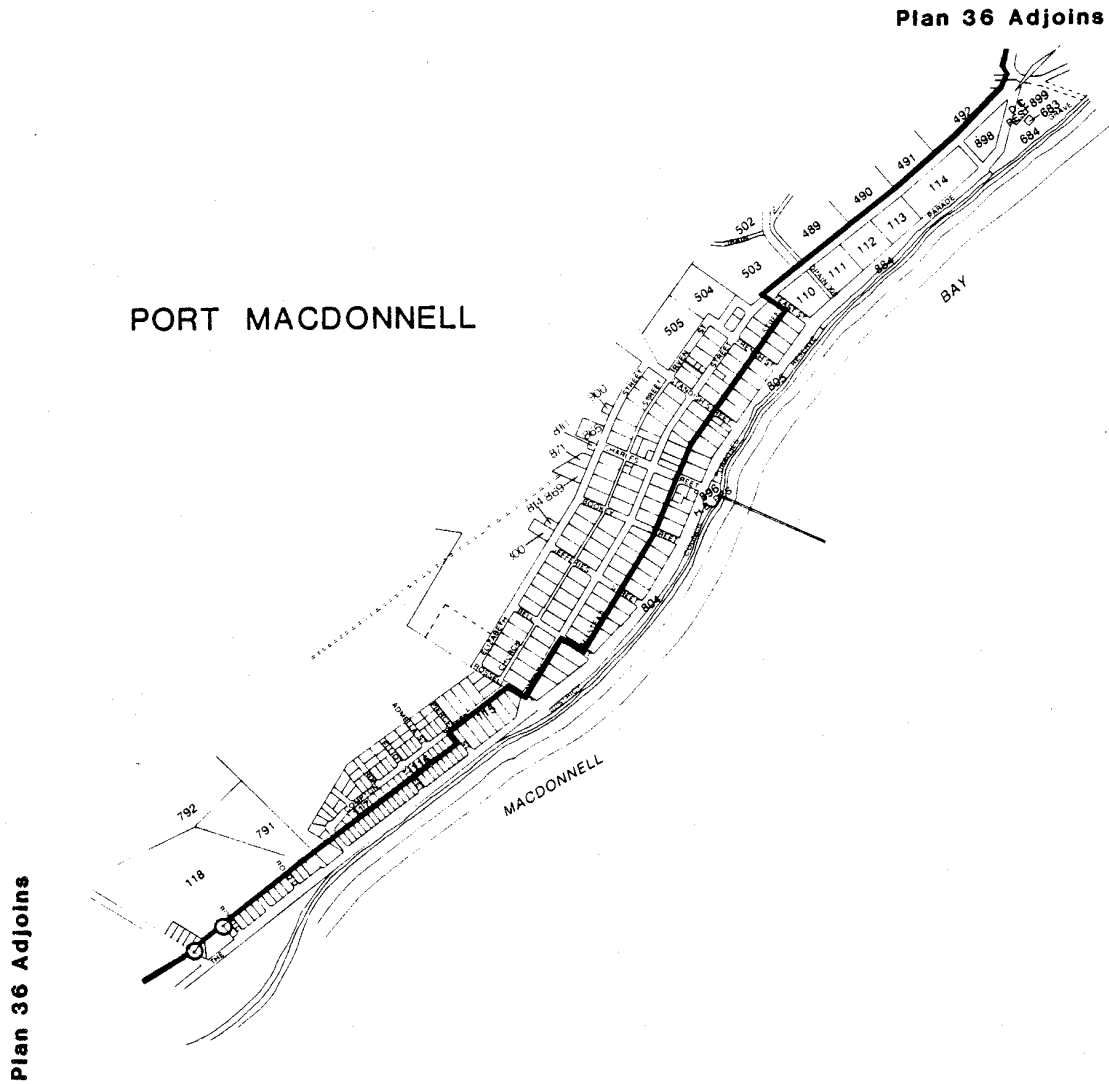
COAST PROTECTION ACT 1972  
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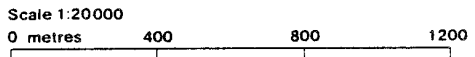
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**REGULATIONS UNDER THE COAST PROTECTION ACT 1972**

No. 214 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Coast Protection Act 1972* 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.

IAIN EVANS Minister for Environment and Heritage

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Revocation
4. Declaration of land constituting part of coast

**SCHEDULE***Land Constituting Part of Coast***Citation**

1. These regulations may be cited as the *Coast Protection (Yorke) Regulations 2000*.

**Commencement**

2. These regulations will come into operation on 1 September 2000.

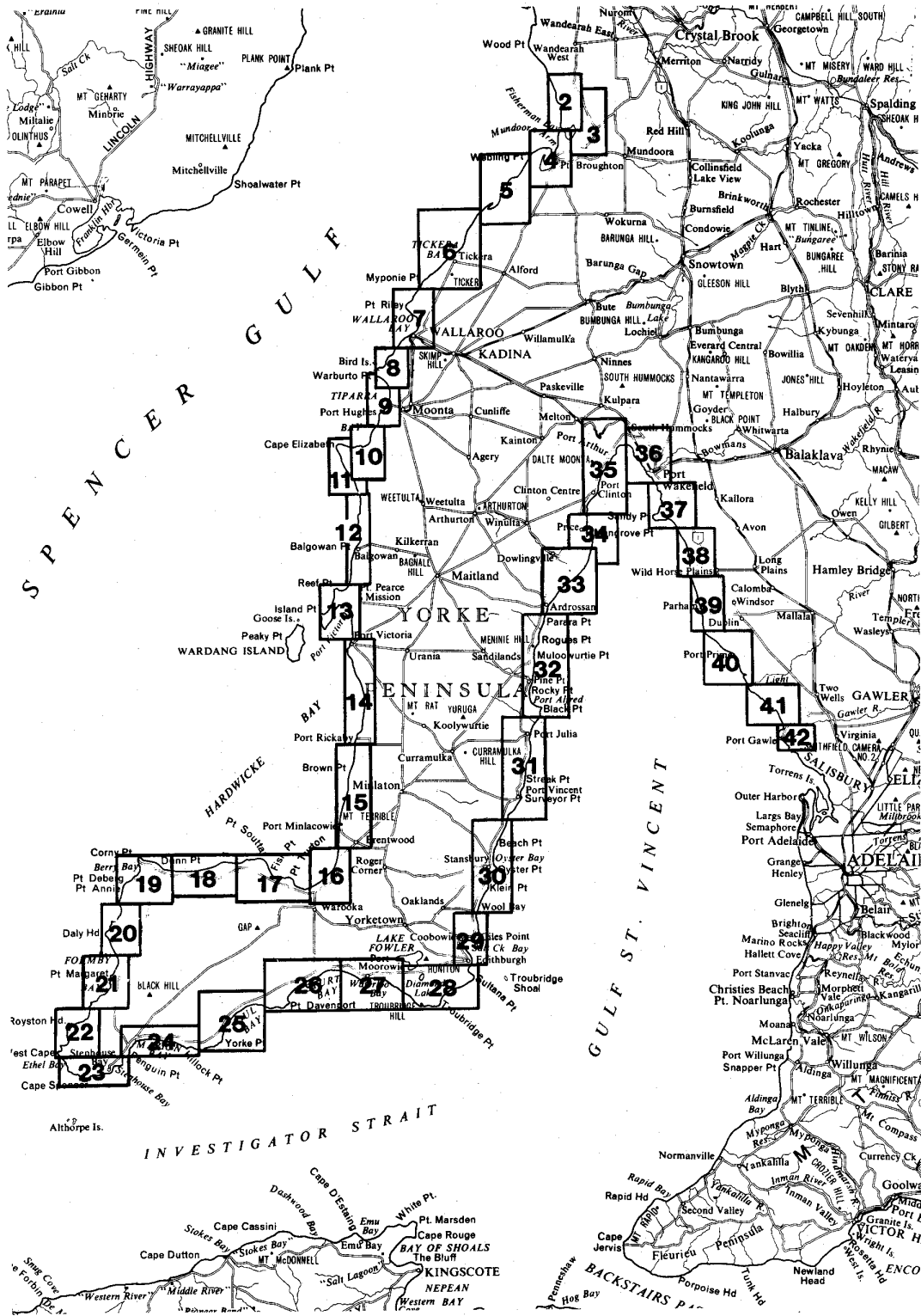
**Revocation**

3. The *Coast Protection Act (Yorke) Regulations 1984* (see *Gazette* 21 June 1984 p. 1784) are revoked.

**Declaration of land constituting part of coast**

4. The land between the seaward edge of the bold line shown on the plans in the Schedule and the mean high water mark on the seashore at spring tides is declared to constitute part of the coast for the purposes of the *Coast Protection Act 1972*.

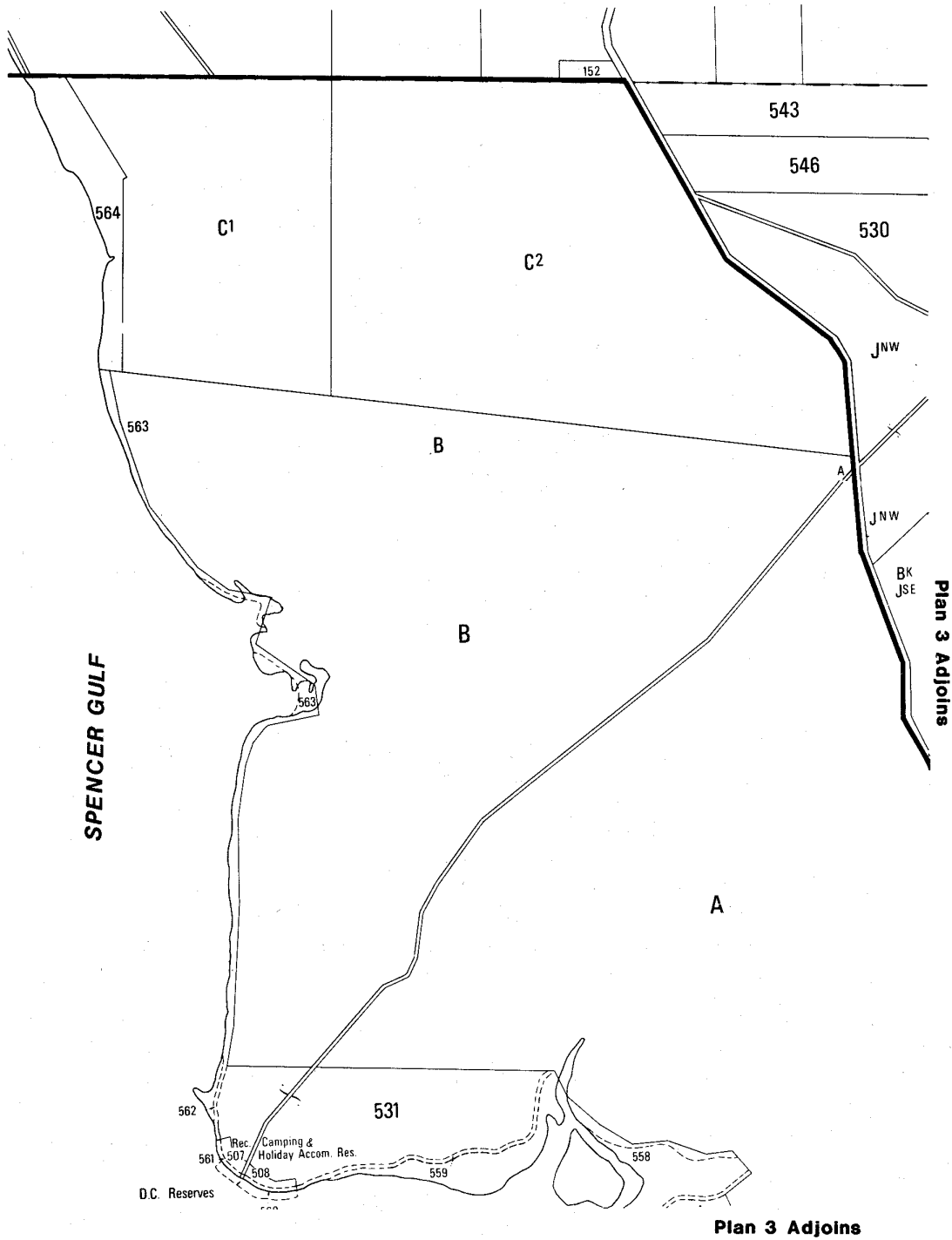
SCHEDULE  
Land Constituting Part of Coast



0 kilometres 20 40 60



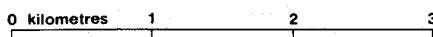
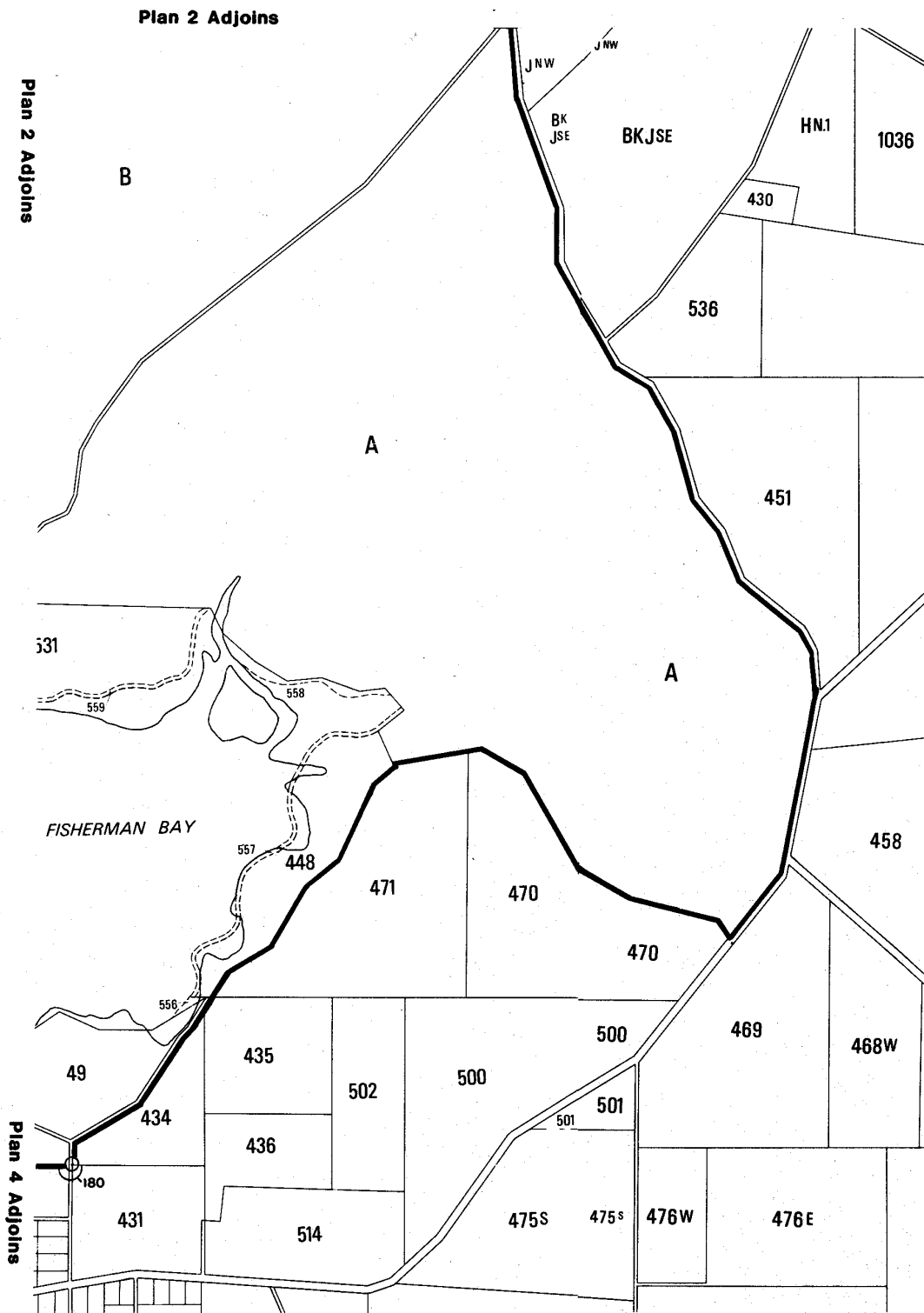
COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
PART OF THE COAST**  
INDEX TO PLANS



COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
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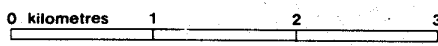
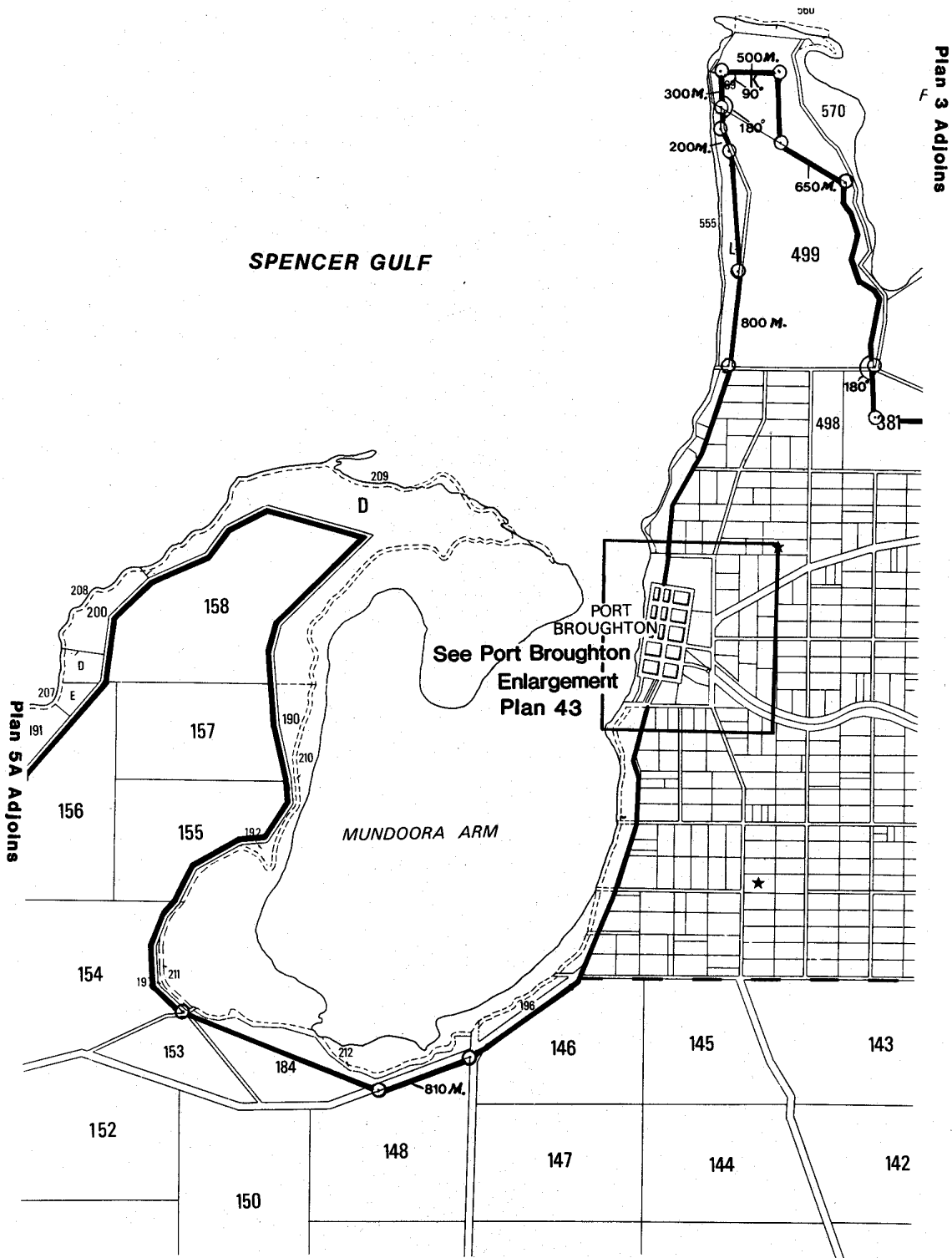


COAST PROTECTION ACT 1972  
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**3**

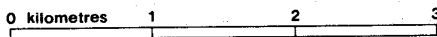
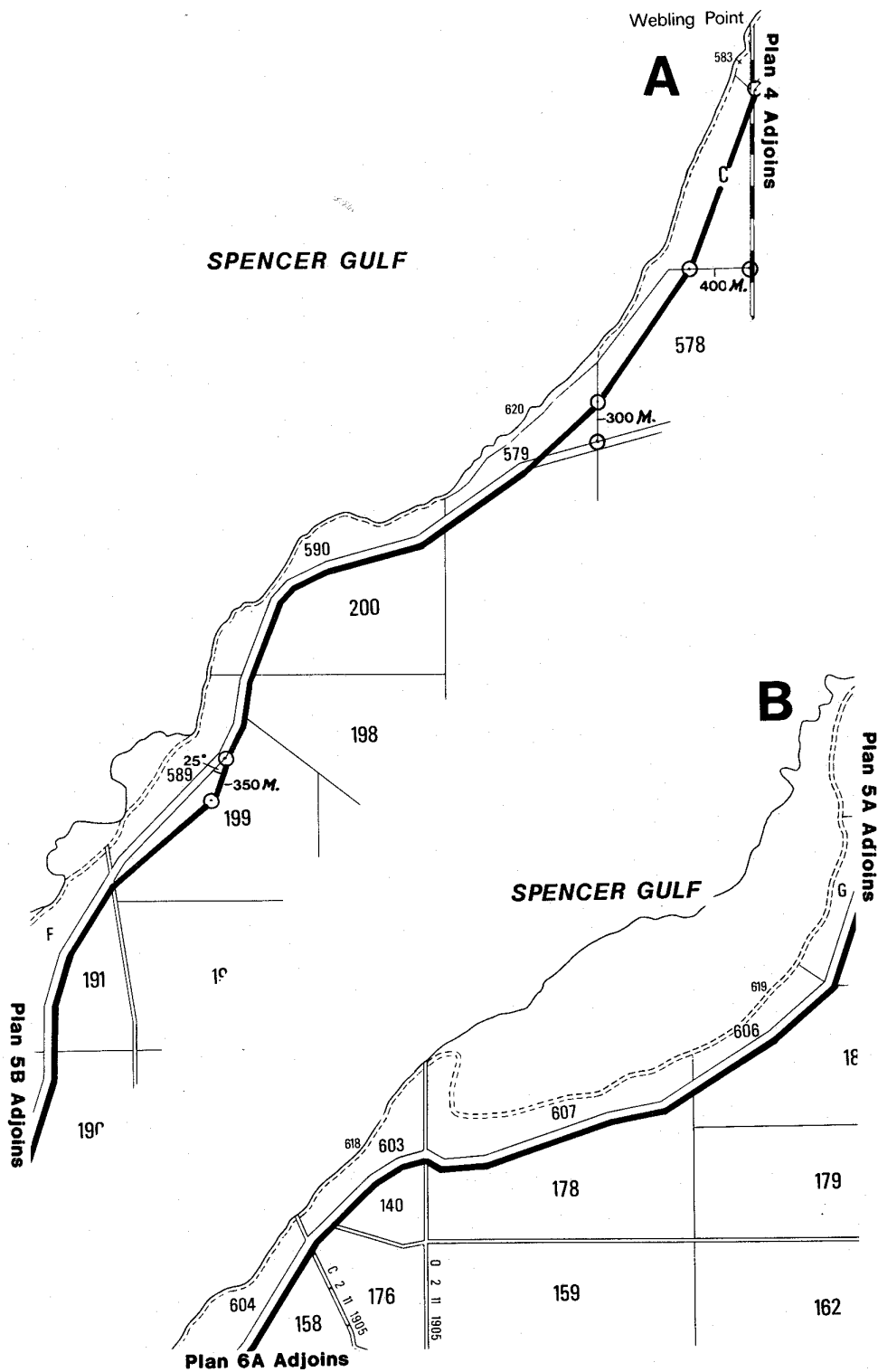




COAST PROTECTION ACT 1972  
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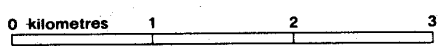
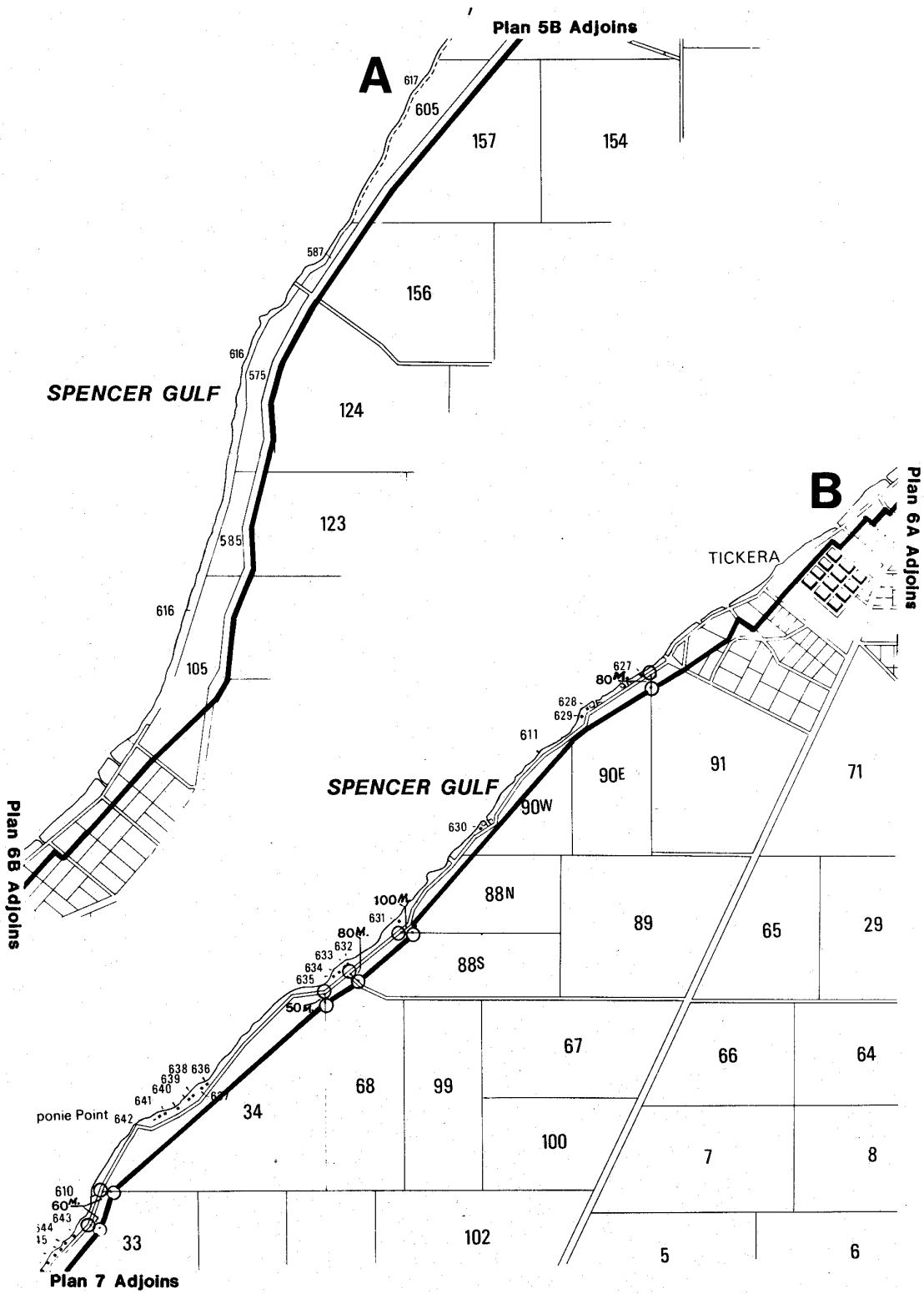
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COAST PROTECTION ACT 1972  
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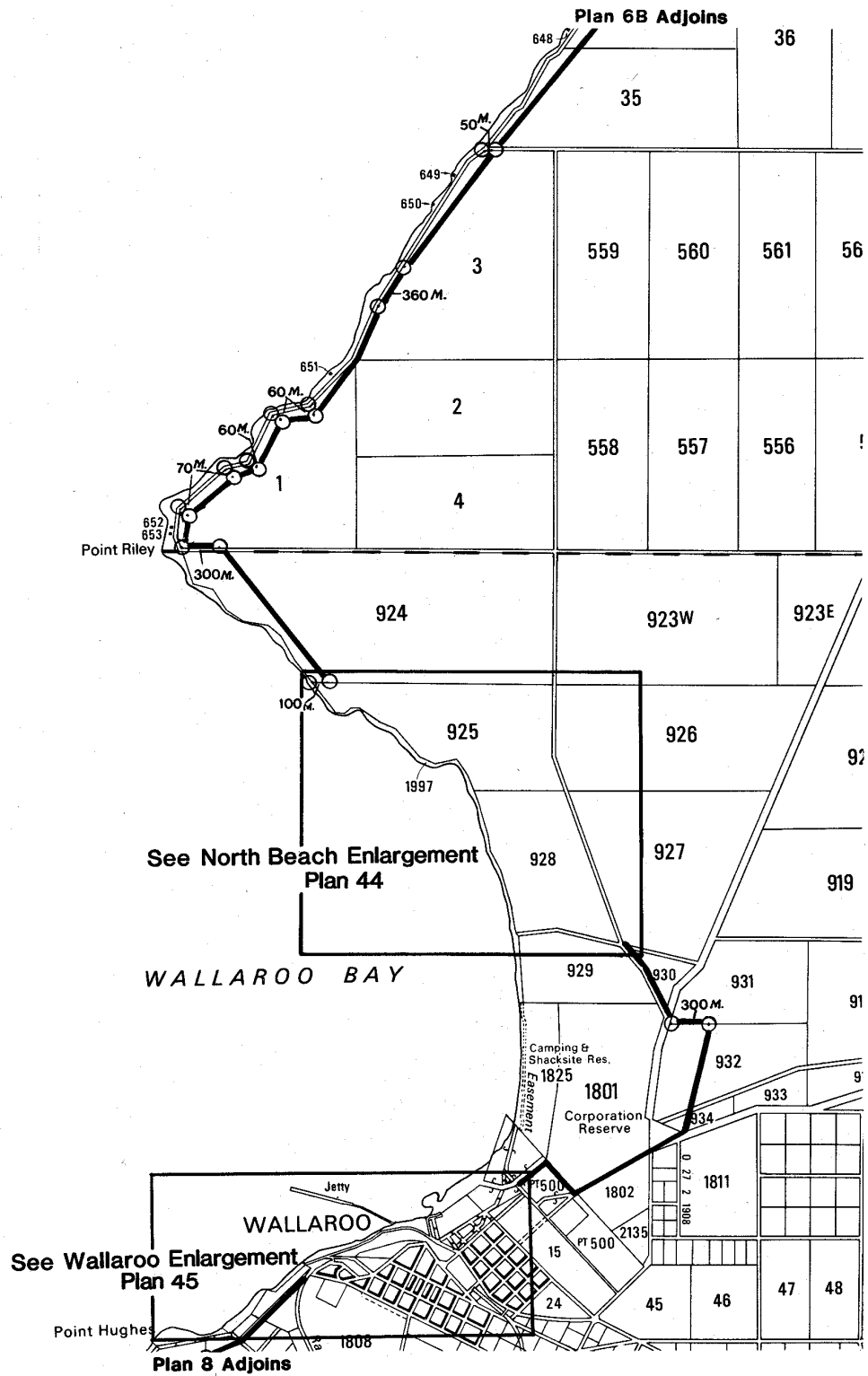
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COAST PROTECTION ACT 1972  
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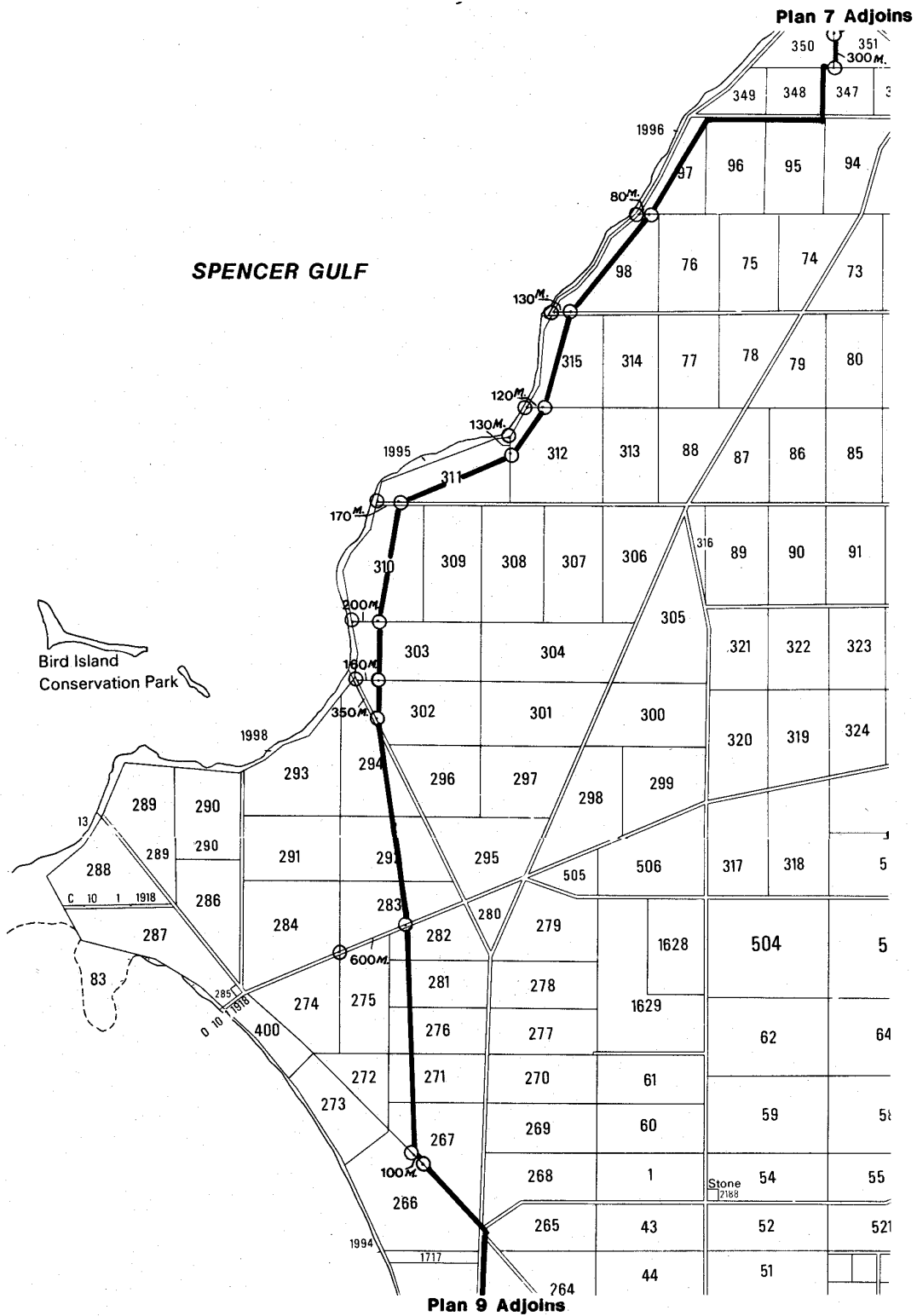
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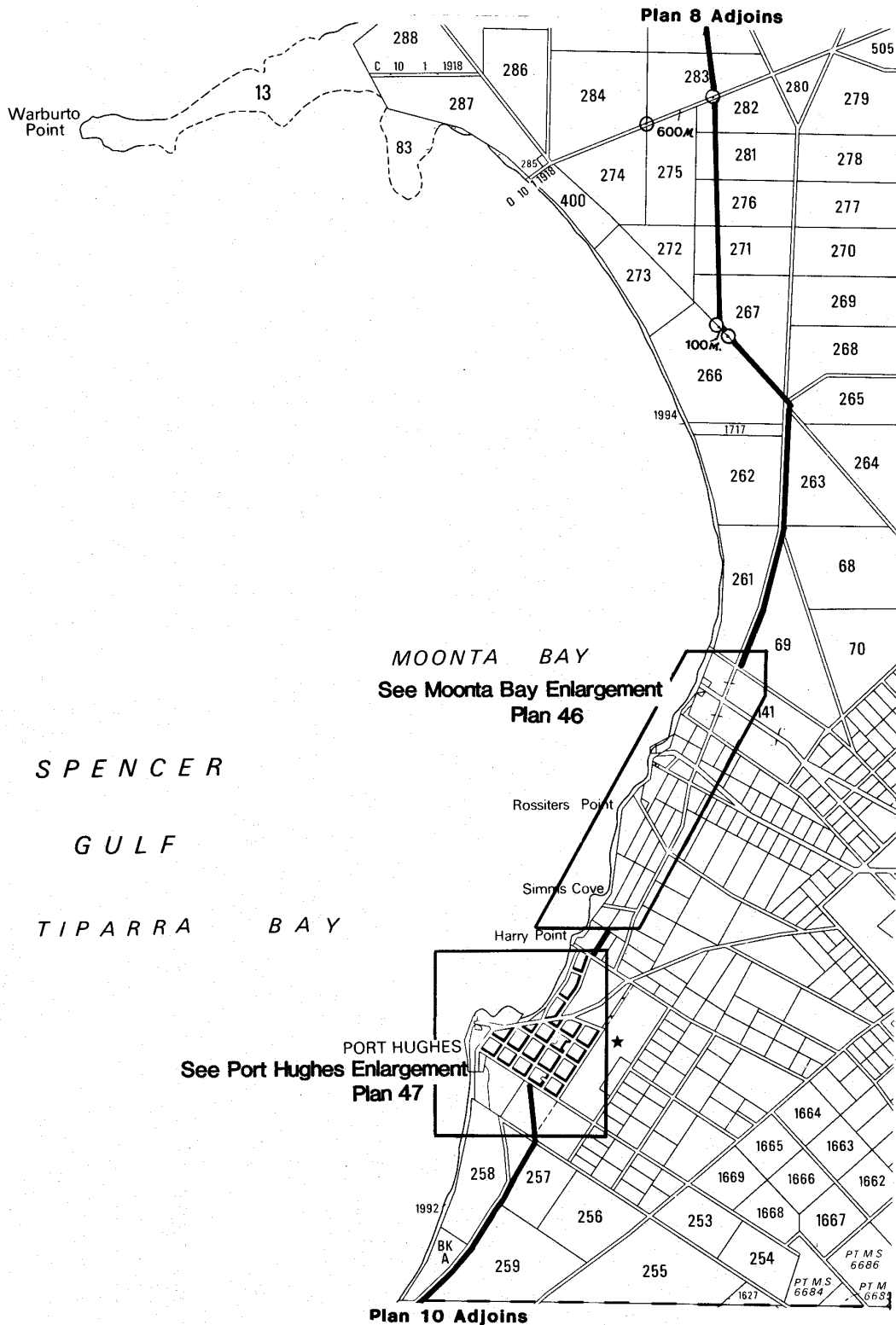


COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
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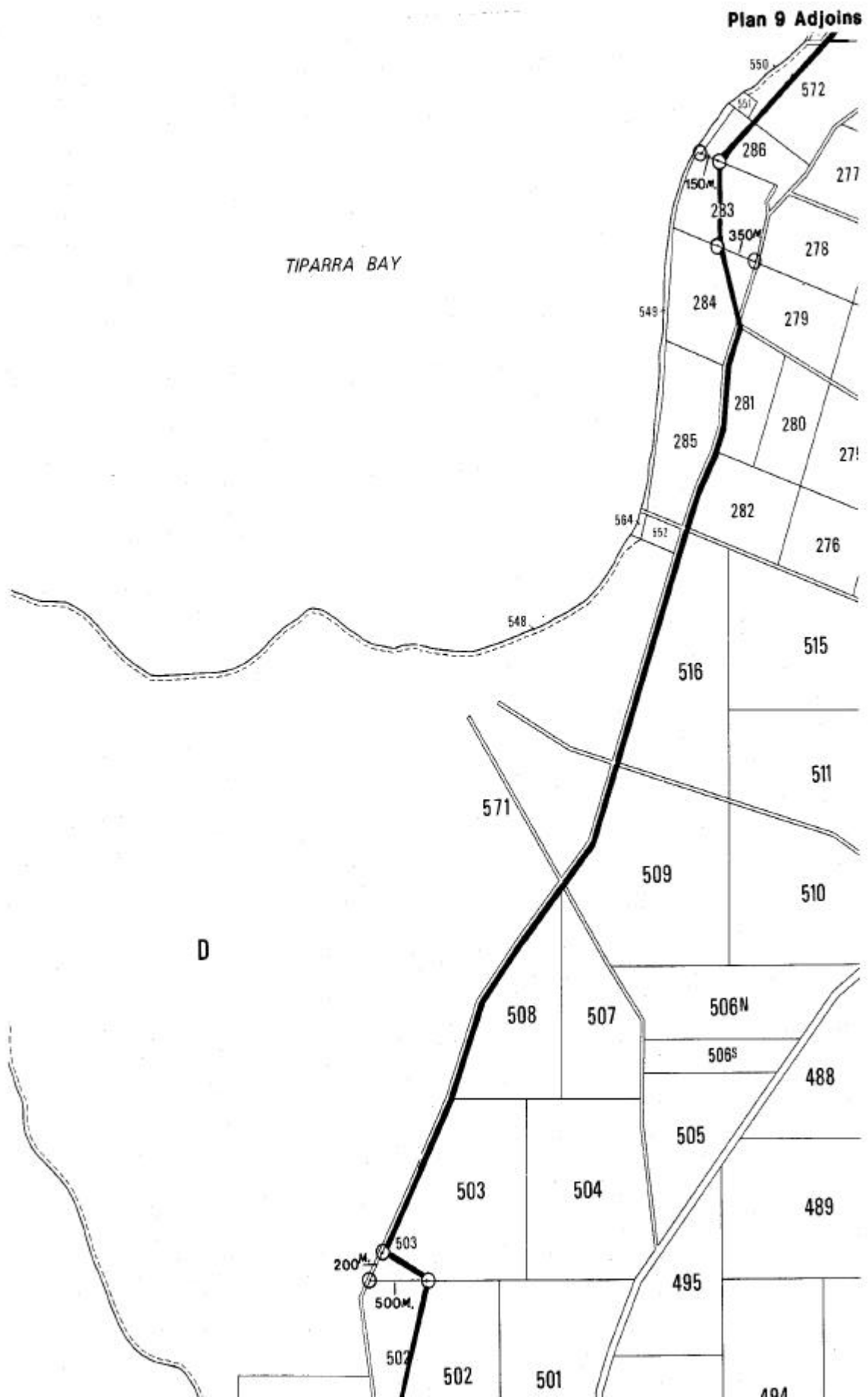
The Schedule

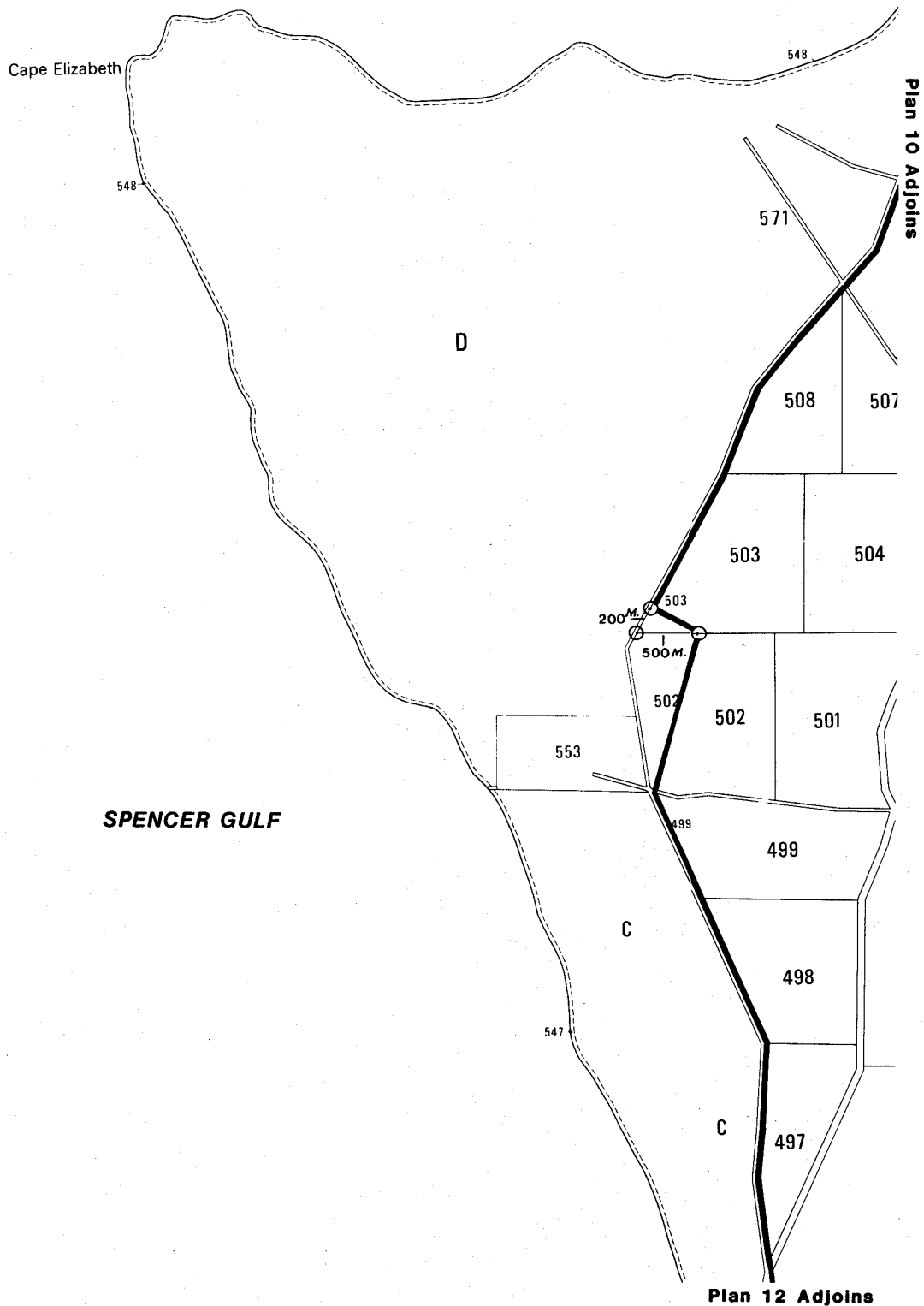
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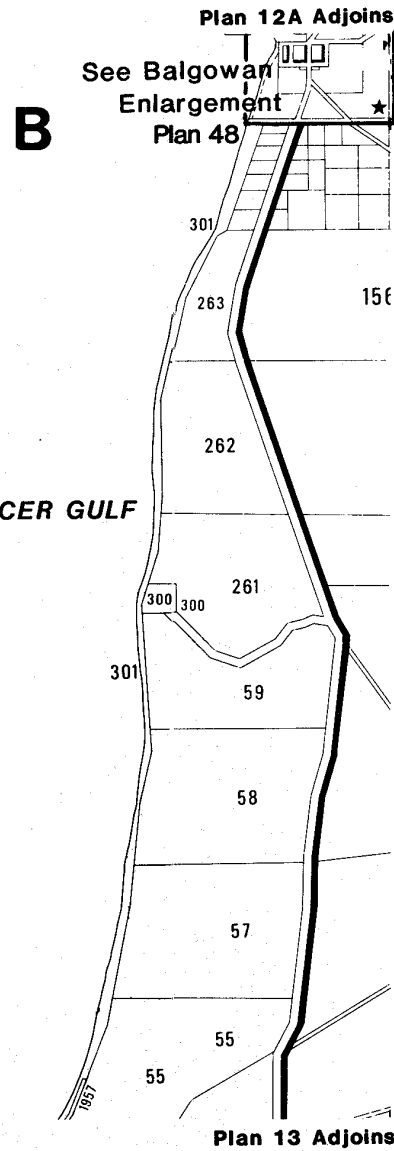
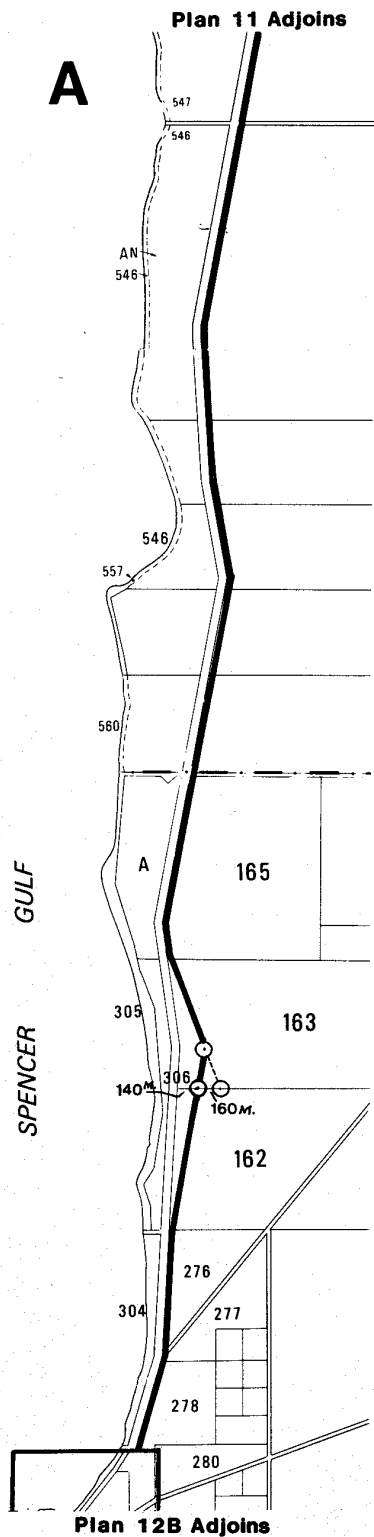
COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**





**COAST PROTECTION ACT 1972**  
**LAND TO CONSTITUTE**  
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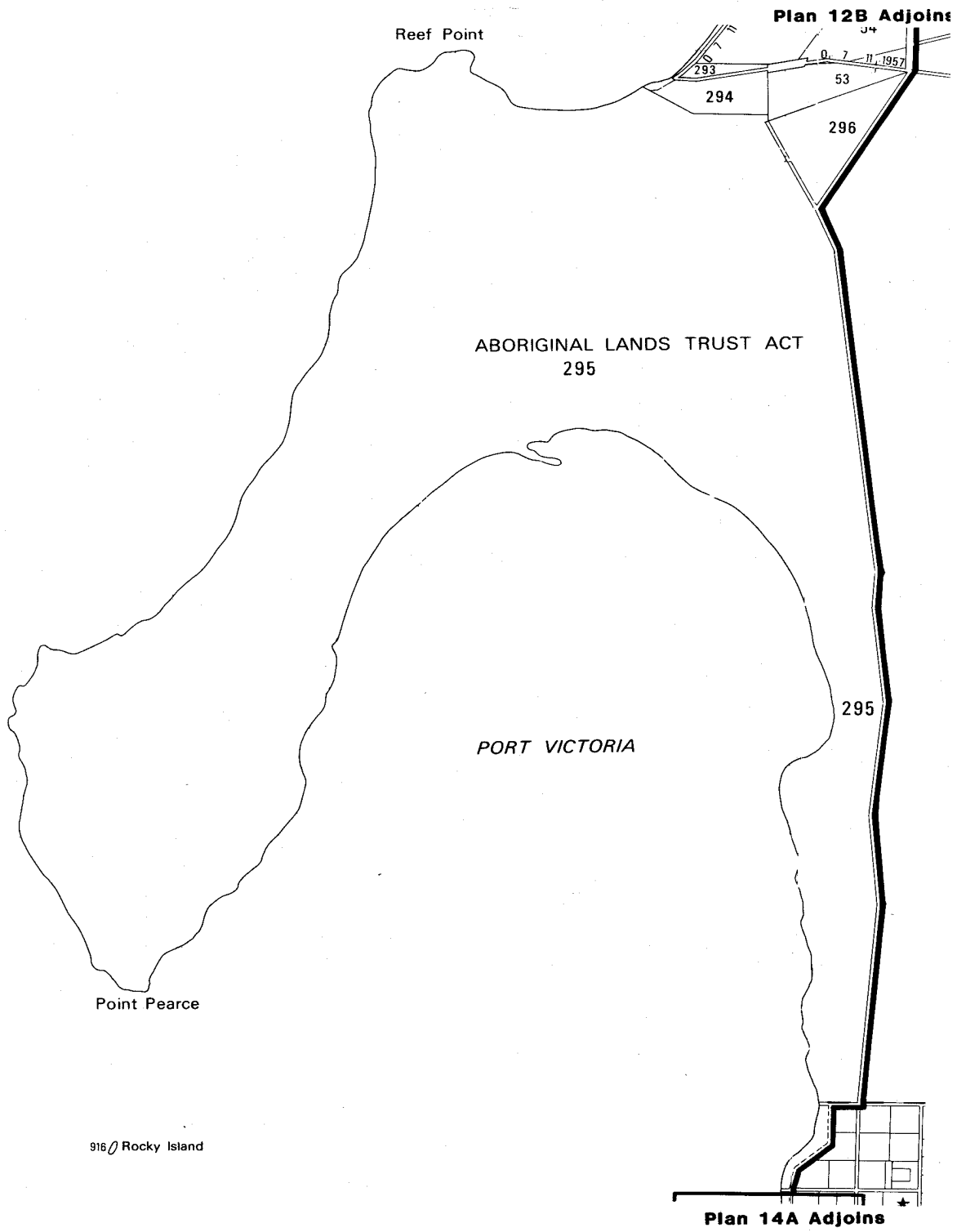




COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
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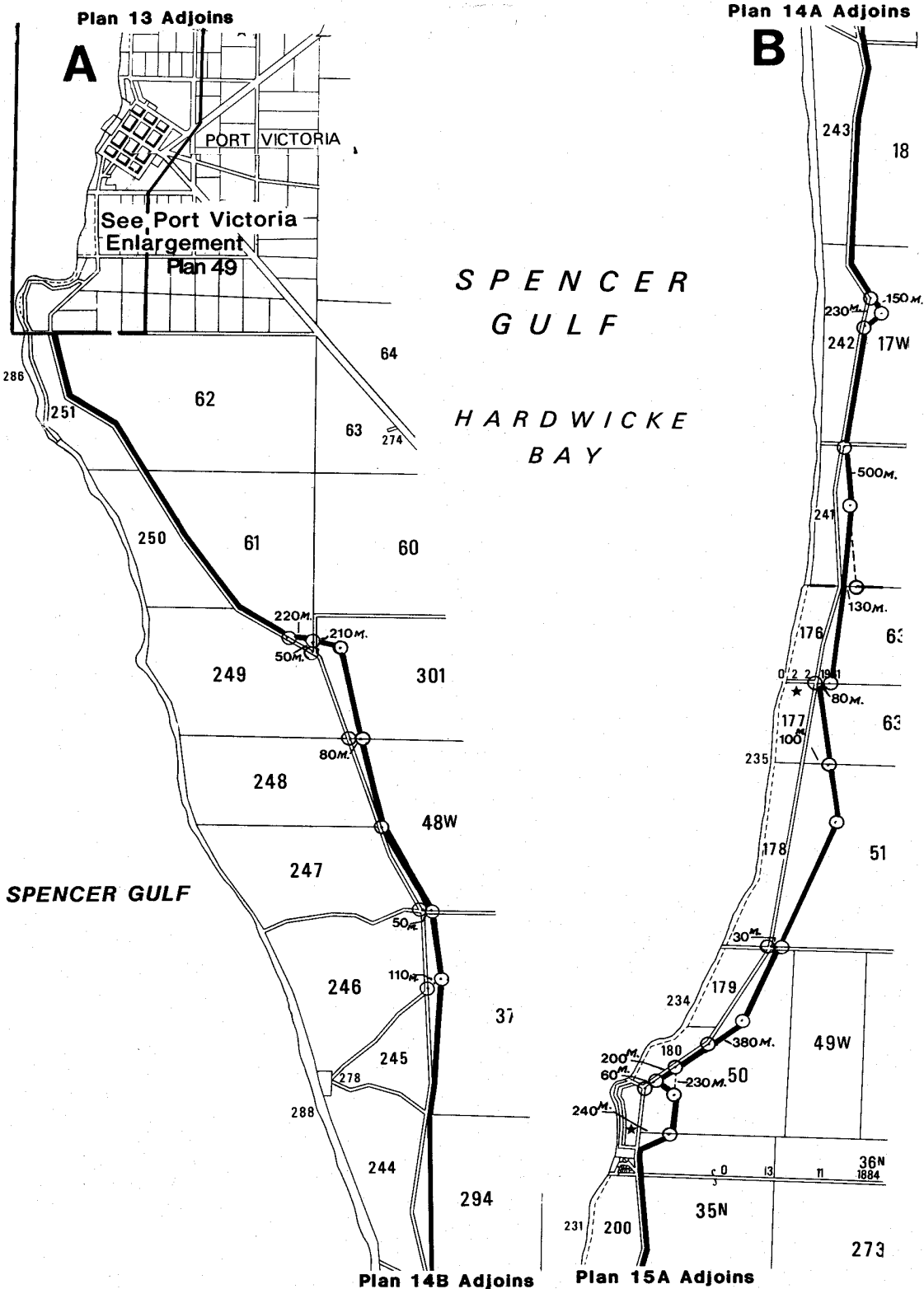
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COAST PROTECTION ACT 1972  
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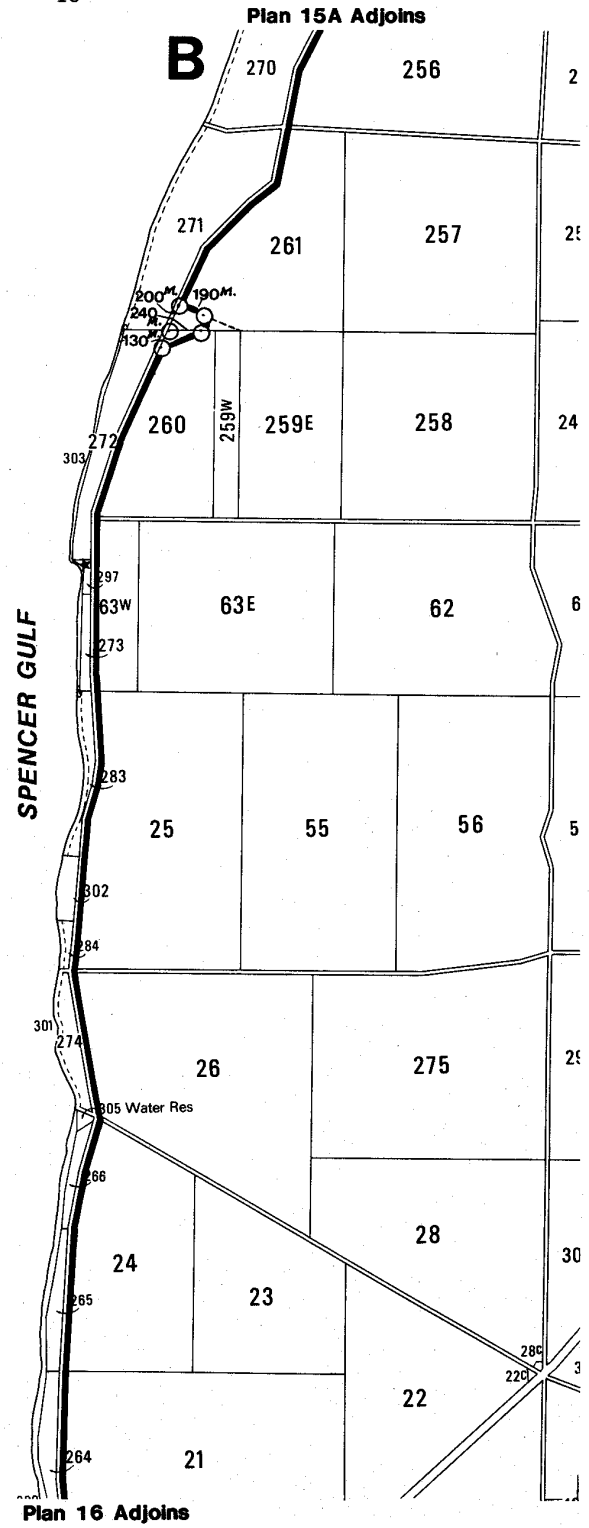
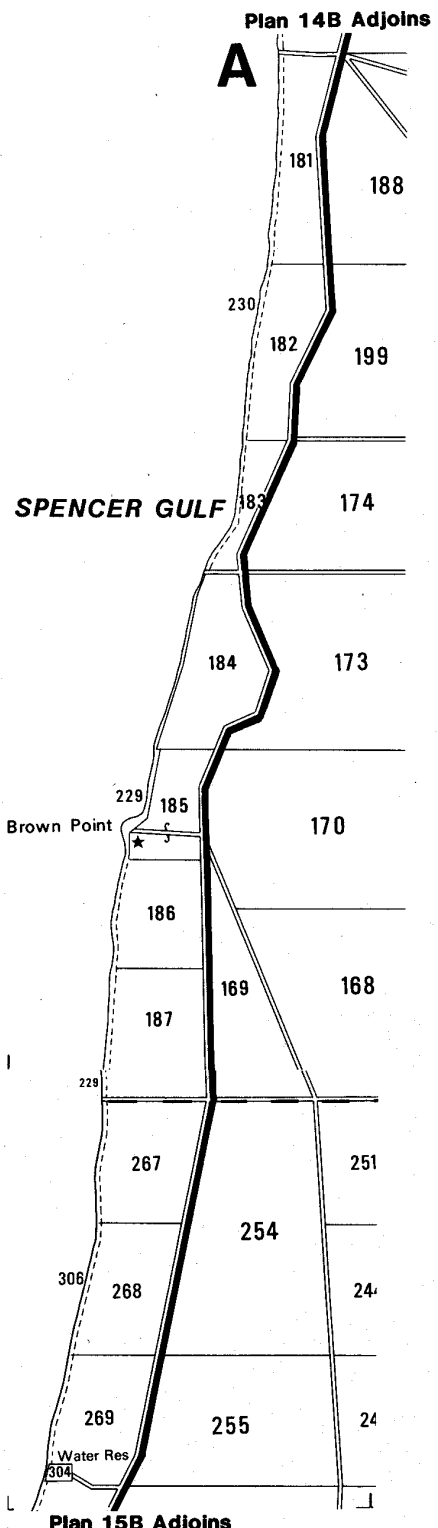
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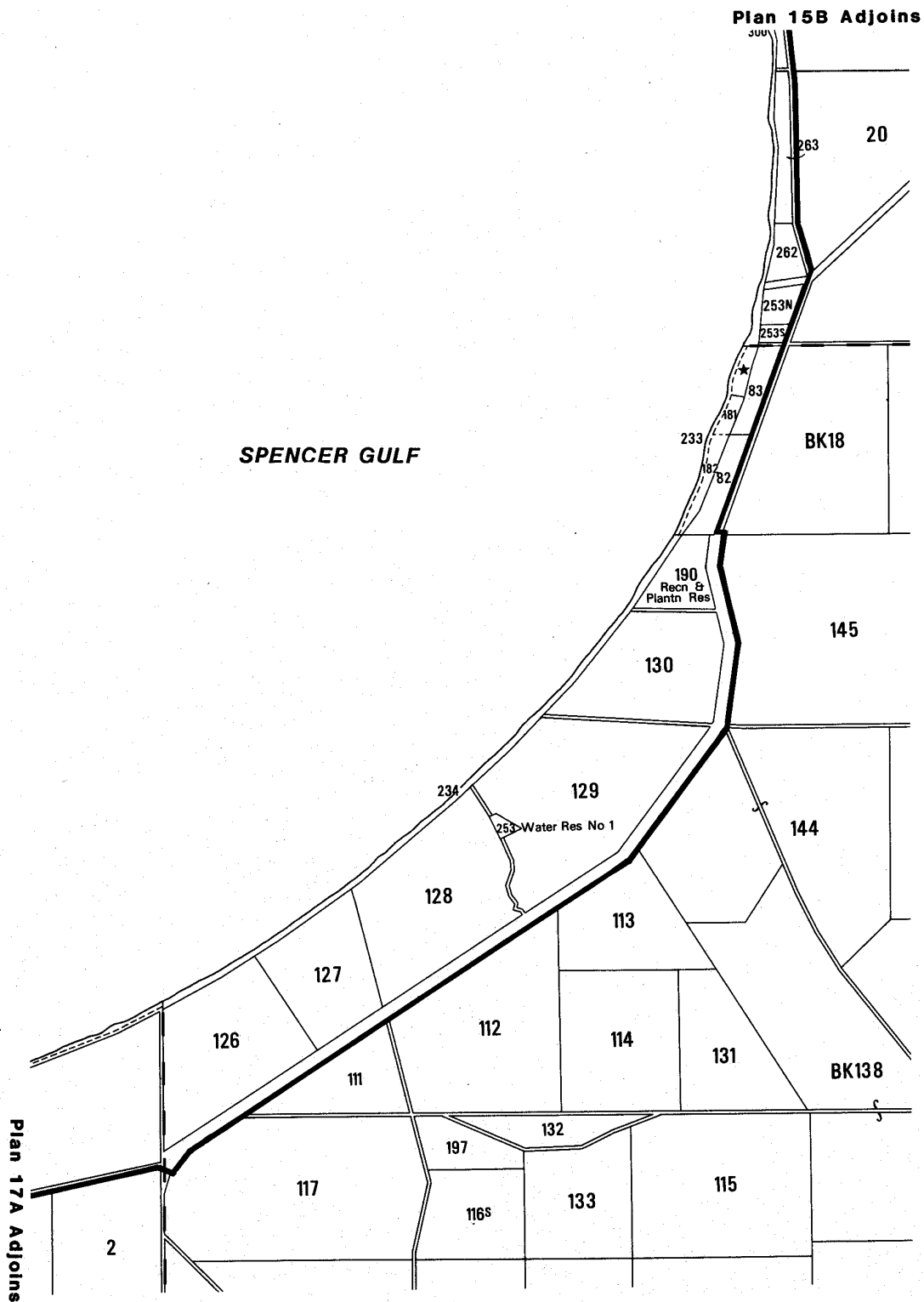
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COAST PROTECTION ACT 1972  
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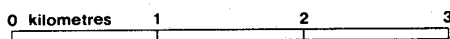
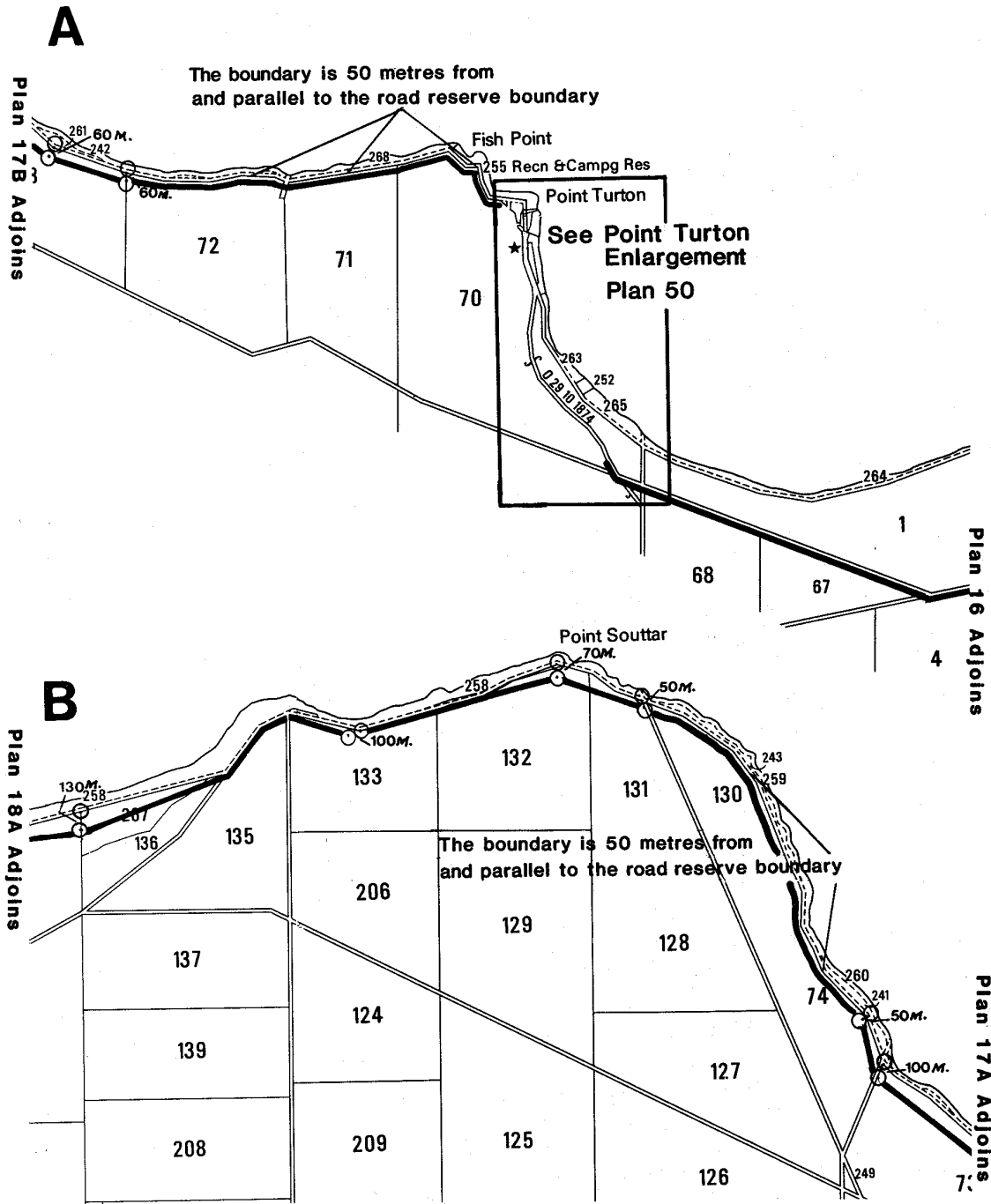
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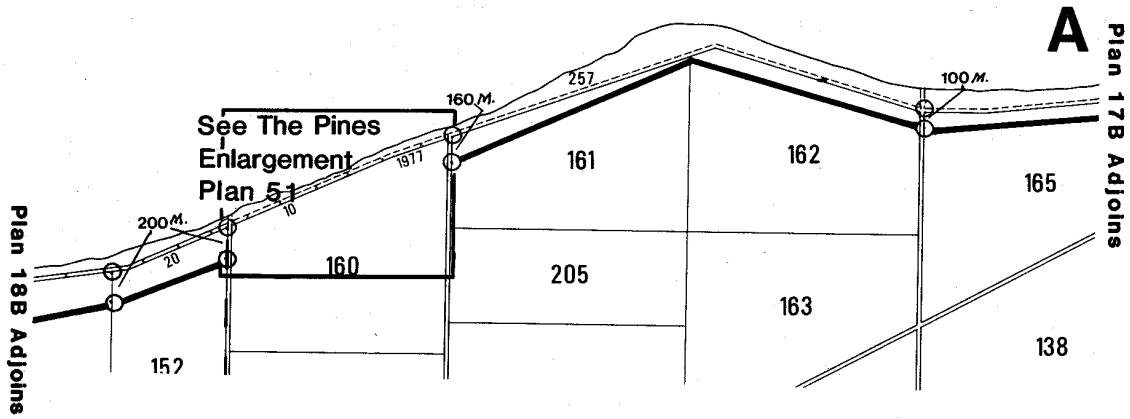
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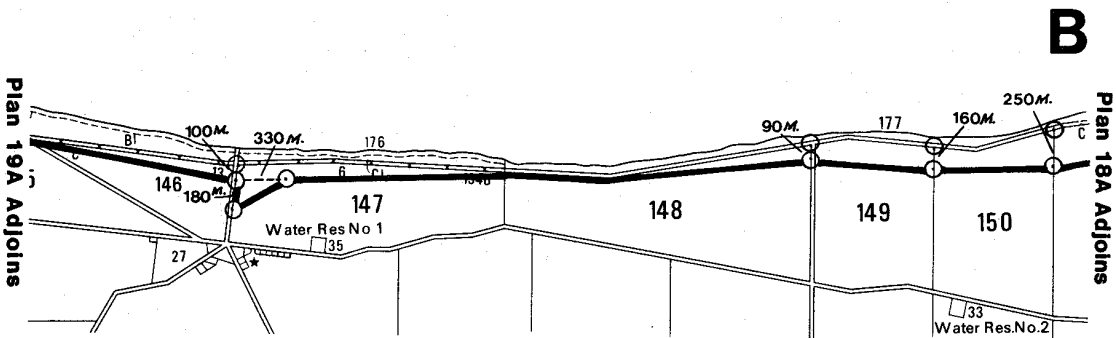
COAST PROTECTION ACT 1972  
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SPENCER GULF



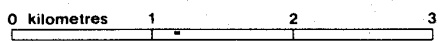
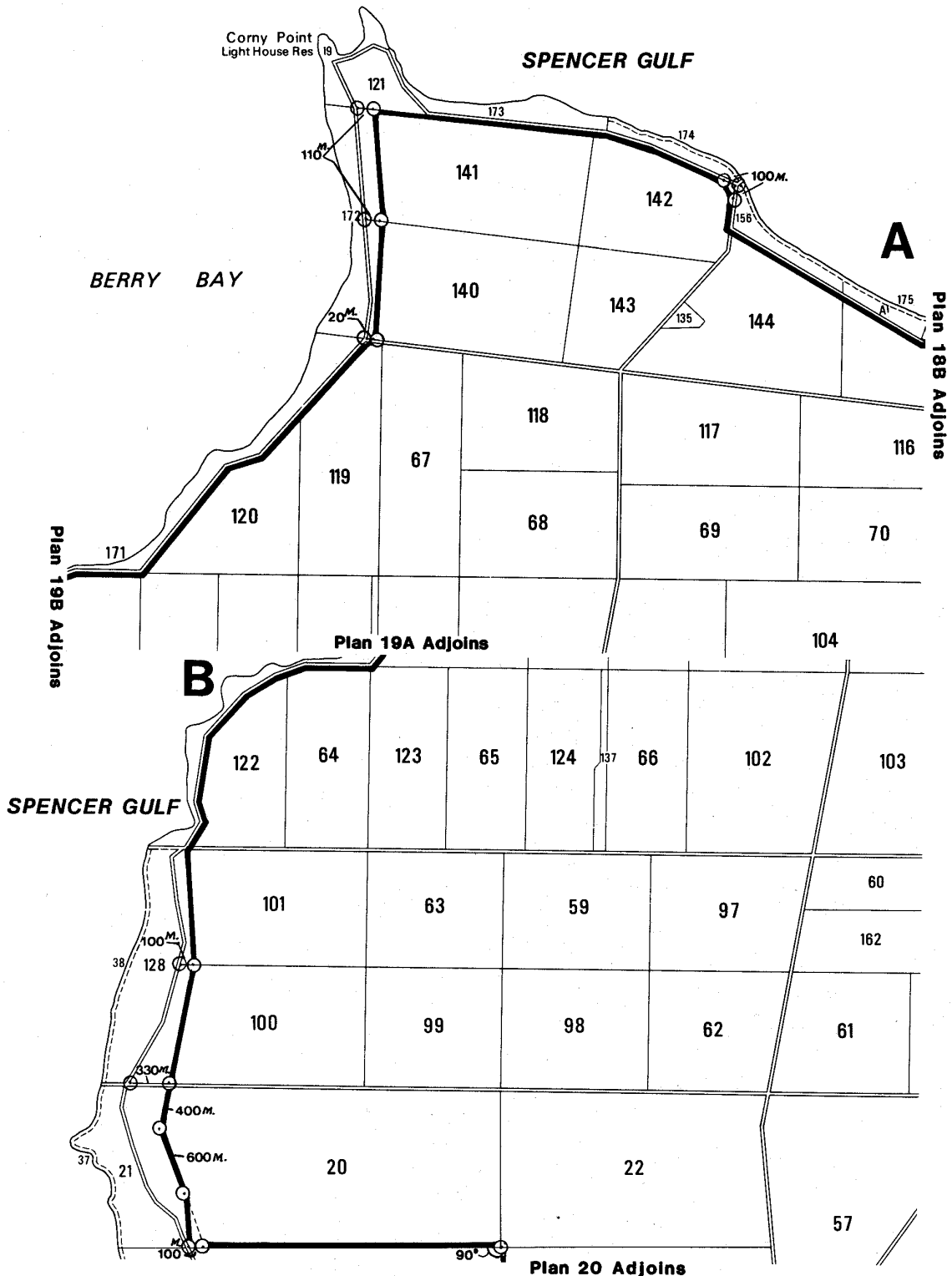
SPENCER GULF



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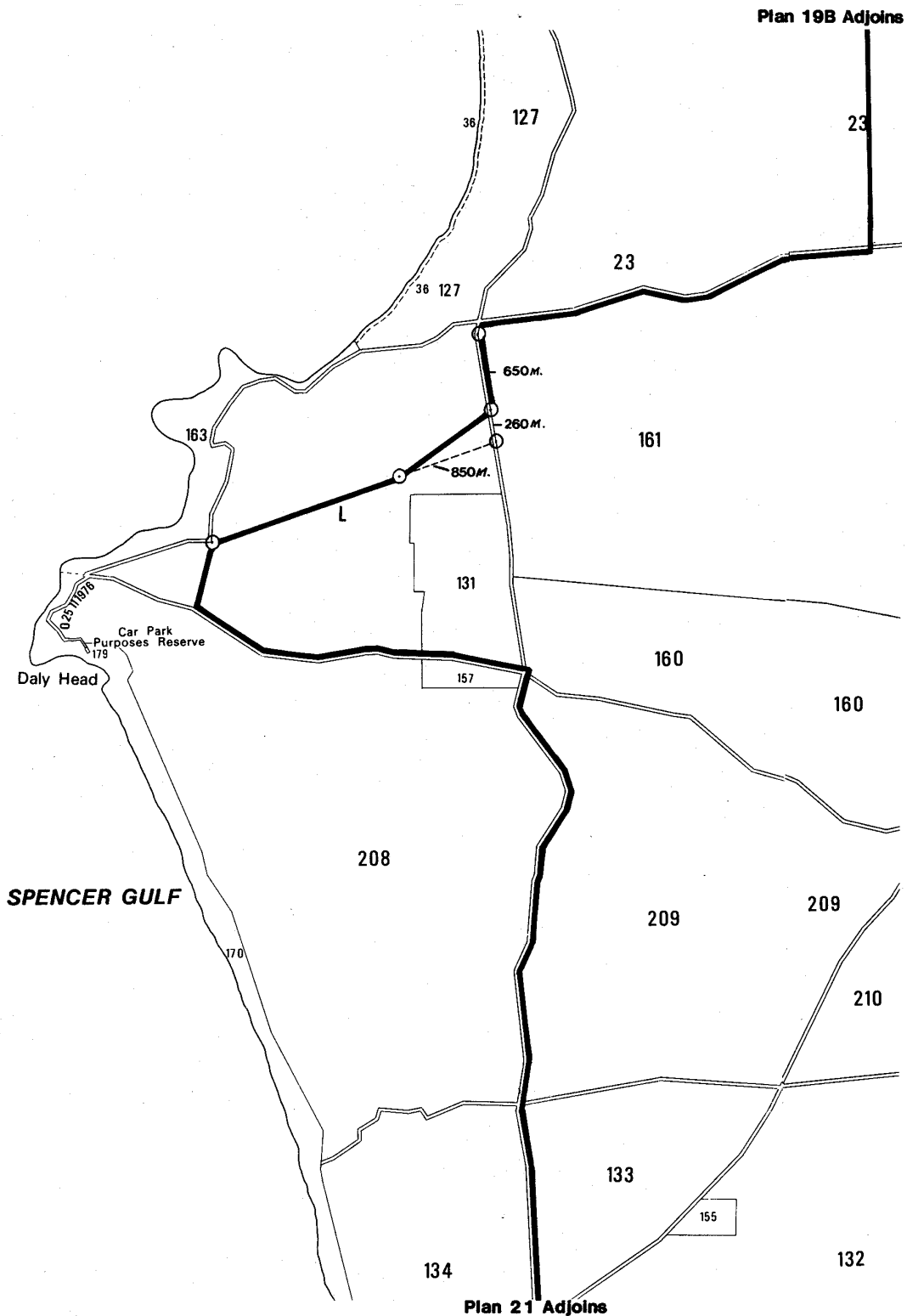


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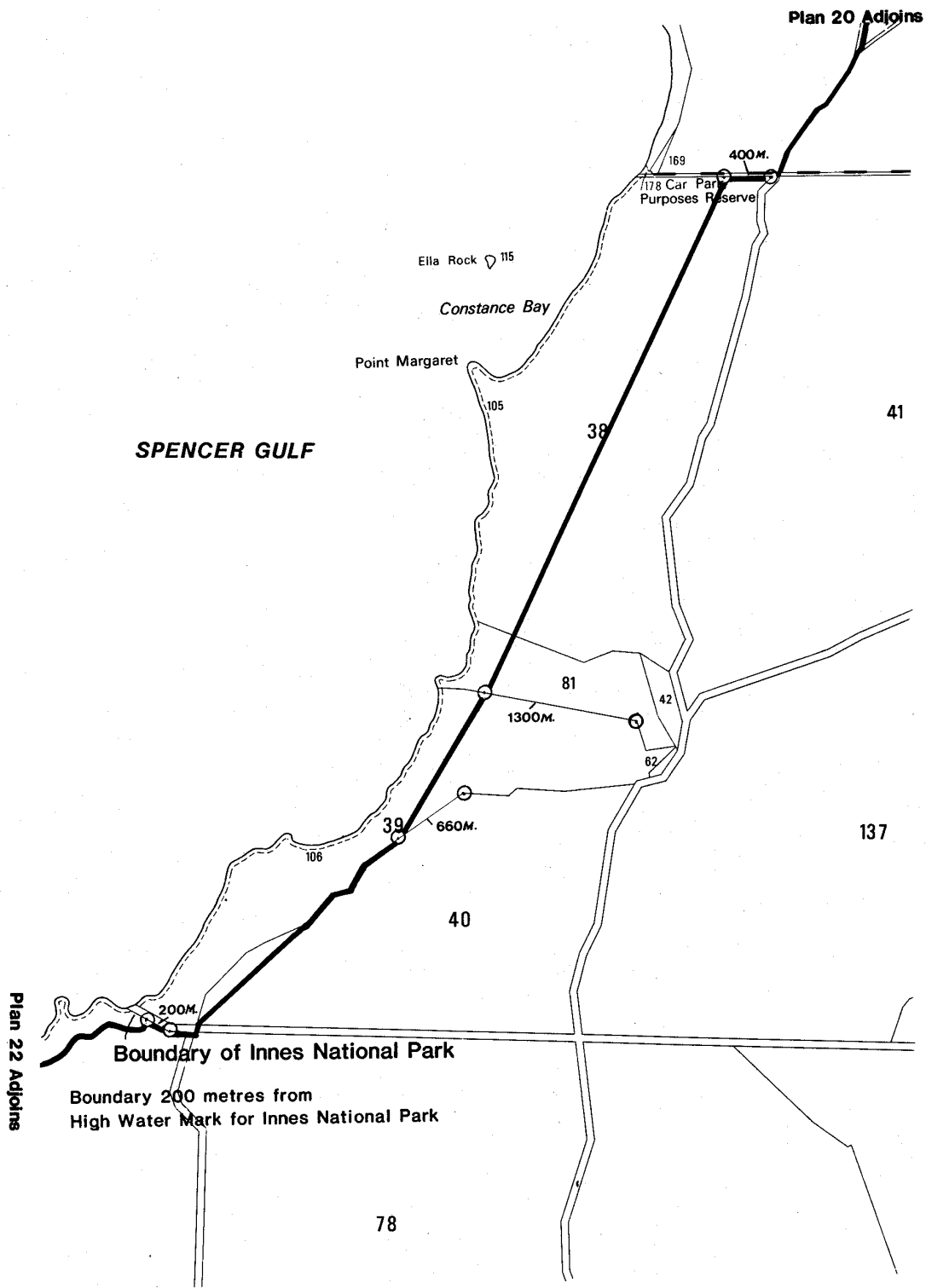
0 kilometres 1 2 3



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Plan 22 Adjoins

Plan 20 Adjoins

SPENCER GULF

Ella Rock 115

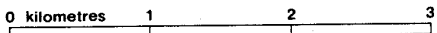
Constance Bay

Point Margaret

178 Car Park Purposes Reserve

Boundary of Innes National Park

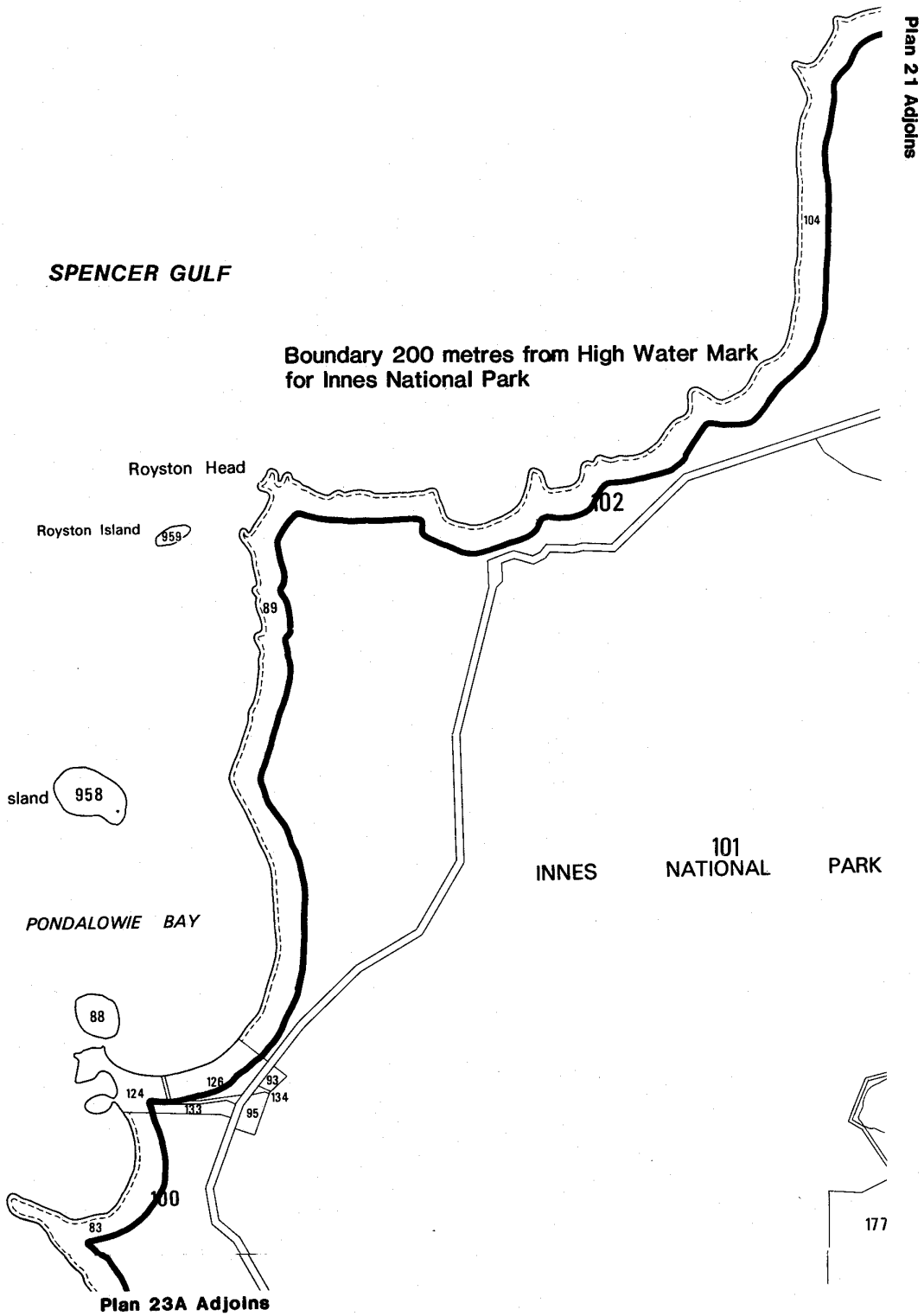
Boundary 200 metres from High Water Mark for Innes National Park



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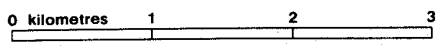
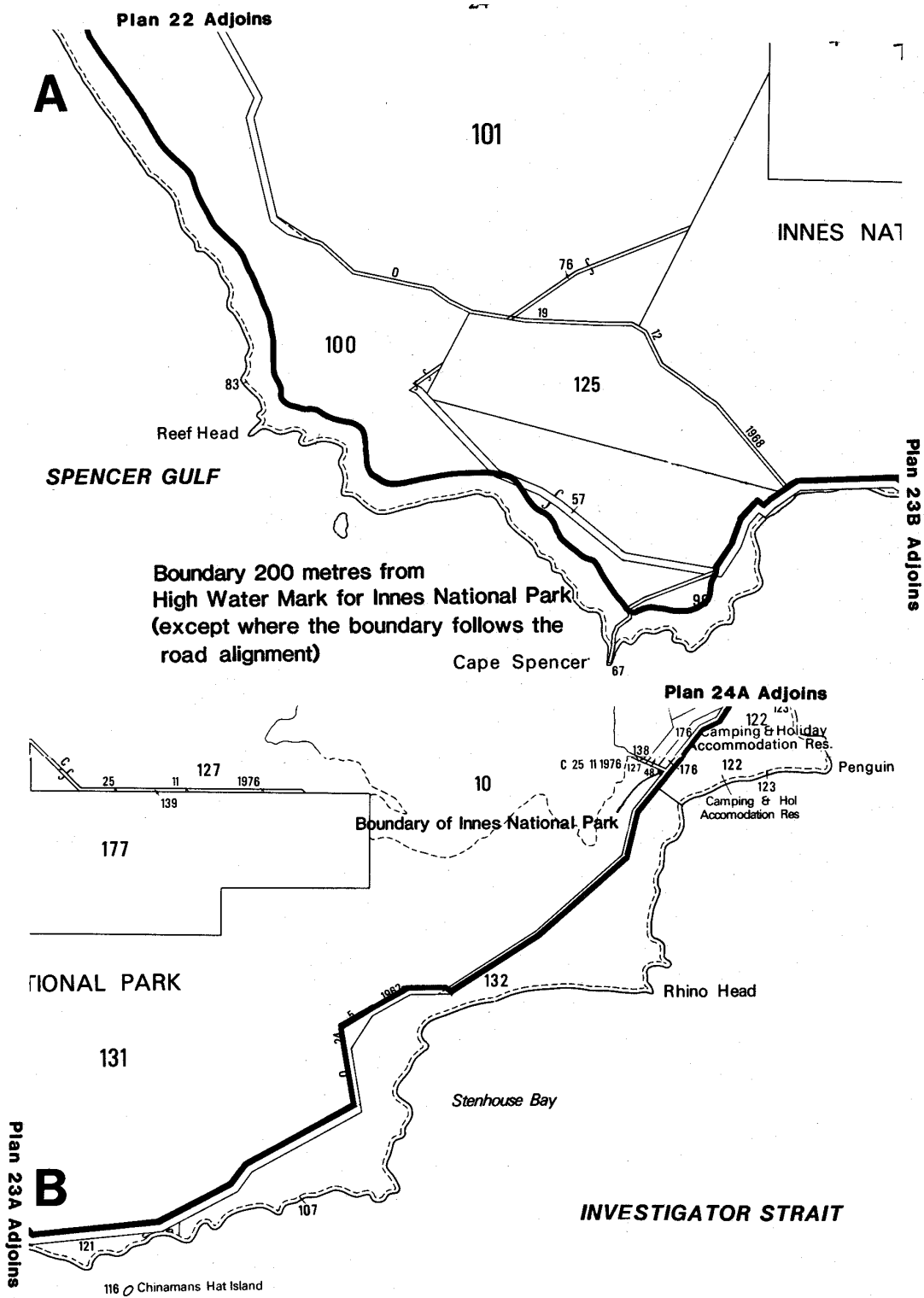
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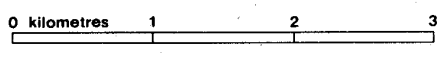
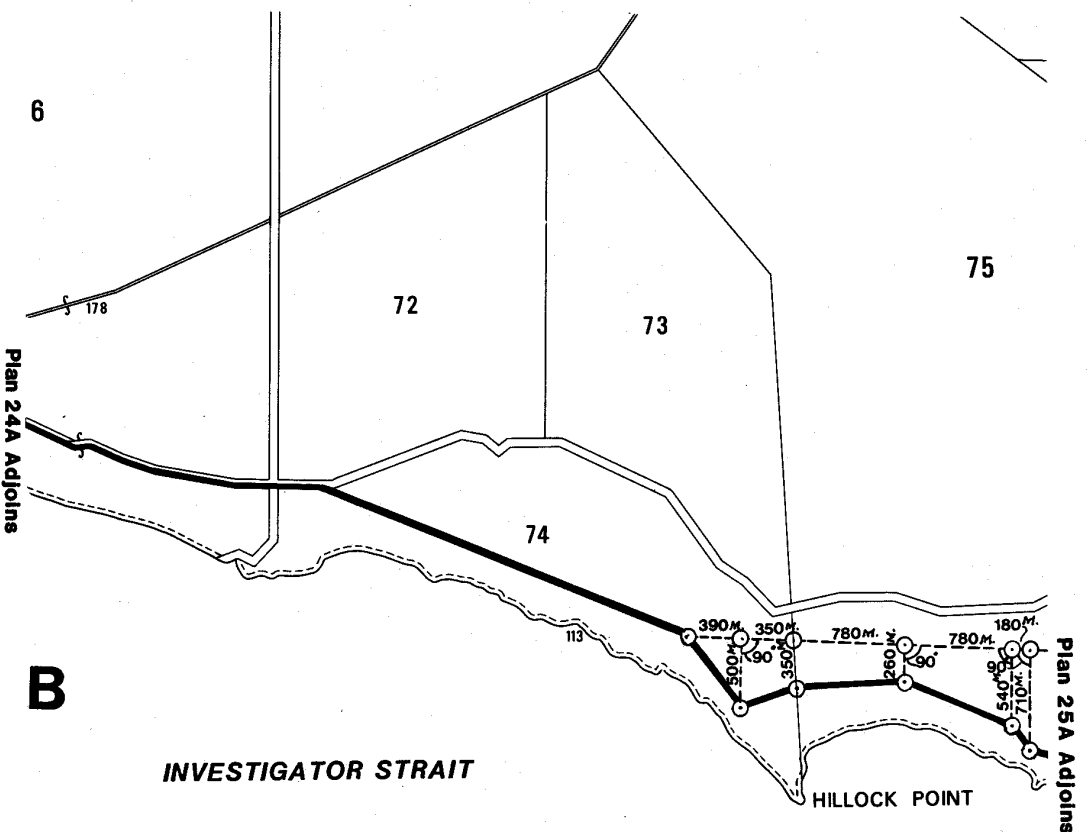
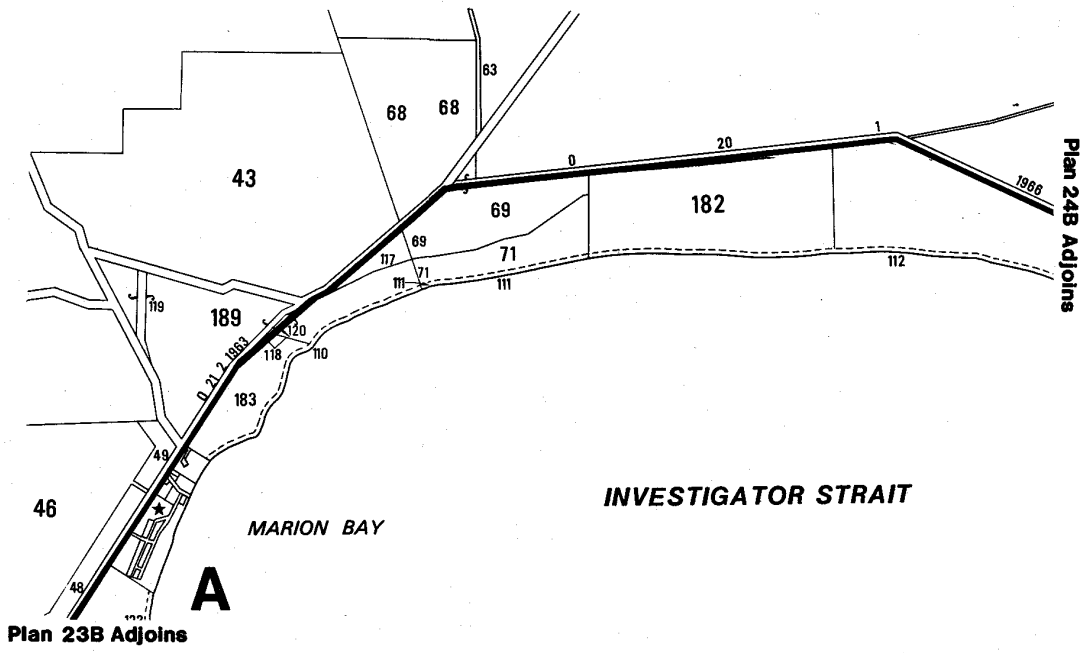
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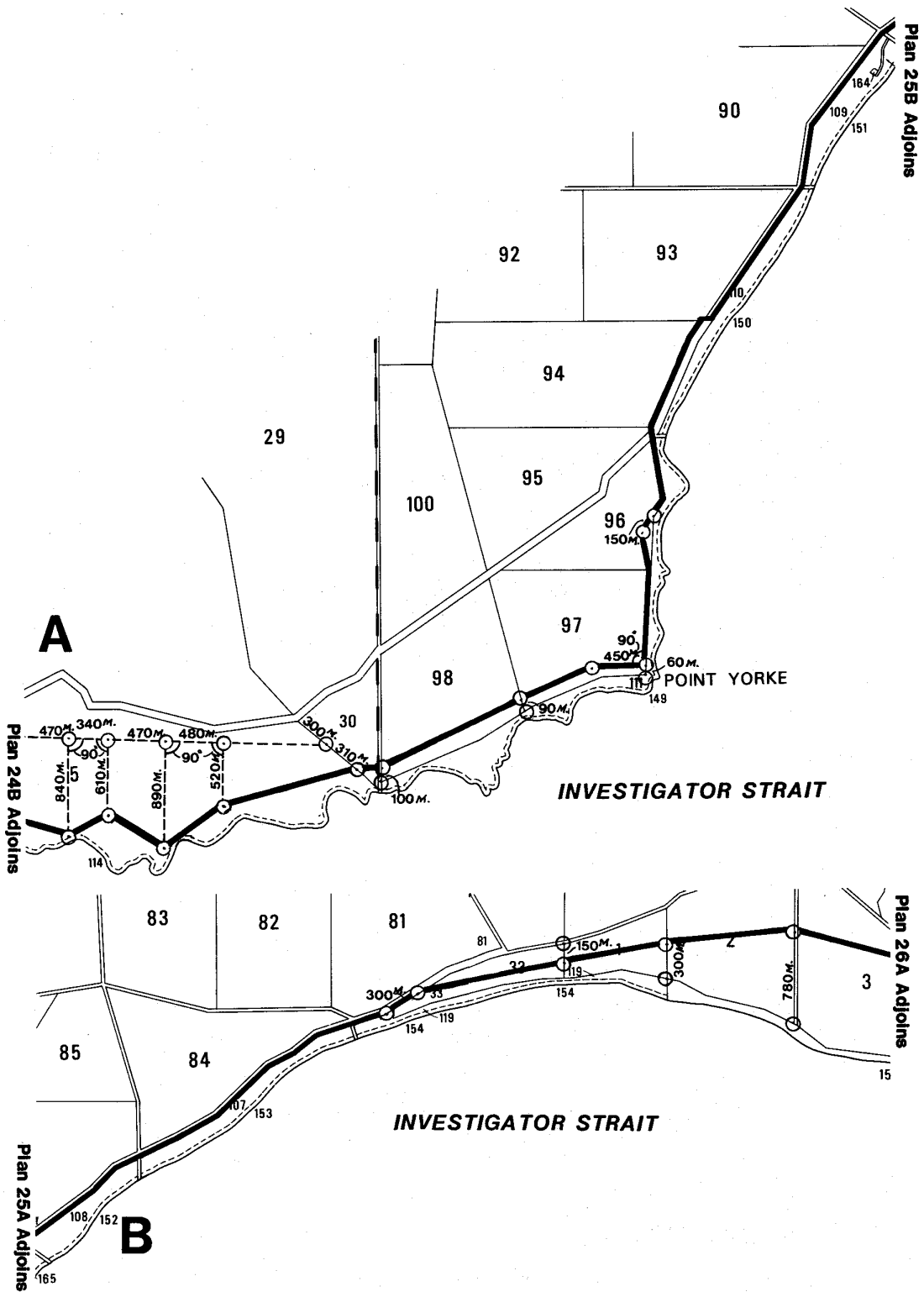
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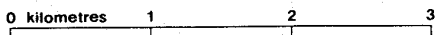
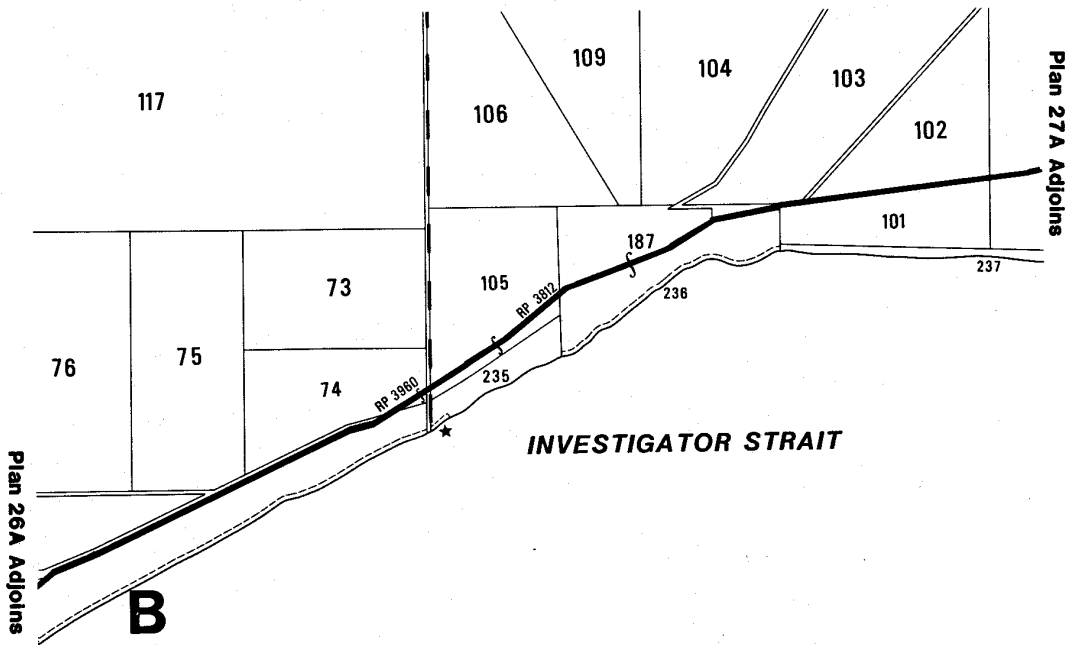
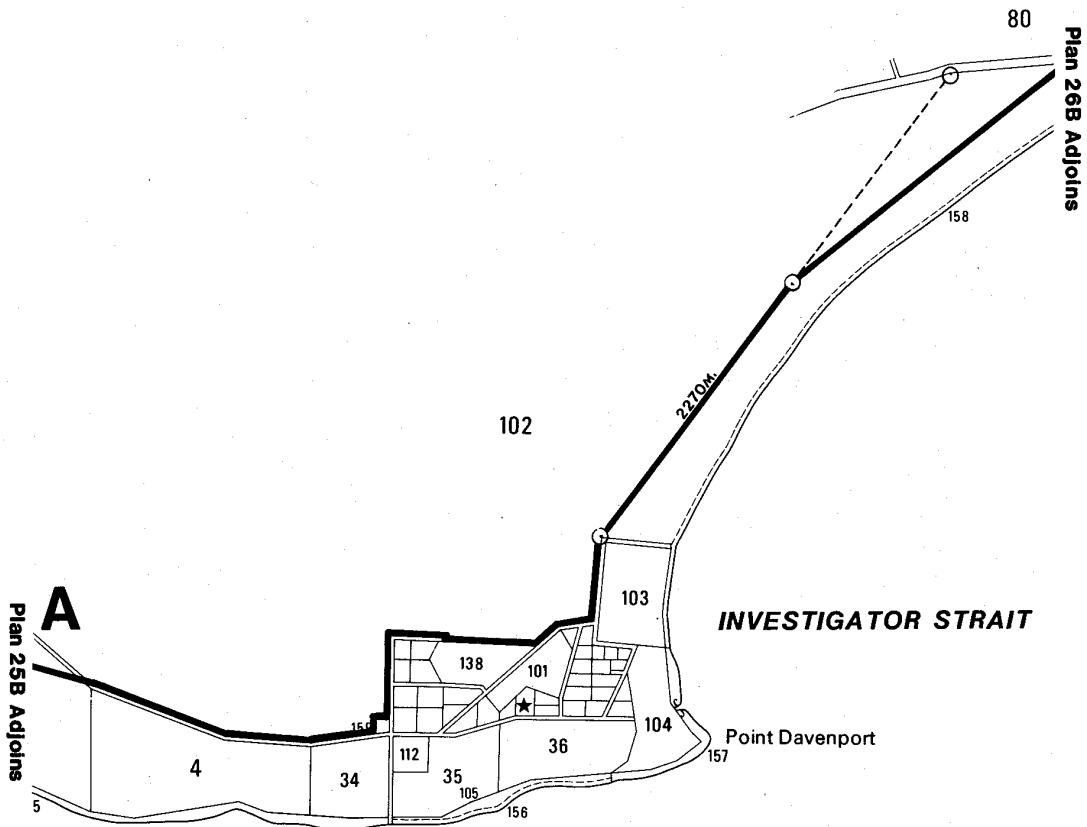
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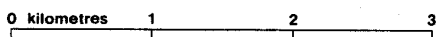
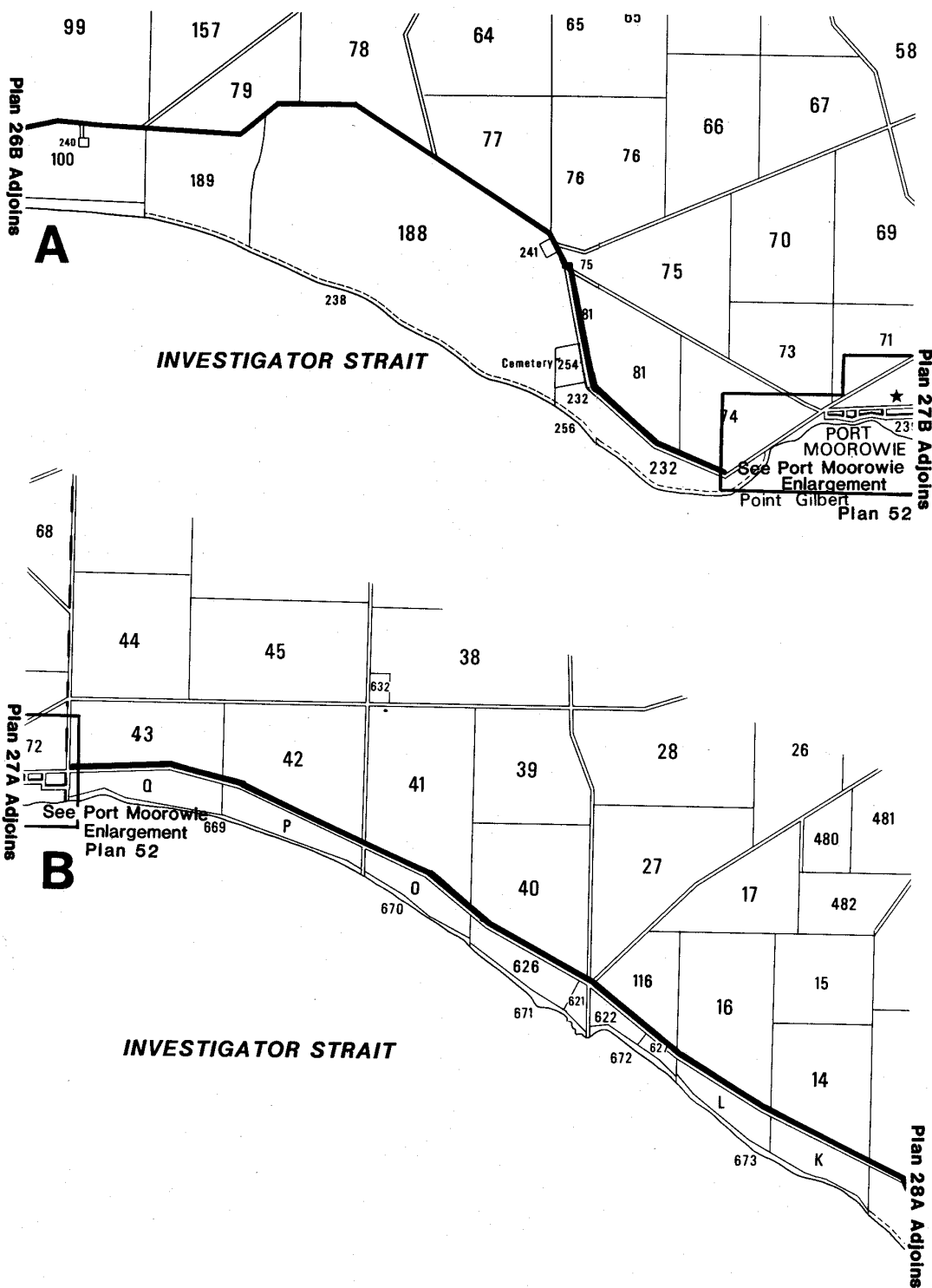
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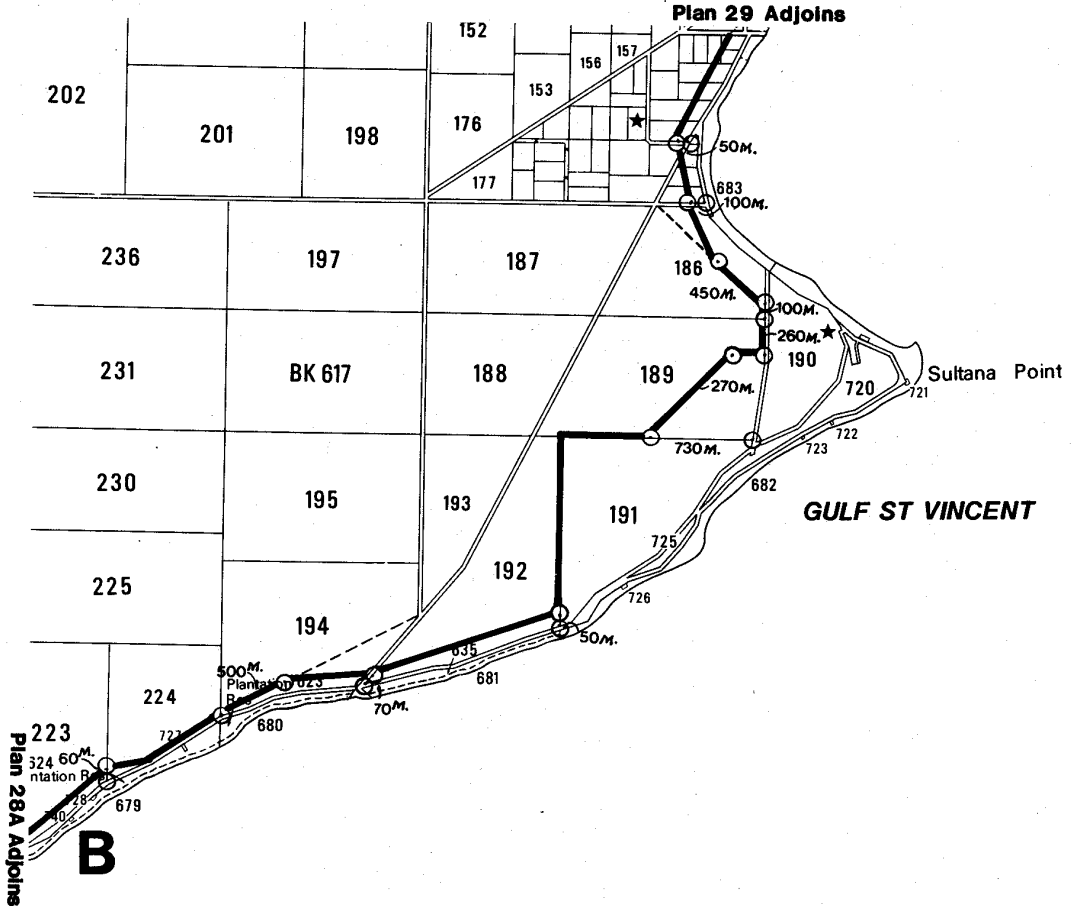
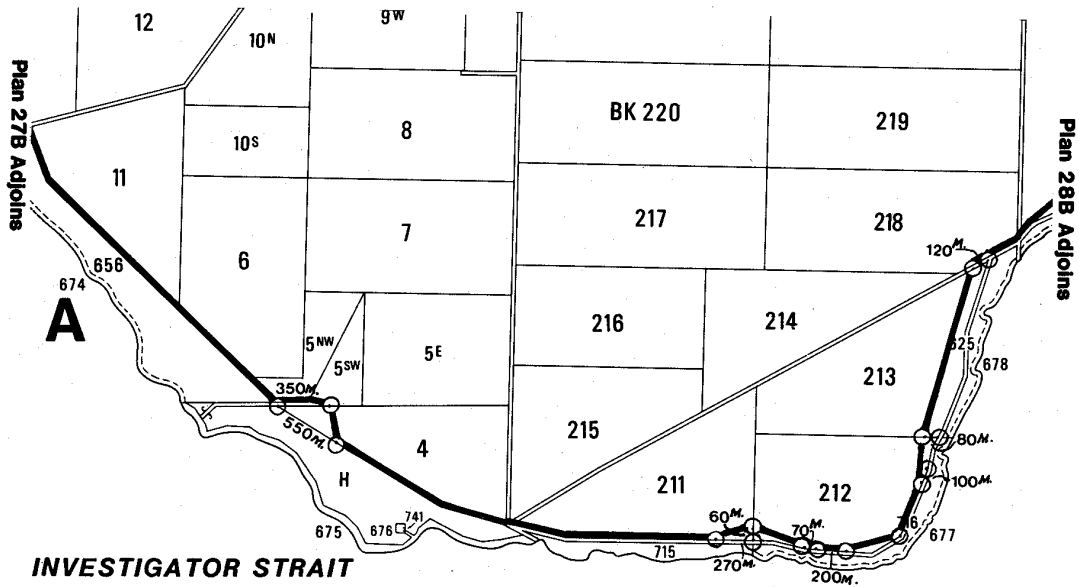


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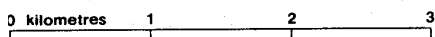
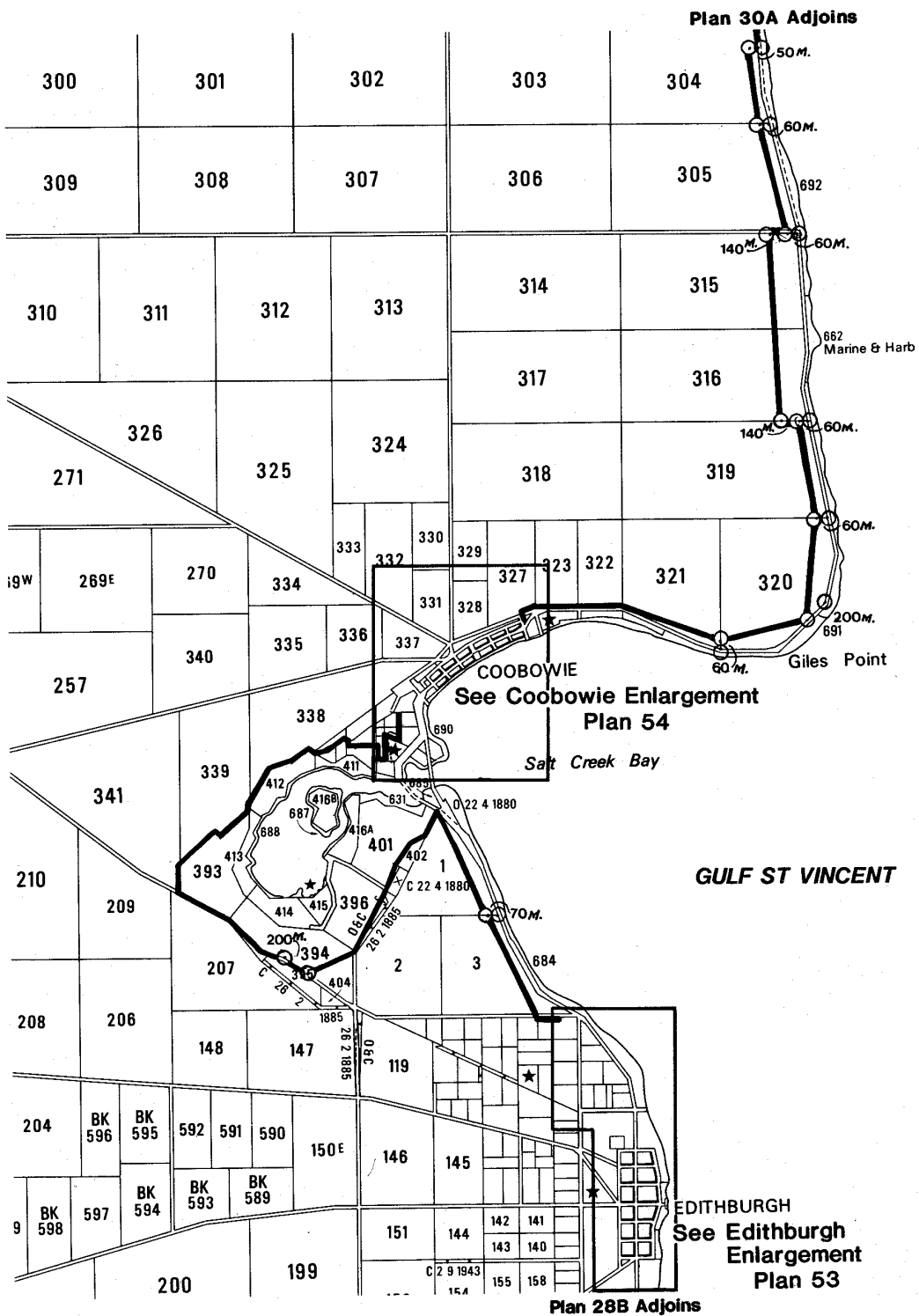




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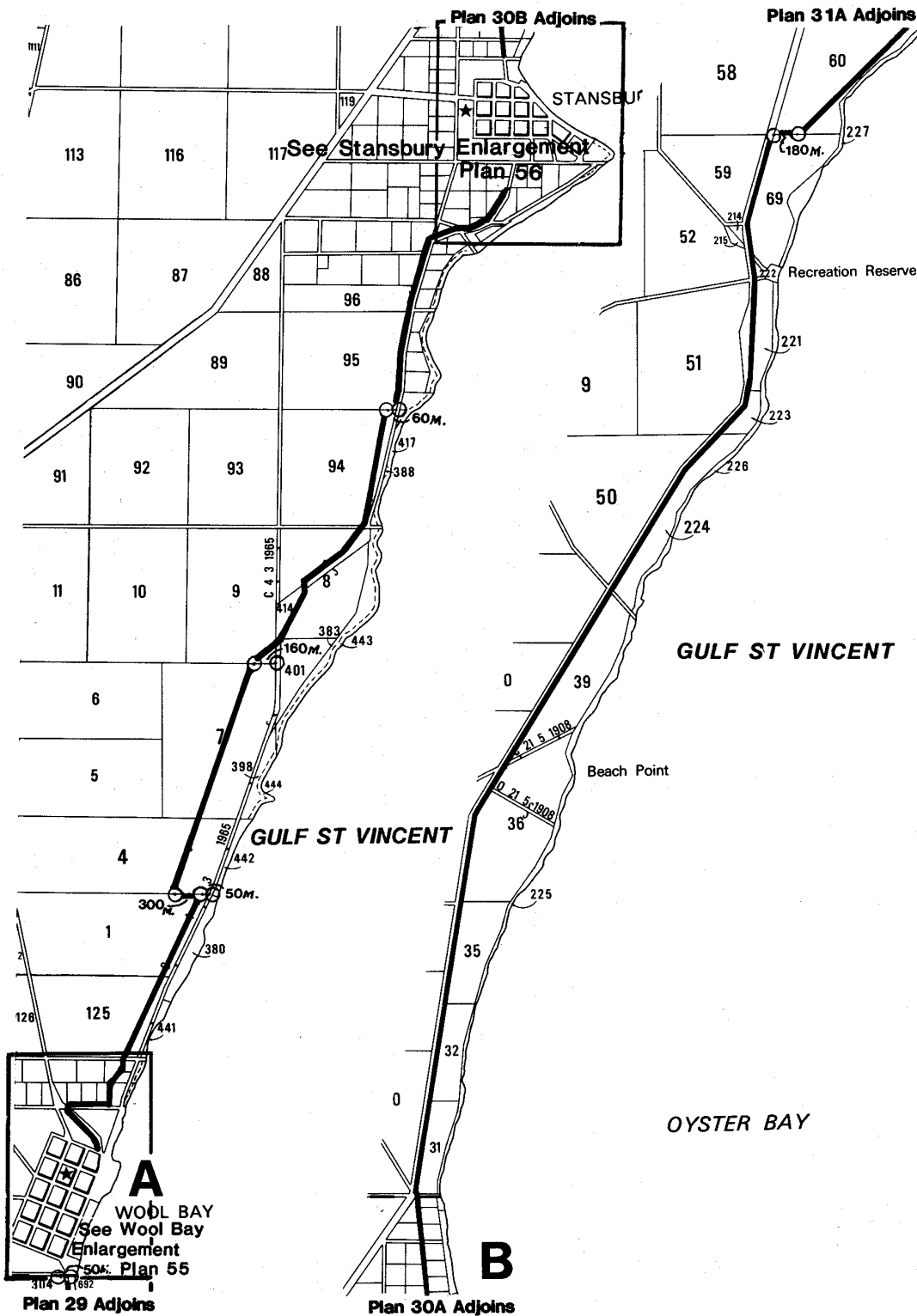
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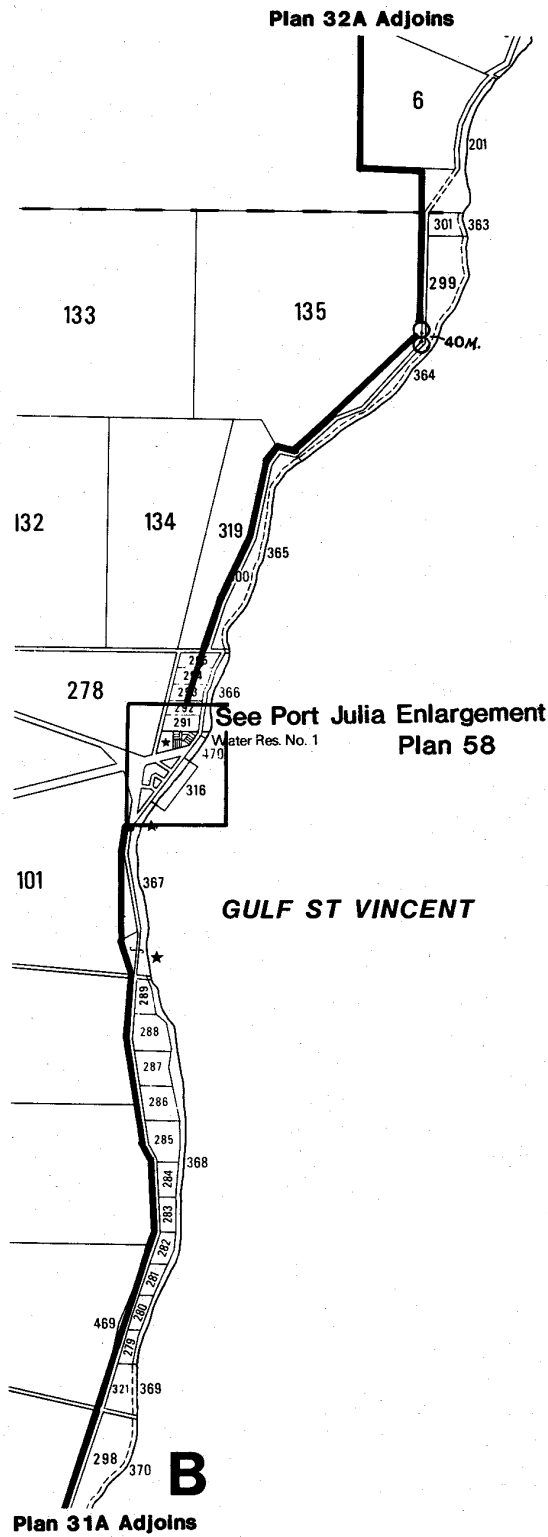
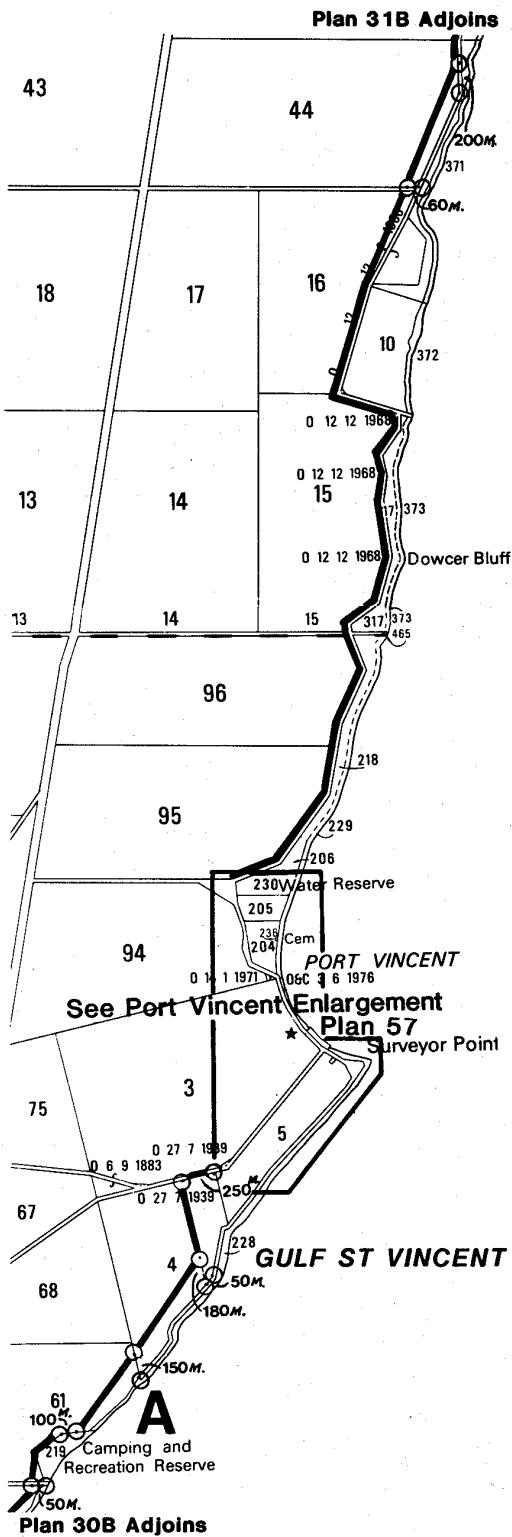
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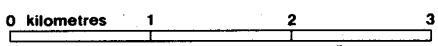
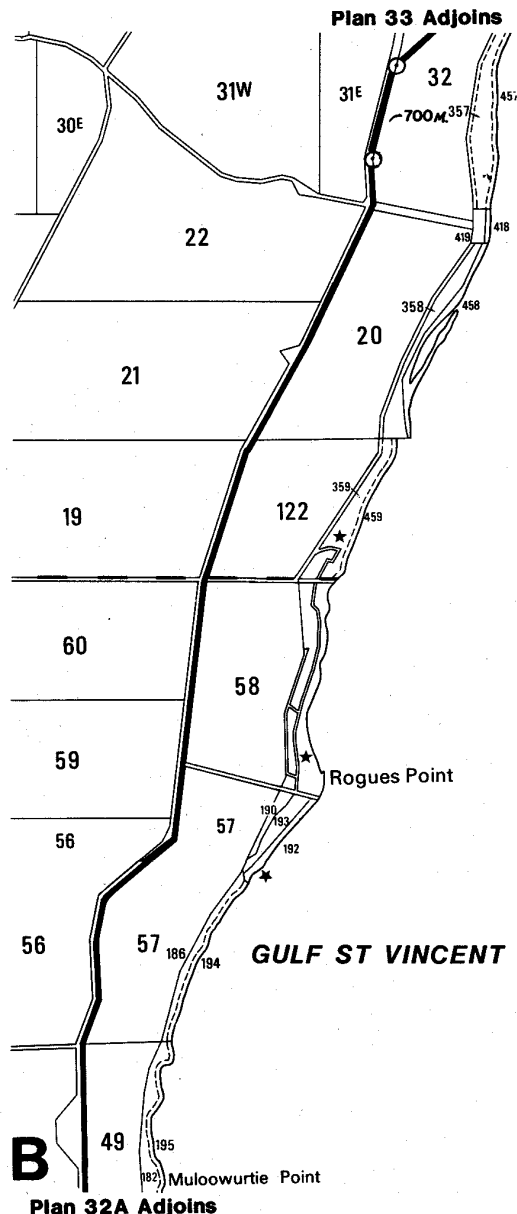
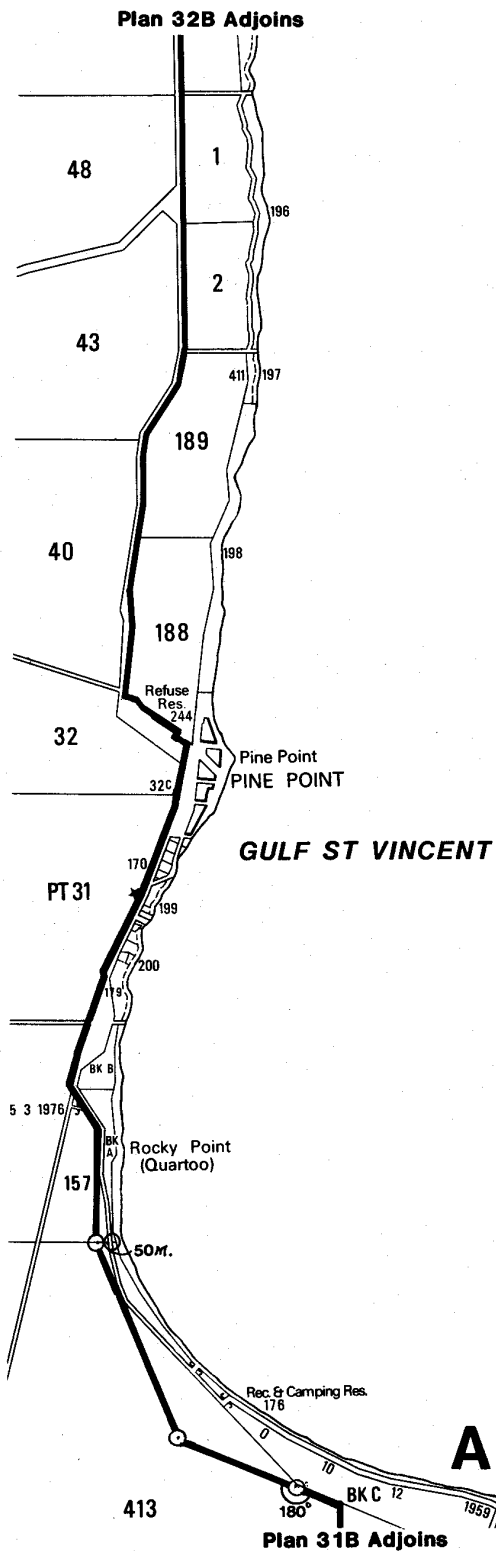
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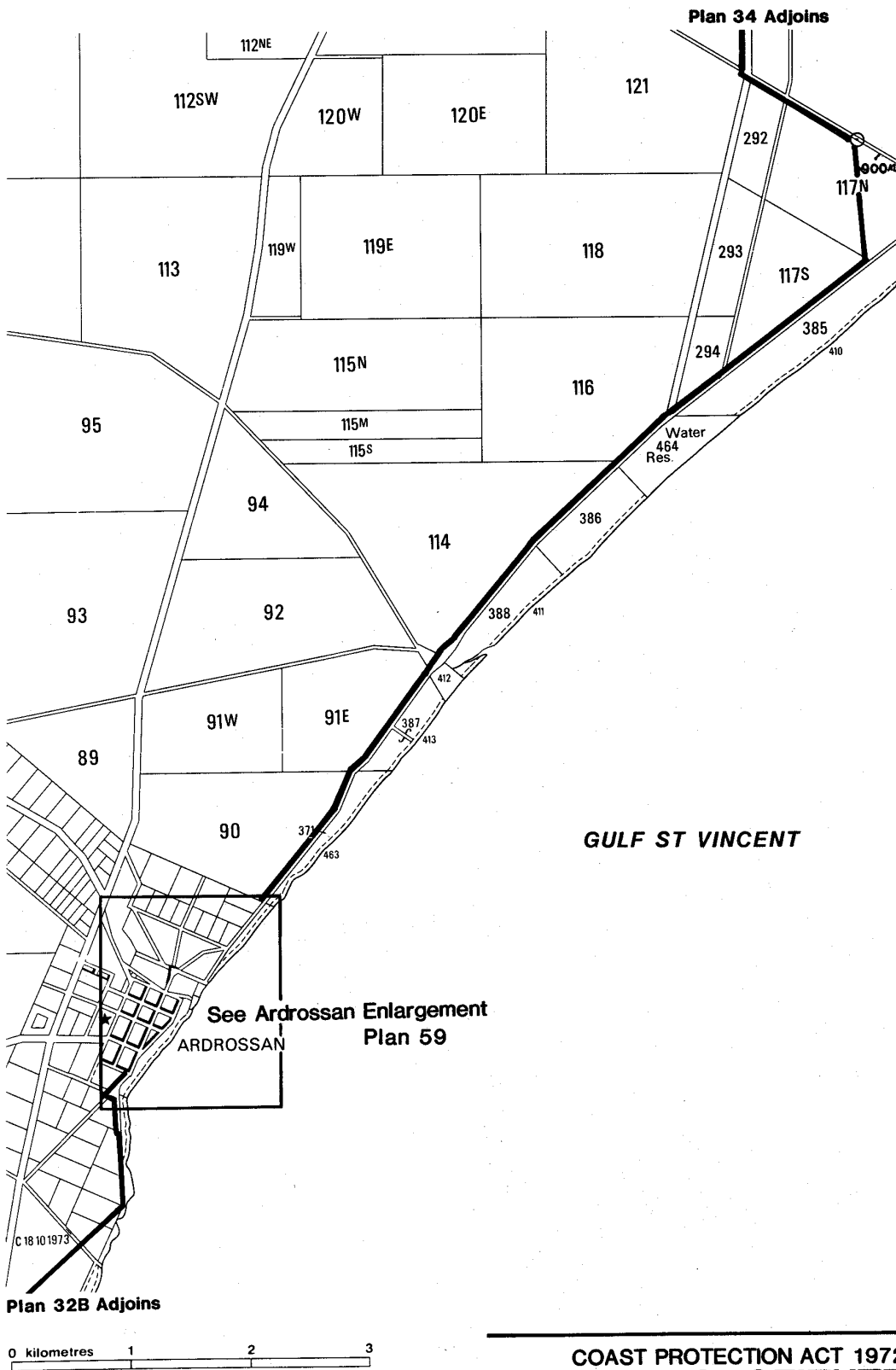
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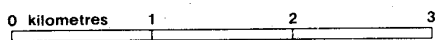
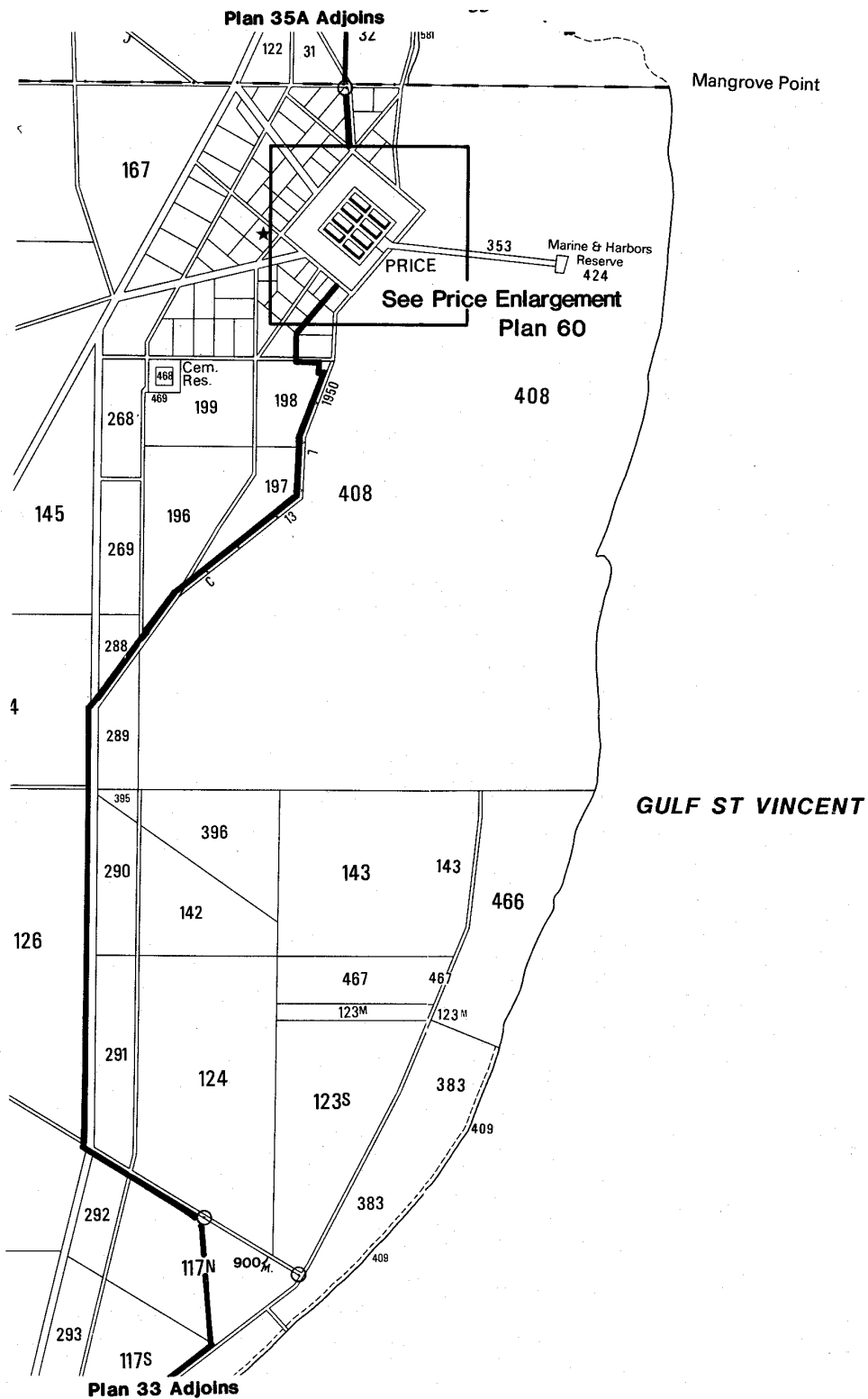


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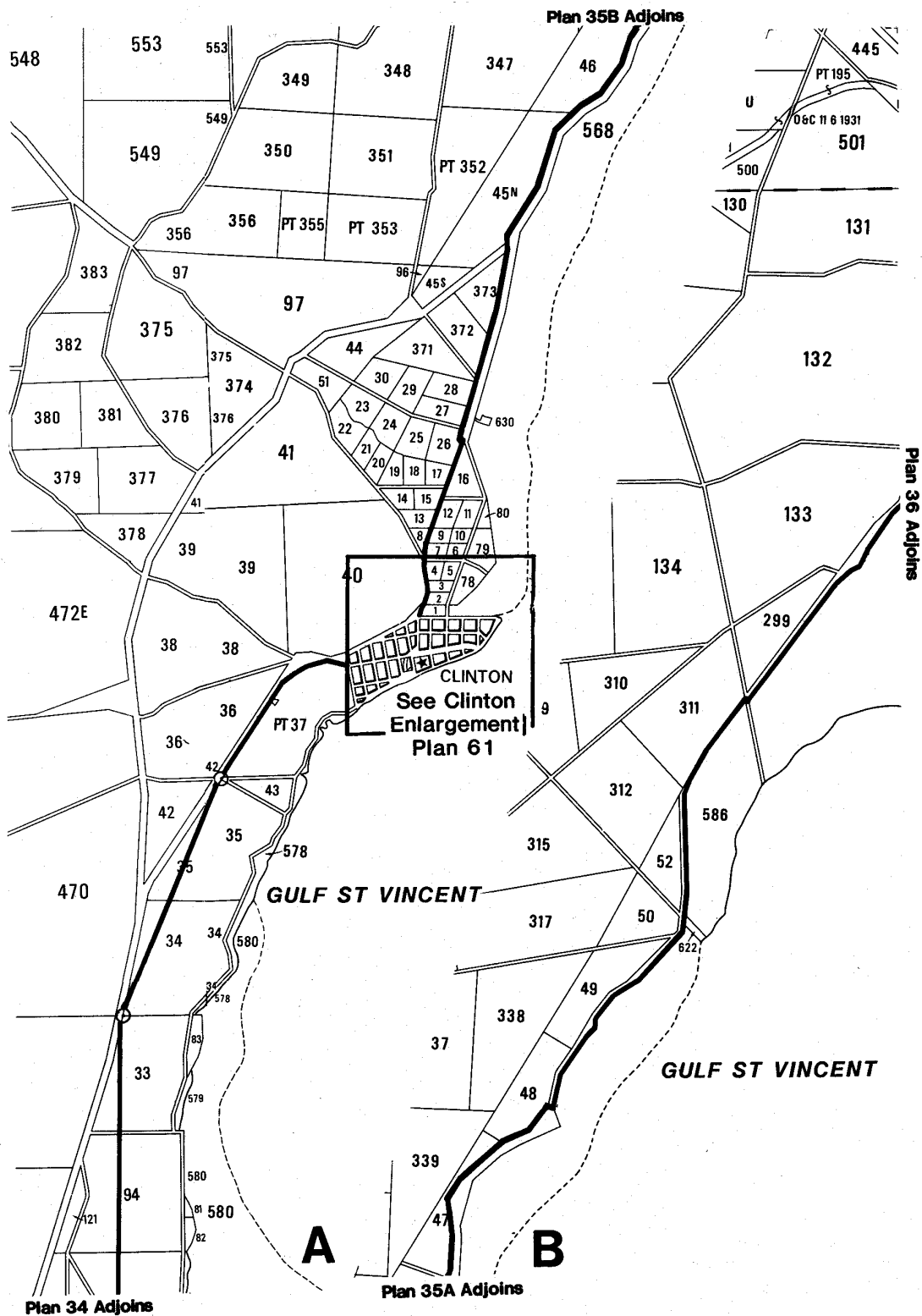
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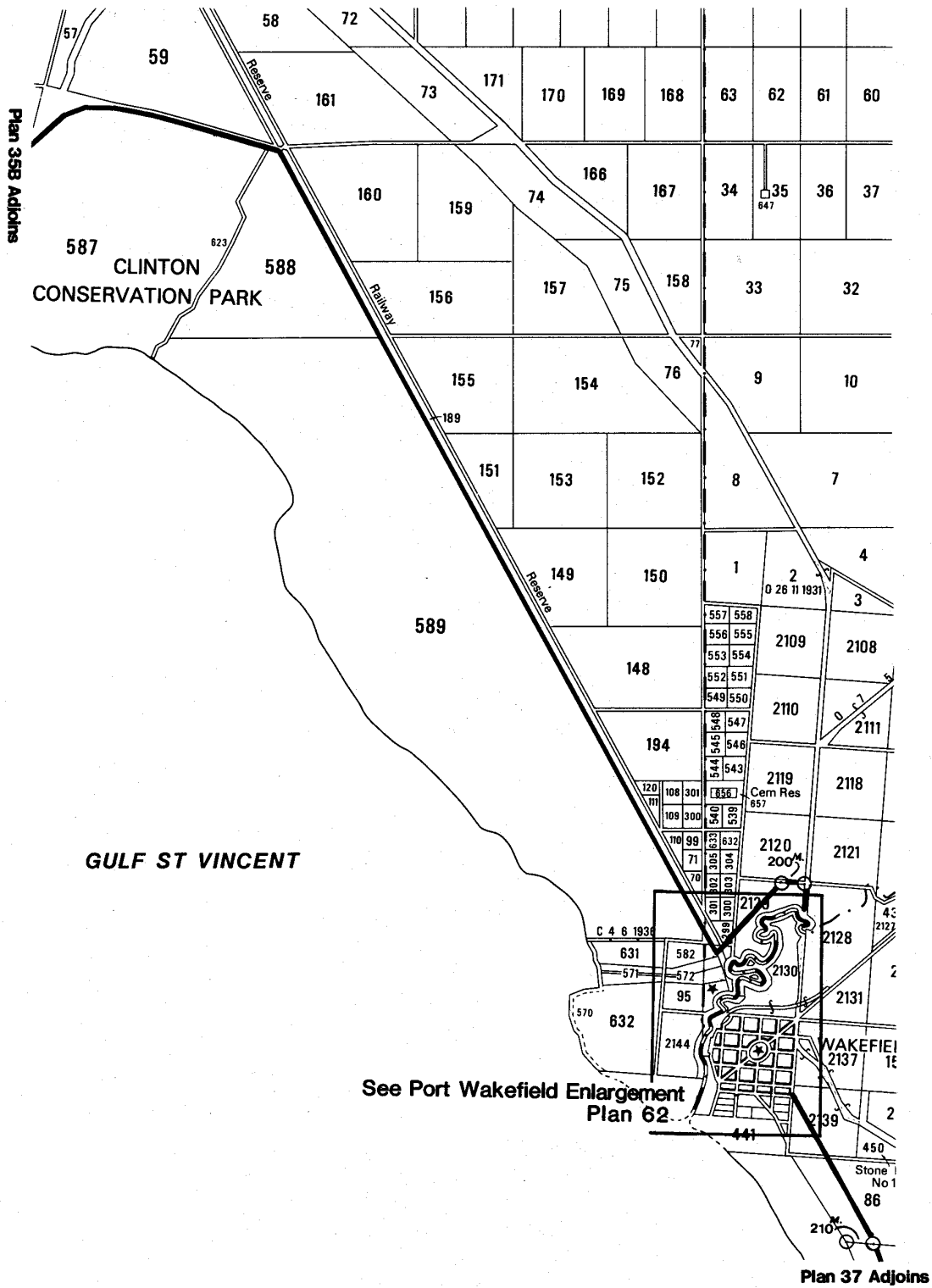


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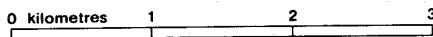
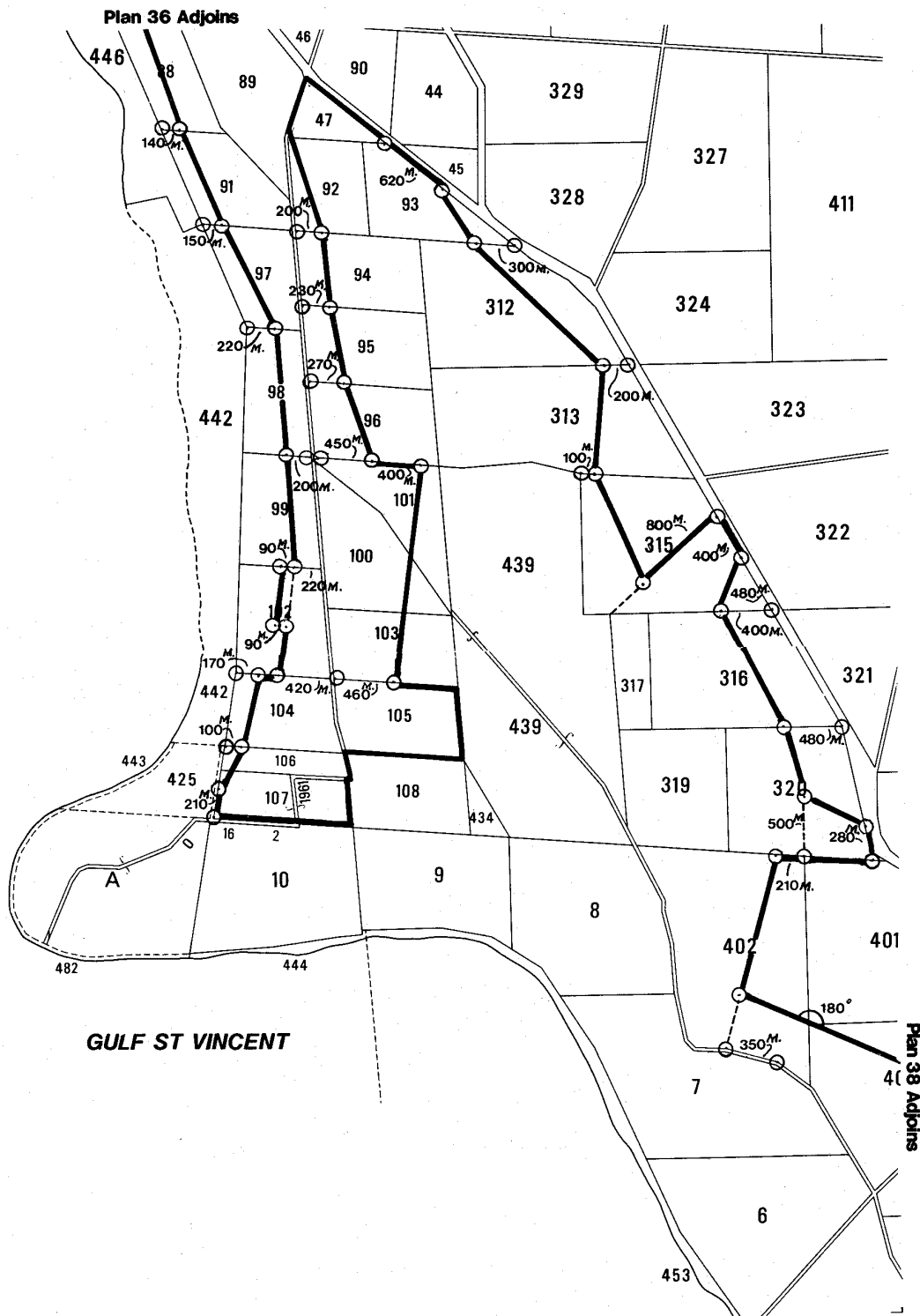




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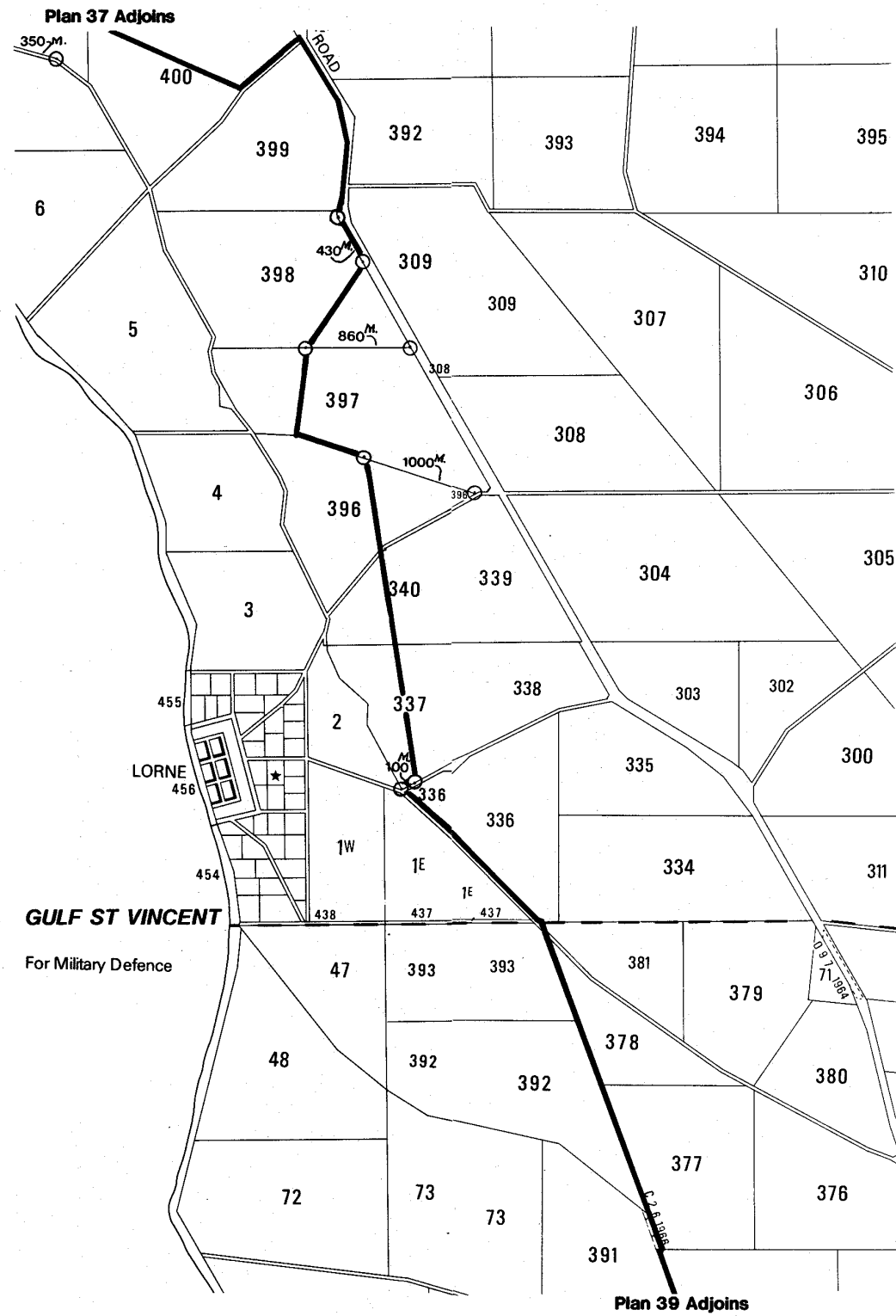
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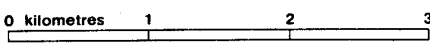
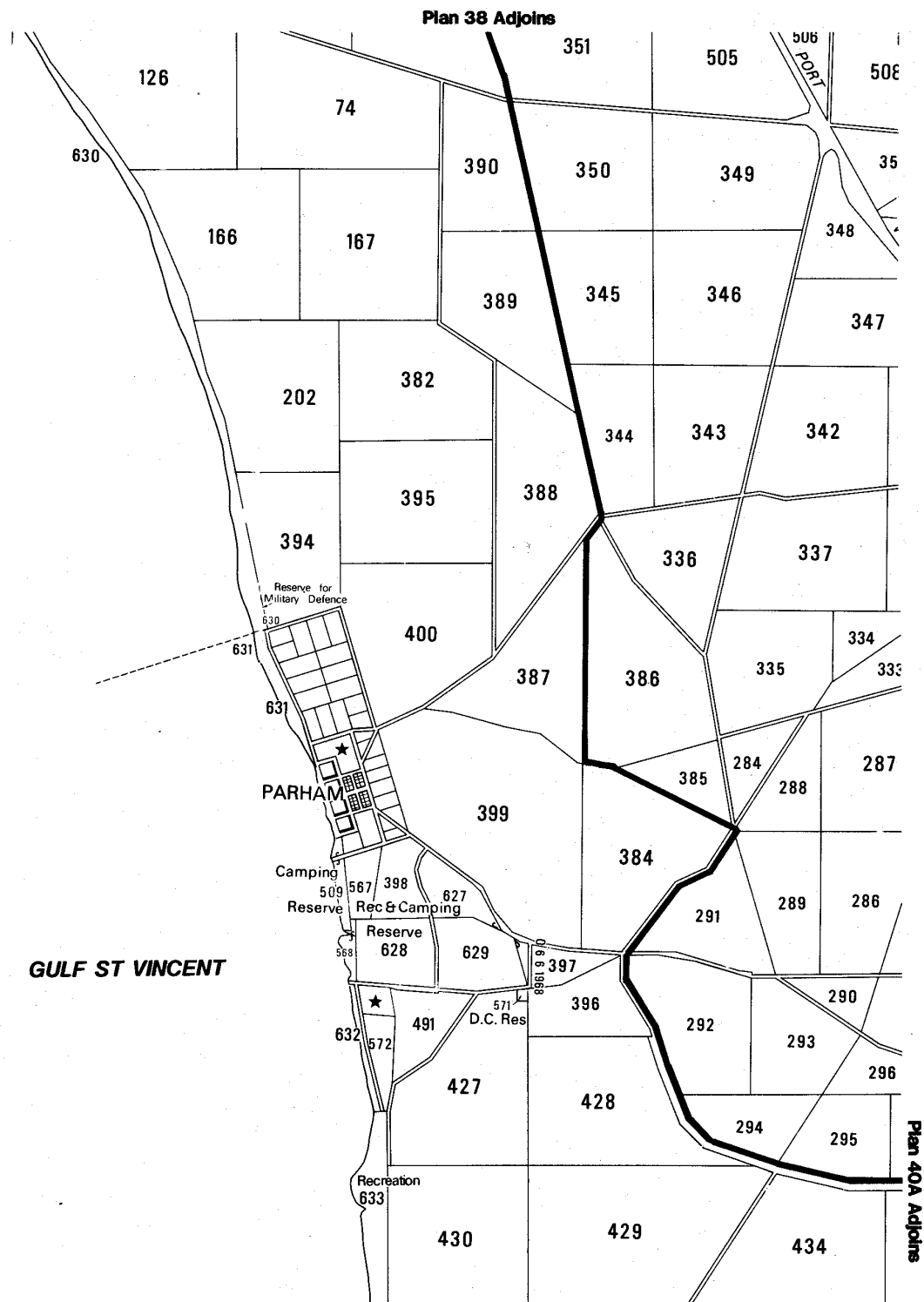
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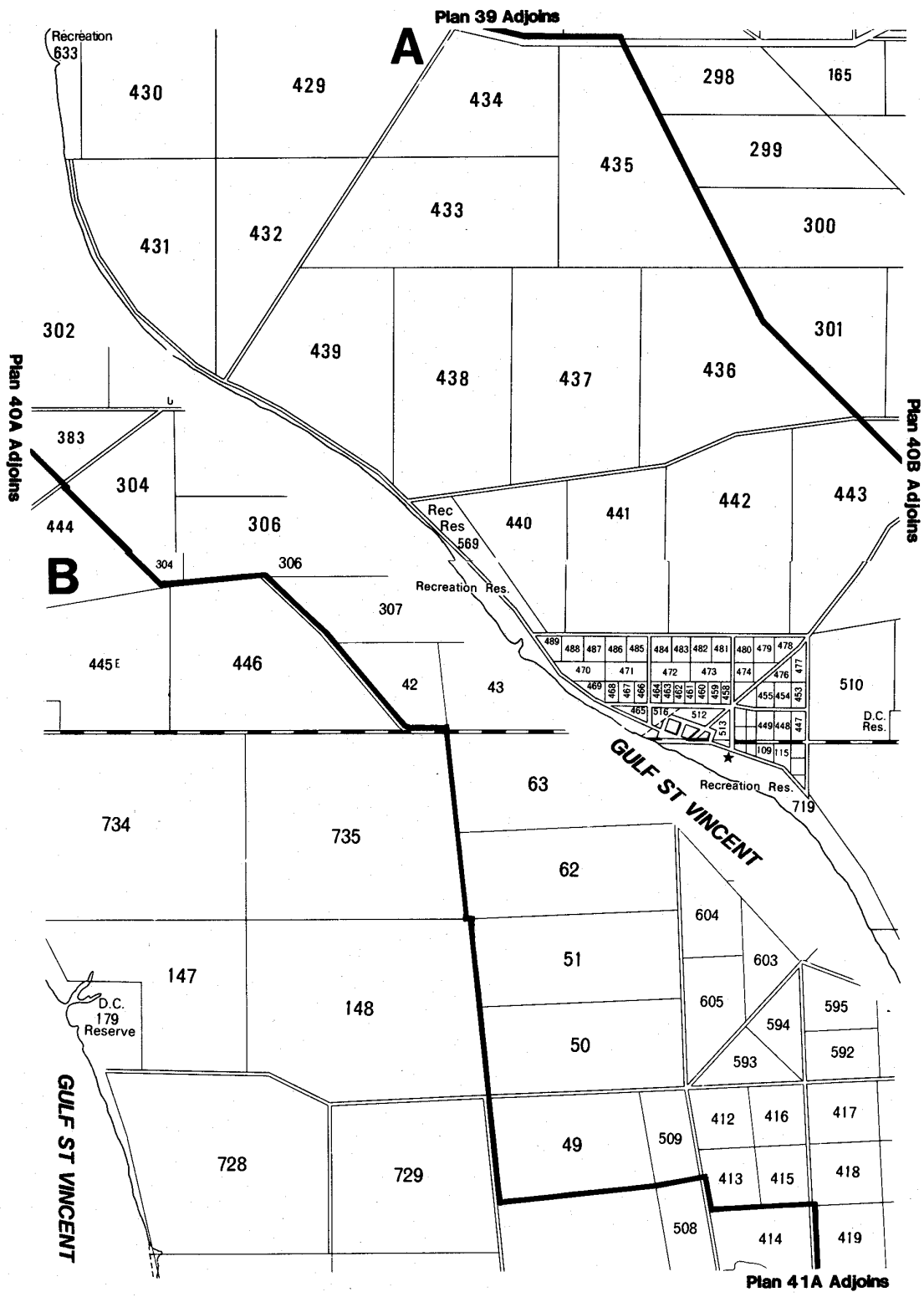
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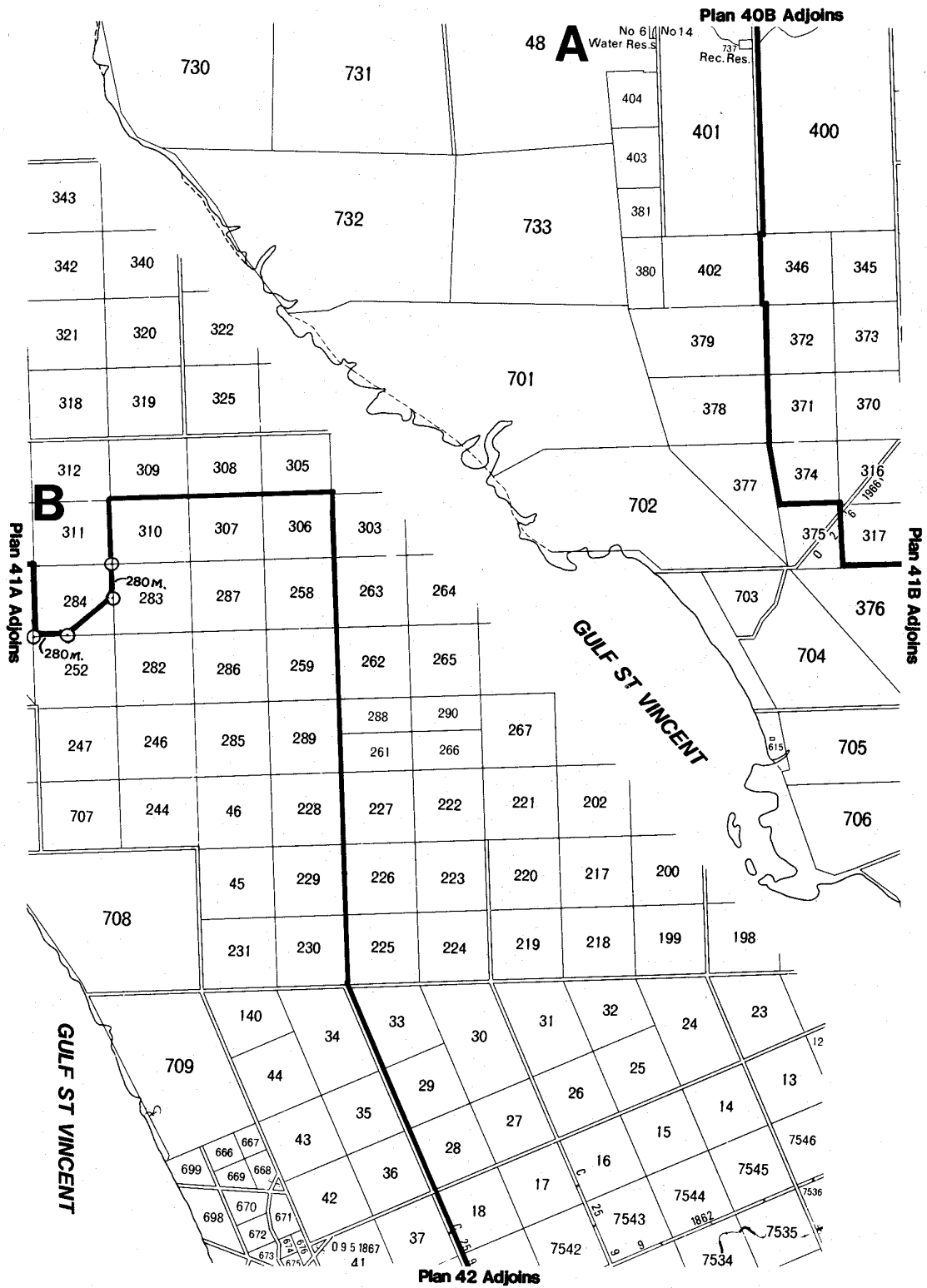
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 PART OF THE COAST**

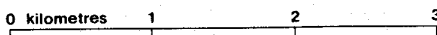
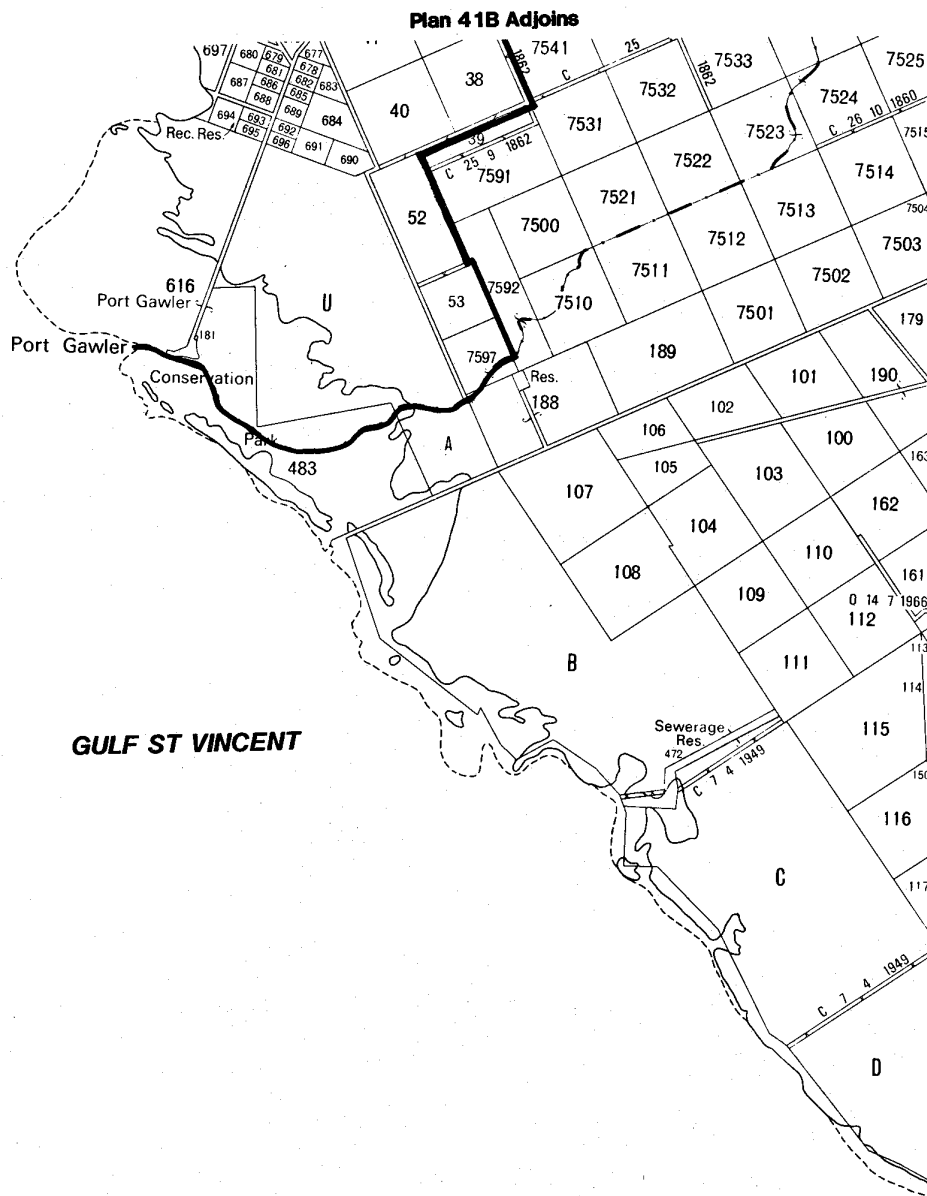
The Schedule

**40**



COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

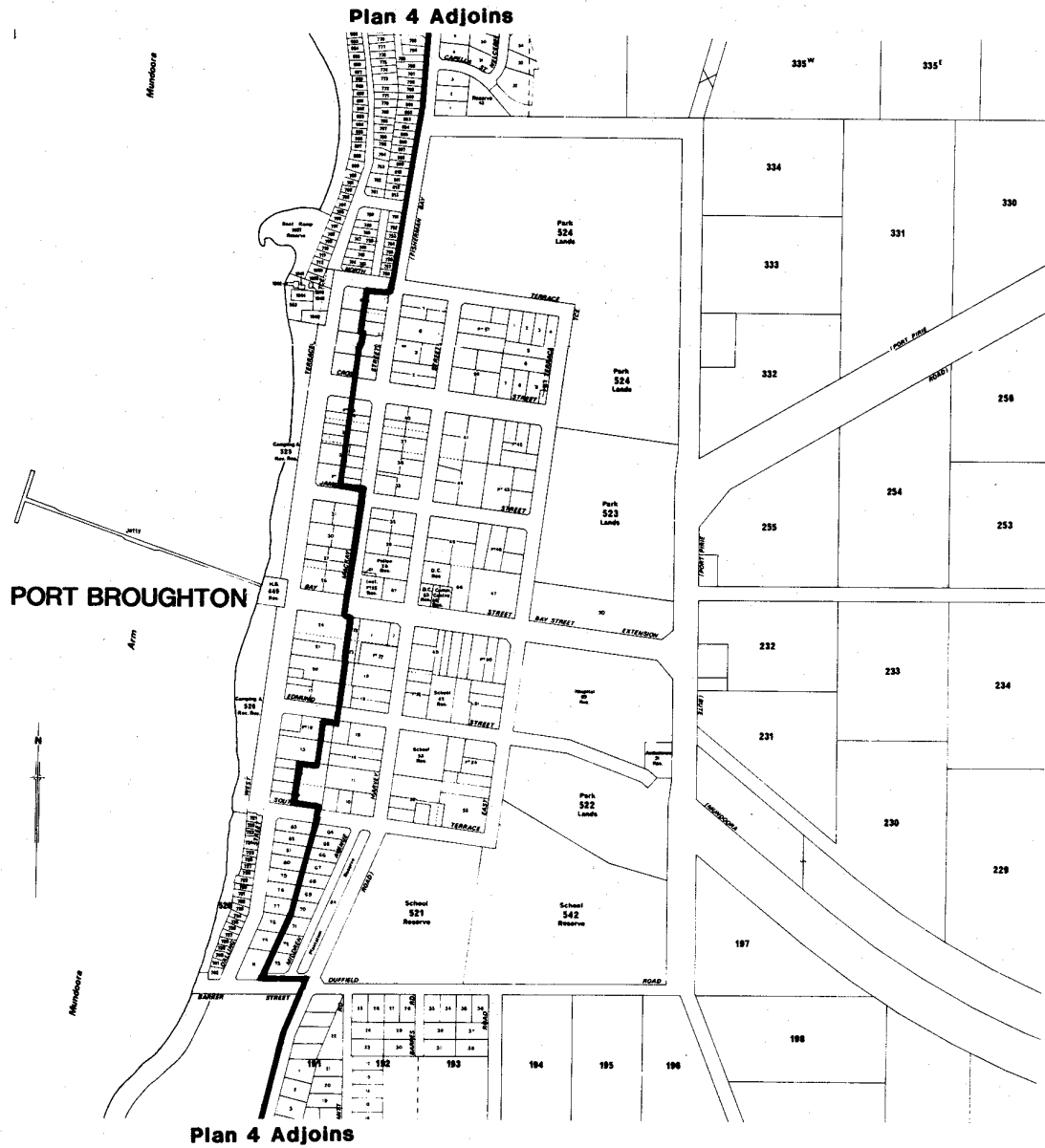
The Schedule **41**



COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
PART OF THE COAST**

The Schedule

**42**



0 metres      200      400      600

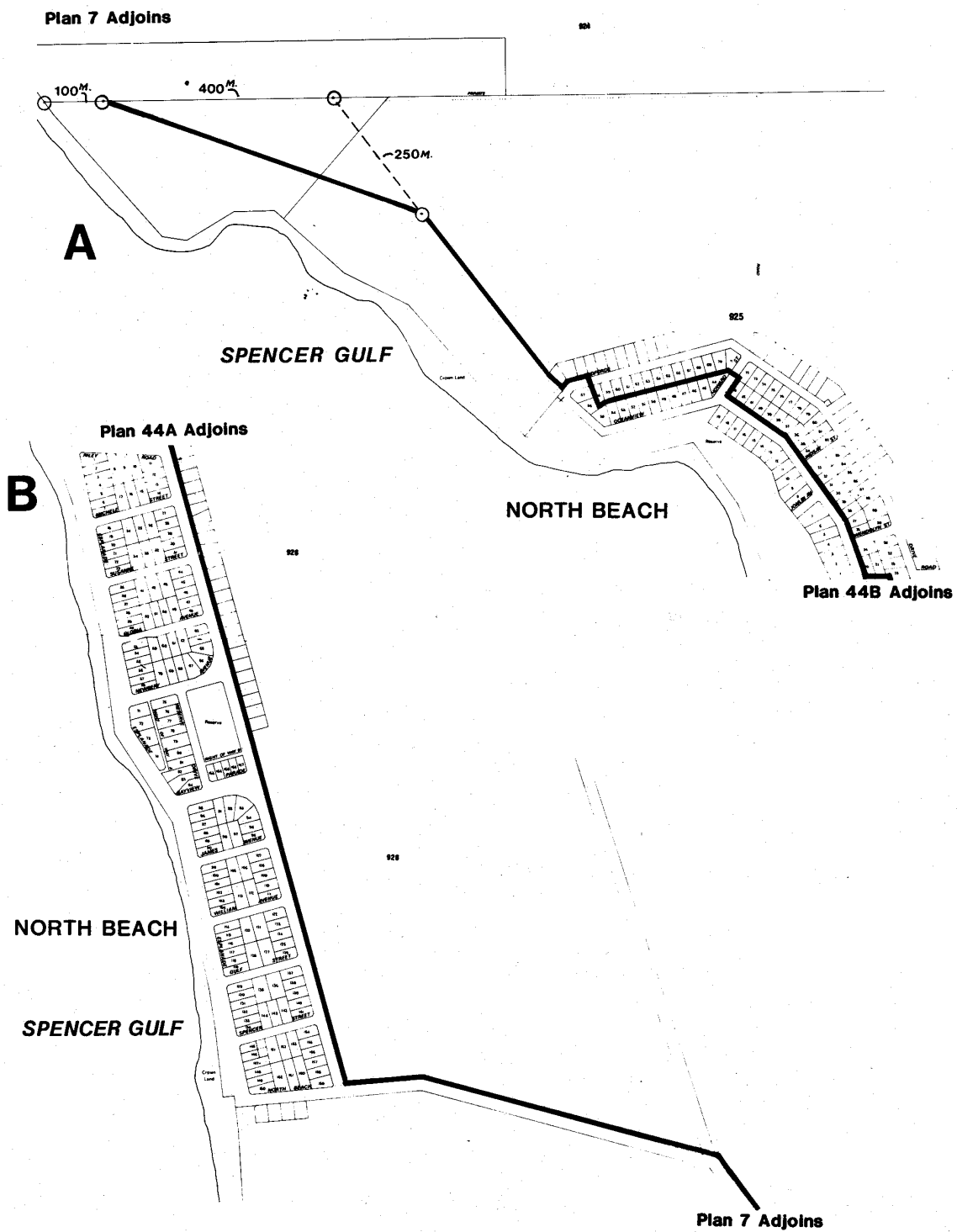


COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

The Schedule

**43**





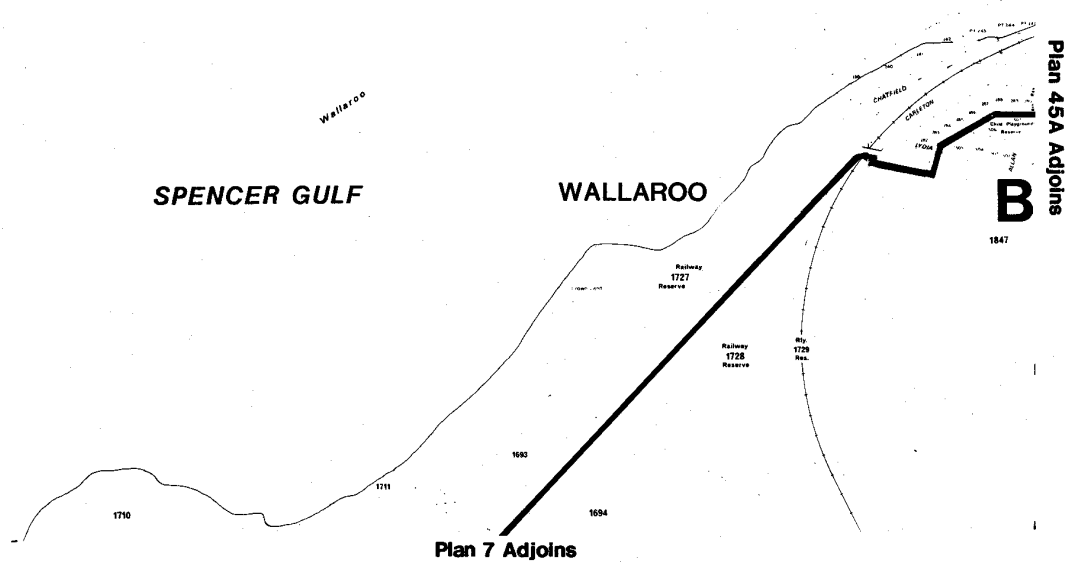
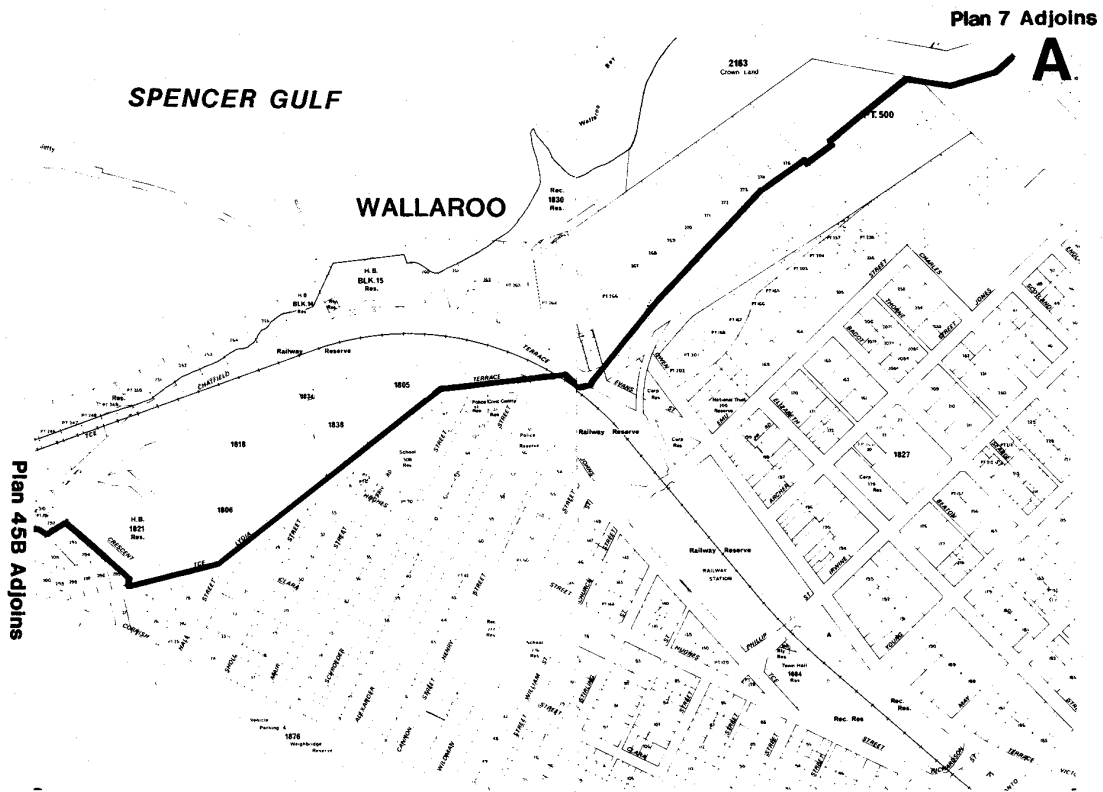
0 metres 200 400 600



COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
PART OF THE COAST**

The Schedule

**44**



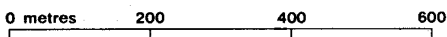
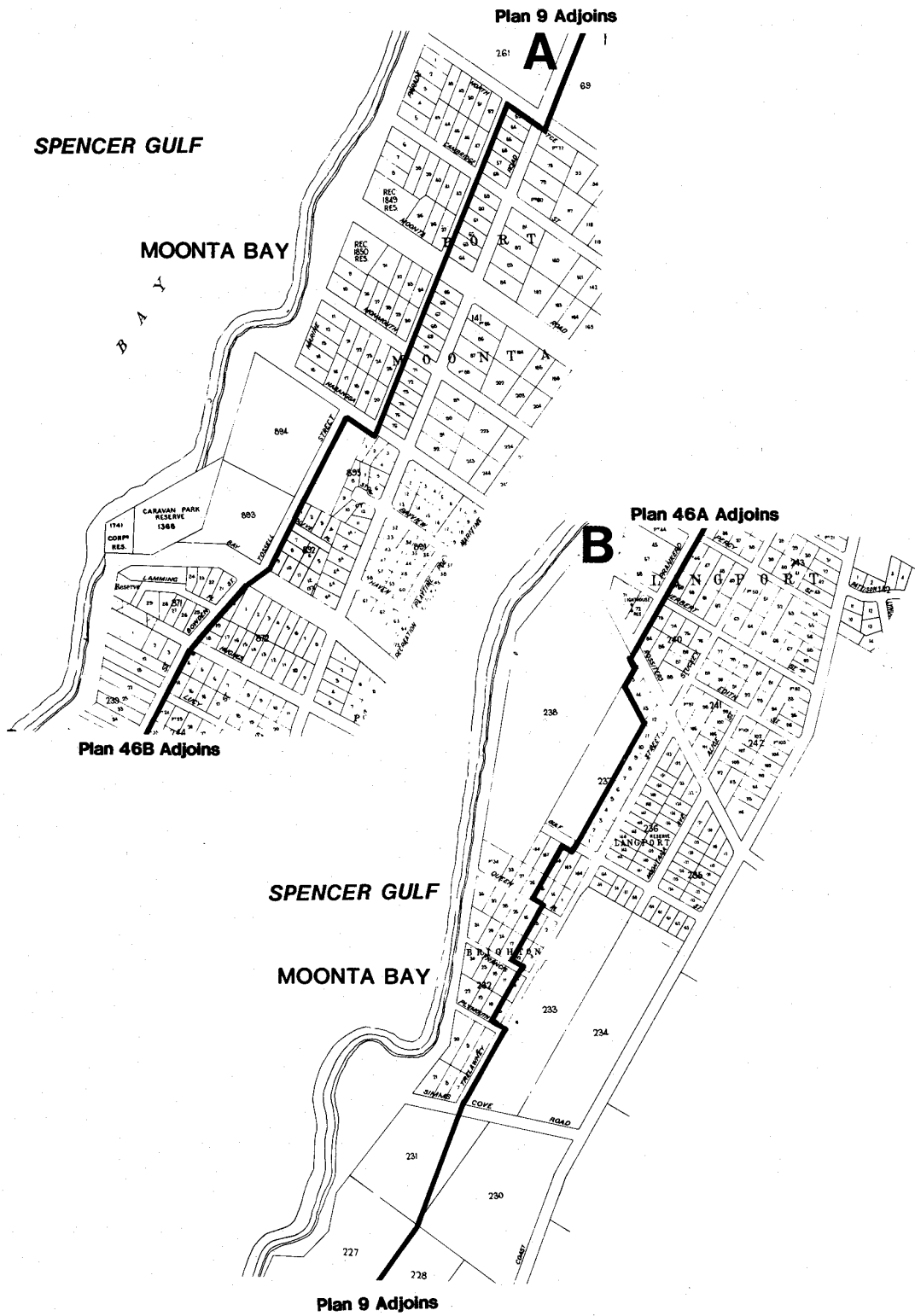
0 metres      200      400      600



COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

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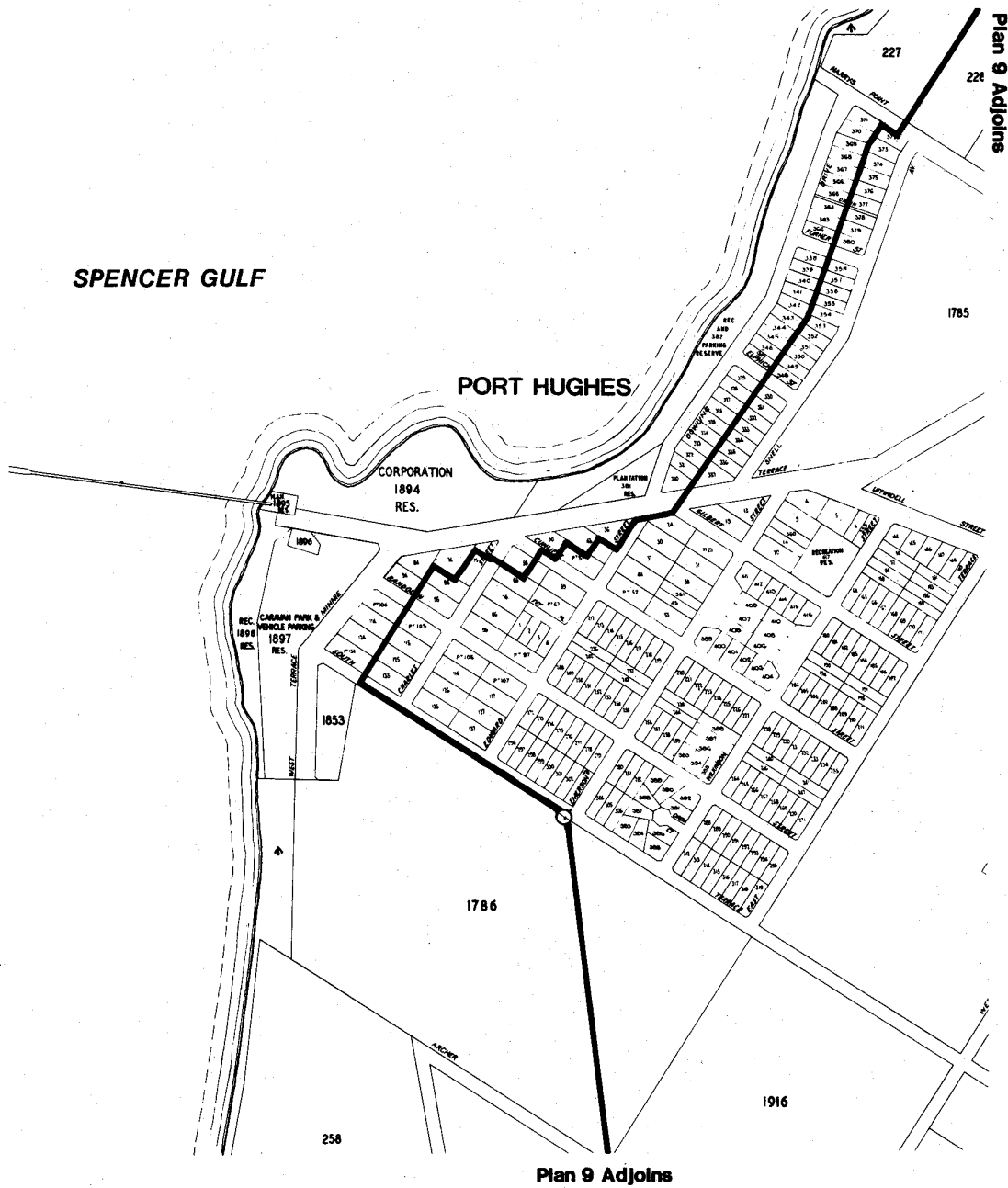
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COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

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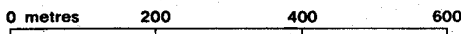
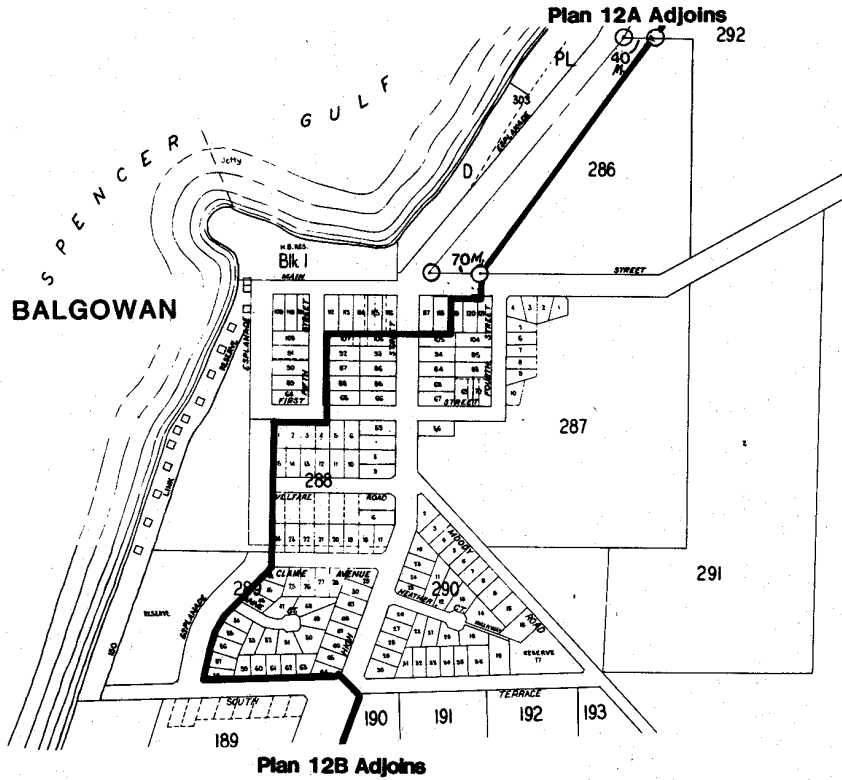
0 metres 200 400 600



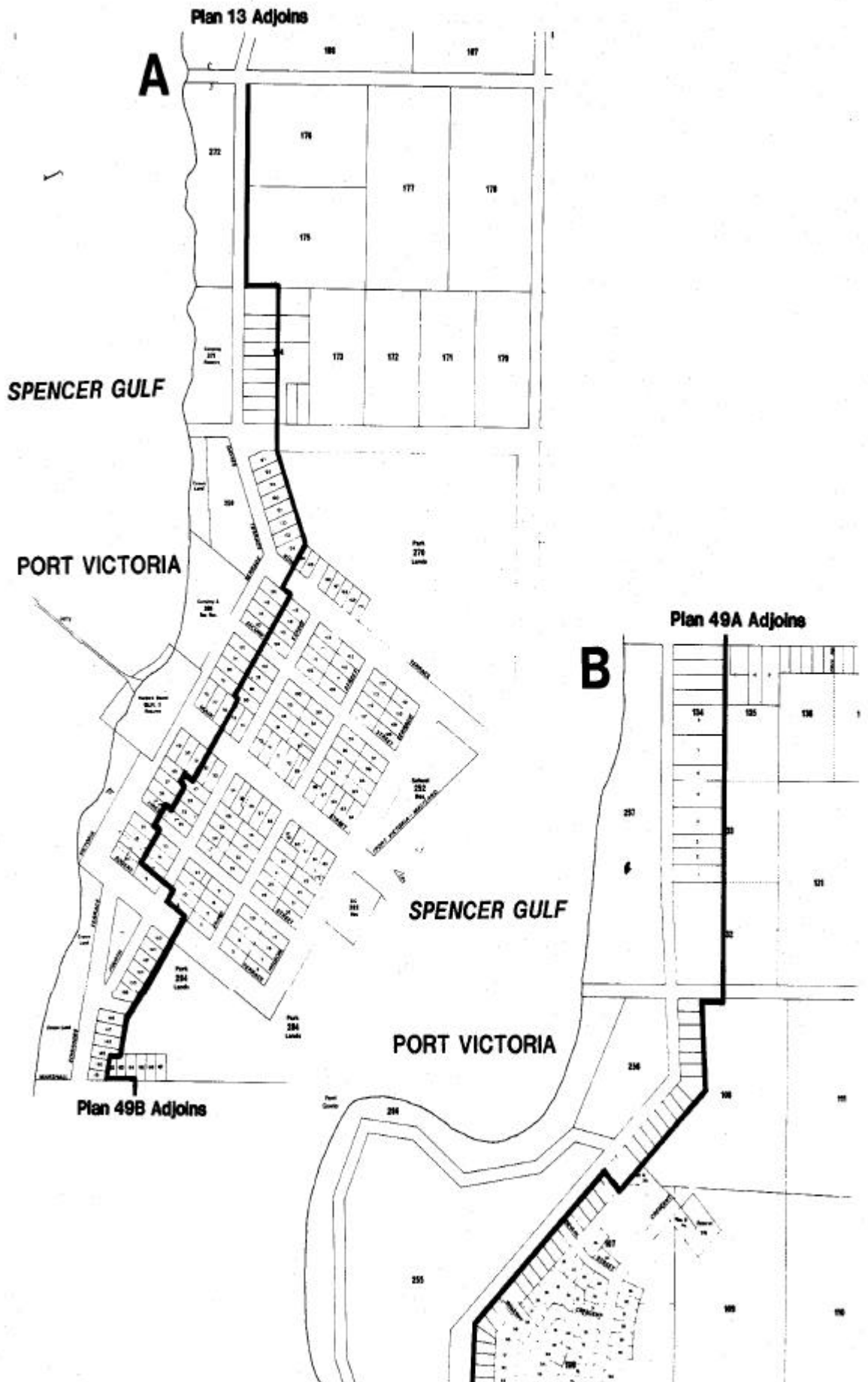
COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
PART OF THE COAST**

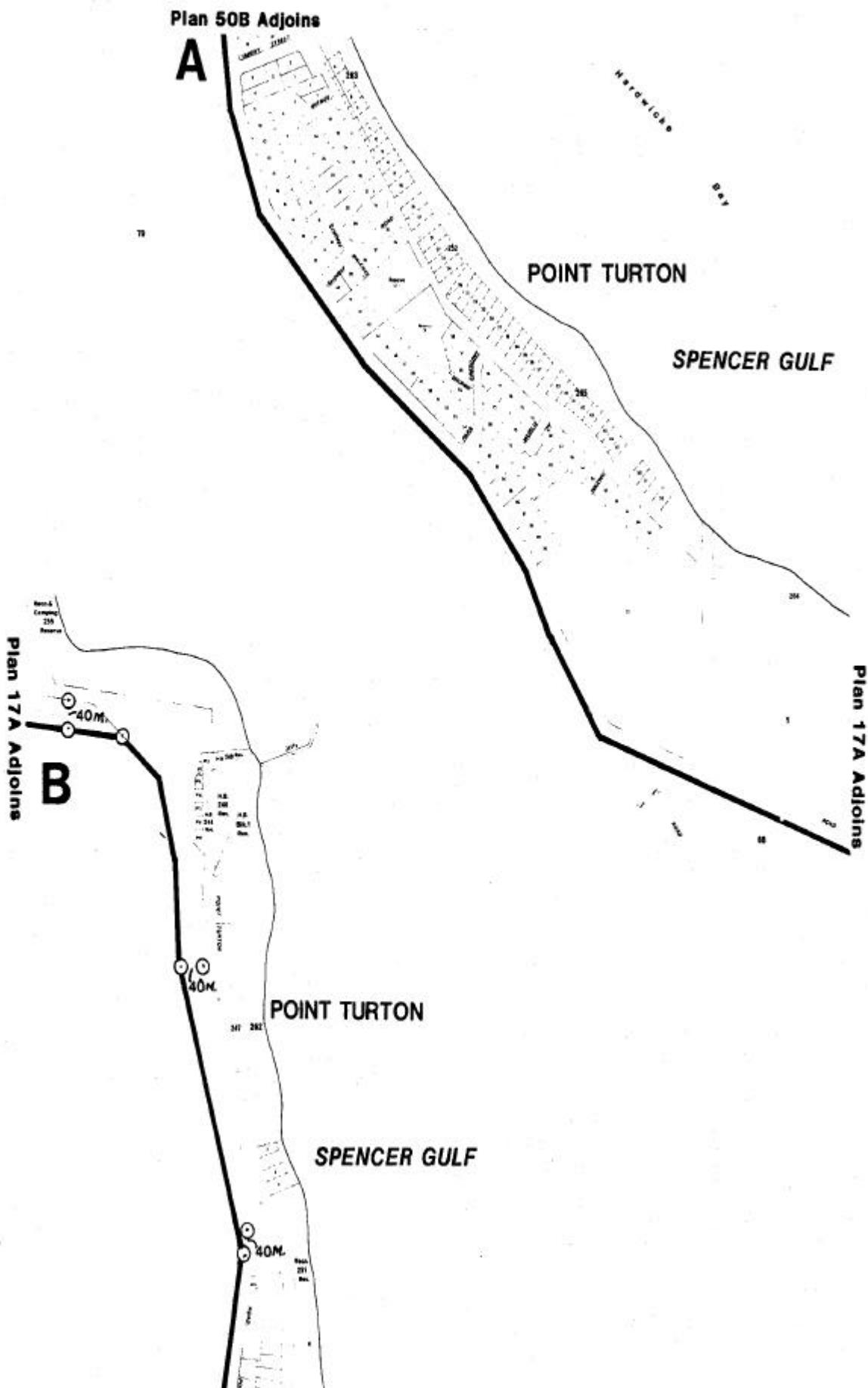
The Schedule

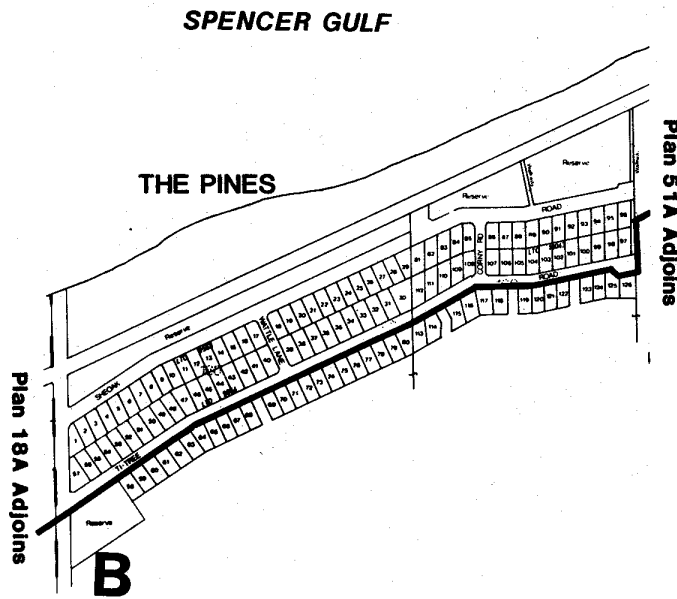
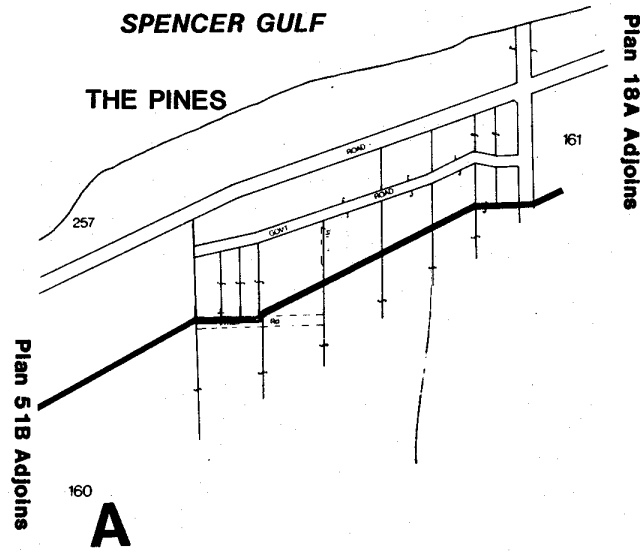
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COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**







0 metres      200      400      600

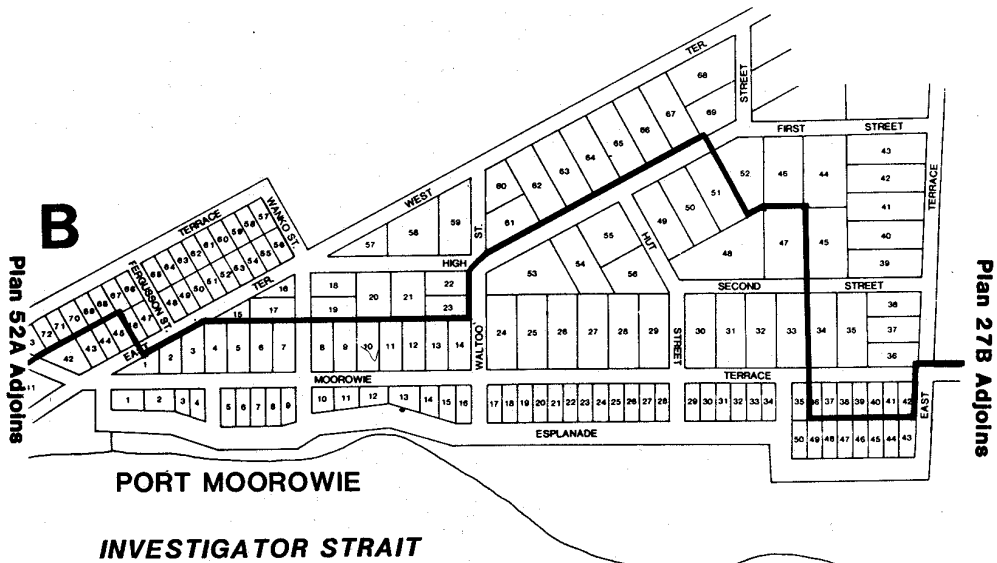
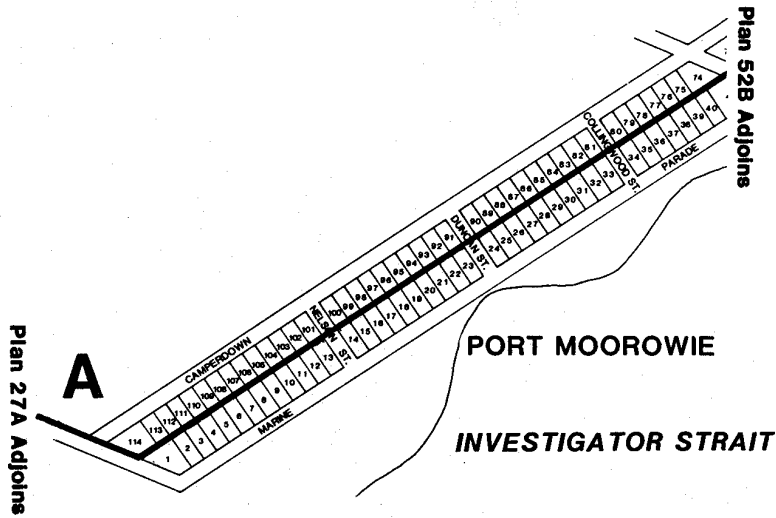


COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

The Schedule

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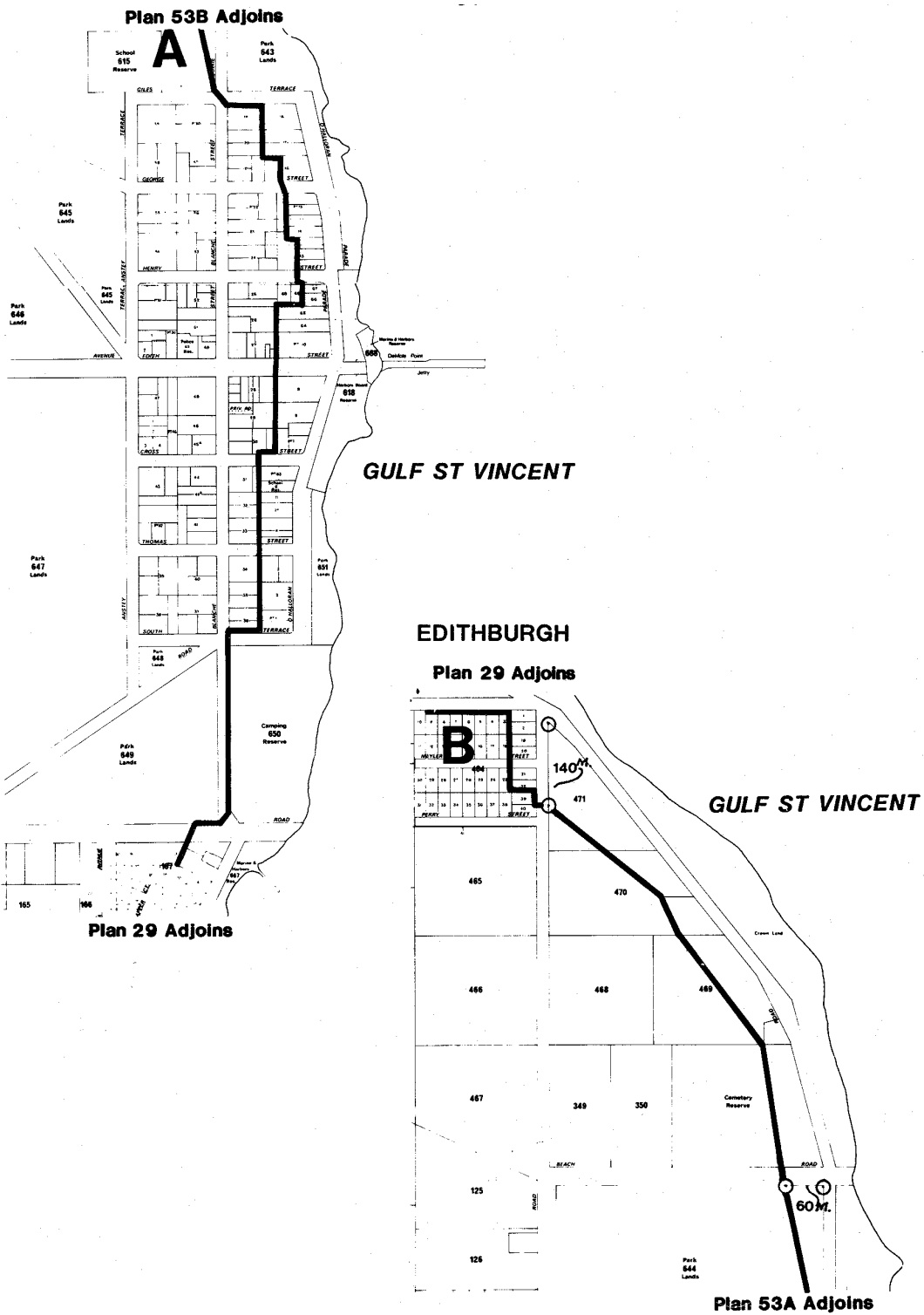
0 metres 200 400 600



COAST PROTECTION ACT 1972  
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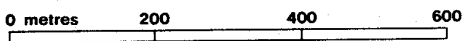
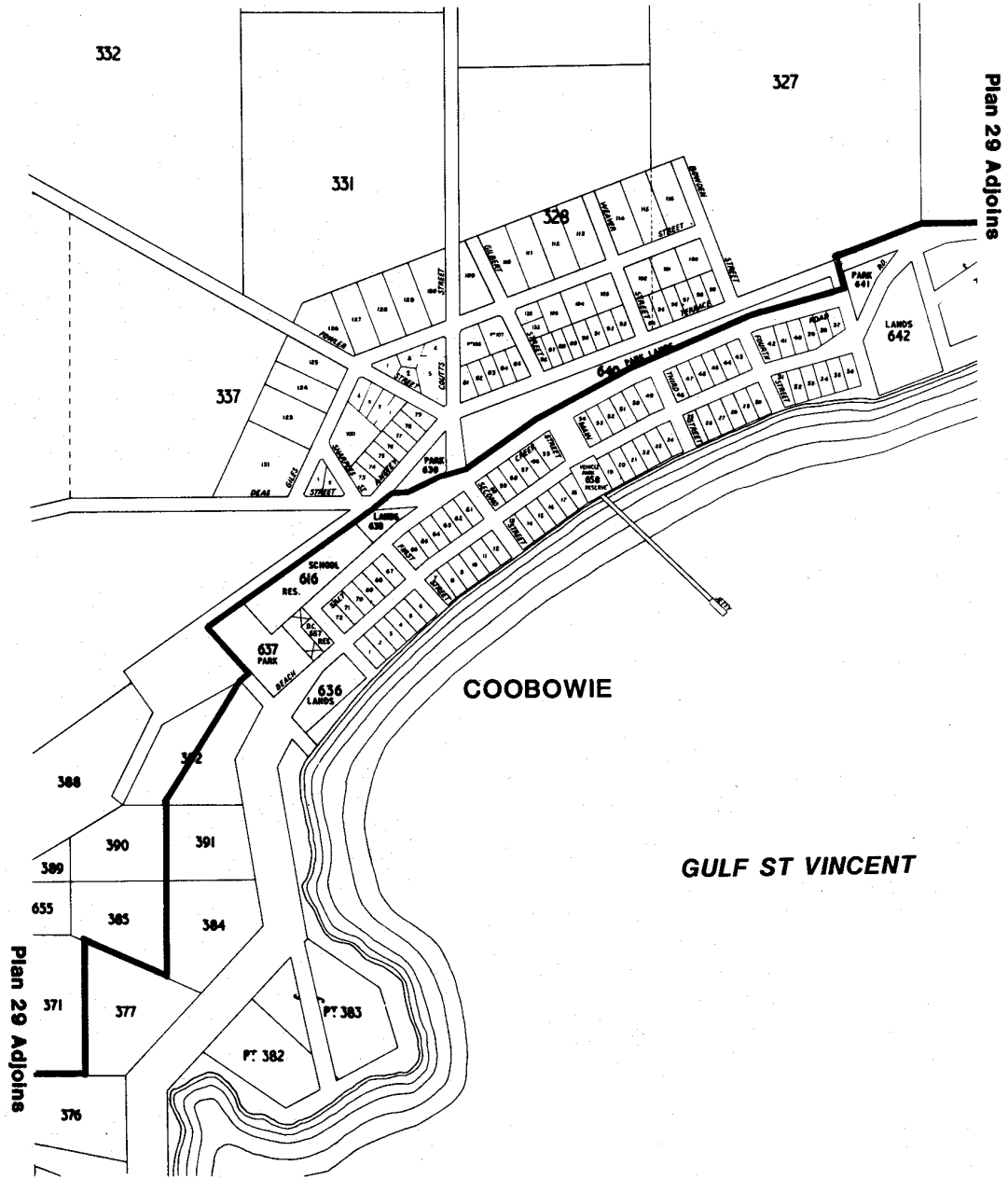
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COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

The Schedule

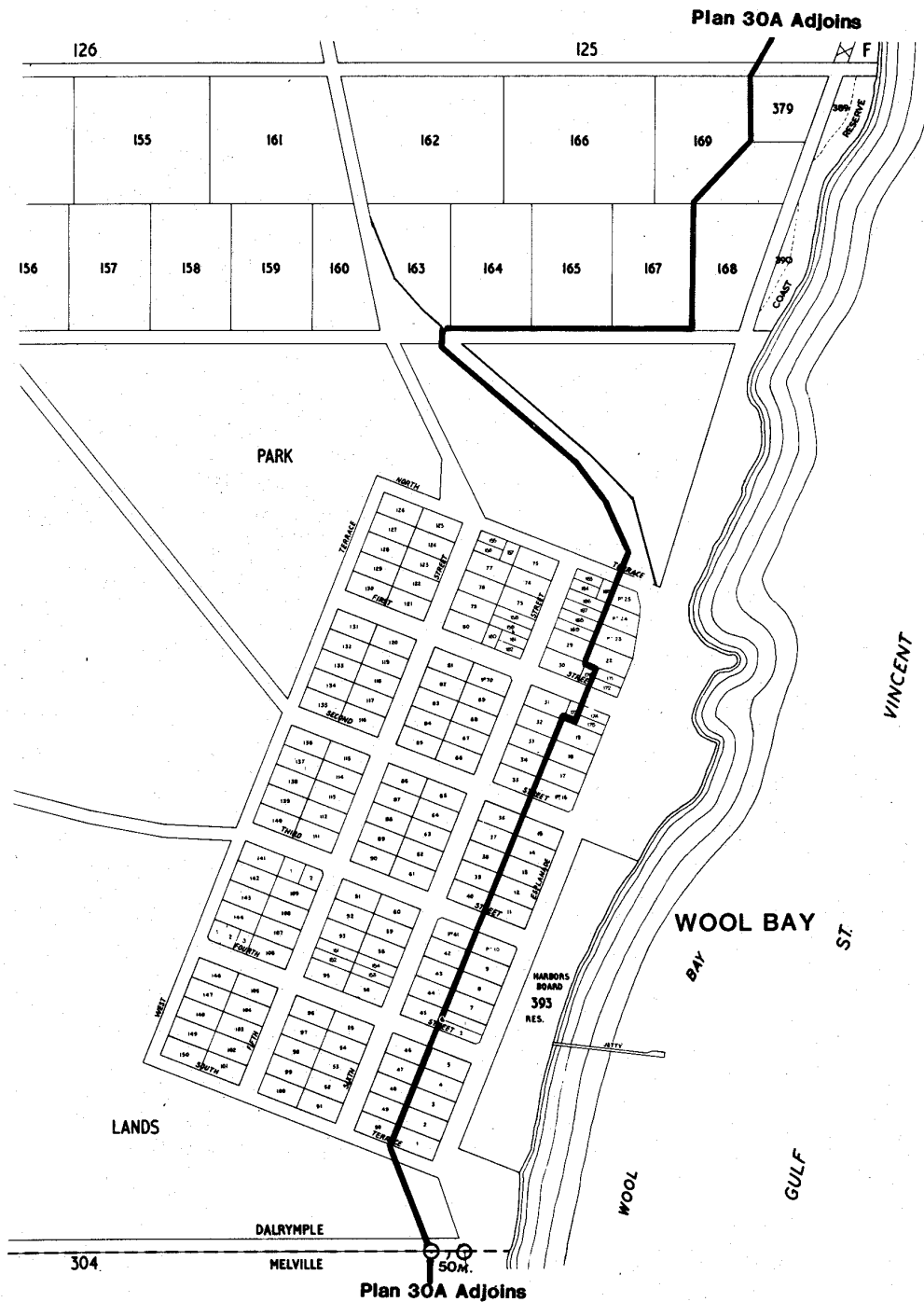
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COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
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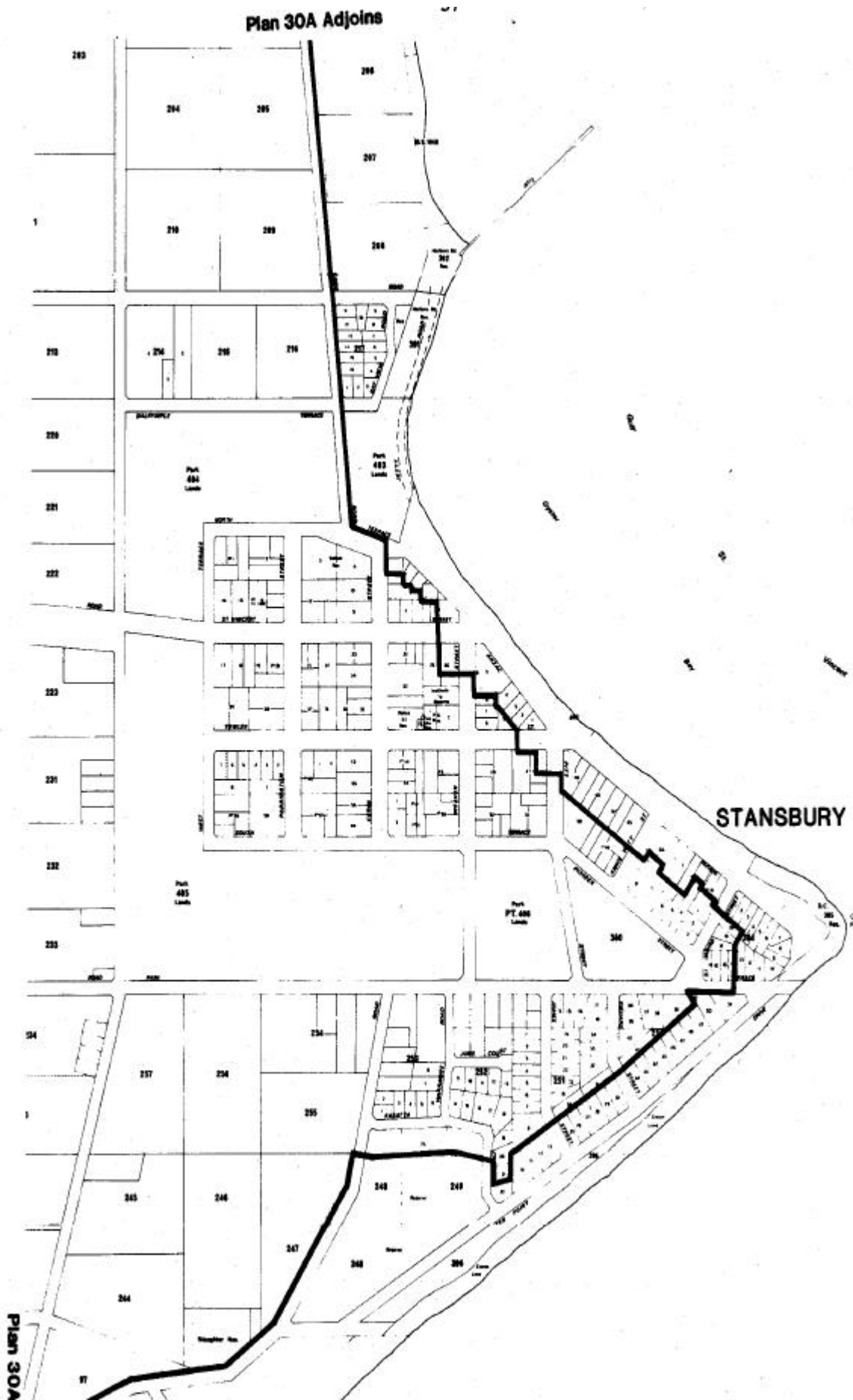
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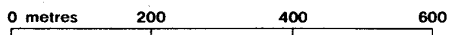
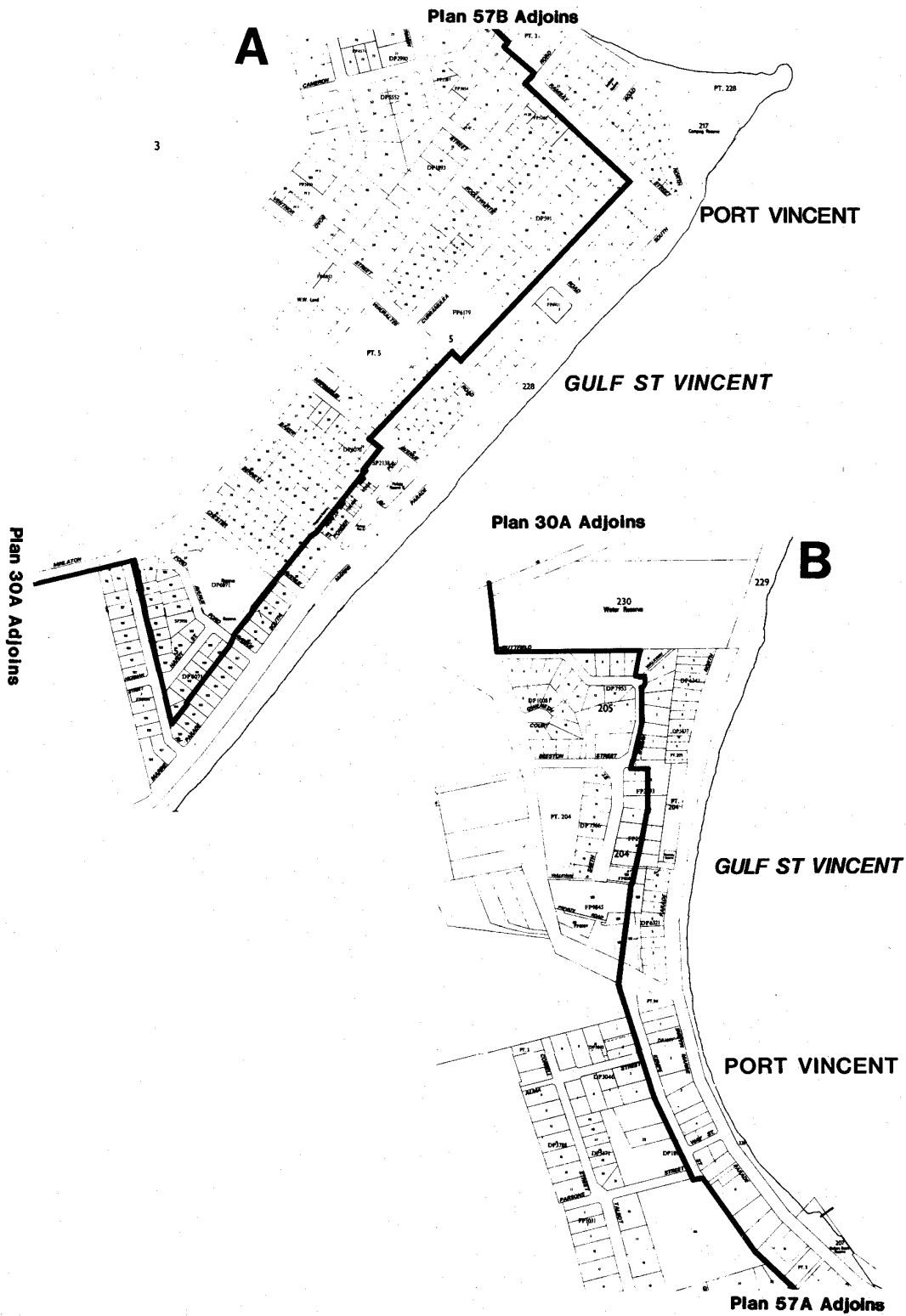


COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
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The Schedule

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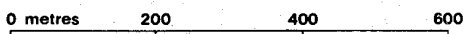
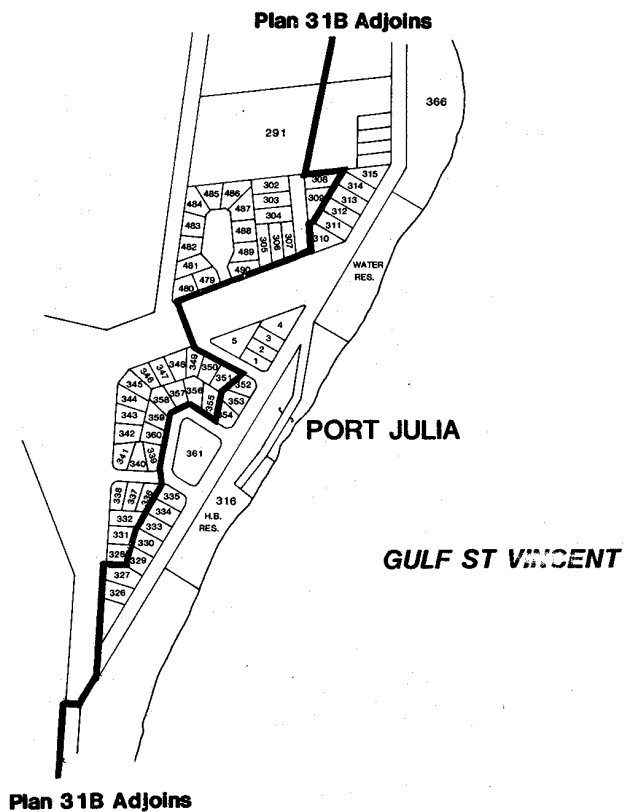




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COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
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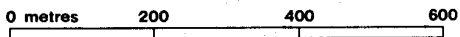
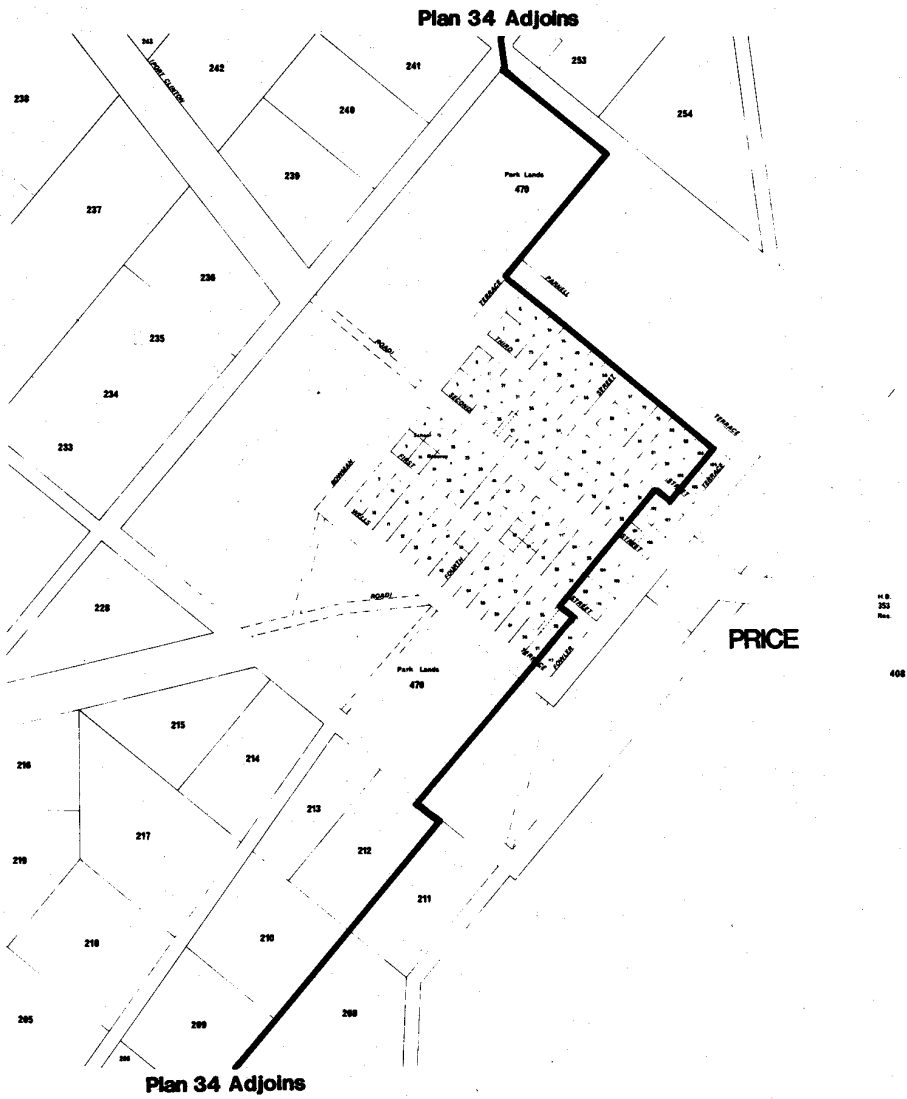


COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

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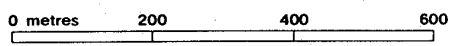
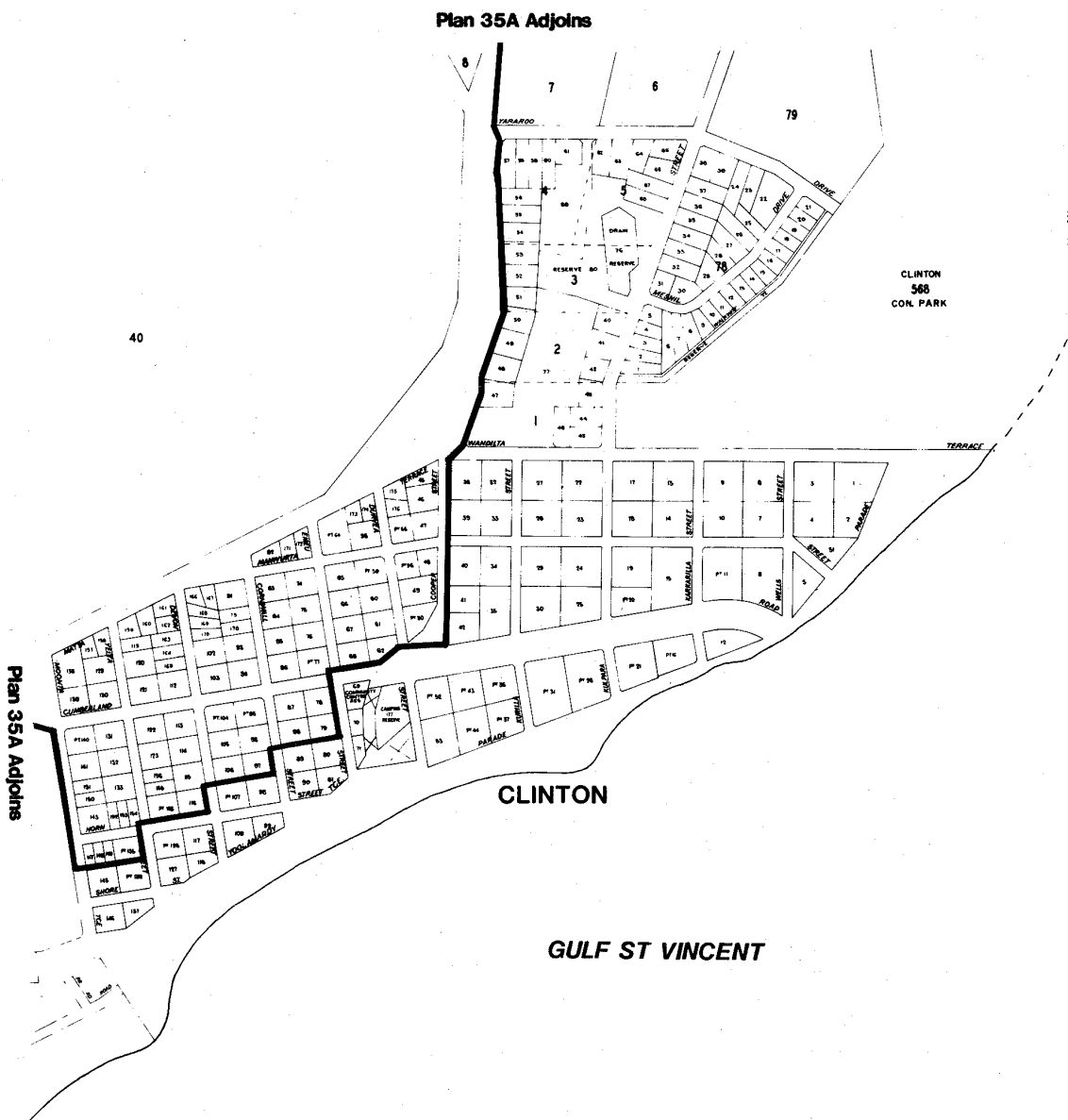




COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

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COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**



0 metres 200 400 600



COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
PART OF THE COAST**

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**REGULATIONS UNDER THE COAST PROTECTION ACT 1972**

No. 215 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Coast Protection Act 1972* 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.

IAIN EVANS Minister for Environment and Heritage

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Revocation
4. Declaration of land constituting part of coast

**SCHEDULE***Land Constituting Part of Coast***Citation**

1. These regulations may be cited as the *Coast Protection (Fleurieu) Regulations 2000*.

**Commencement**

2. These regulations will come into operation on 1 September 2000.

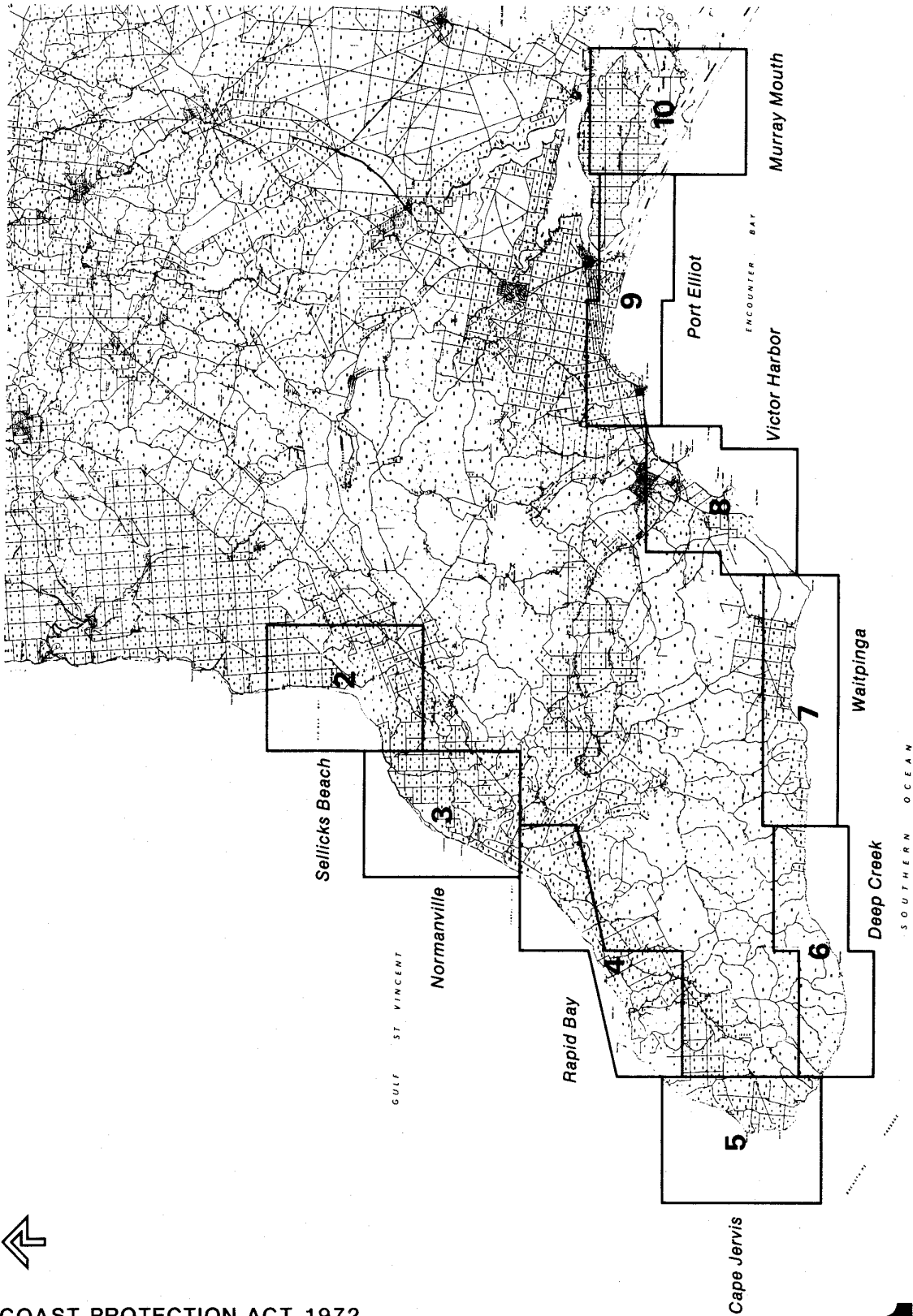
**Revocation**

3. The *Coast Protection Act (Fleurieu) Regulations 1984* (see *Gazette* 21 June 1984 p. 1759) are revoked.

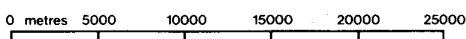
**Declaration of land constituting part of coast**

4. The land between the seaward edge of the bold line shown on the plans in the Schedule and the mean high water mark on the seashore at spring tides is declared to constitute part of the coast for the purposes of the *Coast Protection Act 1972*.

**SCHEDULE**  
*Land Constituting Part of Coast*

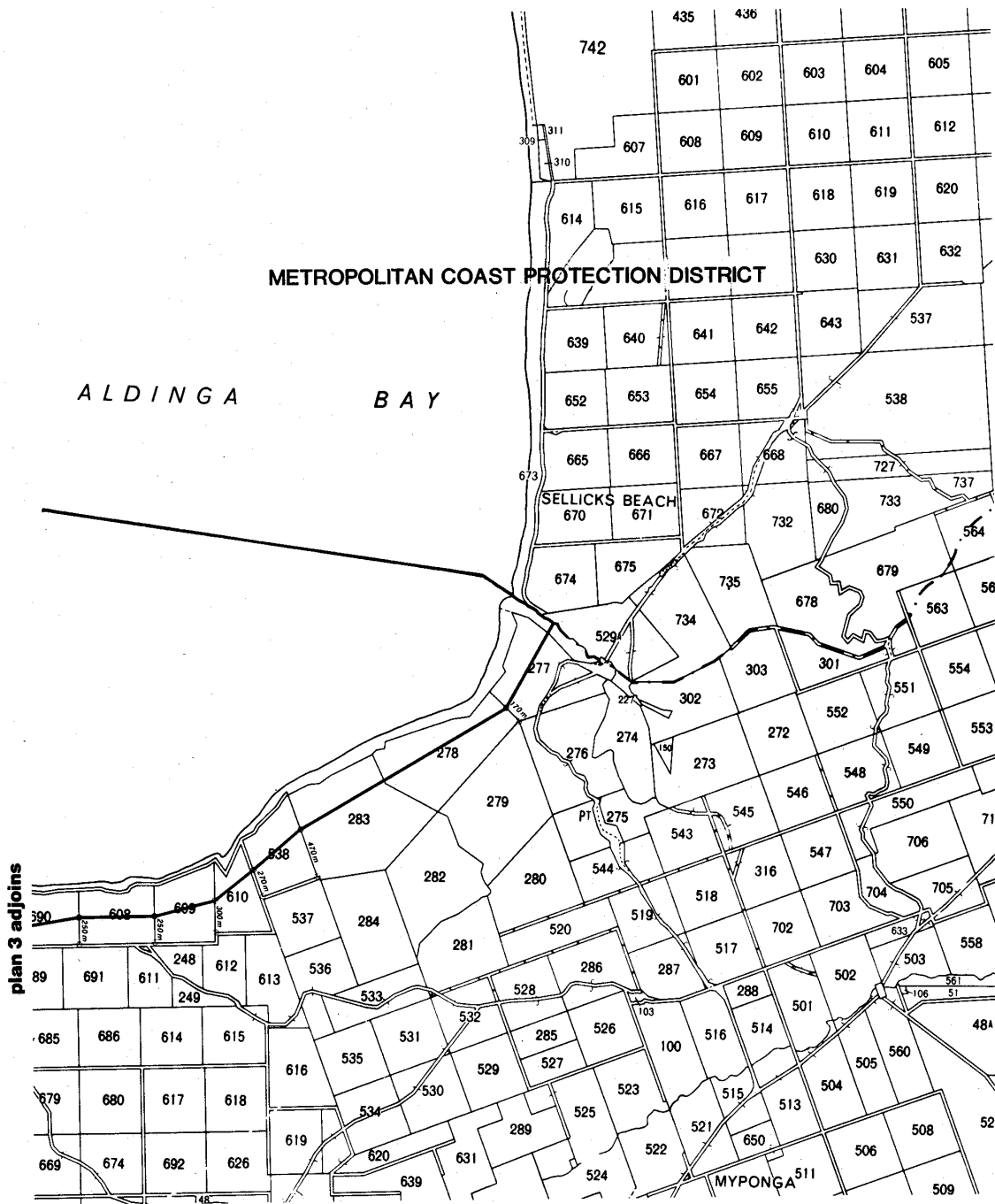


**COAST PROTECTION ACT 1972**  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**  
 The Schedule



**1**

**INDEX TO PLANS**

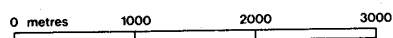


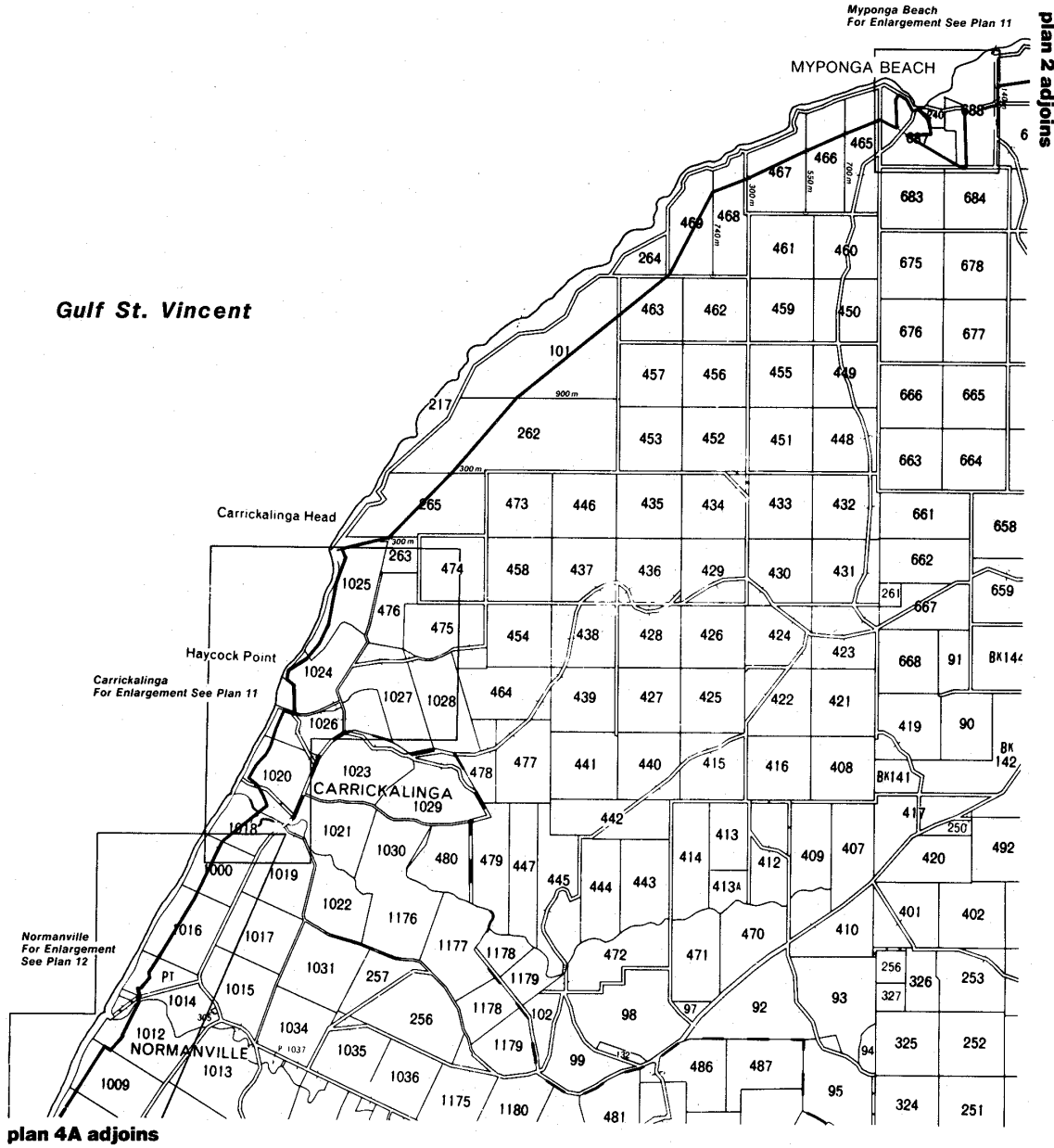
plan 3 adjoins

**2**

**COAST PROTECTION ACT 1972  
LAND TO CONSTITUTE  
PART OF THE COAST**

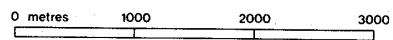
The Schedule

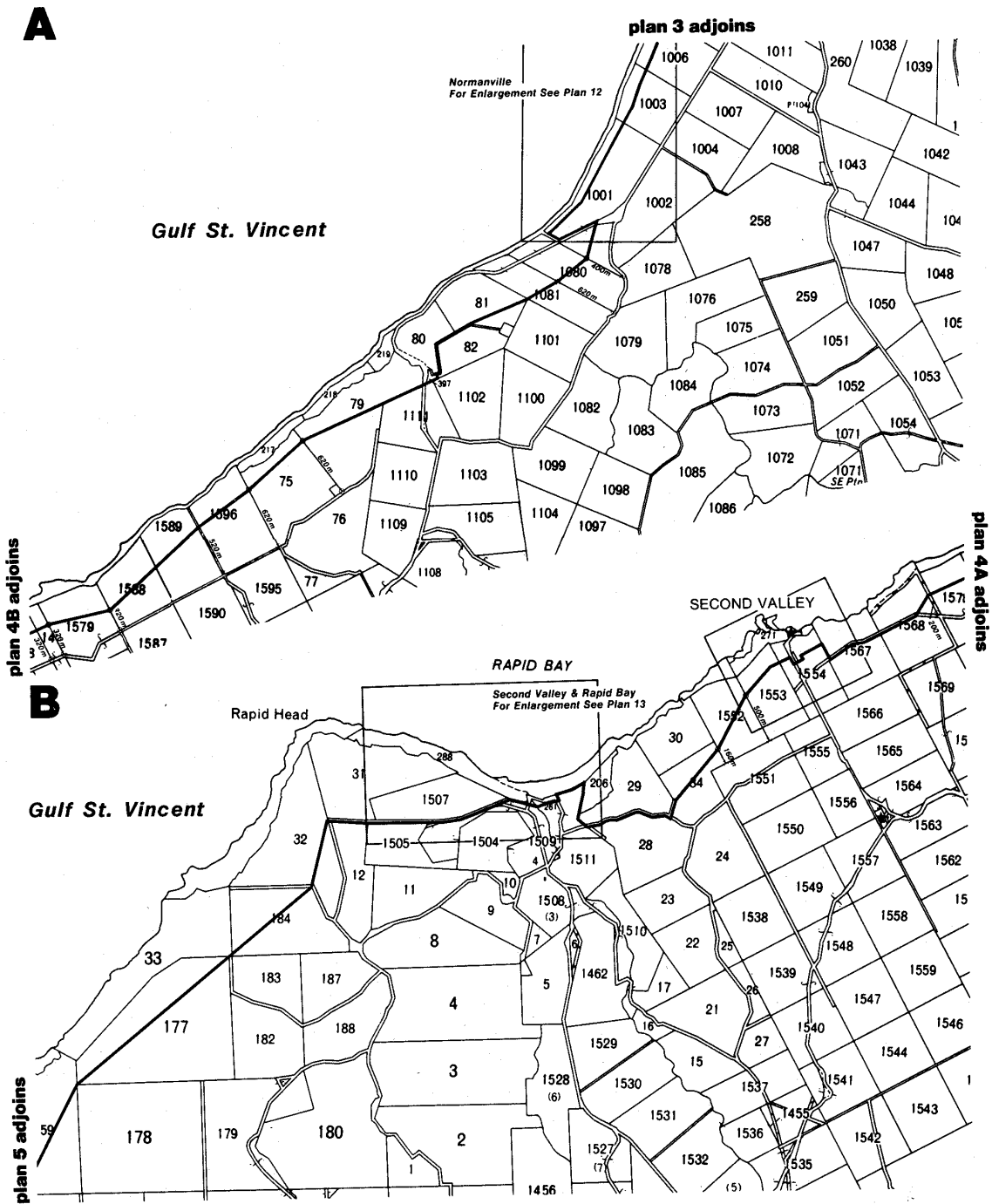




**COAST PROTECTION ACT 1972**  
**LAND TO CONSTITUTE**  
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 The Schedule

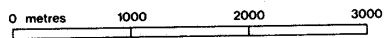
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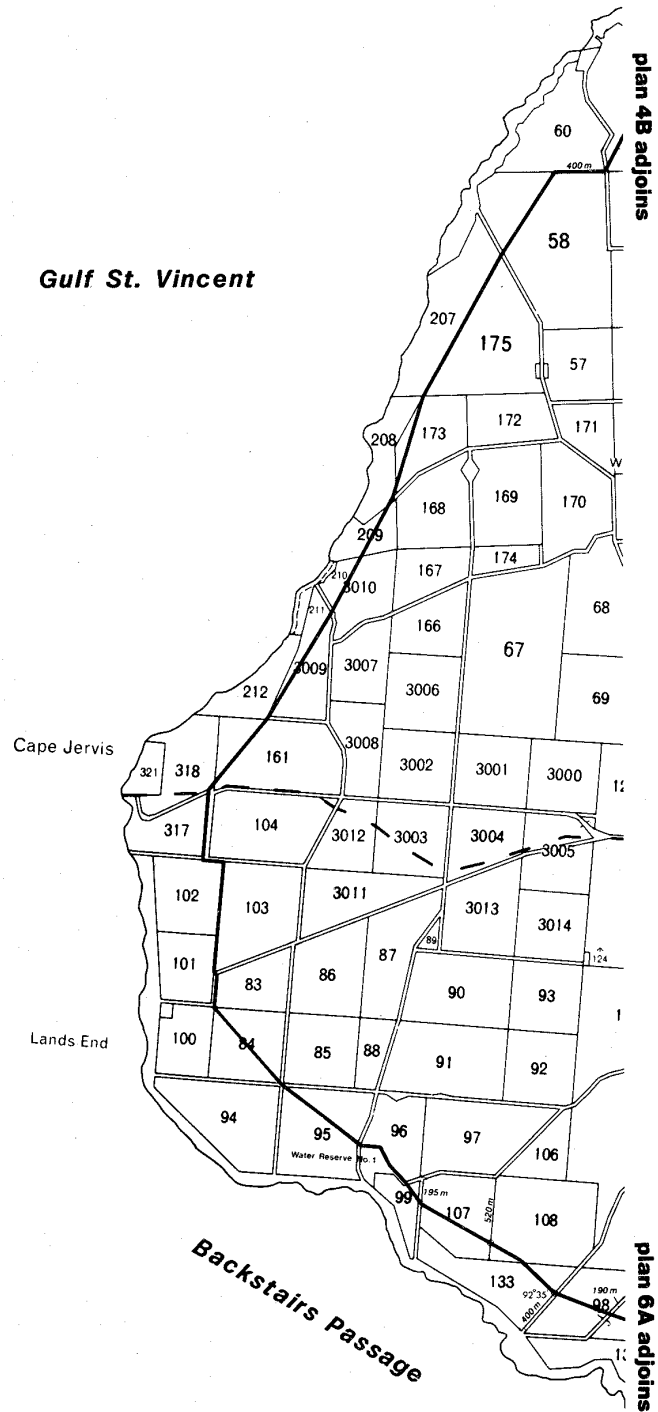


# 4

**COAST PROTECTION ACT 1972**  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**  
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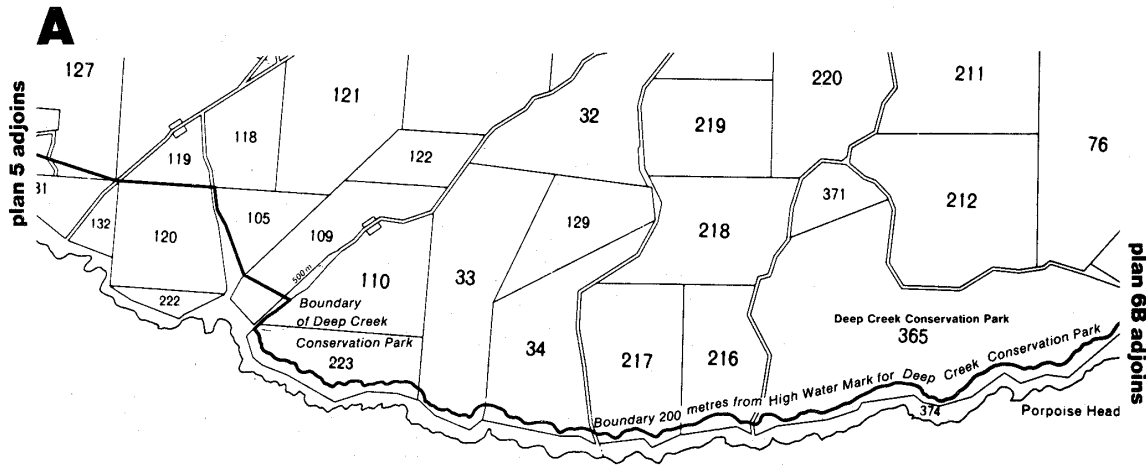
COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**

**5**

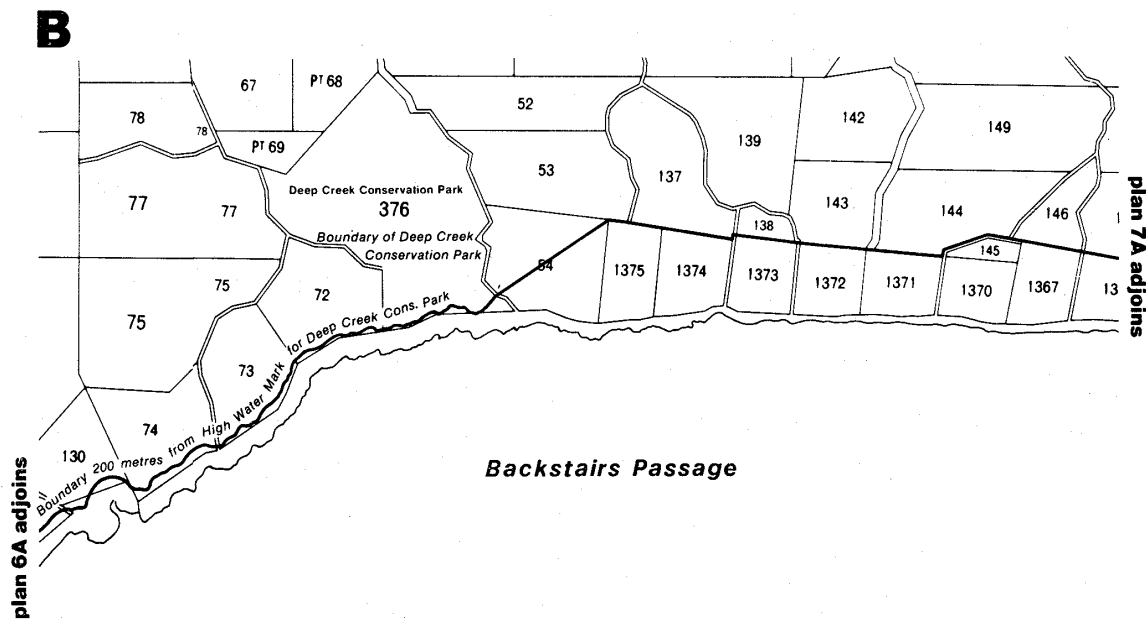
The Schedule

0 metres 1000 2000 3000





**Backstairs Passage**



**Backstairs Passage**

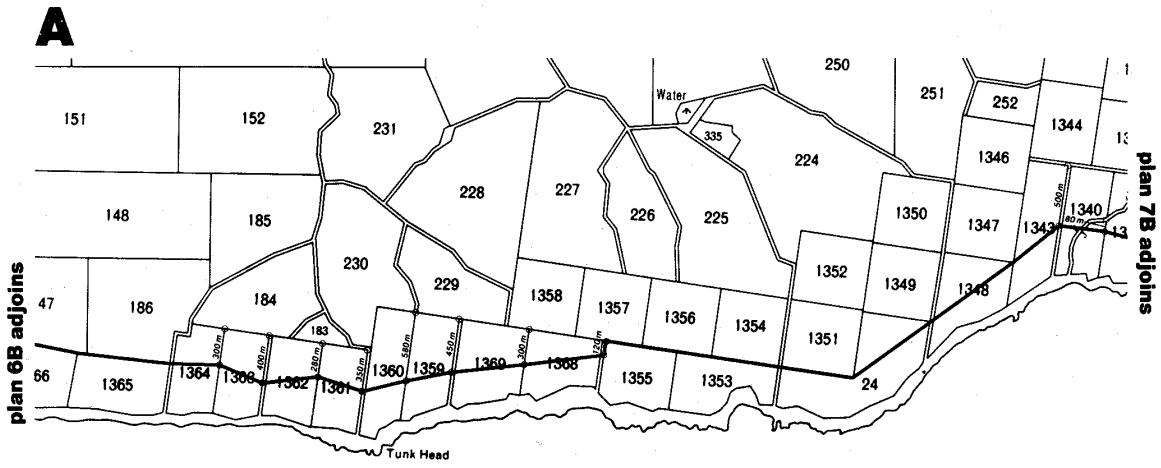
# 6

## COAST PROTECTION ACT 1972 LAND TO CONSTITUTE PART OF THE COAST

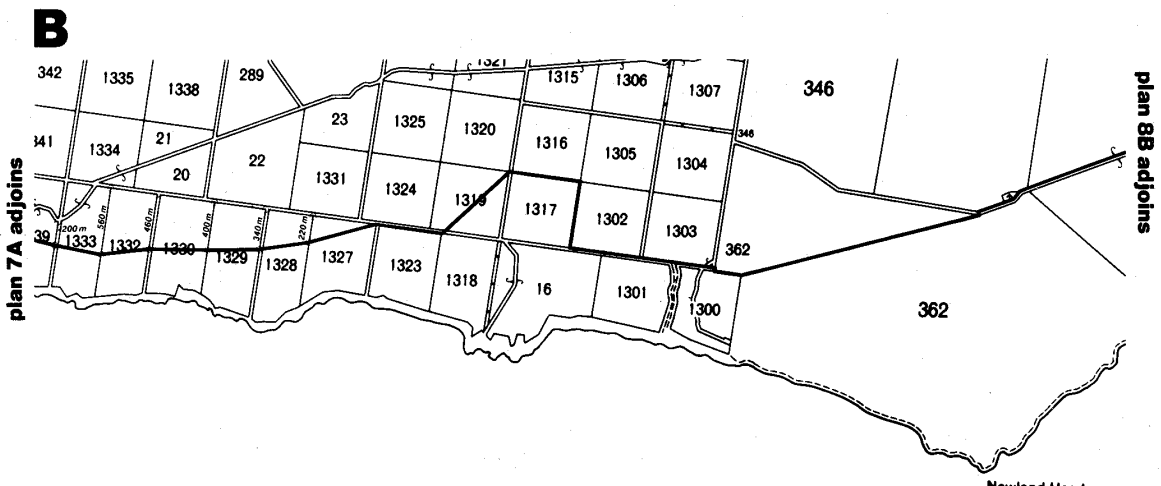
The Schedule



0 metres 1000 2000 3000



Southern Ocean

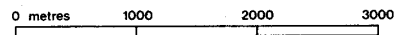


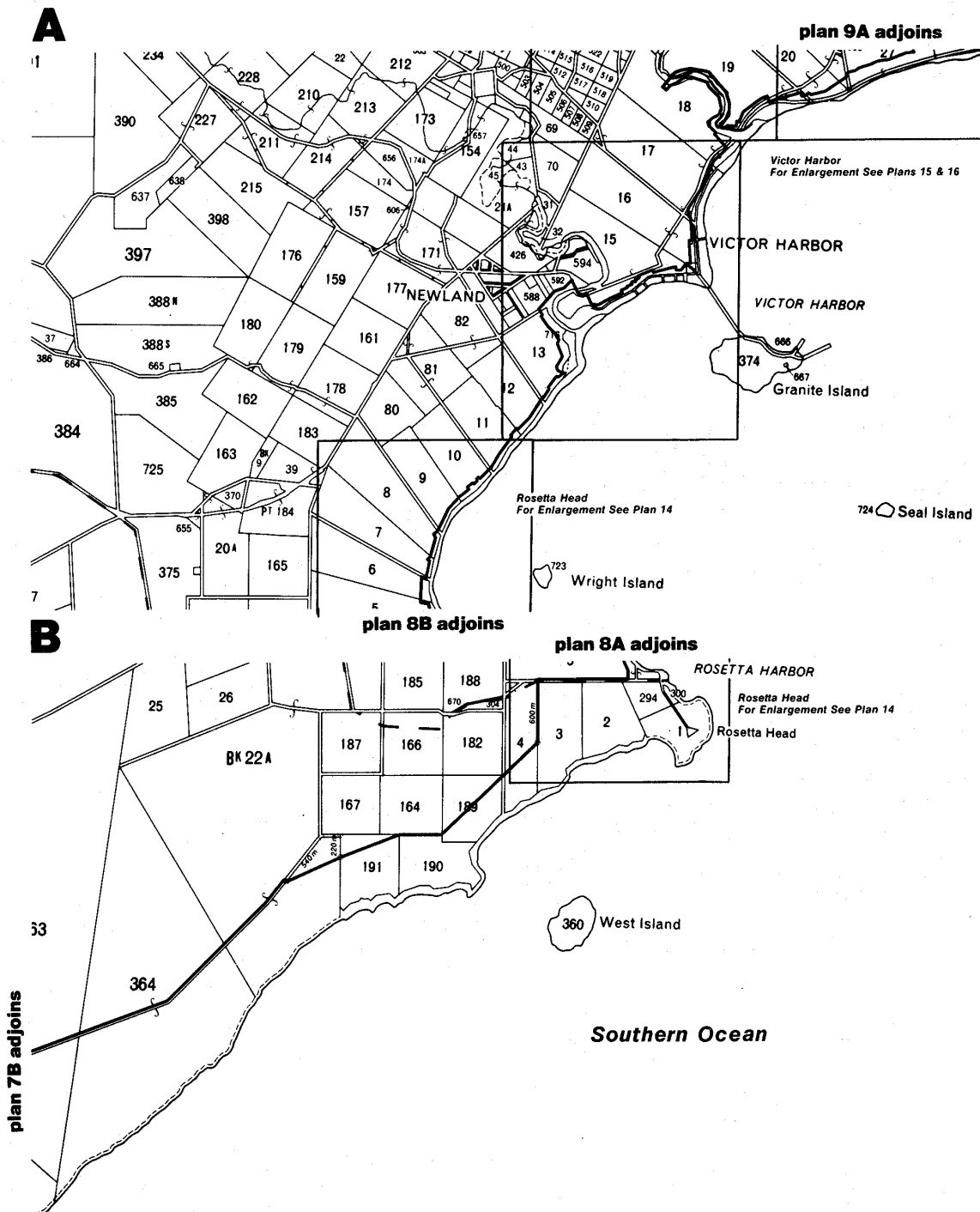
Southern Ocean

COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**

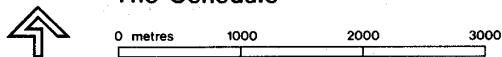
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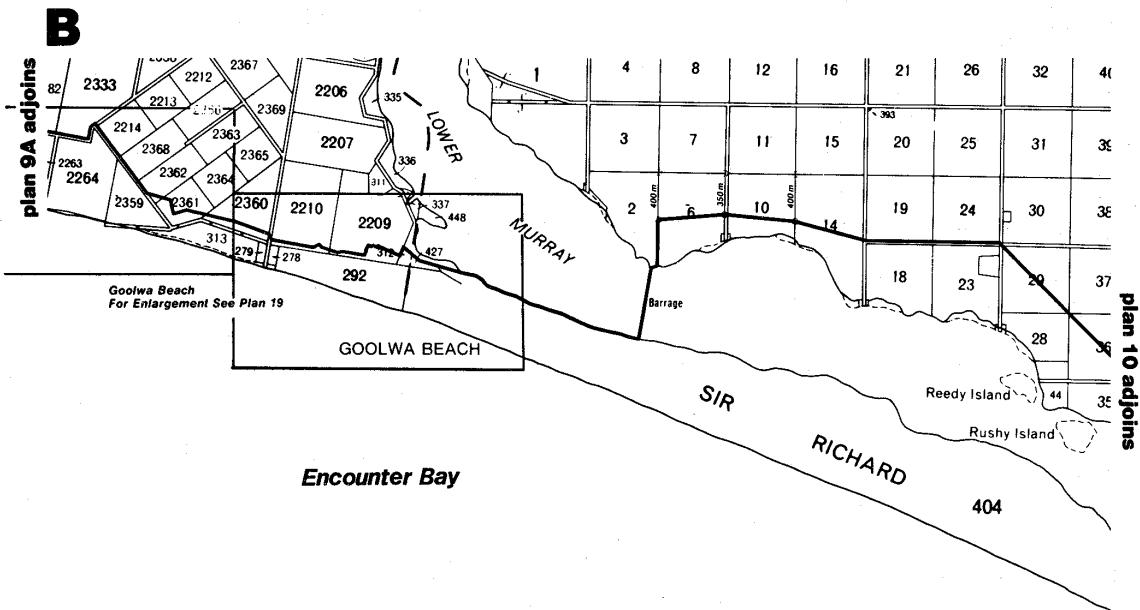
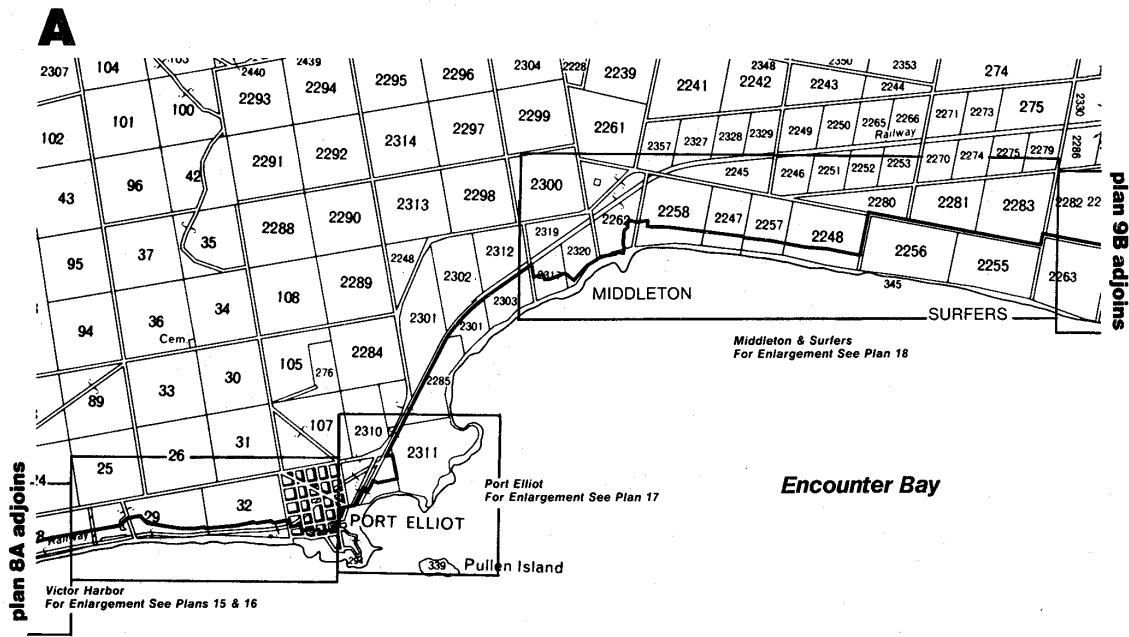
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**8** COAST PROTECTION ACT 1972  
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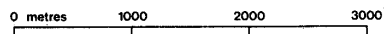


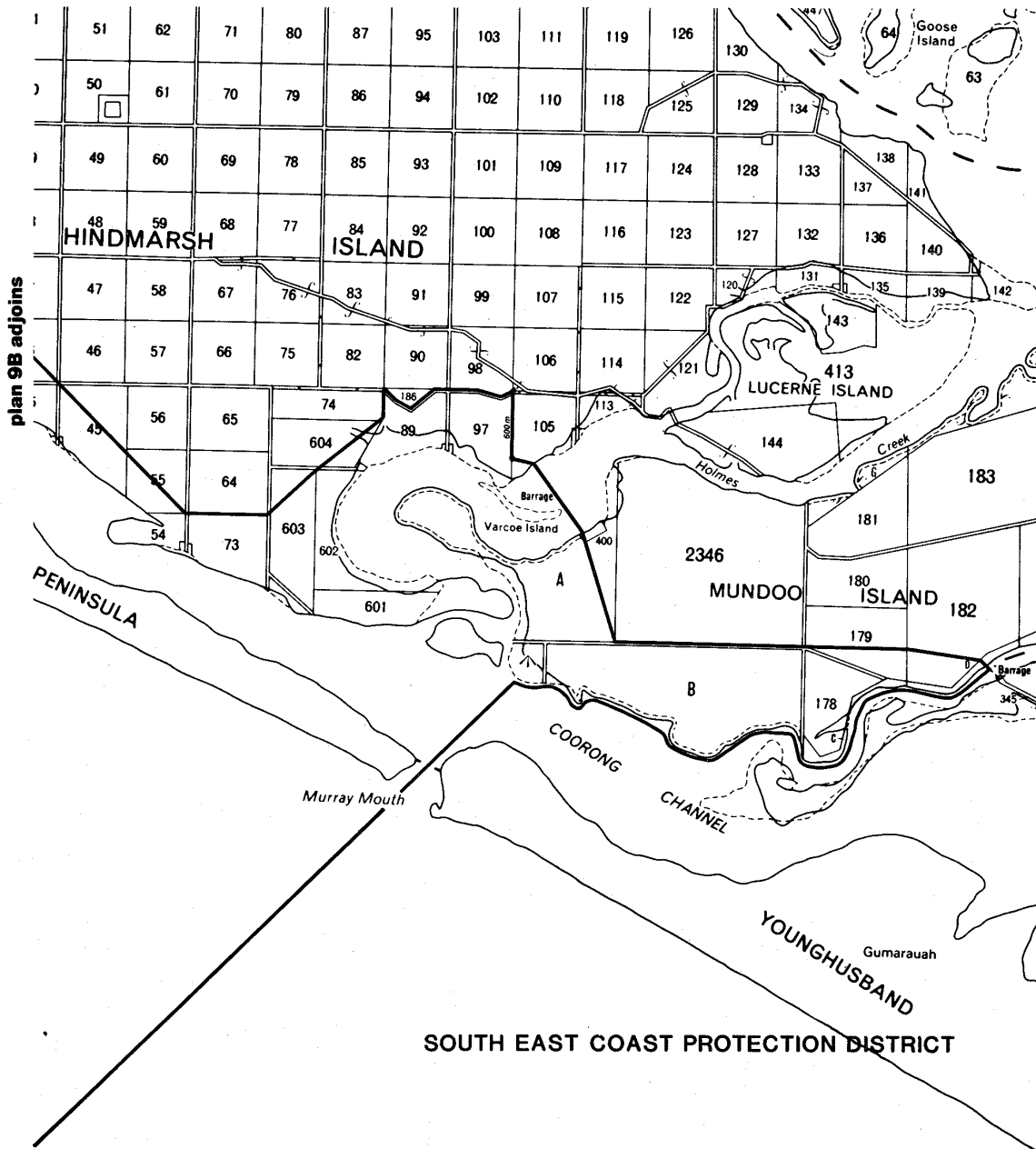


COAST PROTECTION ACT 1972  
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**PART OF THE COAST**

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The Schedule

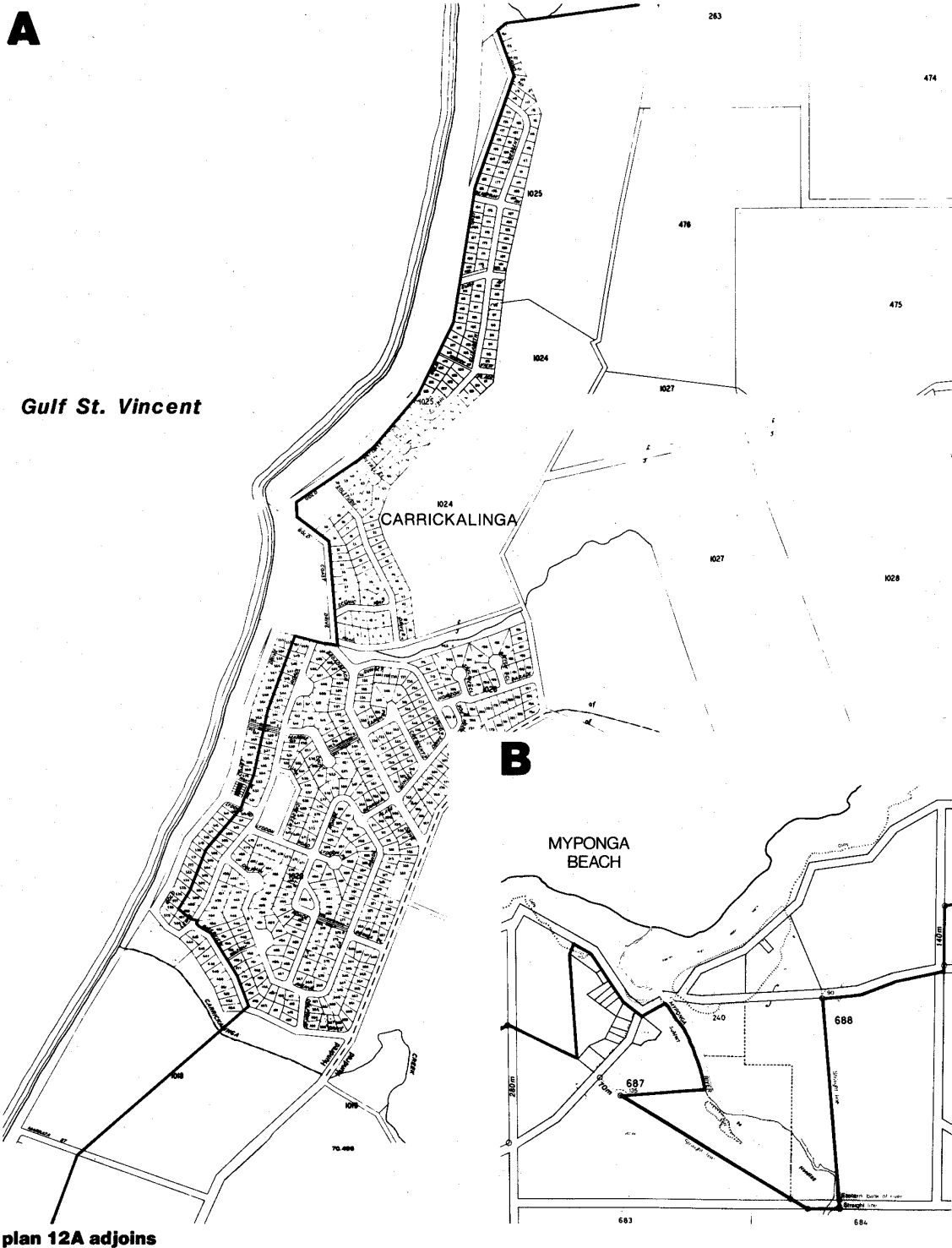




**10** COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**  
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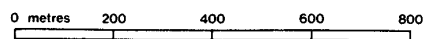


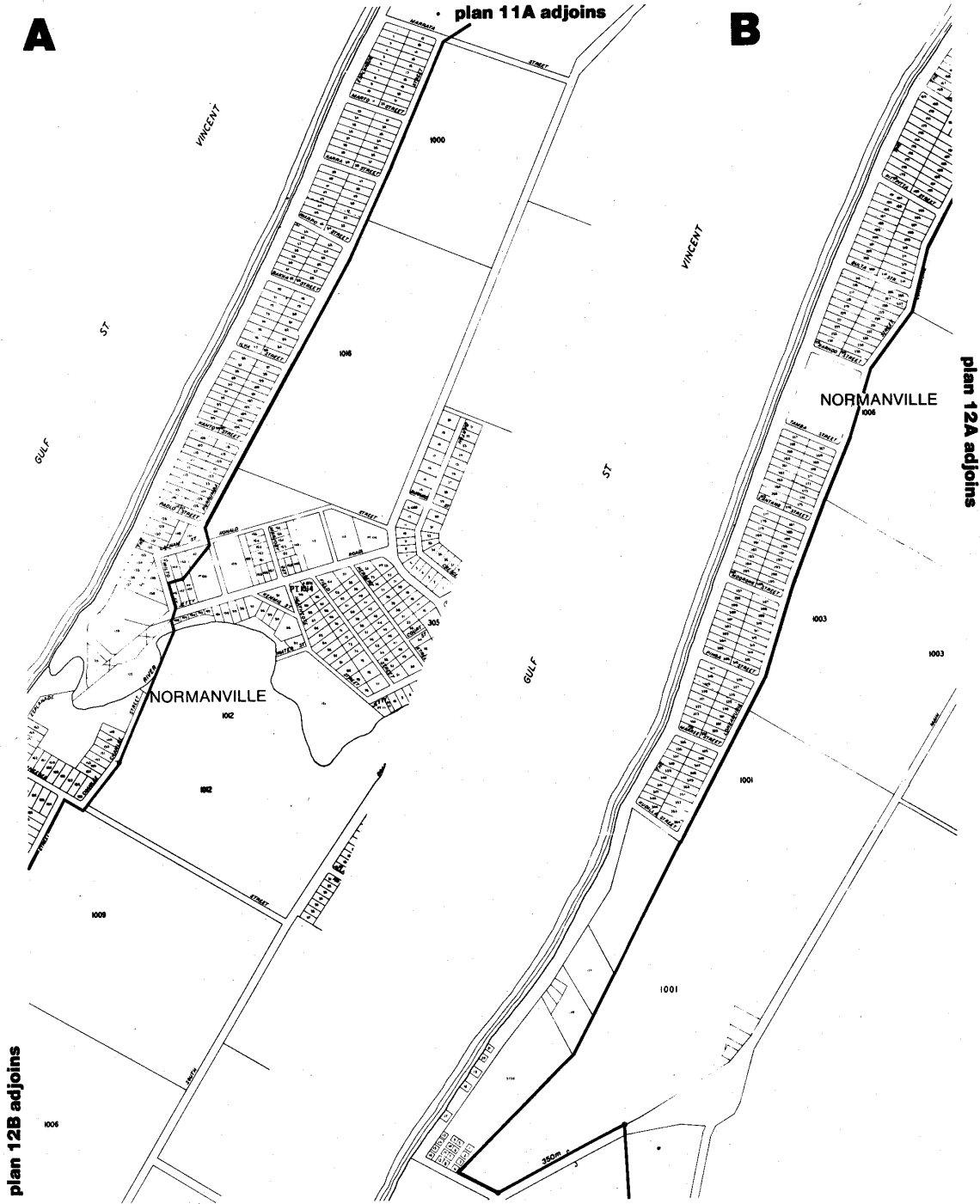
0 metres 1000 2000 3000



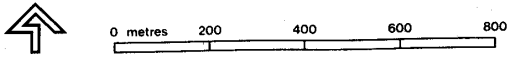
COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE PART OF THE COAST** **11**

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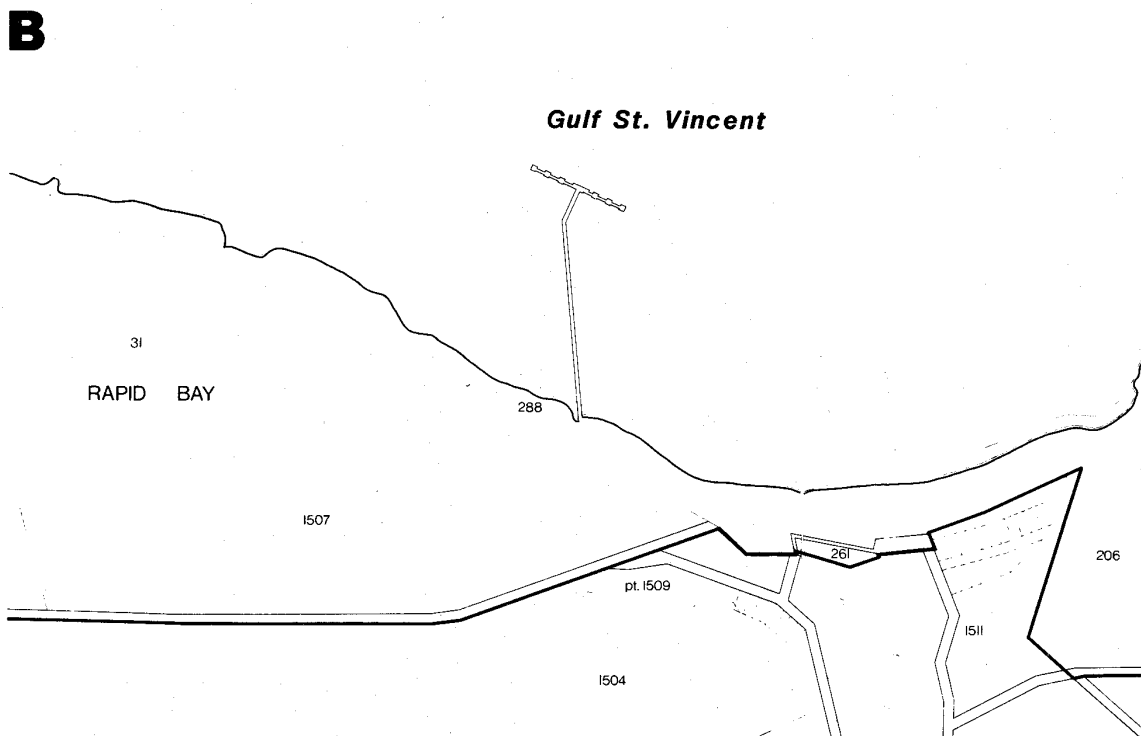
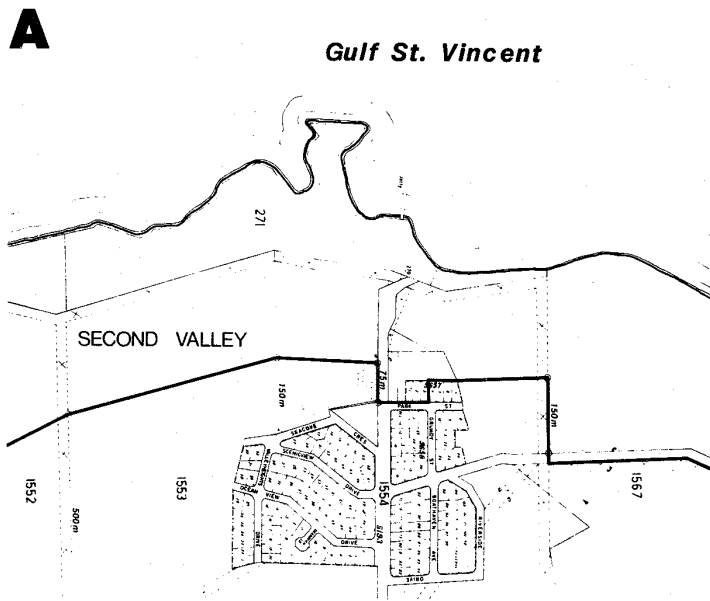




**12** COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**  
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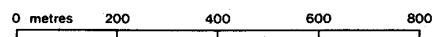


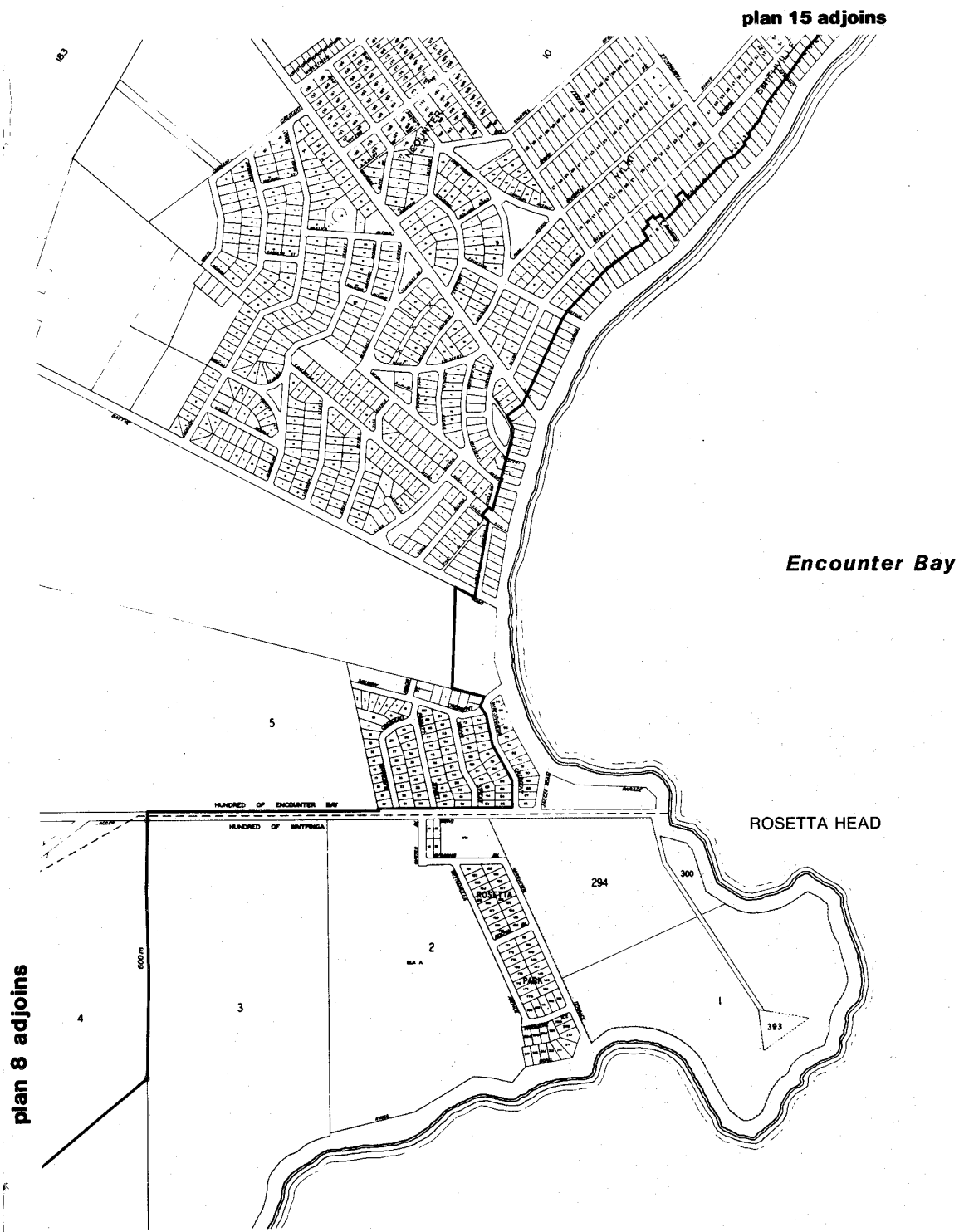




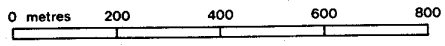
COAST PROTECTION ACT 1972 **13**  
LAND TO CONSTITUTE  
PART OF THE COAST

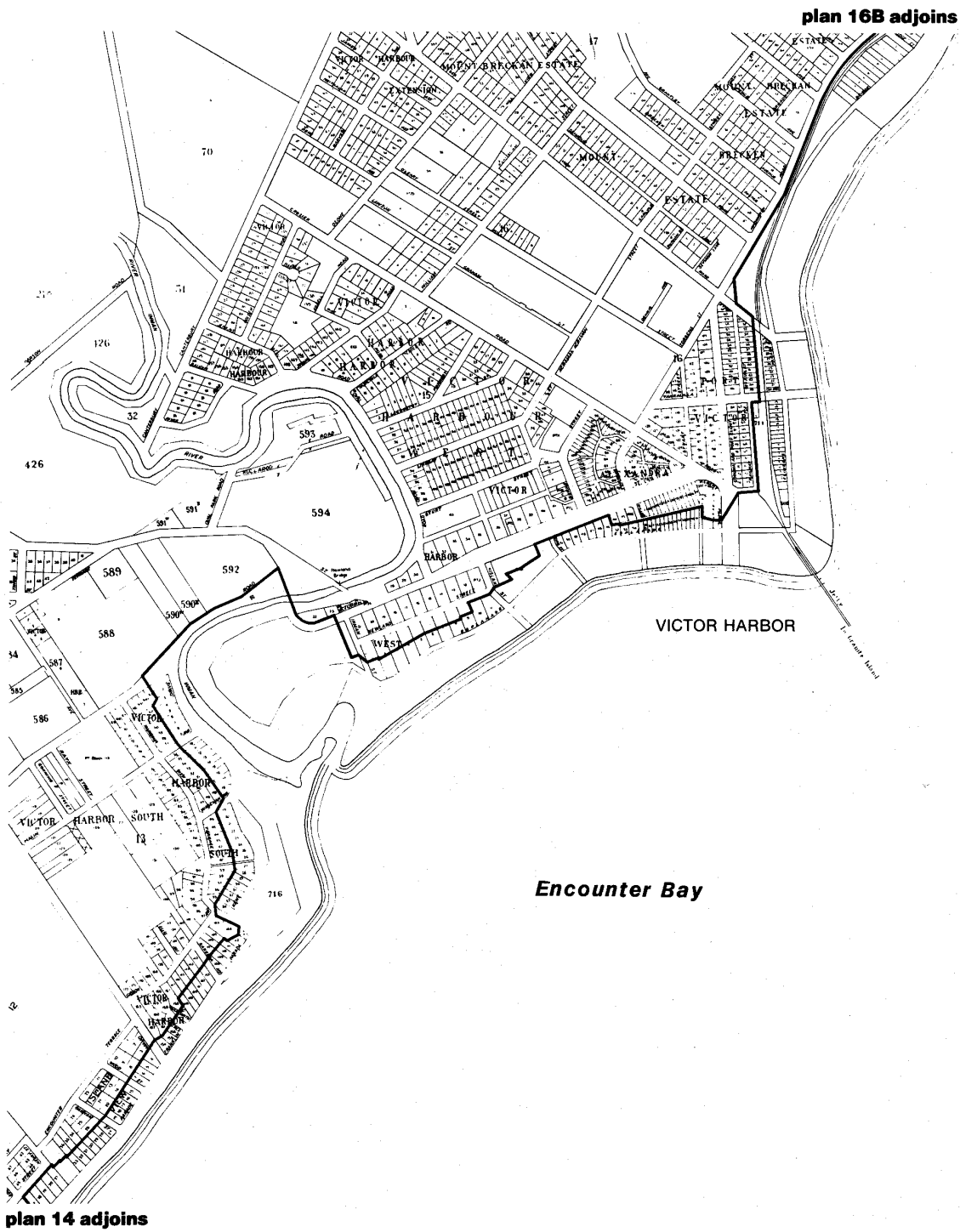
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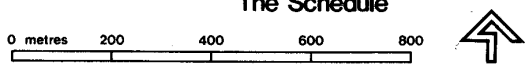


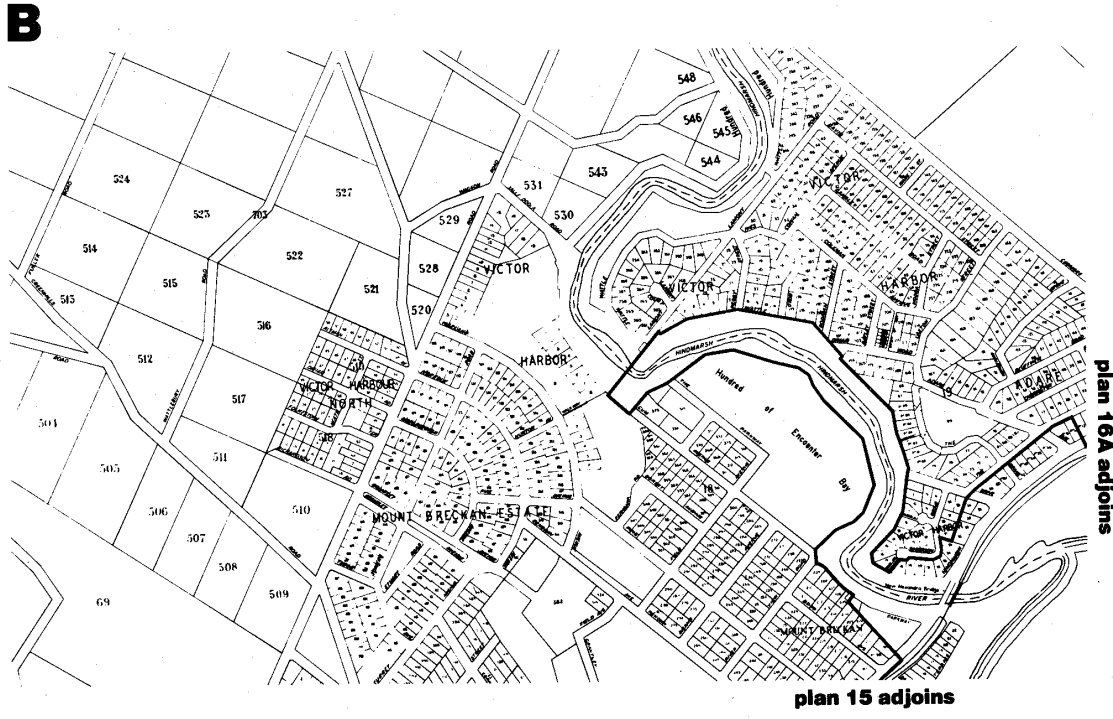
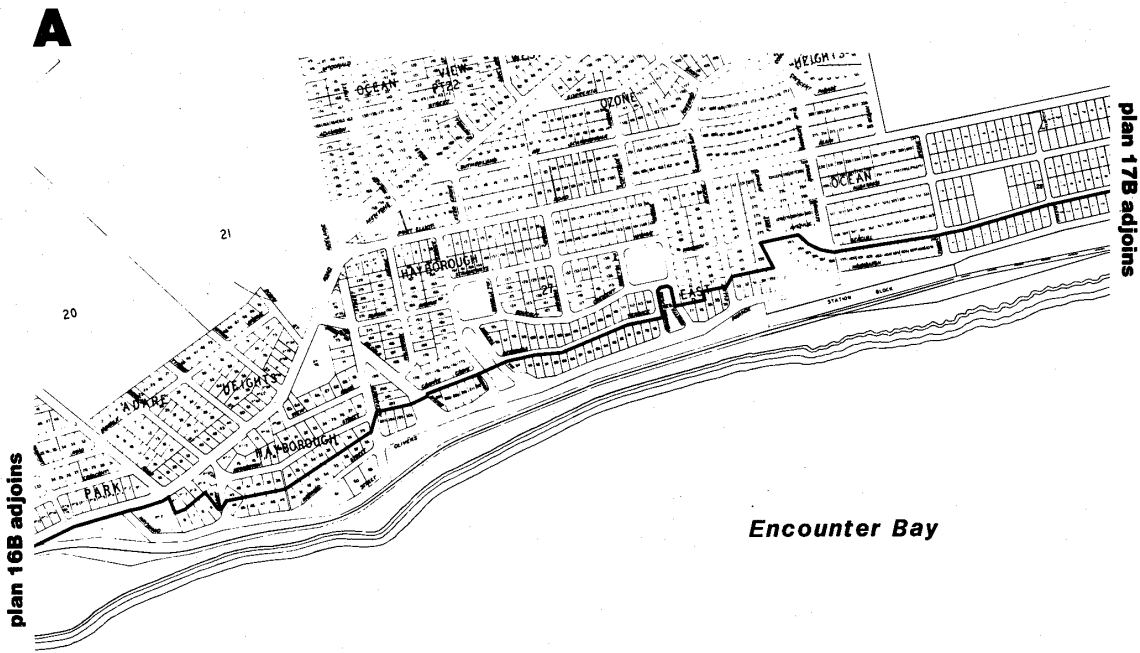
**14** COAST PROTECTION ACT 1972  
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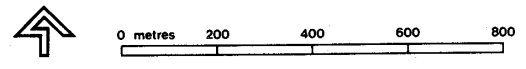


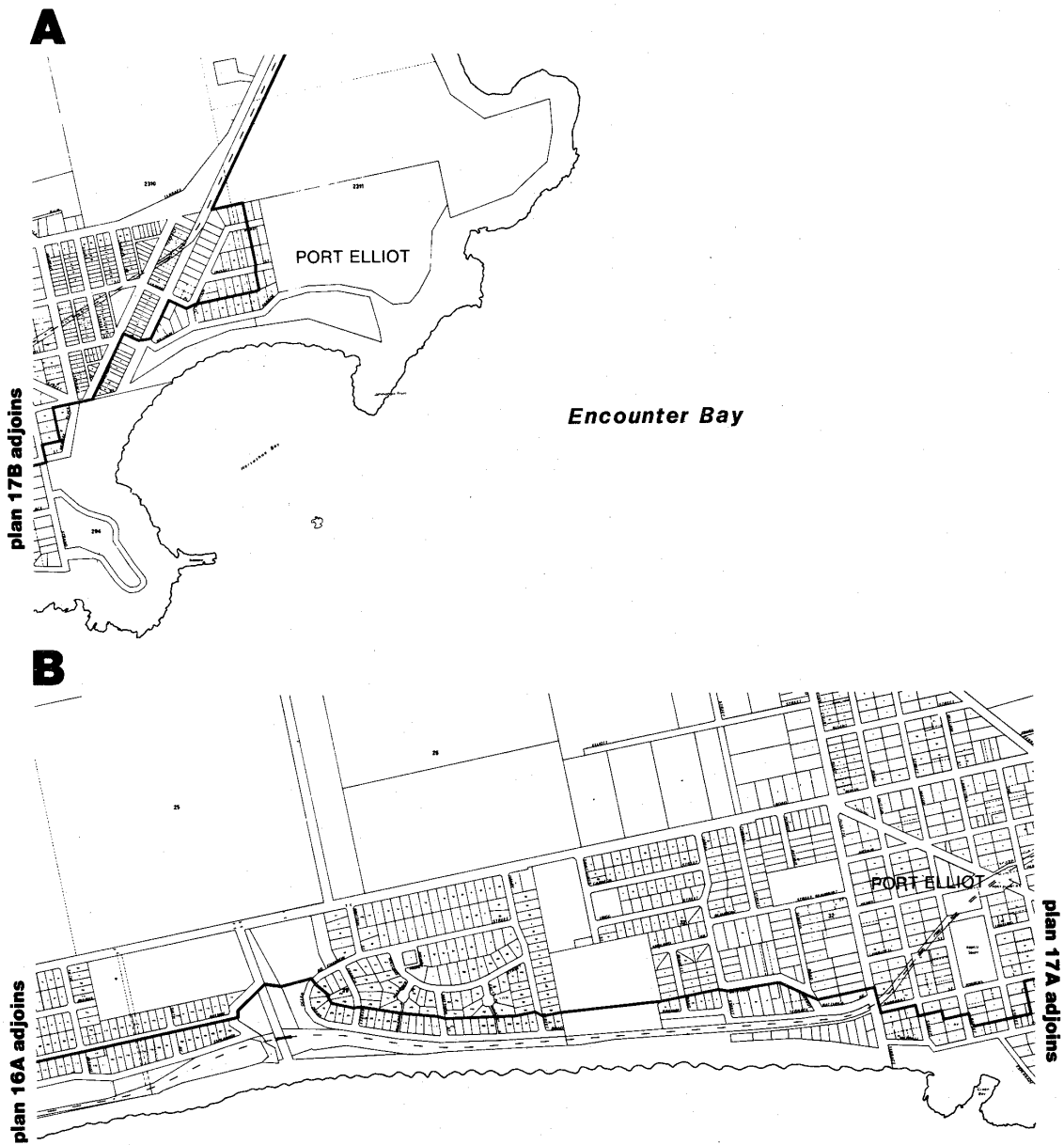
COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE PART OF THE COAST**  
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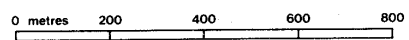
**16** COAST PROTECTION ACT 1972  
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**PART OF THE COAST**  
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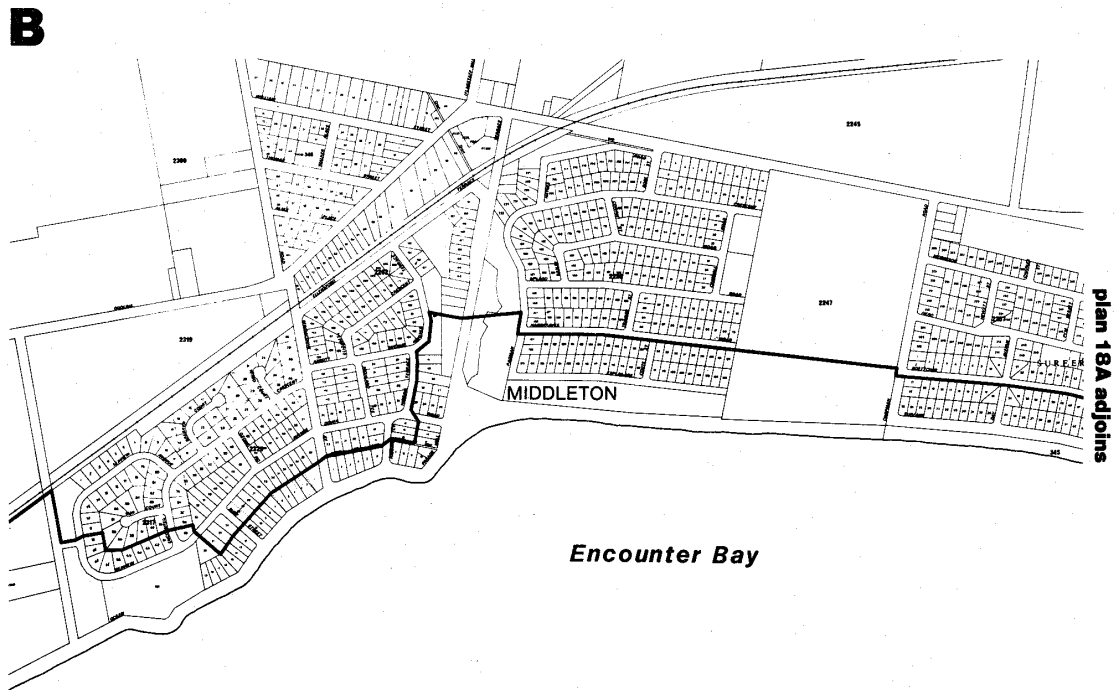
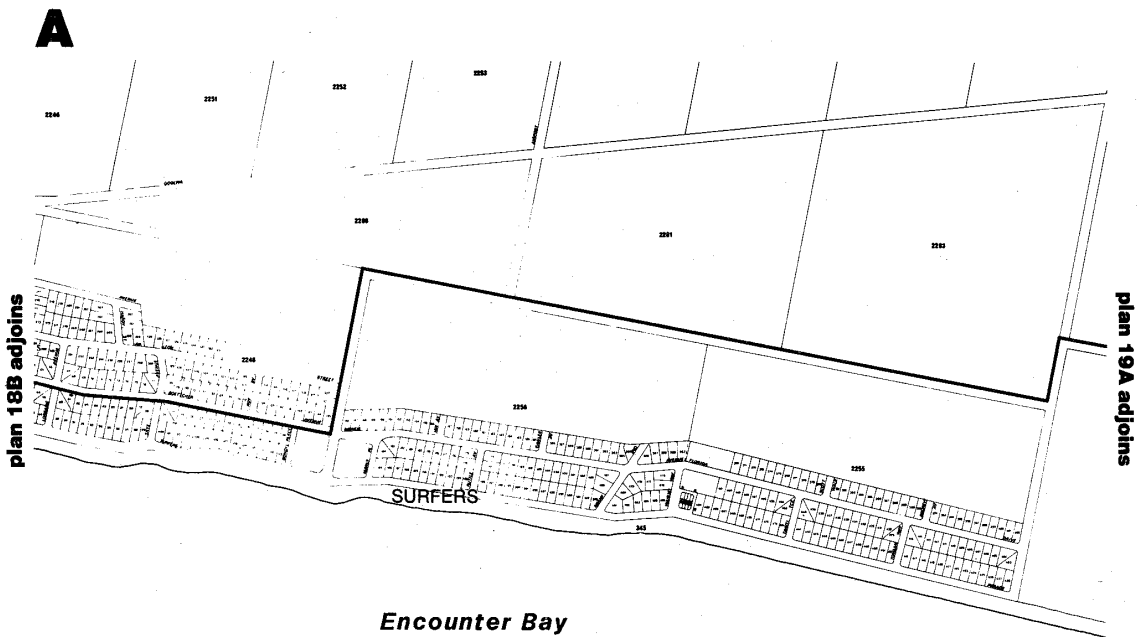




COAST PROTECTION ACT 1972 **17**  
LAND TO CONSTITUTE PART OF THE COAST

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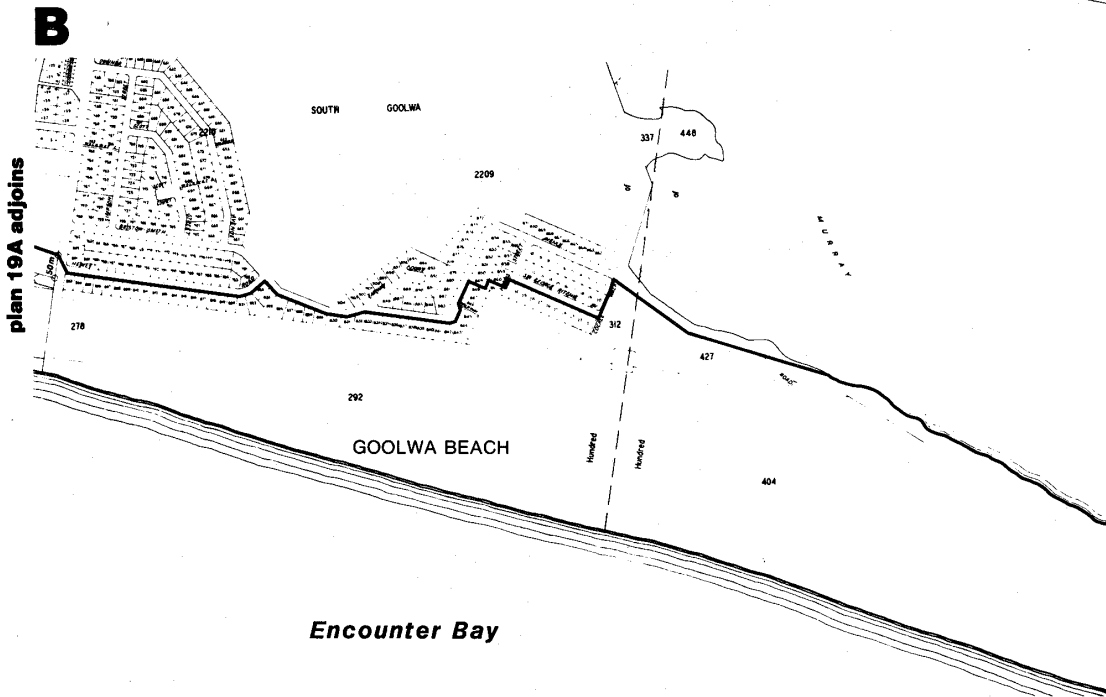
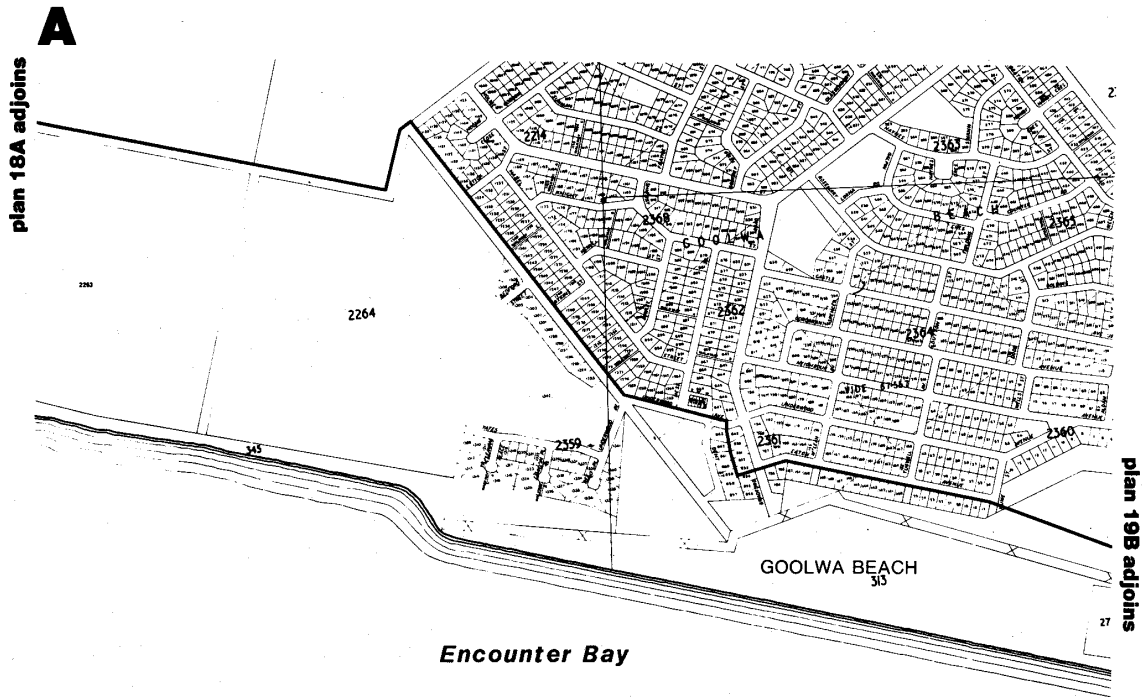




**18** COAST PROTECTION ACT 1972  
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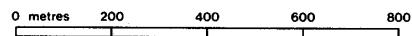


0 metres 200 400 600 800



COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE PART OF THE COAST** **19**

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**REGULATIONS UNDER THE COAST PROTECTION ACT 1972**

No. 216 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Coast Protection Act 1972* 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.

IAIN EVANS Minister for Environment and Heritage

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Revocation
4. Declaration of land constituting part of coast

**SCHEDULE***Land Constituting Part of Coast***Citation**

1. These regulations may be cited as the *Coast Protection (Metropolitan) Regulations 2000*.

**Commencement**

2. These regulations will come into operation on 1 September 2000.

**Revocation**

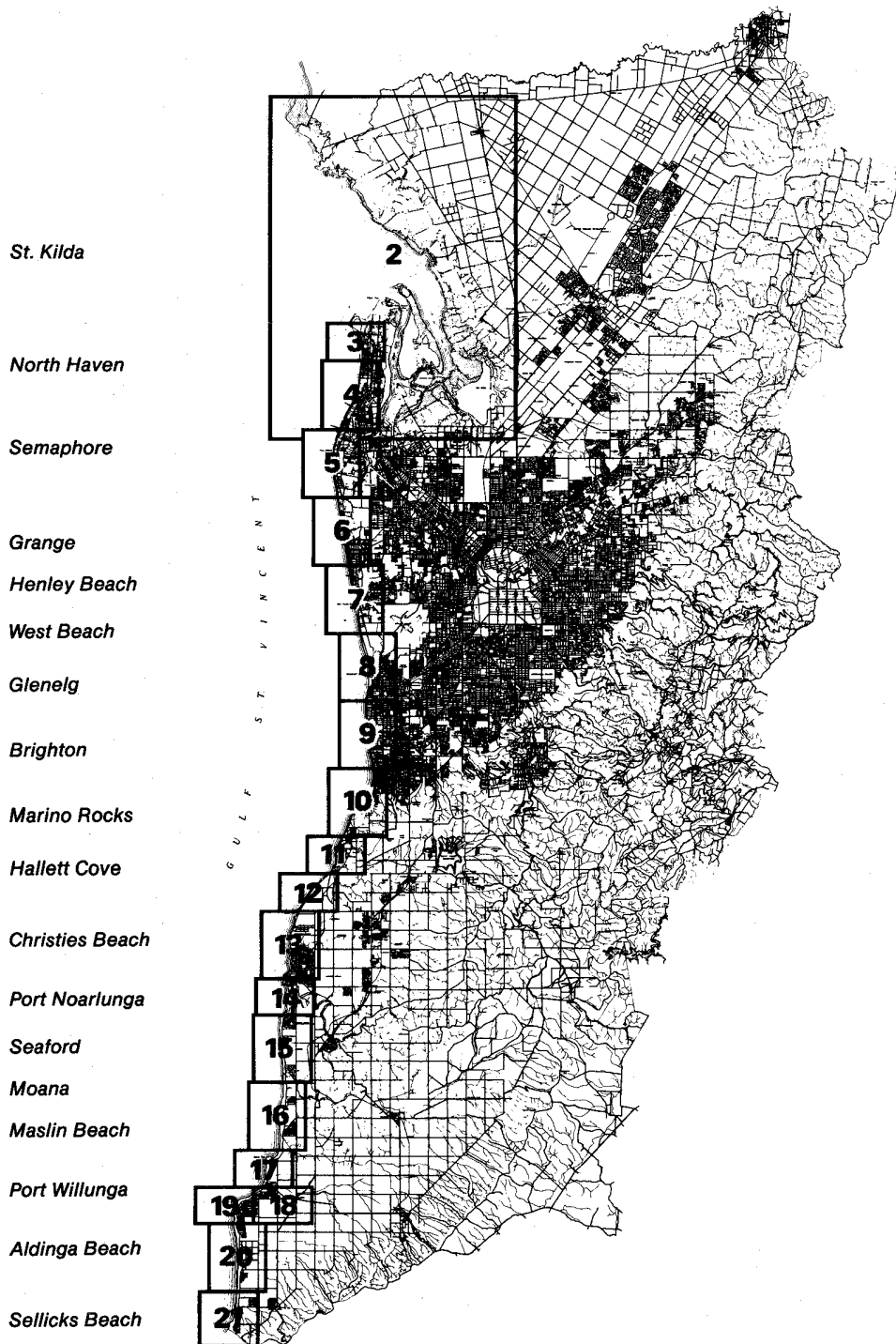
3. The *Coast Protection Act (Metropolitan) Regulations 1984* (see *Gazette* 21 June 1984 p. 1736) are revoked.

**Declaration of land constituting part of coast**

4. The land between the seaward edge of the bold line shown on the plans in the Schedule and the mean high water mark on the seashore at spring tides is declared to constitute part of the coast for the purposes of the *Coast Protection Act 1972*.



**SCHEDULE**  
*Land Constituting Part of Coast*



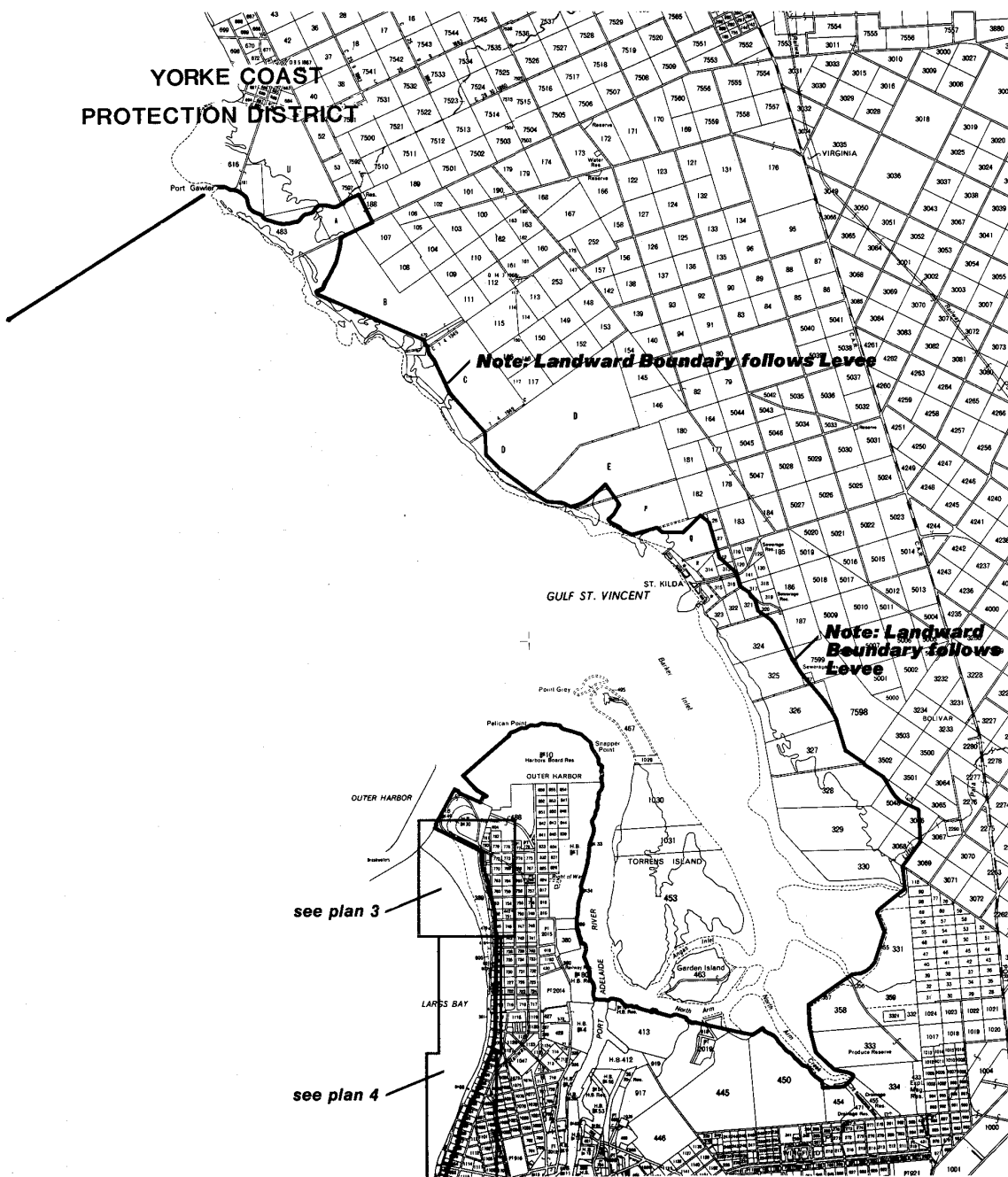
**INDEX TO PLANS**

**COAST PROTECTION ACT 1972**  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**

The Schedule

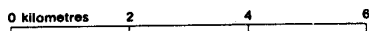
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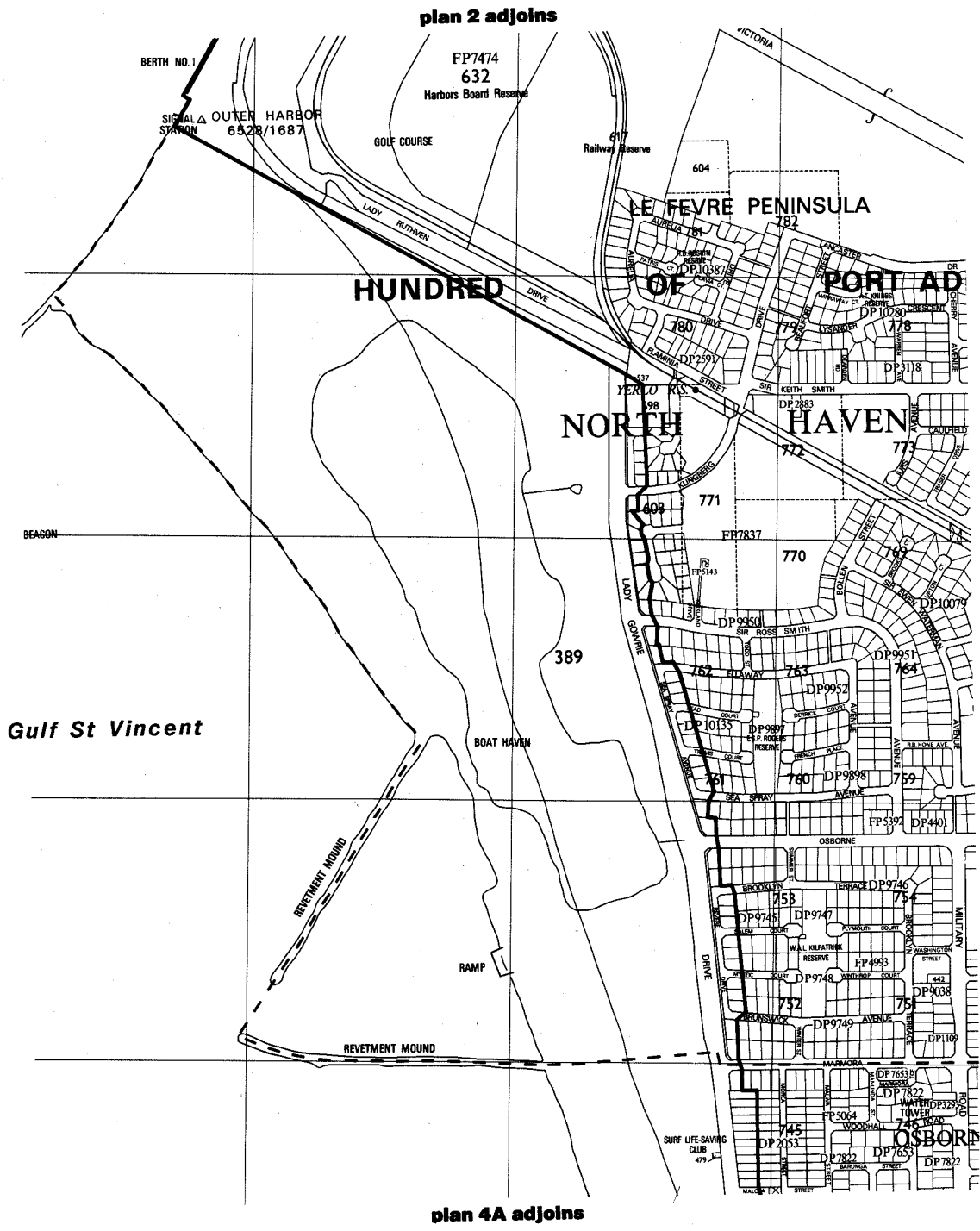




# 2 COAST PROTECTION ACT 1972 LAND TO CONSTITUTE PART OF THE COAST

The Schedule

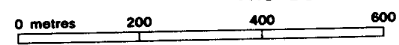


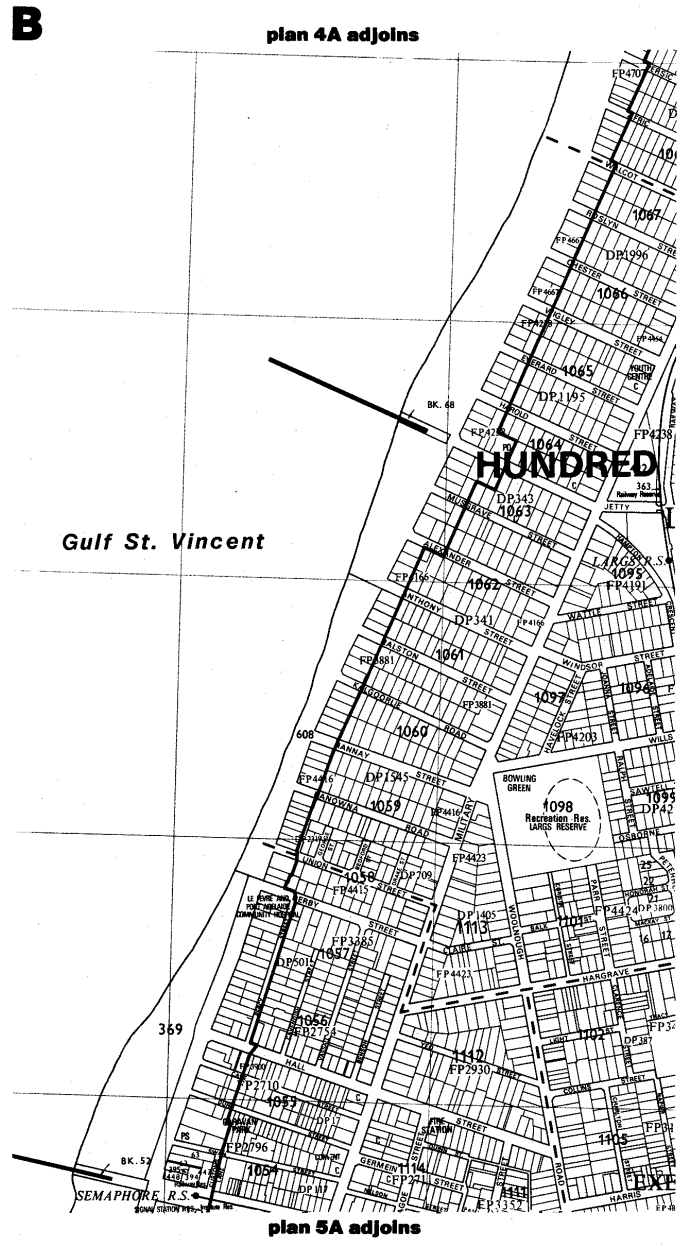
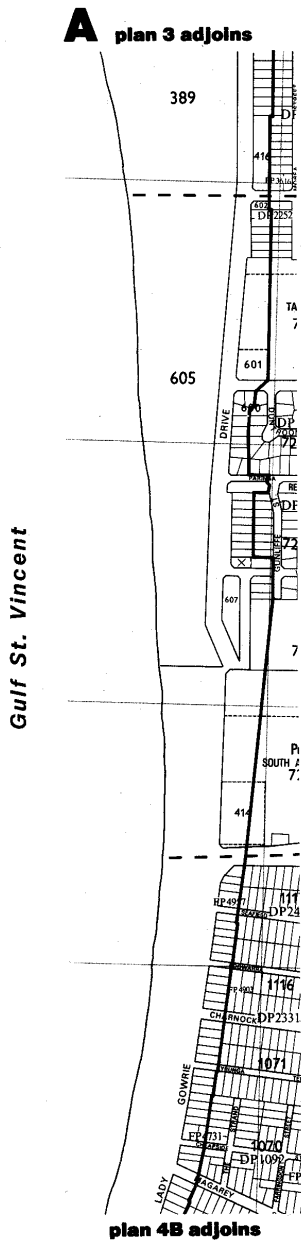


**COAST PROTECTION ACT 1972  
 LAND TO CONSTITUTE  
 PART OF THE COAST**

**3**

The Schedule

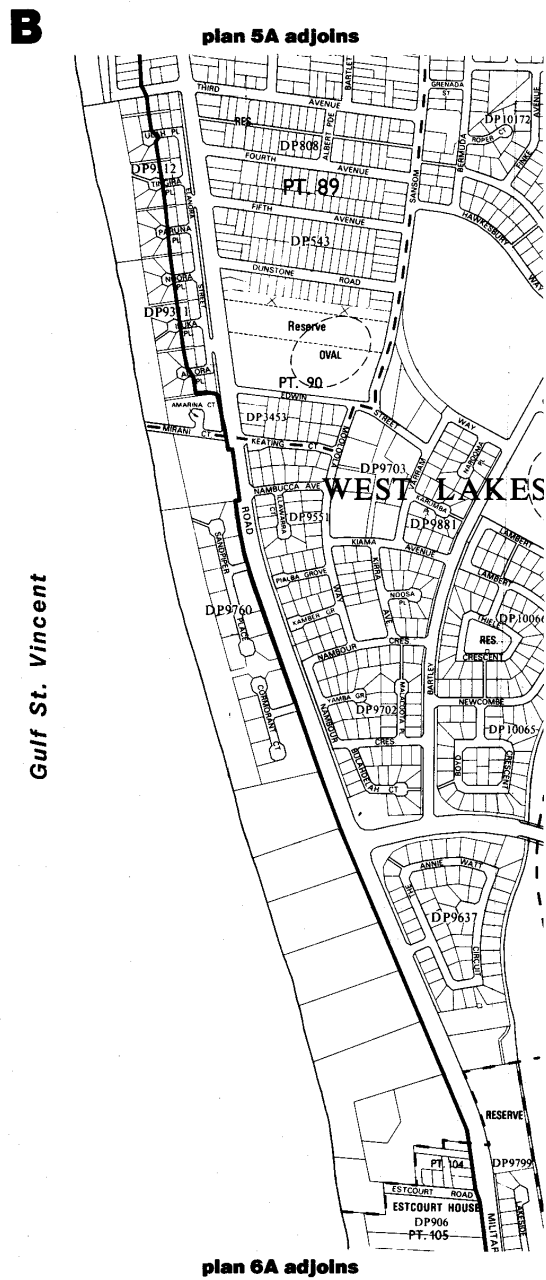
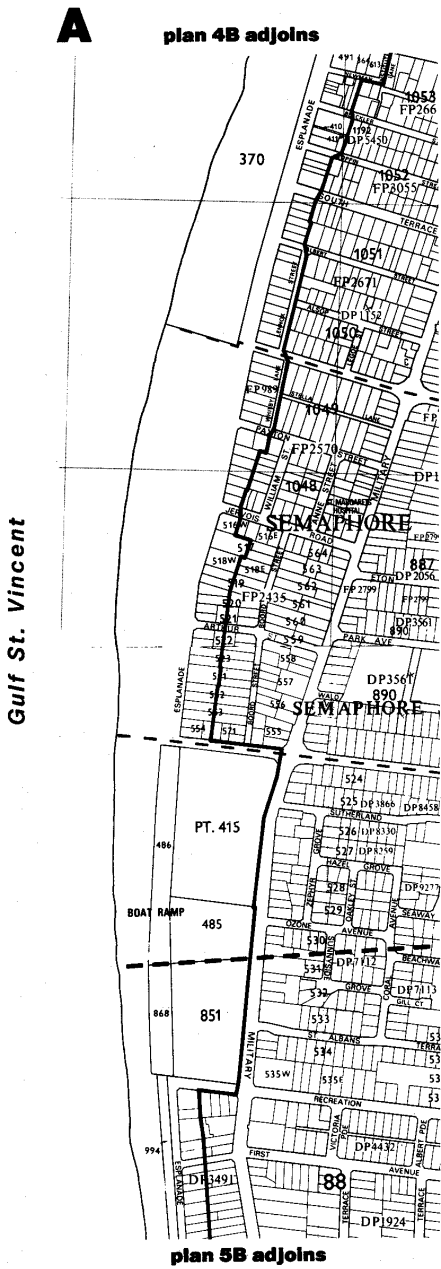




**4** COAST PROTECTION ACT 1972  
 LAND TO CONSTITUTE  
 PART OF THE COAST

The Schedule





COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

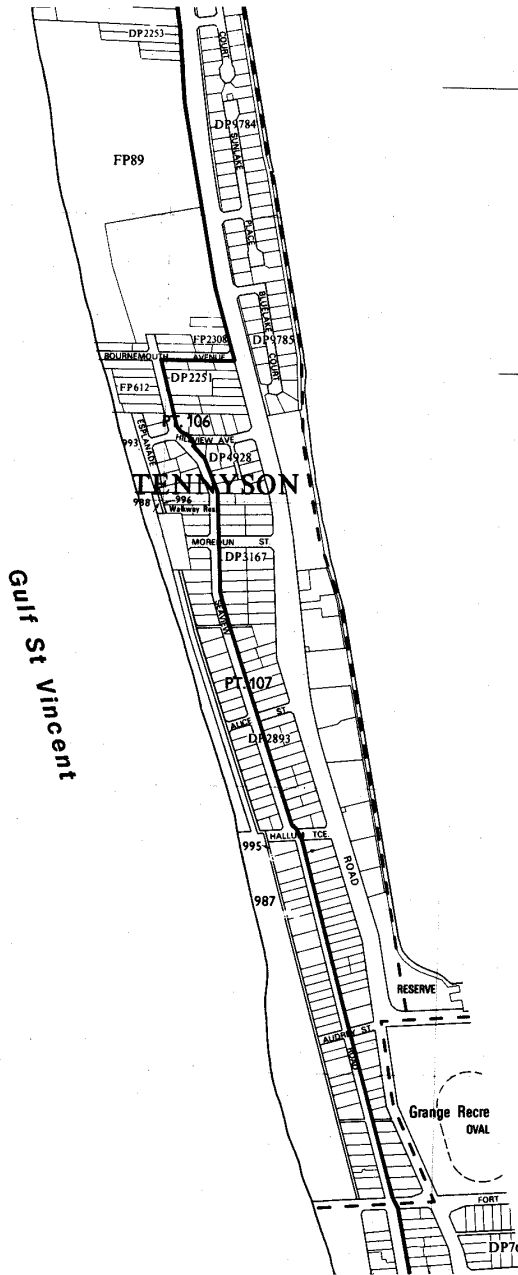
**5**

The Schedule



**A**

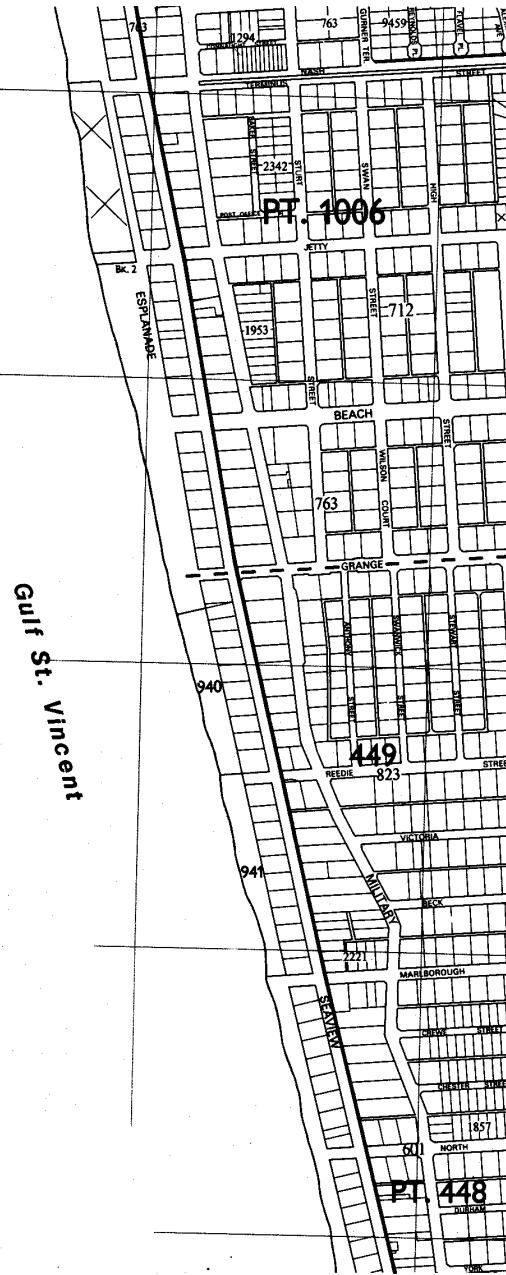
plan 5B adjoins



plan 6B adjoins

**B**

plan 6A adjoins



plan 7A adjoins

**6**

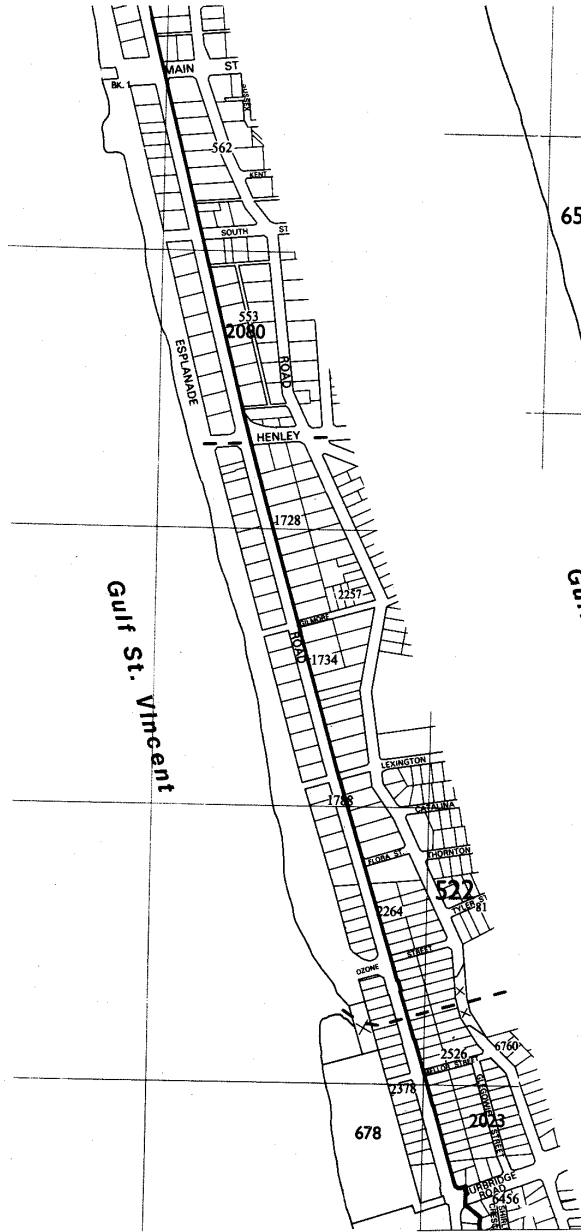
**COAST PROTECTION ACT 1972  
LAND TO CONSTITUTE  
PART OF THE COAST**

The Schedule



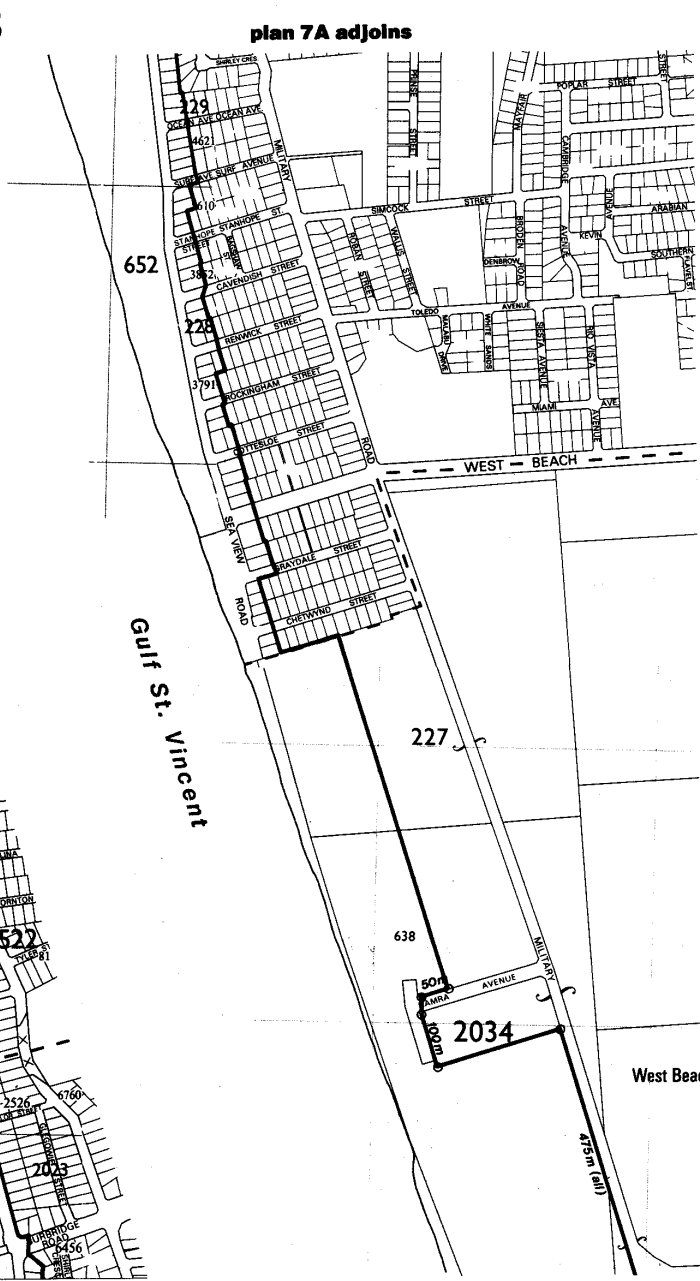
0 metres 200 400 600

**A** plan 6B adjoins



plan 7B adjoins

**B**



plan 8A adjoins

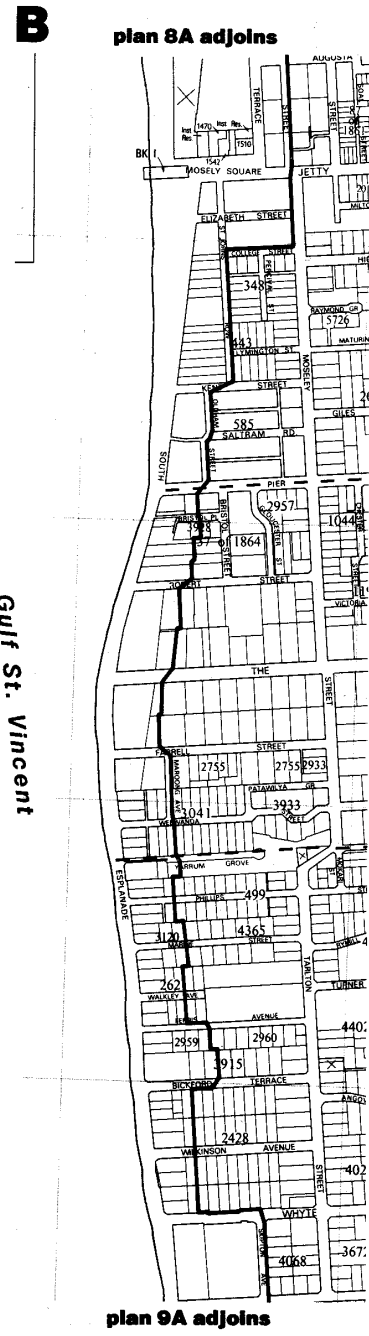
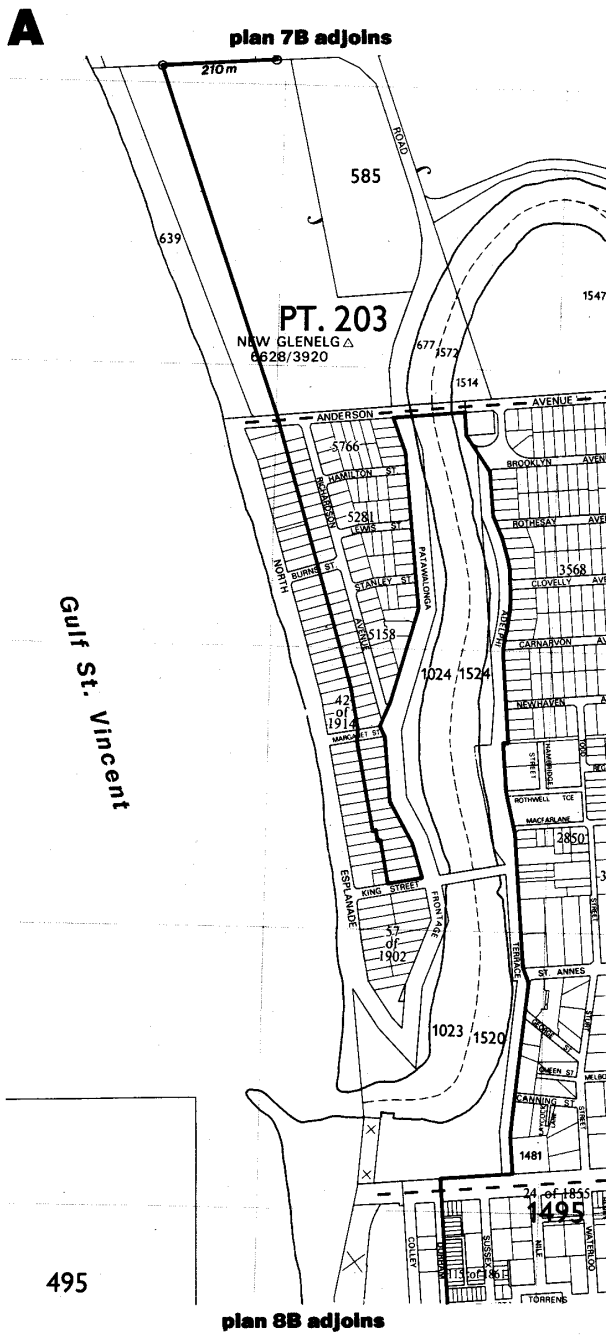
COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**

**7**

The Schedule

0 metres 200 400 600





**8**

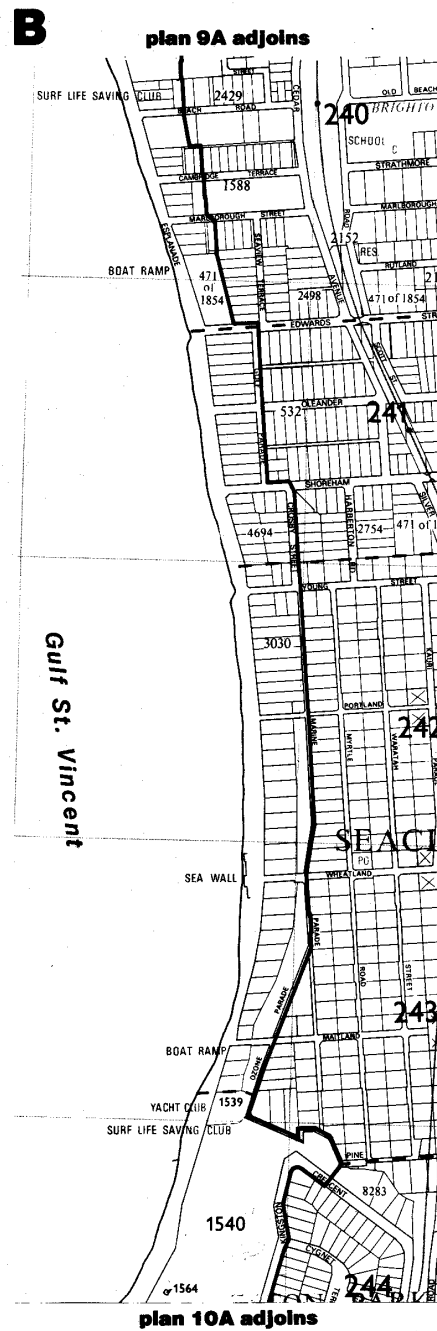
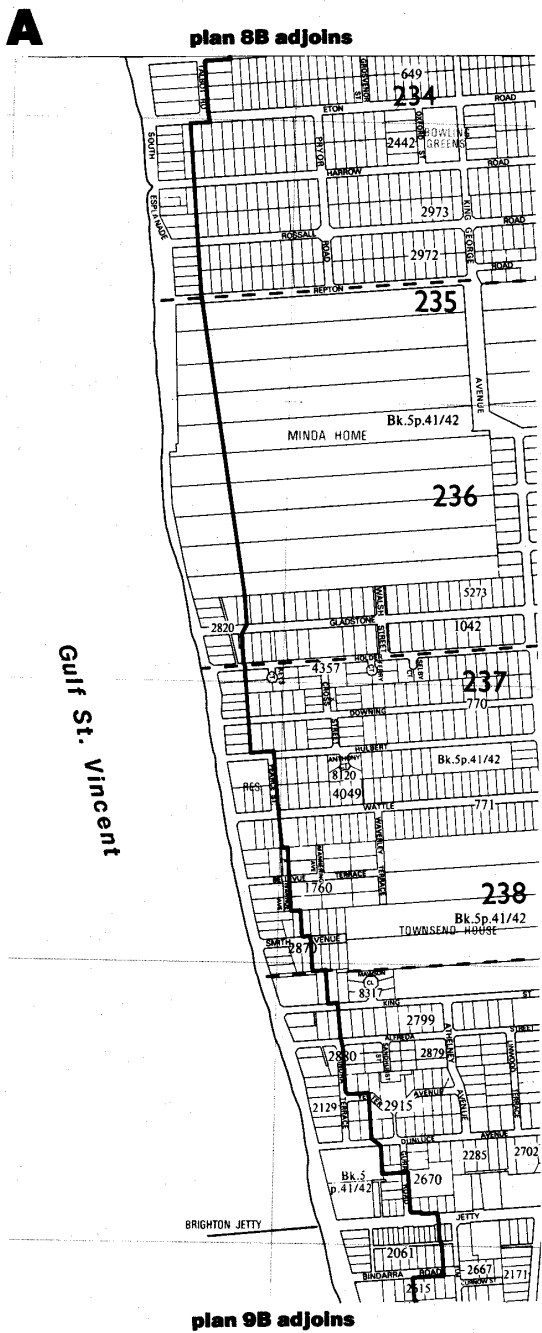
**COAST PROTECTION ACT 1972  
LAND TO CONSTITUTE  
PART OF THE COAST**

The Schedule



0 metres 200 400 600





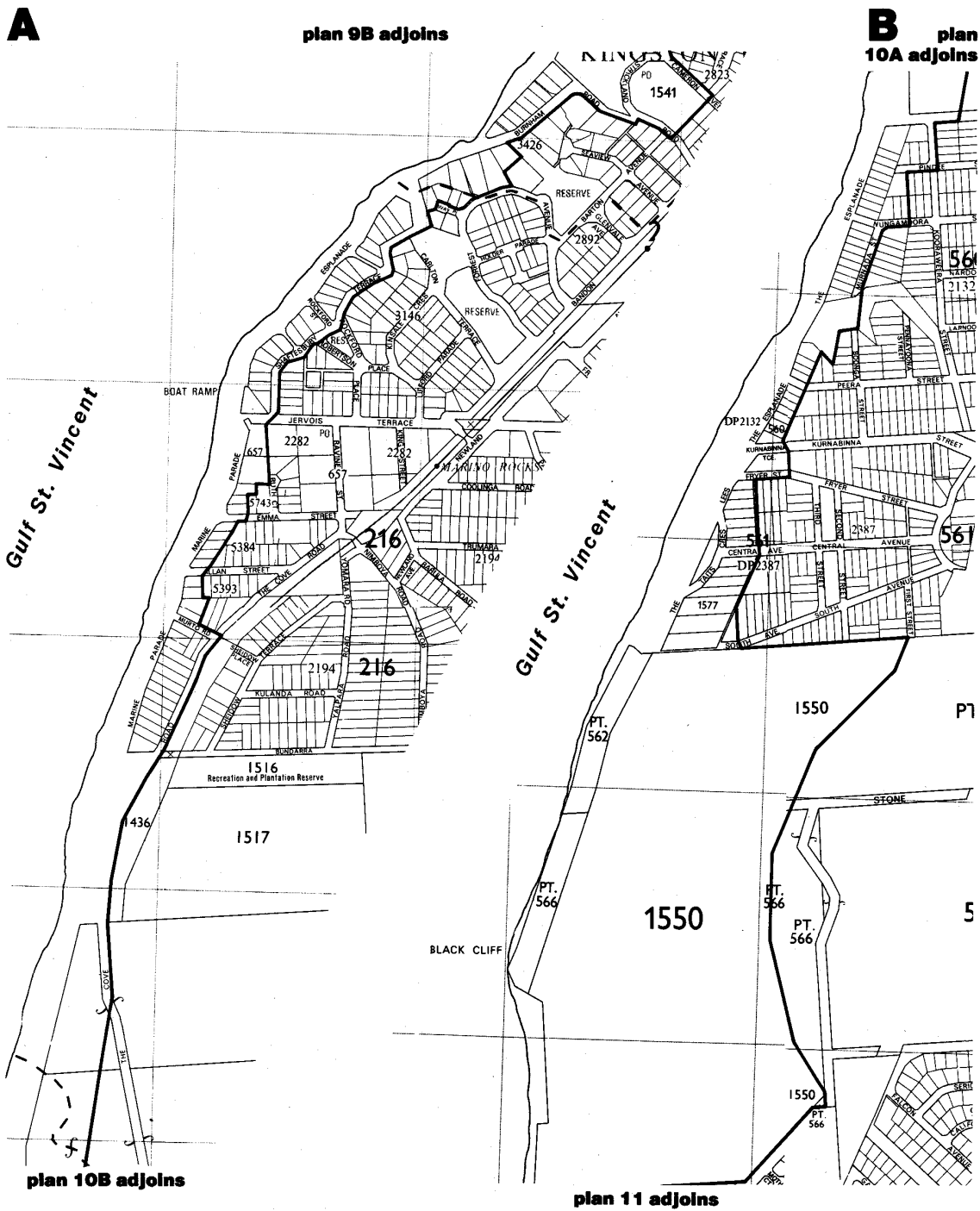
COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**



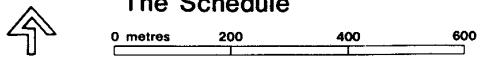
The Schedule

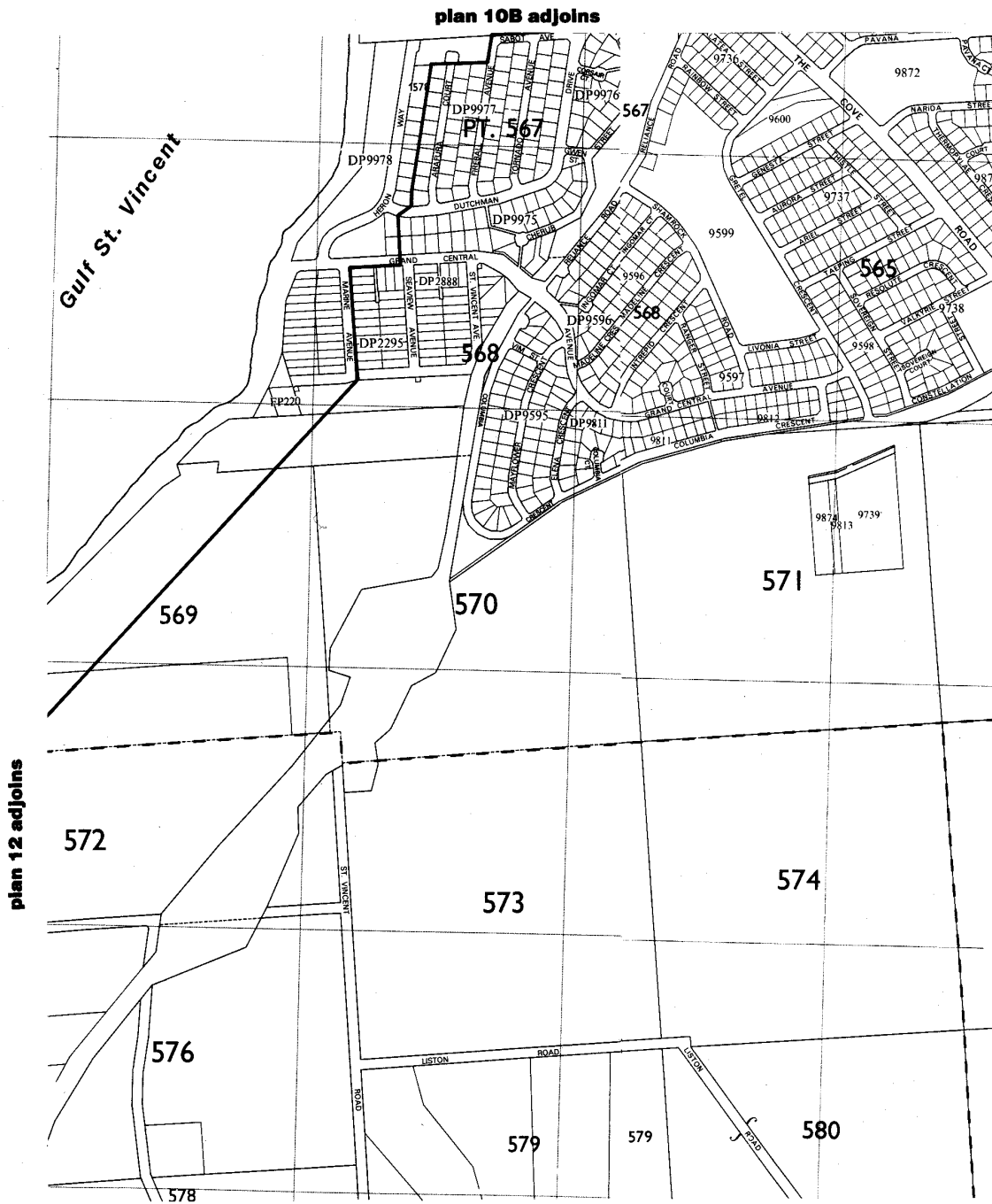
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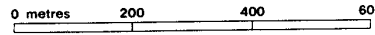
**10** COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**  
 The Schedule

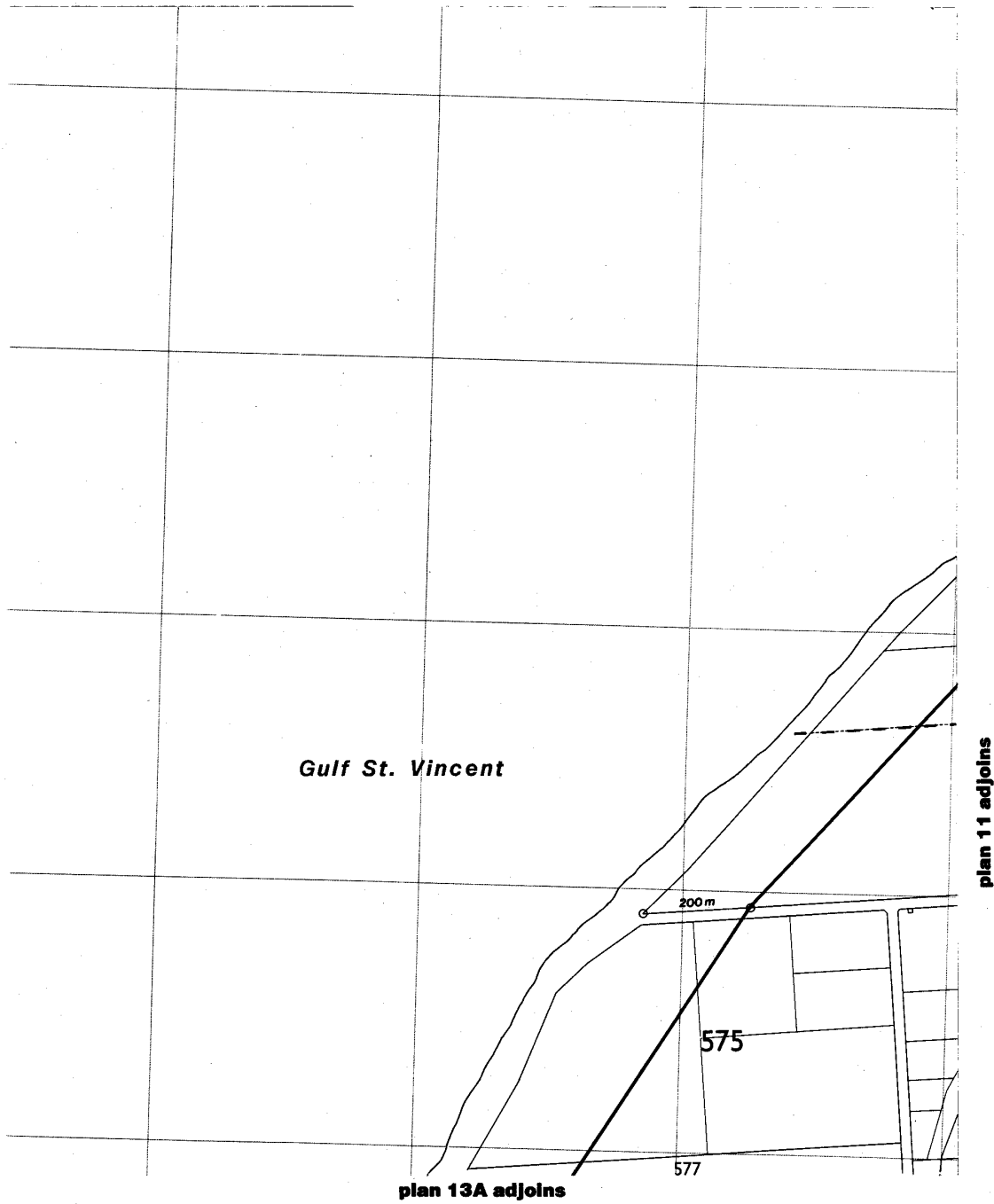




**COAST PROTECTION ACT 1972  
LAND TO CONSTITUTE  
PART OF THE COAST** 11

The Schedule

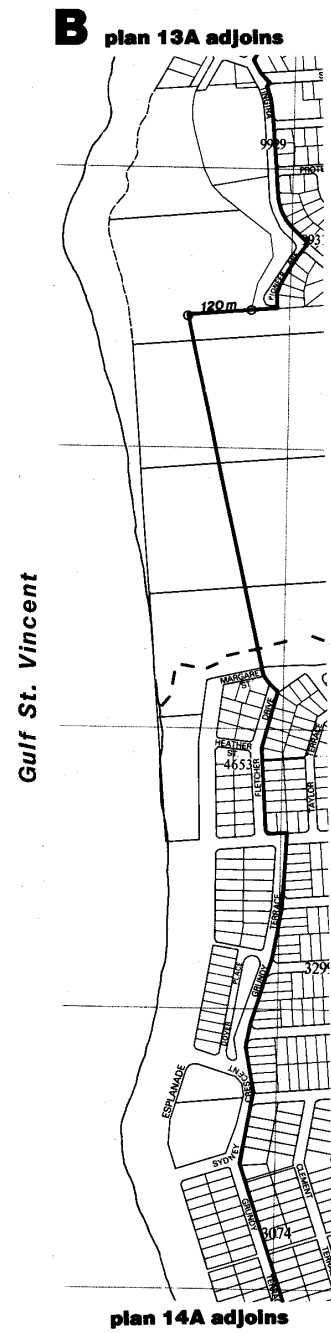
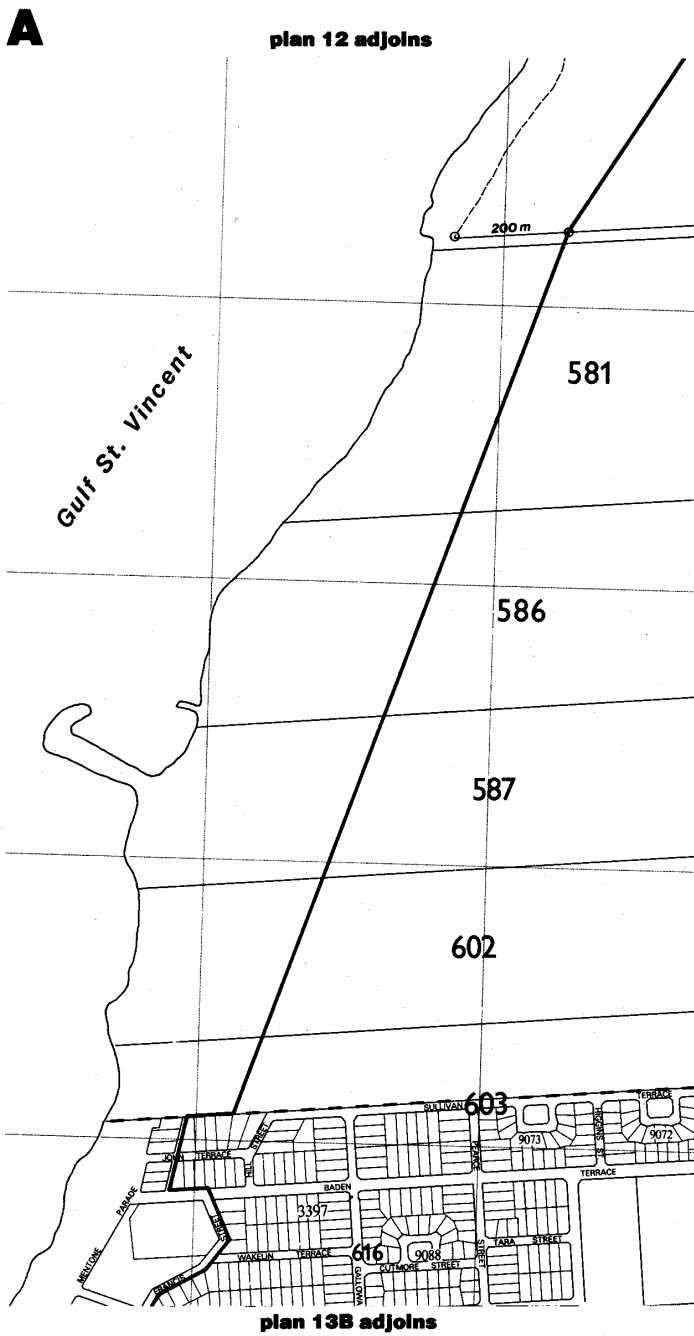




**12** COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
PART OF THE COAST**  
The Schedule



0 metres 200 400 600

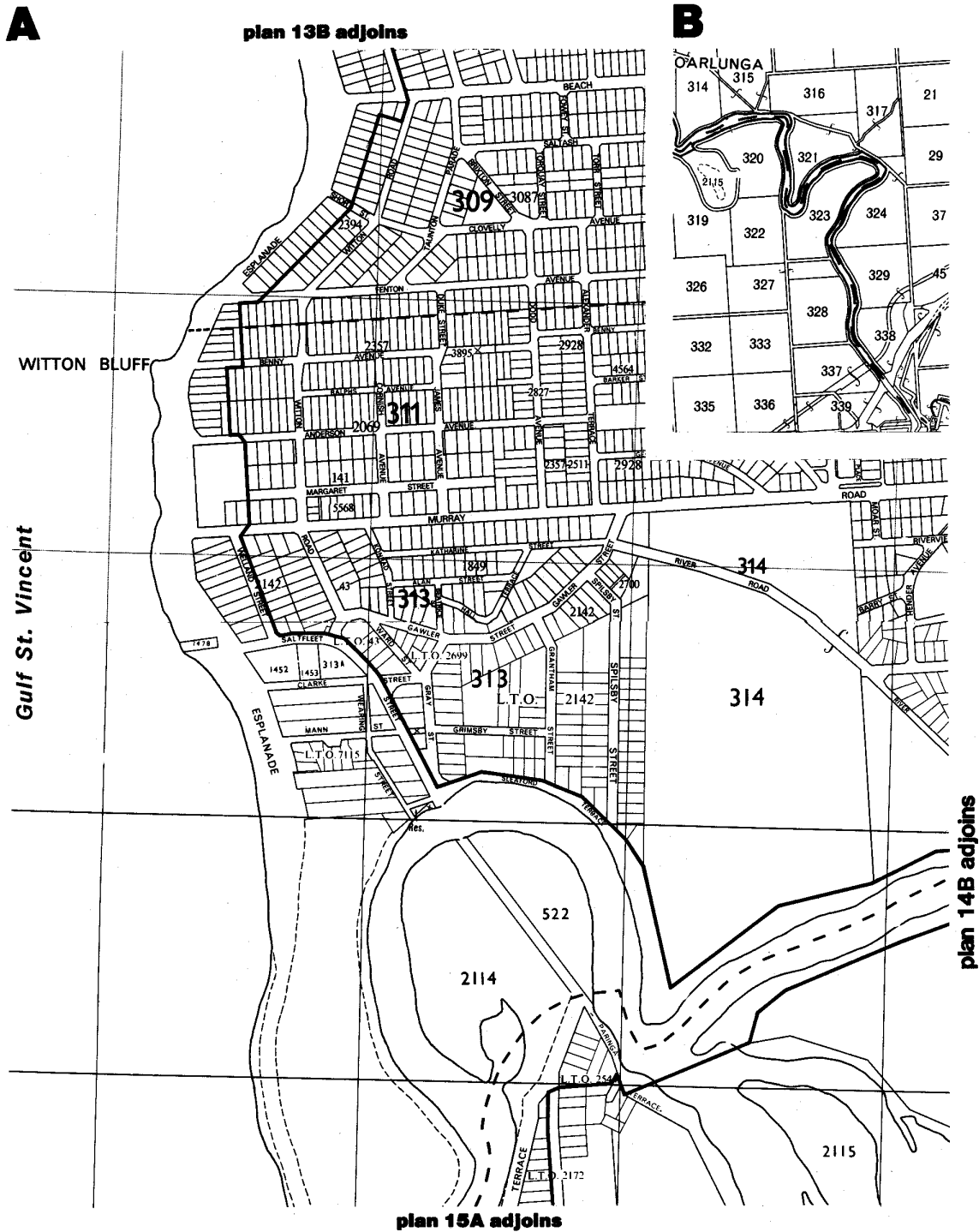


COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE**  
**PART OF THE COAST** **13**

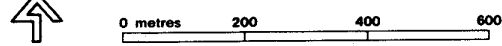
The Schedule

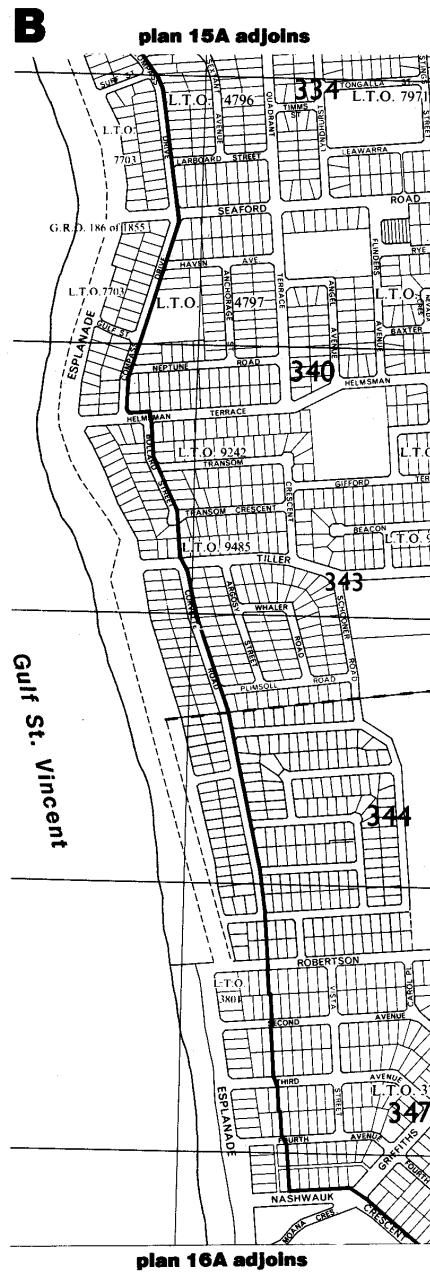
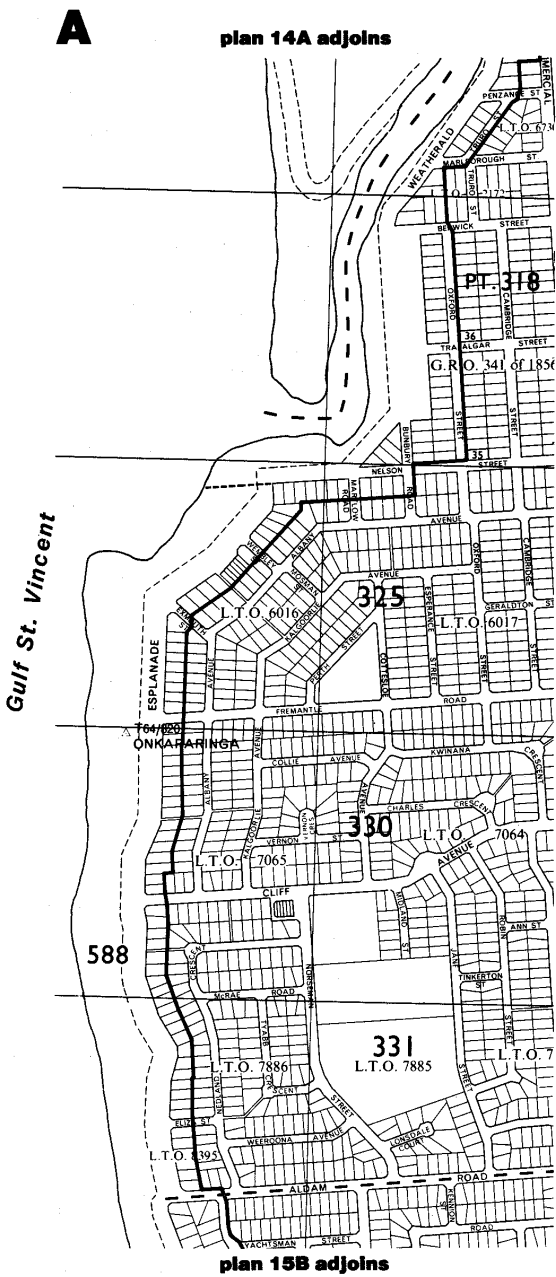
0 metres 200 400 600





**14** COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**  
 The Schedule



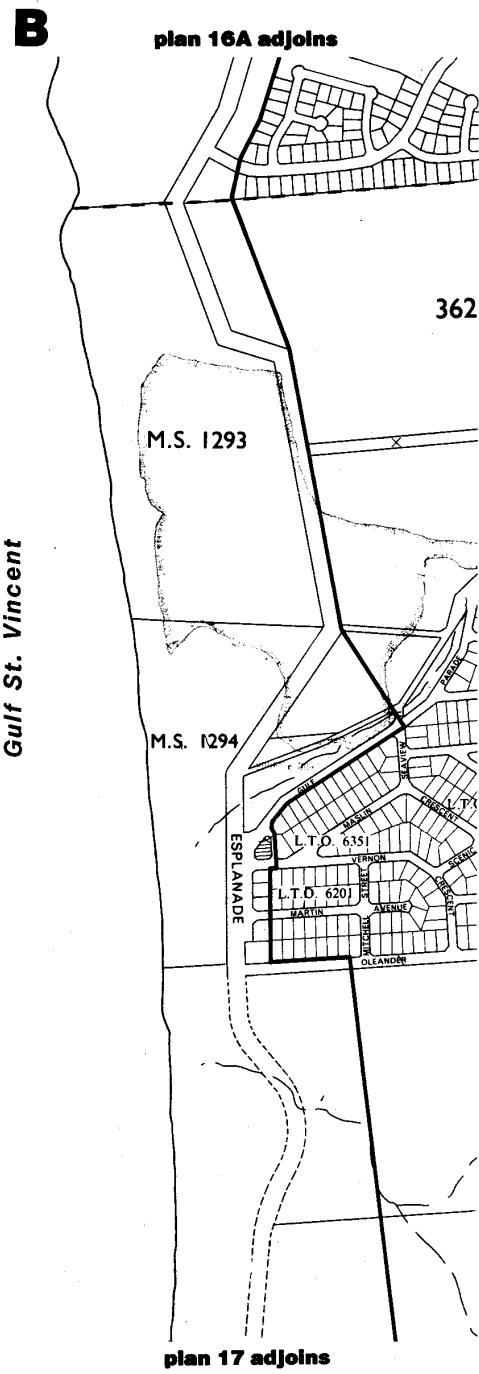
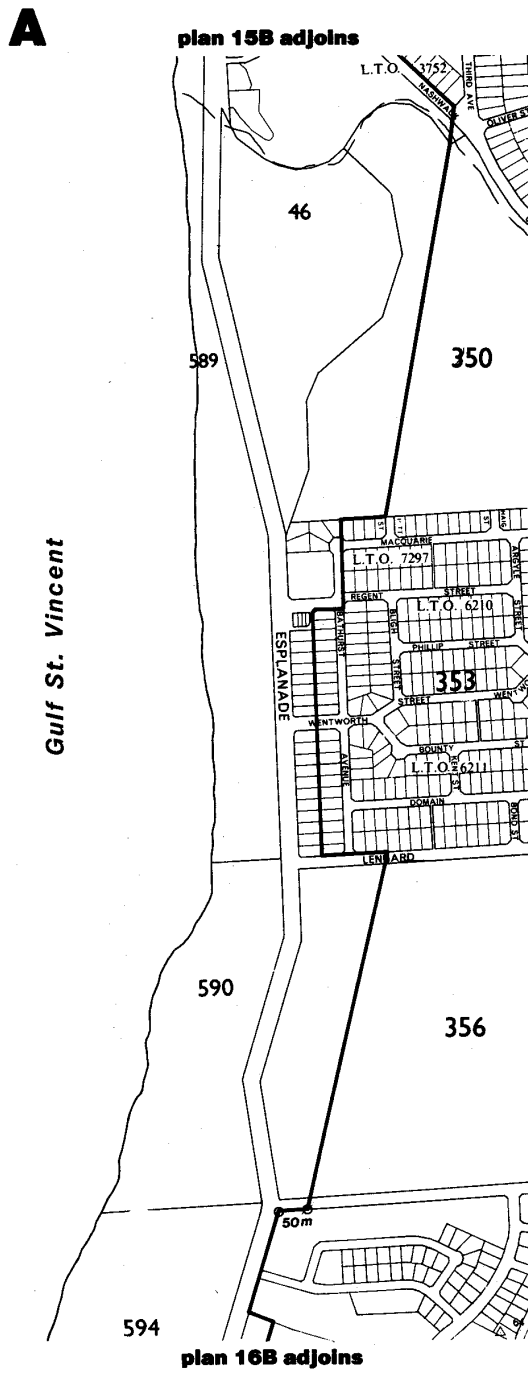


COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE PART OF THE COAST** **15**

The Schedule

0 metres 200 400 600



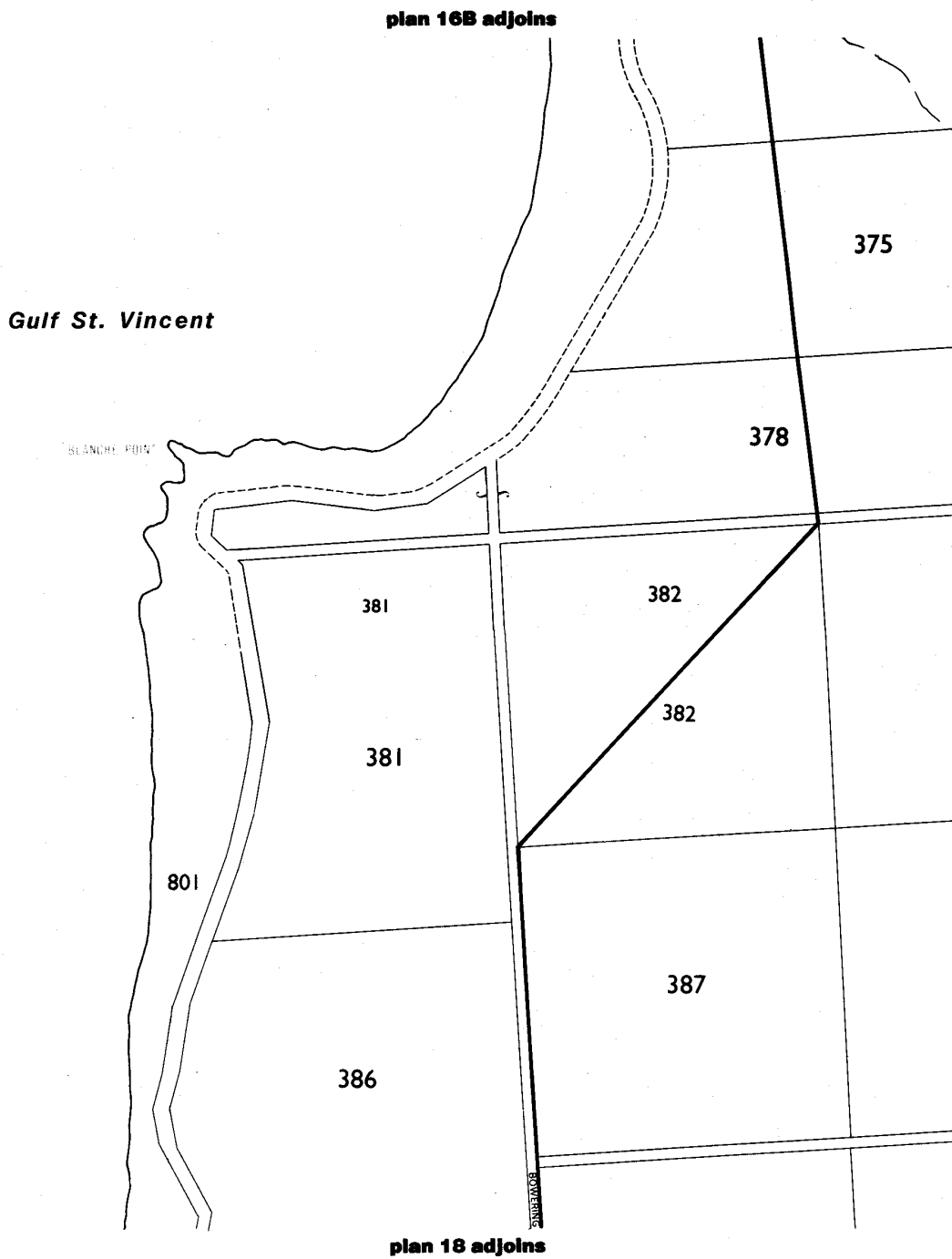


**16** COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**  
 The Schedule



0 metres 200 400 600



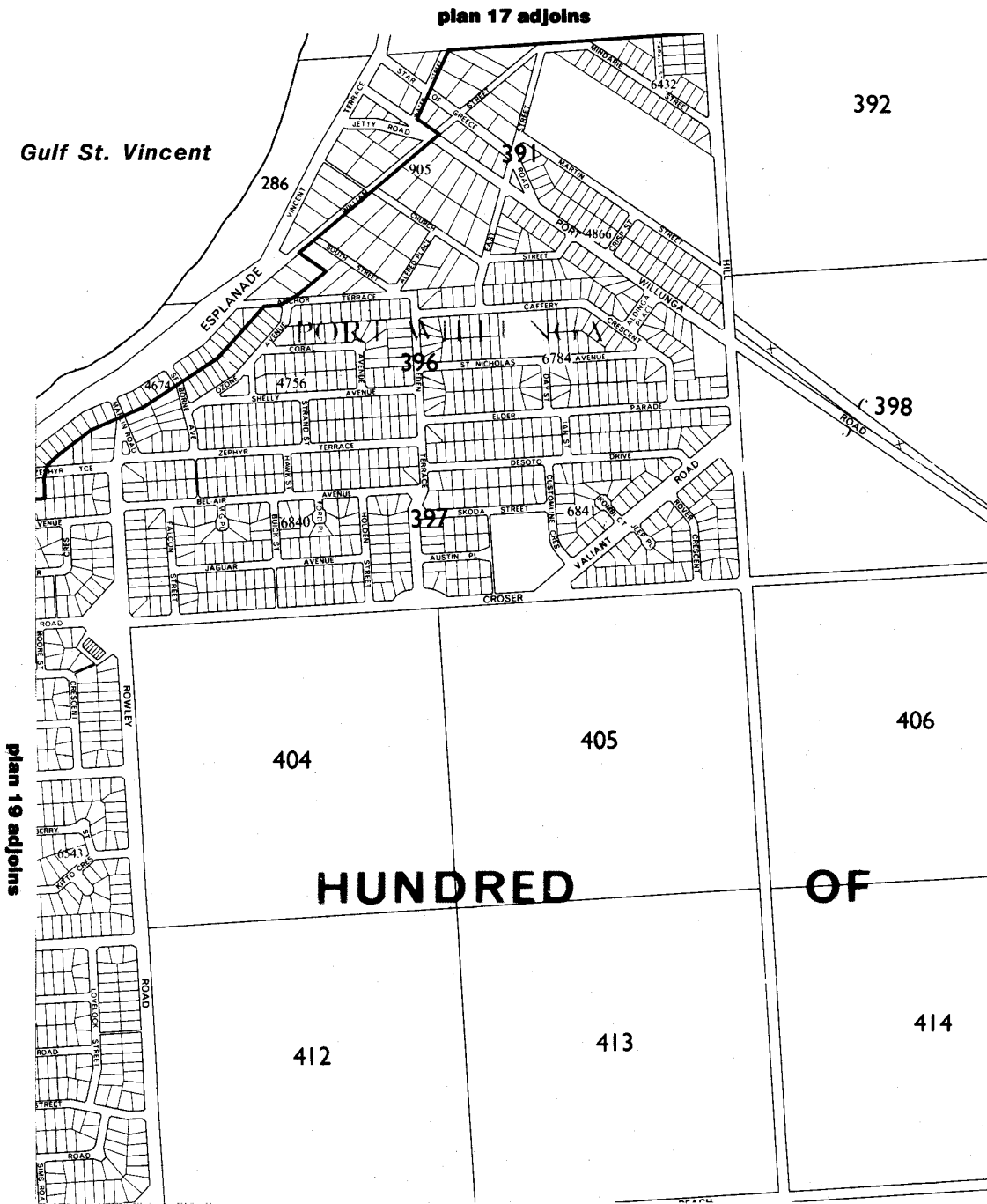


COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE PART OF THE COAST** **17**

The Schedule

0 metres 200 400 600

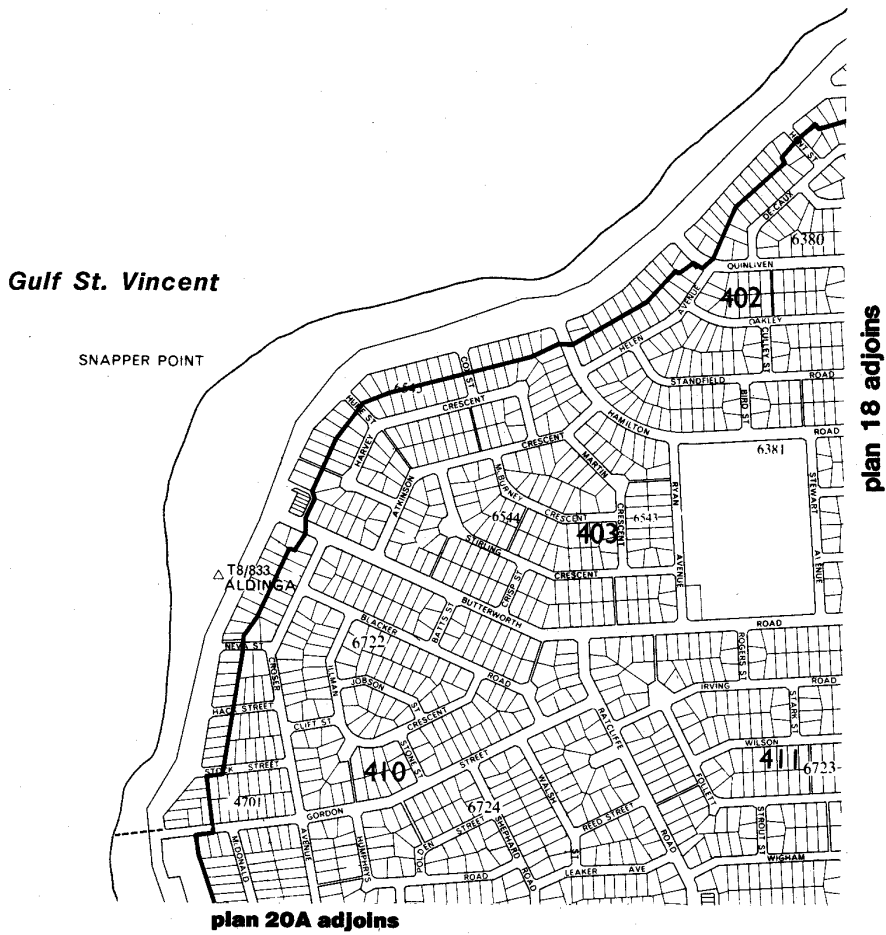




**18** COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**  
 The Schedule



0 metres    200    400    600



COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE**  
**PART OF THE COAST**

**19**

The Schedule



**A**

**plan 19 adjoins**

**Gulf St. Vincent**

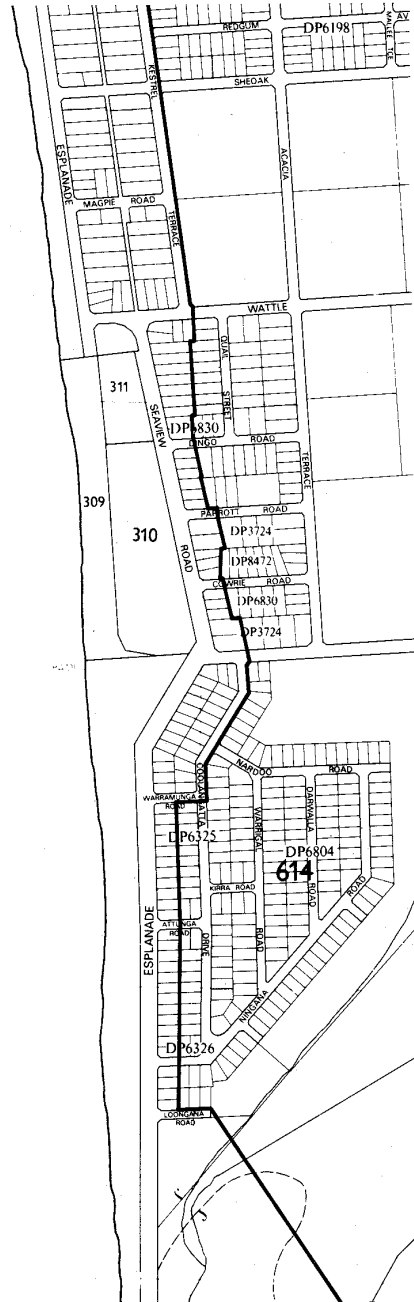


**plan 20B adjoins**

**B**

**plan 20A adjoins**

**Gulf St. Vincent**



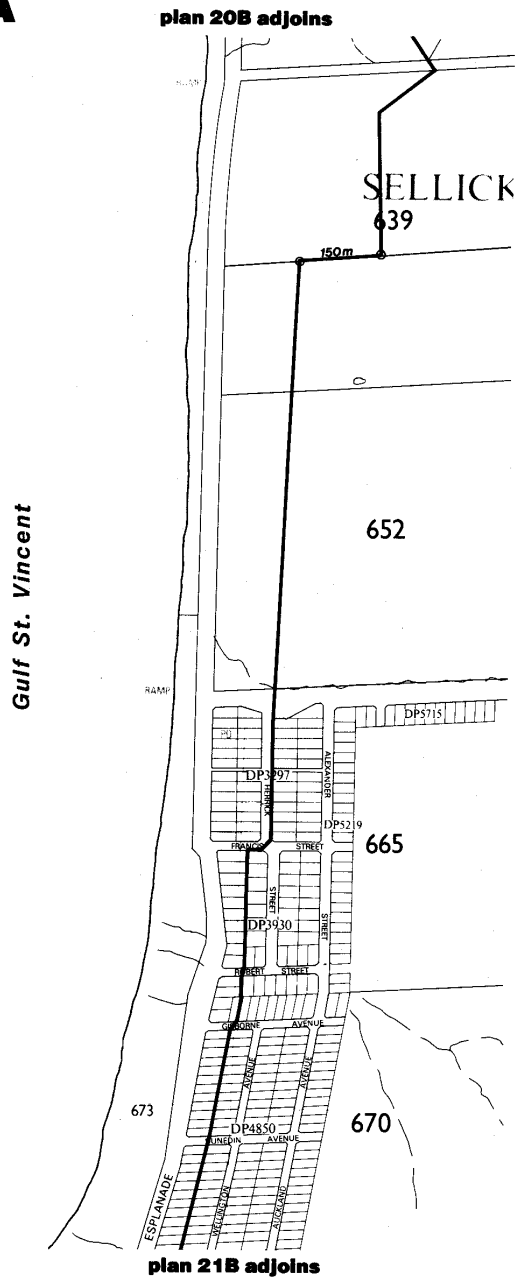
**plan 21A adjoins**

**20** COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE  
 PART OF THE COAST**

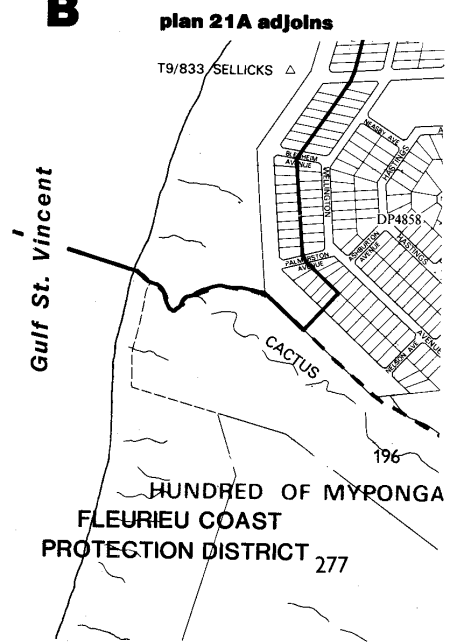
The Schedule



**A**



**B**



COAST PROTECTION ACT 1972  
**LAND TO CONSTITUTE PART OF THE COAST** **21**

The Schedule

0 metres 200 400 600



**REGULATIONS UNDER THE COAST PROTECTION ACT 1972**

No. 217 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Coast Protection Act 1972* 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.

IAIN EVANS Minister for Environment and Heritage

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Revocation
4. Declaration of land constituting part of coast

**SCHEDULE***Land Constituting Part of Coast***Citation**

1. These regulations may be cited as the *Coast Protection (Spencer) Regulations 2000*.

**Commencement**

2. These regulations will come into operation on 1 September 2000.

**Revocation**

3. The *Coast Protection Act (Spencer) Regulations 1984* (see *Gazette* 21 June 1984 p. 1781) are revoked.

**Declaration of land constituting part of coast**

4. The land described in the Schedule is declared to constitute part of the coast for the purposes of the *Coast Protection Act 1972*.

**SCHEDULE**  
*Land Constituting Part of Coast*

**Interpretation**

1. In this Schedule—

"**coastal land**" means land situated in a zone or area defined in a relevant Development Plan under the *Development Act 1993* where the name of the zone or area—

(a) includes one or more of the following terms:

- (i) coast;
- (ii) coastal;
- (iii) conservation;
- (iv) country living;
- (v) general farming;
- (vi) landscape buffer;
- (vii) recreation;
- (viii) rural;
- (ix) water protection; or

(b) indicates or suggests in some other way that the zone or area is situated on the coast.

**Description of land**

2. The following portions of the seaward boundaries of the counties of Victoria, Frome, Manchester and York constitute part of the coast:

- (a) all coastal land above and within 500 metres of the mean high water mark on the seashore at spring tides; and
- (b) all land in sections 123, 29 and 10, Hundred of Randell, county of York; and
- (c) all land in section 8, hundred of Poynton, county of York.

**REGULATIONS UNDER THE COAST PROTECTION ACT 1972**

No. 218 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Coast Protection Act 1972* 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.

IAIN EVANS Minister for Environment and Heritage

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Revocation
4. Declaration of land constituting part of coast

**SCHEDULE***Land Constituting Part of Coast***Citation**

1. These regulations may be cited as the *Coast Protection (Eyre) Regulations 2000*.

**Commencement**

2. These regulations will come into operation on 1 September 2000.

**Revocation**

3. The *Coast Protection Act (Eyre) Regulations 1984* (see *Gazette* 21 June 1984 p. 1780) are revoked.

**Declaration of land constituting part of coast**

4. The land described in the Schedule is declared to constitute part of the coast for the purposes of the *Coast Protection Act 1972*.



**SCHEDULE**  
*Land Constituting Part of Coast*

**Interpretation**

1. In this Schedule—

"**coastal land**" means land situated in a zone or area defined in a relevant Development Plan under the *Development Act 1993* where the name of the zone or area—

- (a) includes one or more of the following terms:
  - (i) coast;
  - (ii) coastal;
  - (iii) conservation;
  - (iv) country living;
  - (v) general farming;
  - (vi) landscape buffer;
  - (vii) recreation;
  - (viii) rural;
  - (ix) water protection; or
- (b) indicates or suggests in some other way that the zone or area is situated on the coast.

**Description of land**

2. The following portions of the seaward boundaries of the counties of Hopetoun, Kintore, Way, Dufferin, Robinson, Musgrave, Flinders and Jervois constitute part of the coast:

- (a) all coastal land above and within 500 metres of the mean high water mark on the seashore at spring tides; and
- (b) all land in section 113, hundred of Lincoln, county of Flinders; and
- (c) all land in section 163, hundred of Kiana, county of Musgrave; and
- (d) all land in section 22, hundred of Kevin, county of Kintore.

**REGULATIONS UNDER THE COAST PROTECTION ACT 1972**

No. 219 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Coast Protection Act 1972* 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.

IAIN EVANS Minister for Environment and Heritage

**SUMMARY OF PROVISIONS**

1. Citation
2. Commencement
3. Revocation
4. Declaration of land constituting part of coast

**SCHEDULE***Land Constituting Part of Coast***Citation**

1. These regulations may be cited as the *Coast Protection (Kangaroo Island) Regulations 2000*.

**Commencement**

2. These regulations will come into operation on 1 September 2000.

**Revocation**

3. The *Coast Protection Act (Kangaroo Island) Regulations 1984* (see *Gazette* 21 June 1984 p. 1782) are revoked.

**Declaration of land constituting part of coast**

4. The land described in the Schedule is declared to constitute part of the coast for the purposes of the *Coast Protection Act 1972*.

**SCHEDULE**  
*Land Constituting Part of Coast*

**Interpretation**

1. In this Schedule—

"**coastal land**" means land situated in a zone or area defined in a relevant Development Plan under the *Development Act 1993* where the name of the zone or area—

- (a) includes one or more of the following terms:
  - (i) coast;
  - (ii) coastal;
  - (iii) conservation;
  - (iv) country living;
  - (v) general farming;
  - (vi) landscape buffer;
  - (vii) recreation;
  - (viii) rural;
  - (ix) water protection; or
- (b) indicates or suggests in some other way that the zone or area is situated on the coast.

**Description of land**

2. All coastal land within the county of Carnarvon that is above and within 500 metres of the mean high water mark on the seashore at spring tides constitutes part of the coast.

MEH 13/2000 CS

R. DENNIS Clerk of the Council

**REGULATIONS UNDER THE DEVELOPMENT ACT 1993**

No. 220 of 2000

*At the Executive Council Office at Adelaide 31 August 2000*

PURSUANT to the *Development 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. 67—Development excluded from approval and notice
4. Variation of schedule 3
5. Variation of schedule 4
6. Variation of schedule 9

**Citation**

1. The *Development Regulations 1993* (see *Gazette* 27 October 1993 p. 1954), as varied, are referred to in these regulations as "the principal regulations".

**Commencement**

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

**Variation of reg. 67—Development excluded from approval and notice**

3. Regulation 67 of the principal regulations is varied—

- (a) by striking out from subregulation (1) "a State agency" and substituting "a prescribed agency";
- (b) by striking out from subregulation (2) "State agency" twice occurring and substituting, in each case, "prescribed agency";
- (c) by inserting after subregulation (3) the following subregulation:

(4) In this regulation—

"prescribed agency" means—

- (a) a State agency within the meaning of section 49 of the Act; or
- (b) a person who is acting under a specific endorsement of a State agency under section 49(2)(c) of the Act.

**Variation of schedule 3**

4. Schedule 3 of the principal regulations is varied—

(a) by striking out subparagraph (ii) of clause 4(1)(b) and substituting the following subparagraph:

- (ii) a flagpole;

(b) by inserting after clause 11 the following clause:

**Aerials, towers, etc.**

12. (1) Other than in respect of a local heritage place or in the Hills Face Zone, the construction, alteration or extension of prescribed infrastructure (including any incidental excavation or filling) if—

- (a) the total height of the prescribed infrastructure, when constructed, altered or extended, will not exceed (taking into account attachments (if any))—
  - (i) in the case of prescribed infrastructure not attached to a building—
    - (A) in Metropolitan Adelaide—7.5 metres;
    - (B) in any other case—10 metres;
  - (ii) in the case of prescribed infrastructure attached to a building—
    - (A) in a residential zone in Metropolitan Adelaide—2 metres;
    - (B) in any other case—4 metres,  
above the topmost point of attachment to the building, disregarding any attachment by guy wires; and
- (b) in the case of prescribed infrastructure that is or incorporates, or has as an attachment, a microwave, satellite or other form of communications dish—the diameter of the dish will not exceed—
  - (i) in a residential zone, or in a Historic (Conservation) Zone or a Historic (Conservation) Policy Area under the relevant Development Plan—1.2 metres;
  - (ii) in any other case—2.4 metres.

(2) In the Hills Face Zone, other than in respect of a local heritage place, the construction, alteration or extension of prescribed infrastructure attached to a building if—

- (a) the total height of the prescribed infrastructure, when constructed, altered or extended, will not exceed (taking into account attachments (if any)) 2 metres above the topmost point of attachment to the building, disregarding any attachment by guy wires; and
- (b) in the case of prescribed infrastructure that is or incorporates, or has as an attachment, a microwave, satellite or other form of communications dish—the diameter of the dish will not exceed 1.2 metres.

(3) The construction, alteration or extension of prescribed subscriber connection telecommunications infrastructure at premises occupied or used by the subscriber, or in the immediate vicinity of those premises, where the infrastructure is located (or to be located) at a place that is not within the area of a council, other than infrastructure (or proposed infrastructure)—

- (a) at a local heritage place; or

- (b) in a zone or area designated for retail, office, commercial, industrial or extractive industry use by the relevant Development Plan; or
- (c) in a zone or area designated as Environmental Class A or B by the relevant Development Plan; or
- (d) in a zone or area designated for conservation by the relevant Development Plan; or
- (e) within 1 kilometre of the coast measured from mean high water mark on the sea shore at spring tide; or
- (f) within 1 kilometre of the River Murray; or
- (g) within 500 metres of an arterial road, primary road, primary arterial road or secondary arterial road (as delineated in the relevant Development Plan); or
- (h) within a township, or within 50 metres of the boundaries of a township; or
- (i) on land that is subject to the *National Parks and Wildlife Act 1972*; or
- (j) within part of the State described in schedule 20.

(4) In this clause—

"**building**" does not include prescribed infrastructure;

"**prescribed infrastructure**" means a non load-bearing aerial, antenna, mast or open-framed tower, or other similar structure (but not including an advertising hoarding);

"**prescribed subscriber connection telecommunications infrastructure**" means any of the following when used (or to be used) in order to provide telecommunications facilities to a particular subscriber:

- (a) an aerial, antenna, mast, tower or pole if—
  - (i) the total height of the structure (including attachments (if any)) does not (or will not) exceed 15 metres; and
  - (ii) in the case of a structure that is or incorporates, or has an attachment, a microwave, satellite or other form of communications dish—the diameter of the dish does not (or will not) exceed 2.4 metres;
- (b) an equipment shelter or housing if—
  - (i) its total floor area does not (or will not) exceed 10 square metres; and
  - (ii) its height does not (or will not) exceed 3.5 metres;
- (c) an open-lattice frame or pole mounted with a solar panel or panels if—
  - (i) the total height of the frame or pole does not (or will not) exceed 4.5 metres; and
  - (ii) the total area of the panels does not (or will not) exceed 7.5 square metres;

"**residential zone**" means a zone or area primarily designated for residential use by a Development Plan;

"**subscriber**" means a subscriber to a telecommunications service.

**Variation of schedule 4**

5. Schedule 4 of the principal regulations is varied—

(a) by striking out subparagraph (ii) of clause 9(c) of Part 2 and substituting the following subparagraph:

(ii) a flagpole,;

(b) by inserting after clause 10 of Part 2 the following clause:

11. (1) Other than in respect of a local heritage place, the construction, alteration or extension of prescribed infrastructure (including any incidental excavation or filling) if the total height of the prescribed infrastructure, when constructed, altered or extended, will not exceed (taking into account attachments (if any))—

(a) in the case of prescribed infrastructure not attached to a building—10 metres;

(b) in the case of prescribed infrastructure attached to a building—4 metres above the topmost point of attachment to the building, disregarding any attachment by guy wires.

(2) In this clause—

"**building**" does not include prescribed infrastructure;

"**prescribed infrastructure**" has the same meaning as in clause 12 of schedule 3.

**Variation of schedule 9**

6. Schedule 9 of the principal regulations is varied—

(a) by inserting after paragraph (o) of clause 6(1) in Part 1 the following word and paragraph:

or

(p) the construction of, or change in use to, a telecommunications facility the total height of which does not (or will not) exceed 30 metres in a Commercial, Local Commercial, District Commercial, Commerce/Industry, Industry/Commerce, Industrial/Commercial, Industry Deferred, Industry/Business, Local Business, Public Purpose, Service Depot, Service Industry, Showgrounds, Special Industry, Deferred Industry, Extractive Industry, Business, Technology Park, Office, Local Office, Industrial, Light Industrial, Industry, Light Industry, Commercial Light Industry or General Industry zone, as delineated in the relevant Development Plan.;

(b) by inserting after clause 6(2) in Part 1 the following subclause:

(3) In this clause—

"**telecommunications facility**" means a facility within the meaning of the *Telecommunications Act 1997* of the Commonwealth.;

(c) by inserting after clause 7 in Part 2 the following clause:

8. (1) Except where the development falls within Part 1 of this schedule, or is classified as *non-complying* development under the relevant Development Plan, any development which consists of the construction of, or change in use to, a telecommunications facility the total height of which does not (or will not) exceed 40 metres in a Rural, Primary Industry, Primary Production, Deferred Urban, Deferred Development, Watershed Protection, MOSS (rural), Horticulture, Horticultural or General Farming zone, as delineated in the relevant Development Plan.

(2) In this clause—

"**telecommunications facility**" means a facility within the meaning of the *Telecommunications Act 1997* of the Commonwealth.;

(d) by inserting after Part 2 the following Part:

**PART 3  
GENERAL PROVISION**

1. A reference in this schedule to a particular category of zone will be taken to include a reference to any zone of that category that has an additional designation or specification<sup>1</sup>.

<sup>1</sup>. For example, an additional designation or specification may be a street name, a distinguishing letter of the alphabet or a distinguishing number, or the name of an area.



**FIXATION OF MAXIMUM PRICES FOR SALE OF GAS**

**PURSUANT to section 33 of the *Gas Act, 1997*, I Wayne Matthew,  
Minister for Minerals and Energy as Pricing Regulator**

- (1) hereby fix as the maximum prices for the sale of gas to non-contestable consumers on and from 1 September 2000 the prices set out in the Schedule under the headings Domestic; and**
- (2) hereby fix as the maximum prices for the sale of gas to prescribed consumers (those consumers whose consumption is less than 10 terajoules at a site which site is used by the consumer principally for the purposes of business, whether or not for profit) on and from 1 September 2000 the prices set out in the Schedule under the headings Commercial and Industrial.**

**Dated: 29 August 2000**



**Wayne Matthew,  
Minister for Minerals and Energy  
Minister Assisting the Deputy Premier.  
Pricing Regulator**

**METROPOLITAN TARIFFS**  
(INCLUDING BAROSSA AND PETERBOROUGH)

Applicable to all meter readings or estimates from 1 September 2000. These tariffs will be applied pro rata to the number of days in the billing period from 1 September 2000.

TARIFF	PER QUARTER	EXISTING	FROM 1/09/00
<b>DOMESTIC</b>			
<b>GENERAL</b>	Supply Charge	\$21.25	\$21.70
<b>PENSIONERS</b>	Supply Charge	\$19.60	\$20.05
	First 4,500 Mj	1.4016c/Mj	1.4312c/Mj
	Additional Mj	0.9025c/Mj	0.9215c/Mj

TARIFF	PER QUARTER	EXISTING	FROM 1/09/00
<b>COMMERCIAL AND INDUSTRIAL</b>			
	Supply Charge	\$38.85	\$39.85
	First 90,000 Mj	1.1892c/Mj	1.2143c/Mj
	Next 390,000 Mj	0.8843c/Mj	0.8825c/Mj
	Next 1,020,000 Mj	0.5882c/Mj	0.6006c/Mj
	Additional Mj	0.4725c/Mj	0.4825c/Mj

Proportionately for monthly billing periods.

**MT GAMBIER TARIFFS**

Applicable to all meter readings or estimates from 1 September 2000. These tariffs will be applied pro rata to the number of days in the billing period from 1 September 2000.

TARIFF	PER QUARTER	EXISTING	FROM 1/09/00
<b>DOMESTIC</b>			
<b>GENERAL</b>	Supply Charge	\$21.25	\$21.70
<b>PENSIONERS</b>	Supply Charge	\$19.60	\$20.05
	First 4,500 Mj	1.5301c/Mj	1.5624c/Mj
	Additional Mj	1.1680c/Mj	1.1926c/Mj

TARIFF	PER QUARTER	EXISTING	FROM 1/09/00
<b>COMMERCIAL AND INDUSTRIAL</b>			
	Supply Charge	\$38.85	\$39.65
	First 15,000 Mj	1.2147c/Mj	1.2403c/Mj
	Next 60,000 Mj	1.1000c/Mj	1.1232c/Mj
	Next 150,000 Mj	0.8983c/Mj	0.9172c/Mj
	Additional Mj	0.8325c/Mj	0.8501c/Mj

**PORT PIRIE TARIFFS**

Applicable to all meter readings or estimates from 1 September 2000. These tariffs will be applied pro rata to the number of days in the billing period from 1 September 2000.

TARIFF			
DOMESTIC	PER QUARTER	EXISTING	FROM 1/09/00
GENERAL	Supply Charge	\$21.25	\$21.70
PENSIONERS	Supply Charge	\$19.60	\$20.05
	First 4,500 Mj	1.4451c/Mj	1.4756c/Mj
	Additional Mj	0.9535c/Mj	0.9736c/Mj

TARIFF			
COMMERCIAL AND INDUSTRIAL	PER QUARTER	EXISTING	FROM 1/09/00
	Supply Charge	\$38.80	\$39.65
	First 15,000 Mj	1.4993c/Mj	1.5309c/Mj
	Next 60,000 Mj	1.3167c/Mj	1.3445c/Mj
	Next 150,000 Mj	1.0916c/Mj	1.1146c/Mj
	Additional Mj	0.8802c/Mj	0.8988c/Mj

**WHYALLA TARIFFS**

Applicable to all meter readings or estimates from 1 September 2000. These tariffs will be applied pro rata to the number of days in the billing period from 1 September 2000.

TARIFF			
DOMESTIC	PER QUARTER	EXISTING	FROM 1/09/00
GENERAL	Supply Charge	\$21.25	\$21.70
PENSIONERS	Supply Charge	\$19.60	\$20.05
	First 4,500 Mj	1.4388c/Mj	1.4692c/Mj
	Additional Mj	1.1054c/Mj	1.1287c/Mj

TARIFF			
COMMERCIAL AND INDUSTRIAL	PER QUARTER	EXISTING	FROM 1/09/00
	Supply Charge	\$38.85	\$39.65
	First 15,000 Mj	1.5471c/Mj	1.5797c/Mj
	Next 60,000 Mj	1.4175c/Mj	1.4474c/Mj
	Next 150,000 Mj	1.2349c/Mj	1.2610c/Mj
	Additional Mj	1.0809c/Mj	1.1037c/Mj

**RIVERLAND AND MURRAY BRIDGE TARIFFS**

Applicable to all meter readings or estimates from 1 September 2000. These tariffs will be applied pro rata to the number of days in the billing period from 1 September 2000.

TARIFF	PER QUARTER	EXISTING	FROM 1/09/00
<b>DOMESTIC</b>			
<b>GENERAL</b>	Supply Charge	\$21.25	\$21.70
<b>PENSIONERS</b>	Supply Charge	\$19.60	\$20.05
	First 4,500 Mj	1.3974c/Mj	1.4269c/Mj
	Additional Mj	1.1054c/Mj	1.1287c/Mj

TARIFF	PER QUARTER	EXISTING	FROM 1/09/00
<b>COMMERCIAL AND INDUSTRIAL</b>			
	Supply Charge	\$26.45	\$27.00
	First 15,000 Mj	1.1776c/Mj	1.2024c/Mj
	Next 60,000 Mj	1.0661c/Mj	1.0886c/Mj
	Next 150,000 Mj	0.8707c/Mj	0.8891c/Mj
	Additional Mj	0.8070c/Mj	0.8240c/Mj

**ROXBY DOWNS AND RENMARK TARIFFS**

Applicable to all meter readings or estimates from 1 September 2000. These tariffs will be applied pro rata to the number of days in the billing period from 1 September 2000.

TARIFF	PER QUARTER	EXISTING	FROM 1/09/00
<b>DOMESTIC</b>			
<b>GENERAL</b>	Supply Charge	\$11.55	\$11.75
<b>PENSIONERS</b>	Supply Charge	\$9.90	\$10.10
	First 3,000 Mj	1.9123c/Mj	1.9526c/Mj
	Additional Mj	1.3368c/Mj	1.3650c/Mj

TARIFF	PER QUARTER	EXISTING	FROM 1/09/00
<b>COMMERCIAL AND INDUSTRIAL</b>			
	Supply Charge	\$25.00	\$25.50
	First 15,000 Mj	1.8423c/Mj	1.8812c/Mj
	Next 60,000 Mj	1.3857c/Mj	1.4149c/Mj
	Next 150,000 Mj	1.3496c/Mj	1.3781c/Mj
	Additional Mj	1.2190c/Mj	1.2447c/Mj